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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1804-05

Press
~~Mis.~~

Dated

18-11-1890.

1890

Not to be folded or roughly handled

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Government of Madras.

Judicial (190-) Department.

ORDINARY MIS.

11-1-15 ✓
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G.O., No. 75-4-1825

DATED 18th Nov 1905

[Despatch Abstrac.

Jail Administration.

Passing orders with reference to the report of the Committee appointed to inquire into certain matters of — and the Inspector-General's remarks thereon; and addressing the Government of India on the subject.

Report on
Jail Administration

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following papers:—

From C. J. LYALL, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Jails), to the Chief Secretary to the Government of Madras, dated Simla, the 16th September 1889, No. 659.

Under the orders contained in Home Department Resolution, No. 458, dated 9th October 1888, Deputy Surgeon-General Walker and Surgeon-Major Lethbridge were deputed to inspect and report on certain matters connected with the administration of the jails in the Madras and Bombay Presidencies, Bengal, the North-Western Provinces and Oudh, and the Punjab, during the cold weather of 1888-89. The Government of India has been placed in possession of their report, which contains valuable suggestions for the improvement of jail administration. These suggestions have been considered by the Governor-General in Council, and, subject to the remarks made below, they seem to His Excellency in Council to be generally suitable for adoption. Before, however, deciding whether they should be generally adopted, His Excellency in Council desires to learn whether, in the opinion of the Governor in Council, they are suitable to the circumstances of the Madras Presidency, and, if not, to what extent they appear unsuitable.

2. Chapter II deals with the classification of jails. The Governor-General in Council accepts the standard proposed by the committee that all prisoners sentenced to rigorous imprisonment for periods of one year and upwards and all prisoners sentenced to transportation should be confined in central jails. His Excellency in Council considers that the collection in large jails of long-termed prisoners must conduce not only to discipline, but also to the profitable employment of jail labor, and to economy in management. With the accommodation available in the central jails in Madras, as shown in paragraph 7 of Chapter II of the report, His Excellency in Council should experience no difficulty in bringing the rule into immediate effect.

The remarks contained in paragraphs 11—13 of Chapter II of the report deserve careful consideration. The Governor-General in Council thinks that the rule—that a subsidiary and district jail should not exist at the same place—should be strictly enforced, and that the necessity for maintaining a subsidiary jail within easy distance by railway or other means of communication from a district jail should in every instance be closely examined. With reference to paragraph 12, His Excellency in Council considers that there will be an advantage in bringing the establishments at subsidiary jails under the Jail Department where this has not already been done, the Magistrate in charge taking exactly the same position in regard to such a jail as he does when he is in charge of a district jail.

The view of the Government of India on the subject referred to in paragraph 14 is that no accused person should be remanded to the charge of the police when there is any sort of jail available for his custody, that in this view *hawalats* or lock-ups in charge of the police should be abandoned as far as possible; and that where the courts and the jail are at a distance from one another special arrangements should be made to convey all prisoners during the hot weather, and sick prisoners at all seasons, between the jail and the courts.

3. The recommendations in Chapters III, IV and V appear to the Government of India to be judicious, and are commended to the attention of the Governor in Council. His Excellency in Council trusts that in future reports on jail administration special care will be taken to avoid inaccuracies, such as are referred to in page 16 of the committee's report as having occurred in some provinces in Statement A.

4. The chapter on jail establishments (Chapter VI) contains, in the opinion of the Government of India, the most important recommendations made by the committee, and from the adoption of those relating to the subordinate establishments the committee anticipates both increased efficiency and a reduction of expense. The Governor-General in Council hopes that they will receive the careful consideration of the Governor in Council, and will be glad to learn the extent to which they can be adopted in the Madras Presidency. It has recently been determined to reserve the appointment of Superintendent of a Central Jail for commissioned medical officers in the Madras Presidency and Bengal—the only provinces in which this rule was not previously enforced. The scale of pay for the Superintendents of Central Jails is now regulated by Financial Department Resolution, No. 1821, dated the 31st March 1871, which prescribes—

(1) for 1st-class Central Jails—

Rs. 700 per mensem rising by annual increments of Rs. 50 a month to Rs. 950 a month.

(2) for 2nd-class Central Jails—

Rs. 550 per mensem rising by annual increments of Rs. 50 a month to Rs. 700 a month.

When the Superintendent is not a medical officer, the allowance is reduced by Rs. 100 or Rs. 150 a month.

The Governor-General in Council desires to be favored with the opinion of the Governor in Council on the proposal of the committee that medical officers who remain in jail appointments after completing eighteen years' service should receive an increase of pay from Rs. 950 to Rs. 1,200 by annual increments.

In Bengal, district jails are, for the purposes of calculating the pay of the officers in charge, divided into (1) jails containing 300 or more prisoners, and (2) jails with less than 300 prisoners.

In other provinces, district jails are divided into four classes—

- 1st class, containing 500 or more,
- 2nd class, 300 and not more than 499,
- 3rd class, 150 and not more than 299,
- 4th class, more than 50 and less than 150,

and the scale of pay allowed to the officer in charge is Rs. 150 a month when the jail is a 1st-class one, and Rs. 100, 75 and 50 when it is a 2nd, 3rd or 4th class jail, respectively. His Excellency in Council desires to learn the views of the Government of Madras on the committee's proposal that the classification of district jails and the allowances of officers in charge should be regulated in the manner suggested in paragraph 7 of Chapter VI of the report. It should be specifically stated whether the adoption of the committee's proposal will result in economy or not.

5. The proposals in Chapter VII approve themselves to the Governor-General in Council and are recommended to the Governor in Council for adoption.

The question of the entertainment of matrons and female warders on the staff of jails has already been commended to the attention of Local Governments and Administrations, which are alive to the difficulties of the subject. His Excellency in Council thinks that the suggestions in paragraphs 2, 3, 4 and 7 of Chapter VIII should be observed as far as possible, and at all events in all central and large district jails.

With regard to the remarks of the committee in paragraph 5 of Chapter VIII of the report, I am to ask for the views of the Government of Madras as to the retention or abolition of the power of cutting off the hair of a female prisoner as a punishment. The restrictions proposed by the committee on the use of hand-cuffs in the case of females seem to the Government of India to be reasonable.

6. The Governor-General in Council leaves the proposals in Chapters IX and X regarding the classification and treatment of juvenile prisoners and the treatment of under-trial prisoners to the consideration of the Governor in Council. His Excellency in Council fears that the rule proposed in paragraph 12 of the latter chapter may, in some cases, be found difficult to work; but Magistrates of districts should be requested by executive orders to lessen the extent of the evil referred to by the committee.

7. Chapter XI deals with civil prisoners. His Excellency in Council leaves it to the Government of Madras to decide whether a rule should be introduced to permit friends to have interviews with civil prisoners at any hour of the day. His Excellency in Council fears that the rule referred to in paragraph 5 of the chapter is inconsistent with the terms of section 8, Act VI of 1888.

The rules proposed in Chapter XII for the treatment of condemned criminals are for the consideration of Local Governments and Administrations.

With reference to Chapter XIII, the Governor-General in Council desires to learn how far, in the opinion of the Governor in Council, the present system of teaching convicts, and consequently Statement 7 appended to the annual report, are capable of modification.

8. The question of the use of fetters for safe custody discussed in Chapter XIV has recently been under the consideration of the Government of India. The Governor-General in Council agrees with the committee in thinking that the rule regarding the use of fetters in force in Madras is preferable to those in force elsewhere and that it does not require alteration.

The suggestions in Chapters XV and XVI are left to the consideration of Local Governments and Administrations.

9. The important question of jail offences is dealt with in Chapter XVII. It has been frequently discussed in the reviews of the Government of India on provincial reports and the general jail statistics. The Governor-General in Council regards it as most desirable that uniformity of treatment of prisoners should be secured in this respect, and is convinced that much remains to be done before this desirable object is attained. His Excellency in Council therefore requests that this subject may receive most careful attention at the hands of the Madras Government, and that the recommendations of the committee may be thoroughly examined. The statistics given in paragraph 4 of Chapter XVII regarding Bengal jails in 1886 hardly warrant the conclusion of the committee, and in order to prevent misapprehension, the Governor-General in Council thinks it necessary to point out the faultiness of the deductions drawn from them. It is true that there were 93,042 admissions to the jails in Bengal in 1886, but in estimating the number of prisoners likely to have committed offences, this figure must be reduced by—

1. Under trial prisoners	27,511
2. Civil prisoners	3,662
3. State prisoner	1
4. Prisoners transferred from other jails in Bengal, and shown as admissions	15,780
5. Prisoners in transit to Andamans, &c.	1,592
T	48,546

This leaves a balance of 44,496 individual prisoners likely to have committed offences, and 40,512 offences were actually committed.

The Governor-General in Council views with favor the proposal of the committee to divide the record of jail offences into (a) Serious and (b) Minor offences, but he is of opinion that offences of both kinds should be tabulated and shown in the reports in different statements. On this suggestion he awaits the views of Local Governments and Administrations.

The cognate question of jail punishments is dealt with in Chapter XVIII, and the first question which has to be decided is whether legislation should be undertaken to prescribe additional punishments in jails, and, if so, whether there should be one general Act for all India, or whether separate local laws should be passed in those

provinces where there are Legislative Councils. No specific legislative authority appears to be required for such punishments as consist merely of a modification, to the disadvantage of a prisoner, of matters of discipline or treatment which, with the exception of penal labor which can only (section 48 (4) Act XXVI of 1870) be awarded for a period of 7 days to a prisoner not under sentence of rigorous imprisonment, the law leaves completely in the discretion of the executive authorities. In this connection the Governor-General in Council trusts that the list of punishments given in paragraph 15 of Chapter XVIII will be carefully examined with a view to ascertaining whether it is exhaustive, whether all the punishments enumerated in it can unobjectionably be adopted, and whether it is desirable that legislative sanction should be given to all of them, or whether the law should not be so altered as to reserve to Government the power to impose or introduce new punishments of the same kind by executive order or rule. In particular, information is required as to the nature of floggers, and the mode of their application, should it be proposed to adopt them as a form of punishment. The introduction of the rule proposed in paragraph 15 (13) regarding corporal punishment would be impossible under the present law in Madras (Madras Act V of 1869, Section 11, Clause II), which fixes the maximum number of stripes for corporal punishment at 12 in many cases. In this connection it may be noticed that the committee (paragraph 5, Chapter XVIII), has erroneously referred to the orders in the Madras Presidency as having been drawn up under section 54, Act XXIII of 1870.

10. The Governor-General in Council has no observation to make at present on the recommendations in Chapters XIX, XX, XXI, XXII, and XXIII, which, in the opinion of His Excellency in Council, require to be carefully considered and examined.

11. Chapter XXIV deals with the employment of prisoners. The rules under which their employment is regulated are laid down in Home Department Resolution, No. 10-605-618, of 7th May 1886. The Governor-General in Council considers that the committee has exaggerated the difficulty of employing prisoners on extramural labor, and sees no necessity for any alteration in the rules laid down in this respect. The observations in paragraphs 10 to 16 of the chapter and particularly those in paragraph 16, and the suggestions in paragraphs 20 to 30, require careful consideration at the hands of Local Governments and Administrations.

