

- (1) பக்கங்களின் எண்ணிக்கை 170.
(2) புதுக்கித் திருப்பிய நாள் 12-12-90
(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 1000

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Judicial. துறை

அரசாணை எண். 1668-1669 அச்சகம்
மு. கோப்புத் தாள் எண். பலவகை

7-7-1884.

நாள் :

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கையாளவோ கூடாது

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

READ—the following papers :—

From A. MACKENZIE, Esq., C.S., Secretary to the Government of India, Home department (Judicial), to the Chief Secretary to Government, dated Calcutta, 26th January 1884, No. 3-114.

In Home department resolution, No. 20—1406-19, dated 22nd September 1882, the Government of India explained the principles which should regulate the action of Government in the matter of jail manufactures, and issued certain instructions with a view to give effect to those principles.

2. The main consideration which led to the issue of the orders contained in that resolution was the importance of removing all obstacles to the spontaneous development of manufacturing industries in India, in so far as these are affected by the operations of convict labor and the supply of articles of jail manufacture to the local markets. The history of the matter was this. In his despatch of 12th February 1880, the Secretary of State, remarking upon the large development which had been given to manufacturing industries in the central jails of Bengal, observed that "the extended introduction of manufactures, other than those of the simplest kind, into Indian jails, is a question calling for general examination before the system is accepted as a proper one;" and the Government of India was requested to endeavour to establish the principles on which it should be decided. In the following year enquiries were instituted in all the provinces, with the result that the Government of India found reason to fear that there was much in the present system of jail manufactures to which objection might fairly be taken upon economic grounds. There was a strong body of evidence that in many places the products of jail labor were competing with private industry to a very serious extent. It being distinctly the duty of the State to do nothing to hinder the spontaneous growth, but, on the contrary, so far as it legitimately can, to stimulate and assist the development of industrial employment, the Government of India felt that the time had come to look into the matter closely, and determine the true limits of State action in the matter of jail industries in this country. The enquiries which were instituted further disclosed the fact that the principles enunciated by the Calcutta Jail Conference of 1877, and approved by the Government of India in 1878, respecting the necessity of avoiding multifarious employments in jails, were frequently disregarded; and it was also found that many of the forms of industry on which convict labor was being utilized were improper and objectionable by reason of the impossibility of rendering them sufficiently punitive.

3. The views of the Government of India, as embodied in the resolution of the 22nd September 1882 above referred to, may be briefly summarized as follows. In the first place, two cardinal doctrines were laid down as those by which the decision of Government on the whole general question must be guided. These were (1) that jail labor should, as a rule, be productive without being necessarily made as productive as possible; (2) that jail labor, while productive, should be carefully directed in such channels as to interfere as little as possible with the growth of private industries; or, in other words, that Government capital should not be brought into competition with private capital to a greater extent than is necessitated by the requirements of prison management. This seemed to be a matter of special importance in India, where a degree of Government competition, which in England might be comparatively harmless, might locally do very serious injury to private trade.

In the second place, with a view to give practical effect and application to these principles, detailed instructions were given as to the conditions under which prison labor should be used extramurally and intramurally, and also as to the restrictions to be placed upon allowing multifariousness of employments in jails. It was declared that in future out-door labor on large public works, whether State or private, should be looked upon as the principal mode of employing long-term prisoners throughout British India. To avoid the dangers that might arise from employing desperate or weakly convicts in this manner, the Government of India insisted on a large discretion being left to Jail Superintendents in the selection of the men to compose the gangs for extramural labor. It was considered that there was no reason to fear that the increased expenditure which would be entailed by the necessity of providing convict camps or portable jails for the accommodation of the gangs and of furnishing strong police guards constituted an insuperable difficulty. Experience, so far as it had gone, proved that the extramural form of employment was really very remunerative. Besides, in the case of a public work executed by the State, such extra expenditure might always be fairly charged to the work. In regard to in-door industries, which it was necessary to maintain for prisoners in lock-ups and district jails, short-term and weakly prisoners, and other convicts left in central jails after the drafts to public works had been made, the Government of India enjoined certain restrictions. The introduction of steam machinery, involving, as it did, the competition of State with private capital, was prohibited for the future. Where such machinery was already in use in the jails of any province, the Local Government concerned was instructed either to dispose of it by sale at a fair valuation, or, if there were difficulties in so arranging, the Local Government might lease the use of the machinery as it stood in the jail factory to a private company or individual on condition of his agreeing to employ convict labor in his operations and to pay for this at market rates, and on condition that all matters connected with the discipline of the convict laborers were left entirely in the hands of the jail authorities. As regards European machinery driven by treadmills, capstans, and other applications of convict labor, its use was not absolutely prohibited, but it was to be sparingly used, and only for prisoners fit for heavy manual labor. The Government of India, however, intimated that where such machinery was devoted to any other purpose than the supply of actual jail requirements, it was better that it should be got rid of. Next, on the subject of multifarious employments in jails, attention was called to the principles adopted by the Jail Conference of 1877. Local Governments were directed to prescribe for each jail a certain number of authorized industries, selected with reference to the foregoing economic rules and with careful attention to their penal character.

Finally, the questions were considered—to whom Government should dispose of its jail manufactures, and how it should fix the price of these when disposed of by sale. As to the disposal of jail articles, it was laid down (a) that the supply of jail requirements was the first object to which jail industries should be devoted, and that, until that demand is satisfied, the wants of other departments or the public were not to be considered; (b) that other Government departments should not be obliged to give a preference to prison manufactures, but should deal with the jails on the same terms as with private dealers; and (c) that transactions with the outside public should be discouraged, and be limited as far as possible to the supplying of goods to traders, wholesale or retail. As to the principles on which the price of jail manufactures should be fixed, the price was always to include—

- (a) the price of the raw material;
- (b) the wages of jail labor, rated according to the wages of free labor of the same class in the neighbourhood; the practice of rating skilled, as unskilled labor, where it exists, being discontinued;
- (c) a percentage for wear and tear of plant; a discretion being allowed with reference to the nature of the trade and the plant employed; the Local Government fixing it in each instance, after inquiry as to the practice of the particular trade and the circumstance of the case;
- (d) a percentage on account of profits.

In the case of articles supplied to Government or to wholesale dealers, this percentage, it was said, might ordinarily be fixed at 10 per cent. on the cost of the raw material and labor; for sales to retail dealers at 15 per cent. on that cost; and for sales to private consumers at 25 per cent. If the prices thus found were below the ordinary rates at which the goods could be procured by the same class of purchasers in the open market, they were to be raised to at least such market rates.

4. The Local Governments and Administrations were called upon to carry into effect the reforms in the matter of jail manufactures, proposed in the resolution of which a summary has just been given, and to report to the Government of India within a time specified the occupations on which the convicts in the provincial jails were then engaged. The replies received in response to this request, and the further orders of the Government of India in each case where such have issued, are abstracted in the *précis* which is appended to this letter.

5. Her Majesty's Secretary of State for India, to whom a copy of the resolution cited above was transmitted in due course, Despatch No. 10, of the 22nd March 1883. intimated, in reply, his opinion that the (Copy appended.) limitations which the resolution imposed on the employment of prisoners on intramural labor, and the directions contained in it in regard to the out-door employment of convict gangs and their utilisation on large public works, were more stringent and had gone further than was called for by the necessities of the case. His Lordship did not deny that abuses might have crept into the manufacturing department of the Jail administration, but was disposed to think that no very radical change of system, such as the orders of the Government of India seemed to impose, was anywhere desirable.

6. His Lordship pointed out that, in dealing with questions of prison management, there are certain main objects and considerations to be kept prominently in view; to which economic theories must be subordinated. These objects were thus enumerated—

- (1) the penal and deterrent character of incarceration and labor;
- (2) the discipline and classification of convicts according to crime, behaviour in jail, and length of sentence;
- (3) the reformation of convicts, with special reference to their chances of obtaining employment on their release; and
- (4) the health of the convicts.

He went on to observe that the history of the past administration of jails in India proved that these essential objects could be fully secured, subject to special exceptions, by a carefully worked out system of intramural labor; and he regarded the resolution of the Government of India as tantamount to a complete change of policy in this respect. Although His Lordship was satisfied that the Government of India had no intention of reverting to that wholesale system of out-door labor, which was described by Lord Macaulay's Committee of 1838 as "the worst which had ever been devised for convicts," he believed that even if the economic objections to the employment of prisoners in manufactures were of greater importance than they appeared to be, and if the difficulties in respect of the health and discipline of convicts employed on out-door labor could be overcome, there were serious practical difficulties in the way of employing any large number of convicts in India on public works. Looking to the fact that the provision of work of this description in England had not been without difficulty, His Lordship doubted whether in India, as the difficulty would be much greater, permanent employment of any large number of convicts on suitable public works would not prove to be next to impracticable.

7. His Lordship expressed an opinion that convicts could be usefully and properly employed on public works only where the works are so large and concentrated, and likely to last so long a time, as to justify the erection on the spot of such substantial accommodation as would be required for the exercise of the same sanitary care and the enforcement of the same system of discipline, penal labor, and classification which was enforced in central jails. He moreover considered that convicts

should not be drafted to public works where, from conditions of climate, their regular employment out of doors was not possible throughout the greater part of the year, and that only men specially selected for that class of work on due consideration of their physical fitness and the sentences passed upon them should be so employed. The employment on railway works of gangs of convicts to be lodged in portable prisons during the progress of the works did not commend itself to His Lordship on the ground that, by reasons of the conditions of the Indian climate and of the necessity in such works of constantly moving the convict camps, such a measure would prove incompatible with a due regard for the discipline and health of the convicts.

8. Lord Kimberley accordingly had come to the conclusion that the orders of the Government of India as to the extent to which recourse should be had to extramural labor would require to be considerably modified, with the result that manufacturing industries would continue to constitute the most important feature of prison labor, and that the out-door employment of convict gangs would be merely an exceptional and supplemental form of labor.

Drawing an analogy from English practice and experience, the Secretary of State thought that there was no ground for apprehension on the score that the system which prevails in India of employing convicts on useful industries, and which he believed to approximate very closely to the English system, was likely, if properly worked, to give any just ground for reasonable complaint, on the score of interference with private enterprise. His Lordship remarked that the same economic objections to the existing system of jail manufactures which were being urged by the Government of India had frequently been pressed in England without being allowed to affect prejudicially the industrial employment of convicts. The plan which the Secretary of State considered might be most advantageously adopted in India was that suggested by the committee appointed in 1878 to inquire into the system of accounts in the local prisons in England, viz., that certain industries should be concentrated in certain jails, and that endeavours should be made to supply other departments of the State, in addition to the Jail department, with articles of prison manufacture; while at the same time any special jail industry, if proved seriously to injure any local trade, should be discontinued in favor of some other kind of employment.

An extract from this report, together with an extract from the fifth report of the Commissioners of Prisons, in explanation of the system which obtains at the present time in England, was forwarded with His Lordship's despatch for the information of the Government of India. Copies of these papers will be found appended to this letter.

9. The orders contained in the resolution of September 1882, respecting the disuse of steam machinery and the restriction of the employment of European machinery driven by capstans, treadmills, and such like applications of labor, as also the instructions relating to the hiring out of jail factories containing machinery on condition of convict labor alone being employed in the operations, also appeared to the Secretary of State to go further than the necessities of the case required. In the first place, the hiring out of the labor of convicts to private individuals, as suggested in the resolution, was, in His Lordship's opinion, a measure open to the gravest objection; and in the second place, with reference to the use of machinery, whilst admitting that there might have been instances in which expensive machinery had been introduced on too large a scale, and that it was necessary that the application of machinery should, in all cases, be carefully watched and limited, His Lordship considered that, having regard to the many advantages which machinery affords in facilitating the enforcement of discipline, in regulating task work, and in preparing material to be worked up by hand labor, its use should not be absolutely prohibited. Indeed, so far as its employment is necessary to supply sufficient material for hand labor to prisoners, machinery should, His Lordship observed, be considered a most useful part of the jail system.

10. On a careful consideration of the views and observations of the Secretary of State which have been summarized in the preceding paragraphs, His Excellency the Governor-General in Council that consider

existed as to what the policy laid down in the resolution of September 1882 really was. The Government of India accordingly deemed it desirable in the first place, and before taking any action on His Lordship's despatch, to clear away these misapprehensions, and to settle definitely certain preliminary points of principle respecting which the proposals of the Government of India had been imperfectly understood. With this view they addressed the Secretary of State assuring His Lordship that they did not contemplate any such radical change of policy as he seemed to apprehend, and that their proposals, if properly understood, amounted only to a determination to work more consistently upon the recognised lines laid down by previous Governments, and to give more complete effect in practice to the recommendations of the Jail Conference of 1877.

11. Dealing, firstly, with the important question of extramural labor, the Government of India explained that a far wider signification than was intended had been attached to those portions of the resolution that dealt with this question, and that it was far from their wish to reverse the policy advocated by the Jail Conference in 1877. On the contrary, one of the main objects in view in issuing the resolution of September 1882 was to draw renewed attention to the desirability of giving full effect to that policy which had already upon previous references been repeatedly accepted by the Government of India and the Secretary of State. The Government of India were fully aware that the Jail Conference had recommended that extramural labor should not be made "a distinct stage in the career of all convicts of long terms;" and they therefore laid down distinctly in the resolution that "a large discretion must, of course, be left to the Jail Superintendents in selecting men for extramural employment." The resolution further indicated that convict labor was to be employed in this way only on large public works, and therefore only where such employment was available.

12. The Government of India also pointed out to the Secretary of State that His Lordship's instructions, in so far as they indicated that the essential purposes of prison management should be secured (subject to special exceptions) by a carefully worked out system of intramural labor, would virtually lead to the almost total suppression of extramural labor; and that this, and not the orders of the Government of India, would amount to a reversal of the accepted policy of the past.

The Government of India stated that they were certainly not disposed to go so far as this, believing that the adoption of such a course would be inconsistent with the conclusions of past Governments, and with the principles laid down by the Jail Conference. The Jail Conference, after dealing, in chapter VII of their report, with the employment of prisoners on public works, observed as follows:—

In concluding our remarks under this head, we would state that we regard the system of employing convicts on public works as a most valuable and almost as a necessary adjunct to our system of jail administration. It affords a means by which overcrowding may be relieved, and space made available for the construction of separate sleeping accommodation for the main body of prisoners; it is also an important extension of our available means for providing labor at once penal and profitable.

The Conference then went on to state the reasons why it did not propose to make extramural labor "a distinct stage in the career of all convicts of long terms." Throughout their report it is, indeed, assumed that employment on public works will be a form of jail labor. The Government of India Resolution of 30th April 1878 on that report contain the following remarks:—

The Governor-General in Council concurs generally in the views stated in chapter VII (of the report of the Jail Conference) as to the employment of prisoners on public works. His Excellency in Council, however, does not consider that a long-term prisoner should, for the sole reason that he is so sentenced, be kept from extramural labor, if otherwise a fit subject for it. Care should also be taken to guard against the tendency, which is somewhat apparent in the rules proposed in paragraph 3 of this chapter, to sacrifice the extramural employment of prisoners for the sake of intramural industries. With these modifications His Excellency in Council approves the recommendations made under this head to the attention of local Governments and trusts that endeavours will be made to give practical effect thereto.

The tendency to which allusion is made in this extract had shown itself in some provinces, and it was precisely this tendency which the Government of India wished to check in issuing their resolution of September 1882.

13. The Government of India entirely agreed with the Secretary of State that, in dealing with questions of prison management, the main objects to be kept in view are those set forth in paragraph 6 above.

In this country, owing to circumstances which it is unnecessary to detail, less stress can be laid on the third of these objects (viz., the reformation of the convicts with special reference to their chances of obtaining employment on their release) than on the others mentioned. No practical difficulties arise in India with reference to the employment of convicts after release such as are felt in England, and in the case of adult convicts at any rate but little can be introduced into the management of Indian jails of a direct reformatory character.*

* Report of Jail Conference, 1877, chapter IV, sections 4 to 8. But the Government of India attach cardinal importance to the other points

named, and most of all to the last of them,—the proper maintenance of the health of the prison population. Unless adequate provision can be made for securing these essential conditions under a system of extramural labor, the Government of India would not advocate any such system. They believe, however, that with proper care and arrangements the conditions can be secured; and this opinion is, they find, shared by those who have in this country had the best opportunities of forming a practical judgment on the question. They referred His Lordship to the paper by Dr. Jackson, the Superintendent of the Dehri Convict Camp, printed at page XII of the appendix to the report of the Jail Conference of 1877; and to reports by Drs. Ferguson and Dickson on the extramural employment of prisoners at Ruper, recently received from the Punjab Government.

At page 33 of his report Dr. Ferguson sums up the lessons which, in his opinion, can be drawn from the experience at Ruper, in the following terms:—

- (1) that the employment of large bodies of convicts on public works is not only practicable, but has also the advantage of being both economical and punitive;
- (2) that their employment need not be confined to earthwork only, but may extend to all sorts of labor found in connexion with large public works;
- (3) that the conveyance of some 1,400 convicts by rail in open wagons to and from work without serious accident demonstrates the feasibility of employing convict labor at a distance from their quarters, and in a way which, a few years ago, would have been declared, if not impossible, at least a very rash experiment;
- (4) that convicts can, with advantage, be more largely employed in guarding their fellows than they are at present;
- (5) that the health of our jail population is affected by influences affecting the free population, and in a greater degree owing probably to the combined sleeping system; but
- (6) that extramural labor, though hard, is not unhealthy, apart from special circumstances making it so.

14. The Secretary of State has, moreover, been informed that the Government of India, in considering any proposals for the extramural employment of convicts which local Governments may lay before them, would always pay special attention to this matter of health, and would decline to sanction any scheme of the kind unless it was satisfactorily shown that the climate of the place, the nature of the employment, and the arrangements for the care of the prisoners were in every respect such as to warrant a belief in the success of the undertaking. The Government of India quite agree with His Lordship in the view (stated in paragraph 7 above) that "convicts should not be employed on public works where from conditions of climate their regular employment out of doors is not possible throughout the greater part of the year, and that they should be only men selected for that class of work on due consideration of their physical fitness and the sentences imposed upon them." They are, for instance, prepared to admit that the climate of Bengal may be generally unsuitable than that of other parts of India for the employment of convicts especially that, in view of the inferior physique of the people of Bengal, great to be exercised in selecting men for such employment especially in

belonging to large towns. A large number of the convicts, even in Bengal, are however of the agricultural class, and accustomed to out-door labor in all weathers.

15. The Government of India have asked the Secretary of State to reconsider the exception he has taken to the suggested employment of prisoners on railways and to the use of portable prisons in connection with such work. In the absence of great quarrying or harbour works in India, it is on the earth-work of railways and canals that the Government of India contemplated the employment of such gangs as may be drafted to extramural labor. On such works the Government of India see no reason why due arrangements should not be made for concentration, penal discipline, and all other points which, with reference to the class of convicts employed, it is necessary to attend to; but as from time to time the convict camp must of course move on, permanent buildings are out of the question; and the end in view can only be attained by the adoption of the plan of portable jails. Unless these be allowed, the Government of India admit that it will only be possible to employ prisoners extramurally in very exceptional cases, such as that of the Ruper works, where continuous employment can be found for some years at the same spot. The recommendations of the Jail Conference on this matter were expressed in the following terms:—

It appears to us that the attention of officers of the Department Public Works should be directed to the construction of portable jails, and that the invention of a good movable jail would do more than anything else to remove the difficulties which now prevent local Governments from giving effect to the views of the Government of India regarding the employment of convicts on public works. The work which of all others seems most suitable for convicts is canal excavation; but unless gangs put to this kind of labor can move with their work, work must very soon fail them; and if they build as they go, their labor power is most seriously curtailed. Iron structures would be very expensive, but they would be very durable, healthy, and free from the risk of fire. A roof and supports are all that would be required, for temporary side walls can always be run up with ease. All the sheds in our supposed iron jails should be of the same size, and all the parts should be interchangeable and portable. If the suggestion here made proves feasible, the difficulty of finding work for convicts will be immensely diminished, for the convict camp will be able to move, say, once every six or nine months instead of, as the rules suppose, at intervals of not less than two years. It ought not to cost a local Government a great administrative effort every time that it places a convict gang on a work.

The Government of India were encouraged in their views of the feasibility of extending the system of extramural labor by the success which has attended the working of that system in Bombay, where every available long-term prisoner fit for hard labor has for years past been so employed. The objection that convict labor thus directed will compete unduly with unskilled free labor appeared to them to be of little force. It being admitted that convicts must be employed on some productive labor (using the word *productive* in the sense defined in the resolution of 22nd September 1882), it is obvious that it must compete with free labor of one sort or another. The practical question for decision is how to direct convict labor so that it may compete with free labor in the least injurious form. In India the most injurious form of competition is competition with artizan labor. As has been repeatedly recognised, the great want of this country is manufactures. It appears, therefore, far preferable that the competition of convict labor should be with ordinary day labor rather than with skilled artizan labor. Moreover, the fact of the greater mobility of the unskilled workman as compared with the artizan is a consideration which should not be lost sight of. Proper care on the part of the local authorities in regulating the supply of prisoners would also obviate any risk that the use of convict gangs would enable private companies to keep down the wages of free labor.

16. As regards the Secretary of State's criticisms upon that portion of the resolution of September 1882 which deals with intramural employments, it has been explained that the orders of the Government of India were not meant or calculated to have the effect of causing the discontinuance of the great bulk of jail manufactures. It was expected that local Governments would bring to notice any practical difficulties they might encounter in giving effect to the instructions of the Government of India in regard to the maintenance of any particular form of industry of which they had been expressed. While adhering to the policy laid down by the Jail Conference in maintaining various employments, the Government of India

were quite ready to consent to any modification in details which local circumstances might render necessary. It is also no doubt desirable that light labor for sickly, aged and convalescent prisoners should be provided. On all such matters a wide discretion would be left to local Governments. The Secretary of State had invited attention to the principle laid down by the committee appointed in England, in 1878, viz., that certain industries should be concentrated in certain jails, and that endeavours should be made to supply other departments of the State, in addition to the jail department, with articles of prison manufacture; while at the same time any special jail industry, if proved seriously to injure any local trade, should be discontinued in favor of some other kind of employment. Except that the Government of India have not thought it right to oblige other departments of the State to deal primarily with the jail department, and that under the circumstances of India a wide interpretation must be put on the phrase "local trade," it has been pointed out that this principle was observed by the Government of India in framing the 20th paragraph of the resolution of September 1882.

17. Referring to the Secretary of State's remark that the economic objections urged by the Government of India against the continuance of the present system of jail manufactures have frequently been urged in England without being allowed to affect prejudicially the industrial employment of convicts, it has been explained that the Government of India are well aware of the discussions that have taken place in England on this subject, and are not disposed to dispute the correctness of the conclusions arrived at there under the circumstances of that country. In England the whole country is, so to speak, one vast factory, and the interference of Government with private trade and capital is at most so comparatively slight as to have no material effect upon the conditions of private enterprise. In India, however, the case is altogether different. Private enterprise is here in its infancy, and the deterring effect of Government competition is out of all proportion to its real dimensions. This matter is discussed in paragraphs 8 and 9 of the resolution of September 1882, and the Governor-General in Council considers that it is clearly the duty of Government to remove or effectually limit the obstacles which huge State-supported factories like those of the Bengal jails cannot but throw in the way of the development of industries corresponding to those which they take up. The Government of India have reason to know that the establishment of a woollen factory in Lower Bengal, for instance, actually prevented the establishment of a similar private factory in the North-Western Provinces; and that the issue of their resolution has already acted as a stimulus to private enterprise.

This conclusion has within the last few months received corroboration in representations made by manufacturing firms carrying on business in various parts of India. These communications demonstrate, in the opinion of the Government, the fact that jail industries as hitherto managed do most seriously hamper and compete with the operations of private trade.

18. The correspondence on record shows that the rapid extension of the use of steam machinery in the jails of Bengal was viewed by Lord Northbrook's Government with considerable doubt from the outset, and it is greatly to be regretted that more decisive steps were not earlier taken to prohibit its undue development. Moreover, from another point of view the Government of India have no confidence whatever that employment connected with machinery serves any sufficient penal object—the end which is placed in the foreground of every system of prison labor. The Government of India are by no means satisfied that mills and manufactories of the class introduced into most jails can be made to provide hard physical labor of the kind that the great majority of convicts ought to undergo. Stress is sometimes laid upon the irksomeness of the constant attention required, but it is certain that millwork is a most popular form of labor among the free population and cannot therefore be regarded as sufficiently penal for convicts.

19. As regards the objection urged by the Secretary of State to the labor of convicts to private individuals proposed in paragraph 10 of the resolution, the Government of India have

that the plan of making jail labor available to private contractors is one followed by almost all other civilised nations in connection with their jail system, as will be seen by a reference to the paragraphs of the transactions of the International Penitentiary Congress held at London in 1872 noted on the margin. The Committee appointed to inquire into the system of accounts, &c., in the local prisons of England were also of opinion that "contractors might be permitted to send in their own raw material to be worked up (in jails), paying only for the labor expended thereon" (First Report of the Commissioners of Prisons, 1878, page 48). Under the system which the Government of India propose, very little more than this would be done. It is not intended to send the convicts out of the jails to work in private

Report on Austria, paragraphs 13, 53 to 55, pages 10 and 18.
 " Belgium, paragraph 53, page 34.
 " Denmark, paragraph 6, page 40.
 " France, paragraphs 5, 13, 49, 53 to 57, pages 52, 61, 82 to 86.
 " Prussia, paragraphs 49 and 53, pages 125 and 126.
 " Saxony, paragraph 8, page 133.
 " Wurtemberg, paragraph 49, page 141.
 " Italy, paragraph 6, page 149.
 " Netherlands, paragraphs 53 to 55, page 174.
 " Russia, paragraphs 50 to 54, page 197.
 " Sweden, paragraphs 49 to 55, pages 206 and 207.
 Also see Report on United States, pages 271 and 272.

factories, but to allow contractors to arrange with the jail authorities for carrying on manufacturing operations by means of convict labor inside the jail walls. The contractors would supply raw material, plant, tools, and instruction, while the jail would supply the labor. The whole risk would be the contractor's,—his would be the capital employed, and the trade profits would go into his pocket. Discipline, on the other hand, would be entirely in the hands of the jail administration, the officers of which would see that penal tasks were duly performed. The simple result would be that in lieu of Government interfering with private enterprise, as it undoubtedly does now, it would place its store of convict labor at the disposal of private capitalists, and assist instead of hindering their operations. The jail department would still benefit by the receipt of handsome returns for its labor, while Government capital would cease to compete with private capital.

20. It will be seen from the foregoing statement of the issues involved that the lines of the present policy laid down by the Government of India do not involve any radical departure from the theories of jail management which have been heretofore endorsed by the Government of India and by successive Secretaries of State. The reports received from the Local Governments have shown that, save in the case of Lower Bengal, the adoption of these principles will cause but little disturbance of existing arrangements, and has in most cases only had the effect of eliminating abuses. In deference, however, to the objections urged by the Secretary of State and to His Lordship's wish to be furnished with a full expression of the views of the local authorities, the Governor-General in Council has decided to refer the whole question for consideration and report by the Local Governments. I am therefore to request that, with the permission of His Excellency the Governor in Council, a report may be submitted at an early date upon the general subject discussed in the foregoing paragraphs; or that, in cases where a full report has already been submitted by any local administration, it may be stated whether any modification in the views therein expressed is now desired.

ENCLOSURE.

From Her Majesty's Secretary of State for India, to His Excellency the Most Honorable the Governor-General of India in Council, dated India office, London, 22nd March 1883, No 10 (Judicial).

I have considered in Council your Excellency's letter, No. 26, dated 17th of October last, forwarding, with the enclosed papers, copy of a Resolution recorded by the Government of India on the 18th of September 1882 on the subject of manufactures as carried on in the jails of British

2. It appears from these papers that, on the 19th of August 1881, a circular was issued by Your Excellency's Government to the various Local Governments, calling for information as to the kinds of manufactures carried on in jails, and the method adopted in selling articles so manufactured, in fixing their prices, and in keeping the manufacturing accounts of the jails. It does not appear, however, that the opinions of the local Governments were invited on the general question of the introduction of a new system of employing convict labor, or of altering the policy of Government in that respect, which had lately been confirmed by the orders of the Government of India in their Resolution of the 30th April 1878 on the report of the Jail Conference of 1877.

3. Your Excellency in Council observes that, since the issue of these orders, attention has been more particularly drawn to the importance of removing all obstacles to the spontaneous development of manufacturing industries in India, and that it has become necessary to reconsider the whole question of jail manufactures, and the position which the State should adopt with reference to them, and their effect on the local markets. You have arrived at the conclusion that, although the requirements of prison management necessitate the employment of prisoners on productive labor, that labor need not be made as productive as possible, and that every effort should be made to turn it into channels which may, as little as possible, hinder the spontaneous growths of native industries. Having directed your attention to the question of extra-mural labor, you have informed the local Governments that labor on public works should in future be looked upon as the principal mode of employing long-term prisoners throughout India, and you have accordingly directed the discontinuance of great bulk of jail manufactures, and the sale of all steam machinery.

4. Your Excellency's Government appear to have given to the remarks of the Secretary of State, in his Despatch of the 12th of February 1880, a wider significance than they were intended to bear. The system of jail industries and of concentrating prisoners in central jails now prevailing in India has been built up with great care as the result of many years of experience and at a heavy cost by successive Secretaries of State and Viceroys, aided by the advice of officers whose lives had been passed in intimate acquaintance with the subject. And in writing the despatch already quoted, the Secretary of State in Council never contemplated so complete a subversion of the system as is implied in the orders now under consideration.

5. I have most carefully considered in Council the arguments adduced in Your Excellency's Resolution, and the conclusion at which I have arrived is that the greater part of them tell rather against the manner in which the present system is worked than against the system itself. It seems quite possible to issue such orders, whether in respect to the selection of jail industries or the mode of calculating and charging their cost, as shall obviate all abuses, without completely reversing the policy of past years. The economic objections on which you lay so much stress have frequently been urged in England without being allowed to affect prejudicially the industrial employment of convicts.

6. In dealing with questions of prison management, there are certain main objects and considerations to be kept prominently in view, and economic theories must be subordinated to these. These objects are—

- (1) the penal and deterrent character of incarceration and labor;
- (2) the discipline and classification of convicts according to crime, behaviour in jail, and length of sentence;
- (3) the reformation of convicts, with special reference to their chances of obtaining employment on their release; and
- (4) the health of the convicts.

7. The history of the past administration of jails in India, if it establishes any one thing more than another, shows that these essential objects can only be secured, subject to special exceptions, by a carefully-worked-out system of intra-mural labor. It is not necessary to refer to the report of the Committee of 1838, as I do not understand it to be the wish of your Government to revert to the system of out-door labor, which was described by that Committee as "the worst which had ever been devised for convicts." But I desire to draw your attention to the correspondence which passed in 1862, when the Secretary of State expressed his conviction* that the experience of a quarter of a century had served

* Judicial Despatch to Government of Bombay, No. 12, dated 25th February 1862.

to show the correctness of the opinion of the Committee of 1838 in respect of the superiority of other modes of employment whenever a proper system of jail management had been introduced, and that in such important particulars as the maintenance of discipline, the health of the convicts, and the cost to the State, out-door labor had proved wholly inferior to in-door labor. The subject

† Resolution of Government of India, dated 28th October 1839.

had gone too far in discouraging extra-mural labor, and that the rules then existing giving a fair trial to such labor, "not in any way" but in addition to

of discipline sanctioned for prisoners under sentence." Experiments were thereupon tried whenever a demand arose for convict labor on large works, and when it was necessary to relieve overcrowding in jails, but, as the result of these experiments, the Government of India* came to the conclusion not to press the system upon provinces in which circumstances did not appear to call for its immediate introduction. In the meantime, the system of large central jails was established at a very great expenditure of money, and, when the subject came to be again considered by the Jail Conference of 1877, the members of that Conference arrived at the conclusion that extra-mural labor, though a most valuable, and almost necessary, adjunct to the system of jail administration, could not, for weighty reasons, be recommended as a distinct state in the career of all convicts.

8. In this conclusion the Government of India generally concurred in their Resolution of the 30th of April 1878, and I was therefore unprepared for the complete change of policy in this respect which you have now decided to be carried into effect without any further discussion with the Local Governments and the officers who, under them, have been charged with the duty of jail administration.

9. The orders contained in the Resolution now under consideration would (if it were possible to carry them out fully) practically give a wider extension to the system of extra-mural labor than has ever been given to it since it was emphatically condemned by the Committee of 1838. Even if the economic objections to the employment of prisoners in manufactures were of greater importance than they appear to me to be, and if the difficulties in respect of the health and discipline of convicts employed on out-door labor could be overcome, there are serious practical difficulties in the way of employing any large number of convicts in India on public works. The provision of work of this description in England has not been without difficulty, but in India the difficulty would be much greater, and indeed permanent employment of any large number of convicts on suitable public works in that country seems next to impracticable.

10. In a recent report† by a Committee appointed to consider the employment of convicts on public works in England, it is observed that "the employment of convicts on large public works, such as the construction of harbours of refuge or works under some public department, so carried on as to be conducive to the progress of their reformation, and to their preparation for a return to society on the expiration of their sentence, is an essential feature of our penal system;" and, as regards the selection of works, "if the works are small or of short continuance, the expense and difficulty of finding suitable isolated sites for the prison, of erecting proper buildings, of supervision, together with the difficulties in maintaining discipline, which is essential to the prison system, form disadvantages of a very serious character. These considerations are alone sufficient to prevent us from holding out a prospect that convicts can or will be successfully employed on any but very large works, which will employ a large number of convicts for a long time." The total number of convicts so employed in England at the present time is 2,974. The employment has been continuous on the same works for many years, thus admitting of the erection of permanent convict establishments, and the provision of every requisite for perfect discipline and safe custody.

I believe that with the exception, perhaps, of the Madras Harbour, there are at the present time no great works in India upon which criminals could appropriately be employed throughout the year, and it would not be possible to employ the convicts of Northern India on this work.

11. I am decidedly of opinion that convicts can only be usefully and properly employed on public works where the works are so large and concentrated, and likely to last so long a time, that it is possible to build on the spot such accommodation as is necessary for the exercise of the same sanitary care and the enforcement of the same system of discipline, penal labor, and classification which are now exercised and enforced in central jails. Convicts, moreover, should not be employed on public works where, from conditions of climate, their regular employment out of doors is not possible throughout the greater part of the year, and they should be only men selected for that class of work on due consideration of their physical fitness and the sentences passed upon them.

12. Your Excellency in Council suggests the employment on railway-making of gangs of convicts to be lodged in portable prisons during the progress of the work. Having regard, however, to the climatic conditions of India, and the necessity in such works of constantly moving the convict camps, I am of opinion that such a measure would be incompatible with a due regard for the discipline and health of the convicts.

13. The limitations which I have above indicated narrow so considerably the extent to which extra-mural labour can be usefully and properly resorted to, that it follows of necessity that manufacturing industries must continue to constitute the most important feature of convict labor, though it be occasionally, and under exceptional circumstances, as in the case of Dehra, supplemented by out-door employment of convict gangs. In so far as experience affords material for a safe conclusion, there is no ground for

apprehension that the system of employing convicts on useful industries now prevailing in India, which seems to approximate very closely to the English system, is likely, if properly worked, to give any just ground for reasonable complaint, on the score of interference with private enterprise. You will observe from the extract from the fifth report of the Commissioners of Prisons in England, which forms an enclosure to this Despatch, what the practice in this country is at the present day. I would recommend for Your Excellency's consideration the plan suggested by the Committee appointed to report on the subject in 1878,* viz., that certain industries should

* Extract from report enclosed.

be concentrated in certain jails, and that endeavours should be made to supply other departments of the State, in addition to the jail department, with articles of prison manufacture, while, at the same time, any special jail industry, if proved seriously to injure any local trade, should be discontinued in favor of some other kind of employment.

14. In paragraph 16 of the Resolution, it is stated that the use of steam machinery in any jail is quite indefensible, and you have ordered that not only should its further introduction be prohibited, but that the steam machinery now in jails should be disposed of to private purchasers, at a fair valuation, at a very early date. But should any difficulty arise in removing the machinery from the jail, you will, you state, be prepared to consider whether it would be possible to allow purchasers of the machinery to arrange for the lease of the jail factory building, on condition of their agreeing to employ convict labor only in their operations, and to pay for it at the market rates. You have further directed, in paragraph 17, that European machinery driven by tread mills, capstans, &c., should be sparingly used, and should not be introduced into any jail where it does not now exist.

15. These orders appear to me to go much further than the necessities of the case require. In the first place, the hiring out of the labor of convicts to private individuals is a measure open to the gravest objection, and one which I am unable to sanction; and in the second place, with reference to the use of machinery, whilst I admit that it is quite possible that there may have been instances in which expensive machinery has been introduced on too large a scale, though of this there is no proof before me, and that it is necessary that the application of machinery should, in all cases, be carefully watched and limited, I am of opinion that, having regard to the many advantages which machinery affords in facilitating the enforcement of discipline, in regulating task work, and in preparing material to be worked up by hand labor, its use should not be prohibited. Indeed, so far as its employment is necessary to supply sufficient material for hand labor to prisoners, machinery may be considered a most useful part of the jail system.

16. For the foregoing reasons, it seems to me desirable that Your Excellency in Council, after having obtained the opinions of the various Local Governments, should reconsider the whole subject, with a view to ascertaining whether it may not be possible to attain the objects which you have in view, without at the same time abandoning the solid advantages which, in respect to prison discipline, health of convicts, and cost to the State, the present system undoubtedly possesses.

EXTRACTS from the Fifth Report of the Commissioners of Prisons, page 7.

"The system adopted in 1880 for purchasing certain materials for manufacture continues to work satisfactorily.

"The prisons still continue to manufacture materials required for the clothing of both male and female prisoners, including boots and shoes. The clothing is also made up by prison labor, and distributed from fixed centres.

"The baskets, brushes, mops, officer's belts, twine, tin ware, &c., required for the local prisons are made at fixed centres, and calico, canvas, cloth, dowlas, flannel, handkerchiefs, neckerchiefs, serge, sambray, &c., are woven at prisons in the localities where cotton and woollen goods are usually produced. All bedding, (i.e., blankets, rugs, and sheetings) has also been manufactured. Arrangements have been made for bookbinding to be done at certain selected prisons.

"In addition to the supplies made to local prisons, the convict prisons are also provided with woollen cloths, blankets, calico, canvas, flannels, serge, shambray, shirting, brushes and various other articles.

"A foundry has been established at Hull prison, in which a large amount of castings have been produced for the building department.

"The number of prisoners employed in mat-making has been still further reduced. Firewood chopping, ship fender, and bag-making, and stone dressing have been extended, where practicable, with a view to the employment of convict labor, as far as possible, in these various branches of work.

"The manufacture of hearth rugs, and other public departments, has been undertaken by the prisons, and the following have been found to be profitable:—

large scale, and we are now supplying 1½ tons per month. Arrangements are being made in order that this quantity may be doubled. The making up of certain clothing required by the Admiralty has also been commenced.

"It is in contemplation to undertake the manufacture of packing and other cases for the Admiralty; also of a large number of baskets for the Post office, which will be required in connection with the establishment of the new parcel post.

"At one of the metropolitan prisons, bread is made for four prisons. The amount of bread baked and delivered weekly exceeds 12½ tons.

"While attaching due weight to making prison labor remunerative, as shown in previous reports, the objects we desire to keep primarily in view are—

- "1. To provide the prisoners with such employment as will interest and develop their intelligence.
- "2. To avoid concentrating too large a proportion of labor of prisoners on one trade, and especially to diminish the amount of mat-making throughout the kingdom.
- "3. To work for Government departments as much as possible in preference to working for private employers.

"These objects, we think, are of such importance that they should not be sacrificed to too keen a desire to show higher prison earnings."

ABSTRACT of the Report of the Committee appointed to inquire into the System of Accounts, &c., in the Local Prisons in England, 1878.

3. In dealing with the third reference, the Committee came to the conclusion that the highly desirable end in view would best be compassed, first, by grouping prisoners together according to trades, and, secondly, by making the prisons manufacture for all their own needs as well as for other public departments. To carry out the first proposal they suggested that certain prisons should be detailed for certain trades, and all prison tradesmen who could be drawn from areas more or less wide concentrated in them. This concentration should be made to follow local facilities. For instance, the shoe-makers should be sent to Warwick and Northampton, the straw-plaiters to St. Albans, the stocking-knitters to Leicester, these trades being generally followed in these neighbourhoods, so that a nucleus of workmen skilled in each description would be found in the prison of each particular district. This nucleus, reinforced by drafts from elsewhere, and the whole supervised by instructors, whom it would, under such circumstances, be profitable to retain, might be expected to produce very considerable results. The machinery by which the concentration of prison tradesmen would be kept going would, of course, be worked in the head-quarter office to which full reports of numbers available would be regularly made.