The Government of India entirely agrees with the committee that nothing but cash earnings of convicts should be shown in Financial Statements XIII and XIV, and this rule must in future be strictly observed. The object of these statements is to show exactly what has been earned by the jails, but the Governor-General in Council thinks it would be well that information should be given in the body of the report to show what has been saved to Government by the employment of prison labor, as well as what has been actually earned, and that figures might be given for each jail to show this result.

12. The rules regarding criminal lunatics suggested in Chapter XXV are those in force in Bengal, which were recommended for general adoption in Home Department letter of the 15th October 1888.

13. Chapter XXVI deals with the mark system and contains a set of draft rules drawn up for the regulation of the system.

The rules seem to be generally suitable, but the Governor-General in Council would wish the following suggestions to be considered in connection with them:—

Rule 1.—The last sentence might be thrown into a new clause A, and the present clauses A, B, C, numbered B, C, D.

Rule 1 B.—After the word "allowed" the words "so long as they conduct themselves well" should be inserted.

Rule 8.—This rule omits the power given to District Magistrates by present Rule 9—a power which in the opinion of the Government of India should be retained.

Rule 10.—Uniformity of rule on the subject of forfeiting marks for offences such as are mentioned is required and it should at the same time be provided that a prisoner who has been well-behaved during a long term of imprisonment should not be prejudiced by a rigid rule that he must lose all his marks for an offence which may not be of a grave character. The rule might run: "A prisoner may, with the sanction of the Inspector-General, be excluded from the benefits

of the mark system for any limited time, or adjudged to forfeit the whole or any of the marks previously earned, if he is found guilty of any of the following offences, namely—

- Escape or attempt to escape from a jail or subsidiary jail.
- Striking or attacking a jail official.
- Criminal immorality of a gross description.
- Forgery in connection with marks and the weight test; deliberate tampering with the prison history ticket or wilfully making away with it; wilfully causing bodily injury to himself with the view of escaping work or going to hospital.
- Illicit correspondence with outsiders.
- Deliberately bringing a false charge against a jail official, or wilful destruction or theft of Government property.

Rule 12.—The words "must be" and "must periodically report" should be substituted for the words "has been" and "have reported" respectively.

Rule 13.—Will need alteration with reference to the alteration of Rule 1 suggested above.

Rules 16 to 20.—The Governor-General in Council is not assured of the necessity of these rules, and will be glad to receive the opinion of the Governor in Council as to the need for adopting them, as well as on the rules generally.

14. Chapter XXVIII.—Details of prison discipline herein suggested are left to Local Governments and Administrations to adopt as far as they consider them desirable and feasible.

15. Chapter XXVIII deals with the question of transportation. The remarks in paragraph 1 seem to have been written under a misapprehension as to the rules regarding the transportation of female prisoners. The standing orders prohibit the transfer to the Andamans of female term-prisoners, but the Governor-General in Council will be glad to receive the views of the Madras Government as to the desirability of removing the present prohibition.

The remarks in paragraph 2 of the chapter regarding the deterrent effects of transportation to the Andamans deserve the most careful consideration, and the Governor-General in Council desires to learn the opinion of the Governor in Council on the subject. The question is of the highest importance with reference to the subjects discussed in Home Department letter, No. 630, dated the 22nd December 1888, and if the general experience of district officers is that the system of penal labor in the Andamans is not at present regarded with sufficient apprehension to deter people from crime, the Governor-General in Council will direct a local inquiry with a view to considering how it can be made more stringent. The question of the abandonment of the Andamans as a penal settlement, even as regards convicts from Bengal (see paragraph 3, Chapter XXVIII, of the committee's report) is, however, not one which the Government of India is as yet prepared to consider; and apart from other objections on general grounds which His Excellency in Council entertains to the suggestions of the committee as applied to Bengal, it is evident that Indian jails are not as yet suitable for the confinement of all transportation convicts, both because the jail establishments generally require to be improved and reorganized, and because the accommodation in central prisons is in some provinces inadequate even for the convicts who are not under sentence of transportation.

16. The committee has made special recommendations for the treatment of Burmese prisoners under sentence of transportation who have been sent to Indian jails. The Governor-General in Council regrets to learn that there are inequalities in the treatment of these prisoners in different jails, and trusts that Local Governments and Administrations will adopt as far as possible the recommendations made in paragraph 4 of Chapter XXVIII. His Excellency in Council has recently had under his consideration the question of a ticket-of-leave system in connection with some rules on the subject in force in the Punjab. The introduction of such a system in India is beset with difficulties, and the Governor-General in Council considers that the mark rules are sufficiently liberal for all classes of prisoners. The present would, in the opinion of His Excellency in Council, be a most inopportune time to introduce any relaxation into prison discipline, when the question of the deterrent effect of existing jail regulations is itself under consideration in connection with the crime statistics of the country.

The objections which apply to the introduction of a general system of ticket-of-leave apply, in the opinion of the Government of India, to the proposal to grant tickets-of-leave to Burman prisoners, and the Governor-General in Council is not prepared to

sanction either this proposal, or the alternative one of sending selected Burmese prisoners from Indian jails to the Andamans as self-supporters. Such Burmese convicts as have been sent to Port Blair have an advantage over those sent to Indian jails, just as Indian convicts sent to Port Blair have an advantage over convicts not considered fit for transportation. There is so far an inequality in treatment, but the proposal to release Burmese prisoners on ticket-of-leave or to send them as self-supporters to the Andamans after a certain term in Indian jails would introduce another inequality, and this the Government of India does not consider desirable.

17. The remarks in Chapter XXIX regarding appeals and petitions do not appear to be open to objection, except those in paragraph 5 which are in the direction of limiting the right of appeal for mercy. The Governor-General in Council could not approve of any rule which would countenance a limitation of the right to appeal to the executive Government for mercy which is inherent in every prisoner.

18. The remarks in Chapter XXX regarding visitors have the general approval of the Governor-General in Council. His Excellency in Council is particularly desirous that every Local Government and Administration should carefully consider the expediency of introducing or extending, as the case may be, the system of non-official visitors.

The recommendations regarding jail registers and returns deserve careful consideration. In Home Department letter, No. 409, dated the 28th February 1887, suggestions were made as to rules for the preservation or destruction of jail records, and the observance of such rules should remove the possibility of the records of a jail being in the untidy state referred to by the committee in paragraph 12, Chapter XXXI.

The several matters dealt with in paragraphs 1-10 of Chapter XXXII relate to questions which can best be dealt with by Local Governments and Administrations.

19. In conclusion, the Governor-General in Council desires that the recommendations of the committee may now be carefully considered in connection with the remarks which have been made above, and that the views of the Governor in Council may be in due course communicated to the Government of India. It is desirable that, in submitting his views to the Government of India, His Excellency in Council should bring specially to notice any point in which, either as a result of the recommendations of the committee or on independent grounds, he considers that the law regulating prisons requires amendment.

20. The Governor-General in Council trusts that the matters brought to notice in the inspection reports on individual jails (Appendix A of the Report) in the Madras Presidency will receive the careful consideration of the Governor in Council.

From Colonel J. M. SMITH, Acting Inspector-General of Jails, to the Chief Secretary to Government, dated Ootacamund, 7th May 1890, No. 158.

I have the honor to submit for the information of Government my remarks on the report of Deputy Surgeon-General Walker and Surgeon-Major Lethbridge on jail management in India, and to return the letter from the Supreme Government, in the Home Department, No. 659, dated 16th September 1889, referred to me with your endorsement, dated 15th October 1889.

ENCLOSURE.

Chapter II—Paras. 1 to 10.—With reference to the first ten paragraphs of this chapter, it is the rule in the Madras jails that prisoners sentenced to over one year and transportation convicts are confined in central jails, and those sentenced to one year and under in district jails.

Paras. 11 to 15.—I do not think it would be of advantage to place the subsidiary jails more under the Jail Department than they are now. At present they are under the immediate control of the District Magistrate, but the superintendence is in the hands of the Taluk Magistrate. I would leave them as they are; the rules for their management are excellent now, and it would be impossible for the Superintendent of the district jail to supervise them properly, when it is considered how scattered they are and how large our districts are. The Zillah Surgeon (who is generally the Superintendent of the district jail where there is one) has, ex-officio, to visit all

sub-jails periodically and his remarks on them in the Visitors' Book are communicated to the Inspector-General. The remarks of the District Magistrate and the other ex-officio visitors in the Visitors' Book are, as is customary in all other jails, at once submitted to the Inspector-General.

I agree with the committee that prisoners sentenced to over 15 days should be sent to the district jail when the district jail is within a reasonable distance of the sentencing court. But there are several cases where this could not be done, and I would refer to G.O., No. 250, Judicial, dated 11th February 1889, as an instance where Government has sanctioned the concentration at Kimeri and Chioacole of the sub-jail prisoners at Tekali and Narsannapett. This I would not alter on account of their distance from the district jail. I do not think that magisterial "under trials" should be sent to district jails, the chief objection being the danger of infectious diseases being brought into the jail. When once committed to the Sessions, all under-trials are sent to the district jail, which is generally at the head-quarters of the District Court, except in the Kistna and North Malabar districts. In the former, the court is at Masulipatam and the jail at Guntur, and in the latter the court is at Tellicherry and the jail at Cannanore. At Trichinopoly, under-trials are not sent to the central jail when committed to the Sessions, but are kept in a sub-jail in the Fort. I do not agree with the committee in their statements as to the treatment of under-trials are subject to in our subsidiary jails. If sent to a district jail, they would be put on jail diet and be subject to a certain amount of jail discipline. Under-trials, who, it must be remembered, are not approved guilty persons, would consider it a much greater disgrace to be confined in a jail till trial, than to be confined in a sub-jail, where they can get their own food and be under much less restraint. No magistrate is in charge of a district jail. They are now in charge of the sub-jails.

Chapter III—On Jail Construction.—I need hardly remark on this chapter. Almost all the general principles noted are carried out in our jails. The chief difficulty we have is noted in paragraph 32 (f)—the segregation of habituals. This is carried out as far as possible, but till all our jails are cellular, it won't be thoroughly efficient.

Para. 41.—Our workshops are in the yards with sleeping wards. It is found to answer well. The suggestion of enclosing them with wire netting might be carried out.

Chapter IV.—This chapter needs little comment. Our jail areas, with the exception of the Penitentiary and Calicut, are ample for the population.

Chapter V.—The standard of accommodation agrees with ours.

Also the ventilation.

The conservancy suggested is exactly as followed in our jails except that we roof our latrines.

The water-supply of some of our jails is a very anxious subject, and everything is being done to get it as pure as possible.

Chapter VI.—I cannot agree with the committee in recommending medical officers for the appointment of Superintendent of Central Jails. I can see no advantage to be gained by it. They manage district jails fairly well, as the numbers of prisoners are small, and there are no manufactures and there is but a small establishment to look after, and their average visit of an hour a day has so far sufficed. But the charge of a central jail is a very different affair. The strictest discipline has to be kept over an average of 800 prisoners, the warder guards have to be thoroughly well drilled and trained like sepoy; what do medical men know of all this? The manufactures must be carefully watched and promoted; medical men might learn to take an interest in this in time. I succeeded a medical man in charge of the central jail at Rajahmundry where there were 1,000 prisoners in it, and the state of discipline amongst the convicts was something lamentable. If it had not been for a most excellent jailor, there must have been an outbreak. It took me one year to get that jail into proper order. We have lately had an instance of the efficiency of a medical officer at Trichinopoly who only had his medical duties to perform, and at Parvatipur where a subordinate medical officer has distinguished himself in the absence of the Superintendent. It appears that in Bombay, the North-West Provinces, Punjab and Burma, medical officers are found who will take these appointments, but I cannot understand a medical man who cares for his profession taking one.