A certain redistribution of prisoners would, however, be necessary in order to give effect to this plan. Thus one prison would relieve another of its short-term prisoners, leaving room in that prison for a large number of prison tradesmen, or a prison would send its debtors elsewhere, that prison for a female prison, and so gain additional space. This principle was illustrated by the Committee by the case of Holloway among others. Holloway, situated in the metropolitan district, within easy reach of head-quarter supervision, was well suited for a tailoring prison. But room must be found for the tailors who would be sent to it. Clerkenwell, close at hand, has generally vacancies for a hundred debtors. Westminster, at no great distance, for 200 women, more or less. This accommodation would more than suffice for the number of prisoners of the same categories in Holloway, whose removal moreover—from special sides of the prison—would set free more cells even than their own number.

Similar arrangements, quite as feasible, were suggested by the Committee in other districts.

The adoption of the first proposal of concentration would, as it seemed to the Committee, contribute greatly to the accomplishment of the second when carried out and in full working order, the various prisons selected for various employments would minister to all prison necessities. Wandsworth, with its many flour mills, would grind wheat; Northampton make boots and shoes; Holloway, clothing; Kirkdale and Salford, in the cotton district, weave linen for sheetings, shirting and female under-garments. Last of all, Wakefield, as a woollen district, would turn all its vast plant and great steam-power into the manufacture of blankets and rugs, thereby ceasing to compete unduly with private enterprise, or to swamp smaller prisons by its large operations in mat-making, hitherto almost its only trade. Nor would the operations of the prisons end with the supply of articles solely for prison use, as their capabilities become developed. Their usefulness might also be extended, and it appeared to the Committee that there would then be good grounds for urging upon many other public departments the policy of employing the prisons to supply them with manufactured goods, such as clothing, boots, under-garments, and necessities for officers, sailors and police, furniture, and fittings for offices and barracks,—all of which articles might be expected to turn out satisfactorily, and at a cost not far below ordinary contract rates.

From Colonel T. E. TENNANT, Inspector-General of Jails, to the Chief Secretary to Government, dated Ootacamund, 16th June 1884, No. 184.

With reference to G.O., No. 518, of the 5th March 1884, forwarding copy of Her Majesty's Secretary of State's despatch, dated 22nd March 1883, together with the Government of India's letter on the subject of manufactures as carried on in the jails of British India, I have the honor to offer the following remarks.

2. In my former letter I explained that the alterations which had to be made in the industries carried on in our central jails, in consequence of the policy enunciated in the Resolution of the Government of India, dated 22nd September 1882, had not been considerable, as the endeavours for many years of the jail department have been mainly directed to the furnishing of articles required by Government departments, work of this description being preferred to any other. The principle hitherto maintained by the Madras Government being that although there may be some objections to the jails entering the market on a considerable scale as sellers of articles made by convict labor, yet there is no more suitable or more legitimate object to which prison labor can be devoted than to manufacture certain articles of large consumption required for Government service. This principle is recognized and followed in England, where the subject of competition of prison with free labor has been a topic of earnest discussion for years, resulting in a general consensus of opinion amongst official authorities at home that there exists no solid objection against the jail department supplying other departments of the State with articles of prison manufacture. The Secretary of State also considers that this principle might, in its integrity, be most advantageously adopted in India, observing that, in so far as English practice and experience afford material for a safe conclusion, there is no ground for apprehension that the system of employing convicts on useful industries now prevailing in India, which seems to approximate very closely to the English system, is likely, if worked, to give any just ground for reasonable complaint on the score of its competition with private enterprise.

The Government of India do not dispute the correctness of these conclusions and admit the value of English experience, but urge that the circumstances of this country are entirely different to those of England, as "in India private enterprise is in its infancy and the deterring effect of Government competition is out of all proportion to its real dimensions." From this it is gathered that the Government of India contemplate a still further policy of restriction, and on economic grounds intend to insist on the abandonment of employing convict labor even for the supply of articles required for the public service. If these conclusions be correct, the great bulk of jail manufactures must be discontinued, and out-door labor looked upon as the principal mode of employing our convicts.

4. As already pointed out it is anything but an easy problem to devise suitable industries for our central jails, and it is much easier to lay down principles than to carry them into application. The existing system of intramural labor in our Indian jails has been the work of years; it has been arrived at after much consideration and with the outlay of vast sums of money. The system has been affirmed from time to time, and so lately as 1877 by the prison conference then assembled—a body composed of experienced officers called together in order to improve prison administration. A further development of the system is now being carried out in this presidency by the construction of cellular close prisons, the principle of cellular confinement having been affirmed by the prison conference and authoritatively sanctioned by the Government of India. A reversion therefore to a system of extramural labor—a system which has been condemned and found unsuitable to the country—cannot be regarded as an adequate reason exists. However it would be in that, it merely shows the question of competition with the private industry have no other mode of livelihood.

Resolution of Government of India printed with Judicial Proceedings, Madras Government, 19th October 1880, No. 2438.

a retrograde step, and one for which not remedy the evil it is designed to cure; competition from jail industries to direct have no other mode of livelihood.

5. In regard to the labor in district jails, it was explained that, in order to carry out the policy laid down by the Government of India, manufactures had been stopped, with the one exception of Bellary, where woollen blankets are made on the ordinary hand-loom, for the Police and Commissariat departments. The prisoners in these jails are now employed almost exclusively on extra-mural labor. The system as at present existing is defective, and it is doubtless a blot in the jail administration of this presidency having small gangs working in chains on the public streets and roads. It is true that, when reviewing the measures taken by the Madras Government to give effect to their policy, the Government of India did express some doubt whether such employment can be made consistent with discipline, and added—with not a little *naivete*—"a hope that such industries as oil pressing and coarse hand-loom weaving may be found feasible even in district jails," these being the very industries which most affect the poorer classes in this part of India, and which ought on no account be handicapped by prison labor.

6. It will be seen that the Government of India justify these sweeping alterations of jail administration on economic grounds; for it is held that the labor of the prison department, as at present existing, *does* seriously interfere with the development of the industry of the country, and considerable confidence in establishing these changes is gained, by advancing incidents showing that some Jail Superintendents have at times under-sold local markets. It must be admitted that in certain localities these charges of under-selling are more or less well-founded, but such errors of judgment on the part of the jail authorities are exceptional. In this presidency, it has always been a well-understood principle that no competition with private markets is allowable; and if this rule were rigidly adhered to elsewhere, there could arise little necessity for interference with jail industries, as at present conducted in this presidency, whether the withdrawal of jail industries, would after all afford much or even any encouragement to so-called private enterprise. As a fact, our jails have in most cases created a demand by producing special articles, and, so far from stifling private endeavours, jails have proved of vast importance to the country in organizing a demand for products of a better quality than that supplied by the local markets. It must also be remembered that yearly large numbers of men, whose livelihood was originally gained by criminal practices, receive in our jails training of skilled artisans; these scattered over villages and towns cannot fail to influence the bent of native industry; at any rate, it has hitherto been the leading idea in jail administration that convicts should, after a period of probationary punishment, be taught a useful trade that should place them in a position to gain a living by honest work; but if in future our convicts are not to be taught trades, but employed on earth-works of the simplest description, the natural effect will be that, whilst the Government seek to protect the artisan, the common laborer's bread will be taken from his mouth; certainly, if prevention of crime is an object to be thought of, deprivation of the lower classes of available labor is not a desirable direction to pursue.

7. But the subject of jail manufactures cannot be considered entirely on economic principles, and Lord Kimberley is of opinion that, in deciding upon the question, economic theories must be subordinated to the objects and requirements of prison management. In our prisons we have a vast number of convicts who must be fed, cared for and provided with labor of some description or other. The simple fact being, we must find work for our prisoners whether it be opposed to political economy or not, the question then arises can we employ our convicts on out-door labor, or must we find intra-mural work for them either remunerative or unremunerative. So far as this presidency is situated, there are no large engineering works upon which convicts could appropriately be employed throughout the year; and there are obvious objections against employing our prisoners on public works in other parts of India. In my letter of the 18th March last, I pointed out that convicts can only be usefully and properly employed in the works of such magnitude and are so crowded that large bodies of prisoners can be employed for several years at a time, and that proper buildings are provided, the sanitary care enforced, and a discipline exercised. Now exist in our central jails, the system

G.O., 5th May 1884, No. 1110, J. D.

the circumstances of the Bombay presidency are entirely different from those of Madras. In Bombay there is only *one* central jail at Yerrowda, near Poona, for the whole presidency; consequently, there is considerable difficulty relating to the employment of long-sentenced prisoners in that presidency. The authorities have been driven to resort to extra-mural labor on public works, not because out-door labor possesses any superiority over in-door labor, but on account of the want of fitting central jails in which proper jail-discipline and a system of intra-mural labor—which is essential to such discipline—can be carried out. In Madras it is the reverse; we have six large central jails, besides the penitentiary or presidency jail; in fact, our jail accommodation at present considerably exceeds our requirements, and there is no necessity for entailing additional expense in the construction of public works prisons requiring extra guards and additional staff, adding thereby considerably to the cost of the jail administration of this presidency. It may also be remarked that whilst in Bombay it is reported that every available prisoner fit for hard labor is employed on out-door labor, and that the Inspector-General of Prisons (Dr. Craikshank) thinks it impossible to further extend the practice, it has not been found practicable to so employ more than 33 per cent. of the whole prison population, and of these it would seem a certain number are engaged in small gangs on the public streets and roads, a system condemned alike by Lord Macaulay's Committee of 1833, the Government of India, and the Secretary of State "as the worst which had ever been devised."

8. It having been shown that, even in Bombay, it is only practicable to employ one-third of the jail labor on engineering works, it follows that the bulk of the prison population must be employed on some sort of intra-mural labor. There is a universal agreement of opinion amongst the highest authorities on the management of prisons, in condemnation of the system of purely unproductive methods of punishment, such as cranks, shot drill, the piling and unpling of logs, and the like. It is, therefore, clear that manufactures of some sort must form the staple means of employment, and in the selection of these employments; I submit that no hard and fast rule can be laid down with advantage, but that a wide discretion must be given to the local Governments. The abuses which are said to have occurred in other parts of India have not been found in this presidency, and the restrictions imposed by the Government of India are not only uncalled for as regards the prison department itself, but unjust to the tax-paying community, who have a right to demand that our prisons shall be as far as possible self-supporting; that the vast labor-force placed by law at the disposal of the executive authorities shall not be wasted or frittered away, but shall be utilized to the best advantage consistent with the primary object of penal discipline. Now, as this labor is the property of the State, it seems only reasonable that it should be devoted for the benefit of the State, and if the Government are not prepared to sanction competition at *equal prices* with private individuals, it may at least provide for its own requirements. I therefore submit that, if these principles were observed, many of the disadvantages which attend the system of making prisons into manufactories would be avoided.

9. There remains but no more of
ment of India, viz., the firing out
As shown in the papers which accomp
ject to notice in the re
the labor of convic
Arresounders.

prison labor is followed in certain countries. Little is known of this system, except from America, where the scheme signally failed in consequence of the numerous abuses to which it gave rise. In so far as America's experience affords material for a safe conclusion, there is every reason to apprehend that the introduction of such a system into this country would be attended with even graver objections than were found in America. It is a fundamental principle in prison management that labor must be subordinate to discipline, and however skilful the workman, should he commit a grave breach of jail rules, he must be relegated from the workshop to the cells; the labor must also be constant and regular, there must be no uncertainty whether suitable work can be found for the various classes of prisoners or not. Under any contract system of hiring out convicts, the contractor would only employ labor sufficient for his requirements and the work he has to do, not according to the labor placed at his disposal by the State. This seems to be a fatal objection to the scheme as a *general system* which is to provide for the disposal of all prison labor, and to supplant the present modes of employing convicts. In jail, there must be an indefinite number of persons of varied skill and capacity sentenced to labor; all these, whether old or young, robust or infirm, have to be employed on some sort of labor, subject to the necessary control in points of discipline, health and classification. Possibly, contractors might be found to take *some* labor of certain jails in convenient localities, but they will not be induced to take the labor of our prisons *in its entirety*, unless such pecuniary advantages were offered as would give the mill-owner working with cheap jail labor an unfair advantage over his competitors, who have to supply themselves with labor from the open market. In other words, there would be a competition for labor instead of for goods. Such a system seems, on the face of it, indefensible, and not worthy of consideration so far as the prison department is interested. The minor objections—such as the difficulty of keeping convicts from communication with the outer world, the friction between the prison officers and the contractor's agents, the temptations to the prison subordinates to neglect their duties and abuse their trust—are too obvious to need more than a passing reference. I therefore trust that the Government of Madras will strongly protest against this scheme for utilizing prison labor. It is in no captious spirit, nor from inability to recognize the extreme importance of the subject, that I submit these remarks; but I am bound to express my conscientious belief that such a measure will entirely revolutionize the existing system of jail administration, and open the door to abuses and irregularities. The Secretary of State ought, therefore, to be made aware that although Madras has endeavoured loyally to adopt the lines laid down in the resolution, yet the authorities are satisfied, after nearly two years' experience, and are decidedly of opinion, that, unless the ill-devised restrictions imposed by the Government of India's order are withdrawn or greatly modified, the results must prove not only disastrous to the interests of the prison department, but will entail unnecessary financial loss to the State, and increase the burden on provincial funds.

10. I forward, for the information of Government, the accompanying papers on the jail manufactures question written by Mr. W. A. Symonds, Superintendent of Prisons for the Town of Madras, and by Major W. S. McLeod, Superintendent of the Central Jail at Vellore.

ANALYSIS OF PAPER BY MR. W. A. SYMONDS.

• In order to check State competition with private enterprise, the Viceroy, in his resolution of the 22nd September 1882, prescribes what may be termed the policy of restriction, which limits jail manufactures to a certain number of authorised industries, makes out-door labor the principal mode of employing long-term prisoners, forbids the use of steam machinery *inside* jails, limits the use of other machinery, and lays it down as a cardinal doctrine that whilst jail labor may be made productive, it should *not* be made as productive as possible. But the merits of the continental contract system are recognised, and permission is given for its partial introduction, i.e., it is suggested that it be removed from the interior and set up outside (tho' jail walls) in convict labor, and let it, to contractors.

2. The Bengal Government denies that the steam machinery so largely introduced into its jails injuriously affects private enterprise, and strongly protests against the rules laid down in the Resolution. Generally speaking, the other local Governments insist upon necessity for wide discretion in carrying out the policy of restriction; but to concede such discretion would, it is apprehended, create confusion and open the door to abuses. The Secretary of State does not approve of so radical a change as is contemplated by the Viceroy; takes exception to the principles laid down by Government of India, and thinks they ought to be subordinated to requirements of prison management; recommends that jails should supply other departments of State, and interprets suggestion that machinery be removed outside jail to mean that it is contemplated to remove it to a distance and set up factories to and from which convicts should be daily marched, whereas Viceroy only intended machinery should be removed just outside the jails, as in the case of the Penitentiary Workshops. [It may be observed that experience has shown that even this last would be more objectionable than the admission of contractors' employees inside the jails.]

3. Both the policy of restriction and the policy of the Secretary of State are opposed to sound principles. The Government of Bengal is, too, in error, in asserting that jail manufactures (especially when carried on by steam machinery) are not detrimental to private trade—the contrary is notoriously the case.

4. The remedy for this conflict of views, principles, and interests lies in a combination of the contract system and of a policy of expansion; this combination, whilst open to none of the objections with which all other systems abound, is sound from an economic point of view and possesses the merits—

- (1) that it will entirely do away with all competition between jail-made articles and private trade and enterprise;
- (2) that it will admit of jail labor being made as productive as possible;
- (3) that it will admit of the introduction of steam machinery into all the large jails in the country in a manner which will stimulate the creation of industries and promote their development;
- (4) that it renders unnecessary the proposed recourse to the unremunerative and unreformatory system of extramural labor;
- (5) that it brings to bear the most practical reformatory influences upon convicts, and qualifies them for obtaining employment on their release—two primary considerations of prison management;
- (6) that it furnishes a valuable adjunct to present means of enforcing discipline, which it promotes rather than interferes with; and that it obviates the loss of the enormous sums expended in Bengal on machinery, and the loss, throughout the country, of the work of many years spent in improving jail buildings and prison discipline, the general sanitary condition under which prisoners are kept and their intramural and industrial employment—sacrifices which are, to a great extent, involved by the policy of restriction.

5. It is submitted that the advisability of adopting this combination is conclusively demonstrated in the above-mentioned paper.

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A perusal of the correspondence interchanged between the Secretary of State, the Government of India, and the local Administrations presents this question in the light of a very complex problem.

2. It may be observed at the outset that the Viceroy's policy, as enunciated in the Resolution of the 22nd September 1882, has been found to admit of misapprehension, and its execution to be attended with difficulties diverse as the circumstances and conditions of the various provinces to which it applies. Obstacles, but behind them is the primary duty of the Government to call local interests that ought to be identical, but...

3. The interests to be consulted are those of—

- (1) The State.
- (2) The public.
- (3) The tax-payer.
- (4) The manufacturing and trading classes.
- (5) The convict.

So conflicting are these interests that there exist, even amongst eminent experts, not merely differences of opinion upon the main points in dispute, but various shades and refinements of views. A consideration of principles, however, will probably disclose the clue to a correct conclusion.

4. The Viceroy's policy and the reasons for its adoption have been defined in terms to which no valid exception can be taken. India's greatest economic want being industrial pursuits, it has been declared to be distinctly the duty of the State to do nothing to hinder the spontaneous growth, but, on the contrary, so far as it legitimately can, to stimulate and assist the development of trades and particularly of manufacturing industries. Equally true is it that the competition by jails in various industries is greatly detrimental to private enterprise and trade. Nor can the proposition be impeached that a degree of Government competition, which in England might be harmless, might in India do very serious injury to private trade. The Secretary of State, however, questions the expediency of the principle upon which the Viceroy has proceeded. Lord Kimberley is of opinion that in deciding upon this question economic theories must be subordinated to the objects and requirements of prison management. This view cannot be accepted without anxious consideration, because its apparent tendency is to elevate the interests of a single department above the general interests of the State. Exceptions to the rule that whatever is essentially true and sound in theory may be well adapted in practice being exceedingly rare, very imperative reasons are required for any deviation from sound principle. The Secretary of State has taken it for granted that the necessity for such deviation must, in this instance, be admitted; but that is a proposition it is of the first importance to test by the inquiry whether the supposed necessity for its adoption really exists.

5. Proceeding on the assumption that means exist whereby practice may be assimilated to theory without detriment to the objects of prison administration—a statement it is the object of this paper to make good—we come to the measures taken by the Viceroy to give effect to his policy.

6. In promulgating those measures, His Lordship was avowedly guided by the idea that whilst jail labor should, as a rule, be productive, it need not be made as productive as possible. This is regarded by the Viceroy as a "cardinal doctrine," but, apart from the objection that it seeks to cure one departure from true economic principles (namely, State competition with private enterprise,) by instituting another, its soundness is in other respects open to question.

7. The following were briefly the instructions issued to ensure practical application of the Viceroy's principles:—

- (1) That out-door labor on large public works, State or private, should be the principal mode of employing long-term prisoners.
- (2) That jail manufactures should be limited to a certain number of authorised industries to be concentrated as far as possible.
- (3) That as a rule manual labor only should be employed, the use of steam machinery in jails being declared to be quite indefensible, while European machinery driven by treadmills, capstans, or other applications of convict labor was to be restricted.

8. These rules, objectionable in themselves for several reasons, have been strongly protested against by the Bengal Government and are disapproved of by the Secretary of State. It is not contemplated so complete a subversal of a system built up with the result of many years' experience and at a heavy cost.

9. The arguments made use of for and against the Viceroy's policy render it clear that the golden *via media* has not yet suggested itself to those who have engaged in the controversy. The course of administration at times passes beyond the bounds of sound control, and the retrocession sometimes becomes itself extreme. When this occurs and, as in the present case, a problem is created, we must seek amongst first principles for the clue to its solution.

10. As an elementary principle, the doctrine that every member of a community, bond or free, should be self-supporting seems to commend itself to common sense—nay more, to be a law of nature. That the circumstances of modern society should be so artificial as to make it expedient that when a man has committed crime he should almost entirely cease to be self-supporting seems to indicate an unnatural and anomalous condition. In the rude primeval days, when the *lex talionis* obtained and men's notions of political economy were of the crudest, law-breaking created a *debt* which the transgressor had literally to *work out* by the sweat of his brow. That a state of society should exist under which to the wrong wrought by the criminal should be added the injury of maintaining him at the cost of the community whose laws he had outraged would certainly not have been regarded as evidence of an advanced state of civilisation; and it must be admitted that the existence of such an anomaly in a system, part of a scheme of Government having for its object the greatest good of the greatest number, seems, on the face of it, to show something wrong in the principles on which that system is worked. The average individual man maintains besides himself a wife and children. Yet that, with all the resources of civilisation at its command, modern Government should fail to make the imprisoned convict pay for the barest necessities of life *plus* the cost of keeping him in confinement seems more than strange. The question then arises whether after all it is not clear that the moderns are wrong and that the ancients were right. Is the human intellect in these latter days so wanting that modern ingenuity, backed by the appliances of science, can devise no system by which convict labor can be utilised in such way as to make the prisoner self-supporting, or nearly so, without at the same time rendering his employment detrimental to the interests of private trade?

11. From these considerations it would appear that the true solution of the question lies not in the restriction, but in the extension of jail industries; whence the following rules may be deduced:—

- (1) Subject to the requirements of jail management, convict labor should be made as productive as possible.
- (2) That all long-term prisoners should, after undergoing a severely penal course of cellular confinement, be employed on manufactures.
- (3) That steam machinery and other economical appliances should be made use of wherever practicable.
- (4) That, in order to do away with all competition between jail-made articles and private trade, all the industrial labor in the jails should be let to contractors, with the exception only of that required for the supply of the Jail Department.

12. No system is so free from valid objections as this. It is the only one under which a uniform policy can be enforced throughout the country. It is injurious to no interests. It is the one system which will not only not interfere with, but will stimulate the growth of private industries. An impartial examination will show that it is far preferable to any other plan that has been proposed, both as a means to the end the Government of India has in view and for the attainment of the objects of imprisonment. This examination may well commence with the important question of

EXTRA-MURAL LABOR.

13. On the authority of the Surveyor-General of Prisons in England, the Viceroy declares the employment of convicts on public works to be "the best system ever devised," and attention is called to the fact that the Government of India has repeatedly insisted upon the correctness of this view, and that it has been noticed in the report of the Prison Commission.

14. This authoritative announcement is deprived of much of its weight by the fact that out-door labor was hit upon as the best means of avoiding the evils of State trading, and that the necessity of diverting convict labor into that channel would disappear were the scheme now mooted to be adopted. Moreover, it would be a mistake to suppose that, because an application of this system confined to special localities has, comparatively speaking, proved successful in England, it would be expedient to give such general application to the system in India as would be necessary to carry out the Viceroy's instructions, or that similarly favorable results would attend the experiment. India has no busy dockyards in which prisoners could be employed as at Chatham and Portsmouth; the spade husbandry which occupies the convicts at Dartmoor would be found most unsatisfactory and unremunerative in this country; so that, for purposes of comparison, there remains but Portland with its vast quarries affording work from year's end to year's end and justifying the creation of a large permanent establishment. It is only in permanent establishments that it is possible properly to maintain discipline and reformatory influences, together with the sanitary arrangements needful to preserve the health of men segregated in large numbers. This is the vital objection to the plan of portable jails, which are further open to grave objection on the score of the great extra expense they involve. Not only would strong police guards be required, but the pay of the men and officers of the Police and Jail Departments taken from their homes for this duty would have to be increased. But, it is said, "in the case of a public work this extra expenditure might always be fairly charged to the work, and the cost would probably be more than recouped by a saving in free labor." The direct competition here contemplated of convict labor with the earnings of a class which has no other means of support to fall back upon, and consequently requires all the greater protection from the State, would be objectionable on economic grounds; more especially would this be the case if, as suggested, convict labor were given *gratis* to a private company when it was of great importance to open out any particular tract of country. Capitalists interested in keeping up the market prices of their products are also interested in keeping down wages. To give labor *gratis* to a company would enable it, if not to dictate its own terms to free workmen, at all events to greatly lower their wages. If, again, the labor were let, as directed, either to the Public Works Department or to contractors at low rates, the loss to the Jail Department would be serious. On the other hand, the expenses of camps or portable jails and extra guards, added to the low rate of wages, would probably make the cost of convict labor greater than the market-rate for free labor; and whilst, to whichever Department debited, the loss to the State would be the same, the Public Works Department might fairly object to be saddled with the excess. The same reason would deter contractors from availing themselves of this class of labor. In no part of India is there any practical difficulty in obtaining unskilled labor. In most parts the market for unskilled labor is glutted. It is only skilled labor that is much in demand. Contractors of works running through thinly-populated districts supply themselves from the large and growing class of coolies which supports itself by labor on earth-works, passing from one work to another as soon as one is completed and another becomes available. Another almost insuperable objection to the employment of prisoners on the construction of railways and canals may be derived from the consideration that, whereas in England, a country of limited area and possessing a healthy climate, such a mode of occupation for convicts has never been suggested, or, if suggested, would never be sanctioned, in India railways and canals traverse vast tracts of country, and it is hardly possible to point to any great work of this description that does not pass through malarious and unhealthy districts in which large bodies of men congregated in confinement would be specially liable to the risk of epidemics.

15. It may be urged against those views that the plan of portable jails has for some time past been the practice in the Bombay Presidency and that the extra-mural system is successful in Assam. It may be remarked, however, that whilst in Bombay it is reported that very available prisoner fit for hard labor is employed on out-door labor, and that the Inspector-General of Prisons (Dr. Cruickshank) thinks it impossible to find a found practicable to so employ more of those it would seem a certain

number are engaged in small gangs on the public streets and roads, a system condemned alike by Lord Macaulay's Committee of 1838, the Government of India, and the Secretary of State "as the worst which had ever been devised."

16. In Assam the percentage of prisoners employed extra-murally was increased from 18.3 in 1881 to 31.8 in 1882. Small gangs are engaged on roads in seven districts, but the total number so employed does not exceed 430. The conditions and circumstances of this province are, however, reported to be peculiarly favorable to extra-mural labor. They are, in fact, quite exceptional as compared with the rest of the country. The jail population is not violent, not very criminal, amenable to discipline, and accustomed to out-door work. The province is much in need of permanent improvements, particularly of embanked metalled roads on which unskilled labor can be employed to an almost unlimited extent, and supervised by a Public Works Department so organised as to work with civil officers with no departmental friction. It is clear, therefore, it would not be safe to accept the results of extra-mural employment in Assam as a precedent that might be safely followed in other provinces.

17. Labor of all kinds is dear in England; in India it is cheap; but the cost of prison supervision is probably about equal in both countries. Hence the need to utilise the labor of our convicts to the best advantage and to minimise the cost of supervision. It would seem, then, that to deliberately employ the majority of our convicts upon the lowest, and therefore the least paid class of labor,—and that the one requiring the most expensive supervision—would be a measure justifiable only by reasons of Imperial exigency.

18. The minor objections, such as the difficulty of keeping the convicts from communication with the outer world, the danger of escapes and outbreaks, are too obvious to need more than a passing reference.

19. On the whole, the circumstances of this country being so entirely different from those of England, the conclusion would seem inevitable that the extra-mural mode of employing convicts is unsuitable to India and can, in no sense of the word, be made profitable. The absence of any better alternative would alone warrant the enforcement of this system in localities to which it is so little adapted.

THE EXTENSION OF JAIL MANUFACTURES AND THEIR DISPOSAL.

20. The Government of India appears to have been under the impression that the great majority of Indian convicts might be employed upon out-door labor, but it has been shown that it is not practicable so to employ more than one-third of the prison population. The use of purely unproductive methods of punishment, such as cranks, shot-drill, the piling and unpling of logs, having been universally condemned and abandoned, it follows that manufactures of some sort must form the staple means of employment; but, as the Inspector-General of Jails, Madras (Colonel Tennant), has observed, "it is anything but an easy problem to devise suitable industries which, whilst fulfilling the requirements of our prison system, shall, at the same time, be in accordance with the principles laid down by the Government of India." It is clear from the reports furnished by Local Governments that this difficulty is very generally felt, and accordingly pleas are put in for the retention of other than the authorised industries, and a wide discretion is claimed in carrying out the details of the policy of restriction. It is worthy of note that, as stated in the Resolution of the 22nd September 1882, the recommendation of the Prison Conference that multifarious manufactures should be everywhere discouraged has been generally disregarded, although it was adopted by Government. It must be manifest that it will be found extremely difficult to give effect to the far more stringent policy that now finds favor with the Government of India. If, then, the application of the principle enunciated in the Resolution is a question of degree and must depend on local circumstances; if it cannot be laid down in hard-and-fast rules in respect to all over the country; if a large discretion be left in the hands of Local Governments as required; it is obvious that the system must, to a certain extent, be left to the discretion of the Local Governments. That abuses would creep in, and the system must, to a certain extent, be left to the discretion of the Local Governments.

continued competition with private industry would be chronic. It is plain that, if prison labor is to be made remunerative at all, it will clash with private enterprise in exact proportion as it is remunerative and to the number of manufactures pursued. The use of machinery being prohibited, the fixing of the price of jail manufactures so as to include the price of the raw material, the wages of jail labor rated according to the wages of free labor, a percentage for wear and tear of plant, and a percentage, varying from 10 to 25 per cent., on account of profits is an artificial attempt to adjust the law of demand and supply that would probably result in a vast accumulation of wholly unsaleable stock. The simple truth is that, if jail-made goods are cheaper than others, there will be a demand for them that must be detrimental to private trade; if they are not cheaper, there will be little or no sale for them. This, however, is but one of the practical difficulties which show, first, that, to make the policy of restriction workable, it must be modified; secondly, that, if so modified, it will be but a half-measure or compromise which cannot be regarded as a satisfactory settlement of the question. What is wanted is an intelligible policy in accordance with sound economic doctrine—a policy that can be laid down on hard-and-fast lines from which no deviation would be admissible nor could reasonably be demanded.

21. Here it may be observed that there has existed amongst English official authorities on this question a consensus of opinion that the Jail Department should supply other Departments of the State with articles of prison manufacture. This rule is, for the first time, it is believed, in the annals of British administration, limited by the Resolution; but the Secretary of State holds that it might, in its integrity, be most advantageously adopted in India. It may be questionable whether this plan is justifiable, on sound economic principles, even in England; certainly no analogy from English practice is applicable in this respect to India, where manufacturing enterprise in its infancy is struggling against the difficulties of insufficient capital, the want of coal, fuel and iron, and inadequate means of transport and communication. In no other country does nascent enterprise stand more in need of State patronage. Government being the greatest consumer, it is not expedient that local manufacturers should be exposed to the risk of losing their principal customer by the competition of a State Department which would check the growth of industries. The Resolution does not, therefore, go far enough. It would be advisable to do away with all departmental competition in the supply of articles for the service of the State, with the exception of the Prison Department, which should, of course, be allowed to supply its own requirements. The fact that at present the supply of Departments of the State affords the principal outlet for jail manufactures is an additional reason for the establishment of a system of letting to contractors all the industrial labor and machinery of our prisons. From the economic point of view the soundness of this system is beyond question, nor can it be doubted that it would be found equally efficacious for the purpose of preventing the least appropriation by the State of profits which might otherwise fall to private trade. It is much harder to imagine substantial objections to this system than to overcome the obstacles that stand in the way of the execution of any other having the same aim. It is apprehended that the contract system might lead to the introduction of prohibited articles and to communication between the prisoners and their friends outside, as employes of the contractors would have to be admitted within the jails. Precautions might, however, be taken that would minimise this evil, which, as an objection, would have greater force if a channel of communication did not already exist in the poorly-paid native warders, who, as a class, are not superior to the temptation of "trafficking" with the prisoners. The contractors' agents would however be few. It might be stipulated in each contract that none should be engaged who could not give security to be forfeited by the breach of any prison regulation, in addition to the punishment provided by law. After a time the best-conducted prisoners, now employed as convict warders, work overseers, and maistries, would become competent to discharge the duties of foremen, the Government would gain by the wages they earn, and but one agent for each contractor would then be required. It is not possible to devise any prison system faultless in all its details; but the above—contrasted with the contract system—would be much more than counterbalanced by its advantages, none of which is that it admits of

convict labor being made as remunerative as possible by the use of steam and other machinery.

22. Amongst the primary considerations of prison management, the Secretary of State points out that the reformation of convicts, with special reference to their chances of obtaining employment on their release, should be kept prominently in view; but the Government of India think this object is of very limited application in the case of Indian prisoners, and that but little can be introduced into the management of our jails of a direct reformatory character. This opinion is drawn from conclusions arrived at by the Prison Conference which were avowedly based on a very low estimate of the native character and its susceptibility to reclaiming influences. Experience has shown that that estimate was, to a great extent, imperfect, and that, contrary to the anticipation of the Conference, many prisoners do avail themselves of the occupations taught them in jail to earn an honest livelihood after their release. There is, in fact, unanimous agreement as to the beneficial results of intramural industries. For example, the Government of Bengal consider them a valuable means of educating the criminal classes in a way most likely to benefit them. It is well known that the jute mill in the Presidency Jail, Calcutta, turned out a number of trained hands whose labor was in great demand by the owners of jute mills. In Bombay, it is an object as far as possible to qualify a prisoner who has spent some years in jail for earning an honest living after his liberation. But it is considered that the means of attaining this object will be greatly curtailed by the policy of restriction. It is true that this opinion loses some of its force by the fact that but few prisoners are engaged on industrial pursuits in Bombay, but the implied commendation of intramural industries is not, and could not be, applied to the extramural system so generally adopted in that Presidency. From the North-Western Provinces and Oudh it is reported that something has been done by the jails toward supplying trained workmen to private factories, and that carpet weavers and other artisans, all taught in jail, are now to be found earning their living in private factories and offices in occupations comparatively little known and practised. Those who deny the reformatory influence of industrial employment upon Indian prisoners probably speak from the results of by-gone days, when nothing more needed reformation than the prison system itself; when the deficiency of accommodation was such that the number of prisoners crowded into the jails was more than 50 per cent. over the prescribed standard of space; when there were no means of separating the different classes of prisoners; when the supervision was of the most lax description and discipline was neglected; when prisoners were noisy and talkative, listless and slow in obeying orders, and extremely dirty in their persons and clothing, which, together with the matting on which they slept, swarmed with vermin; when, owing to over-crowding and to the want of proper sanitary arrangements, the atmosphere in the wards before the prisoners were let out in the mornings was extremely offensive; when the diet scale was meagre, even supposing prisoners to have received their full allowance—which was doubtful; when the prisoners were kept in irons; when sickness and mortality were great; when, in fact, the jails of India were a disgrace to civilisation. It would scarcely be an exaggeration to say that remedial measures have effected almost as great an improvement upon the morale of the prisoners as upon the scandalous state of things that once prevailed. If it cannot be said of Indian, as of Russian prisoners that industrial employment is the only means of reformation, it is certainly the most effectual, because it provides the prisoners with work that interests and develops their intelligence. The satisfactory results of the introduction of the remission system may also be pointed to as a sign of the success that attends a well-devised scheme of reformation.

23. In the Resolution it is stated that the Governor-General in Council does not suppose that the direct action of Government can do much towards the creation of industrial employments. But, by the adoption of the contract system and the encouragement of steam factories in jails, Government might not morely in the way, but move itself as pioneer in the path of progress. For instance, even matters stand, it is reported by the Bengal Government that jail manufactures have initiated many industries for private individuals to carry on; by an example; by

Provinces and Oudh Government, that the jail administration has done something towards introducing new industries, the woollen and weaving factories in those provinces having, in some degree, owed their origin to the experiments successfully conducted in the Agra Central Jail. If local committees of experts were convened to ascertain the industries most needed in each district and steamfactories were established in jails to carry on the manufactures thus selected, a great impetus would be given to the creation of industrial employments which might be further assisted by holding out encouragement for the formation of companies to utilise prison labor.

24. In opposition to the views held by foreign prison administrators, almost every English authority holds that to make imprisonment and prison labor penal and deterrent is the first essential of prison management, and theorists occasionally complain that this principle is not sufficiently observed. In the case of well-behaved long-term prisoners it is, both in England and India, found necessary somewhat to moderate the rigour of imprisonment as the sentence progresses. Convicts are classified according to their behaviour in jail, and the longer they remain in prison, the lighter, as a rule, is the labor exacted from them. To economise in the matter of supervision the best behaved convicts are made prison servants, i.e., warders, overseers, and maistries. It is too much the practice of those who declaim against the "comforts" enjoyed by the convict as compared with the poor but honest free man to discard all consideration of the dark side of a prison career. The convict's comforts consist of a bare sufficiency of such coarse necessities as the laws of health demand; these may, in many cases, be superior to those the man is accustomed to outside; but to the average human being they must be only little less attractive than the gilded cage to the wild bird. Add to the deprivation of liberty, family, female society, and all luxuries, the irksome restraints of discipline and the severe course of penal labor to which all prisoners are subjected at the commencement of their sentences, and it must be admitted that our prison system is as deterrent as is consistent with humanity or the possibility of bringing reformatory influences to bear with good results. The hope of being able to improve his position at successive stages of his confinement acts as a stimulus to exertion and exemplary conduct which, it is hoped, will produce a lasting impression for good upon the prisoner's mind. The experiment of introducing into the Madras Penitentiary the English system of cellular confinement has been a success. Beyond a doubt the construction of Indian jails should be altered so as to admit of every prisoner being subjected to separate confinement for a term proportionate to the length of his sentence, whilst undergoing which he should be put to the severest form of hard labor, such as raggi or flour grinding. On emerging from this purely penal and deterrent preparatory stage, every well-conducted man should be eligible for industrial employment in association. It may also be remarked that amongst foreign civilised nations no distinction is drawn between penal and industrial labor.

25. The Government of India has condemned certain industries as not being sufficiently punitive, and, unless this interdiction be withdrawn, it will constitute a great obstacle to the adoption of the policy it is the object of this paper to advocate. But it is thought that the severely penal preparatory course proposed may be accepted as a sufficiently deterrent substitute for the prolonged period of less rigorous treatment the Governor-General in Council apparently contemplates. It may also be observed that several of the industries to which the Government of India has taken exception are certainly not less penal than many on which the male convict in England is employed after completion of his term of separate confinement; such English prison industries are tailoring, linen and calico weaving, straw-plaiting, stocking-knitting, twine-spinning, basket-making, carpentry, boot and shoe making, &c.

26. As regards the application of steam machinery to prison industries, the objection that it involves the competition of State with private capital would, as before remarked, be disposed of by the adoption of the contract system. The Prison Conference affirmed the proposition that "the employment of machinery in prisons promotes, rather than interferes with, discipline at the same time that it enormously increases the profits from manufactures," and decided that "Jails should be the seats of profitable manufactures." It also held that in the case of the Indian tax-payer prisons should

be made, as far as possible, self-supporting. Before the decentralisation scheme came into force and the cost of jails was met out of Imperial funds, the importance of making jail labor as remunerative as possible was frequently urged upon the local Governments, which certainly are now ill able to afford the permanent burden that is cast upon them by the new restrictive policy—a loss that may be obviated by the plan followed by almost all other civilised nations of making jail labor available to private contractors. In only one instance (America) has an unfavorable opinion been expressed of the operation of this plan, due apparently to the corrupt manner in which it is worked. The following précis gives the results of experience in the countries named as recorded by the International Penitentiary Congress held at London in 1872:—

Austria.—Contractors' work is to be preferred, for it preserves the State from great loss and damage, which are unavoidable when the work is carried on by officials, and it enables these officials to devote themselves entirely to their proper duty, that is, the taking cognisance of the individual while carrying out the punishment, which they cannot do properly when they have to pay attention to the success of the prison labor. With this system in operation, prisoners, after leaving the prison, find it much easier to procure employment than they would had they worked on account of the State. Their technical advancement is furthered more by contractors than by State officials.

Denmark.—About 80 per cent. of the prisoners are employed by contractors in many different ways. The contract system has proved to be the best both economically as well as with regard to its reformatory effects.

France.—The system which consists in awarding to contractors the profits of the industrial labor of the prisons appears to be the preferable one. If the State can produce more, it produces in general at greater cost. Personal interest and the desire of making money are powerful motives with the contractor, besides which an officer of the Government has not the same freedom of action, nor so much practical knowledge of commercial affairs as a business man. It is important to remark that in one of the female central prisons the earnings of the prisoners suffice for the support of the establishment. Another prison pays all its expenses and returns a profit of a centime per day for each convict. The Administration hopes that it will at length attain the end which it has always sought in this regard—that of exempting the treasury from the expenses of the prisoners who are confined in its great prisons for punishment. Penal labor, properly so called, does not exist in the prisons of France. What is desired at present is to punish the criminal; what is sought at the end of his punishment is reformation. Therefore industrial labor is found in the prisons.