Para. 8.—With reference to this paragraph where the appointment of experienced jailors to be Superintendents of the district jails of Tanjore and Palamcottah are deprecated, I can only say that those jails are in far better order as regards discipline than any other district jails I have visited; and in Tanjore especially a great deal is being got out of the prisoners in manufactures. These appointments are prizes that jailors work for now.

Para. 36.—The committee in this paragraph suggest that Government should give appointments in subordinate grades of the Judicial and Revenue Departments to the best qualified men (jailors) of long and tried service as rewards. Would jailors be fit for them? and would they ever be given? I certainly would retain these two jails as rewards for deserving jailors. Mr. Tyrrell, who was one of the jailors selected for Palamcottah, is now Acting Superintendent of the 2nd-class central jail at Cannanore and is one of the best Superintendents we have.

Para. 11 and 12.—These say as much against as for medical officers in charge of jails.

Para. 61.—All the duty of escorting convicts in our jails is done by warders; therefore we require a larger warder establishment than in other provinces and the suggestions for the strength of warder establishment contained in paragraphs 56, 57, 58 and 59 would not suit our jails. The police escort under-trial prisoners, as they are not convicts, till sent to jail with a committal warrant. This escort duty being done by warders raises the cost per head of our convicts.

Para. 84 to 90.—These paragraphs relate to convict officers, paragraph 85 prohibits the employment or promotion of habituals to these grades.

Para. 87.—The requirements for promotion to A class is good behaviour and only one previous conviction, &c. My experience as a magistrate is, that very few convicts are sentenced to one year's imprisonment who have not undergone more than one previous conviction. If this is the case, few men could be promoted. We have nothing in our returns to show the length of sentence inflicted on old offenders. I would advocate no alteration in the proposal of convict warder guards now before Government, submitted by Colonel Porteous. This should be tried first before the changes for reduction of jail establishments suggested by the committee are carried out. They might be instituted gradually afterwards if thought necessary.

Para. 91-92.—There is very little difference between the suggestions contained in these paragraphs and the system now worked in Madras jails. The maistries in wards (watchmen the committee calls them) are held responsible for the conduct of prisoners in their wards at night. Convict guards do not patrol outside the jails now, but are placed so as to watch gangs of convicts on extramural work, how else are they to be guarded? The abolition of fetters has been sanctioned by Government.

The division of head warders and warders into two squads for day-guarding of extramural gangs is a system we might adopt. It is usual with us to have the guard under arms when there is a large association of prisoners at bathing, parades, &c.

Para. 113.—I cannot see the necessity of abolishing the Cannanore Central Jail as suggested by the committee. A central jail for long-sentenced prisoners of the West Coast is necessary. They should not be kept in district jails. A new class of jail called an Intermediate jail has been invented by the committee to suit this reduction—no arrangement is made for a Superintendent and it is not graded amongst other district jails. If there is to be a jail abolished on the West Coast, I would suggest the Mangalore district jail, where the average population in 1888 was 62, but if West Coast prisoners of long sentence are to be kept on the West Coast to preserve their health, and a large number of Burman convicts for the sake of their health, we must have a central jail to confine them in.

If the European prison is to be abolished and the prisoners transferred to the Penitentiary, I see no use for the building. The district jail has been done away with, and there is no necessity for anything but the sub-jail for natives. The European prison is not suitable for the confinement of natives. But, I strongly advocate the retention of this European prison. The cost has been very high, but that is because so few Europeans are confined in it. It is made to hold 36 and there are seldom more than 13 or 14 in it, half of whom are Eurasians. When the question for the retention of this prison was raised before, it was promised that all Europeans from northern jails should be sent there, but we have only had four or five sent us; another reason for retaining it is that it is in a climate suitable for Europeans, to which those suffering from ill-health in the jails on the plains can be sent for change.

In remarking on paragraph 8 of this chapter, I have strongly opposed the Tanjore jail being placed under the Civil Surgeon.

Para. 114.—The extra Rs. 1 for all warders and head warders is advisable.

Para. 115.—The committee state that our jails are over-manned with warder guards, and that they are overworked. The system is perhaps not perfect yet, but we are doing our best to make it so.

Para. 116.—I entirely disagree with the committee regarding the disadvantage of employing Europeans and Eurasians as jail officers. The salaries paid by Government are sufficient to attract a large number of these classes; my difficulty is to select good men, and the advantage of having this class over native subordinates is, that they form a strong check on the irregularities of most natives are prone to, they have the interests of Government more at heart if they are good men; then, if they commit themselves, they are much more easily found out than natives, who all combine to screen each other. I certainly have had two instances lately of gross misconduct on the part of Eurasians, but the Cannanore case was an instance of a native on a much larger scale.

Para. 117.—I doubt if police could be spared to do escort duty when convicts are transferred. Our present warder guard is strong enough for it. We employ temporary warders now to watch lunatics. It might be arranged that convict officers should watch them in future or well-conducted convicts even, who might be given a rice ration as a reward, and which would also prevent the likelihood of their making away with the rice ration allowed to lunatics.

Chapter VII.—The suggestions of the committee in this chapter are fully carried out in our jails already. There is nothing new in them to us.

Chapter VIII.—Females are isolated as far as possible in our district jails. In all central jails, the isolation is complete, and we have a female matron, Native or European, over them. In all central jails the matron should be a European or Eurasian. Native matrons have not the necessary authority to keep the most depraved females in proper control, and in most cases fear them. How frightfully depraved and violent some native women can be is difficult to believe without experience.

The provisions of paragraphs 3, 4, 5 and 6 are carried out in our jails.

Para. 7.—I cannot agree with the committee that long-sentenced females should be kept in district jails. Almost all long-sentenced females are habituals and should be kept with their own kind in central jails, without the chance of contaminating other less depraved women in district jails. I see no reason why they should be less leniently treated than men in that respect. All prisoners receive sufficient batta to take them home on their release.

Para. 5.—I have never heard of the punishment of cutting off a woman's hair. It does not exist in our jails. A woman's hair is never cut except by the doctor's orders for some disease or extreme filth.

Chapter IX.—The provisions of this chapter are carried out in our jails, as far as practicable. All jails are not provided with separate cubicles for the boys; this should be. We have been separating "youths" from "boys" and from "adults."

Chapter X.—I quite agree with all the committee's remarks in this chapter down to paragraph 12, but that paragraph breaks through one of the most rigorous rules in the management of jails—Rule 295. Under no conditions would I allow the jails to be opened after lock-up to admit under-trial prisoners, unless they are under-trials that have been kept in the jail and have been taken out to attend the Court; then under Jail Rule 316 they must be re-admitted whether they are still under-trial or have been committed to prison as convicts. In all our jails now we refuse to receive prisoners committed to jail after lock-up, and that rule should certainly not be broken for under-trials. If they are brought too late, the police guard must be held responsible for them till the morning, as they are for other prisoners they arrest. I would not open the jail on a magistrate's order any more than I do now when a prisoner is brought too late on magistrate's committal warrant.

Chapter XI.—In Madras Town all civil debtors are confined in the civil jail. In the mofussil they are confined in separate compartments in the central and district jails. It would be most inconvenient to allow them to have interviews with their friends whenever they like. There are stated hours at which these visits are permitted.

Para. 5.—I do not see the advantage of the power of release given to Superintendents in this paragraph. If there is a chance of the debtor recovering from illness if released, there is plenty of time to refer to the committing court, which is almost always in the same station as the jail.

Chapter XII.—All the recommendations in this chapter are worked in our jails, except handing the bodies of criminals after execution to their friends. This, I think, should not be allowed on any account, as the ceremonies the natives go through over the dead bodies and over the graves utterly nullifies in their minds and in the minds of their co-religionists all the benefit that an execution is supposed to effect. They curse Government and the laws all the time the ceremonies proceed.

Chapter XIII.—I quite agree with all the committee says in this chapter. It is waste of time teaching adult convicts to read and write. Instruction of juveniles and youths should be continued, and Statement 7 should be, I think, abolished as recommended by the committee.

Chapter XIV.—This chapter simply advocates the Madras system of the abolition of fetters except as a punishment in extreme cases and transportation convicts for three months. The committee have recommended the submission of a statement in a form that I submit annually with my Administration Report Statement E.

Chapter XV.—All the suggestions contained in this chapter are carried out in our jails. No alteration is needed, I think. I strongly object to giving convicts iron plates and cups. They could be used as very formidable missiles and weapons of offence. We give them either tin or earthenware plates, and earthenware chatties for drinking. For these, zinc might be substituted, which are very neat. I should object to allow them to carry them about wherever they go. I cannot see the object of it. Our convicts, who sit in rows opposite the cook-room for their meals, after washing their cups and plates leave them there in readiness for their next meal.

Chapter XVI.—In district jails we use wooden tickets and in central jails zinc tickets. They are marked very much as described by the committee and are suspended round the convicts' necks by a string. I decidedly object to their being suspended by a piece of telegraph wire for the very reasons proposed by the committee. Every prisoner is held responsible for his ticket; so they are very seldom lost.

Chapter XVII.—Jail offences are here noted. I agree with the committee that it is perfectly hopeless to expect uniformity of practice amongst Superintendents in gauging the enormity of

offences and the proper punishment to inflict. Records of serious and minor offences could, of course, be submitted.

Chapter XVII.—Here the committee enters into the question of jail punishments, and in paragraphs 1, 4, 5 and 6 details the punishments now in force in different provinces.

The punishments inflicted in Madras jails are detailed in paragraph 5 and so far we have found them sufficient.

Para. 15.—The committee recommends a uniform scale of punishments for all jails. These number 13 in all:—

1. Loss of marks.—This is one of our punishments for minor offences.
2. Change of labor to some form less agreeable to the convict.—This is now done in our jails.
3. Separate confinement is one of our punishments, but can only be imposed for seven days by the Superintendent. It entails No. 2 diet as a matter of course, and loss of marks under Rule 554.
4. Separate confinement for an indefinite time under orders of the Inspector-General—is a new rule and I see no objection to it.
5. Penal diet.—We have two scales of penal diet for Europeans and Eurasians and three for Natives under very strict rules as to its administration which cannot be improved upon.
6. Prisoners to be deprived of their early morning meal for short work.—This I would not advise, it would keep the convict starving from 5-30 P.M. supper to 11-30 A.M. next day. Two or three days of penal diet would be better.
- 7, 8 and 9 refer to hand-cuffs in front, hand-cuffs to a staple in the wall, and hand-cuffs behind his back. I think Superintendents should have the power of hand-cuffing a convict in front, or even behind his back in *extreme* cases when he is very violent, but I look on hand-cuffing a prisoner to a staple in the wall for hours at a time as a most cruel punishment and strongly deprecate the adoption of such a punishment.
- 10, 11 and 12.—All these punishments I see no objection to.
13. Corporal punishments we have now.

Para. 16, 17.—I agree that punishments 1, 2, 3, 5 and 12 are suitable for minor offences, but not 6, 7, 8 and 10 and the other punishments for serious offences.