Prussia.—Penal labor merely does not exist. Only in urgent cases and to a very limited extent is industrial labor done for the Administration. Usually this labor is conducted by contractors.

Saxony.—The system of giving the work to contractors, who are in entire dependence on the Administration, deserves preference, because the officers cannot be at the same time good tradesmen and good officers, and because the interests of the two would be opposed and conflicting.

Württemberg.—There is no distinction between penal and industrial labor. The prisoners are partly employed by manufacturers, who pay a certain sum per day or per piece of work.

Italy.—There is no labor exclusively bearing a penal character; the aim is to employ the criminal on industries that will overcome his natural propensity to idleness, accustom him to a life of activity and hardship, and give him the means of obtaining an honorable livelihood. The remuneration for convict labor is one-fifth less. The contract system had not, at date of report (1872), been long enough in vogue to form a definite opinion as to its merits.

Netherlands.—Industrial labor is given to those who can do it on account of the variety of

Russia.—Penal labor alone cannot have a beneficial influence. This is nowhere more clearly proved than in Siberia, where the number of escapes may be counted by thousands.

Most intense hatred of authority and the desire of vengeance where penal is not conjoined with industrial labor, which is the only means of reformation.

Industrial labor let to contractors has alone produced good results.

The Administration ought not to interfere with its direct duties by the care of commercial undertakings.

Sweden.—No distinction made between penal and industrial labor.

Penal labor has not had a sufficiently deterrent effect to reduce the number of recidivists. The industrial labor is conducted by contractors under the direction of the prison administration.

America.—The distinction so common in English prisons between penal or "hard" labor and industrial labor is almost obliterated. The term "hard labor" still exists in the laws, but almost all the work done under these sentences is industrial.

In general the labor of the convicts is hired by contractors at a fixed sum per day. This system is the least expensive, and in large prisons probably it is indispensable. It is, however, open to abuses injurious to discipline and demoralising to the prisoner when it is not carefully and conscientiously applied.

27. With reference to this last objection, it may be remarked that it would apply to every system wherever, as in the States, official corruption largely prevails. This corruption is, it is well known, attributed to the law under which all, even the lowest, office-holders forfeit their appointments on a change of Government. No such cause of corruption exists in this country, where, on the contrary, Jail Superintendents are gentlemen upon whose probity the Government may and does safely rely.

28. There are one or two minor matters which, in any revision of the present system, are well worthy of consideration.

In some respects the American system compares favorably with the English, particularly so in the preference given to mechanical occupations and in the pecuniarily profitable employment of prisoners in cellular confinement, such occupations being brush-making, sewing and shoe-making by means of the sewing machines, weaving and the lighter kinds of wool-work. Some of these industries might advantageously replace the unremunerative coir-picking, which furnishes employment for prisoners on light labor in Indian prisons. It is also worthy of note that in America convicts are profitably employed in the manufacture of agricultural tools and ornamental iron-works, as saddlers, wheelwrights, blacksmiths, carriage and furniture makers; and that there is a large foundry in one prison situated near a great iron mine.

The concentration of district jails is much needed, the advantages of concentration both as regards discipline, resident supervision, and economy of management being evident. Concentration would also favor the establishment of machinery worked by convicts on the contract system.

In the Minute by the Duke of Buckingham on the steps taken to improve the prison system of Madras during his administration, His Grace observed that he failed to see why a prisoner should not, under proper discipline and close supervision, break as much stone or beat as much coir as a free man. Although it may never be possible to make a man do as much in jail as he does outside, it is undoubtedly the fact that in Indian prisons much time and labor is frittered away that ought to be turned to profitable account.

The great difficulties with which prison officers are at present confronted, namely, the difficulty of providing a sufficiency of suitable labor, and of checks upon the tendency to scheme and shirk would be done away with by the use of machinery. Under a system that would increase the value of convict labor and incite prison officers to show remunerative returns, every available hand would be turned to account; a reduction would be possible in the number of convicts engaged on jail service, and of those now employed as warders, work-overs, and maistries, supervision being so facilitated by the use of machinery. Again, to make up for the comparatively small number of working hours might be

increased. There remains in its favor the concurrent testimony of the Secretary of State and of Mr. Rivers Thompson as to the many advantages which machinery affords in facilitating the enforcement of discipline, in regulating task-work, and providing employment which is really penal inasmuch as it makes carelessness, idleness, and inattention easy of detection. This, no doubt, is the reason which commends this method of employing convict labor to so strict a disciplinarian as is the Inspector-General of Jails, Bengal (Dr. Lethbridge), and may, in some measure, account for the great number of prison offences shown in the Bengal returns as compared with those of other Presidencies.

29. In coming to a close, no better citation can be made than that from the report of the Famine Commissioners referred to in the Resolution:—

"At the root of much of the poverty of the people of India, and of the risks to which they are exposed in seasons of scarcity, lies the unfortunate circumstance that agriculture forms almost the sole occupation of the mass of the population; and no remedy for present evils can be complete which does not include the introduction of a diversity of occupations, through which the surplus population may be drawn from agricultural pursuits and led to find the means of subsistence in manufactures or some such employments."

The means for a partial application of this much-needed remedy are in the hands of Government. The great want of individual members of the populace is technical instruction; of the country, manufactures; both may to some extent be supplied, and our prisons be made adult reformatories by converting them into steam factories conducted on the contract system proved by the experience of every European State but England to be compatible with the due maintenance of discipline. That system consists simply, as summarised by the Government of India, in allowing contractors to arrange with the jail authorities for carrying on manufacturing operations by means of convict labor inside the jail walls. The whole risk would be the contractor's; his would be the capital employed, and the trade profits would go into his pocket. Discipline, on the other hand, would be entirely in the hands of the jail administration, the officers of which would see that the penal tasks were duly performed. The simple result would be that, in lieu of Government interfering with private enterprise, as it undoubtedly does now, it would place its store of convict labor at the disposal of private capitalists, and assist, instead of hindering, their operations. The Jail Department would still benefit by the receipt of handsome returns for its labor, while Government capital would cease to compete with private capital.

By the combination suggested may be attained all the objects the Government of India have in view, without having recourse to an extramural system neither remunerative nor reformatory, but fraught with many mischiefs, without sacrificing machinery introduced in Bengal at great expense to the State, "the work of many years spent in improving jail buildings and prison discipline, the general sanitary condition under which prisoners are kept, and, lastly, the intramural and industrial employment of prisoners."

W. A. SYMONDS,

Supt. of Prisons for the Town of Madras.

MEMORANDUM ON PRISON LABOR AND INDUSTRIES.

The Government of India, in their resolution of the 22nd September 1882, reviewed the subject of jail manufactures and laid down the principles hereafter to be followed with regard thereto. The cardinal principle laid down was that although the requirements of prison management necessitate the employment of prisoners on productive labor, yet at the same time that labor need not be made as productive as possible, and every endeavour should be made to turn it into channels which may as little as possible hinder the spontaneous growth of native industry.

2. In order to carry out this principle laid down—

- (1) That labor on public works should be looked upon as the principal mode of employment for convicts.

- (2) That the use of steam machinery in any jail was held to be quite indefensible and its introduction absolutely forbidden. The use of European machinery driven by treadmills, capstans, or other application of convict labor was held to be permissible, provided it was sparingly used, but its introduction into any jail where it did not already exist was interdicted.

- (3) That there should be a certain number of authorized industries in jails, and that, in accordance with the recommendations of the Prison Conference of 1877, multifarious employments in prisons should be discouraged.

The policy here prescribed has been taken exception to in various ways, and the Secretary of State is of opinion that the orders issued by the Government of India go much further than the necessities of the case require. His Lordship, while admitting that possibly in some instances expensive machinery may have been introduced to too great an extent, considers that its use should not be absolutely prohibited and that orders may be issued regarding the selection of jail industries and the method of charging their cost to obviate abuses. He further recommends that certain industries should be concentrated and endeavours made to supply other departments of the State in addition to the jail. Finally he desires the reconsideration of the whole subject and that the opinions of the Local Governments should be obtained.

3. It is not surprising that in a question so vast and affecting so many conflicting interests as that of the competition of prison with free labor there should be considerable diversity of opinion, while it is also one upon which there is much to be said. The resolution of the Government of India is based, it will be seen, on economic grounds. The labor of the prison department as at present existing it is held *does* interfere with the development of the industry of the country, and, in order to avoid this evil, a new departure is made in prison administration, inasmuch as it is laid down that public works should in future be looked upon as the "principal mode" of employing long-term convicts throughout India. The existing system of intramural labor in India has been the work of years; it has been arrived at after much consideration and with the outlay of vast sums of money. The system has been affirmed from time to time and so lately as 1877 by the Prison Conference then assembled—a body composed of officers specially called together in order to improve prison administration. A further development of the system is now being carried out in this presidency by the construction of cellular close prisons, the principle of separate confinement having been affirmed by the Prison Conference. A reversion, therefore, to a system of extramural labor—a system which has been condemned and found unsuitable to the country—cannot but be regarded as a retrograde step and one for which no adequate reason exists so far as affects the prison department itself. It is true no doubt that the Prison Conference of 1877 accepted the employment of convicts on public works as a valuable and almost necessary adjunct to their system of jail administration as affording an important extension of available means for providing labor; still they did not recommend it as a "distinct stage" in the career of convicts, while they held that it would utterly disorganize intramural labor if given to all prisoners over a certain term. If, therefore, labor on public works is to be looked on as the "principal mode" of employing long-term convicts in the future, it is a reversal of the existing system of prison administration arrived at after much expense and thought and found suitable to the requirements of the country. Moreover it does not appear to remedy the evil it is designed to correct, inasmuch as it merely shifts the question of competition as now existing from jail industries to direct competition with the laboring classes, who have no other mode of livelihood.

Were large public works of a description to give permanent employment to large bodies of convicts for years to be available, establishments such as those existing at our convict prisons in England, at Chatham, Portland and Dartmore, with all the necessary elements for good prison government, both as regards health and discipline, might be thought of. These might, then, to a large extent take the place of our existing central jails, and there might be something to be said in favor of the place. The same, though, cannot be said of the employment of convict labor on public works constructed through the agency of private contractors, or on works, such as railways, where unhealthy climates may

So far as this presidency is concerned, extramural labor, as it at present exists, is practically limited to our district jails. In these jails the system as now existing is defective, and it is doubtless a blot on the jail administration of the presidency having small gangs working on roads as they do—working in fact in the manner condemned by Lord Macaulay's committee. Something has of late years been done in concentrating jails, and with the introduction of the cellular system a radical change in the existing system may be looked for, which may, it is hoped, result in the abandonment of the system of extramural labor as now carried on.

4. The next point for consideration is the resolution of the Government of India as it affects the jail industries. While there can be no question of the soundness of the proposition laid down in the resolution of the Government of India that it is desirable for the State on economic grounds to do nothing to hinder private enterprise, the question arises whether this policy ought to be carried so far as to be detrimental to departments of the State itself, or whether, when such is the case, it ought not to be subordinate to State interests. In our prisons we have a vast number of convicts who must be fed, cared for, and provided with labor of some description or other. As in the universe all contribute in some degree to their own maintenance, and in some cases to that of others, so the convict comes under the general law. It is generally accepted that convict labor should be of a *productive* character, and this view is fully concurred in by the Government of India, who further define what is meant by *productive* labor. Accept this view. Seeing, therefore, that the principle is accepted that labor in our prisons should be *productive*, it seems to follow that it *must* also be in *some* degree competitive, whatever the *nature* of the labor may be; nor does this appear unreasonable, seeing in fact that it is a *necessity* of existence. The Surveyor-General of Convict Prisons in England has said, "As persons who are free are competing with somebody or other, so it is perfectly reasonable that they should work and therefore compete equally after being put into prison"—a statement to which no valid exception can be taken in itself, though perhaps it is necessary to limit its application and to lay down definite rules regarding the purchase of plant and machinery of an expensive nature, whereby the competition of the private manufacturer is not only against labor but also against State capital. The State has a right to the *employment* of the vast supply of convict labor placed by law at its disposal. Such labor ought to be utilized to the best advantage consistent with discipline, and the tax-payer should not be called upon to pay unnecessary burdens by convict labor not being made the most of. It is thought where State *capital* comes into competition with private capital; that evil arises, as the former is practically without limit. No system has yet been devised, however desirable it may be to do so, whereby *productive* labor can be carried on in prisons without *some* competition, nor in my opinion does the policy now prescribed by the Government of India get over the difficulty. It is accepted by the Government of India that the first use to which jail industries should be devoted is to meet jail requirements. The available convict labor is far more than is required for this purpose, and, as it is to be employed on "*productive* labor," how is the produce of such labor to be disposed of? It follows the produce of such labor can only be disposed of according to the ordinary laws of demand and supply, and hence it *must* compete with free labor unless there is some special outlet. In order, however, to restrict this competition, a policy is prescribed fettering the prison department, the result of which must necessarily be that, if convicts are employed on industries *beyond* the requirements of the prison department, stocks will accumulate and loss thereby arise to Government. In order to provide, therefore, an exit for the produce of the *labour* existing in jails, and which labor, it is maintained, *must* be employed, it seems reasonable that, after the supplies of the jail department are exhausted, the Government should require to avail themselves of the produce of such labor in the same manner as it seems to follow that, if cor-

An essential requirement in prison labor is that it should be *constant*. The ordinary rules of supply and demand cannot be applied to it; the convicts are in the jail; they *must* be fed, clothed, and cared for. A manufacturer can take on hands as required or discharge them when the demand for any particular article ceases; not so with prison labor. Unless therefore there is a *constant demand* for that labor, what is to be done with it? The State, and the State alone, can provide the certain labor required. It is, in fact, a duty devolving on the State to provide the requisite labor.

In accordance with the recommendation of the Prison Commission, the Government of India desire that industries in jails should be limited to one or two, and certain industries are forbidden as not being sufficiently desirable to limit. The industries carried on in any one jail there can be observed, and it may be observed that the suitability of a specific form of labor is altogether upon its merits. Hence it is a question of expediency. Machinery has been so largely introduced, and those who

Convict labor does not start on an equality with free labor, inasmuch as that, not only is the convict an unwilling workman, but he has to work under disciplinary restraints. It is, as the Prison Conference remark, a fact of universal experience that convicts cannot be compelled to work like free laborers.

In order to limit the capital now at the disposal of Superintendents of Jails and to check the profit and loss account of jails, there seems no reason why a working capital should not be fixed and assigned to each according to its capacity and requirements for which the Superintendent would be held responsible and have to account. No doubt this would introduce an element of trade, but it would give Superintendents a direct interest, and the officer concerned would utilize his capital to the best advantage, while he would feel it too for his credit to make the most of his capital, and the stigma of competition with *unlimited* State capital would be removed. It is no doubt feasible to lay down rules regarding the number of industries, the sources to which articles should be disposed, the selling prices thereof, and, by limiting capital, to remove all reasonable complaints from private traders and to continue prison industries much on the same lines as now exist in his presidency.

lines as now exist in his presidency.

5. There remain at one more subject to consider in the correspondence which has passed between the Governor of India, viz., that of the hiring out of convict labor. As shown in the prison labor is followed by the correspondence, a system of letting out of any such system. Heretofore, though one has heard little of the system can from what is known it as existing there. Though the report of production into this country would w special advantage.

Vellore,
28th April 1884.

W. McLEOD,
Supt. of the Central Jail, Vellore.

ORDER—dated 7th July 1884, No. 1668, Judicial.
The following letter will be despatched to the Government of India.

(True Ex

AR,
Secretary.

It objections to the labor should be found can only employ according to the law, seems fatal to certainty regarding the system (*vide* report for 1890) and his followers having a system which could not be a system there appear while there would be and the contractor. No but the main difficulty is, namely doubtful whether such as would be desired, the, and the description of contractors might be found able, and, in considering *vide* for the disposal of employing convicts. In the hire the labor of a number of petty thieves, not worthy of but without turning the element of convicts in unsuitable to convict in would be obtained machinery or of the consider the question, the existing arrangement be decided solely by them, there seems hardly a change of existing arrangement so forcibly urged on their letter, No. 3-114, of prison management it be accepted. The Prison Conference, jails their surplus labor in necessitate its being So far as the prison had no necessity there-

LETTER—to

I am directed

1. From Inspector
16th June 1884
2. From Superintendent
3. „ Superintendent

Inspector-General and
the suggestion that the
they agree entirely in the
at Vellore, and consider
of convicts in this direc
attempted.

3. Happily at the pr
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injure any local tra

os. 1663, 1669, JUDICIAL.

ment of India, Home (Judicial) Department,
1 July 1884, No. 1669, Judicial.

our letter, dated 26th January 1884, No. 3-114,
dealing with the question of jail labor, to
transmit the three marginally-noted papers
upon the subject.

2. I am to say that the Government
concur generally in the remarks of the
opportunity of recording their opinion against
ts should be hired out to private individuals,
this point by the Superintendent, Central Jail
es which lie in the way of utilizing the labor
unadvisable that the experiment should be

prisons of this presidency are not crowded,
plated by the jail conference in chapter VII
our letter—does not exist; and there is no
means of relieving any overcrowding in our
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provided a suitable work can be found, but
he Inspector-General's letter, is, to say the
urther of opinion that the alterations which
ried on in the various jails in this presidency
press the Inspector-General towards further
the view of the Secretary of State that
om the jails the requirements of the other
iction that an industry if proved likely to
continued.

E. F. WEBSTER,
Chief Secretary.

Recd - H. J. J. papers: -

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38
19

No. 3
114

FROM

A. MACKENZIE, Esq., C.S.,
Secretary to the Government of India.

To

*The Chief Secretary to the
Govt. of Madras.*

Home Department.
Judicial.

Calcutta, the 26 January 1884.

SIR,

In Home Department Resolution No. 20-1406-19, dated 22nd September 1882, the Government of India explained the principles which should regulate the action of Government in the matter of jail manufactures, and issued certain instructions with a view to give effect to those principles.

2. The main consideration which led to the issue of the orders contained in that Resolution was the importance of removing all obstacles to the spontaneous development of manufacturing industries in India, in so far as these are affected by the operations of convict labour and the supply of articles of jail manufacture to the local markets. The history of the matter was this. In his despatch of 12th February 1880, the Secretary of State, remarking upon the large development which had been given to manufacturing industries in the central jails of Bengal, observed that "the extended introduction of manufactures, other than those of the simplest kind, into Indian jails, is a question calling for general examination before the system is accepted as a proper one;" and the Government of India was requested to endeavour to establish the principles on which it should be decided. In the following year enquiries were instituted in all the provinces, with the result that the Government of India found reason to fear that there was much in the present system of jail manufactures to which objection might fairly be taken upon economic grounds. There was a strong body of evidence that in many places the production of jail labour were competing with private industry to a very serious extent. It being distinctly the duty of the State to do what it could, to stimulate and assist the development, the Government of India look into the matter closely and action in the matter of jail manufactures which were instituted in accordance with the principles enunciated by the Government of India, approved by the Government of India, and the necessity of avoiding multifarious and conflicting regulations, and it was also found that the system was objectionable by reason of the highly punitive nature of the system.

7-1668 & 7-1669

Issued

Recd.

Encl.

G.O., &c., 7th July 1884,
Nos. 1668, 1669.

JULY.

*Forwarded in
C.S. to the
C.P. 13.*

Jail Manufactures.

Forwarding of main papers on the subject of
in British India, and stating the views of this
Government on the same.

3. The views of the Government of India, as embodied in the Resolution of the 22nd September 1882 above referred to, may be briefly summarized as follows. In the first place, two cardinal doctrines were laid down as those by which the decision of Government on the whole general question must be guided. These were (1) that jail labour should, as a rule, be productive without being necessarily made as productive as possible; (2) that jail labour, while productive, should be carefully directed in such channels as to interfere as little as possible with the growth of private industries; or, in other words, that Government capital should not be brought into competition with private capital to a greater extent than is necessitated by the requirements of prison management. This seemed to be a matter of special importance in India, where a degree of Government competition, which in England might be comparatively harmless, might practically do very serious injury to private trade.

In the second place, with a view to give practical effect and application to these principles, detailed instructions were given as to the conditions under which prison labour should be used extramurally and intramurally, and also as to the restrictions to be placed upon allowing multifariousness of employments in jails. It was declared that in future out-door labour on large public works, whether State or private, should be looked upon as the principal mode of employing long-term prisoners throughout British India. To avoid the dangers that might arise from employing desperate or weakly convicts in this manner, the Government of India insisted on a large discretion being left to Jail Superintendents in the selection of the men to compose the gangs for extramural labour. It was considered that there was no reason to fear at the increased expenditure which would be entailed by the necessity of providing convict camps or portable jails for the accommodation of the gangs and of furnishing strong police guards constituted an insuperable difficulty. Experience, so far as it had gone, proved that the extramural form of employment was really very remunerative. Besides, in the case of a public work executed by the State, such extra expenditure might always be fairly charged to the work. In regard to indoor industries, which it was necessary to maintain for prisoners in lock-ups and district jails, short-term and weakly prisoners, and other convicts left in central jails after the drafts to public works had been made, the Government of India enjoined certain restrictions. The introduction of steam machinery, involving, as it did, the competition of State with private capital, was prohibited for the future. Where such machinery was already in use in the jails of any province, the Local Government concerned was instructed either to dispose of it by sale at a fair valuation, or, if there were difficulties in arranging, the Local Government might lease the use of the machinery to a private company or individual, on condition of his agreeing to employ convict labour in this manner, and on condition that the discipline of the convict hands of the jail authorities driven by treadmill, capstan, labour, its use was not to be used, but only for prisoners. Government of India, however, was devoted to any other jail requirements. It was better on the subject of multifariousness called to the principles ad-

Local Governments were directed to prescribe for each jail a certain number of authorized industries, selected with reference to the foregoing economic rules and with careful attention to their penal character.

Finally, the questions were considered,—to whom Government should dispose of its jail manufactures, and how it should fix the price of these when disposed of by sale. As to the disposal of jail articles, it was laid down (a) that the supply of jail requirements was the first object to which jail industries should be devoted, and that, until that demand is satisfied, the wants of other departments or the public were not to be considered; (b) that other Government departments should not be obliged to give a preference to prison manufactures, but should deal with the jails on the same terms as with private dealers; and (c) that transactions with the outside public should be discouraged, and be limited as far as possible to the supplying of goods to traders, wholesale or retail. As to the principles on which the price of jail manufactures should be fixed, the price was always to include—

- (a) the price of the raw material;
- (b) the wages of jail labour, rated according to the wages of free labour of the same class in the neighbourhood; the practice of rating skilled, as unskilled labour, where it exists, being discontinued;
- (c) a percentage for wear and tear of plant; a discretion being allowed with reference to the nature of the trade and the plant employed; the Local Government fixing it in each instance, after enquiry as to the practice of the particular trade and the circumstance of the case;
- (d) a percentage on account of profits.

In the case of articles supplied to Government or to wholesale dealers, this percentage, it was said, might ordinarily be fixed at 20 per cent. on the cost of the raw material and labour; for sales to retail dealers at 15 per cent. on that cost; and for sales to private consumers at 25 per cent. If the prices thus found were below the ordinary rates at which the goods could be procured by the same class of purchasers in the open market, they were to be raised to at least such market rates.

4. The Local Governments and Administrations were called upon to carry into effect the reforms in the matter of jail manufactures, proposed in the Resolution of which a summary has just been given, and to report to the Government of India within a time specified the occupations on which the convicts in the provincial jails were then engaged. The replies in response to this request, and the further orders of the Government of India in each case where such have been issued, are appended to this letter.

5. He

Despatch No.
(Copy appended)

in reply
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His Lord's

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State for India, to whom a copy of the Resolution cited above was submitted in due course, intimated that the Resolution imposed that the discipline of the convict hands of the jail authorities driven by treadmill, capstan, labour, its use was not to be used, but only for prisoners. Government of India, however, was devoted to any other jail requirements. It was better on the subject of multifariousness called to the principles ad-

6. His Lordship pointed out that, in dealing with questions of prison management, there are certain main objects and considerations to be kept prominently in view, to which economic theories must be subordinated. These objects were thus enumerated—

- (1) the penal and deterrent character of incarceration and labour;
- (2) the discipline and classification of convicts according to crime, behaviour in jail, and length of sentence;
- (3) the reformation of convicts, with special reference to their chances of obtaining employment on their release; and
- (4) the health of the convicts.

He went on to observe that the history of the past administration of jails in India proved that these essential objects could be fully secured, subject to special exceptions, by a carefully worked out system of intramural labour; and he regarded the Resolution of the Government of India as tantamount to a complete change of policy in this respect. Although His Lordship was satisfied that the Government of India had no intention of reverting to that wholesale system of outdoor labour, which was described by Lord Macaulay's Committee of 1838 as "the worst which had ever been devised for convicts," he believed that even if the economic objections to the employment of prisoners in manufactures were of greater importance than they appeared to be, and if the difficulties in respect of the health and discipline of convicts employed on outdoor labour could be overcome, there were serious practical difficulties in the way of employing any large number of convicts in India on public works. Looking to the fact that the provision of work of this description in England had not been without difficulty, His Lordship doubted whether in India, as the difficulty would be much greater, permanent employment of any large number of convicts on suitable public works would not prove to be next to impracticable.

7. His Lordship expressed an opinion that convicts could be usefully and properly employed on public works only where the works are so large and concentrated, and likely to last so long a time, as to justify the erection on the spot of such substantial accommodation as would be required for the exercise of the same sanitary care and the enforcement of the same system of discipline, penal labour, and classification which are now exercised and enforced in central jails. He moreover considered that convicts should not be drafted to public works where, from conditions of climate, their regular employment out of doors was not possible throughout the greater part of the year, and that only men selected for that class of work on due consideration of their physical fitness and the sentences passed upon them should be employed on railway works of gangs in portable prisons during the progress of the year. His Lordship on the ground of the Indian climate and of the necessity of moving the convicts, surmounting the difficulties with a due regard to the discipline of the jails.

8. Lord Kimberley said that the orders of the Government should be had to extend considerably modified, with a view to continue to constitute labour, and that the out-merely an exceptional a-

Drawing an analogy from English practice and experience, the Secretary of State thought that there was no ground for apprehension on the score that the system which prevails in India of employing convicts on useful industries, and which he believed to approximate very closely to the English system, was likely, if properly worked, to give any just ground for reasonable complaint, on the score of interference with private enterprise. His Lordship remarked that the same economic objections to the existing system of jail manufactures which were being urged by the Government of India had frequently been pressed in England without being allowed to affect prejudicially the industrial employment of convicts. The plan which the Secretary of State considered might be most advantageously adopted in India was that suggested by the Committee appointed in 1878 to inquire into the system of accounts in the local prisons in England, viz., that certain industries should be concentrated in certain jails, and that endeavours should be made to supply other Departments of the State, in addition to the Jail Department, with articles of prison manufacture; while at the same time any special jail industry, if proved seriously to injure any local trade, should be discontinued in favour of some other kind of employment.

An extract from this report, together with an extract from the Fifth Report of the Commissioners of Prisons in England, was forwarded to His Lordship's despatch for the information of the Government of India. Copies of these papers will be found appended to this letter.

9. The orders contained in the Resolution of September 1882 respecting the disuse of steam machinery and the restriction of the employment of European machinery driven by capstans, treadmills, and such like applications of labour, as also the instructions relating to the hiring out of jail factories containing machinery on condition of convict labour alone being employed in the operations, also appeared to the Secretary of State to go further than the necessities of the case required. In the first place, the hiring out of the labour of convicts to private individuals, as suggested in the Resolution, was, in His Lordship's opinion, a measure open to the gravest objection; and in the second place, with reference to the use of machinery, whilst admitting that there might have been instances in which expensive machinery had been introduced on too large a scale, and that it was necessary that the application of machinery should, in all cases, be carefully watched and limited, His Lordship considered that, having regard to the many advantages which machinery affords in facilitating the enforcement of discipline, in regulating task work, and in preparing material to be worked up by hand labour, its use should not be absolutely prohibited. Indeed, so far as its employment is necessary to the management of the jails, it should be considered a most useful part of the machinery.

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view they addressed the Secretary of State, assuring His Lordship that they did not contemplate any such radical change of policy as he seemed to apprehend, and that their proposals, if properly understood, amounted only to a determination to work more consistently upon the recognised lines laid down by previous Governments, and to give more complete effect in practice to the recommendations of the Jail Conference of 1877.

11. Dealing, firstly, with the important question of extramural labour, the Government of India explained that a far wider signification than was intended had been attached to those portions of the Resolution that dealt with this question, and that it was far from their wish to reverse the policy advocated by the Jail Conference in 1877. On the contrary, one of the main objects in view in issuing the Resolution of September 1882 was to draw renewed attention to the desirability of giving full effect to that policy, which had already upon previous references been repeatedly accepted by the Government of India and the Secretary of State. The Government of India were fully aware that the Jail Conference had recommended that extramural labour should not be made "a distinct stage in the career of all convicts of long terms;" and they therefore laid down distinctly in the Resolution that "a large discretion must, of course, be left to the Jail Superintendents in selecting men for extramural employment." The Resolution further indicated that convict labour was to be employed in this way only on large public works, and therefore only where such employment was available.

12. The Government of India also pointed out to the Secretary of State that His Lordship's instructions, in so far as they indicated that the essential purposes of prison management should be secured (subject to special exceptions) by a carefully worked out system of intramural labour, would virtually lead to the almost total suppression of extramural labour; and that this, and not the orders of the Government of India, would amount to a reversal of the accepted policy of the past.

The Government of India stated that they were certainly not disposed to go so far as this, believing that the adoption of such a course would be inconsistent with the conclusions of past Governments, and with the principles laid down by the Jail Conference. The Jail Conference, after dealing, in Chapter VII of their Report, with the employment of prisoners on public works, observed as follows:

In concluding our remarks under this head, we would state that we regard the system of employing convicts on public works as a most valuable and almost as a necessary adjunct to our system of Jail Administration. It affords a means by which overcrowding may be relieved, and space made available for the construction of separate sleeping accommodation for the main body of prisoners; it is also an important extension of our available means for labour at once penal and profitable.

The Conference then went on to propose to make extramural labour "a distinct stage in the career of all convicts of long terms." Throughout their report they assumed that employment on public works was the only employment available. The Government of India, in their report, contain the following:

The Governor General in Council considered Chapter VII (of the Report of the Jail Conference) on public works. His Excellency was of opinion that a long-term prisoner should, for the purpose of being kept from extramural labour, if others in

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be taken to guard against the tendency, which is somewhat apparent in the rules proposed in paragraph 3 of this chapter, to sacrifice the extramural employment of prisoners for the requirements of intramural industries. With these modifications His Excellency in Council commends the suggestions made under this head to the attention of Local Governments and Administrations, and trusts that endeavours will be made to give practical effect thereto.

The tendency to which allusion is made in this extract had shown itself in some provinces, and it was precisely this tendency which the Government of India wished to check in issuing their Resolution of September 1882.

13. The Government of India entirely agreed with the Secretary of State that, in dealing with questions of prison management, the main objects to be kept in view are those set forth in paragraph 6 above.

In this country, owing to circumstances, which it is unnecessary to detail, less stress can be laid on the third of these objects (viz. the reformation of the convicts with special reference to their chances of obtaining employment on their release), than on the others mentioned. No practical difficulties arise in India with reference to the employment of convicts after release such as are felt in England, and in the case of adult convicts at any rate but little can be introduced into the management of Indian jails of a direct reformatory character. But the Government of India attach cardinal importance to the other points named, and most of all to the last of them, — the proper maintenance of the health of the prison population. Unless adequate provision can be made for securing these essential conditions under a system of extramural labour, the Government of India would not advocate any such system. They believe, however, that with proper care and arrangements the conditions can be secured; and this opinion is, they find, shared by those who have in this country had the best opportunities of forming a practical judgment on the question. They referred His Lordship to the paper by Dr. Jackson, the Superintendent of the Dehri Convict Camp, printed at page XII of the Appendix to the Report of the Jail Conference of 1877; and to Reports by Drs. Ferguson and Dickson on the extramural employment of prisoners at Rupar, recently received from the Punjab Government.

At page 33 of his report Dr. Ferguson sums up the lessons which, in his opinion, can be drawn from the experience at Rupar, in the following terms:—

- (1) that the employment of large bodies of convicts on public works is not only practicable, but has also the advantage of being both economical and punitive;
- (2) that their employment need not be confined to earthwork only, but may be found in connexion with large public works of all sorts.

100 convicts by rail in open wagons to this accident demonstrates the feasibility of at a distance from their quarters, and as ago, would have been declared, if not a safe experiment; they would be more largely employed in the present; they are at present; they are affected by influences affecting their degree, owing probably to

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14. The Secretary of State has, moreover, been informed that the Government of India, in considering any proposals for the extramural employment of convicts which Local Governments may lay before them, would always pay special attention to this matter of health, and would decline to sanction any scheme of the kind unless it was satisfactorily shown that the climate of the place, the nature of the employment, and the arrangements for the care of the prisoners were in every respect such as to warrant a belief in the success of the undertaking. The Government of India quite agree with His Lordship in the view (stated in paragraph 7 above) that "convicts should not be employed on public works where from conditions of climate their regular employment out of doors is not possible throughout the greater part of the year, and that they should be only men selected for that class of work on due consideration of their physical fitness and the sentences passed upon them." They are, for instance, prepared to admit that the climate of Lower Bengal may be generally more unsuitable than that of other parts of India for the employment of convicts extramurally; and that, in view of the inferior physique of the people of Bengal, great care would have to be exercised in selecting men for such employment, especially in the case of convicts belonging to large towns. A large number of the convicts, even in Bengal, are however of the agricultural class, and accustomed to out-door labour in all weathers.

15. The Government of India have asked the Secretary of State to reconsider the exception he has taken to the suggested employment of prisoners on railways and to the use of portable prisons in connection with such work. In the absence of great quarrying or harbour works in India, it is on the earth-work of railways and canals that the Government of India contemplated the employment of such gangs as may be drafted to extramural labour. On such works the Government of India see no reason why due arrangements should not be made for concentration, penal discipline, and all other points which, with reference to the class of convicts employed, it is necessary to attend to; but as from time to time the convict camp must of course move on, permanent buildings are out of the question, and the end in view can only be attained by the adoption of the plan of portable jails. Unless these be allowed, the Government of India admit that it will only be possible to employ prisoners extramurally in very exceptional cases, such as that of the Ruper Works, where continuous employment can be found for some years at the same spot. The recommendations of the Jail Conference on this matter were expressed in the following terms:—

It appears to us that the attention of officers of the Department Public Works should be directed to the construction of portable jails, and that the invention of a good movable jail would do more than anything else to remove the difficulties which now prevent Local Governments from giving effect to the views of the Government of India regarding the employment of convicts on public works. The work which of all others seems most suitable for them is canal work, but unless gangs put to this kind of labour can move their work very soon, it will be very curtailed. Iron structures would be very durable, healthy, and free from the risk of fire, but they would be required, for temporary side sheds in our supposed iron jail, can always be run up and down as the work of the convict camp will be able to do. Instead of, as the rules suppose, a not to cost a Local Government places a convict gang on a work.

The Government of India were encouraged in their views of the feasibility of extending the system of extramural labour by the success which has attended the working of that system in Bombay, where every available long-term prisoner fit for hard labour has for years past been so employed. The objection that convict labour thus directed will compete unduly with unskilled free labour, appeared to them to be of little force. It being admitted that convict must be employed on some productive labour (using the word *productive* in the sense defined in the Resolution of 22nd September 1882), it is obvious that it must compete with free labour of one sort or another. The practical question for decision is how to direct convict labour so that it may compete with free labour in the least injurious form. In India the most injurious form of competition is competition with artizan labour. As has been repeatedly recognised, the great want of this country is manufactures. It appears, therefore, far preferable that the competition of convict labour should be with ordinary day labour rather than with skilled artizan labour. Moreover, the fact of the greater mobility of the unskilled workman as compared with the artizan is a consideration which should not be lost sight of. Proper care on the part of the local authorities in regulating the supply of prisoners would also obviate any risk that the use of convict gangs would enable private companies to keep down the wages of free labour.

16. As regards the Secretary of State's criticisms upon that portion of the Resolution of September 1882 which deals with intramural employments, it has been explained that the orders of the Government of India were not meant or calculated to have the effect of causing the discontinuance of the great bulk of jail manufactures. It was expected that Local Governments would bring to notice any practical difficulties they might encounter in giving effect to the instructions of the Government of India in regard to the maintenance of any particular form of industry of which disapproval had been expressed. While adhering to the policy laid down by the Jail Conference, of discountenancing multifarious employments, the Government of India were quite ready to consent to any modification in details which local circumstances might render necessary. It is also no doubt desirable that light labour for sickly, aged and convalescent prisoners should be provided. On all such matters a wide discretion would be left to Local Governments. The Secretary of State had invited attention to the principle laid down by the Committee appointed in England in 1878, viz., that certain industries should be concentrated in certain jails, and that endeavours should be made to supply other Departments of the State, in addition to the Jail Department, with articles of prison manufacture; while at the same time any special jail industry, if proved seriously to injure any local trade, should be discontinued in favour of some other kind of employment. Except that the Government of India have not thought it right to oblige the Jail Department to deal primarily with the circumstances of India a wide interpretation of the principle of "local trade," it has been agreed by the Government of India Resolution of September 1882.

17. The Secretary of State's remark that the Government of India against the jail manufactures have it being allowed to affect of convicts, it has been we well aware of the on this subject, and the conclusions arrived untry. In England

the whole country is, so to speak, one vast factory, and the interference of Government with private trade and capital is at most so comparatively slight as to have no material effect upon the conditions of private enterprise. In India, however, the case is altogether different. Private enterprise is here in its infancy, and the deterring effect of Government competition is out of all proportion to its real dimensions. This matter is discussed in paragraphs 8 and 9 of the Resolution of September 1882, and the Governor General in Council considers that it is clearly the duty of Government to remove or effectually limit the obstacles which huge State-supported factories like those of the Bengal jails cannot but throw in the way of the development of industries corresponding to those which they take up. The Government of India have reason to know that the establishment of a Woollen Factory in Lower Bengal, for instance, actually prevented the establishment of a similar private factory in the North-Western Provinces; and that the issue of their Resolution has already acted as a stimulus to private enterprise.

This conclusion has within the last few months received corroboration in representations made by manufacturing firms carrying on business in various parts of India. These communications demonstrate, in the opinion of the Government, the fact that jail industries as hitherto managed do most seriously hamper and compete with the operations of private trade.

18. The correspondence on record shows that the rapid extension of the use of steam machinery in the jails of Bengal was viewed by Lord Northbrook's Government with considerable doubt from the outset, and it is greatly to be regretted that more decisive steps were not earlier taken to prohibit its undue development. Moreover, from another point of view the Government of India have no confidence whatever that employment connected with machinery serves any sufficient penal object—the end which is placed in the foreground of every system of prison labour. The Government of India are by no means satisfied that mills and manufactories of the class introduced into most jails can be made to provide hard physical labour of the kind that the great majority of convicts ought to undergo. Stress is sometimes laid upon the irksomeness of the constant attention required, but it is certain that millwork is a most popular form of labour among the free population, and cannot therefore be regarded as sufficiently penal for convicts.

19. As regards the objection urged by the Secretary of State to the hiring out of the labour of convicts to private individuals, as proposed in paragraph 16 of the Resolution, the Government of India have invited His Lordship's attention to the fact that the plan of making jail labour available to private contractors is one followed by almost all other civilised nations in connection with their jail system, as will be seen by a reference to the paragraphs of the transactions of the International Penitentiary Congress.

Report on Austria, paragraphs 13, 53 to 55, pages 10 and 18.

Report on Belgium, paragraph 53, page 34.

Denmark, paragraph 6, page 40.

France, paragraphs 5, 13, 23, 53, pages 52, 61, 82 to 8.

Report on Prussia, paragraphs 29, pages 125 and 126.

Report on Saxony, paragraph 6, page 1.

Westphalia, paragraph 49.

Italy, paragraph 6, page 13.

Netherlands, paragraphs 5, pages 174.

Report on Russia, paragraphs 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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CONFIDENTIAL No. 404

From
The Govt. of India
No. 3
114

11/17/1944

By 26th

3 inches

No 518

Referred (with notes)
to the Secy. of State for
such records as he
may think desirable

For George } from secy.
5 March 1944

Mr

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tail Manufac-
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To Mr. J. of J. }
under act of 1940 }
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8/11

Home Department,

Judicial

Simla, the 22nd May 1884

No.

706

To

The Secretary to the Government of Madras

Subject.

Jail manufactures

SIR,

I AM directed to invite attention to the communication marginally noted, and to request an early reply.

I have the honour to be,

SIR,

Your most obedient Servant,

No. 3-114 dated 26th January 1884

subsequent reminder

No. 460 dated 5th April

Offg Under Secretary to the Govt. of India.

1/2-1/2

Endowment 7 June 1884, to

ded, in original
General of
to submit
in off. letter
1884, for
date

No. 184

Ootacamund, 16th JUNE, 1884.

FROM

COLONEL T. E. TENNANT,

Inspector General of Jails.

To

THE HON^{BLE} E. F. WEBSTER,

Chief Secretary to Government,

Ootacamund.

SIR,

With reference to G.O., No. 518 of the 5th March 1884, forwarding copy of Her Majesty's Secretary of State's dispatch, dated 22nd March 1883, together with the Government of India's letter on the subject of manufactures as carried on in the jails of British India, I have the honor to offer the following remarks.

2. In my former letter, I explained that the alterations which had to be made in the industries carried on in our Central jails, in consequence of the policy enunciated in the Resolution of the Government of India, dated 22nd September 1882, had not been considerable, as the endeavors for many years of the Jail Department have been mainly directed to the furnishing of articles required by Government Departments; work of this description being preferred to any other. The principle hitherto maintained by the Madras Government being, that although there may be some objections to the jails entering the market on a considerable scale as sellers of articles made by convict labor, yet there is no more suitable or more legitimate object to which prison labor can be devoted than to manufacture certain articles of large consumption required for Government service. This principle is recognized and followed in England, where the subject of competition of prison with free labor has been a topic of earnest discussion for years, resulting in a general consensus of opinion amongst official authorities at home that there exists no solid objection against the jail department supplying other departments of the State with articles of prison manufacture. The Secretary of State also considers that this principle might, in its integrity, be most advantageously adopted in India, observing that in so far as English practice and experience afford material for a safe conclusion, there is no ground for apprehension that the system of employing convicts on useful industries now prevailing in India which seems to approximate very closely to the English system, is likely, if properly worked, to give any just ground for reasonable complaint on the score of interference with private enterprise.

3. The Government of India do not dispute the correctness of these conclusions and admit the value of English experience, but urge that the circumstances of this country are entirely different to those of England, as "in India private enterprise is in its infancy and the deterring effect of Government competition is out of all proportion to its real dimensions." From this it is gathered that the Government of India contemplate a still further policy of restriction. Economic grounds intend to insist on the abandonment of employ labor ever the supply of articles required for the public service. Inclusive rect, the great bulk of jail manufactures must be and on ber looked upon as the principal mode of em. convicts lead

is anything but an easy problem to devise and it is much easier to lay down principles. on the existing system of intra-mural labor in work of years; it has been arrived at after much of vast sums of money. The system has been so lately as 1877 by the Prison conference then of experienced officers called together in order to. A further development of the system is now being hence the construction of cellular close prisons, the ment in en affirmed by the Prison conference and

Resolution Government of India printed
with Judicial Proceedings Madras Govern-
ment 19th October 1880 No. 2498.

authoritatively sanctioned by the Government of India. A reversion therefore to a system of extra-mural labor—a system which has been condemned and found unsuitable to the country—cannot but be regarded as a retrograde step, and one for which no adequate reason exists. Moreover it would not remedy the evil it is designed to correct, in that, it merely shifts the question of competition from jail industries to direct competition with the laboring classes who have no other mode of livelihood.

5. In regard to the labor in District jails it was explained that in order to carry out the policy laid down by the Government of India, manufactures had been stopped, with the one exception of Bellary, where woollen blankets are made on the ordinary hand looms, for the Police and Commissariat Departments. The prisoners in these jails are now employed almost exclusively on extra-mural labor. The system as at present existing is defective, and it is doubtless a blot in the jail administration of this presidency having small gangs working in chains on the public streets and roads. It is true, that when reviewing the measures taken by the Madras Government to give effect to their policy, the Government of India did express some doubt whether such employment can be made consistent with discipline and added—with not a little *naivete*—"a hope that such industries as oil pressing and coarse hand-loom weaving may be found feasible even in district jails." These being the very industries which most affect the poorer classes in this part of India, and which ought on no account be handicapped by prison labour.

6. It will be seen that the Government of India justify these sweeping alterations of jail administration on economic grounds, for it is held that the labor of the prison department, as at present existing, *does* seriously interfere with the development of the industry of the country, and considerable confidence in establishing these changes is gained, by advancing incidents showing that some jail superintendents have at times under-sold local markets. It must be admitted that in certain localities these charges of under-selling are more or less well founded, but such errors of judgment on the part of the jail authorities are exceptional. In this Presidency it has always been a well understood principle that no competition with private markets is allowable, and if this rule were rigidly adhered to elsewhere, there could arise little necessity for interference with jail industries as now carried on. It moreover seems questionable whether the withdrawal of jail industries, as at present conducted in this Presidency, would after all afford much or even any encouragement, to so-called private enterprise. As a fact, our jails have in most cases created a demand by producing special articles, and so far from stifling private endeavours, jails have proved of vast importance to the country in organizing a demand for products of a better quality than that supplied by the local markets. It must also be remembered that yearly large numbers of men, whose livelihood was originally gained by criminal practices, receive in our jails training as skilled artizans; these scattered over villages and towns cannot fail to influence the bent of native industry; at any rate it has hitherto been the leading idea in jail administration that convicts should, after a period of probationary punishment, be taught a useful trade that should enable them to gain a living by honest work; but if in future our convicts are not to be employed on earth-works of the simplest kind, but are to be employed on the most unremunerative work, then the Government seek to protect them from the competition of the lower classes, and deprive them of the lower classes' direction to pursue.

7. But the subject of jail manufactures, economic principles, and Lord Kimberley's question, economic theories must be subordinated to the question of prison management. In our prisons we must be fed, cared for and provided with labor. The simple fact being, we must find work for our political economy or not. The question then is, out-door labor, or must we find intra-mural employment. So far as this P

ing works upon which convicts could appropriately be employed throughout the year; and there are obvious objections against employing our prisoners on public works in other parts of India. In my letter of the 18th March last, I pointed out that convicts can only be usefully and properly employed where the works are of such magnitude and are so concentrated that large bodies of prisoners can be employed for several years; that unless proper buildings are provided, the sanitary care enforced, and a proper system of discipline exercised, as now exist in our central jails, the system advocated by the Government of India would not only entail a heavy and unnecessary financial loss to the State, but it was more than doubtful whether the mortality would not largely increase under such a system. The soundness of these views has now been admitted by the Secretary of State in a recent despatch in connection with the resolution of the Government of India on the subject of jail manufactures, and in condemnation of the policy advocating the extension of extra-mural prison labor on public works. To obviate the difficulties referred to, the Madras Government were invited to consider the feasibility of the establishment of portable jails, which were stated to have worked satisfactorily in the Bombay Presidency. Accordingly the Inspector General of Prisons of that Presidency was consulted and a report submitted to Government on the 18th of March last.

G. O., 5th May, 1884, No. 111d, J. D.

From these papers it will be seen that the circumstances of the Bombay Presidency are entirely different from those of Madras. In Bombay there is only one central jail at Yerrowda, near Poona, for the whole presidency, consequently there is considerable difficulty relating to the employment of long-sentenced prisoners in that presidency. The authorities have been driven to resort to extra-mural labor on public works, not because out-door labor possesses any superiority over in-door labor, but on account of the want of fitting central jails in which proper jail-discipline and a system of intra-mural labor—which is essential to such discipline—can be carried out. In Madras it is the reverse; we have six large central jails, besides the Penitentiary or Presidency jail; in fact, our jail accommodation at present, considerably exceeds our requirements, and there is no necessity for entailing additional expense in the construction of public works prisons requiring extra guards and additional staff, adding thereby considerably to the cost of the jail administration of this Presidency. It may also be remarked that whilst in Bombay, it is reported that every available prisoner fit for hard labor is employed on out-door labor, and that the Inspector General of Prisons (Dr. Cruickshanks) thinks it impossible to further extend the practice, it has not been found practicable to so employ more than 33 per cent of the whole prison population, and of these it would seem a certain number are engaged in small gangs on the public streets and roads, a system condemned alike by Lord Macaulay's Committee of 1838, the Government of India, and the Secretary of State "as the worst which had ever been devised."

8. It having been shown that, even in Bombay, it is only practicable to employ one-third of the jail labor on engineering works, it follows that the bulk of the prison population must be employed on some sort of intra-mural labor. There is a universal agreement of opinion amongst the highest authorities on the management of prisons, in condemnation of the system of purely unproductive methods, such as, ranks, shot drill, the piling and unpling of logs, and the employment of convicts in the selection of these employments, I submit that manufactures of some sort must form the basis of the system. In the selection of these employments, I submit that manufactures of some sort must form the basis of the system. The abuses which are said to have not been found in this Presidency, and in the Government of India are not only uncalled for as if, but unjust to the tax-paying community, our prisons shall be as far as possible self-sustained by law, at the disposal of the executive power, but shall be utilized to the best object of penal discipline. Now as this labor is only reasonable that it should be devoted for the Government are not prepared to sanction

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competition at *equal prices* with private individuals, it may at least provide for its own requirements. I therefore submit that if these principles were observed, many of the disadvantages which attend the system of making prisons into manufactories, would be avoided.

9. There remains but one more subject to notice in the Resolution of the Government of India, namely, the hiring out of the labor of convicts to private individuals. As shown in the papers which accompany the correspondence, a system of letting out prison labor is followed in certain countries. Little is known of this system, except from America, where the scheme signally failed in consequence of the numerous abuses to which it gave rise. In so far as America's experience affords material for a safe conclusion, there is every reason to apprehend that the introduction of such a system into this country would be attended with even graver objections than were found in America. It is a fundamental principle in prison management that labor must be subordinate to discipline, and however skillful the workman, should he commit a grave breach of jail rules, he must be relegated from the workshop to the cells; the labor must also be constant and regular, there must be no uncertainty whether suitable work can be found for the various classes of prisoners or not. Under any contract system of hiring out convicts, the contractor would only employ labor sufficient for his requirements and the work he has to do, not according to the labor placed at his disposal by the State. This seems to be a fatal objection to the scheme as a *general system* which is to provide for the disposal of all prison labor, and to supplant the present modes of employing convicts. In jail, there must be an indefinite number of persons of varied skill and capacity sentenced to labor, all these, whether old or young, robust or infirm, have to be employed on some sort of labor, subject to the necessary control in points of discipline, health and classification. Possibly contractors might be found to take *some* labor of certain jails in convenient localities, but they will not be induced to take the labor of our prisons *in its entirety*, unless such pecuniary advantages were offered as would give the mill-owner working with cheap jail labor an unfair advantage over his competitors, who have to supply themselves with labor from the open market. In other words there would be a competition for labor instead of for goods. Such a system seems, on the face of it, indefensible; and not worthy of consideration so far as the prison department is interested. The minor objections—such as the difficulty of keeping convicts from communication with the outer world, the friction between the prison officers and the contractor's agents, the temptations to the prison subordinates to neglect their duties and abuse their trust—are too obvious to need more than a passing reference. I therefore trust that the Government of Madras will strongly protest against this scheme for utilizing prison labor. It is in no captious spirit, nor from inability to recognize the extreme importance of the subject that I submit these remarks; but I am bound to express my conscientious belief that such a measure will entirely revolutionize the existing system of jail administration, and open the door to abuses and irregularities. The Secretary of State ought therefore to be made aware that although Madras has endeavored loyally to adopt the lines laid down in the Resolution, yet the authorities are satisfied, after nearly two years experience, *as a decided opinion* that unless the ill-devised restrictions imposed by the *order* are withdrawn or greatly modified, the results will be to the detriment of the interests of the prison department, but will *be* to the State, and increase the burden on Provincial funds.

10. I forward for the information papers on the jail manufactures question to the Superintendent of prisons for the town of Madras and the Superintendent of the central jail at Vellore.

I have the honor

SIR,

Your most

CURRENT No. 27/11/10

Jail (1884) Department.

From

THE INSPR-GENERAL OF JAILS,

Ootacamund.

To

THE CHIEF SECRETARY TO GOVT.,

Ootacamund.

Dated 16th

Received

June, 1884.

No. 184

2
ENCLOSURES.

Subject.

Submitting remarks on Her Majesty's Secretary of State's despatch on the subject of manufactures as carried on in the Jails of British India

No. 10 (Judicial), dated India Office, London, the 22nd March 1883.

From—Her Majesty's SECRETARY OF STATE for India.

To—His Excellency the Most Honourable the GOVERNOR GENERAL of India in Council.

I HAVE considered in Council Your Excellency's letter No. 36, dated 17th of October last, forwarding, with connected papers, copy of a Resolution recorded by the Government of India on the 22nd September 1882 on the subject of manufactures as carried on in the jails of British India.

2. It appears from these papers that, on the 19th of August 1881, a circular was issued by Your Excellency's Government to the various Local Governments, calling for information as to the kinds of manufactures carried on in jails, and the method adopted in selling articles so manufactured, in fixing their prices, and in keeping the manufacturing accounts of the jails. It does not appear, however, that the opinions of the Local Governments were invited on the general question of the introduction of a new system of employing convict labour, or of altering the policy of Government in that respect, which had lately been confirmed by the orders of the Government of India in their Resolution of the 30th April 1878 on the Report of the Jail Conference of 1877.

3. Your Excellency in Council observes that, since the issue of these orders, attention has been more particularly drawn to the importance of removing all obstacles to the spontaneous development of manufacturing industries in India, and that it has become necessary to re-consider the whole question of jail manufactures, and the position which the State should adopt with reference to them, and their effect on the local markets. You have arrived at the conclusion that, although the requirements of prison management necessitate the employment of prisoners on productive labour, that labour need not be made as productive as possible, and that every effort should be made to turn it into channels which may, as little as possible, hinder the spontaneous growth of Native industries. Having directed your attention to the question of extra-mural labour, you have informed the Local Governments that labour on public works should in future be looked upon as the principal mode of employing long-term prisoners throughout India, and you have accordingly directed the discontinuance of great bulk of jail manufactures, and the sale of all steam machinery.

4. Your Excellency's Government appear to have given to the remarks of the Secretary of State, in his despatch of the 12th of February 1880, a wider significance than they were intended to bear. The system of jail industries and of concentrating prisoners in central jails now prevailing in India has been built up with great care as the result of many years of experience, and at a heavy cost by successive Secretaries of State and Viceroys, aided by the advice of officers whose lives had been passed in intimate acquaintance with the subject. And in writing the despatch already quoted, the Secretary of State in Council never contemplated so complete a subversal of the system as is now in the orders now under consideration.

I have carefully adduced in Your Excellency's letter which I have arrived at again the manner

ed in Council the arguments in relation, and the conclusion at later part of them tell rather present system is worked than

against the system itself. It seems quite possible to issue such orders, whether in respect to the selection of jail industries, or the mode of calculating and charging their cost, as shall obviate all abuses, without completely reversing the policy of past years. The economic objections on which you lay so much stress have frequently been urged in England without being allowed to affect prejudicially the industrial employment of convicts.

6. In dealing with questions of prison management, there are certain main objects and considerations to be kept prominently in view, and economic theories must be subordinated to these. These objects are—

- (1) the penal and deterrent character of incarceration and labour;
- (2) the discipline and classification of convicts according to crime, behaviour in jail, and length of sentence;
- (3) the reformation of convicts, with special reference to their chances of obtaining employment on their release; and
- (4) the health of the convicts.

7. The history of the past administration of jails in India, if it establishes any one thing more than another, shews that these essential objects can only be secured, subject to special exceptions, by a carefully worked out system of intra-mural labour. It is not necessary to refer to the Report of the Committee of 1838, as I do not understand it to be the wish of your Government to revert to the system of out-door labour, which was described by that Committee as "the worst which had ever been devised for convicts." But I desire to draw your attention to the correspondence, which passed in 1862, when the Secretary of State expressed his conviction

* Judicial despatch to Government of Bombay, No. 12, dated 25th February 1862.

that the experience of a quarter of a century had served to shew the correctness of the opinion of the Committee of 1838 in respect of the superiority of other modes of employment whenever a proper system of jail management had been introduced, and that in such important particulars as the maintenance of discipline, the health of the convicts, and the cost to the State, out-door labour had proved wholly inferior to in-door labour. The subject came again under consideration in 1869, and the Government

† Resolution of Government of India, dated 29th October 1869.

of India recorded their opinion that the rules then existing for jail discipline had gone too far in discouraging extra-mural labour, and that the time was an appropriate one for giving a fair trial to such labour, "not in supersession of, but in addition to, the existing modes of discipline sanctioned for prisoners under sentence." Experiments were thereupon tried whenever a demand arose for convict labour on large works, and when it was necessary to relieve overcrowding in jails, but, as the result of these experiments,

‡ Despatch to Secretary of State, No. 3, dated 6th February 1874.

the Government of India came to the conclusion not to press the system, upon circumstances did not appear to call for its introduction. In the meantime the system of central jails, as established at a very great expenditure of money, and, when the subject came to be again considered by the Joint Committee, the members of that Conference arrived at the conclusion that, though a most valuable, and, in fact, the only system of jail administration, could be maintained as a distinct state in

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8. In this conclusion the Government of India generally concurred in their Resolution of the 30th of April 1878, and I was therefore, unprepared for the complete change of policy in this respect which you have now ordered to be carried into effect without any further discussion with the Local Governments and the officers who, under them, have been charged with the duty of jail administration.

9. The orders contained in the Resolution now under consideration would (if it were possible to carry them out fully) practically give a wider extension to the system of extra-mural labour than has ever been given to it since it was emphatically condemned by the Committee of 1838. Even if the economic objections to the employment of prisoners in manufactures were of greater importance than they appear to me to be, and if the difficulties in respect of the health and discipline of convicts employed on out-door labour could be overcome, there are serious practical difficulties in the way of employing any large number of convicts in India on public works. The provision of work of this description in England has not been without difficulty, but in India the difficulty would be much greater, and indeed permanent employment of any large number of convicts on suitable public works in that country seems next to impracticable.

10. In a recent report* by a Committee appointed to consider the employment of convicts on public works in England, it is observed that "the employment of convicts on large public works, such as the construction of harbours of refuge or works under some public department, so carried on as to be conducive to the progress of their reformation, and to their preparation for a return to society on the expiration of their sentence, is an essential feature of our penal system;" and, as regards the selection of works, "if the works are small or of short continuance, the expense and difficulty of finding suitable isolated sites for the prison, of erecting proper buildings, of supervision, together with the difficulties in maintaining discipline, which is essential to the prison system, form disadvantages of a very serious character. These considerations are alone sufficient to prevent us from holding out a prospect that convicts can or will be successfully employed on any but very large works, which will employ a large number of convicts for a long time." The number of convicts so employed in England at the present time is 2,974. The employment has been continuous on the same works for many years, thus admitting of the erection of permanent convict establishments, and the provision of every requisite for perfect discipline and safe custody.

I believe that with the exception, perhaps, of the Madras Harbour, there are at the present time no great works in India upon which criminals could appropriately be employed throughout the year, and it would not be possible to employ the convicts of Northern India on this work.

11. I am decidedly of opinion that convicts can only be usefully and properly employed on public works where the works are so large and concentrated, as to last so long a time, that it is possible to build on the spot such accommodation as is necessary for the exercise of the same sanitary and the enforcement of the same system of discipline, penitence, and classification which are now exercised in central jails. Convicts, moreover, should not be employed on public works where, from conditions of climate, their regular employment out of doors is not possible.

throughout the greater part of the year, and they should be only men selected for that class of work on due consideration of their physical fitness, and the sentences passed upon them.

12. Your Excellency in Council suggests the employment on railway-making of gangs of convicts to be lodged in portable prisons during the progress of the work. Having regard, however, to the climatic conditions of India, and the necessity in such works of constantly moving the convict camps, I am of opinion that such a measure would be incompatible with a due regard for the discipline and health of the convicts.

13. The limitations, which I have above indicated, narrow so considerably the extent to which extra-mural labour can be usefully and properly resorted to, that it follows of necessity that manufacturing industries must continue to constitute the most important feature of convict labour, though it may occasionally, and under exceptional circumstances, as in the case of Dehree and Rupar camps, be supplemented by out-door employment of convict gangs. In so far as English practice and experience afford material for a safe conclusion, there is no ground for apprehension that the system of employing convicts on useful industries now prevailing in India, which seems to approximate very closely to the English system, is likely, if properly worked, to give any just ground for reasonable complaint, on the score of interference with private enterprise. You will observe, from the extract from the Fifth Report of the Commissioners of Prisons in England, which forms an enclosure to this despatch, what the practice in this country is at the present day. I would recommend for Your Excellency's consideration the plan suggested by the Committee appointed to report on the

* Extract from Report enclosed.

subject in 1878, viz., that certain industries should be concentrated in certain jails, and that endeavours should be made to supply other Departments of the State in addition to the Jail Department, with articles of prison manufacture, while, at the same time, any special jail industry, if proved seriously to injure any local trade, should be discontinued in favour of some other kind of employment.

14. In paragraph 16 of the Resolution, it is stated that the use of steam machinery in any jail is quite indefensible, and you have ordered that not only should its further introduction be prohibited, but that the steam machinery now in jails should be disposed of to private purchasers, at a fair valuation, at a very early date. But should any difficulty arise in removing the machinery from the jail, you will, you state, be prepared to consider whether it would be possible to allow purchasers of the machinery to arrange for the lease of the jail factory building, on condition of their agreeing to employ convict labour only in their operations, and to pay for it at the market rates. You have further directed, in paragraph 17, that European machinery driven by tread mills, capstans, &c., should be sparingly used, and should not be introduced into any jail where it does not now exist.

15. These orders appear to go much further than the necessities of the case require. In the first place, the hiring out of the labour of convicts to private individuals is a measure open to the gravest objection, and on which I have no sanction; and in the second place, with reference to the machinery, whilst I admit that it is quite possible in some instances in which expensive machinery is used, that it is necessary to have it on a large scale, though of this there is no proof, I am not aware that the application of machinery in all cases, be

carefully watched and limited, I am of opinion that, having regard to the many advantages which machinery affords in facilitating the enforcement of discipline, in regulating task work, and in preparing material to be worked up by hand labour, its use should not be prohibited. Indeed, so far as its employment is necessary to supply sufficient material for hand labour to prisoners, machinery may be considered a most useful part of the jail system.

16. For the foregoing reasons it seems to me desirable that Your Excellency in Council, after having obtained the opinions of the various Local Governments, should re-consider the whole subject, with a view to ascertaining whether it may not be possible to attain the objects which you have in view, without at the same time abandoning the solid advantages which, in respect to prison discipline, health of convicts, and cost to the State, the present system undoubtedly possesses.

Extracts from the Fifth Report of the Commissioners of Prisons, page 7.

"The system adopted in 1830 for purchasing certain materials for manufacture continues to work satisfactorily.

"The prisons still continue to manufacture materials required for the clothing of both male and female prisoners, including boots and shoes. The clothing is made up by prison labour, and distributed from fixed centres.

"The baskets, brushes, maps, officer's belts, twine, tin ware, &c., required for the local prisons are made at fixed centres, and calico, canvas, cloth, dowlas, flannel, handkerchiefs, pocketchiefs, serge, sambray, &c., are woven at prisons in the localities where cotton and woollen goods are usually produced. All bedding (i.e., blankets, rugs, and sheetings) has also been manufactured. Arrangements have been made for book-binding to be done at certain selected prisons.

"In addition to the supplies made to local prisons, the convict prisons are also provided with woollen cloths, blankets, calico, canvas, flannels, serge, shambray, shirting, brushes and various other articles.

"A foundry has been established at Hull prison, in which a large amount of castings have been produced for the building department.

"The number of prisoners employed in mat-making has been still further increased.

"Firewood chopping, ship fender, sack and bag-making, and stone-breaking have been extended, where practicable, with a view to dispense, as far as possible, with the unprofitable employment of oakum picking.

"The manufacture of hearth rugs, mats and matting, baskets, and hospital slippers, for other public departments, has been undertaken. Twine spinning has been carried on upon a large scale, and we are now supplying 1½ tons per month. Arrangements are being made in order that this quantity may be doubled. The making up of certain clothing required by the Admiralty has also been commenced.

"It is in contemplation to undertake the manufacture of packing and other cases for the Admiralty, also of a large number of baskets for the Post Office, which will be required in connection with the establishment of the new parcel post.

"At one of the metropolitan prisons bread is made for four prisons. The amount of bread baked and delivered daily exceeds 12½ tons.

"While attaching due weight to making prison labour remunerative, as shown in previous reports, the objects we desire to keep primarily in view are—

"1. To provide the prisoners with such employment as will interest and improve their intelligence.

"2. To secure a proportion of labour of prisoners to diminish the amount of metropolitan.

"3. To secure as much as possible in private employers.

"The importance that they should not be a burden on the State's earnings."

Abstract of the Report of the Committee appointed to inquire into the System of Accounts, &c., in the Local Prisons in England, 1878.

3. In dealing with the third reference, the Committee came to the conclusion that the highly desirable end in view would best be accomplished first, by grouping prisoners together according to trades, and, secondly, by making the prisons manufacture for all their own needs as well as for other public departments. To carry out the first proposal they suggested that certain prisons should be detailed for certain trades, and all prison tradesmen who could be drawn from areas more or less wide concentrated in them. This concentration should be made to follow local facilities. For instance, the shoemakers should be sent to Warwick and Northampton, the straw-plaiters to St. Albans, the stocking-knitters to Leicester, these trades being generally followed in these neighbourhoods, so that a nucleus of workmen skilled in each description would generally be found in the prison of each particular district. This nucleus, reinforced by drafts from elsewhere, and the whole supervised by instructors, whom it would, under such circumstances, be profitable to retain, might be expected to produce very considerable results. The machinery by which the concentration of prison tradesmen would be kept going would, of course, be worked in the head-quarter office, to which full reports of numbers available would be regularly made.

A certain re-distribution of prisoners would, however, be necessary in order to give effect to this plan. Thus one prison would relieve another of its short-term prisoners, leaving room in that prison for a larger number of prison tradesmen, or a prison would send its debtors elsewhere, or its females to a female prison, and so gain additional space. This principle was illustrated by the Committee by the case of Holloway among others. Holloway, situated in the metropolitan district, within easy reach of head-quarter supervision, was well suited for a tailoring prison. But room must be found for the tailors which would be sent to it. Clerkenwell, close at hand, has generally vacancies for a hundred debtors. Westminster, at no great distance, for 200 women, more or less. This accommodation would more than suffice for the number of prisoners of the same categories in Holloway, whose removal moreover—from special sides of the prison—would set free more cells even than their own number.

Similar arrangements, quite as feasible, were suggested by the Committee in other districts.

The adoption of the first proposal of concentration would, as it seemed to the Committee, contribute greatly to the accomplishment of the second when carried out and in full working order, the various prisons selected for various employments would minister to all prison necessities. Wandsworth, with its many flour mills, would grind wheat; Northampton make boots and shoes; Holloway, clothing; Kirkdale and Suffolk in the cotton district, would make sheetings, shirting and female under garments. Last of all, Wakefield, as a woollen district, would turn all its vast plant and great steam-power into the manufacture of blankets and rugs, thereby ceasing to compete unduly with private enterprise, or to swamp smaller prisons by its large operations in mat-making, hitherto almost its only trade. Nor would the operations of the prisons end with the supply of articles solely for prison use, as their capabilities become developed. Their usefulness might also be extended, and it appeared to the Committee that there would then be good grounds for urging upon many other public departments the policy of employing the prisons to supply them with manufactured goods, such as clothing, boots, under garments, and necessities for soldiers, sailors and police, furniture and fittings for offices and barracks,—all of which articles, and many more, the local prisons might be expected to turn out satisfactorily, and at prices considerably below ordinary contract rates.

MEMORANDUM ON PRISON LABOR AND INDUSTRIES.

The Government of India, in their resolution of the 22nd September 1882, reviewed the subject of jail manufactures and laid down the principles hereafter to be followed with regard thereto. The cardinal principle laid down was that although the requirements of prison management necessitate the employment of prisoners on productive labor, yet at the same time that labor need not be made as productive as possible, and every endeavour should be made to turn it into channels which may as little as possible hinder the spontaneous growth of native industries.

2. In order to carry out this principle, it was laid down—

- (1) That labor on public works should in future be looked upon as the principal mode of employing long-termed convicts.
- (2) That the use of steam machinery in any jail was held to be quite indefensible and its introduction absolutely forbidden. The use of European machinery driven by treadmills, capstans, or other application of convict labor was held to be permissible, provided it was sparingly used, but its introduction into any jail where it did not already exist was interdicted.
- (3) That there should be a certain number of authorized industries in jails, and that, in accordance with the recommendations of the Prison Conference of 1877, multifarious employments in prisons should be discouraged.

The policy here prescribed has been taken exception to in various ways, and the Secretary of State is of opinion that the orders issued by the Government of India go much further than the necessities of the case require. His Lordship, while admitting that possibly in some instances expensive machinery may have been introduced to too great an extent, considers that its use should not be absolutely prohibited and that orders may be issued regarding the selection of jail industries and the method of charging their cost to obviate abuses. He further recommends that certain industries should be concentrated and endeavours made to supply other departments of the State in addition to the jail. Finally, he desires the reconsideration of the whole subject and that the opinions of the Local Governments should be obtained.

3. It is not surprising that in a question so vast and affecting so many conflicting interests as that of the competition of prison with free labor there should be considerable diversity of opinion, while it is also one upon which there is much to be said. The resolution of the Government of India is based, it will be seen, on economic grounds. The labor of the prison department as at present existing it is held *does* interfere with the development of the industry of the country, and, in order to avoid this evil, a new departure is made in prison administration, inasmuch as it is laid down that public works should in future be looked upon as the "principal mode" of employing long-term convicts throughout India. The existing system of intramural labor in India has been the work of years; it has been arrived at after much consideration and with the outlay of vast sums of money. The system has been affirmed from time to time and so lately as 1877 by the Prison Conference then assembled—a body composed of officers specially called together in order to improve prison administration. A further development of the system is now being carried out in this presidency by the construction of cellular close prisons, the principle of separate confinement having been affirmed by the Prison Conference. A reversion, therefore, to the country—cannot but be regarded which has been condemned, and found unsuitable to the country—cannot but be regarded as a retrograde step and one for which no adequate reason exists so far as affects the prison department itself. It is true no doubt that the Prison Conference of 1877 accepted the employment of convicts on public works as a valuable and almost necessary adjunct to the system of jail administration as affording an important extension of available means for providing labor; still they did not recommend it as a "distinct stage" in

So far as this presidency is concerned, extramural labor, as it at present exists, is practically limited to our district jails. In these jails the system as now existing is defective, and it is doubtless a blot on the jail administration of the presidency having small gangs working on roads as they do—working in fact in the manner condemned by Lord Macaulay's committee. Something has of late years been done in concentrating jails, and with the introduction of the cellular system a radical change in the existing system may be looked for, which may, it is hoped, result in the abandonment of the system of extramural labor as now carried on.

4. The next point for consideration is the resolution of the Government of India as it affects the jail industries. While there can be no question of the soundness of the proposition laid down in the resolution of the Government of India that it is desirable for the State on economic grounds to do nothing to hinder private enterprise, the question arises whether this policy ought to be carried so far as to be detrimental to departments of the State itself. Whether, when such is the case, it ought not to be subordinate to State interests. In our prisons we have a vast number of convicts who must be fed, cared for, and provided with labor of some description or other. As in the universe all contribute in some degree to their own maintenance, and in some cases to that of others, so the convict comes under the general law. It is generally accepted that convict labor should be of a *productive* character, and this view is fully concurred in by the Government of India, who further define what is meant by *productive* labor. Accept this view. Seeing, therefore, that the principle is accepted that labor in our prisons should be *productive*, it seems to follow that it *must* also be in *some* degree competitive, whatever the *nature* of the labor may be; nor does this appear unreasonable, seeing in fact that it is a *necessity* of existence. The Surveyor-General of Convict Prisons in England has said, "As persons who are free are competing with somebody or other, so it is perfectly reasonable that they should work and therefore compete equally after being put into prison"—a statement to which no valid exception can be taken in itself, though perhaps it is necessary to limit its application and to lay down definite rules regarding the purchase of plant and machinery. The extensive nature, whereby the competition of the private manufacturer is not only against labor but also against State capital. The State has a right to the *employment* of a vast supply of convict labor placed by law at its disposal. Such labor ought to be utilized to the greatest advantage consistent with discipline, and the tax-payer should not be called upon to pay unnecessary burdens by convict labor not being made the most of. It is thought where *capital* comes into competition with private capital, that evil arises, as the former is practically without limit. No *system* has yet been devised, however desirable

may be to do so, whereby *productive* labor can be carried on in prisons without some competition, nor in my opinion does the policy now prescribed by the Government of India get over the difficulty. It is accepted by the Government of India that the first use to which jail industries should be devoted is to meet jail requirements. The available convict labor is far more than is required for this purpose, and, as it is to be employed on "productive labor," how is the produce of such labor to be disposed of? It follows the produce of such labor can only be disposed of according to the ordinary laws of demand and supply, and hence it *must compete* with free labor, unless there is some special outlet. In order, however, to restrict this competition, a policy is prescribed fettering the prison department, the result of which must necessarily be that, if convicts are employed on industries *beyond* the requirements of the prison department, stocks will accumulate and loss thereby arise to Government. In order to provide, therefore, an exit for the produce of the labor existing in jails, and which labor, it is maintained, *must be employed*, it seems reasonable that, after the supplies of the jail department are met, other departments of the State should be *required* to avail themselves of the labor; failing this, it seems to follow that, if convict labor is to be employed intramurally of industrial pursuits, jails must be permitted to compete with private individuals and dispose of the outturn of their labor on equal terms with them; otherwise, with the restrictive policy imposed, an accumulation of unsaleable stock *must* take place or labor not be employed. With a restrictive policy such as that prescribed by the Government of India for the protection of those embarking in private industries, it seems that the *only* means of disposing of the outturn of available prison labor *beyond* what is required for the prison department is to look to the public departments, presuming that the convicts *is* to be employed intramurally, on *productive* labor. The labor is the property of the State; it *must be employed*, and it seems *unreasonable* that it should not be devoted to the benefit of the State, whether the particular department concerned is the jail or any other; nay, more, it is the *duty* of the State *to employ* the labor placed at its disposal by the law of the land. On this subject the views of the Prison Conference are clear and precise, while they are, I believe, the only reasonable solution of the question at issue. They say: "We would record our opinion that by requiring the great consuming departments, such as the commissariat and departments which, like the police, have to make large purchases of clothing, to obtain from the jail department such things as can be manufactured in jails, Government has it in its power to promote discipline by enabling Superintendents to devote themselves to the production of one or two articles, at the same time to utilize the labor of prisoners to the best possible advantage without exposing the Jail Department to the reproach (if it be such) of interfering with free labor. That some prejudices will have to be overcome before officers of other departments will willingly resign their present liberty of purchasing where they please we are well aware. At the same time we cannot but think that, if such officers were consulted and their co-operation invited, it would be possible to lay down rules which would make Jail Superintendents secure of a market for a few articles to whatever extent they might manufacture them, provided, of course, that no Jail Superintendent should have any right to expect other departments to take articles which might not come up to a predetermined standard of excellence."

Superintendent should have any standard of excellence, which might not come up to a predetermined standard of excellence. The essential requirement in prison labor is that it should be *constant*. The ordinary rules of supply and demand cannot be applied to it; the convicts are in the jail; they *must* be fed, clothed, and cared for. A manufacturer can take on hands as required or discharge them when the demand for any particular article ceases; not so with prison labor. Unless therefore there is a *constant* demand for that labor, what is to be done with it? The State, and the State alone, can provide the certain labor required. It is, in fact, a duty devolving on the State to provide the requisite labor. This question of prison industries has from time to time received much attention at home. Much opposition too, especially in particular trades, has been shown to industrial pursuits in prisons; but it has not on this ground been found necessary to revolutionize the prison system of the country. So far as this presidency at any rate is concerned, it cannot be said that there has been any *undue* competition with private interests. In our jails we have none of that extensive steam machinery to which exception may properly be taken on account of its being provided from State capital, while the principle laid down by the Government of India as that which is to regulate

the disposal of jail manufactures, viz., that "the first object to which jail industries should be devoted is to the supply of jail requirements, has been followed, and after that other departments of the State have been looked to in accordance with the prevailing practice in England. As at home, so in this country, there has been from time to time exception taken by interested parties to jail industries, but, so far as this presidency is concerned, it may be said that these have, on examination, been found to be unreasonable. In fact, notwithstanding the complaints, endeavours have been made to obtain and supply jail-made produce as that of the outturn of private manufactories.

In accordance with the recommendation of the Prison Conference, the Government of India desire that industries in jails should be limited to one or two, and certain industries are forbidden as not being sufficiently penal. That it is desirable to limit the industries carried on in any one jail there can be no doubt, but it may be observed that the suitability of a specific form of labor for prisons depends not altogether upon its severity, but also upon its being regular and capable of supervision. Hence it is that machinery has been so largely introduced into jails in Bengal, and those who have experience of it speak strongly in its favor as an adjunct to jail discipline. Many of the industries now interdicted by the Government of India are identical with those carried on in our English prisons, while it is to be recollected that in all jails there are many aged, sickly, and infirm prisoners for whom lighter descriptions of labor are requisite. In this presidency, except at Coimbatore, where cloth-loom are worked by capstan and treadmill, machinery does not exist in our jails. In any scheme for reorganizing the existing manufactures in our jails it would be advantageous to make an extension in this direction. Without going so far as introducing extensive steam machinery, such as exists in Bengal jails, were simple machinery to be introduced to a limited extent for preparing and working up material, discipline could be better enforced and tasks exacted than is now sometimes possible with the primitive tools in use in the jails of this presidency, and better use be made of our available force of labor than is now sometimes possible.

Convict labor does not start on an equality with free labor, inasmuch as that, not only is the convict an unwilling workman, but he has to work under disciplinary restraints. It is, as the Prison Conference remark, a fact of universal experience that convicts cannot be compelled to work like free laborers.

In the case of industries the convict has for a long time to be taught, during which the value of his labor is comparatively worthless if it does not even result in loss; hence no real comparison in the value of convict labor in industries as compared with free labor can be drawn; the true comparison is the outturn and the market-value. The rules prescribed in the resolution of the Government of India for fixing the price of jail-made articles, though on the face they appear equitable, cannot in practice be rigidly carried out. A free laborer makes no attempt to such minute distribution in the value of an article made as that now prescribed. Take for instance a weaver: the preparation of the thread is performed at odd times by the children and women; the warping and sizing is also so done. The value of this labor is not actually taken into account; the weaver weaves early and probably continues late; no detailed account of all this is though kept, but the cloth is sold for what it will fetch according to the demand at the time; so it must be with the jail-made articles. Their true value is what they will fetch. A popular belief exists no doubt that jail-made articles must be cheap, but past experience has proved that such has not been the case, and in this presidency the prices of jail-made articles will, as a rule, be found equal to those of a similar character obtained in the market. The jail-made article has, though, the guarantee of equality which cannot be equally relied on in all cases of similar articles purchased in the market. When, therefore, it is prescribed that the selling price of jail-made goods, if found to be below the ordinary rates at which goods could be procured by the same or better quality in the open market, must be raised to at least such market-rate as is now prescribed.

In order to limit the capital now at the disposal of Superintendents of Jails and to check the profit and loss account of jails, there seems no reason why a working capital should not be fixed and assigned to each according to its capacity and requirements for which the Superintendent would be held responsible and have to account. No doubt this would introduce an element of economy, but it would give Superintendents a direct interest, and the officer concerned would be enabled to use the capital to the best advantage, while

he would feel it too for his credit to make the most of his capital, and the stigma of competition with unlimited State capital would be removed. It is no doubt feasible to lay down rules regarding the number of industries, the sources to which articles should be disposed, the selling prices thereof, and, by limiting capital, to remove all reasonable complaints from private traders and to continue prison industries much on the same lines as now exist in this presidency.