Superintendents in administering punishments should under Rule 554 deduct marks earned under revision rules in every case where he punishes a prisoner who is under those rules. This is often felt by the prisoners more than the other punishment, and in adjudging the severity of the punishment, it should be remembered by Superintendents.

Fetters are not used in our jails as a punishment, but under Rule 402 if a prisoner in a close prison is violent or dangerous, he may be fettered, and under Rule 412 the Superintendent of a district jail may fetter prisoners for safe custody (with reference to the state of the prison or the character of the prisoner). Under Rule 405 in cases of urgent necessity, a jailor may put a prisoner in irons or mechanical restraint, giving notice at once to the Superintendent.

Chapter XIX.—Our rules are sufficient for escapes and out-breaks, and we have a regular system in case of the alarm of an out-break. The suggestions of the committee are very good and I see no reason why we should not adopt them.

Chapter XX—Para. 3.—The committee approve of our diet scale as it is now.

Para. 4.—No alteration is ever made in our diet scales without the doctor's sanction, and then only in individual cases.

Para. 5.—The amount of fatty matter we give convicts is nearly as much as is recommended and is the same as in Bombay and Bengal.

Para. 6.—We give our convicts 1 oz. of salt daily. The committee recommend $\frac{1}{2}$ oz. only daily. I would not reduce our allowance of salt.

Para. 7.—I quite agree with the committee that a great deal of money is thrown away on ingredients for the manufacture of our jail curry powder. In their Appendix A, page XCIX, paragraph 19, they suggest the discarding of black pepper, cummin seed, mustard seed and vendium, and I would recommend following their advice. A jailor of some experience told me the other day that the item of black pepper alone cost Re. 1 a year for each convict, i.e., Rs. 8,000 a year. The convicts care so little for the black pepper, cummin, mustard and vendium seeds that they save it and have been caught continually bartering it for forbidden articles with the warders. They would not barter necessary ingredients. With regard to growing the condiments in jail gardens we have great difficulty to contend with in the soil of our gardens. Most of our large jails are built on sites especially selected as being high, well drained and gravelly. None of these elements are conducive to a good garden, as it is very difficult to make anything grow in a gravelly soil. The soil has to be made with years of labor.

Para. 8.—The committee recommend that convicts get 6 oz. of vegetables daily instead of the 4 oz. they get now. Our convicts get the best vegetables that can be grown in the gardens

or procured in the market, but they certainly cannot be supplied with cabbages, turnips, tomatoes, &c., which only grow sparingly in the cold weather.

Para. 9.—All our convicts get $\frac{1}{2}$ oz. of tamarind daily free of seed and husk, or pickle, and our medical officers are fully aware of the necessity for antiscorbutics; free laborers use nothing but tamarind in our Presidency. We give our convicts a great deal of roselle and sour greens that are grown especially in jail gardens, as part of their vegetable diet.

Para. 11.—Only convicts in district jails that come under classes I and II are denied vegetables, and class II get tamarind.

Para. 12.—The issue of tamarind is never stopped.

Para. 13, 14, 15 and 16.—These refer to the danger of reducing the diet of prisoners, and the committee recommends the re-consideration by Government of the short diets for laboring prisoners. In our jails short diets are only given to prisoners in district jails.

Class I, convicts sentenced $\frac{1}{2}$ week and under, get 20 oz. of grain, $\frac{1}{2}$ oz. salt, and 1 lb. firewood.

Class II, sentenced to more than seven days and under a month, get 20 oz. grain, 2 oz. dholl, $\frac{1}{2}$ oz. oil, $\frac{1}{2}$ oz. tamarind, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ oz. curry powder, and $\frac{1}{2}$ lb. firewood.

Class III are under trials and convicts sentenced to over one month and under three, get 22 oz. grain, 3 oz. dholl four days a week and 5 oz. dholl three days a week, $\frac{1}{2}$ oz. oil, $\frac{1}{2}$ oz. tamarind, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ oz. curry powder, 4 oz. vegetables, $\frac{1}{2}$ oz. onions, and $\frac{1}{2}$ lb. firewood.

Class IV, convicts, male, sentenced to rigorous imprisonment of more than three months, get the same as central jail convicts.

If these can be called short diets, they are what are ordered by Government after much consideration. Of course they are never altered in jails.

Para. 18.—The orders on weighments of prisoners are most accurately carried out and I hope in our jails are trustworthy. In central jails the Superintendents take the greatest interest in these tests and weigh the men themselves as a rule. The medical officer, of course, could check the weight of any man he thought was improperly recorded.

Para. 19.—Our convicts all get three meals a day. Raggi cake or porridge about 6-30 A.M., a full meal at 11 A.M., and another full meal at 5 P.M.

Chapter XXI.—We are gradually in our jails, as we can afford it, adopting the committee's suggestions with reference to having one kitchen in each jail. I agree with all the committee says in this chapter.

Chapter XXII.—I quite agree with all the remarks in this chapter on jail gardens, but, as I have remarked before, we have great difficulties to contend with in the soil on which most of our jails are built. Where the soil is good, as at Vellore, Salem and Palamcottah, very much is being done in this direction, and a good many of our jails not only supply all the vegetables required for jail use, but sell a good deal. We do not perhaps grow as many antiscorbutic vegetables and fruits as are suggested, but more attention will be paid to that in future. I have already made arrangements that one big order be sent home annually for all seeds required for jails. More attention will be paid in future to growing jail condiments. In a good many of our jails the water-supply is not sufficient. All vegetables grown in the jail gardens are supplied to the jail free of cost, and reduce the cost of diet.

Chapter XXIII—Para. 1 to 11.—The contract system for the supply of jail requisites has been given up for more than a year, and all the suggestions in these paragraphs are now worked in our jails. No charges are made by averages. We are now trying a grain pit in the Coimbatore jail. Colonel Porteous started a jail circular from the 1st February 1890 which contains orders and statements of the prices of grain monthly in every district. This is circulated to all Superintendents as it is published.

Para. 12, 13, 14 and 15.—We do cultivate our jail lands as much as possible. We have not a tank that I know of that does not dry up every hot weather. As far as possible we utilise jail labor for jail requirements. We never buy woollen twist.

Para. 16, 17 and 18.—On a good many of our jail farms now we keep cows as jail property to supply good milk for the sick. We do not buy paddy and unhusked dholl.

Para. 20.—I agree with the committee here that the value of everything done by the convicts for their own maintenance or for jail economy should be debited to maintenance, and not credited to factories.

Chapter XXIV—Para. 5.—In each of our jails we have the three classes of labor, and the Superintendent uses his discretion under the Doctor's recommendation as to what class a prisoner shall be put to. I think it would be a mistake to define certain labor as "Hard," other as "Medium," and other as "Light," as the committee suggest in paragraph 13, for the reason that the committee give in the same paragraph, namely, that what one prisoner would consider "Hard" another prisoner would consider "Medium." I think it should rest with the Superintendent and Doctor to send a convict to such labor as suits his individual case, and that we do now. I would not change our present system.

Rule 1304, Jail Code.—We have now in use—

Report and Order books	..	..	..	..	..	6
General registers	..	..	..	..	..	23
Hospital do.	..	..	..	..	..	11
Financial do.	..	..	..	..	..	10
Factory do.	..	..	..	..	..	6
Total	..	..	..	..	..	56

Rule 1431, Jail Code.—Our Manufactory registers are almost the same and require no change.

Of the Financial registers, the committee recommends—

26. Cash book .. We use that.

27. Stock book of provisions, &c. .. We have kept this since the contract system has been abolished.

28-a. Diet roll of native .. Prisoners We keep these.

28-b. Do. of European .. We keep this.

29. Register of contingent charges .. We keep this.

30. Pay and Acquittance roll .. This we do not keep, but such receipt would be entered in the cash book.

31. Security Deposit register .. This we do not keep, but such receipt would be entered in the cash book.

We also keep a Permanent Advance account.

A tabular statement of Cash Receipts and Disbursements.

Jailor's Account book.

Storekeeper's Account book.

A Prisoners' Batta book.

A Register of Diet Money of Civil prisoners.

I think the tabular statement of cash receipts and disbursements is necessary to separate the different headings under which charges are incurred.

The Jailor's and Storekeeper's Account books are kept by themselves to account for advances given them. The contents of these three books are necessarily entered in the cash book.

Our Jailors are not required to give security, so we could hardly put them in sole charge of the permanent advance.

The Prisoners' Batta book and Register of Diet Money of Civil prisoners are handy for ready reference, but these items are also entered in the cash book.

Hospital Registers.

The committee recommend two only, when we keep eleven. Their first Register, No. 24, "Hospital Register and Register of Deaths and Post-mortems," seems, from the headings of the columns, to include in it the information contained in our—

- Nominal Register of admissions.
- Convalescent Gang register.
- Cholera register.
- Death register.
- Historical register.

I think our five may be done away with and the committee's register adopted.

Their second Register, 25, "Hospital Roll of sick, diet, bazaar medicines and miscellaneous articles."

Our "Case book" and "Morning Report book" embrace all this.

I think our "Register of Vaccination," "Journal," "Perishable Articles register," and "Letter book" should be retained.

General Registers.

The committee recommend 23, they include our Report and Order books in their General registers.

If we add ours together it makes one total 23 against their 23. There is not much difference between our registers and those recommended. We keep—

- A Jailor's Order book.
- A Matron's Report book.
- A Fetter register.
- A Register of Appeals.
- A do. of Petitions to Government.
- Prison Officer's Misconduct book, which the committee have not in their list.

Our Register of Receipt of Clothing and Register of Detailed Issue of new and part-worn clothing seems to correspond with their Clothing Stock-book. I think one Register of Receipt and Issue of Clothing is enough.

We keep a Gate register of Persons and Gate register of Articles.
Of those they recommend which we do not keep are—

"Alphabetical register of convicted prisoners."
I do not see the use of this, when it is all contained in the General register—the convicts' number enables him to be turned up easily in the register without reference to his name.

"Register of letters sent by post or peon."
This is generally kept for office convenience but is not considered an official book.

"Register of prisoners sentenced to solitary confinement by the courts."
This appears in the General register and is not necessary.

Para. 5.—The committee suggests 11 registers for our sub-jails. If we adopt them we should have to allow a clerk for each sub-jail to write them up. At present each sub-jail keeps a Register of Administrations, and the District Magistrate has to submit a half-yearly Inspection report to the Inspector-General. The officer in charge of the sub-jail has to submit not less than 7 monthly forms and 3 additional statements filled in to the Divisional officer who tabulates them and sends them to the District Magistrate to forward to the Inspector-General. I do not think the registers suggested by the committee are necessary.

- (1) Statement of escapes and recaptures.
- (2) Expenditure in guarding and maintaining prisoners.
- (3) Employment of convicts.

Para. 12.—Every attention is paid to the orders of Government, 4th June 1887, No. 1174, regarding the destruction of records and the preservation of those to be kept.

Chapter XXXII.—Our jailors get no commission on net profits of jails.

Government has sanctioned gratuities under our Remission rules at the following rates:—

3rd-class convict	..	..	..	..	..	1 anna a month.
2nd do.	..	..	..	..	..	do.
1st do.	..	..	..	..	..	do.
A maistry	..	..	..	..	..	1 do.
Warder or overseer	..	..	..	..	..	1 1/2 do.

up to a maximum of Rs. 10. This is quite irrespective of batia for the journey on release.

Para. 2.—The suggestions in this paragraph are exactly in accordance with our present procedure. I differ with the committee in thinking that a fine, if offered for a prisoner at the jail in which he is confined, must not be accepted, though the Court which inflicted the fine is in the same station. We remit the fine to the Court which sentenced the prisoner, if it is in the same station, if not, it is sent to the local treasury and the Treasury officer's receipt is sent with the warrant to the committing officer. It is very simple arrangement.

Para. 3.—Our dates of release are calculated exactly as suggested in this paragraph.

Para. 4.—Our released convicts are given subsistence allowance (as well as any gratuity earned) at the rate of 2 annas for 20 miles as suggested—a third-class ticket if they go by railway and a steamer ticket if sent from any northern jail to the south.

Paras. 5 and 6.—Almost all our central and district jails have sites now for cholera camps, and on the outbreak of an epidemic of any sort can at once be moved out. Of course the Medical officer is responsible for the necessity.

Paras. 7, 8 and 9.—These paragraphs remark on our close prison system; as a rule, the prisoners confined in the close prison do their work there in their cells and do not mix with the other convicts during hours of labor. I think it would be hard on an habitual who has done his term of close prison on admission to be relegated to the close prison afterwards (unless for misconduct) because he is an habitual.

Para. 10.—I concur in all said here.

(Signed) J. M. SMITH, Colonel,
Ag. Inspector-General of Jails.

OORACAMUND,
7th May 1890.

ORDER—dated 18th November 1890, No. 1804, Judicial.

With the first of the letters read above, the Government of India forwards, for the consideration of this Government, the report of the Committee which was appointed at the close of 1888 to enquire into certain matters of Jail administration. This report has been referred to the Inspector-General of Jails for opinion, and his remarks form the second of the preceding papers. The enquiry conducted by Drs. Walker and Lethbridge was very exhaustive and covered nearly the whole range of Jail administration, and, as observed by the Government of India, their report contains valuable

suggestions for the improvement of the working of Jails. After careful consideration of the whole correspondence, His Excellency the Governor in Council has come to the conclusion that, before a final decision on many of their recommendations is arrived at, it will be advantageous to make further inquiries, and, as the current work requires the Inspector-General's unremitting attention and no other member of the Jail department is available, has resolved to depute an officer on special duty to make a full report in communication with Colonel MacDonald Smith. Meantime, the Government proceeds to pass orders on certain matters which seem already to be ripe for decision, or regarding which instructions are necessary.

2. *Chapter II.*—This chapter will be considered by the special officer and attention is particularly drawn to the following matters which should be specifically noticed in his report—

- (1) In what districts is it possible to carry out the proposal that all persons sentenced to more than 15 days' imprisonment shall be transferred to a district jail?
- (2) In what cases will it be expedient to abolish the sub-jail at the headquarters of the district?
- (3) In what instances is the location of the sub-jail within the district jail possible?

All District Magistrates will express an opinion upon the above points. The system alluded to in paragraph 6 of this chapter already holds in the Madras Presidency; it remains for the Inspector-General to see that it is strictly carried out.

3. *Chapter III.*—The attention of the Public Works Department will be called to this chapter, which contains matter deserving of consideration when plans for jails are in hand. The Inspector-General should also give the chapter consideration, and should ascertain what defects of construction exist in those jails which were not inspected by Drs. Walker and Lethbridge, with a view to effecting an improvement, and he will take steps to remedy the defects pointed out in those visited by the committee, amongst which are the following:—

- (1) In certain jails the construction of the outer wall is such as to afford facilities for escape.
- (2) The entrance to the close-prison is insufficiently protected from the weather.
- (3) Small court-yards should be attached to the solitary cells.
- (4) In certain jails the gates are so far apart as to render the double-gate system impracticable.
- (5) The sleeping-wards should be so constructed as to compel the prisoners to sleep apart.
- (6) At Vellore an improvement in the form of sleeping-ward would render possible a reduction in the patrols.
- (7) At Coimbatore the construction of partitions would increase the accommodation in the close-prison cells.
- (8) At Cannanore and Coimbatore the warders' quarters are undesirably distant from the jail.

The special officer should report the extent to which habitual criminals are segregated in the various jails.

4. *Chapter IV.*—The Inspector-General will have the areas of all jails carefully checked with reference to the remarks contained in this chapter and in the appendices. The defects observed in the situation of the Penitentiary at Madras are such as do not admit of rectification.

5. *Chapter V.*—The Inspector-General has dismissed this chapter with but brief remark, apparently not noticing the strictures passed by Drs. Walker and Lethbridge upon the latrine and water-supply arrangements in almost every jail. The particular attention of the Inspector-General is directed to the matter, and in this connection the observations regarding the use of masonry and lime in urinals, of tar in latrines, and the careless method of working the dry-earth system, should be noted.

The remarks in paragraph 18 of this chapter, relative to the improvement of water-supply, should be carefully considered, and, as dealing with a similar subject, a copy of Dr. King's recent report upon the condition of Negapatam will be forwarded to the Inspector-General of Jails.

The Government attaches great importance to the matters dealt with in chapter V and expects the Inspector-General to take steps to remedy the defects noticed in this portion of the report.

6. *Chapter VI.*—This chapter requires careful attention throughout by the special officer and should be made the subject of full report. Some of the more important portions of the chapter which call for particular notice are the following:—

- (1) The arrangement under which the Tanjore and Palamcottah Jails are in charge of an officer who performs the joint duties of jailor and superintendent.
- (2) The abolition of the Cannanore Jail and the conversion into a district jail of the Salem Central Jail.
- (3) The distribution of the district jails into three grades carrying different charge allowances calculated according to population.
- (4) The question of the reorganization of the warder establishment.
- (5) The proposal to enlist the services of jail clerks as assistant jailors.
- (6) The suggested re-transfer to the police of escort-duty.

The above represent a few only of the subjects requiring discussion and the whole chapter is of such importance that the Government is averse to expressing any opinion on the larger questions involved until in possession of the special officer's report.

7. There are, however, certain points upon which observations are called for, the chief among these being the proposal to abolish the European prison at Ootacamund. Upon this subject the Government has come to the conclusion that the retention of this prison is inadvisable, and it will be closed on the 31st March 1891. Notice must at once be given to the establishment that, on the date mentioned above, such as cannot be absorbed in other jail appointments will be discharged with such pension as they may under the rules be eligible for.

It appears that there are at present in the jail four Europeans drafted from jails in the Punjab. The Inspector-General is requested to furnish at an early date to Government particulars with regard to these individuals; upon receipt of this information the Government of the Punjab will be addressed as to their ultimate disposal. The other inmates will be transferred, on the abolition of the prison, to the Coimbatore Central Jail.

8. The suggested reduction of the Salem Central Jail to the status of a district jail has not been commented upon by the Inspector-General. The special officer must consider this proposal as alternative to the abolition of the Cannanore Central Jail. He will report the number of local long-term prisoners confined during the past 5 years in this last-mentioned jail; if the number be small, and it be decided to retain the Salem Jail as at present, it will be possible to take one of two courses—either to abolish the Cannanore Central Jail and send all long-term prisoners to either to abolish the Cannanore Central Jail and send all long-term prisoners to Calicut, raising that to the grade of a first-class district jail, or to abolish the Calicut District Jail and transfer the prisoners to Cannanore. The Government sees no particular reason why Burmans should not be confined at Vellore, where they keep good health, and is of the decided opinion that old and infirm prisoners from other districts should not be subjected in future to the trying climate of the West Coast.

9. There are certain portions of chapter VI which deal with questions concerning the Medical Department. Upon all such matters the special officer should consult the Surgeon-General and should embody the remarks of that officer in the report submitted by him to Government. The Surgeon-General is requested to report whether he will be able to draw up, for the use of medical subordinates, a manual such as that referred to in paragraph 15 of chapter VI of the report.

10. *Chapter VII.*—The suggestions in paragraphs 3, 4, 5 and 8 of this chapter meet with the approval of Government and should be given effect to in future, the necessary modifications being made in the Jail Code.

11. *Chapter VIII.*—This chapter will be considered by the special officer with especial reference to the question of transferring female convicts to jails outside the districts to which they belong: the Government is inclined to agree with the remarks of Drs. Walker and Lethbridge upon this point, but desires further information before passing final orders. The Government is in full accord with the observations contained in the report in regard to the appointment of female warders. The Inspector-General of Jails will submit proposition statements, making provision for the entertainment in every district and central jail of a female warder upon such pay as the Inspector-General considers advisable, but subject, in the case of district jails, to the maximum recommended in paragraph 2 of chapter VIII. For the new post the wives of warders would probably be found desirable. The five matrons at present employed in certain of the central jails will be retained in their appointments.

12. *Chapter IX.*—The Inspector-General observes that the principles laid down in the report in regard to juvenile prisoners are observed so far as may be, but this hardly appears to be the case, for the committee has pointed out several grave defects in this respect in the Madras Jails. The Inspector-General's attention is drawn to the remarks upon the boys' cubicles in the Vellore and Tanjore Jails, and he will call for, and submit to Government, the explanation of the Superintendent of the Calicut Jail in respect to the confinement of two juveniles along with adults. All the suggestions appearing in this chapter have the approval of Government, and the Inspector-General should take steps for the immediate introduction of the system in force in the North-West Provinces in regard to the division of juveniles into two classes, the determination of which rests with the Medical officer in charge of the jail. The necessary alterations will be made in the Jail Code. The attention of all District Magistrates and of the Director of Public Instruction is drawn to the remarks in the concluding portion of paragraph 7 of chapter IX; the committee therein refers to the demoralizing effect produced by the presence of juvenile habitual criminals in reformatories, and the Government, agreeing with these remarks, desires to impress upon all Magistrates the very great inadvisability of transferring to such institutions juvenile convicts of this description.

13. *Chapter X.*—The Government objects to the proposals contained in paragraphs 7 and 12 of this chapter.

To require a "History Ticket" from an under-trial prisoner would be to assimilate his treatment to that of a convict and would be decidedly improper. The suggestion in paragraph 12 again amounts to a proposal to subordinate the exigencies of the administration to the convenience of jail officials and it therefore cannot be approved. Under-trial prisoners must be received back into jail at whatever hour the Court sees fit to return them; this is the existing practice, and, as remarked by the Inspector-General, the rules at present in force regarding admissions after lock-up are sufficient to ensure safety. It is suggested in paragraph 9 of chapter X that prisoners under transfer from one place of confinement to another should be supplied with food for the journey; this plan carries with it several advantages and the Government desires that it shall be adopted in future.

14. *Chapter XI.*—The Government is in favor of the proposal to allow Civil prisoners the benefit of interviews with friends at any hour of the day; the Inspector-General will accordingly take steps to bring into force the Bengal system mentioned in paragraph 3. The Government does not propose to recommend any alteration in the existing law governing the release of Civil prisoners suffering from a disease likely to prove fatal in case of continued confinement.

15. *Chapter XII.*—After careful consideration of the suggestions contained in this chapter, His Excellency the Governor in Council has arrived at the conclusion that the system of carrying out sentences of death in vogue in this Presidency is open to objection. The method of execution adopted in the North-West Provinces

and Oudh seems to ensure all the publicity which is necessary and it will be adopted in future in every jail where executions are carried out. For the purpose of introducing the system it may be necessary, in certain cases, to construct gallows-enclosures, while in other places accommodation of this description may already exist. The Inspector-General will inquire into the matter and, where necessary, submit estimates of the cost of giving effect to these instructions.