5. There remains but one more subject to consider in the correspondence which has passed between the Government of India, viz., that of the hiring out of convict labor. As shown in the papers which accompany the correspondence, a system of letting out prison labor is followed in certain countries. Heretofore, though one has heard little of any such system, except from America from what is known of it as existing there, the system cannot be regarded as ground for its introduction into this country. Though the reports as furnished are meagre, it appears doubtful what special advantages there are in the system over that now existing, while there are no doubt objections to it. As before remarked, though what is needed for a prison is that the labor should be constant and regular, there must be no uncertainty as to whether labor can be found or not; with the contract system it must follow that the contractors can only employ the labor according to his requirements from time to time, and not according to the labor placed at his disposal by the State. This alone, if a correct view, seems fatal to it as a system. From the reports furnished, it seems as if this uncertainty regarding the demand for the labor is felt in countries working under the system (*vide* report for Austria). This is a fundamental objection. With a contractor and his followers having access to a jail and the constant intercourse with the outside world, which could not be avoided, discipline must be interfered with. Again, with such a system there appear grounds for fearing that health might be sacrificed to gain, while there would be much friction and difficulty between the prison department and the contractor. No doubt these things could in time to some extent be arranged, but the main difficulty seems to be the absence of certainty of labor. It is extremely doubtful whether contractors would be found to take our labor on terms such as would be desired, subject to the necessary control in points of discipline, health, and the description of labor on which the convicts are to be employed. Possibly contractors might be found to take some labor in certain jails, but that would be undesirable, and, in considering the question, one must look on it solely as a general system to provide for the disposal of existing convict labor and to supplant the present modes of employing convicts. In saying this, it is of course presumed that it is only contemplated to hire the labor of a prison in its entirety, and that there is no intention to have a number of petty contractors. Such a system seems, on the face of it, indefensible, and hence not worthy of consideration. Did machinery exist, it might be different, but without turning our jails into large steam factories and permitting the employment of convicts in industries peremptorily forbidden by the Government of India as unsuitable to convict labor, it is very doubtful whether a market on the contract system would be obtained for our labor, though possibly hereafter, with the extension of machinery or of the employment of convicts on machinery, it may be necessary to consider the question, but the time seems not yet to have arrived for so doing with the existing arrangements in our prisons. The subject, though, is one which can be decided solely by experiment, but, without some distinct advantage in its adoption, there seems hardly sufficient ground for yet adopting it as a system in substitution of existing arrangements. The strongest argument in favor of the plan is that so forcibly urged on economic grounds by the Government of India in paragraph 19 of their letter, No. 3-114, dated 26th January last, but, unless the objects and principles of prison management are to be subordinated to economic theories, this argument cannot be accepted. The question in fact turns upon whether, as recommended by the Prison Conference, jails are to look to Government departments for employment of their surplus labor in industries, or whether the State will not employ the labor and necessitate its being hired out to contractors. It is a question of State policy. So far as the prison department is concerned, there seem to be no advantages in it and no necessity therefore for its adoption.

W. S. McLEOD,
Supt. of the Central Jail, Vellore.
Vellore,
28th April 1881.

13. The prisoners receive a share of private contracts all costs and expense of the rest the prisoners receive one half.

In work for the account of the prison to a fixed tariff, which share amount to a contract. An increase in their share can be made when the quantity of the work increases greatly, or when some of the prisoners' work, deposit a sum of money in the prison direction. All this refers only to prisons on the cellular system. In the prison of Gratz, in which the cellular confinement is partly used, each prisoner has his daily fixed work prescribed, the progressive system is introduced, the prisoner, according to the measure of his industry, and regard being had to the class to which he belongs, having a sum of from 10 to 15 kreuzer written to his credit for every satisfactory day's work, and at the end of the month so much more as is the value of work done over and above what is prescribed.

53. Where suitable contractors for private labour are found the work is managed by them; in all other cases the prison direction conducts it on behalf of the State.

54. According to the experience had in Austria contractors' work is to be preferred, for it preserves the State from great loss and damage, which are unavoidable when the work is carried on by officials, and it enables these officials to devote themselves entirely to their proper duty, that is, the taking cognisance of the individual while carrying out the punishment, which they cannot do properly when they have to pay attention to the success of the prison labour. With this system in operation, prisoners after leaving the prison find it much easier to procure employment than they would had they worked on account of the State. Their technical advancement is furthered more by contractors than by State officials. One disadvantage of contractors' work is, that the prisoners thereby are brought more into contact with persons from without, which is undesirable. But this disadvantage may be reduced to a minimum by careful selection both of contractors, foremen and workmen.

55. The contracts are made either by private arrangement or by tender. In the latter case contractors are invited by the prison direction to send in their offers. Although it is true that by such competition a lower price is obtained for prison work than by making private contracts, the result, leaving out the fact that invitations for tenders remain sometimes without effect, is, the direction of any prison is by these public contracts extremely hampered in the choice of persons, and thus obliged to disregard important points of discipline. For this reason private contracts are to be preferred.

53. The industrial labour of the prison is directed by the administration itself, and in part awarded to special contractors. These latter are placed under the immediate surveillance of the direction of the prisons into which they are admitted.

6. Prison Labour.—No distinction is made between penal and industrial labour. About 80 per cent. of the prisoners are employed in different ways. The contract system has been observed, however, that the contractors' meddling with the treatment of the prisoners is not considered a necessary condition for the proper execution of the labour. The profit of the labour sufficient to cover the expenses of the food, and keep the prisoners, and of the administration amount to about 14% a year, while the cost of each convict is about 82.

between penal and industrial labour. About 80 per cent. of the prisoners are employed in different ways. The contract system has been observed, however, that the contractors' meddling with the treatment of the prisoners is not considered a necessary condition for the proper execution of the labour. The profit of the labour sufficient to cover the expenses of the food, and keep the prisoners, and of the administration amount to about 14% a year, while the cost of each convict is about 82.

5. Provision for the establishments is made—(1) day of imprisonment; fixed by generally of three, six, or nine years who has made the highest bid that he pay to the prisoners a per according to the penal classification. In consideration for the board and maintenance meet numerous obligations than one hundred and sixteen

Several important pen their industries, directly by the practical comparison of the the labour of the convicts with the management, of as agricultural labour.

According to the latest sons, agricultural penitenti gain of 74.33 centimes for each day of detention, or of assigned to each prisoner on day of labour, and 21.68 received, from the tenth tion. This sum represents support by labour. The three agricultural colonies, and with the exception of including the expenses of 50 centimes per head for claimed that the convict me

It is important to remain possible entirely to withdraw of the prisoners being sufficient prison the contractor, instead centime per day for each con the administration will at this regard, that of exempt prisoners who are confined arrest, of justice, and of the system of labour is adopted the departmental as in the greater part of these prison individuals, subdivided alme ance of the establishment, in distinct categories; and assigned to the contractor n to the State than the centra

Since 1855, when the tion became centralised in which, outside of the pris 1868 2,411,672 francs (the number of prisoners amounting then) has been, in the departm day of imprisonment (3,267 maintenance of these establi pense of supervision and admi

* This sum is given to the th
† The part of his earnings be
‡ Persons under arrest and aw earnings.

noce of the prisoners in most penitentiary ment by Government of a sum for each a period, on agreement of the parties. By the right conceded to the contractor, duct of the prison labour, on condition air earnings, the amount of which varies prisoner belongs. The price of the each industry by the superior admin the contractor is obliged to provide in health and sickness, as well as charges, which, comprises not less

ments are administered, as regards mode of administration admits of a fords also the possibility of utilising ons which are quite incompatible way of contract; such, for example,

act of the labour in the central p establishments, brought an average which was reduced to 53.90 centimes establishment. The average peculium,† gain, was 33.49 centimes for each day of detention. The contractor 78 centimes for each day of deten the prisoners contribute toward their for the two central prisons and the managed by the State. In general, Corsica, the cost of support (not administration) may be set down at ment. Consequently, it may be he cost of his maintenance.

female central prisons it has been d to the contractor, the earnings of the establishment. In another ything from the State, pays to it a d to hope from this example that end which it has always sought in from the personal expenses of the for punishment. In the houses of all the central prisons, the contract worked upon the same principles in short stay of the prisoners in the organizing workshops for groups of only because of the small import- ere of the necessity of classing them ference in the number of tenths prisons proportionally more costly

of arrest, of justice, and of correc- terior, the product of the labour, ne, did not exceed 16,000 francs, rose in about 14,000 labourers, out of a total The average product of the labour, a little more than six centimes for each In 1868 the average expenditure for 50.30 centimes (not including the ex- To sum up, it results, from the preceding

as established in the island of Corsica.

lower.

ask for work, are allowed seven-tenths of their

explanations; that the part contributed toward the cost of main- tenance may be placed at 50 per cent. in the prisons, and at about 17 per cent. only in the departmental prisons.

The State, in the public colonies for juven delinquents, and the director, in the private colonies, gets, in principle, the total product of the labour of the inmates. There is no exception to this rule, sat a deduction to provide for certain rewards, under the title of encouragements to la our and good conduct, and in what relates to children placed temporarily with persons outside. The directors of the private colonies receive a daily compensation for the labour of the colons, varying from 60 to 70 centimes, by means of which they ought to meet the expenses of the administration, the cost of maintenance, the expenses occasioned by their primary and religious instruction, as well as the redemption of the original cost of the establishment. It is difficult to estimate with precision the product of the daily labour in the penal colonies. The juvenile prisoners are most commonly engaged in agricultural labours, or in improving the estate—labours whose value can be counted only in the increased value given to the domain which has been thereby improved. The cost of maintaining the convicts in the bagio of Toulon—abatement being made of some diminutions of expense—was estimated, for the year 1868, at 65.68 centimes per day for each prisoner. At Guiana the cost per day amounted to not less than 1 franc and 71 ce times, including the proportional expense of transportation and return. These m t, however, be deducted from this cost the value of the work done by the convicts in regard to which it is impossible for the ministry of the interior to give sufficient indications.

13. The products of the labour of pe undergo their punishment in a departmental moieties between the administration and the p ing its share to the contractors, who, by the t with the entire expense of the economic ser- tractors, in addition, a fixed sum for each da gatory only for those who have been sentence work when they desire it, and when it is po without having to fear suicides or escapes the accused, who have a right to the whole of agreements. To indemnify the contractor, w there is made, in his favour, from the sum tot three-tenths. In the central prisons the pr tenths. A portion of these tenths is assigned of peculium. The quota of tenths granted to nature of the punishments and the number of ment is adjusted between the three classes clusionaries, four-tenths; those sentenced to bi assigned to prisoners sentenced on relapse is each previous conviction, down to the limit of circumstances, paid to the convict. The peculium disposable and peculium reserved. T convicts during their imprisonment for certai the purchase of supplementary provisions a families and for voluntary restitutions. It al the treasury, for fines, punishments, breaking of the State or the contractor. The peculium securing to liberated prisoners some resources discharge from the penitentiary. The num the ordinance of 1843, may be increased their diligence. There may be granted to even six-tenths, conformably to a decree of be increased by gratuities granted by the tr tractors, under the title of recompense and augmented by the transfer, under the sal reserved to the peculium disposable.

Finally, as regards juvenile prisoners, 1862, directs that the chiefs of colonies shall tions having in view the rewarding, by a product of their labour, those youths who sh their industry, their religious sentiments, or authorises the directors of the colonies to hi prisoners to private persons for agricultu

is sentenced correctionally, who ise of correction, are shared in ers, the administration surrender- e of their contract, are charged The State pays to the con- imprisonment. Labour is obli- The arrested and the accused can e to place tools in their hands the labour of the arrested and product, is the subject of special as to furnish material and tools, f their earnings, a deduction of t of the labour is divided into the convicts, and takes the name convicts is determined by the avictions incurred. The assign- is: correctionals, five-tenths; re- labour, three-tenths. The part luced from one to two-tenths for a last tenth, which is, under all -lion is divided by moieties in to first is at the disposition of the uthorised uses, and especially for supplies, for the relief of their urnishes reserves, to the profit of ion, or damages to the prejudice served was established in view of their first necessities, on their tenths allowed to convicts by ant of their good conduct and consideration of these qualities, The disposable peculium may manufacturers; or the con- ment; and it may also be e, of portions of the peculium

eral regulation of April 10, t to the minister the disposi- ry payment drawn from the distinguish themselves by ence. The same regulation e, temporarily, the juvenile with the sanction of the

minister of the interior, and have a right to a moiety of to them at the time of their

49. Penal labour, proper. The penal system is no longer punishments have disappeared but it is to punish the criminal; what is to be sought, above all, is to prevent the dangers of idleness and to form the taste and the habit of labour. In the smaller houses of arrest, of justice, and of correction, there is difficulty in organizing the labour. The prisoners are engaged only in temporary occupation by which they obtained a mental prisons that it has been p. In the central prisons the labour occupation, it is the exception in these establishments continually to the number of fifty or sixty. The principal are shoe-making, making, cabinet-work, lock-smithery, &c. There are, besides, three which the prisoners are engaged applied to very different kinds the female central prisons. It is applied only to the interior rule. With a view to avoid the rates of payment for the work nistration, which carefully for The rates must be the same as labour; only there is made to fifth, to indemnify him for special have to incur. As regards vocational education, they are re-labours.

53. In all the houses of a those of Paris, the supplies of food by way of contract, for three department, and on conditions right to make the prisoners work about one-half of the product, his expenses; but as the labour that in establishments for less productive, the cost of each department. In the central prisons, Isle, which is administered by the prisoners is, in like manner. The administration reserves the contractor leaves them unoccupied in industrial labours, without the they have not been able to employ young girls applied to field labours charged with their penitence

54. The system which industrial labour of the prisoners produce more; it produces in desire of making money are an officer of the Government, technical knowledge of commerce the same person the charge product of their labour, the the interests of all. In the working of their contractors realised from them consisted

in conditions. Juveniles thus farmed apt paid for their labour. These sums are given

called, does not exist in the prisons of France, as formerly, on suffering and terror. Corporal he penal system. What is desired at present sought as the end of that punishment is labour alone is found in the prisons, obligatory permitted in the case of the arrested and the convicted, and a means of lessening the expenses caused by him to society; but it is thereby sought, above all, to prevent the dangers of idleness and to form the taste and the habit of labour. In the smaller houses of arrest, of justice, and of correction, there is difficulty in organizing the labour. The prisoners are engaged only in temporary occupation by which they obtained a mental prisons that it has been p. In the central prisons the labour occupation, it is the exception in these establishments continually to the number of fifty or sixty. The principal are shoe-making, making, cabinet-work, lock-smithery, &c. There are, besides, three which the prisoners are engaged applied to very different kinds the female central prisons. It is applied only to the interior rule. With a view to avoid the rates of payment for the work nistration, which carefully for The rates must be the same as labour; only there is made to fifth, to indemnify him for special have to incur. As regards vocational education, they are re-labours.

justice, and of correction in France, except of other current necessities are confided, nine years, to a district contractor for each agreed upon. This contractor has the sole interest compels him to that, since he shares labour. This product comes in to lighten prisons cannot be so well organized as shments, and is, consequently, in them less imprisonment is greater than in the central Continent, with the exception of that of Belle Isle, the right of employing the labours of ed to the general contractor of the services. of utilizing the labour of the prisoners of the e directors of the private colonies employ, ntion of contractors, those juveniles whom culture. The product of the labour of the wing, is received by the religious commu-nication.

warding to contractors the profits of the be the preferable one. If the State can greater cost. Personal interest and the tives with the contractor; besides which, same freedom of action nor so much practical a business man. Moreover, by giving to maintenance of the prisoners and a part in the on has realised a progress promotive of contractors have become familiar with learned that the surest benefits to be also to and extension of industrial

labour, than in the culpable profits to be the obligations which they had assumed. The coming more and more productive, the profits prisoners increase *pari passu*. The part of the contractor represents a profit more considerable. The sum, then, to be paid by the State, have been made to comprehend that the sum total of the product of the labour is augmented, as the result of the general good toward the maintenance of the prisoners. This last result, conclusive alike to the well-being of the prisoners and the interest of the treasury, is remarkable and immediate when the contractor directly utilises the forces of prisoners.

55. Under reserve of the exception previously pointed out in what concerns the prisons of Paris, there is but one system of contracting the labour of the prisoners. The contractor, charged with the service of maintaining and feeding the prisoners, possesses the exclusive right to the labour of the convicts. The contractors in the departmental and central prisons themselves utilise directly the labour of the prisoners; those in the prisons of Paris do it through sub-contractors, for whom they become responsible to the administration. The procedure which consists in the direct utilising of the labour by the contractors has its advantages, which have been pointed out in the preceding paragraphs; but if it is, in certain respects, advantageous to the prisoners, this state of things may be attended with some disadvantages. In effect, if the contractor is at the same time a manufacturer, it is probable that the greater part, if not all of the prisoners, will be placed upon a single industry, viz., that which he carries on outside. When, in these conditions, a suspension of work happens, almost the entire prison population may have to suffer from this interruption of labour. If, on the contrary, the contractor has sub-letters for the various industries, any partial suspension will affect only a small number of prisoners; and, on the other side, the prisoners belonging to a shop which has suspended labour may pass, temporarily, into another shop, where they will be occupied.

56. Of the inmates of the central prisons, the men who had no regular calling or business prior to commitment were 4.73 per cent.; the women, 11.76 per cent. In the establishments of correctional education, where the children are often placed, before having exercised any regular calling, either because of their youth or the indifference of their family, the proportion not having any regular business is about 65.61 per cent.

57. All the convicts are under obligation to labour. Each one is put, as far as possible, to the business which he followed before his imprisonment; and, when he is placed in a workshop, account is always taken of his aptitudes and tastes. The prisoners of rural origin are in general sent into the agricultural establishments of Corsica, when the state of their health and the length of their sentence justify so expensive a transfer. In the establishments of juvenile delinquents it is sought, above all, from considerations of health, and, in the hope of teaching them a business which may keep them away from the cities, to employ them in agricultural labours. Yet those who will be able to return to their family, and who are of city origin, are employed in industrial occupations, which they may exercise after their liberation.

Report on Prussia, paragraphs

49. Penal labour merely does not exist for the prisons themselves, the following: weaving, cigar-manufacture, joiners' and binding, curtain-rod and picture-frame saddlery, trunk and box-making, basket-making, brass-casting, metal-turnery, manufacture of wooden fancy-work, manufacture of lace, ribbons, sashes, &c., manual and watch-making, scraping feathers, nail and manufacture, lithography, engraving and leather dressing and tanning, button making and ivory, manufacture of walking-sticks,

pages 125 and 126.

addition, to the economic work as are practised: (a) For men, work, shoemaking, book-binding, net-making, tailoring, brush-making, lock-smithery, spig and coins, wood-carving, of machines and edge-tools, re of toys and hardware, clock in-making, wadding and felt ating, manufacture of corks, e, the art of turning in horn and combs, the cutting of

crystals and glasses for spect cutting, cooperage. (6) Pot making, cigar-making, tape. In addition to the trades mentioned. The prisoners, work not above mentioned, by

53. Only in urgent cases done for the administration who agree to pay to the adm for each day or each piece settled by the administration. of prisoners for the performance of the work. It is thought a variety of trades, that, in allotting prisoners their work, due regard may be had to their trades before admission and to their capacity. Each particular branch of industrial labour is, by the regulations, given to one contractor.

We may remark here that the Prussian system has nothing in common with the system of 'general contracts' adopted in some other countries.

Report on Saxony, paragraph C, page 133.

6. *Prison labour.*—Properly speaking, work in place of punishment does not exist in any one of the penitentiaries of Saxony. Saxony, one of the most industrial countries, produces almost every one of the different articles of industry and trade. The work is partly given to contractors, who are entirely dependent on the administration of the penitentiary, and is partly managed by the latter itself on its own account. The system of giving the work to contractors, who are in entire dependence on the administration, deserves preference, because the officers cannot be at the same time good tradesmen and good officers, and because the interest of the two would be opposed and conflicting. The profits of the prisoners' work covers from about one-third to one-half of all the prison expenses.

Report on Wurttemberg, paragraph 49 to 52, page 141.

49 to 52. There is no distinction between penal and industrial labour. Besides the necessary work for the prisoners themselves, as cooking (in some prisons also baking), building, gardening, washing, the principal industrial occupations are, for men, manufacture of linen and cotton fabrics, tailoring, shoemaking, manufacture of gilt curtain-rods, joinery, woodcarving, manufacture of boxes and other wooden articles, binding, manufacture of card-board boxes, of travelling-bags and cases, smith-work, labouring, and painting; for women, sewing, knitting, making woven shoes, cigars, gold-polishing, making paper-bags, and washing and laundry work. The industrial work is partly done for the establishment, or the prisoners are employed by manufacturers, who pay a certain sum per day or per piece of work, which is stated in the contract. Whether preference should be given to the system of working for the establishment or for contractors depends on the nature of the work. The system of letting out the entire work of the prisoners to contractors does not exist in Wurttemberg.

6. *Prison labour.* the turn which appears

In our penitentiary character, with us leads to idleness in the cell, to give him the means such means had caused

The industrial arts shoemaker, carpenter, black agriculturalists, labourers in

law-mat making, glove manufacture, marble-embroidery and knitting, sewing, glove-spinning, weaving, feather paring and scraping. above, part of the men are occupied in farming; opportunity offers, also perform other industrial of them are engaged in it.

to a very limited extent, is industrial labour. ly this labour is conducted by contractors on of the prison a sum stated in the contract. What work shall be given to contractors is likewise has absolute control in the selection of the given work, and also over the execution of the work. It is thought very important to have such a number and such a variety of trades, that, in allotting prisoners their work, due regard may be had to their trades before admission and to their capacity. Each particular branch of industrial labour is, by the regulations, given to one contractor.

aph 6, page 149.

the industrial education of our prisoners and which is most easily mastered.

no labour exclusively bearing a penal aim than to overcome the natural propensity in him to a life of activity and hardship, and a honourable livelihood when the absence of a guilty.

d in our penitentiaries are those of the weaver, and in our Bagnios we make them in, and workers of cotton, hemp, etc.

As a rule the produce of the work of penal establishments until 1868 was appropriated by Government. The General Direction, however, desired to make the experiment of the system of contracts, and now, out of 35, 11 are in the hands of private contractors. But the question which of these two systems is most suitable, is so complicated that the administration, as yet, does not feel itself competent to declare its preference, not being enough ground to go upon; but it is following up the subject, and has published and will continue to publish all the statistics it can impartially gather.

The criminals in the Bagnios also work, as a rule, for the Government either in some military dock or in improving the land annexed to the penal establishments. In some localities the prisoners are hired out by contract for public or private labour, the contractors paying a certain fixed sum per diem to the local administration.

In the houses of detention for youth, Government allows certain tradesmen the gratuitous labour of the juveniles, on condition, however, that they are set to work upon some art or trade which at a future time may serve them for a livelihood.

According to the last statistics every male inmate of a penitentiary where the profits of labour are appropriated by Government, costs the Treasury 0,77,41 francs, every female 0,68,81 francs each day, deducting however the profits of their labour and other sources of income, not including the direct outlays of the central administration, such as the expense of building, the salary of the officials, etc. In a penitentiary let out by contract, each criminal costs the State 0,61,97 francs per day; a criminal in the Bagnios, 0,60,00 francs. A youth in the house of custody, 0,68,47 francs, a girl, 0,79,26 francs. In the reformatories, a boy, 0,81,24 francs, a girl, 0,79,04 francs, but for the latter this includes all expenses.

The average duration of apprenticeship (*apprentissage*), in our penitentiaries is three months. The remuneration for convict labour as compared with free labour is one-fifth less. These wages are divided into two equal parts, one of which is appropriated by the State, the other belongs to the prisoner. In the penitentiaries worked by Government he is allowed to spend a quarter of his gain, and the remainder is set aside to form a reserved fund, against the time of his discharge. The later statistics show that the medium reserved fund of each discharged criminal amounts to 40 francs.

A short time ago several administration reforms were introduced into our Bagnios. By the old regulations, convict labour was paid at a somewhat lower rate than the bulk of free labour, but the contractors were allowed to give the prisoners a separate remuneration and more than the regulation diet. Having done away with this abuse as hurtful to discipline, to the interests of the convicts, and to those of the State Treasury, making the contractors pay a more equitable sum for the work, allowing the prisoners to spend four-tenths of their gains, and laying aside one-tenth for their reserved fund, there has been a sensible increase in the profits. Whilst the payment of labour during the first three months amounted to 175,979 francs, with a profit to the administration of 32,669 francs; by the new plan, during the first quarter of the year 1872, the payments amounted to 207,724 francs, with a profit to Government of 93,162 francs. As all our criminals must, according to law, be employed in occupations more or less laborious, but always useful and remunerative, the administration cannot exempt from labour any able-bodied person under any pretext whatever. The sentence of relegation above allows the prisoner the same manner as the other establishment work. I regulated in the

Report on Netherlands, paragraph 53 to 55, page 174.

53. Industrial labour is everywhere performed in part on account of the Government, in part on account of contractors or individuals, and in some prisons participate in the control of the supervision

54. It is our belief that the system of general contracts is the most economical. Generally, we give the preference to contractors or individuals, who offer a

ted by the administration. It is not, in part on account of contractors are allowed to participate in the control of the supervision

red in our prisons deserves preference. Labour performed on account of variety of handicrafts. But the

labour done on account of it interrupted by want of demand both systems.

53. Different systems of contractors furnish the raw materials and furnish the necessary tools.

not the inconvenience of being sometimes therefore judge that it is better to retain

acting for the labour do not exist here. The and pay the wages. Frequently they also

Report on Russia, paragraphs 60 to 64, page 197.

50. Penal labour alone cannot have a beneficial influence. This is nowhere more clearly proved than in Siberia, where the number of escapes may be counted by thousands.

51. Most intense hatred of authority and the desire of vengeance where penal is not conjoined with industrial labour, which is the only means of reformation.

52. Penal labour in the open air improves the health of the prisoners.

53. Industrial labour let to contractors has alone produced good results. It is now proposed to conduct part of the penal labour by contract.

54. Undoubtedly the first under certain conditions. The Administration ought not, in my opinion, to interfere with its direct duties by the care of commercial undertakings.

Report on Sweden, paragraphs 49 to 55, pages 206 and 207.

49. No distinction is made between penal and industrial labour. In the collective prisons for men most of the prisoners are occupied in cutting granite for buildings, pavements, &c. A large part of these products are exported abroad. In one prison they cut up pine-wood to make matches. Fine joiners' work is also executed. All the articles produced are for exportation. In other prisons they largely manufacture linen and woollen cloth. In another prison they manufacture coarse cloth and blankets for the prisons of the kingdom. The garments, the shoes and stockings, and the bed-sheets for prisoners, as well as a part of the clothing of the army, are made in collective prisons. The women are engaged in making textile fabrics, in all sorts of sewing and binding, in glove-making, &c. In the cellular prisons, when it is the duty of the director to find work for the prisoners, they execute all kinds of manual labour, as tailoring, shoe-making, and some kinds of joiners' work. The women sew, knit stockings, and sometimes weave. Recently making match-boxes has been their principal work.

50. Penal labour has not had a sufficiently deterrent effect to reduce the number of recidivists.

51. Compulsory labour gives diligence, and renders the violent

gives the prisoners habits of order and cable.

52. In the collective prison that which is done in large workshops; so also has their recreation

in the open air, as cutting granite, and greatly contributed to the prisoners' spacious courts of the prisons.

53. All the industrial labour, with the exception of the manufacture of fabrics

collective prisons is let to contractors, supply the needs of the Administration, prisoners' clothing.

54. To secure the moral improvement of the prisoners the industrial labour should be under the direction of

of the prisoners the industrial labour a Administration.

55. When there is competition between the prisoners' industrial labour, as, from the nature of the work advantages to the Administration

between the contractors for the allotment of Administration selects such contractors of persons, qualifications, offer most

Also see Report on United States, pages 271 and 272.

6. Prison Labour.—The distinction so common in English prisons between penal or 'hard' labour and industrial labour is almost obliterated in the American prisons. The term 'hard labour' is still found in our laws, but almost all the work done under these sentences is industrial, and in many of our prisons, peculiarly profitable labour. The tread-mill, the crank, the shot drill, and other forms of penal labour have no place in the prisons of the United States, but there is scarcely any kind of industrial labour which does not find a place there. In Alabama and Texas, the convicts build railroads, in Mississippi they raise cotton, in Tennessee and New York they work mines, in many of the States they cultivate gardens or do farm work. But the prison employments are generally mechanical, and especially deal with work in wood, leather, and the metals, though stone work is also done on a large scale where prisons are building. This was formerly so common an occupation for American convicts, that 'hammering stone' became a cant term for imprisonment. Quarrying stone for sale or for making quicklime is much practised in the great prisons of Joliet (Illinois), and Sing-Sing (New York), the largest in the country. At the Auburn prison many convicts are employed extensively manufactured; in the Ohio state prison many convicts are employed as saddlers, wheelwrights, and blacksmiths; in the cellular prison at Philadelphia (the Eastern Penitentiary), the employments being pursued in the cells, are mainly sedentary, such as shoemaking, weaving, and the lighter kinds of wood-work; in Massachusetts, ornamental iron-work, brushmaking, shoemaking, and sewing by means of the sewing-machine, are common prison employments. In the Maine state prison, the warden, being a carriage-maker, has introduced that branch of industry; in the prison of Northern New York, at Dannemora, a great iron mine furnishes ore, which is smelted, forged, and wrought into nails by the convicts; in the Michigan state prison, at one time, tanning leather was largely practised; in the Detroit House of Correction chair-making has been the chief industry. In fact, there is scarcely any mechanical occupation that has not been carried on in some of our prisons.

In general, the labour of the convicts is hired by contractors at a fixed sum per day, and this varies from a few cents to something above a dollar a day; the highest contract wages being paid at the Charlestown prison. In a few of the prisons, perhaps a tenth part of the whole number, the whole prison labour is managed by the prison administration, and in nearly all some part of the labour is so managed, especially where the building or enlarging of the prison is going on. There are many objections to the contract system of labour, but it is found in general to be less expensive to the Government than the management of prison labour by the officers. In large prisons probably it is indispensable, but in prisons of less than 200 convicts the contract system can safely be dispensed with; and Mr. Brockway can dispense with it in his prison of 400 convicts. It requires unusually skill and business capacity in the management of a prison to manage its industries, and for this reason such management seldom succeeds for any long time. On the other hand, the contract system often reduces moral and financial corruption, injures discipline, and demoralizes convicts. For these reasons it should be given up where it is possible; towards, it probably is not possible to give contract system.

Jail Manufactures

HON. MEMBER.

Hon. C. G. Munster

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THE JAIL MANUFACTURES QUESTION.

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ANALYSIS OF PAPER BY MR. W. A. SYMONDS.

In order to check State competition with private enterprise, the Viceroy, in his resolution of the 22nd September 1882, prescribes what may be termed the policy of restriction, which limits jail manufactures to a certain number of authorised industries, makes out-door labor the principal mode of employing long-term prisoners, forbids the use of steam machinery *inside* jails, limits the use of other machinery, and lays it down as a cardinal doctrine that whilst jail labor may be made productive, it should *not* be made as productive as possible. But the merits of the continental contract system are recognised, and permission is given for its partial introduction, i.e., it is suggested that the machinery might be removed from the interior and set up outside (the jail walls) and let, together with convict labor to work it, to contractors.

2. The Bengal Government denies that the steam machinery so largely introduced into its jails injuriously affects private enterprise, and strongly protests against the rules laid down in the Resolution. Generally speaking, the other local Governments insist upon necessity for wide discretion in carrying out the policy of restriction; but to concede such discretion would, it is apprehended, create confusion and open the door to abuses. The Secretary of State does not approve of so radical a change as is contemplated by the Viceroy; takes exception to the principles laid down by Government of India, and thinks they ought to be subordinated to requirements of prison management; recommends that jails should supply other departments of State, and interprets suggestion that machinery be removed outside jail to mean that it is contemplated to remove it to a distance and set up factories to and from which convicts should be daily marched, whereas Viceroy only intended machinery should be removed just outside the jails, as in the case of the Penitentiary Workshops. [It may be observed that experience has shown that even this last would be more objectionable than the admission of contractors' *employes* inside the jails.]

3. Both the policy of restriction and the policy of the Secretary of State are opposed to sound principles. The Government of Bengal is, too, in error, in asserting that jail manufactures (especially when carried on by steam machinery) are not detrimental to private trade—the contrary is notoriously the case.

4. The remedy for this conflict of views, principles, and interests lies in a combination of the contract system and of a policy of expansion; this combination, whilst open to none of the objections with which all other systems abound, is sound from an economic point of view and possesses the merits—

- (1) that it will entirely do away with all competition between jail-made articles and private trade and enterprise;
- (2) that it will admit of jail labor being made as productive as possible;
- (3) that it will admit of the introduction of steam machinery into all the large jails in the country in a manner which will stimulate the creation of industries and promote their development;
- (4) that it renders unnecessary the proposed recourse to the unremunerative and unreformatory system of extramural labor;
- (5) that it enables them to bear the most practical reformatory influences upon their release—
- (6) that it qualifies them for obtaining employment on their release—

prison management; it does not present means of enforcing discipline, it does not interfere with; and that it obviates the evils now endured in Bengal on machinery, and the loss, of many years spent in improving the general sanitary condition under the present intramural and industrial employment system, involved by the policy of restriction.

5. If adopting this combination is conclusive.

W. A. SYMONDS,
Inspector of Prisons for the Town of Madras.

THE JAIL MANUFACTURES QUESTION.

A PERUSAL of the correspondence interchanged between the Secretary of State, the Government of India, and the local Administrations presents this question in the light of a very complex problem.

2. It may be observed at the outset that the Viceroy's policy, as enunciated in the Resolution of the 22nd September 1882, has been found to admit of misapprehension, and its execution to be attended with difficulties diverse as the circumstances and conditions of the various provinces to which it applies. These may be called local obstacles, but behind them is the primary difficulty of accommodating a variety of interests that ought to be identical, but are, as matters stand, divergent.

3. The interests to be consulted are those of—

- (1) The State.
- (2) The public.
- (3) The tax-payer.
- (4) The manufacturing and trading classes.
- (5) The convict.

So conflicting are these interests that there exist, even amongst eminent experts, not merely differences of opinion upon the main points in dispute, but various shades and refinements of views. A consideration of principles, however, will probably disclose the clue to a correct conclusion.

4. The Viceroy's policy and the reasons for its adoption have been defined in terms to which no valid exception can be taken. India's greatest economic want being industrial pursuits, it has been declared to be distinctly the duty of the State to do nothing to hinder the spontaneous growth, but, on the contrary, so far as it legitimately can, to stimulate and assist the development of trades and particularly of manufacturing industries. Equally true is it that the competition by jails in various industries is greatly detrimental to private enterprise and trade. Nor can the proposition be impeached that a degree of Government competition, which in England might be harmless, might in India do very serious injury to private trade. The Secretary of State, however, questions the expediency of the principle upon which the Viceroy has proceeded. Lord Kimberley is of opinion that in deciding upon this question economic theories must be subordinated to the objects and requirements of prison management. This view cannot be accepted without anxious consideration, because its apparent tendency is to elevate the interests of a single department above the general interests of the State. Exceptions to the rule that whatever is essentially true and sound in theory may be well adapted in practice being exceedingly rare, very imperative reasons are required for any deviation from sound principle. The Secretary of State has taken it for granted that the necessity for such deviation must, in this instance, be admitted; but that is a supposed need.

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that means exist whereby practice may be brought into agreement to the objects of prison administration—a good—we come to the measures taken of this policy.

His Lordship was avowedly guided by the rule, be productive, it need not be made as by the Viceroy as a "cardinal doctrine," but, to cure one departure from true economic principle (private enterprise,) by instituting another, its

7. The following were briefly the instructions issued to ensure practical application of the Viceroy's principles:—

- (1) That out-door labor on large public works, State or private, should be the principal mode of employing long-term prisoners.
- (2) That jail manufactures should be limited to a certain number of authorised industries to be concentrated as far as possible.
- (3) That as a rule manual labor only should be employed, the use of steam machinery in jails being declared to be quite indefensible, while European machinery driven by treadmills, capstans, or other applications of convict labor was to be restricted.

8. These rules, objectionable in themselves for several reasons, have been strongly protested against by the Bengal Government and are disapproved of by the Secretary of State, who had not contemplated so complete a subversal of a system built up with great care as the result of many years' experience and at a heavy cost.

9. The arguments made use of for and against the Viceroy's policy render it clear that the golden *via media* has not yet suggested itself to those who have engaged in the controversy. The course of administration at times passes beyond the bounds of sound control, and the retrocession sometimes becomes itself extreme. When this occurs and, as in the present case, a problem is created, we must seek amongst first principles for the clue to its solution.

10. As an elementary principle, the doctrine that every member of a community, bond or free, should be self-supporting seems to commend itself to common sense—nay more, to be a law of nature. That the circumstances of modern society should be so artificial as to make it expedient that when a man has committed crime he should almost entirely cease to be self-supporting seems to indicate an unnatural and anomalous condition. In the rude primeval days, when the *lex talionis* obtained and men's notions of political economy were of the crudest, law-breaking created a debt which the transgressor had literally to *work out* by the sweat of his brow. That a state of society should exist under which the wrong wrought by the criminal should be added the injury of maintaining him at the cost of the community whose laws he had outraged would certainly not have been regarded as evidence of an advanced state of civilisation; and it must be admitted that the existence of such an anomaly in a system, part of a scheme of Government having for its object the greatest good of the greatest number, seems, on the face of it, to show something wrong in the principles on which that system is worked. The average individual man maintains besides himself a wife and children. Yet that, with all the resources of civilisation at its command, modern Government should fail to make the imprisoned convict pay for the barest necessities of life *plus* the cost of keeping him in confinement seems more than strange. The question then arises whether after all it is not clear that the moderns are wrong and that the ancients were right. Is the human intellect in these latter days so wanting that modern ingenuity, backed by the appliances of science, can devise no system by which convict labor can be utilised in such way as to make the prisoner self-supporting, or nearly so, without at the same time rendering his employment detrimental to the interests of private trade?

11. From these considerations it would appear that the question lies not in the restriction, but in the nature of the employment of the following rules may be deduced:—

- (1) Subject to the requirements of justice, as productive as possible.
- (2) That all long-term prisoners should be employed in the manufacture of cellular confinement, wherever practicable.
- (3) That steam machinery and other machinery should be employed wherever practicable.
- (4) That, in order to do away with all the expense of convict labor, and private trade, all the industries of the Jail Department should be carried on by the State.

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12. No system is so free from valid objections as this. It is the only one under which a uniform policy can be enforced throughout the country. It is injurious to no interests. It is the one system which will not only not interfere with, but will stimulate the growth of private industries. An impartial examination will show that it is far preferable to any other plan that has been proposed, both as a means to the end the Government of India has in view and for the attainment of the objects of imprisonment. This examination may well commence with the important question of

EXTRA-MURAL LABOR.

13. On the authority of the Surveyor-General of Prisons in England, the Viceroy declares the employment of convicts on large public works to be "the best system ever devised," and attention is called to the fact that the Government of India has repeatedly insisted upon the correctness of this view, and that it was prominently noticed in the report of the Prison Conference.

14. This authoritative announcement is deprived of much of its weight by the fact that out-door labor was hit upon as the best means of avoiding the evils of State trading, and that the necessity of diverting convict labor into that channel would disappear were the scheme now mooted to be adopted. Moreover, it would be a mistake to suppose that, because an application of this system confined to special localities has, comparatively speaking, proved successful in England, it would be expedient to give such general application to the system in India as would be necessary to carry out the Viceroy's instructions, or that similarly favorable results would attend the experiment. India has no busy dockyards in which prisoners could be employed as at Chatham and Portsmouth; the spade husbandry which occupies the convicts at Dartmoor would be found most unsatisfactory and unremunerative in this country; so that, for purposes of comparison, there remains but Portland with its vast quairies affording work from year's end to year's end and justifying the creation of a large permanent establishment. It is only in permanent establishments that it is possible properly to maintain discipline and reformatory influences, together with the sanitary arrangements needful to preserve the health of men segregated in large numbers. This is the vital objection to the plan of portable jails, which are further open to grave objection on the score of the great extra expense they involve. Not only would strong police guards be required, but the pay of the men and officers of the Police and Jail Departments taken from their homes for this duty would have to be increased. But, it is said, "in the case of a public work this extra expenditure might always be fairly charged to the work, and the cost would probably be more than recouped by a saving in free labor." The direct competition here contemplated of convict labor with the earnings of a class which has no other means of support to fall back upon, and consequently requires all the greater protection from the State, would be objectionable on economic grounds; more especially would this be the case if, as suggested, convict labor were given *gratis* to a private company when it was of great importance to open out any particular tract of country. Capitalists interested in keeping up the market prices of their products are also interested in keeping down wages. To give labor *gratis* to a company would enable it, if not to dictate its own terms to free workmen, at all events to greatly lower their wages. If, again, the labor were let, as directed, either to the Works Department or to contractors at low rates, the loss to the Jail Department or to the contractors would be the same, the Public would be saddled with the excess. The same objection would be raised against the employment of convict labor in obtaining unskilled labor. In most parts of the country it is only skilled labor that is much in demand. Thinly-populated districts supply themselves with labor which supports itself by labor on earth. As soon as one is completed and another is begun, the objection to the employment of

15. It may be urged against these views that the plan of portable jails has for some time past been the practice in the Bombay Presidency and that the extra-mural system is successful in Assam. It may be remarked, however, that whilst in Bombay it is reported that every available prisoner fit for hard labor is employed on out-door labor, and that the Inspector-General of Prisons (Dr. Ch. Jickshank) thinks it impossible to further extend the practice, it has not been found practicable to so employ more than 33 per cent. of the whole prison population, and of these it would seem a certain number are engaged in small gangs on the public streets and roads, a system condemned alike by Lord Macaulay's Committee of 1838, the Government of India, and the Secretary of State "as the worst which had ever been devised."