In other respects the suggestions contained in chapter XII do not for the most part commend themselves to Government. The proposal to permit the relatives of an executed criminal to remove the body is open to objections to which Drs. Walker and Lethbridge have made no allusion, and the present system appears preferable and should continue. As to the debit of charges connected with the carrying out of executions also no change in the existing custom is called for. His Excellency in Council is entirely opposed to the enforced attendance of Magistrates at the execution of criminals, and, as a consequence, many of the rules contained in paragraph 1 of chapter XII become unnecessary; such are rules I, II and VI. Rules III and VII also appear to be uncalled for, and rule IX already exists in another form. Rules V and VIII are, however, approved in principle by the Government, but the Inspector-General will report whether he considers any alteration in their form desirable.

16. *Chapter XIII.*—In future, instruction should be confined to juveniles and should be restricted to reading and writing and some simple handicraft; the question should, however, have the consideration of the special officer and should be noticed in the report submitted to Government.

17. *Chapter XIV.*—The form of report appearing in paragraph 6 of chapter XIV should be substituted for form E appended to the annual Jail report. The form may require modification to suit the circumstances of this Presidency; upon this the special officer will submit his opinion.

18. *Chapter XV.*—This chapter should be carefully considered by the special officer as it contains many important suggestions the adoption of which would probably have a beneficial effect upon the Jails of this Presidency. The Government is not prepared to pass any specific orders as yet, but is decidedly of opinion that the recommendations of Drs. Walker and Lethbridge, to the effect that each central jail should have its own special manufacture, are sound in principle, and the Inspector-General should take steps to bring this system into force. The particular attention of the Inspector-General is drawn to the remarks in paragraphs 6 and 7 of chapter XV; to the observations in respect of the bad quality of the blankets supplied to the prisoners and to the proposals to assign marks for carefulness as regards clothing and to issue new clothes, not at fixed intervals, but according to requirements.

19. *Chapter XVI.*—The only matter calling for notice in this chapter is the method of fastening the wooden tickets worn round the necks of prisoners; the Government agrees with the Inspector-General that for this purpose a string should continue to be used.

20. *Chapter XIX.*—The suggestions in this chapter meet with the general approval of the Government, those relating to "alarm parades" particularly commending themselves for adoption. The whole chapter should be considered by the special officer, and draft rules regarding the course to be followed in case of escape or outbreak, the system of drill, and such other matters suggested in the report, should be submitted for the sanction of Government.

21. *Chapter XX.*—This chapter is referred to the special officer for consideration; as the subject is the dietary of convicts, it is desirable that the Surgeon-General should be consulted in the matter and his views embodied in the report. The Government has little doubt that the curry-powder used in Madras Jails is unnecessarily expensive and that such ingredients as black-pepper, cummin-seed, mustard-seed and vendium should be discarded. While admitting the existence of difficulties in the way of successful gardening, the Government is still of opinion that it should be a rule that the condiments used in curry should be grown within the jail precincts, but as

regards the raising of anti-scorbutic vegetables, Drs. Walker and Lethbridge have not made sufficient allowance for the climate of the South of India. Many of the vegetables mentioned in the report can be grown only with the greatest difficulty and could never be raised in quantities sufficient to supply a large number of convicts; but, while recognizing this, His Excellency in Council still believes that proper attention has not hitherto been paid to the subject of jail gardening and its importance should be constantly borne in mind by the Inspector-General and the Superintendents of Jails. A saving might possibly be effected by the manufacture of curry-powder in a few jails and its distribution to other jails within reasonable distance: this the special officer will consider. The Inspector-General should ascertain from Dr. Lethbridge the composition of the curry-powder in use in the jails of Lower Bengal.

22. *Chapter XXI.*—The Inspector-General does not appear to have noticed the remarks in the report upon the excessive quantity of fuel used in the Madras Jails. It seems that, while the average daily allowance of fuel per head is 24 ounces in the Presidency generally, in Coimbatore the food is cooked—and properly—with an expenditure of only 11 ounces per head. This is a matter which requires the immediate investigation of the Inspector-General, and he will report whether the economical system in force in the Jail referred to cannot be introduced elsewhere.

23. *Chapter XXII.*—The first thing that is necessary in regard to jail gardens is to ascertain the area available in each jail for this purpose; the portions necessary for raising condiments and anti-scorbutic vegetables can then be marked off and the space remaining will serve for the cultivation of mangoes, limes, tamarinds and similar fruits. As regards the class of vegetables, it will probably be found better to confine attention to the indigenous sorts than to experiment with English seeds, which are expensive and frequently fail to germinate. The Inspector-General should obtain a copy of the Jail Code in force in the North-West Provinces and should ascertain the system holding in Lower Bengal; he will then frame simple rules on the subject of jail-gardening in this Presidency; in this work the Honorable Mr. Price has kindly offered to lend his assistance. The Inspector-General's particular attention is drawn to the remarks appearing in the appendices in respect of the jail-garden at Cannanore and to the observations upon the use of night-soil as a manure.

24. *Chapter XXIII.*—This chapter will form the subject of consideration at the hands of the special officer; but on a few points the Government is already in a position to pass orders. The method of procuring supplies through purveyors should be entirely abolished, and the system referred to in paragraph 4 will be adopted in future. The Government does not anticipate that any difficulty will be experienced in the storage of grain, but full consideration should be given to the recommendations of Drs. Walker and Lethbridge upon this and such other subjects as the husking of paddy, the preparation of dhāl and the manufacture of cups, baskets, &c., within jails. The establishment of dairies is a more difficult question upon which the special officer should submit recommendations. The statement referred to in paragraph 8 might probably be adopted with advantage.

25. *Chapter XXIV.*—This chapter calls for no long comment. The Government has already expressed its opinion that manufactures should be concentrated and the particular attention of the Inspector-General is again called to the matter. The Government accepts the recommendation that in future all the Government form-printing shall be executed in the Penitentiary; the Inspector-General will make the requisite arrangements and will report upon the unnecessary employment of free labor in this prison to which Drs. Walker and Lethbridge refer. The Government would not make any alteration in the number of hours during which work is exacted from convicts nor in the method of apportioning task work, but the definition of labor proposed in paragraph 13 should be adopted. The weaving of carpets may be continued as recommended by the Inspector-General, but it should be a general principle that manufactures useful to Government should be undertaken in preference to those of a purely commercial nature. In respect of unskilled labor which cannot be utilized in manufacture the best occupation would probably be found to consist in husking grain

gardening and farming; but as regards employment much must be left to the discretion of Superintendents, and His Excellency in Council has no desire to lay down stringent rules on the subject.

26. *Chapter XXV.*—The Bengal rules in regard to the treatment of lunatics have been adopted by this Government and will be incorporated in the Jail Code when revised.

27. *Chapter XXVI.*—This chapter will be considered by the special officer, who should report whether any modifications are necessary in the present rules regarding remission. The Government of India has been informed that this Government objects to the proposed "History Ticket," and a suggestion has been made to extend the benefits of the mark system to all convicts confined in central jails.

28. *Chapter XXVII.*—The Inspector-General objects to the introduction of any changes in the system of parades and discipline, and the Government leaves the matter to his discretion, but it would be as well to draw up general rules upon the subjects dealt with in this chapter for incorporation in the Jail Code.

29. *Chapter XXVIII.*—The Inspector-General will frame and submit for approval rules for the management of Burman convicts and should at once carry out the suggestions in the report in regard to their dress, but no change in the present dietary appears to be called for. The Inspector-General's objections to the proposal to detail a native convict to each Burman appear well-founded, but it is undoubtedly desirable that the Burman convicts should receive instruction in some Indian colloquial language and for this purpose special classes should be formed.

30. *Chapter XXIX.*—The suggestion to have a printed form of forwarding letter for the purpose of giving cover to appeals appears worthy of adoption. The remaining proposals in this chapter limiting the right of appeal through the Jail authorities are strongly disapproved of by Government.

31. *Chapter XXX.*—The reasons brought forward by the Inspector-General against the appointment of non-official visitors are not convincing and the Government is of opinion that the system should be given a trial. Accordingly all District Magistrates will be requested to report upon this point and to state the number of non-official visitors considered necessary for each central and district jail and to give the names of those gentlemen who are willing to undertake the duties of that appointment. The Inspector-General will make a similar report regarding the Penitentiary.

32. *Chapter XXXI.*—There seems no doubt that the forms of account in use in the Jails of this Presidency are unnecessarily numerous and the Inspector-General in his letter read at the head of this proceedings has not dealt with the subject in sufficient detail. The special officer will now collect samples of every form whether authorized or unauthorized in use in the jails and compare them carefully with those suggested by Drs. Walker and Lethbridge. Upon conclusion of this investigation he will submit for the approval of Government sets of forms arranged in the way suggested in paragraph 2 of chapter XXXI and will explain the necessity for every variation proposed. It will probably be found that Jail Code Nos. 11, 12 and 27 can be merged in the committee's Nos. 10 and 14. Jail Code Nos. 21 and 22 should possibly be abolished and committee's Nos. 21 and 22 introduced. Jail Code Nos. 29, 45 and 47 do not seem to be wanted and the necessity for Nos. 43 and 44 will also disappear if security be taken from all jailors and storekeepers—a system which the Government considers should be brought into force. On the other hand, it seems essential to maintain a Treasury Pass Book in every jail and the suggestions in paragraphs 4 (17), 10 and 11 also deserve consideration. The Government agrees with the Inspector-General in considering the accounts suggested for subsidiary jails as unnecessarily numerous, but awaits the observations of the special officer upon this point. The special officer should also report upon the returns to be submitted in future, and in subsequent Administration reports the Inspector-General of Jails will state definitely whether he has examined the records of all jails inspected by him and to what extent the orders of Government in regard to them have been carried out.

33. *Chapter XXXII.*—The various recommendations in this chapter, which have not been fully dealt with by the Inspector-General, will be considered by the special officer. The Inspector-General is requested to report the reason why a large number of cells in the Coimbatore Central Jail and the Penitentiary were found by the committee to be unoccupied.

34. The particular attention of the Inspector-General is drawn to the remarks upon individual jails, contained in the appendices, and the observations upon the Reformatory school will be communicated to the Director of Public Instruction. The Inspector-General will submit draft rules regarding the transfer of leprosy prisoners to the criminal ward of the Leper hospital, Madras, for incorporation in the Jail Code. The Government is of opinion that a certain reduction is possible in the number of district jails and the Inspector-General will consider this matter carefully and report upon it.

35. It will probably be found necessary to effect considerable modifications in the Jail Code and the task of revision may possibly require the services of a special officer; orders upon this subject will, however, be passed later.

36. The following letter will be despatched to the Government of India.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Inspector-General of Jails.
" the Surgeon-General with the Government of Madras.
" the Director of Public Instruction.
" all District Magistrates.
" the Public Works Department.

LETTER—to the Secretary to the Government of India, Home Department, dated Fort St. George, 18th November 1890, No. 1805, Judicial.