17. Labor of all kinds is dear in England ; in India it is cheap ; but the cost of prison supervision is probably about equal in both countries. Hence the need to utilise the labor of our convicts to the best advantage and to minimise the cost of supervision. It would seem, then, that to deliberately employ the majority of our convicts upon the lowest, and therefore the least paid class of labor,—and that the one requiring the most expensive supervision—would be a measure justifiable only by reasons of Imperial exigency.

19. On the whole, the circumstances of this country being so entirely different from those of England, the conclusion would seem inevitable that the extra-mural mode of employing convicts is unsuitable to India and can, in no sense of the word, be made profitable. The absence of any better alternative would alone warrant the enforcement of this system in localities to which it is so little adapted.

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21. Here it may be observed that there has existed amongst English official authorities on this question a consensus of opinion that the Jail Department should supply other Departments of the State with articles of prison manufacture. This rule is, for the first time, it is believed, in the annals of British administration, limited by the Resolution; but the Secretary of State holds that it might, in its integrity, be most advantageously adopted in India. It may be questionable whether this plan is justifiable, on sound economic principles, even in England; certainly no analogy from English practice is applicable in this respect to India, where manufacturing enterprise in its infancy is struggling against the difficulties of insufficient capital, the want of coal-fuel and iron, and inadequate means of transport and communication. In no other country does nascent enterprise stand more in need of State patronage. Government being the greatest consumer, it is not expedient that local manufacturers should be exposed to the risk of losing their principal customer by the competition of a State Department which would check the growth of industries. The Resolution does not, therefore, go far enough. It would be advisable to do away with all departmental competition in the supply of articles for the service of the State, with the exception of the Prison Department, which should, of course, be allowed to supply its own requirements. The fact that the supply of Departments of the State affords the principal outlet for the manufacture of articles of industrial labor and machinery of our prisons, a system of prison manufacture of view the soundness of this system is beyond question, nor From the economic point of view, it would be found equally efficacious for the purpose of preventing can it be done without the least objection? It is not the least objection that the State might otherwise fall to private trade. It is an obvious objection that the State might lead to the introduction of prohibited articles between the prisoners and their friends outside, which would involve to be admitted within the jails. Precautions would minimize this evil, which, as an objection, employ

21. Here it may be observed that there has existed authorities on this question a consensus of opinion that the Jail Department should apply other Departments of the State with articles of prison manufacture. This rule for the first time, it is believed, in the annals of British administration, limited by Resolution; but the Secretary of State holds that it might, in its integrity, be most advantageously adopted in India. It may be questionable whether this plan is justifiable, on sound economic principles, even in England; certainly no analogy from English practice is applicable in this respect to India, where manufacturing enterprise in its infancy is struggling against the difficulties of insufficient capital, the want of coal, fuel and iron, and inadequate means of transport and communication. In no other country does nascent enterprise stand more in need of State patronage. Government, being the greatest consumer, it is not expedient that local manufacturers should be exposed to the risk of losing their principal customer by the competition of a State department which would check the growth of industries. The Resolution does not, therefore, go far enough. It would be advisable to do away with all departmental competition in the supply of articles for the service of the State, with the exception of the Prison Department, which should, of course, be allowed to supply its own requirements. The fact that the Government of Departments of the State affords the additional reason for the establishment of a central manufacturing machinery of our prisons.

The Prison Department. The fact that the principal outlet for the products of our industrial labor and machinery of our prisons is through the sale of their goods is beyond question, nor can it be denied that this system is equally efficacious for the purpose of preventing the State from falling to private trade. It is no objection as to this system than to overcome the execution of any other having the same aim. It is apparent that the introduction of prohibited articles might lead to the introduction of prohibited articles between the prisoners and their friends outside, which would tend to be admitted within the jails. Precautions would minimize this evil, which, as an objection,

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would have greater force if a channel of communication did not already exist in the poorly-paid native warders, who, as a class, are not superior to the temptation of "trafficking" with the prisoners. The contractors' agents would however be few. It might be stipulated in each contract that none should be engaged who could not give security to be forfeited by the breach of any prison regulation, in addition to the punishment provided by law. After a time the best-conducted prisoners, now employed as convict warders, work overseers, and maistries, would become competent to discharge the duties of forerunners; the Government would gain by the wages they earned and but one agent for each contractor would then be required. It is not possible to devise any prison system faultless in all its details; but the above—the only solid objection to the contract system—would be much more than counterbalanced by its attendant advantages, not the least amongst which is that it admits of convict labor being made as remunerative as possible by the use of steam and other machinery.

22. Amongst the primary considerations of prison management, the Secretary of State points out that the reformation of convicts, with special reference to their chances of obtaining employment on their release, should be kept prominently in view; but the Government of India think this object is of very limited application in the case of Indian prisoners, and that but little can be introduced into the management of our jails of a direct reformatory character. This opinion is drawn from conclusions arrived at by the Prison Conference which were avowedly based on a very low estimate of the native character and its susceptibility to reclaiming influences. Experience has shown that that estimate was, to a great extent, imperfect, and that, contrary to the anticipation of the Conference, many prisoners do avail themselves of the occupations taught them in jail to earn an honest livelihood after their release. There is, in fact, unanimous agreement as to the beneficial results of intramural industries. For example, the Government of Bengal consider them a valuable means of educating the criminal classes in a way most likely to benefit them. It is well known that the jute mill in the Presidency Jail, Calcutta, turned out a number of trained hands whose labor was in great demand by the owners of jute mills. In Bombay, it is an object as far as possible to qualify a prisoner who has spent some years in jail for earning an honest living after his liberation. But it is considered that the means of attaining this object will be greatly curtailed by the policy of restriction. It is true that this opinion loses some of its force by the fact that but few prisoners are engaged on industrial pursuits in Bombay, but the implied commendation of intramural industries is not, and could not be, applied to the extramural system so generally adopted in that Presidency. From the North-Western Provinces and Oudh it is reported that something has been done by the jail towards supplying trained workmen to private factories, and that carpet weavers and other artisans, all taught in jail, are now to be found earning their living in private factories and offices in occupations comparatively little known and practised. Those who deny the reformatory influence of industrial employment upon Indian prisoners probably speak from the results of by-gone days, when nothing more needed reformation than the prison system itself; when the deficiency of accommodation was such that the number of prisoners crowded into the jails was more than 50 per cent. over the prescribed standard of space; when there were no means of separating the different classes of prisoners; when the supervision was of the most lax description and discipline was neglected; when the air was noisy and talkative, listless and slow in obeying orders; when the food was unwholesome, the clothing, which, together with the matting, was filthy; when, owing to over-crowding and to the atmosphere in the wards, the heat was oppressive; when the scale was venal; when their full allowance was not given; when sickness and mortality were great; when civilization. It would scarcely be an exaggeration to say that the state of things then prevailed in the Russian prisoners that industry and employment were certainly the most effectual.

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and develops their intelligence. The satisfactory results of the introduction of the remission system may also be pointed to as a sign of the success that attends a well-devised scheme of reformation.

23. In the Resolution it is stated that the Governor-General in Council does not suppose that the direct action of Government can do much towards the creation of industrial employments. But, by the adoption of the contract system and the encouragement of steam factories in jails, Government might not merely point the way, but move itself as pioneer in the path of progress. For instance, even as matters stand, it is reported by the Bengal Government that jail manufactures have initiated many industries for private individuals to take up and carry on; by the Bombay Government, that jail operations are useful to trade as an example; by the North-Western Provinces and Oudh Government, that the jail administration has done something towards introducing new industries, the woollen and weaving factories successfully conducted in having, in some degree, owed their origin to the experiments successfully conducted in the Agra Central Jail. If local committees of experts were convened to ascertain the industries most needed in each district and steam factories were established in jails to carry on the manufactures thus selected, a great impetus would be given to the creation of industrial employments which might be further assisted by holding out encouragement for the formation of companies to utilise prison labor.

24. In opposition to the views held by foreign prison administrators, almost every English authority holds that to make imprisonment and prison labor penal and deterrent is the first essential of prison management, and theorists occasionally complain that this principle is not sufficiently observed. In the case of well-behaved long-term prisoners, it is, both in England and India, found necessary somewhat to moderate the rigour of imprisonment as the sentence progresses. Convicts are classified according to their behaviour in jail, and, the longer they remain in prison, the lighter, as a rule, is the labor exacted from them. To economise in the matter of supervision the best behaved convicts are made prison servants, i.e., warders, overseers, and maistries. It is too much the practice of those who declaim against the "comforts" enjoyed by the convict as compared with the poor but honest free man to discard all consideration of the dark side of a prison career. The convict's comforts consist of a bare sufficiency of such coarse necessities as the laws of health demand; these may, in many cases, be superior to those the man is accustomed to outside; but to the average human being they must be only little less attractive than the gilded cage to the wild bird. Add to the deprivation of liberty, family, female society, and all luxuries, the irksome restraints of discipline and the severe course of penal labor to which all prisoners are subjected at the commencement of their sentences, and it must be admitted that our prison system is as deterrent as is consistent with humanity or the possibility of bringing reformatory influences to bear with good results. The hope of being able to improve his position at successive stages of his confinement acts as a stimulus to exertion and exemplary conduct which, it is hoped, will produce a lasting impression for good upon the prisoner's mind. The experiment of introducing into the Madras Penitentiary the English system of cellular confinement has been a success. Beyond a doubt the construction of Indian jails should be altered so as to admit of every prisoner being subjected to separate confinement for a term proportionate to the length of his sentence, whilst undergoing which he should be put to the severest form of hard labor, raggi or flour grinding. On emerging from this purely penal and deterrent system, every well-conducted man should be eligible for industrial employment. It may also be remarked that amongst foreign countries, the association between penal and industrial labor.

25. The Government of India has concluded that certain industries as not being sufficient to be withdrawn, it will constitute the object of this paper to advocate the adoption of a preparatory course proposed may be accepted for the prolonged period of less rigorous treatment apparently contemplates. It may also be as to which the Government of India has taken more than many on which the male convict in England

is employed after completion of his term of separate confinement; such English prison industries are tailoring, linen and calico weaving, straw-plaiting, stocking-knitting, twine-spinning, basket-making, carpentry, boot and shoe making, &c.

26. As regards the application of steam machinery to prison industries, the objection that it involves the competition of State with private capital would, as before remarked, be disposed of by the adoption of the contract system. The Prison Conference affirmed the proposition that "the employment of machinery in prisons promotes, rather than interferes with jail discipline at the same time that it enormously increases the profits from manufactures," and decided that Central Jails should be the seats of profitable industries. It was also held that in the interests of the Indian tax-payer prisons should be made, as far as possible, self-supporting. Before the decentralisation scheme came into force and the cost of jails was met out of Imperial funds, the importance of making jail labor as remunerative as possible was frequently urged upon the local Governments, which certainly are now ill able to afford the permanent burden that is cast upon them by the new restrictive policy—a loss that may be obviated by the plan followed by almost all other civilised nations of making jail labor available to private contractors. In only one instance (America) has an unfavorable opinion been expressed of the operation of this plan, due apparently to the corrupt manner in which it is worked. The following précis gives the results of experience in the countries named as recorded by the International Penitentiary Congress held at London in 1872:—

Austria.—Contractors' work is to be preferred, for it preserves the State from great loss and damage, which are unavoidable when the work is carried on by officials, and it enables these officials to devote themselves entirely to their proper duty, that is, the taking cognisance of the individual while carrying out the punishment, which they cannot do properly when they have to pay attention to the success of the prison labor. With this system in operation, prisoners, after leaving the prison, find it much easier to procure employment than they would had they worked on account of the State. Their technical advancement is furthered more by contractors than by State officials.

Denmark.—About 80 per cent. of the prisoners are employed by contractors in many different ways. The contract system has proved to be the best both economically as well as with regard to its reformatory effects.

France.—The system which consists in awarding to contractors the profits of the industrial labor of the prisons appears to be the preferable one. If the State can produce more, it produces in general at greater cost. Personal interest and the desire of making money are powerful motives with the contractor, besides which an officer of the Government has not the same freedom of action, nor so much practical knowledge of commercial affairs as a business man. It is important to remark that in one of the female central prisons the earnings of the prisoners suffice for the support of the establishment. Another prison pays all its expenses and returns a profit of a centime per day for each convict. The Administration hopes that it will at length attain the end which it has always sought in this regard—that of exempting the treasury from the expenses of the prisoners who are confined in its prisons for punishment. Penal labor, properly so called, does not exist in the prisons of France. What is desired at present is to punish the criminal; that is to say, to deprive him of his punishment is reformation. Therefore industrial labor is the best means of his punishment.

Prussia.—Penal labor merely does no very limited extent is industrial labor done labor is conducted by contractors.

Summary.—The system of giving
ence on the Administration, deserves
same time good tradesmen and good
would be opposed, and conflicting.

Wurttemberg.—There is no distinction between prisoners are partly employed by manufacture per piece of work.

Italy.—There is no labor exclusively bearing a penal character; the aim is to employ the criminal on industries that will overcome his natural propensity to idleness, accustom him to a life of activity and hardship, and give him the means of obtaining an honorable livelihood. The remuneration for convict labor is one-fifth less. The contract system had not, at date of report (1872), been long enough in force for a definite opinion to be formed as to its merits.

Netherlands.—Industrial labor is partly performed on account of contractors, preference being given to those who can offer the greatest variety of handicrafts. This is nowhere

Russia.—Penal labor alone cannot have a beneficial influence. This is nowhere more clearly proved than in Siberia, where the number of escapes may be counted by thousands.

Most intense hatred of authority and the desire of vengeance where penal is not conjoined with industrial labor, which is the only means of reformation.

The Administration ought not to interfere with its direct duties by the care of commercial undertakings.

Sweden.—No distinction made between penal and industrial labor.

Sweden.—No distinction made between penal and industrial labor. Penal labor has not had a sufficiently deterrent effect to reduce the number of recidivists. The industrial labor is conducted by contractors under the direction of the prison administration.

America.—The distinction so common in English prisons between *penal* or "hard" labor and industrial labor is almost obliterated. The term "hard labor" still exists, but under these sentences is industrial.

In general the labor of the convicts is hired by contractors at a fixed sum per day. This system is the least expensive, and in large prisons probably it is indispensable. It is, however, open to abuses injurious to discipline and demoralising to the convicts. It is, however, open to abuses injurious to discipline and demoralising to the convicts. It is, however, open to abuses injurious to discipline and demoralising to the convicts.

27. With reference to this last objection, it may be remarked that it would apply to every system wherever, as in the States, official corruption largely prevails. This corruption is, it is well known, attributed to the law under which all, even the lowest office-holders forfeit their appointments on a charge of Government. No such cause of corruption exists in this country, where, on the contrary, Jail Superintendents are gentlemen upon whose probity the Government may and does safely rely.

28. There are one or two minor matters which, in any revision of the present system, are well worthy of consideration.

In some respects the American system compares favorably with the English, particularly so in the preference given to mechanical occupations and in the pecuniary treatment of prisoners in cellular confinement, such occupations being

profitable employment of prisoners in cellular confinement, such occupations as brush-making, sewing and shoe-making by means of the sewing machines, weaving and the lighter kinds of wood-work. Some of these industries might advantageously replace the present hair-picking, which furnishes employment for prisoners on high

the lighter kinds of wood work. It is also worthy of note that in America convicts are profitably employed in the manufacture of agricultural tools and ornamental iron-works, saddlery, harnesses, carriage and furniture makers; and that there

The concentration of district jails is much needed, the advantages of concentrating in one place are, better supervision, and economy of management.

The concentration both as a discipline, and economy of management being evident in favor the establishment of machinery work by convicts.

by convicts. In the prison system, His Grace observed that he failed during his administration, His Grace observed that he failed to see that discipline and close supervision, brought under proper control. Although it may never be possible to see that discipline and close supervision, brought under proper control.

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Efficiency of surface labor, and of checks upon

tendency to scheme and shirk would be done away with by the use of machinery. Under a system that would increase the value of convict labor and incite prison officers to show remunerative returns, every available hand would be turned to account; a reduction would be possible in the number of convicts engaged on jail service, and of those now employed as warders, work-overseers, and maistries, supervision being so much facilitated by the use of machinery. Then, again, to make up for the comparative lightness of working by machinery, the number of working hours might be increased. There remains in its favor the concurrent testimony of the Secretary of State and of Mr. Rivers Thompson as to the many advantages which machinery affords in facilitating the enforcement of discipline, in regulating task-work, and providing employment which is really penal inasmuch as it makes carelessness, idleness, and inattention easy of detection. This, no doubt, is the reason which commends this method of employing convict labor to so strict a disciplinarian as is the Inspector-General of Jails, Bengal (Dr. Lethbridge), and may, in some measure, account for the great number of prison offences shown in the Bengal returns as compared with those of other Presidencies.

29. In coming to a close, no better citation can be made than that from the report of the Famine Commissioners referred to in the Resolution:—

"At the root of much of the poverty of the people of India, and of the risks to which they are exposed in seasons of scarcity, lies the unfortunate circumstance that agriculture forms almost the sole occupation of the mass of the population; and no remedy for present evils can be complete which does not include the introduction of a diversity of occupations, through which the surplus population may be drawn from agricultural pursuits and led to find the means of subsistence in manufactures or some such employments."

The means for a partial application of this much-needed remedy are in the hands of Government. The great want of individual members of the populace is technical instruction; of the country, manufactures; both may to some extent be supplied, and our prisons be made adult reformatories by converting them into steam factories conducted on the contract system, proved by the experience of every European State but England to be compatible with the due maintenance of discipline. That system consists simply, as summarised by the Government of India, in allowing contractors to arrange with the jail authorities for carrying on manufacturing operations by means of convict labor inside the jail walls. The whole risk would be the contractor's; his would be the capital employed, and the trade profits would go into his pocket. Discipline, on the other hand, would be entirely in the hands of the jail administration, the officers of which would see that the penal tasks were duly performed. The simple result would be that, in lieu of Government interfering with private enterprise, as it undoubtedly does now, it would place its store of convict labor at the disposal of private capitalists, and assist, instead of hindering, their operations. The Jail Department would still benefit by the receipt of handsome returns for its labor, while Government capital would cease to compete with private capital.

By the combination suggested may be attained all the objects the Government of India have in view, without having recourse to an extramural system neither remunerative nor reformatory, but fraught with many mischiefs, without sacrificing machinery introduced in Bengal at great expense to the State, "the work of many years spent in improving jail buildings and prison discipline, the general sanitary condition under which prisoners are kept, and, lastly, the intramural and industrial employment of prisoners."

Letter from Madras Government
No. 1917, dated 20th July 1883.

Précis of the correspondence between the Government of India and Local Governments and Administrations subsequent to Home Department Resolution, dated 22nd September 1882, on the subject of Jail Manufactures.

1. *Madras.*—The statement submitted by the Inspector General of Jails showing the occupations on which the prisoners are at present employed in the jails of the Madras Presidency will be found in the Appendix to this précis.

As to District Jails, the most common forms of labour for prisoners confined in these jails appear to be—

- (1) construction and repair of jail buildings;
- (2) repairing roads;
- (3) farming and gardening;
- (4) quarrying stones and digging gravel, &c.;
- (5) menial duties connected with the jails;
- (6) preparing grain for use in the jail.

In the jails marginally named, with the exception of those employed on prison duties, convict gangs are placed at the disposal of either Municipalities or Local Funds Boards for the improvement of station roads, quarrying, &c. In the jails at Tanjore and Tinnevely prisoners are employed on new jail works under the direction of the Public Works Department. From the Ootacamund Jail a gang of 80 or 90 prisoners are supplied daily to the Public Works Department, and another gang of 30 or 40 is engaged in embankment work. Gangs of prisoners are also occasionally let out on hire in the Cuddalore District Jail to work for private individuals. Formerly weaving was carried on extensively in this jail, but the manufacture has now been entirely stopped, and the looms and raw materials disposed of. Manufactures have also been entirely stopped in the Madura Jail. The only District Jail in which prisoners are now employed on manufactures is that at Bellary, where there are both long and short term prisoners. Blankets are prepared to supply the wants of the Jail and Police Departments, and for the Commissariat Department. The manufacture of woollen fabrics in this jail is, however, reported not to be carried on beyond the limits prescribed by the Home Government.

Guntur.
Kurnool.
Cuddapah.
Chittoor.

Cuddalore.
Tranquebar.
Madura.
Tollichery.

2. In most of the Central Jails in the Presidency extramural labour is confined to gardening, farming, carting and hauling building materials, stone-dressing and work of a similar nature. The services of the prisoners are also in some cases utilised in connection with the construction of and repairs to jail buildings. The manufactures carried on in Central Jails are as follow:—

Rajahmundry Central Jail.—Weaving cloth for prisoners' clothing; coir mat-making for prison use; carpentry and blacksmith's work in connection with the jail buildings; woollen and cotton carpet weaving, boot and sandal making for the Police Department; a little rattan work gives occupation to the Burmese convicts.

Vellore Central Jail.—Weaving cloth for the Police Department and for prisoners' clothing; woollen blanket or cumblee making, tent-making, sandal and boot making for the Police; cotton and woollen carpet weaving; basket-making for the use of the jail. This jail manufactures articles almost entirely for public departments, and, with the exception of tents and cotton carpets, there are no sales for private individuals in India. The woollen carpets are exported to England and France.

Salem Central Jail.—Weaving cloth for prison use; boot and sandal making for the Police Department; rattan basket making for work connected with the jail; woollen carpet weaving. These carpets are principally sent to dealers in New York. None are now made for sale to private individuals.

Coimbatore Central Jail.—The in-door manufactures are confined to weaving cloth for prison and police use; boot and sandal making for the Police Department; and in woollen blanket making for the various prisons. This jail being conveniently situated, near the Annimalai teak forests and the timber depôts, is preparing all the wood work, doors, windows, &c., required for the Superintendent's house at Vellore, thereby saving a large sum of money.

Trichinopoly Central Jail.—Sandal making for the Police.

Cannanore Central Jail.—This jail used as a convict establishment for life and term transportation prisoners, who from time to time have been rejected as being unfit for deportation to the Andamans. Most of these are employed on in-door industries.

3. In submitting the required list of industries, the Inspector General remarked that not many alterations in the rules observed in the Madras Presidency in regard to the employment of prisoners were involved, as it had always been a well understood principle in that Presidency that no competition with private industry or local trade should be allowed.

endeavours of the local jail department were mainly directed to the furnishing of articles required by Government departments. Moreover, owing partly to the faulty construction of some of the District Jails, and partly to the difficulties of providing suitable in-door employment for short-term prisoners, a large proportion of the convicts in District Jails have always been employed on extramural labour. In central jails, which are said to be complete so far as the present standard of jail discipline requires, the labour might be described as almost exclusively intramural, the farm lands and buildings attached to most of these jails being surrounded by an outer wall or other enclosure. In the selection of industries to be carried on in these jails, the Inspector General says that he has endeavoured as far as possible to meet the wishes of the Government of India.

4. There is no steam machinery in any of the Madras jails. In the Central Jail at Coimbatore some power-looms are used for weaving cloth for prisoners' use and for the Police Department. They are worked by treadmill and crank, and afford suitable hard labour for convicts during their probationary period.

5. As regards the question of employing convicts on large public works, such as canal excavations, the Inspector General pointed out that, from the nature of the work, the prisoners would be employed in small scattered parties; that the work would be irregular, involving frequent moving of prisoners; that supervision would be difficult; and that much expense would be entailed in moving the prisoners frequently and on account of extra police guards.

In reviewing the Inspector General's report the Local Government observed—

His Excellency the Governor in Council observes that in the jails of this Presidency convict labour has nowhere been assisted by steam-power, and that only in the case of one jail has any expenditure been incurred on elaborate machinery. The labour of the convicts has generally been, as far as possible, directed into channels where private industries would be affected in the least degree. The alterations, therefore, which have been made in the industries carried on in the various jails in consequence of the policy enunciated in the Resolution of the Government of India of September last have not been considerable. It appears from the statement appended to the letter of the Inspector General that in all the District Jails, with one exception, manufactures have ceased. In the Bellary Jail woollen blankets are still made for the Police and Commissariat departments, but the manufacture of them is by

ordinary hand-loom, and therefore not contrary to the intentions of the Government of India. The supply of the above two departments was obtained by tender in the open market, and the jail blankets were selected as being the article which best fulfilled the required conditions. As regards Central Jails,—in the Rajahmundry Jail the manufactures have been reduced, and are almost entirely confined to the supply of jail requirements. In the Vellore Jail the only manufacture still carried on which would appear to be considered by the Government of India as not suitable for convict labour is that of tent-making. The industry was commenced at the instance of the late Commander-in-Chief, when in consequence of the Afghan war a large demand sprang up for tents. Since then, owing to the re-organisation of the Salt Department, that department has required a considerable supply of tents, for which, in the absence of the industry at Vellore, requisition would of necessity have been made to the tent manufactures of Northern India, whence the rail carriage adds enormously to the cost of the article supplied. His Excellency the Governor in Council is of opinion that this manufacture may well continue to be carried on in this jail. The carpets made at the Salem Jail are made by hand-loom, and are not supplied to private individuals in the country, but are sent principally to dealers in New York. In Coimbatore Jail the manufactures have been much restricted, and are now confined to the supply of articles for the Police Department. In Trichinopoly Jail no manufactures are at present going on and in Cannanore Jail the state of things is exceptional, necessitating much intramural labour. It is observed that the minor manufactures which are carried on in the jails are necessitated by the existence in the jails of certain foreign convicts, natives of Burma and China.

With regard to the expediency of employing convict labour on large engineering works, there are no doubt considerable difficulties in the way. But His Excellency the Governor in Council would wish to see the employment of convicts on one work tried as an experiment, and the Inspector General of Jails will report, after consultation with the Public Works Department, where he can recommend the employment of convict labour on any specific public work. The suggestion made in paragraph 11 of the letter from the Inspector General, that the Cocanada works may form a project suitable for such appears a good one, and further inquiries are made relative to it. In conclusion, His Excellency in Council is glad to recognise the satisfactory spirit with which the changes made in consequence of the suggestions of the Government of India have been carried out by the Inspector General and officers of the Jail Department.

7. In reply, the Government of India, while expressing satisfaction at the manner in which the Madras Government were taking up the general question, remarked that it was doubtful whether the employment of prisoners from District Jail small gangs extramurally on station and such like labour could be made consistent with discipline, it having

strongly condemned by Lord Macaulay's Committee of 1838. A hope was therefore expressed that such industries, as oil-pressing and coarse hand-loom weaving might be found feasible even in District Jails.

8. With regard to the employment of convicts on large public works, the Madras Government were invited to consider whether by the establishment of portable jails the difficulties referred to by the Inspector General might not be obviated. It was also suggested that the Government of Bombay might be usefully consulted on the subject.

Letter from Bombay Government,
No. 136, dated 10th January 1883.

9. *Bombay.*—Before acting on the instructions contained in Home Department Resolution of the 22nd September 1882, the Government of Bombay considered it advisable to obtain certain information from the Inspector General of Prisons (Dr. Cruickshank), and to ascertain how far the system of employing convict labour in the Bombay Presidency would be affected by those instructions. The report furnished by the Inspector General, a copy of which was submitted by the Local Government to this Department with a letter dated the 10th January 1883, shows that it has been the practice for some years in that Presidency to employ every available long-term prisoner fit for hard labour on large public works; accommodation being provided on the spot for the convicts in portable jails. Also as many short-term prisoners as possible are employed on extra-mural work for the service of railway contractors, municipalities, &c. The following is an analysis of the employment of prisoners (including females and juveniles) on the 1st November 1882:—

		Percentage on whole.
Weak and convalescent	466	5.5
unremunerative labour in Bombay jails only	252	3.2
prison-service works, gardening, &c.	2,324	29.1
	2,686	33.7
employed	2,250	28.2
	7,078	100

Number of prisoners not available for employment in the factory or intramural labour, viz., the convalescents, those employed on unremunerative labour and on prison service amounted to 38 per cent. of the total number of prisoners. The remainder, 62 per cent., were pretty equally divided between those employed on intramural labour and those employed on the

former being generally long-term prisoners of dangerous character and short-term prisoners, and those physically unfit for extramural work. The Inspector General did not think that it would be possible to extend further the practice of employing prisoners extramurally in the Bombay Presidency.

11. No steam power or improved European machinery has been introduced in the jails of this Presidency; only the rude Native looms are used in the factories.

12. The Inspector General also submitted detailed information showing the industries on which prisoners were employed in the jails of the Presidency at the time he submitted his report. Out of a daily average of 2,737 male convicts employed in the factories—

- 421 were making articles for jail use;
- 1,593 were working on permitted industries; and
- 723 were making articles disallowed by the Government of India.

It was only in regard to these 723 convicts that there was, in the Inspector General's opinion, any room for the application of the orders of the Government of India. Of these 454 were employed on fine cotton-weaving, 98 on cane and bamboo articles, 69 on carpentry, and the remainder on the industries marginally noted. While explaining that the mer physically unfit for out-door labour were chiefly employed on the works disallowed by the Government of India, the Inspector General admitted that some of the prisoners thus employed might be transferred to the authorised industries; but he strongly urged that "the Government of India should be moved to permit the jail to make coarse cotton clothing for Prisoners, other Government Department, for horses, coarse towelling, manufacture of specialities in the bazaar."

13. In selling jail articles in the Bombay Presidency

been, the Inspector General attempted to undersell the charge for jail articles fully equal to that charged. He added that the goods heard were rather that they were too dear, and that the Department had been raising prices so that the sale of carpets especially become almost prohibitory except to buyers.

14. In order to secure the final result which a close observation of the

Smith's work	...	24
...	...	22
...	...	8
...	...	5
...	...	8
...	...	16
...	...	7
...	...	6
...	...	9
...	...	3

The Government of India would produce on the Jail Department in the Bombay Presidency, the Inspector General estimated a comparison of the figures shewing the value of jail-made articles in the Presidency for the year 1880, that the actual annual loss would be from Rs. 20,000 to Rs. 25,000. The figures are quoted below:—

Value of articles allowed	...	1,31,238
Ditto ditto disallowed	...	72,682
Total	...	2,03,920

The Inspector General arrived at his estimate by taking the decrease in the value of articles manufactured to be about Rs. 73,000 annually, and the total annual profits on manufactures roughly at Rs. 60,000.

15. The opinion of the Local Government was thus stated:—

The Governor in Council, while entirely concurring in the views that jail factories should be conducted (1) so as to make imprisonment as penal as possible, and (2) so as in no way to compete unfairly with private trade, is still of opinion that the Government is bound, so far as may be consistent with these objects, to work jails as economically as possible. From the point of view of the Imperial Government the profits of jail labour in the whole of India taken together may be insignificant, but they are not so from the point of view of a Provincial Government which is bound to push economy in every detail of its administration. Dr. Cruickshank estimates that the enforcement of the rules laid down by the Government of India would, in the year, have caused a loss of from Rs. 20,000 to Rs. 25,000 to the Provincial Treasury. His calculations are not quite clear, for while he states the scheme of the Government of India the loss of profits from the labour of those who have been employed on the handicrafts to be prohibited, he does not credit it with the profits that might be made by the labour of those prisoners if they were permitted handicrafts, but, in the Governor in Council, there was a change would occasion a loss to the Provincial finance.

The economical use of jail labour is the leading principle in the making up of the supply of any articles by the Department of Gov-

prohibition of carpentry, it should be remembered that as punishment has to be well as punishment. The conditions ought to be as various as the circumstances in life and moral character. It is far as possible, to spend some years in the jail after his

In regard to the making of horse-clothing, coarse towelling, &c., referred to by Dr. Cruickshank, there is no reason to believe that in this Presidency any complaint has been made by private traders; while the jail operations are useful to trade as an example. Moreover, any objections on this score would, in the opinion of the Governor in Council, be met by the articles made in our jails being disposed of by public auction.

16. The Government of Bombay were informed in reply that the Governor General in Council regarded Dr. Cruickshank's report as, on the whole, satisfactory, and congratulated the Government of Bombay on the fact that the jails of that Presidency were in the matter of the employment of convicts already so nearly placed upon the lines approved by the Government of India.

17. As regards the making of coarse cotton clothing for police, horse-clothing, coarse towelling, &c., it was observed that Home Department Resolution of 22nd September 1882 distinctly allowed "the weaving of coarse jute cotton, or woollen fabrics by means of ordinary hand-loom", and although no obligation was laid upon other Government Departments to confine their purchases to the Government jails, the jails were permitted to arrange for the supply to other departments on fair competitive terms of articles which they were permitted to manufacture. These orders, it was further observed, applied no doubt to the manufacture of the cloth itself and to the making up of the fabric into garments, but that this last was under the sanction prescribed as a suitable employment for female prisoners as it was deemed sufficiently penal for them, unless indeed they belonged to a violent gang.

18. As regards the penitentiary, blacksmiths said that the Governor, allowing the carrying on of industries in jails, recommended that the year of 1877, that the Governor in Council had ordered, what results of employment of prisoners on such industries, blacksmiths were operating in the penitentiary were.

Letter to Bombay Government, No.
278, dated the 22nd February 1883.

* Vide paragraph 12 c

Letter from Bombay Government
No. 3663, dated 30th May 1883.

Letter from 'H'
. No. 4931², dn'
1883.

warrant a continuance of those occupa-
s. It was added—

the argument urged that the reformation of prisoners is advanced by teaching them occupations by which they may earn an honest livelihood after their release is deprived of much force by the figures* given in paragraph 6 of your letter, and it may be remarked generally that in the case of Indian prisoners, the whole argument is in itself of very limited application under any circumstances. The prisoners now employed on fine weaving may without difficulty be transferred to more penal labour at heavier looms; and it will probably be found that with proper arrangements no greater pecuniary loss to the jails will follow the transfer.

19. With reference to paragraph 21 of the Resolution of the 22nd September 1882, the Bombay Government stated, in a further letter dated the 30th May last, that, on the 1st April 1883, certain of the prohibited industries mentioned in that Resolution were carried on in five jails of the Bombay Presidency in order to complete existing contracts, but that none of the prohibited industries were carried on after 1st May. On the 1st April 1883 the prisoners then in jail and sentenced to labour were employed as below :

On unremunerative labour (Bombay jails only)	221
On prison service, gardening, &c.	2,467
On extra-mural work	2,004
On factories	2,337

20. Bengal.—His Honor the Lieutenant-Governor submitted a strong protest at the orders of the Government of India maintained in the Resolution of 1882. His Honor urged that departure from the existing policy of the Government of India insisted upon by the Government of Bengal was unjustly and prejudicially to the Government or Administration. The reason for this was that the Government, having departed from the principles of jail management of 1877, had not applied itself to the remarkable success of the principles. The Government had spent in the past and was still spending a large sum to carry on the system, but the Government should have attended should have been more careful of them; that the Government had been more careful of them and that the Government had been more careful of them.

The Lieutenant-Governor is not con-
for the present in the defence of the principle
which the Government of India repudiates,
condemns in its Resolution, and personally Mr.
Rivers Thompson has had nothing to do with
enunciating them or working them out in prac-
tice; but he considers that when the Bengal
Government has for many years been giving
effect to a policy which a committee of experienced
men recommended after full enquiry and long
discussion in 1877, and which the Government of
India has formally and definitely sanctioned;
this Government may fairly claim that ~~it~~ ^{it}
further consideration is due to its position
before a policy authoritatively confirmed and
carried out at a great expense is summarily
reversed.

21. As against the views expressed by the Government of India in support of the system advocated by them for the extramural employment of prisoners on public works, on the principle that while jail labour should be as a rule productive, it need not be made as productive as possible, the Bengal Government forwarded a Note submitted to the Lieutenant-Governor by the Inspector General of Jails (Dr. Lethbridge), in which that officer dealt with the various points raised in Resolution of the 22nd September and urged the consideration of a number of questions before proceeding to effect the orders of the Government of India which would, he said, "save the work of so many anxious years in improving jail buildings, discipline, the general sanitary condition under which prisoners are kept; lastly, the intramural and employment of prisoners." The Lieutenant-Governor strongly sanctioned Dr. Lethbridge's view in favour of extramural employment of prisoners on public works, and stated that it was to the health of the country therefore, that already so high a proportion both in the north and south that it would be better to have more men employed on public works than would be able to find employment in the population that in some districts might be very large. A large number of men would have to be brought up to the standard that the labour force required that it would be better to have a larger number of men employed on public works than would be able to find employment in the population that in some districts might be very large.

insufficient supervision which could be exercised over a large number of scattered convicts working outside a jail; that it would interfere with the earnings of the regular unskilled labouring class who have no other means of support; that the climate of Bengal is so unsuited to it that several months in each year it would have to be abandoned; that not only would the cost of jails, including the cost of guarding and moving camps, be greater than the present cost, but there would be the loss of a large portion of the expenditure incurred in establishing the existing manufactures; and, finally, that a valuable opportunity would be lost of educating the criminal classes in a way most likely to benefit them.

22. With reference to the remark in the Resolution that there was strong evidence that in many places the products of prison labour did supplant and compete with private industry in local markets to a very serious extent, His Honor stated that he was not aware of the instances to which the Government of India referred, and that he did not believe that a single industry existed in Bengal with which jail labour competed injuriously, while, on the other hand, jail manufactures had created many industries for private individuals to take up and to carry on with labour. It was added—

part, however, from the question of the
of jail manufactures on private industries,
Lieutenant-Governor would on economic
protest against the employment of con-
victs and public works, as it brings
into direct competition with unskilled
These form a class which are not
in agriculture, though their ranks are
drawn from the agricultural classes when
legitimate occupation fails to afford
any means of livelihood. To employ
convicts on the work on which
otherwise be employed appears
reason to be a course which has
been urged against
manufactures. There
is no outlet
for private manu-
factures there are some
who have any appreci-
able, however,
labour for
the people it
is a class
who fall back
on the greater

the objection
media to the
worked

by steam, the Bengal Govt. marked:—

There can be no doubt, of course, that the use of steam-driven machinery does increase the productiveness of labour; but that in the case of our jails it does so to an undue extent is a proposition that Mr. Rivers Thompson is prepared to accept. As stated above, it is exceedingly doubtful if our jail manufactures can be made to compete injuriously with private industry, private enterprise, and if they do not do so, the question as to the productiveness of the labour need arise. On the other hand, it is certain that the introduction of machinery into our jails has rendered task-work possible, and has thus provided employment which to natives of this country is really penal, inasmuch as it makes carelessness, idleness, and inattention impossible.

For the above reasons, the Lieutenant-Governor asked for a re-consideration of the whole question.

21. On the 13th June 1883, the Government of Bengal was informed—

that the question has been referred to Her Majesty's Secretary of State, and that no change need be made in the jail arrangements of the Lower Provinces until the receipt of further instructions on the subject.

23. *North-Western Provinces and Oudh.*—Referring to the list of industries submitted by him, the Inspector General of Prisons wrote as follows:—
paragraphs 24 and 25 of his letter to Local Government, dated the 18th last:—

(21.) It will be observed from my list that the largest number of products to be sold to the public in any one jail is 12, and that only one jail, and that the average to be sold is 6.

(25.) A few words are perhaps necessary for each product.

Woollen pile carpets are produced only at the Central Jails of Agra, Patna, now, Allahabad, and at the District Jails of Mirzapur, and Ghazipur. They are proposed in another paper to be produced in jails of carpets under 10 threads to keep up a high standard.

Durries.—It was found that nearly every article was sold at a better price in the bazaar, and cannot be sold at Rs. 1-4 per square annas 12. Cotton weaves, patterns, 2-3 annas here, as the quality is better.

Cotton rugs, and ar-

Grass and spread mats are sold at a high price in the jail.

Letter to Bengal Government, No. 928, dated 13th June 1883.

Letter from North-Western Provinces, and Oudh Government, dated 20th June 1883, Appendix.

Paragraphs 29 and 30 of Inspector General's letter to Local Government, dated 18th April 1883.

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13
The silk too are a great industry. Our men are employed to make these and coarse cloth for clothing; and our special hand-made blankets are so excellent, that they are sold even in Simla.

Ice and tile-making is uncommon, except for purposes; where the industry exists, it brings in good profits.

The rest of our industries are few and far between, followed in one jail and not in another, and existing or selected because of special conditions.

Oil.—This is expressed in very small quantities here and there. It is mainly mustard-oil that is manufactured, and this because it is impossible to get unadulterated cooking oil in the bazaar. Castor-oil for medicinal purposes is manufactured in large quantity for the British Army in the Allahabad Jail, and some linseed-oil was made at Jaunpur for the Oudh and Rohilkhand Company, but the manufacture is mainly carried on for local convenience; if necessary, it can be given up.

26. The Inspector General objected to the proposals of the Government of India for classing all prison labour as skilled for the purpose of fixing the price of jail manufactures, and charging for it at the rate at which skilled labour is procurable in the market. If the orders in question were enforced, the manufactures would, in the Inspector General's opinion, be simply unsaleable. The following reasons were put forward in support of this view:—
Crafts of skill cannot be imparted in two years, so that a deduction must be made for additional time taken up by apprentice or workman; that he shirks his labour to the best of his power; that he is not under the strict medical supervision in the jail; he works only two-thirds of the working hours; that he has no here-incentive for the calling he is made to follow; and that he has absolutely no stimulus to exertion. It was pointed out that, partly because of short time, partly because of the nature of the work, and unskilled labour, a man cannot get through an ordinary day's work in a day.

entirely in the interest of the Government of India principles laid

of His Majesty's Government that they cannot afford to create the people pointed out by the

Provinces towards introducing
trics and supplying trained wor
private factories, the woollen and
industry in those Provinces having
degree owed its origin to the exp
successfully conducted in the Agr
Prison. "It is also understood,
added, "that carpet weavers
"artisans, all taught in jail are
"found earning their livelihood in p
"factories and offices in occupations
"paratively little known and practised
"for which the supply of workmen
"trained in the open market is small and
"deficient."

23. Secondly, His Honour concurred
in the principle that jail labour ought
to be so organised as to avoid the risk of
supplanting or competing with private
enterprise, and that the apprehension of
such competition, even if unfounded,
might be injurious. So far, however, as
the Provinces under his administration
are concerned, Sir Alfred Lyall doubted
whether such apprehension had been
created, or whether jail manufactures as
there conducted had in any appreciable
degree tended to check Native industry.
In support of this view it was urged
that the census of 1881 proved that
workers in textile fabrics had la
increased since the previous censu
large factory mills were being esta
with considerable profit; (2) th
number of prisoners working at ma
tures amounted to about two per th
only of the artisan class of the f
lation, while the profits of their
prison seemed not to exceed o
cent. of the profits earned
artisans; and (3) that of
manufactured in the jails
about one-tenth are sold to
remaining nine-tenths bei
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of any private manufacturer of
ets; and in some of the minor jails,
manufacture of cheaper carpeting
been stopped.

9. As regards the question of extra-
d labour, the Lieutenant-Governor,
a generally accepting the views of
Government of India in the matter,
anted out certain obstacles which, in
his opinion, stood in the way of giving
full effect to them. Apart from the
general considerations regarding the
healthiness of the work, the possibility of
preventing escapes, the maintenance of
discipline, His Honour laid great stress
on the necessity of taking into consider-
ation the influence of extramural employ-
ment of prisoners on a large scale on the
adjacent market for ordinary unskilled
labour, which in some respects he thought
might be affected by Government perhaps
more injuriously than the skilled labour
market.

His Honour wrote—

In fact, the unskilled labourer would seem in
this respect to deserve special consideration from
the State; for while the skilled workman may be
able, when pressed for employment, to turn his
hand to unskilled labour, the unskilled workman
unable to take up handicrafts requiring special
training. Moreover, while the grievance of the
craftsman is sure to be brought up and
acted by capitalists who are interested in
up the market price of their products, the
latter on rough out-door work on the other
is far less able to make his grievance known
understand his own case, and the capitalist
is interested in keeping down the wages of
The Government itself is the largest
out-door labour in the country,
no other industry to which State
half so important. To give labour
company wherever free labour can be
got, would be to place in the com-
an instrument which it would
keeping down the wages of free
ating its own terms to work-
consideration is not without prac-
there is good reason to
these Provinces
only exists which
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of a number of prisoners on the
tion works of the Betwa Canal had
abandoned, mainly in view of the
to the health of the prisoners in
quence of the peculiar climate of
locality; and because of the difficu-
preventing escapes in consequence of
vicinity of the work to Native terr-
The advisability of letting out
labour for employment by contr-
and other private capitalists has also
considered. It was remarked that
proposal was not only open to objections
ascertained by experience, on the score of
discipline, but it was also doubtful
whether, when subject to necessary con-
ditions as to the hours of work, sanita-
tion and supervision, jail labour would be
found profitable or satisfactory by private
employers. A trial of the arrangement
would, however, it was added, be made,
and instructions to this effect had been
communicated to the Inspector General.

31. In providing intramural employ-
ment for prisoners not fitted for extra-
mural labour, the principles and instruc-
tions explained in the Resolution of the
Government of India would, as far as
possible, be observed by the North
Western Provinces Government. The
steam-engine in use in the jails in
Provinces (at Agra) has accordingly
disposed of, but "the treadmill
capstans still employed are retained
"only as furnishing the severest
"to which prisoners can be subjected
"as being subsidiary to the pro-
"of articles required for the main-
"the prisoners within the jail
"used by the Resolution for
"public." It was at the same
marked:—

In paragraph 18 of the Reso-
rious employments are forbid-
jail industries has been carefu-
ance with the instruction
ing and oil-press-
quoted as perin
paragraph 8 to
to oil-pressing
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kinds of curtains, which are made in one or
centres only, and are not elsewhere procurable,
hour does not to any partical extent com-
with general private industry. Thread-spin-
twine-making and the making-up of cloth-
are said to be allowable in female jails only.
The making-up of jail clothing cannot be done
men only, whose hands are not strong enough
manipulate the heavy cloth used for much
; and if, owing to the comparatively small
number of female prisoners in the jails, thread-
spinning and twine-making be diminished, the
weaving to any great extent of coarse fabrics and
the making of matting will be impossible, since
the latter industries depend for their materials on
the former; while for sickly, aged, and con-
valescent male prisoners for whom, being unequal
to hard labour, thread-spinning and twine-making
are the most suitable employment, it will be diffi-
cult to find work.

On the whole, therefore, the Lieutenant-Gov-
ernor and Chief Commissioner believes that the
wishes of the Government of India will be met if,
while the general order against multifarious em-
ployments for the production of articles for sale
outside the jails is observed, the risk of injuring
private enterprise and free labour by the concen-
tration of prison labour on a few employments is
also kept in view and guarded against. It is pre-
sumed, however, that the prohibition of multifarious
employments is not applicable to articles required
within the jails; and, as heretofore, the wants of
those confined in the jails, including building,
repairs, and the various appliances of confinement,
be met by the products of prison labour.
Jail-made articles will never be sold outside
at a lower price than that for which they,
if of the same quality, can be purchased in the
market, though they need not be sold at a
rate. And regarding the rule prescribed in
paragraph 20 of the Resolution that, in the price
for jail-made articles, the wages of labour
be included at the rates of free labour
in the class in the neighbourhood, I am to
refer to paragraphs 29 and 30 of the letter
from the Inspector General of Prisons, forwarded
to the Lieutenant-Governor and Chief
Commissioner. I agree with the Inspector General
that it is hardly fair to the jails to
allow prison labour the full value of free
labour, but it would be sufficient apparently to
allow a rule that in no case must the
price be lower than the mar-
ket price.

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g orders on the
in their letter
Secretary of
Question
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dated on
labour for
management:
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will be made, and that instructions have been communicated to the Inspectors of Prisons. The system is, however, in the opinion of His Honor the Lieutenant-Governor, open to certain grave objections, doubts are expressed as to the success of the experiment. A consideration of these objections leads the Governor General in Council to believe that the views of the Government of India on the subject have been somewhat misapprehended. The Government of India did not propose to hire out jail labour for extramural employment under private management, save in the case of large public works. The other form of hiring out convict labour to contractors, which is referred to in paragraph 16 of the Home Department Resolution of 22nd September 1882, was for strictly intramural use. The Government of India did not intend that convicts should be sent out of the jails to work in private factories, but that contractors should be permitted to arrange with the jail authorities for carrying on manufacturing operations by means of convict labour inside the jail walls. The contractors would supply raw material, plant, tools and instruction, while the jail would supply the labour.

The whole risk would be the contractor's; his would be the capital employed, and the trade profits would go into his pocket. Discipline, on the other hand, would be entirely in the hands of the jail administration, the officers of which would see that penal tasks were duly performed.

33. Punjab.—The Lieutenant-Governor expresses his cordial concurrence in the whole of the general principles of the Resolution, and says that these principles have been recognised in the Punjab for many years, although the extent to which they have been observed has not been uniform. The principle that jail labour ought to be so arranged as to interfere as little as possible with free industry, and to check or discourage as little as possible the creation and development of manufacturing industries, is unimpeachable; but in any case, the principle, the Lieutenant-Governor has been confronted with others which appear to him of great importance. In his opinion, the conditions of all penal labour should be such as to—

(1) it must be possible

(2) it ought to be so arranged

(3)

He then

(6) Labour

condition ought to be such as to satisfy

from Punjab Government,
dated 7th November 1883.

must, of course, always be a certain amount of non-penal labour reserved for women, the aged, infirm and convalescent prisoners. But with that exception, all light labour—such as spinning, making chicks, &c.—should be excluded from jails, and no able-bodied prisoners should be employed outside. In respect to the exclusion of these industries from the jails, no difficulty will be experienced. The same principle would exclude, as a rule, such unproductive labour as shot-drill, piling and unloading logs, &c. Labour of that kind, though highly penal, is considered by the best authorities to be demoralising rather than reformatory.

(7) In regard to labour which satisfies the first condition, the Lieutenant-Governor thinks that penal labour which does not compete with other labour or industry is in all cases to be preferred to penal labour which does so compete; that remunerative penal labour is to be preferred to unremunerative penal labour; and that penal labour which is unremunerative and does not compete is to be preferred to penal labour which does compete even though it be remunerative. But the essential condition of all prison labour for able-bodied prisoners is that it should be hard or punitive labour. It does not, therefore, follow that some particular form of prison labour ought to be abolished or some other substituted for it merely because it competes with private industry. The question remains whether, with reference to the circumstances of the locality and of the particular jail, another appropriate form of penal labour can be found.

If the above view be accepted, it follows that the application of the principle enunciated in the Resolution is a question of degree, and not of local circumstances. It cannot be laid down in hard-and-fast rules in respect to all industries all over the country. On the other hand, if prison labour is to be made remunerative, the probability is that it will interfere with private enterprise in proportion as it is remunerative. On the other hand, it may be that on labour, which on general grounds is to be encouraged, acts directly as a stimulus to the growth of private industries or developing those which already exist. The Lieutenant-Governor will have occasion to refer to these matters again in considering the present industries followed in the Punjab. The general principle which he refers to these remarks, of India rightly does of the debt to particular the hands of the Lieutenant-Governor stress upon this effect of the regard to the at the require these orders concerned, be to the main- which His Government of

34. With regard to extramural labour, Sir Charles Aitchison fully agrees with the conclusion stated in the Resolution that one of the best systems ever devised for the employment of the convicts is the execution of large public works by means of their labour. At the same time he agrees that the employment of prisoners on out-door labour requires to be regulated by carefully considered rules. The main conditions which the Lieutenant-Governor considers necessary to extramural labour are the following:—

- (1) Convicts should be employed only in large bodies under strict discipline and under European supervision.
- (2) Gangs of convicts should not be associated with free labourers.
- (3) Convicts should only be employed on works to last some time or else in the immediate vicinity of their own jails. The dietary must be full, and the work and all sanitary precautions rigidly carried out.
- (4) The full rates of market labour must be charged to the Department executing the works in order to avoid causing competition with the market. The cost of guard-prisons should be borne by the Jail Department.

35. He recognizes that if the system of extramural labour is carelessly managed and if the rules are not framed with care, it may be a terrible curse.

36. If prison labour is for the execution of small works of the jail, a circumstance which the punishment of imprisonment is intended to be injurious to the prisoners, the employment of prisoners on extramural labour is strongly

disapproved. He is of opinion that if the limits of the system are to be extended to Government works, then only those prisoners who are above the average of the prison labour and whose wages are soundly paid should be employed on extramural labour. The wages of prisoners should be fixed at a rate which main-

be adopted to any extent in the other districts, as the facilities of escape are so numerous and the cost of guards so heavy. As regards the interior of Punjab, the public works on which prisoners could be employed are so few that the project of a moveable jail cannot be entertained. The Lieutenant-Governor thinks that the only occasion on which it will be hereafter possible to employ prisoners on labour outside the jails of the Punjab will be in the case of large public works which may from time to time be undertaken; that temporary accommodation must in each such case be provided for the prisoners; and that the conditions on which prison labour should be given for this object should be those which have been above enumerated, and which have already received the sanction of the Government of India in 1870.

37. With regard to intra-mural labour, it is reported that no steam machinery is used in the Punjab. With the exception of the Lahore Jail, where there is a Printing Press, all the machinery is of the rudest description, and its total cost does not exceed Rs. 30,000. A certain amount of rude machinery, driven by treadmills, capstans and other appliances of convict labour is used in the Punjab jails for paper-milling, for drawing water, for oil-pressing and similar tasks. With reference to this subject, it is observed that such labour is one of the hardest which it is possible to devise; and the condition laid down in the Resolution, that only those prisoners should be employed on such labour who are not fit for heavy work, could hardly be carried out.

The Lieutenant-Governor undertakes to give effect to the instructions in regard to the encouragement of multifarious employments intended to apply to prisoners within the limits of the jails.

It does not appear to him that objection can be made to the employment of prisoners on such work provided the conditions are such as to enable each to fulfil the requirements of the labour.

In the opinion of the Lieutenant-Governor, the system of prison labour should be so managed as to be above the average of the Government labour, and the Government should be able to pay such wages as to attract the best labour.

40. The action already taken by Government of the Punjab with refc to the Resolution is—

41. With reference to the orders of the Government of India directing the abolition of paper-making, it is remarked that of all forms of labour in the Punjab Jails, paper-making is the most penal, and it is one of the best forms of hard labour that can be devised for able-bodied prisoners. It is carried on in nearly all the jails of the province, and the Lieutenant-Governor doubts whether it would be possible in most cases to substitute any other appropriate form of hard labour for it.

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There are other industries carried on in the Punjab jails which afford a standard of competition to private enterprise and as an incentive to its extension rather than a hindrance, e.g., carpet manufacture in the Lahore Central Jail and darri-weaving. In cases of this kind, the Punjab Government wish to be at liberty to decide whether the continuance of an industry is prejudicial to the interests of private manufactures, or whether it is one which may with advantage be allowed to remain.

The Lieutenant-Governor trusts that the Government of India will accord to him a wider discretion in carrying out the details of the policy enunciated than is contemplated in paragraph 18 of the Resolution under reference. Sir Charles Aitchison is anxious to give full effect to these principles so far as they are consistent with the circumstances of the Punjab; but he is certain that too rigid a prohibition of the particular manufactures specified as objectionable will by no means necessarily effect the object in view.

[illegible]

Inspector General suggests
 sole traders should be allowed
 75 per cent. on the cost, and
 discount of 10 per cent.,
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marginally noted will show to time the Local Government has to make jail labour as remunerative as subject to certain conditions. At that receipts and expenditure were Imperial. quently, in pursuance of the decentral scheme, the receipts and expenditure of jail made over to the Provincial Government understanding which underlay this arrangement was manifestly that the same sources of should be open to the Local Government as previously available to the Imperial Government. The orders now issued, although they make provision for compensation to the Local Government in consequence of any serious loss which may be involved in the abolition of steam machinery, take no account of the aggregate loss for the abandonment of smaller manufactures, which, if the orders were carried rigidly into effect, would undoubtedly be considerable. The Lieutenant-Governor is not prepared to say at present to what extent a revision of the Provincial Contract may be called for in consequence of action taken under the orders now under consideration; but he thinks it necessary to mention the point, and has no doubt that the justice of any claim which may be substantiated on these grounds will be fully considered by the Government of India should it be necessary to bring it forward.

48. Orders upon this letter have not yet been passed.

49. *British Burma*.—In his dated the 11th June last, the Chief Commissioner of British Burma reports upon the receipt of the Resolution of the 22nd September 1882 orders were to the Inspector General of Jail view to carrying out the wishes of the Government of India. Effect duly given to them by the General, the employment of being now carefully regulated in accordance with the principles laid down in the Resolution. Such steam machinery was possessed by the Jail Department has been made over to private persons. The only jail press in the Province (Rangoon) work is now printing of forms and as far as stereotyped printing jail material has been almost

50. The Chief Commissioner of British Burma, No. 249-253, dated the 11th June 1883. occupied by Government employed in the printing of forms and as far as stereotyped printing jail material has been almost

Government of India in the Legislative Council, dated the 8th October 1883.
Government of India in the Foreign Office, dated 19th November 1880, paragraph 5.
The Government of India in the Home Office, dated the 24th June 1884.
Government of India in the Home Office, No. 74, dated the 19th January 1868.
The Government of India in the Home Office, No. 1151, dated the 30th June 1879.

Chief Commissioner, British Burma, No. 249-253, dated the 11th June 1883.

1889
nature of the country and the character of the convicts, the difficulties connected with the extra-mural employment of prisoners are even greater in British Burma than in other parts of India, but the Chief Commissioner believes that they are not insurmountable. The experiment, notwithstanding some escapes, has succeeded on the Twantay canal works, and he hopes that before long the number of prisoners extra-murally employed would be largely increased. The principal works upon which it is proposed to employ prisoners are the quarrying of stone on the Island of Kalagouk, coal-mining in the Henzada District, brick-making in the neighbourhood of Rangoon, and the collecting and preparation of *kaing* grass fibre for paper-stock in the Maoobing District.

51. The Chief Commissioner also solicited permission—

- (1) to employ small gangs of prisoners at his discretion extra-murally on minor works;
- (2) to employ prisoners intra-murally upon paddy-grinding, wheat-grinding, coir-pounding, cotton-ginning, and bamboo-mat and basket making, as well as upon the manufactures expressly sanctioned in the Resolution of the 22nd September 1882;

to employ prisoners on forbidden occupations, provided that such occupations should be carried on solely for supplying the requirements of the Jail Department.

In regard to the first point, the Commissioner explained that there were not numerous in which employment on extensive scale could be found for large term prisoners; and he considered the expediency of employing small gangs, under the management of the Prison Works, such as the printing of forms, and the labour for the printing of forms, which would be a public employment. It was understood that the Commissioner had given in this

it was said that the works were all

of a punitive character; that
be carried on by unskilled work
that they were in other ways very
forms of jail labour. It was also
that they could be continued with
or no danger of competing with
enterprise, being in fact occupations
lar in many ways to oil-pressing,
breaking, and soorkee-pounding.

54. The third point had especial re-
ference to blacksmith's work and carpen-
try. The Chief Commissioner asked leave
to employ a few prisoners as blacksmiths
for the manufacture and repair of fetters
and the like. In the same way carpentry,
it was said, might occasionally be allowed
when necessary for the purpose of making
prisoners' cots and other articles for jail
use.

55. In connection with this matter, the
Chief Commissioner explained that some
200 prisoners were being employed in the
Rangoon Jail in blacksmith's work, car-
pentry, rattaning, and furniture-making
for the Industrial Arts Institute, which
had been established in October 1882 with
the object of encouraging and developing
Burman art workmanship. The plant,
raw materials, and good-will of the furni-
ture making business of the jail have been
made over to the Institute, which is al-
lowing the use of jail labour at the rate of
annas a day for each prisoner employed.
This arrangement was made by
Mr. Bernard, who took great interest in
maintenance of the Institute, and that
the conditions of its connection with
the jail were not contrary to the
orders of the Government.
Mr. Crosthwaite allowed it
force until the wishes of the
Government of India were known. A
report by Mr. Bernard was submitted
giving his view of the case.

I would ask the Govern-
ment the central jails
doing for such work
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by the
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The Govern-
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Letter to Chief Commissioner, British
Burma, No. 1014, dated 18th July
1883.

There is great demand for unskilled la-
bour in Burma, and the employment
of prisoners on work for private firms
or public bodies will set free so much
other labour;

(3) if we cannot employ convicts in this way,
a considerable proportion of Burmese
prisoners will have to be kept on short-
drill and such like absolutely useless
employments;

(1) the employment of prisoners in this way
will not prevent people and firms
setting on foot industries of the kind
formerly pursued in jails, but will
rather facilitate such establishment.

If the Government of India see fit to leave this
much discretion to us, we would be very careful
to see that jails worked in this way only on daily
wages or at contract rates for public departments
or for private firms, bodies, and traders, and that
the jails never took orders from, or sold goods to,
private people.

56. The following orders were commu-
nicated to the Chief Commissioner on the
points referred by him:

Experience has shown that serious objections
exist to employing prisoners in small gangs about
station roads, and the Government of India are
not prepared to accept such employment as one of
the normal forms of convict labour. There may,
however, be places where and occasions when, from
the possibility of procuring free labour, or of
employing other productive labour for the convicts,
it would be permissible; and
in such cases the Governor General in Council
will not object to the prisoners being employed
in gangs on minor works extra-murally; but
in each case must be left to your
discretion, which should be exercised very sparing-
ly with due regard to the precautions which
are mandated in the interests of health and of the
welfare of the convicts.

As to the second point—the intra-
mural employment of convict on certain indus-
tries—so say that you may add to the list of
occupations those which seem to you to
be safe, and otherwise to comply with
the laid down in the Resolution of the
Government of 1882; but I am to add that the
first point kept in view is to avoid, so far
as possible, dangerous occupations, and to estab-
lish where intra-mural labour is

I am to say
Council sanc-
tioning pri-
son occupations as
where these
of jail re-

It was
circum-
stances regard to
Bernard, the
and the con-
made by

him, whereby convict labour to the Industrial Art Institute, employed inside the Rangoon Jail on tries for the development of which Institute was founded.

58. *Assam*.—In paragraphs 20 to 22 of his Resolution on the Jail Report of the Province for the past year, the Chief Commissioner reviewed in detail the statistics regarding the employment of prisoners. The table in the margin shows the percentage engaged in the chief different classes of employments during the years 1881 and 1882. The principal change in the employment of prisoners during the latter year consisted in the diminished number engaged on manufactures and building, and in the extension of the system of extramural labour. There has never been much manufacturing done in the Assam jails, as the numbers are small and the periods of sentence generally short. Hardly any weaving is now done for sale, and only in a few cases is a little basket-work and carpentry allowed to be practised where the demand is great and an evident want has to be supplied. The value of articles sold to the public during the past year amounted to Rs. 22,000, probably half of which paid for bread. It is the only manufactured to any extent in the jails to meet the demand of a European public, but it cannot be compete with any native industry. There are practically no bakers in the Province.

59. The decrease in the number of prisoners employed on repairs, and has enabled district officers to considerably larger body of labour has ever been available into 430 men having been employed way throughout the year. Sylhet prisoners were employed on Shillong and Cherrapunji. Gauhati prisoners were employed on the Cherra road (rates) at Rs. 80 per

	1881	1882
Prison officers	44	53
Servants	127	120
Garden and Jail use	94	137
Building	267	22
Manufactures	195	122
Public Works	183	318

Letter from Chief Commissioner, Assam, No. 963, dated 7th July 1883.

Setting those employed in prison work in gardening, the average comes to Rs. 100 for 15 months, or Rs. 6-10 per month. The Dhubri, Gauhati, and Tezpur prisoners were all employed on works which in each case consisted of raising a high embankment for a road. The task executed was to dig and carry 138, 90, 126 cubic feet respectively per man—all of which are in the Chief Commissioner's opinion fairly full rates, considering the character of the soil and length of lead. The Chief Commissioner does not sanction extramural labour, unless it can be made severe, and unless work is provided, which can be strictly measured up and a sufficient task enforced. These conditions are in his opinion secured whenever the prisoners are made over to the Public Works Department and properly worked by them.

60. In replying to paragraph 21 of Home Department Resolution, dated the 22nd September 1882, the Chief Commissioner invited attention to paragraphs 20 to 22 of his review of the jail report, as showing compendiously what had been done in the matter of substituting extramural for intramural labour; how far extramural labour had been sound practice, what were its practical results, and the conditions under which it ought to be enforced, so that discipline might be maintained. He further remarked that the experience of the past year has shown that, as in Assam, two conditions exist,

1. a jail population not violent, not very criminal, amenable to discipline, and accustomed to outdoor work;

2. great demand for embanked and metalled roads, on which skilled labour can be employed almost unlimited extent, supervised by a Public Works Department, so organized that civil officers will find no friction,

3. a better system of discipline than intramural labour does severe discipline, resulting in better conduct on the part of the prisoners.

4. submitted to the Chief Commissioner for his consideration. In addition to the Chief Commissioner's report,

prisoners in some jails are employed in tea-gardens which are attached to the jails. These gardens do not, however, interfere with the tea industry, as the leaf is disposed of to the neighbouring tea-planter.

62. In passing* orders on the Assam Jail Report, the Government of India wrote to the Chief Commissioner as follows:—

The Governor General in Council approves of your remarks at paragraph 22 of the review, that extramural labour is useless, unless it is possible to make it punitive. Special care should also be exercised in selecting prisoners for this class of labour. The employment of prisoners in the tea-garden attached to the Cuchar Jail seems open to objection on the ground that the labour is not sufficiently punitive, and that it does not directly supply the requirements of the jail. I am accordingly to request that you will take the matter into consideration and report on the best mode of dealing with it.

63. *Central Provinces.*—The occupations on which prisoners are chiefly now employed in the jails of the Central Provinces appear to be oil-pressing, stone-breaking, surkee-pounding, coarse weaving, and *latputty* making. All these are sanctioned occupations within the meaning of paragraph 13 of the Resolution of 22nd September 1882. Wheat-grinding, which is done in most of the jails of the Province, may also be regarded as an authorised employment. Pottery and bricks are still manufactured in the jails, and ropes and twines in all. Lithographic printing is also done in not a few prisons. Carpentry is carried on in the Nagpur, Jabalpur, Saugor, Hoshungabad, and other jails. Durries are made in some.

64. *Coorg.*—The following shows the occupation of prisoners in the Mercara Jail on the 2nd of April.

Sick in hospital

Prison servants.
Cooks
Gr.
Hos.
Swe.
Water.
Tailor

Employed in manufactures.

Commissioner, Assam.
8th August 1883.

Letter from Chief Commissioner,
Central Provinces, No. 4270-221,
dated 27th September 1883.
* For detailed list, please see Appendix.

Letter No. 497
1883.

Hyderabad.—The prisoners in the jails of the Assigned Districts were employed* as follows on the 2nd April 1883:—

As prison servants and on gardens	198
In preparing articles for prison use	107
In building and repairs to jails	49
Total number employed as prison servants, &c.	354
Weaving coarse cotton fabrics, hemp weaving, &c.	283
Wool weaving	14
On lithographic presses	79
Brick-making	30
Oil-pressing	20
Wheat-grinding, &c., for private persons	10
Agriculture	19
Stone-making, quarrying, &c.	84
Under Public Works Department	45
Dyeing	24
Tailors	23
Making matting	14
Total number employed on manufactures	605
Unremunerative labour	17
Grand total	976

APPENDIX TO PLEAS.

MADRAS.

Statement showing of what Occupations the Prisoners are at present employed in the Jails of the Madras Presidency.

Russellkonda Hill Jail.—This jail is used for prisoners belonging to the hill tribes, principally Khonds and Sauras. The prisoners are employed in repairing roads and jail buildings, in gardening, quarrying and carting stones, and in the menial duties of the jail.

Berhampore District Jail.—The prisoners are worked on the farm lands and garden. They are also employed in digging and carting gravel and in menial duties connected with the jail.

Vizagapatam District Jail.—The prisoners are employed in quarrying stone and in building the boundary wall to the jail enclosure.

Párvatipur Hill Jail.—Like the jail at Russellkonda this jail is used for prisoners of the hill tribes. Under the special sanction of Government the labor is entirely at the disposal of the civil authorities for the improvement of the station Belgaum-Párvatipur.

Rajahmundry District Jail.—The prisoners work as a branch of the Central Jail at Rajahmundry. The whole of the grain for both jails is cleaned, winnowed, and ground by the District Jail prisoners. The convicts are also employed in gardening and in hauling gravel and stone for the District Jail buildings now under construction.

Sunder District Jail.—With the exception of prisoners required for the service of the jail, the labor is given for the improvement of the station in the direction of the Municipality or the Funds Board.

Chore District Jail.—The prisoners are employed in the conservancy of the casuarina plantations, in gardening and fencing the jail lands, and in repairing roads and jail buildings.

District Jail.—For the last two years the labor has been entirely at the disposal of the Municipality for the improvement of the station.

Jail.—The labor of this jail is employed by the Municipality.

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carting of gravel, and other suitable extramural occupations.

Cuddalore District Jail.—Formerly weaving was carried on extensively in this jail, and the demand for the Cuddalore Jail cotton fabrics was large. Manufactures have now been entirely stopped, and the looms and raw materials disposed of. The prisoners are now employed in gardening and in digging stone and laterite for the Municipality, and occasionally gangs are let out on hire to work for private individuals.

Tanjore District Jail.—The prisoners are employed in repairing roads, in cleaning the drains in the town, and in the menial duties of the jail.

Tanjore District Jail.—With the exception of the prisoners required for the service of the jail, all are employed on the new jail works under the direction of the Public Works Department.

Trichingopoly District Jail.—The prisoners are employed in road-making, in carting stone and gravel, and in cleaning, winnowing, and preparing the grain for the consumption of the prisoners in both jails.

Madura District Jail.—Manufactures have been entirely stopped in this jail, and the prisoners are now worked on the roads.

Tinnevely District Jail.—The prisoners are employed in gardening and on the new jail works under the direction of the Department of Public Works.

Calicut District Jail.—The prisoners are employed on the reclamation ground near the jail, in cultivating the garden, and sinking a well therein.

Tellicherry District Jail.—The prisoners are employed on the station roads and in cultivating the garden.

Mangalore District Jail.—The prisoners are principally employed in quarrying and cutting laterite; the stones are sold to the Municipality and to private individuals. The quarry is suitable and continuous work for the convicts.

Coimbatore District Jail.—The convicts are worked at stone-breaking, digging, hauling, and works connected with the farm.

Ootacamund District Jail.—With the exception of the prisoners required for the service of the jail, all are employed in the improved station. A gang of 80 prisoners is employed daily in a gang of large cement works at the Ho.

Rajahmundry.—The prisoners are employed in fawn-farm. At the large plantations formed. The hauling of stone for the prison is done in the

prisoners' clothing; coir mat making for prison use; carpentry and blacksmith's work in connection with the jail buildings; woollen and cotton carpet weaving; boot and sandal making for the Police Department; a little rattan work gives occupation to the Burmese convicts.

Fellore Central Jail.—The extramural labor consists in building the residence for the Superintendent of the Jail; in excavating and blasting rock; in carting and hauling building materials; in stone-breaking, stone-dressing, digging, quarrying, and gardening; also in hauling and preparing building materials for the cellular close prison. The undermentioned manufactures are carried on, viz.:—Weaving cloth for the Police Department and for prisoners' clothing; woollen blanket or cumby making, tent-making, sandal and boot making for the Police; cotton and woollen carpet weaving, basket-making for the use of the jail. This jail manufactures articles almost entirely for Public Departments, and, with the exception of tents and cotton carpets, there are no sales for private individuals in India. The woollen carpets are exported to England and France.

Salem Central Jail.—The extramural labor consists of gardening, farming, road-making, and repairing jail buildings. The intramural manufactures consist of weaving cloth for prison use, boot and sandal making for the Police Department; rattan basket making for work connected with the jail; woollen carpet weaving. These carpets are principally sent to New York. None are now made for sale to private individuals.

Criminatore Central Jail.—There are about 200 acres of land under cultivation in the farm. The lands are being ploughed and got ready for the cultivation of the Chinese Tzemicwha or Nankin cotton for the purpose of making khakee-colored cloth. The cultivation of this cotton is very important, and the Superintendent will give his attention to the subject. It is proposed to have a mill for spinning the thread, which will be worked in the power-looms. The prisoners are also employed in hauling and preparing building materials for the cellular close prison about to be opened. The in-door manufactures are confined to weaving cloth for prison and Police use, and sandal making for the Police Department. A woollen blanket making for the various departments. This jail, being conveniently situated, is preparing all the wood-work, doors, and required for the Superintendent's residence, thereby saving a large sum of

Trichingopoly.—Owing to the sickness in the jail, I have transferred the convicts to other jails, and there are others left in the jail, of whom some are employed in manual labor, drawing water, and on the farm. The convicts are principally engaged in making sandals for the Police. The convicts are engaged in the jail

Pal Jai.—The Criminatore Central Jail is a convict establishment for life-convicts, who from time

to time have been rejected by the Medical Committee as unfit for deportation to the Andamans. There is danger in employing many of these convicts outside the jail walls, but apart from this these men are for the most part too old, or are otherwise unfit for severe extramural labor on public work gangs. The industries carried on in this jail have already been sanctioned in G.O., No. 137, dated 17th January 1883. No further alterations are at present required.

NORTH-WESTERN PROVINCES & OUDH.

MEEHUT CENTRAL PRISON.

Former occupations.	Present occupations.
Pottery.	Blankets.
Furniture.	Munj-matting.
Cane work.	Durries.
Blacksmiths' work.	Printing (for jail purposes only).
Saddlers' work.	
Book-binding.	
Printing.	
Purdahs.	
Fine cloth.	
Towels.	
Curtains.	
Table-cloths.	
Socks.	
Twine.	
Ropes.	
Carpets.	
Rugs.	
Durries.	
Blankets.	
Munj-matting.	

BAREILLY CENTRAL PRISON.

Towels.	Durries.
Dusters.	Rugs.
Table-cloths.	Woollen pile carpets.
Coloured purdahs.	Munj-matting.
Shoe-making.	Aloe-fibre matting.
Tailoring.	Brick and tile-making.
Potters' work.	Coloured purd.
Dyeing.	
Printing.	
Durries.	
Rugs.	
Woollen pile carpets.	
Munj.	
Aloe-fibre matting.	
Brick and tile-making, and the preparation of materials for these.	

AGRA CENTRAL PRISON.

Rugs.	
Durries.	
Blankets.	
Towels.	
Hosiery.	
Munj.	
Purdahs.	
Paper.	
Printing.	
Coarse we.	
Fine cloth.	
Pottery.	
Tailors' work.	
Blacksmiths' work.	
Oil-press.	

FATEHGAH CENTRAL PRISON.

Carpets.	Carpets.
Rugs.	Rugs.
Tent-making.	Munj-matting.
Tent-cloth.	Brick-making.
Munj-matting.	Tile-making.
Brick-making.	Hand-sawing of timber.
Tile-making.	Oil-pressing.
Hand-sawing of timber.	Kankar-breaking.
Oil-pressing.	Blacksmiths' work.
Kankar-breaking.	Carpenters' work.
Blacksmiths' work.	Jail garden.
Carpenters' work.	
Jail garden.	

ALLAHABAD CENTRAL PRISON.

Carpets.	Carpets.
Durries.	Munj.
Munj.	Oil.
Oil.	Bricks.
Towels.	Tiles.
Table-cloths.	Lithography.
Purdahs.	Durries.
Bricks.	Purdahs.
Tiles.	
Lithography.	

BENARES CENTRAL PRISON.

Castor-oil.	Munj-matting.
Munj-matting.	Carpets.
Carpets.	Durries.
Durries.	Garra for Patna Opium Factory.
Garra for Patna Opium Factory.	Purdahs.
Purdahs.	Dusters.
Dusters.	
Sheeting.	
Towels.	
Pottery.	

LUCKNOW CENTRAL PRISON.

Carpets of wool and cotton.	Carpets of wool and cotton.
Durries.	Munj and aloe-matting.
Pahs.	Mats.
clothing.	Oil.
dusters.	Garden.
Wels.	Surkhi-pounding.
Table-cloths.	Printing for jail use.
Munj and aloe-matting.	Brick-making.
	Durries.
	Pottery.

factory (for the Commissionariat).

the unding
ing or jail
ly (for jail)

MUT DISTRICT JAIL.

Munj and aloe-matting.	Munj and aloe-matting.
Blankets for troops.	Blankets for troops.
Cotton rugs.	Cotton rugs.
Durries.	Durries.

BAREILLY DISTRICT JAIL.

Towels and dusters.	Coarse cloth.
Table-cloths and napkins.	Oil.
Purdahs.	Striped durries.
Horse clothing.	Munj-matting.
Cotton rugs.	Table-cloths and napkins.
Blankets.	Purdahs.
Coarse cloth.	Cotton rugs.
Oil.	Blankets.
Striped durries.	
Munj-matting.	

AGRA DISTRICT JAIL.

Fine cloths.	Durries.
Durries.	Munj-matting.
Munj-matting.	

FATEHPUR JAIL.

Woollen and cotton carpets.	Woollen and cotton carpets.
Durries.	Durries (sales at Mirzapur have been prohibited).
Coarse cloth.	Coarse cloth.
Jharans.	Jharans.
Blankets.	Blankets.
Tats.	Tats.
Munj-mats.	Munj-Mats.
Bricks and tiles.	Bricks and tiles.
Pottery.	Pottery.
Oil-pressing.	Oil-pressing.
Fine dusters.	
Horse clothing.	
White and coloured table-cloths.	
Napkins.	

ALLAHABAD DISTRICT JAIL.

Carpets.	Carpets.
Durries.	Durries.
Purdahs.	Purdahs.
Dusters.	Blankets.
Towels.	Bakery.
Blankets.	Brick and tile-making.
Bakery.	Munj-matting.
Brick and tile-making.	Mutton and butter and milk.
Munj-matting.	

JAUNPUR JAIL.

Coarse matting.	Coarse mattir
Rugs.	Rugs.
Carpets.	Carpets.
Coarse cloth.	Coarse c
Oil-pressing.	Oil-press
Lithographic printing.	Brick s
Brick and tile-making.	Spinning.
Spinning thread.	Blacksmiths' work.
Blacksmiths' work.	Carpenters' work.
Carpenters' work.	Sarkhi-pounding.
Sarkhi-pounding.	

BENARES DI

Munj.	
Durries.	
Cotton rugs.	
Blankets.	
Tat Pattis.	
Farming and gardening.	
Pottery.	
Oil.	
Tailoring.	
Fine cloth.	
Ornaments.	

GHAZIPUR DISTRICT JAIL.

Carpet-making.	Carpet-making.
Durries.	Durries.
Purdahs.	Purdahs.
Pottery.	Pottery.
Blacksmiths' work.	
Carpenters' work.	
Printing.	

AZAMGARH JAIL.

Durries.	Durries.
Carpets.	Carpets.
Coarse cloth.	Coarse cloth.
Dusters.	Bricks.
Towels.	Money-bags.
Bricks.	
Newar.	
Ropes.	
Nets.	
Money-bags.	

GORAKHPUR JAIL.

Bricks and tiles.	Bricks and tiles.
Sarkhi-pounding.	Sarkhi-pounding.
Coarse cloth.	Coarse cloth.
Matting.	Matting.
Rugs.	Rugs.
Durries.	Durries.
Reed chairs.	Reed chairs.
Towels.	
Purdahs.	

LUCKNOW DISTRICT JAIL.

Carpets.	Cotton rugs.
Cotton rugs.	Durries.
Durries.	Munj-matting.
Cloth.	
Blankets.	
Munj-matting.	
Pottery.	
Spinning thread.	
Tailoring.	
Rope-making.	

SITAPUR DISTRICT JAIL.

Blankets.	Blankets.
Cotton cloth (coarse).	Cotton cloth (coarse).
Durries.	Durries.
Cotton rugs.	Cotton rugs.
Munj and grass-matting.	Munj and grass-matting.
and twine therefor.	and twine therefor.
Extracting fibre.	Extracting fibre.
Oil.	Oil.
Sarkhi.	Sarkhi.

FYZABAD DISTRICT JAIL.

Munj and grass-matting.	Munj and grass-matting.
and twine therefor.	and twine therefor.
Extracting fibre.	Extracting fibre.
Oil.	Oil.
Sarkhi.	Sarkhi.

DISTRICT JAIL.

Durries and rugs.	Durries and rugs.
Blankets.	Blankets.
Twine rope and matting.	Twine rope and matting.

GONDA DISTRICT JAIL—contd.

Twine rope and matting.
Furniture.
Reel baskets.
Pottery.

RAE BARELI JAIL.

Cotton.
Carpets.
Blankets.
Tat paties.
Aloe-fibre.

Cotton.
Carpets.
Blankets.
Tat paties.
Aloe-fibre.

SAHARANPUR JAIL.

Blankets.
Coarse cloth.
Aloe-fibre.
Carpets.
Rugs.
Durries.
Munj-matting.
Dyeing.
Paper.

Blankets.
Coarse cloth.
Aloe-fibre.
Munj-matting.
Carpets.
Rugs.
Durries.

ALICHAH JAIL.