With reference to your communication dated the 16th September 1889, No. 659, requesting the opinion of this Government upon certain portions of the report of the committee appointed to inquire into matters connected with Jail administration in India, I am directed to forward the following remarks upon those chapters of the report which appear to require reply. These are dealt with below *seriatim*. The accompanying copy of the proceedings of this Government deals with those portions of the report which were left entirely to the discretion of this Government and in regard to which no report was desired by His Excellency the Governor-General in Council.

2. *Chapter II.*—The various suggestions appearing in this chapter are of such a nature that this Government hesitates to express any opinion without further consideration. It will be observed from the proceedings referred to above that a special officer has been appointed for the purpose of making a full inquiry into certain of the proposals appearing in the report, and to that officer the questions raised in this chapter will be referred. At the same time District Magistrates will be consulted, and, upon receipt of their replies and of the report of the special officer, the Government of India will be further addressed on the subject. It may, however, be stated at once that this Government strongly disapproves of the proposal made in paragraph 12 of chapter II; the only officers who could be appointed as Superintendents of Subsidiary Jails are the Tahsildar-Magistrates, and in the opinion of His Excellency in Council, it is eminently undesirable that they should be withdrawn from the control of the District Magistrates and permitted to correspond direct with the Inspector-General of Jails. The system alluded to in paragraph 16 of chapter II already holds in this Presidency.

3. *Chapter VI.*—In regard to the changes proposed in this chapter also the Government is not prepared to pronounce definitely as yet and prefers to await the

report of the special officer. Upon receipt of this, the various questions relating to establishment, the guarding of prisoners, the abolition of the Cannanore Jail, the conversion of the Salem Central into a District Jail, and the alteration of the system of superintendence in the Tanjore and Palamcottah Jails will receive due attention. Upon certain of the suggestions contained in this chapter, however, it is possible to express the views of this Government at once. The proposed abolition of the European Jail at Ootacamund is approved and will be carried into effect at an early date; but, on the other hand, the suggested increase in the pay of Central Jail Superintendents after eighteen years' service appears open to objection. The Government of India is already in possession of the reasons which led this Government to protest against the restriction of the post of Superintendent of Central Jail to the ranks of commissioned medical officers, and the views of this Government upon this point have undergone no change. His Excellency the Governor in Council cannot, therefore, regard with approval a proposal which will entail an additional charge upon the Provincial revenues unaccompanied by any corresponding benefit to this Presidency. The question of granting a more uniform scale of allowances to Superintendents of District Jails, referred to in paragraph 7 of chapter VI, will be fully dealt with after the report of the special officer on the subject has been received. It may, however, be mentioned that such a change will not result in any economy, but will, on the contrary, prove more expensive than the present arrangement. Taking the average population in district jails in 1889, and excluding such jails as Tanjore, Palamcottah, Russellkonda and Parvatipur, which stand on a peculiar footing, the proposed alteration would affect the charge allowances of only four jails, viz., Bellary, Cuddapah, Guntur and Berhampore. In the first case the allowance will be Rs. 75, instead of Rs. 100 as at present, while in each of the others it will be raised from Rs. 50 to Rs. 75. There will thus be a net additional charge of Rs. 50 per mensem.

4. *Chapter VIII.*—This chapter will also be commended to the consideration of the special officer, but I am directed to express the general approval of this Government to the proposals therein contained. The cropping of the hair of female prisoners as a punishment and the use of handcuffs (except as a means of restraint) are prohibited in the Madras Jail Code, and no alteration in the code in this respect appears to be called for. There are at present five matrons on salary rising from Rs. 30 to Rs. 50 per mensem in this Presidency; in order to avoid a sudden reduction of establishment these women will continue to be employed in central jails and in the remaining central jails and in the district jails female warders on some such pay as that suggested in paragraph 2 of chapter VIII will be entertained.

5. *Chapter XI.*—The Government of Madras is in favor of the proposal to allow Civil prisoners interviews with friends at any time of the day, and will issue the necessary orders to this effect. As remarked by the Government of India, the adoption of the proposal in paragraph 5 of this chapter is impossible as the law now stands, and this Government sees no reason for fresh legislation for the purpose of empowering the Superintendent of a jail to release a sick Civil prisoner.

6. *Chapter XIII.*—The views expressed in this chapter meet with the general approval of His Excellency the Governor in Council. In future, instruction will be confined to juveniles in all classes of jails and the subjects taught will be reading and writing in the vernacular of the prisoner, and, in addition, some simple handicraft. The details of the system will form the subject of report on the part of the special officer. Statement VII may, in the opinion of this Government, be discontinued in future.

7. *Chapters XVII and XVIII.*—His Excellency in Council is disposed to dispute the principle underlying the arguments of the committee in regard to jail discipline. To record every offence against discipline of however trivial a nature would lead to a great increase of scriptory work unaccompanied by any corresponding advantage. From the remarks contained in Home Department Resolution, dated 7th October 1887, No. 23—1609-1629, it would appear that the Government of India was itself previously averse to the system now proposed, upon the ground that it has a tendency to lead to the infliction of unnecessary punishments. With this opinion the Government

of Madras is in complete accord, and considers that the objections to the proposal outweigh the one advantage—uniformity of record. Such being the case, this Government regards the sub-division of offences into "serious" and "minor" as unnecessary.

As regards the punishments to be inflicted for infraction of Jail rules, I am to observe that those already provided in the Madras Jail Code have been hitherto found sufficient; the form of punishment which consists in prescribing gunny clothing does not indeed find a place in the present Jail Code and may, with advantage, be introduced, but, otherwise, His Excellency the Governor in Council is not prepared to recommend any addition to the existing list of punishments. I am to point out that Madras Act V of 1869 limits the period of solitary confinement to seven days, and legislation will therefore be necessary if the committee's proposal to fix the maximum at fourteen days is to be adopted. Similarly, Madras Act VII of 1882 will require amendment if a minimum of fifteen stripes be imposed in the case of corporal punishment. For fresh legislation this Government sees no sufficient reason, and to such forms of punishment as deprivation of the morning meal and standing handcuffs His Excellency in Council is entirely opposed.

8. *Chapter XXVI.*—The rules proposed in this chapter will be referred to the special officer for report. His Excellency in Council is opposed to the introduction of a "History Ticket" which is suggested in paragraph 3 of chapter XXVI; the objections to the proposal are numerous; in the first place, the amount of labor required to keep up the ticket will be considerable; in the second, it will form only a duplicate of part of the existing convict register and will be liable, unlike that register, to be mislaid and effaced; finally, the entries in the ticket will necessarily be written up by various hands and an element of uncertainty will thus be introduced. The advantages which will counterbalance these objections are not apparent.

I am further directed to suggest that the mark system should be extended so as to bring within its scope all prisoners sentenced to imprisonment for one year and upwards. If this be done, all convicts confined in central jails will have the advantages of good conduct brought prominently before them, and the effect upon the discipline of these places of confinement can hardly fail to be beneficial.

9. *Chapter XXVIII.*—The question of transportation will be made the subject of a separate communication; it is only necessary to observe that this Government approves generally of the proposed rules, some of which are already in force in this Presidency, and that measures will be taken to introduce such others as, after consideration, appear desirable. I am to add that this Government is in favor of removing the prohibition against the deportation of female term-prisoners to the Andamans.

10. *Chapter XXX.*—The proposal to appoint non-official visitors for jails has the approval of this Government, and steps will be taken to meet the wishes of the Government of India in this respect.

J. F. PRICE,
Chief Secretary.

Govt. of Madras.
JUDICIAL

Issued

Recd.

Encl.

G.O., &c., 18th November 1890,
Nos. 1804, 1805.

NOVEMBER.

Jail Administration.

Passing orders with reference to the report of the Committee appointed to inquire into certain matters of — and the Inspector-General's remarks thereon; and addressing the Government of India on the subject.

187
1804
TH NOVEMBER 1890, No.

JUDICIAL

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following papers:—

From C. J. LYALL, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Jails), to the Chief Secretary to the Government of Madras, dated Simla, the 16th September 1889, No. 659.

Under the orders contained in Home Department Resolution, No. 458, dated 9th October 1888, Deputy Surgeon-General Walker and Surgeon-Major Lethbridge were deputed to inspect and report on certain matters connected with the administration of the jails in the Madras and Bombay Presidencies, Bengal, the North-Western Provinces and Oudh, and the Punjab, during the cold weather of 1888-89. The Government of India has been placed in possession of their report, which contains valuable suggestions for the improvement of jail administration. These suggestions have been considered by the Governor-General in Council, and, subject to the remarks made below, they seem to His Excellency in Council to be generally suitable for adoption. Before, however, deciding whether they should be generally adopted, His Excellency in Council desires to learn whether, in the opinion of the Governor in Council, they are suitable to the circumstances of the Madras Presidency, and, if not, to what extent they appear unsuitable.

2. Chapter II deals with the classification of jails. The Governor-General in Council accepts the standard proposed by the committee that all prisoners sentenced to rigorous imprisonment for periods of one year and upwards and all prisoners sentenced to transportation should be confined in central jails. His Excellency in Council considers that the collection in large jails of long-termed prisoners must conduce not only to discipline, but also to the profitable employment of jail labor, and to economy in management. With the accommodation available in the central jails in Madras, as shown in paragraph 7 of Chapter II of the report, His Excellency in Council should experience no difficulty in bringing the rule into immediate effect.

The remarks contained in paragraphs 11—13 of Chapter II of the report deserve careful consideration. The Governor-General in Council thinks that the rule—that a subsidiary and district jail should not exist at the same place—should be strictly enforced, and that the necessity for maintaining a subsidiary jail within easy distance by railway or other means of communication from a district jail should in every instance be closely examined. With reference to paragraph 12, His Excellency in Council considers that there will be an advantage in bringing the establishments at subsidiary jails under the Jail Department where this has not already been done, the Magistrate in charge taking exactly the same position in regard to such a jail as he does when he is in charge of a district jail.

The view of the Government of India on the subject referred to in paragraph 14 is that no accused person should be remanded to the charge of the police when there is any sort of jail available for his custody, that in this view *hawals* or lock-ups in charge of the police should be abandoned as far as possible, and that where the courts and the jail are at a distance from one another special arrangements should be made to convey all prisoners during the hot weather, and sick prisoners at all seasons, between the jail and the courts.

3. The recommendations in Chapters III, IV and V appear to the Government of India to be judicious, and are commended to the attention of the Governor in Council. His Excellency in Council trusts that in future reports on jail administration special care will be taken to avoid inaccuracies, such as are referred to in page 16 of the committee's report as having occurred in some provinces in Statement A.

4. The chapter on jail establishments (Chapter VI) contains, in the opinion of the Government of India, the most important recommendations made by the committee, and from the adoption of those relating to the subordinate establishments the committee anticipates both increased efficiency and a reduction of expense. The Governor-General in Council hopes that they will receive the careful consideration of the Governor in Council, and will be glad to learn the extent to which they can be adopted in the Madras Presidency. It has recently been determined to reserve the appointment of Superintendent of a Central Jail for commissioned medical officers in the Madras Presidency and Bengal—the only provinces in which this rule was not previously enforced. The scale of pay for the Superintendents of Central Jails is now regulated by Financial Department Resolution, No. 1821, dated the 31st March 1871, which prescribes—

(1) for 1st-class Central Jails—

Rs. 700 per mensem rising by annual increments of Rs. 50 a month to Rs. 950 a month.

(2) for 2nd-class Central Jails—

Rs. 550 per mensem rising by annual increments of Rs. 50 a month to Rs. 700 a month.