Bricks.
Durries.
Floor-cloth.
Blankets.
Dosuti.
Garra.
Cotton carpets.
Dusters and towels.
Door-mats.
Money-bags.
Munj and hemp twine.

Bricks.
Durries.
Floor-cloth.
Blankets.
Cotton carpets.
Money-bags.
Munj and hemp twine.

MORADABAD JAIL.

Blankets.
Munj-matting.
Durries.

Blankets.
Munj-matting.
Durries.

BUDAUN JAIL.

Tiles and bricks.
Durries.
Carpets.
Munj.
Surkhi.
Oil.

Tiles and br
Durries.
Carpets.
Munj.
Surkhi.
Oil (on requisition).

SHAHJAHANPUR JAIL.

Durries.
Ropes.
Curtains.
Towels.
Dusters.
Country cloth.
Drill.
Blankets.
Newar.
Tat.
String.
Bricks and tiles.

Durries.
Curtains.
Dusters.
Country cloth.
Drill.
Blankets.
Tat.
String.
Bricks and ti

ETAWAH JAIL.

Munj-matting.
Aloe-fibre.
Blankets.
Cotton rugs.
Durries.
Dusters.

Munj-matting.
Aloe-fibre.
Blankets.
Cotton rugs.
Durries.
Dusters.

ETAWAH JAIL—contd.

Dosuti.
Garra.
Newar.
Oil.
Expressing medicinal
substances.

Dosuti.
Garra.
Expressing medicinal
substances.

MAINPURI JAIL.

Rugs.
Durries.
Purdabs.
Charkhana cloth.
Munj and tat.
Oil.
Pottery.

Rugs.
Durries.
Purdabs.
Charkhana cloth.
Munj and tat.

FATEHGARH DISTRICT JAIL.

Carpets and rugs.
Durries.
Weaving cloth.
Munj-matting.
Pottery.
Carpenters' work.
Blacksmiths' work.
Blankets.
Oil.
Aloe.
Twine.

Carpets and rugs.
Durries.
Munj-matting.
Aloe.
Twine.

CAWNPORE JAIL.

Munj-matting.]

Munj-matting.]

BANDA JAIL.

Rugs and durries.
Blankets.
Tiles and bricks.
Rough towels and dusters.
Surkhi-pounding.

Rugs and durries.
Blankets.
Tiles and bricks.
Surkhi-pounding.

BASTI JAIL.

Carpets.
Durries.
Cloth.
Blankets.
Gardening.
Oil.
Munj, aloe, and ban mat-
ting and string.
Carpentry.
Bricks.
Pottery.
Surkhi.
Paper.

Carpets.
Gardening.
Oil.
Munj, aloe, and ban mat-
ting and string.
Durries.
Bricks.
Pottery.

BARA BANKI JAIL.

Carpets.
Durries.
Dusters.
Blankets.

Carpets.
Durries.

HARDOT JAIL.

Dusters and towels.
Cloth.
Blankets.
Durries.
Carpets.
Rugs.
Matting.
Pottery.
Rope and twine.

Blankets.
Durries.
Carpets.
Rugs.
Matting.
Rope and twine.

BAHARICHA JAIL.

Durries.	Durries.
Oil.	Bricks.
Bricks.	Blankets.
Blankets.	Mats.

SULTANPUR JAIL.

Dusters.	Dusters.
Blankets.	Blankets.
Munj-matting.	Munj-matting.
Oil.	Bricks.
Bricks.	Surkhi.
Surkhi.	Oil (on condition).

DEHRA DUN JAIL.

Towels.	Table-cloth.
Dusters and table-cloths.	Durries.
Durries.	Blankets.
Blankets.	Aloe-fibre.
Aloe-fibre.	Tal munj-mats.
Tal munj-mats.	Curing skins.

MUZAFFARNAGAR JAIL.

Durries.	Aloe-fibre matting.
Carpets.	Blankets.
Aloe-fibre matting.	Country cloth.
Grass-ropes.	Bricks.
Blankets.	Munj-matting.
Country cloth.	Durries.
Bricks.	Carpets.
Munj-matting.	Grass-ropes.
Cotton and wool spinning.	

BULANDSHAHR JAIL.

Coarse cloth.	Coarse cloth.
Blankets.	Blankets.
Aloe-fibre.	Aloe-fibre.
Matting.	Matting.
Surkhi-making.	Surkhi-making.
Cotton carpets (small).	Cotton carpets (small).

BUNNOR JAIL.

Coarse cotton and woolen fabrics.	Coarse cotton and woolen fabrics.
Tiles.	Tiles.
Durries.	Durries.
Surkhi.	Surkhi.
Spinning thread.	
Carpenters' work.	

MUTTRA JAIL.

Cotton rugs.	Cotton rugs.
Blankets.	Munj-matting.
Munj-matting.	Net bags.
Lawn-tennis nets.	Durries.
Net bags.	
Foot mats.	
Durries.	
Towels and dusters.	
Fine cloth.	

ETAH JAIL.

Carpets.	Blankets.
Rugs.	Coars.
Blankets.	Tape.
Coarse cloth.	Munj.
House clothing.	Tiles.

ETAH JAIL—contd.

Striped cloth.	Oil.
Dusters.	Carpets.
Towels.	Rugs.
Napkins.	
Tape.	
Munj-matting.	
Tiles.	
Oil.	

HAMIRPUR JAIL.

Durries.	Durries.
Blankets.	Blankets.
Carpenters' work.	Carpenters' work.
Bricks and tiles.	Bricks and tiles.
Surkhi and kankar-pounding.	Surkhi and kankar-pounding.

MIRZAPUR JAIL.

Durries.	Durries.
Blankets.	Blankets.
Carpets.	Carpets.
Rugs.	Rugs.
Coarse cloth.	Munj-matting.
Dusters.	Surkhi.
Purdahs.	Oil.
Tat.	Net bags.
Munj-matting.	
Ropes.	
Surkhi.	
Oil.	
Tinning copper gages.	
Net bags.	

ALMORA JAIL.

Bamboo and cane manufacture.	Iron-work.
Dosuti.	Wood-work.
Cash-bags.	Cash-bags.
Towels.	Aloe-fibre.
Aloe-fibre.	
Iron and wood-work.	

ORAI JAIL.

Durries.	Durries.
Munj-matting.	Munj-matting.
Chick-making.	Chick-making.
English bread.	English bread.

JHANSI JAIL.

Dusters.	Rugs.
Table-covers.	Figured rugs.
Towels.	Durries.
hagsuti cloth.	Coloured purdahs.
gs.	
gured rugs.	
Durries.	
our purdahs.	

LALITPUR JAIL.

Rugs.	Rugs.
Durries.	Durries.
Dusters.	Dusters.

NAO JAIL.

Bakery.	Bakery.
Blankets.	Blankets.
Durries.	Durries.

List showing Manufactures carried on in the
Jails of the Punjab.

No.	Jails.	Manufactures carried on in Jails.	Whether carried on in the City.
1	Dahli	Carpets	No.
		Jharans	Yes.
		Paper, machine made	No.
		Newar	Yes, but inferior.
		Paper	Yes.
		Blankets	Yes, but inferior.
		Matting	...
		Dosuti	...
		Garah cloth	Yes.
		Twine bags	Yes.
2	Gurgaon	Lithograph Press	...
		Munj matting	No.
		Darries	No.
		Garah cloth	Yes.
		Newar	No.
		Tape	No.
		Towels	...
		Book-binding	...
		Dosuti	No.
		Foot rugs	...
3	Karnal	Money bags	...
		Lithography	No.
		Cotton	...
		Shatranji	No.
		Cotton cloth	Yes.
		Lithography	No.
		Dosuti	No.
		Blankets	Yes.
		Gunny	...
		Munj matting	No.
4	Hissar	Money bags	No.
		Pottery	Yes.
		Tailor's work	...
		Saddlery	...
		Oil press	Yes.
		Masonry work	Yes.
		Chick-making	Yes.
		Basket-making	Yes.
		Grinding grain	Yes.
		Splitting wood	...
5	Rohtak	Quasie	Yes.
		Dosuti	Yes.
		Newar	No.
		Tape	No.
		Net of cotton thread	No.
		Darries	No.
		Towels	No.
		Jharans	No.
		Book-binding	Yes.
		Munj matting	No.
6	Rohtak	Hemp rope	Yes.
		Twine bags	No.
		Ban for munj matting	Yes.
		Blankets	No.
		Woollen carpets	No.
		Chicks	Yes.
		Pounding tat	No.
		Paper	No.
		Pounding sarkhi	Yes.
		Hemp gunny	Yes.
7	Rohtak	Pottery	No.
		Lithography	No.
		Paper-making	No.
		Darries	A few small darries are made in the district.
		Cloth	Yes.
		Blankets	No.
		Ban munj-matting	No.
		Hemp bags	No.
		Hemp rope	Yes.
		Cotton rope	Yes.
8	Rohtak	Lithography	No.
		Newar	No.
		Oil-pressing	Yes.
		Book-binding	Yes.

UVAO JAIL - contd.

Cotton cloth (coarse). Cotton cloth (coarse).
Tailoring. Menjand aloo-matting.
Munj and shoe string. Oil.
Thread.
Grinding corn for banjas.

KIRRI JAIL.

Coarse cloth. Coarse cloth.
Dorries. Darries.
Curtains. Blankets.
Towels. Dusters.
Dusters. Newar.
Blankets. Munj-matting and tat.
Carpets. patti.
Dorries.
Newar.
Munj-matting and tat.
patti.

PARTABGARH JAIL.

Blankets. Blankets.
Cotton rugs. Cotton rugs.
Dorries. Darries.
Munj, ban, and tat patti. Munj and ban patti.
Pottery. Glazed pottery.
Glazed pottery (to order). Mustard-oil.
Mustard-oil (to order).
Blacksmiths' work.
Carpenters' shop.

List showing Manufactures carried on in the Jails
of the Punjab—continued.

No.	Jails.	Manufactures carried on in Jails.	Whether carried on in the City.
6	Simsa	Cotton fabrics	Yes
		Blankets	No.
		Newar	No.
		Wool	No.
		Munji carpets	No.
		Murabs	Yes
		Nets	Yes
		Durries	No.
		Money bags	A few
		Purdhis	Do.
		Ban	No.
		Bags	No.
		Baskets	Yes
		Baskets	No.
		Ice	No.
		Chicks	No.
		Pottery	Yes
		Grinding corn	Yes
		Dyeing thread	Yes
		Spinning thread	Yes
7	Umballa	Lithography	No.
		Book-binding	No.
		Durrie	Yes
		Woolen carpets	Yes
		Chauti	Yes
		Garah cloth	Yes
		Cotton rope	Yes
		Newar	Yes
		Towels	Yes
		Dusters	Yes
		Blankets	Yes
		Munji rope	Yes
		Country paper	Yes
		Hemp money bags	Yes
		Door mats	No.
		Chicks	No.
		Curtains	No.
		Munji matting	No.
		Pottery	No.
		Chauti cloth	No.
8	Ludhiana	Carpets	No.
		Gunny	No.
		Nets	No.
		Lithography	No.
		Paper	No.
		Grinding wheat	Yes
		Durries	Yes
		Cloth	Yes
		Chicks	Yes
		Munji matting	No.
		Door mats	No.
		Ropes	No.
		Money bags	No.
		Newar	No.
		Tape	No.
		Lithography	Yes
9	Simsa	Ice	Yes
		Lithography	Yes
		Cloth	Yes
		Blankets	Yes
		Durries	No.
		Rug	No.
		Sothi	Yes
		Paper	No.
		Ice	No.
		Sewing	Yes
		Book-binding	Yes
		Grinding	Yes
		Oil press	Yes
		Lithography	Yes
10	Jullundur	Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
11	Hoshiarpur	Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes
		Money bags	Yes
		Hemp-binding	Yes

List showing Manufactures carried on in the Jails
of the Punjab—continued.

No.	Jails.	Manufactures carried on in Jails.	Whether carried on in the City.
12	Dharmasala	Paper	No.
		Durries	No.
		Blankets	Yes
		Cloth	Yes
		Spinning cotton thread	Yes
		Ditto woolen do.	Yes
		Tape	No.
		Sewing clothing	Yes
		Dyeing	Yes
		Lithography	No.
		Book-binding	Yes
		Paper	No.
		Carpets	Yes
		Dari munji	No.
		Do. cotton	No.
		Door mats	No.
		Dosuti	No.
		Dusters	Yes
		Newar and tape	Yes
		Money bags	No.
13	Amritsar	Lawn Tennis net	No.
		Cloth, garah	Yes
		Blankets	Yes
		Lithography	Yes
		Ban	No.
		Towels	Yes
		Book-binding	Yes
		Paper	No.
		Cloth	Yes
		Towels	No.
		Chautahi	Yes
		Carpets	No.
		Durries	No.
		Chicks	No.
		Munji matting	No.
		Money bags	No.
		Ban	Yes
		Sothi	Yes
		Dyeing	Yes
14	Gurdaspur	Grinding grain	Yes
		Buets	Yes
		Murab	Yes
		Sewing	Yes
		Lithography	No.
		Blankets	Yes
		Paper	Yes
		Ice	No.
		Munji matting	No.
		Carpets and durries	No.
		Susi	Yes
		Dotahi	Yes
		Newar	Yes
		Net	Yes
		Cloth, garah	Yes
		Dosuti	No.
		Towels	No.
		Table sheets	Yes
		Blankets	Yes
		Grinding corn	Yes
15	Sialkot	Lithography	Yes
		Typography	No.
		Book-binding	Yes
		Carpets	No.
		Tents	Yes
		Durries	Yes
		Blankets	Yes
		Blankets	Yes
		Clothing (Jail)	Yes
		Towels	Yes
		Table cloths	Yes
		Dusters	Yes
		Carpets	No.
		Tents	Yes
		Durries	Yes
		Blankets	Yes
		Blankets	Yes
		Clothing (Jail)	Yes
		Towels	Yes
		Table cloths	Yes
		Dusters	Yes
16	Lahore Central Jail	Carpets	No.
		Tents	Yes
		Durries	Yes
		Blankets	Yes
		Blankets	Yes
		Clothing (Jail)	Yes
		Towels	Yes
		Table cloths	Yes
		Dusters	Yes
		Carpets	No.
		Tents	Yes
		Durries	Yes
		Blankets	Yes
		Blankets	Yes
		Clothing (Jail)	Yes
		Towels	Yes
		Table cloths	Yes
		Dusters	Yes
		Carpets	No.
		Tents	Yes

List showing Manufactures carried on in the Jails of the Punjab—continued.

No.	Jails.	Manufactures carried on in Jails.	Whether carried on in the City.
	Lahore Central Jail—contd.	Newar ... Yes. Horse chaffing ... Yes. Masuti ... Yes. Chosuti ... Yes. Garah ... Yes. Paper ... No. Chicks ... Yes. Ropes ... Yes. Pottery ... Yes. Lithography ... Yes. Typography ... Yes. Oil press ... Yes. Blacksmith's work ... Yes. Carpenter's work ... Yes.	
17	Ditto Femak...	Spinning wool ... Yes.	
18	Lahore District Jail	Prison clothing ... No. Carpets ... Yes. Durries ... Yes. Mattings ... No. Paper ... Yes. Chicks ... Yes. Pottery ... Yes. Blacksmith's work ... Yes. Carpenter's work ... Yes. Paper ... No. Lithography ... Yes. Durries ... No. Carpets ... No. Weaving woollen ... Yes. Cotton cloth ... Yes. Grinding corn ... Yes. Ran ... Yes. Tat ... No. Chicks ... No. Pottery ... No. Grinding wheat ... Yes. Book-binding ... Yes. Ropes (cotton) ... Yes. Ropes (hemp) ... Yes. Cloth ... Yes. Blankets ... Yes. Ran ... Yes. Glazing vessels ... Yes. Oil press ... Yes. Durries ... Yes. Carpets ... No. Towels and dusters ... Yes. Newar and tape ... Yes. Hemp bags ... Yes. Lithography ... No. Paper ... No. Durries ... No. Carpets ... No. Munj matting ... No. Chicks ... Yes. Weaving chairs ... Yes. Door mats ... Yes. Blankets ... Yes. Dusters ... Yes. Towels ... Yes. Table sheets ... Yes. Dusuti ... Yes.	
19	Gujranwala	Newar ... Yes. Ropes ... Yes. Pottery ... Yes. Blacksmith's work ... Yes. Carpenter's work ... Yes. Paper ... No. Lithography ... Yes. Durries ... No. Carpets ... No. Weaving woollen ... Yes. Cotton cloth ... Yes. Grinding corn ... Yes. Ran ... Yes. Tat ... No. Chicks ... No. Pottery ... No. Grinding wheat ... Yes. Book-binding ... Yes. Ropes (cotton) ... Yes. Ropes (hemp) ... Yes. Cloth ... Yes. Blankets ... Yes. Ran ... Yes. Glazing vessels ... Yes. Oil press ... Yes. Durries ... Yes. Carpets ... No. Towels and dusters ... Yes. Newar and tape ... Yes. Hemp bags ... Yes. Lithography ... No. Paper ... No. Durries ... No. Carpets ... No. Munj matting ... No. Chicks ... Yes. Weaving chairs ... Yes. Door mats ... Yes. Blankets ... Yes. Dusters ... Yes. Towels ... Yes. Table sheets ... Yes. Dusuti ... Yes.	
20	Ferozepore	Newar ... Yes. Ropes ... Yes. Pottery ... Yes. Blacksmith's work ... Yes. Carpenter's work ... Yes. Paper ... No. Lithography ... Yes. Durries ... No. Carpets ... No. Weaving woollen ... Yes. Cotton cloth ... Yes. Grinding corn ... Yes. Ran ... Yes. Tat ... No. Chicks ... No. Pottery ... No. Grinding wheat ... Yes. Book-binding ... Yes. Ropes (cotton) ... Yes. Ropes (hemp) ... Yes. Cloth ... Yes. Blankets ... Yes. Ran ... Yes. Glazing vessels ... Yes. Oil press ... Yes. Durries ... Yes. Carpets ... No. Towels and dusters ... Yes. Newar and tape ... Yes. Hemp bags ... Yes. Lithography ... No. Paper ... No. Durries ... No. Carpets ... No. Munj matting ... No. Chicks ... Yes. Weaving chairs ... Yes. Door mats ... Yes. Blankets ... Yes. Dusters ... Yes. Towels ... Yes. Table sheets ... Yes. Dusuti ... Yes.	
21	Rawalpindi	Newar ... Yes. Ropes ... Yes. Pottery ... Yes. Blacksmith's work ... Yes. Carpenter's work ... Yes. Paper ... No. Lithography ... Yes. Durries ... No. Carpets ... No. Weaving woollen ... Yes. Cotton cloth ... Yes. Grinding corn ... Yes. Ran ... Yes. Tat ... No. Chicks ... No. Pottery ... No. Grinding wheat ... Yes. Book-binding ... Yes. Ropes (cotton) ... Yes. Ropes (hemp) ... Yes. Cloth ... Yes. Blankets ... Yes. Ran ... Yes. Glazing vessels ... Yes. Oil press ... Yes. Durries ... Yes. Carpets ... No. Towels and dusters ... Yes. Newar and tape ... Yes. Hemp bags ... Yes. Lithography ... No. Paper ... No. Durries ... No. Carpets ... No. Munj matting ... No. Chicks ... Yes. Weaving chairs ... Yes. Door mats ... Yes. Blankets ... Yes. Dusters ... Yes. Towels ... Yes. Table sheets ... Yes. Dusuti ... Yes.	

List showing Manufactures carried on in the Jails of the Punjab—continued.

No.	Jails.	Manufactures carried on in Jails.	Whether carried on in the City.
22	Jhelum	Lithography ... No. Cloth-weaving ... No. Paper ... No. Durries ... No. Munj matting ... No. Carpets ... No.	
23	Gujrat	Paper ... No. Lithography ... No. Carpets ... No. Durries ... No. Door mats ... No. Towels ... Yes. Blankets ... Yes. Dusuti ... Yes. Khas and dotahi ... Yes. Ropes ... Yes. Tat beds ... Yes. Dyeing ... Yes. Corn-grinding ... Yes. Dusters ... No.	
24	Shahpur	Paper ... No. Durries ... No. Wicks ... No. Garzy cloth ... Yes. Newar ... Yes. Ran ... No. Towels ... No. Dusuti ... No. Khas ... Yes. Dusters ... No. Ropes ... Yes. Table sheets ... Yes. Ran ... Yes. Flour ... Yes. Maraha ... Yes. Shoes ... Yes. Chicks ... No. Cradle (?) ... No. Money bags ... No. Mats ... No. Box ... Yes. Chairs ... No. Beds ... Yes. Pottery ... Yes. Door mats ... No. Blankets ... Yes. Horse clothing ... Yes. Lithography ... No. Bricks ... Yes. Ice ... No. Book-binding ... Yes. Drill cloth ... No. Corn-grinding ... Yes.	
25	Muzaffargarh	Paper ... Yes. Lithography ... One press. Durries ... Yes. Garzy cloth ... Yes. Dusuti ... Yes. Dusters ... No. Towels ... No. Ropes (cotton) ... Yes. Newar ... Yes. Lawn Tennis nets ... No. Carpets ... No. Blankets ... No. Tat ... No. Money bags ... Yes. Ropes (hemp) ... Yes. String ... Yes. Door mats ... No. Matting ... No. Chicks ... Yes. Pottery ... Yes. Leather work ... Yes. Book-binding ... Yes. Dyeing ... Yes. Carpentry ... Yes.	

List showing Manufactures carried on in the Jails of the Punjab—continued.

No.	Jail.	Manufactures carried on in Jails.	Whether carried on in the City.
26	Jhang	Paper	No.
		Book-binding	No.
		Durries	No.
		Blankets	No.
		Towels	No.
		Chick cloth (?)	No.
		Newar	No.
		Dosuti	No.
		Munj durr	No.
		Table cloths	No.
		Ban nung	No.
		Garah cloth	No.
		Tape	No.
		Cotton thread	No.
		Cotton rope	No.
		Munj rope	No.
		San rope	No.
		Chicks	No.
		Mats	No.
		Pottery	No.
		Oil-press	No.
		Grinding wheel	No.
		Bricks	No.
		Lithography	No.
		Leaves (bakery)	No.
		Ice	No.
27	Montgomery	Paper	No.
		Lithography	No.
		Ban	No.
		Munj hand san ropes	No.
		Munj matting	No.
		Durries	No.
		Blankets	No.
		Garah duster cloth	No.
		Towels and dusters	No.
		Cotton rope	No.
		Tape and newar	No.
		Dyeing cloth	No.
		Grinding wheel	No.
		Bricks	No.
		Money bags	No.
		Blacksmith's work	No.
		Pottery	No.
		Chicks	No.
28	Mamfargah	Lithography	No.
		Paper	No.
		Munj	No.
		Munj Ban	No.
		Weaving	No.
29	Dera Ismail Khan	Grinding corn	No.
		Durries	No.
		Carpets	No.
		Newar	No.
		Tape	No.
		Money bags	No.
		Lawn Tennis nets	No.
		Garah cloth	No.
		Dosuti	No.
		Dusters	No.
		Towels	No.
		Khes	No.
		Blankets	No.
		Paper	No.
		Lithography	No.
30	Dera Ghazi Khan	Chicks	No.
		Pottery	No.
		Ice	No.
		Ban	No.
		Munj hand san ropes	No.
		Munj matting	No.
		Durries	No.
		Blankets	No.
		Garah duster cloth	No.
		Towels and dusters	No.

showing Manufactures carried on in the Jails of the Punjab—concluded.

Jails.	Manufactures carried on in Jails.	Whether carried on in the City.	
30 Dera Ghazi Khan	Durries	No.	
	Newar	No.	
	Ropes	Yes.	
	Dusters	No.	
	Towels	No.	
	Napkins	No.	
	Table cloths	No.	
	Langies	Yes.	
	Khes	Yes.	
	Dosuti	Yes.	
	Garaei cloth	Yes.	
	Money bags	No.	
	Nels	No.	
	House clothing	No.	
	Purlains	No.	
Paper	Yes, but of inferior sort.		
31 Dera Ghazi Khan	Lithography	No.	
	Ban	Yes.	
	Chicks	Yes.	
	Pottery	Yes.	
	Door mats	No.	
	Baskets	Yes.	
	Twicks	Yes.	
	Kajawas	No.	
	Grinding corn	Yes.	
	Spinning cotton	Yes.	
	Leather work	Yes.	
	Carpenter's work	Yes.	
	Blacksmith's work	Yes.	
	Dyeing	Yes.	
	Sewing	Yes.	
Murals	Yes.		
Surkhi-pounding	No.		
32 Dera Ghazi Khan	Durries	No.	
	Newar	No.	
	Money bags	No.	
	Towels	No.	
	Dosuti	No.	
	Cloth	No.	
	Blankets	No.	
	Gaiters and straps	No.	
	Baskets	No.	
	Murals	No.	
	Chicks	No.	
	Cottons (?)	No.	
	Grinding corn	Yes.	
	Lithography	No.	
	Book-binding	No.	
Building	No.		
Ice	No.		
33 Dera Ghazi Khan	Paper	No.	
	Durries	No.	
	Carpets	No.	
	Lithography	Only one press.	
	Dusters	No.	
	Blankets	No.	
	Table cloths	No.	
	Towels	No.	
	No manufactures carried on in this Jail.	No.	
	34 Dera Ghazi Khan	Paper	No.
		Newar	No.
		Durries	No.
		Grinding corn	Yes.
		Chicks	Yes.
		Muzri matting	Yes.
Chair-mending		Yes.	
Cloth		Yes.	
35 Dera Ghazi Khan	Dyeing	Yes.	

H. RAYNOR GOULDING, Head Clerk,
for Inspector-General of Prisons, Punjab.

Statement showing industries in which convicts were employed in the jails of British Burma on the 2nd April 1883.

Statement showing industries in which convicts were employed in the jails of British Burma on the 2nd April 1888.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
Jails.	SANCTIONED OCCUPATIONS.													OCCUPATIONS USUALLY PERMITTED.										OCCUPATIONS USUALLY PERMITTED FOR WAGE EARNERS.				OCCUPATIONS THE FRAMES, & THE LIKE, AS TO BE PERMITTED TO THE GOVERNMENT OF INDIA.	REMARKS.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
	Extracted employment in large public works.		Preparing for Government with head-presses, &c. as far as possible to form, & fitting into, shrouds, &c. &c.		Weaving of coarse, fine, cotton, and woollen fabrics by handloom.		Making of coarse matting.		Brick and tile making.		Hand-sawing of timber.		Oil-pressing.		Stone-breaking.		Saw-wooding.		For notes only.		Agriculture.	Working of European machinery, &c. as far as possible to form, & fitting into, shrouds, &c. &c.		Blacksmithing.		Carpentry.		Basket work.		Fruit-tossing.		Broom-making.		Pottery.		Spinning.		Tanning.		Paddy-spinning.		Wheel-spinning.		Cotton-spinning.		Cotton-spinning.		Basket and basket-making.		The value of labour, &c. &c. &c.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		M.	F.	M.	F.	M.	F.	M.		F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.

(2) Other labour not available.

ASSAM.

Gauhati Jail.—Nearly all the prisoners in this jail were made over during the past year to the Public Works Department for employment on the jail buildings. A few selected prisoners have been employed in the Public Works workshop at Gauhati in learning, carpentry and blacksmiths' work, and about 73 prisoners have been daily employed in making prison-clothing for the prisoners in this and other jails. In addition, prisoners have been employed from time to time in working on the station roads. Towards the close of 1882, 100 prisoners were despatched to the Sibsagar District and huttet out in temporary jail buildings for employment on the main road between Jorhāt and Golaghat, near to the Kahadanga bridge. These prisoners have only lately returned to Gauhati on the setting in of the rains.

Tezpur Jail.—Most of the able-bodied prisoners in this jail have been employed on the Bishuath Road on which they were huttet out towards the end of 1882, by the bank of the Bhareli river. The intra-mural employments are weaving jail-clothing, bread-making, oil-pressing, gardening and a little carpentry, and Lamboo and cane work.

Sylhet Jail.—The only intra-mural employments in the Sylhet Jail are wheat grinding, bread-making, weaving prison-clothing, oil-pressing and gardening. At Sylhet the prisoners have been employed on the station roads under the Municipality on some of the district roads near to the jail, and under the Public Works Department on the jail buildings. From November 1881 up to date some 200 prisoners from this jail have been located in temporary jail buildings at Kalapani in the Khasi and Jaintia Hills for employment on the Shillong-Therighat road.

Shillong Jail.—The prisoners in this jail have been mainly employed in gardening, in making and repairing roads under the Municipality, and in clearing fire-paths under the Forest Department. The principal intra-mural employment is bread-making; a little oil-pressing is done.

Silchar Subsidiary Jail.—The principal occupations of the prisoners in the Silchar Subsidiary Jail have been brick-making, soorkee-pounding, paddy, mustard, and kalai cultivation, hoeing and plucking in the tea garden, repairing the station-roads, repairing the Sylhet-Cachar road, and quarrying laterite.

Dhulri Subsidiary Jail.—During the past year the prisoners in this jail have been more extensively employed under the Public Works Department than in previous years, mainly on the roads in the proximity of the jail. Some of the prisoners have also been employed in cultivating paddy and in girdling. In the beginning of November 1882 nearly all the able-bodied prisoners were huttet out at Fakirganj on the South Bank of the Brahmaputra, where they were employed on the Fakirganj-Mawkuchur road. This temporary jail was broken up at the setting in of the rains. Bread-making has lately been introduced into the Dhulri Jail.

Nowgong Subsidiary Jail.—The principal manufactures carried on in the Nowgong Subsidiary Jail are bread-making, oil-pressing and

gardening. The prisoners employed extra-murally have been engaged in brick-making and in repairing the station-roads. Most of the prisoners are employed. In addition, prisoners have been employed in the restoration of jail buildings.

Sibsagar Subsidiary Jail.—With the exception of some convicts who were employed in making bricks for the Municipality, all the able-bodied prisoners in this jail have been employed under the Public Works Department on road work. A few prisoners were employed extra-murally under the Municipality. Practically the only intra-mural manufactures are bread-making and oil-pressing; the latter mainly for prison consumption. Paddy-husking and gardening are, as in other jails, also carried on.

Dibrugarh Subsidiary Jail.—All available prisoners in the Dibrugarh Jail have been hired out to the Public Works Department and Municipality, and have been employed in metalling the station-roads, breaking stones, making bricks and on earth-work. The other occupations of the prisoners are gardening, paddy-husking, repairing the jail-buildings, and oil-pressing.

7. As regards the several lock-ups, it is sufficient to say that the prisoners retained in them are mainly employed on the roads in the several sub-divisional stations, in oil-pressing and gardening. At some of the lock-ups bread is manufactured.

CENTRAL PROVINCES.

Nagpur.—Oil-pressing, wheat-grinding, litho-printing, carpets, durries, purdhas, rugs, weaving coarse cloth, blanket weaving, Police clothing, prison clothing, bowing wool and cotton, making twine and rope, spinning and opening thread and wool.

Jubbulpore.—Oil-pressing, stone-breaking, wheat-grinding, litho-printing, carpets, tent, durries, purdhas, tent-cloth, shikar cloth, rugs, blanket weaving, prison clothing, tātputty, tent ropes, chicks, spinning and opening thread and wool.

Raipur.—Oil pressing, stone-breaking, wheat-grinding, litho-printing, carpets, purdhas, cotton rope and twine twisting, blanket-weaving, weaving coarse cloth, prison clothing, tātputty.

Sangor.—Oil-pressing, stone-breaking, wheat-grinding, carpets and durries, weaving coarse cloth, blanket-weaving, prison clothing, rope and twine twisting.

Bhandara.—Oil-pressing, stone-breaking, wheat-grinding, weaving coarse cloth, rope and twine twisting.

Chanda.—Oil-pressing, weaving coarse cloth, spinning cotton, rope and twine making, prison clothing.

Warilha.—Oil-pressing, stone-breaking, coarse cloth weaving, cotton spinning, rope and twine twisting, prison clothing, tātputty.

Balaghat.—Oil-pressing, wheat-grinding, stone-breaking, weaving coarse cloth, rope and twine twisting.

Damoh.—Oil-pressing, lime and surkee pounding, wheat-grinding, Aloe pounding, weaving coarse cloth, tātputty, rope and twine twisting.

Sonia.—Oil-pressing, stone-breaking, weaving coarse cloth, opening thread.

Mandla.—Oil-pressing, stone-breaking, wheat-grinding, tātputty, pounding surkee.

Chhindwara.—Oil-pressing, wheat-grinding, weaving coarse cloth, rope and twine twisting.

Hoshungabad.—Oil-pressing, stone-breaking, wheat-grinding, lime-pounding, weaving coarse cloth and blankets, carpets and durries, rugs, rope and twine twisting.

Narsingpur.—Oil-pressing, wheat-grinding, aloe-pounding, tātputty making, weaving coarse cloth and blankets, rope and twine twisting.

Nimar.—Oil-pressing, stone-breaking, wheat-grinding.

Betul.—Oil-pressing, wheat-grinding, weaving coarse cloth, gunny and *newar*, rope and twine twisting.

Bilaspur.—Oil pressing, wheat-grinding, stone-breaking, weaving coarse cloth and blankets, tātputty, aloe-pounding, carpets and rugs, rope and twine twisting.

Sambulpur.—Oil-pressing, wheat-grinding, litho-printing, weaving coarse cloth, tātputty, stone-breaking, rope and twine twisting.

Sironcha.—Oil-pressing, stone-breaking, corn-grinding.

HYDERABAD ASSIGNED DISTRICTS.

Jail.	MANUFACTURES.																		Total
	As prison servants and on garden.	In preparing articles for prison use.	In building and repairs to jail.	Weaving coarse cotton fabrics.	Preparatory operations to weaving.	Hemp-weaving, &c.	Wool-weaving and preparatory processes.	On lithographic presses.	Brick-making.	Oil pressing.	Grinding wheat, &c. for private persons.	Agriculture.	Stone-making, quarrying, &c.	Under Public Works Department.	Dyeing.	Tailors.	Making matting.	Unreimburseable labour.	
...	72	61	2	51	63	1	...	35	20	...	...	19	4	5	6	8	...	8	
...	6	...	21	133	...	...	14	41	...	10	...	...	14	...	18	15	2	9	
...	10	3	...	...	...	...	...	...	10	...	10	...	12	...	...	...	7	...	
...	7	1	...	...	...	1	...	...	...	...	...	...	9	...	...	...	...	...	
...	7	2	6	...	...	4	...	...	...	...	...	...	27	...	...	...	...	...	
...	11	5	10	...	6	13	...	...	...	...	...	...	18	...	...	...	6	...	
...	138	107	49	159	75	19	14	79	30	20	...	...	84	5	21	23	14	17	

Judicial

DEPARTMENT.

No. 404

60
76

From Gov India 26 July 1862

FOR ORDERS.

The Govt of India in consequence of the receipt of a despatch disapproving in some respects of the action taken by them with reference to jute manufactures, refers the whole question to the local governments again and asks for ^{either} a further report or in case of the opinion of the local governments having been already conveyed, that it may be stated whether any modification in the views already expressed is desired.

The report of the government was sent in July last, and shortly a further report will be forwarded, which

[Handwritten note: 26 July 1862]

Attention is invited to paragraph 12230, Public Department, dated 26 October 1862, No. 1114.

Reference from the Secretary of State and the Government of India should be made to the consideration of the merits of the case as is the effect of the report may be sent for consideration and should take precedence of any other business.

7867
Judicial Department

From the Inspector General of Jails
16th July 1884

In Order.

The Government of India, asked this Government at the commencement of this year whether any further report would be sent them on the question of jail labor. The letter was referred to the Inspector General of Jails who now replies forwarding

From India Home
Judicial
No 3726 July 1884

believed that Col Tennant is sending up some report on the system of portable jails in connection with the proposal to employ convicts on large engineering works - as to which I will be seen the Secretary of State for India is somewhat doubtful. The papers with

letters and papers received from the Government of India suggest we communicated to the J. G. of Jails with a remark that no further report is necessary unless the J. G. of Jails has some reason to alter any of the views expressed in his letter No 166. d. 28th June 1883. [Go. 20 July 83 Nos. 1916. 1917. Jail.]

I would send the papers to the J. G. of Jails for such remarks as he may think desirable etc
28/2

M

9. 11

forwarding also two
papers, one by Mr.
Symonds, one by Major
McLeod of Vellore.

From the letter of the
Government of India
it will be seen that nor
that that Govt wish
it to be considered
that in advocating
extra mural labor,
on large public works,
and the restriction
of intramural labor,
they

61
77

Handwritten signature

FOR ORDERS.

Iron Manufacture

B.C.L. 1/2 1858-59-7/7/79

The Govt. is under

Dear Sir

69
79 28

the always intended
that the widest discre-
tion should be given
to the local governments
This Government
(Go. 20th July 1853 No 1917)
have put on record already
what they have done
in the matter and only
now remain under a
promise to the Govern-
ment of India to try
and find some engi-
neering work upon
which to employ a
large

large body of convicts.
It is suggested that
at present the Govt.
forward to the Govt.
of India the reports
received on the question
of jail labor, express-
ing the points on which
they are in agreement
with the officers who
have reported, and
those on which they
hold distinct views.

The main question
on which there appear

to be some difficulty
and disagreement, is
that of hiring out jail
labor, and upon this it
is submitted that the
opinions of Col. Simons
and Major McCord
are preferable to that
of Mr. Symonds.
The real difficulty
is in the method of
carrying out the scheme
and on this point
Mr. Symonds throws
no light whatever.

It

It is submitted that
it would be almost
impossible to come
any terms with a
manufacturer, as to
the hiring of jail
labor, under which
jail superintendents
would not find them-
selves most injurious-
ly pampered in the
control of exercise
of discipline among
the convicts. Major
McLeod's remarks

From

N^o 871.

89
81

G. S. Forbes Esquire,
Off. Under Secy. to the Govt of India,

The Chief Secretary to the
Government of Madras.
Dated Simla, the 28 June 1882.

Home Deptth }
Judicial }
Judicial.

Sir,

With reference to your letter
N^o 1347 Unis., dated the 3^d instant, I am
directed to say that the Governor General
in Council would be glad to be furnished
with the desired report on the subject of
jail manufactures with as little delay
as possible.

I have the honor to be

Sir

Your most obedient servant

[Signature]
Off. Under Secy. to the Govt of India.

From.

Govt of India
Home Dept
No. 871.

D 28th June.

1/5/84

Calling for re-
ports on the subject
of jail manufactures.

B

In conclusion today

1/5/84

on this head seem to
deserve special atten-
tion.

Ord. 7 July 84. No. 1668.

Suggested that the
following letter be
sent to the Govt of
India:-

No. 1669

47 July 84

The Secretary, Government
Home (Ind. Dept)

Sir,

I am directed, with
reference to your letter
dated 26th 1/5/84,
dealing with the question

Jail App. Dept
from Govt. India
15/7/84
Sent 17/7

1/5/84

of Jail Labor, to (1) From J. G. Lails 9th June 1881,
transmit the three (2) - J. G. Lails 9th June 1881,
marginally noted papers (3) - J. G. Lails 9th June 1881,
upon the subject.

2. I am to say that
the Govt. generally
concur in the remarks
of the Inspector Genl
and specially desire
to take this opportu-
nity of recording
their opinion against
the suggestion that
permission should
be given for the labor
of convicts being hired

63 28
out to private individ-
uals, they agree
entirely in the view
taken on this point
by the Superintendent,
Central Jail at Tellico
and they consider
that the great diffi-
culties which lie
in the way of utilizing
the labor of convicts
in this direction render
it unpolitic that
the experiment should
be attempted.

H. J. Lails

3. Happily at the present moment the prisons of this prairie-dency are in no degree crowded, in the majority of jails abundance of accommodation is available; the state of things therefore, contemplated by the jail conference in chapter 4 of their report - noted in para 2 of your letter - does not exist; ^{and} ~~there~~ there

provided a suitable work can be found here, this, as will be seen from para 7 of the 7.8th letter his ^{to say the least} doubtful

3 P 84
is no necessity at present for resort to public works as a means of relieving any over crowding in our jails. The Govt however are willing to try the experiment of employing a gang of convicts upon a large public work, and hope to do so when a suitable opportunity offers. His Excellency the Governor

Governor in Council
is of opinion that
the alterations which
have already been
made in the industries
carried on ^{in the} ~~the~~ various
Jails in this Presi-
dency are sufficient,
and he has no desire
at present to press
the Inspector General
towards further
change in these
matters. The Govt
concur in the views

85.48
of the Secretary of
State that endeavours
should be made to
supply from the Jails
the requirements of
the other departments
of the State, with the
restriction that any
industry if proved
likely to injure any
local trade should at
once be discontinued,
and this principle is
that upon which the
Inspector General has
acted.

Letters, copied.

11/11

11/11

11/11