When the Superintendent is not a medical officer, the allowance is reduced by Rs. 100 or Rs. 150 a month.

The Governor-General in Council desires to be favored with the opinion of the Governor in Council on the proposal of the committee that medical officers who remain in jail appointments after completing eighteen years' service should receive an increase of pay from Rs. 950 to Rs. 1,200 by annual increments.

In Bengal, district jails are, for the purposes of calculating the pay of the officers in charge, divided into (1) jails containing 300 or more prisoners, and (2) jails with less than 300 prisoners.

In other provinces, district jails are divided into four classes—

- 1st class, containing 500 or more,
- 2nd class, 300 and not more than 499,
- 3rd class, 150 and not more than 299,
- 4th class, more than 50 and less than 150,

and the scale of pay allowed to the officer in charge is Rs. 150 a month when the jail is a 1st-class one, and Rs. 100, 75 and 50 when it is a 2nd, 3rd or 4th class jail, respectively. His Excellency in Council desires to learn the views of the Government of Madras on the committee's proposal that the classification of district jails and the allowances of officers in charge should be regulated in the manner suggested in paragraph 7 of Chapter VI of the report. It should be specifically stated whether the adoption of the committee's proposal will result in economy or not.

5. The proposals in Chapter VII approve themselves to the Governor-General in Council and are recommended to the Governor in Council for adoption.

The question of the entertainment of matrons and female warders on the staff of jails has already been commended to the attention of Local Governments and Administrations, which are alive to the difficulties of the subject. His Excellency in Council thinks that the suggestions in paragraphs 2, 3, 4 and 7 of Chapter VIII should be observed as far as possible, and at all events in all central and large district jails.

With regard to the remarks of the committee in paragraph 5 of Chapter VIII of the report, I am to ask for the views of the Government of Madras as to the retention or abolition of the power of cutting off the hair of a female prisoner as a punishment. The restrictions proposed by the committee on the use of hand-cuffs in the case of females seem to the Government of India to be reasonable.

6. The Governor-General in Council leaves the proposals in Chapters IX and X regarding the classification and treatment of juvenile prisoners and the treatment of under-trial prisoners to the consideration of the Governor in Council. His Excellency in Council fears that the rule proposed in paragraph 12 of the latter chapter may, in some cases, be found difficult to work; but Magistrates of districts should be requested by executive orders to lessen the extent of the evil referred to by the committee.

7. Chapter XI deals with civil prisoners. His Excellency in Council leaves it to the Government of Madras to decide whether a rule should be introduced to permit friends to have interviews with civil prisoners at any hour of the day. His Excellency in Council fears that the rule referred to in paragraph 5 of the chapter is inconsistent with the terms of section 8, Act VI of 1888.

The rules proposed in Chapter XII for the treatment of condemned criminals are for the consideration of Local Governments and Administrations.

With reference to Chapter XIII, the Governor-General in Council desires to learn how far, in the opinion of the Governor in Council, the present system of teaching convicts, and consequently Statement 7 appended to the annual report, are capable of modification.

8. The question of the use of fetters for safe custody discussed in Chapter XIV has recently been under the consideration of the Government of India. The Governor-General in Council agrees with the committee in thinking that the rule regarding the use of fetters in force in Madras is preferable to those in force elsewhere and that it does not require alteration.

The suggestions in Chapters XV and XVI are left to the consideration of Local Governments and Administrations.

9. The important question of jail offences is dealt with in Chapter XVII. It has been frequently discussed in the reviews of the Government of India on provincial reports and the general jail statistics. The Governor-General in Council regards it as most desirable that uniformity of treatment of prisoners should be secured in this respect, and is convinced that much remains to be done before this desirable object is attained. His Excellency in Council therefore requests that this subject may receive most careful attention at the hands of the Madras Government, and that the recommendations of the committee may be thoroughly examined. The statistics given in paragraph 4 of Chapter XVII regarding Bengal jails in 1886 hardly warrant the conclusion of the committee, and in order to prevent misapprehension, the Governor-General in Council thinks it necessary to point out the faultiness of the deductions drawn from them. It is true that there were 93,042 admissions to the jails in Bengal in 1886, but in estimating the number of prisoners likely to have committed offences, this figure must be reduced by—

1. Under trial prisoners	27,511
2. Civil prisoners	3,662
3. State prisoner	1
4. Prisoners transferred from other jails in Bengal, and shown as admissions	15,780
5. Prisoners in transit to Andamans, &c.	1,592
Total	48,546

This leaves a balance of 44,496 individual prisoners likely to have committed offences, and 40,512 offences were actually committed.

The Governor-General in Council views with favor the proposal of the committee to divide the record of jail offences into (a) Serious and (b) Minor offences, but he is of opinion that offences of both kinds should be tabulated and shown in the reports in different statements. On this suggestion he awaits the views of Local Governments and Administrations.

The cognate question of jail punishments is dealt with in Chapter XVIII, and the first question which has to be decided is whether legislation should be undertaken to prescribe additional punishments in jails, and, if so, whether there should be one general Act for all India, or whether separate local laws should be passed in those

provinces where there are Legislative Councils. No special legislative authority appears to be required for such punishments as consist merely of a modification, to the disadvantage of a prisoner, of matters of discipline or treatment which, with the exception of penal labor which can only (section 48 (4) Act XXVI of 1879) be awarded for a period of 7 days to a prisoner not under sentence of rigorous imprisonment, the law leaves completely in the discretion of the executive authorities. In this connection the Governor-General in Council trusts that the list of punishments given in paragraph 15 of Chapter XVIII will be carefully examined with a view to ascertaining whether it is exhaustive, whether all the punishments enumerated in it can unobjectionably be adopted, and whether it is desirable that legislative sanction should be given to all of them, or whether the law should not be so altered as to reserve to Government the power to impose or introduce new punishments of the same kind, by executive order or rule. In particular, information is required as to the nature of fetters, and the mode of their application, should it be proposed to adopt them as a form of punishment. The introduction of the rule proposed in paragraph 15 (13) regarding corporal punishment would be impossible under the present law in Madras (Madras Act V of 1869, Section 11, Clause II), which fixes the maximum number of stripes for corporal punishment at 12 in many cases. In this connection it may be noticed that the committee (paragraph 5, Chapter XVIII), has erroneously referred to the orders in the Madras Presidency as having been drawn up under section 64, Act XXIII of 1870.

10. The Governor-General in Council has no observation to make at present on the recommendations in Chapters XIX, XX, XXI, XXII, and XXIII, which, in the opinion of His Excellency in Council, require to be carefully considered and examined.

11. Chapter XXIV deals with the employment of prisoners. The rules under which their employment is regulated are laid down in Home Department Resolution, No. 10-605-618, of 7th May 1886. The Governor-General in Council considers that the committee has exaggerated the difficulty of employing prisoners on extramural labor, and sees no necessity for any alteration in the rules laid down in 1886 in this respect. The observations in paragraphs 10 to 16 of the chapter and particularly those in paragraph 16, and the suggestions in paragraphs 20 to 30, require careful consideration at the hands of Local Governments and Administrations.

The Government of India entirely agrees with the committee that nothing but cash earnings of convicts should be shown in Financial Statements XIII and XIV, and this rule must in future be strictly observed. The object of these statements is to show exactly what has been earned by the jails, but the Governor-General in Council thinks it would be well that information should be given in the body of the report to show what has been saved to Government by the employment of prison labor, as well as what has been actually earned, and that figures might be given for each jail to show this result.

12. The rules regarding criminal lunatics suggested in Chapter XXV are those in force in Bengal, which were recommended for general adoption in Home Department letter of the 15th October 1888.

13. Chapter XXVI deals with the mark system and contains a set of draft rules drawn up for the regulation of the system.

The rules seem to be generally suitable, but the Governor-General in Council would wish the following suggestions to be considered in connection with them:—

Rule 1.—The last sentence might be thrown into a new clause A, and the present clauses A, B, C, numbered B, C, D.

Rule 1 B.—After the word "allowed" the words "so long as they conduct themselves well" should be inserted.

Rule 8.—This rule omits the power given to District Magistrates by present Rule 9—a power which in the opinion of the Government of India should be retained.

Rule 10.—Uniformity of rule on the subject of forfeiting marks for offences such as are mentioned is required and it should at the same time be provided that a prisoner who has been well behaved during a long term of imprisonment should not be prejudiced by a rigid rule that he must lose all his marks for an offence which may not be of a grave character. The rule might run: "A prisoner may, with the sanction of the Inspector-General, be excluded from the benefits

of the mark system for any limited time, or adjudged to forfeit the whole or any of the marks previously earned, if he is found guilty of any of the following offences, namely—

- Escape or attempt to escape from jail or subsidiary jail.
- Striking or attacking a jail official.
- Criminal immorality of a gross description.
- Forgery in connection with marks and the weight test; deliberate tampering with the prison history ticket or wilfully making away with it; wilfully causing bodily injury to himself with the view of escaping work or going to hospital.
- Illicit correspondence with outsiders.
- Deliberately bringing a false charge against a jail official, or wilful destruction or theft of Government property.

Rule 12.—The words "must be" and "must periodically report" should be substituted for the words "has been" and "have reported" respectively.

Rule 13.—Will need alteration with reference to the alteration of Rule 1 suggested above. Rules 16 to 20.—The Governor-General in Council is not assured of the necessity of these rules, and will be glad to receive the opinion of the Governor in Council as to the need for adopting them, as well as on the rules generally.

14. Chapter XXVII.—Details of prison discipline herein suggested are left to Local Governments and Administrations to adopt as far as they consider them desirable and feasible.

15. Chapter XXVIII deals with the question of transportation. The remarks in paragraph 1 seem to have been written under a misapprehension as to the rules regarding the transportation of female prisoners. The standing orders prohibit the transfer to the Andamans of female term-prisoners, but the Governor-General in Council will be glad to receive the views of the Madras Government as to the desirability of removing the present prohibition.

The remarks in paragraph 2 of the chapter regarding the deterrent effects of transportation to the Andamans deserve the most careful consideration, and the Governor-General in Council desires to learn the opinion of the Governor in Council on the subject. The question is of the highest importance with reference to the subjects discussed in Home Department letter, No. 630, dated the 22nd December 1888, and if the general experience of district officers is that the system of penal labor in the Andamans is not at present regarded with sufficient apprehension to deter people from crime, the Governor-General in Council will direct a local inquiry with a view to considering how it can be made more stringent. The question of the abandonment of the Andamans as a penal settlement, even as regards convicts from Bengal (see paragraph 3, Chapter XXVIII, of the committee's report) is, however, not one which the Government of India is as yet prepared to consider; and apart from other objections on general grounds which His Excellency in Council entertains to the suggestions of the committee as applied to Bengal, it is evident that Indian jails are not as yet suitable for the confinement of all transportation convicts, both because the jail establishments generally require to be improved and reorganized, and because the accommodation in central prisons is in some provinces inadequate even for the convicts who are not under sentence of transportation.

16. The committee has made special recommendations for the treatment of Burmese prisoners under sentence of transportation who have been sent to Indian jails. The Governor-General in Council regrets to learn that there are inequalities in the treatment of these prisoners in different jails, and trusts that Local Governments and Administrations will adopt as far as possible the recommendations made in paragraph 4 of Chapter XXVIII. His Excellency in Council has recently had under his consideration the question of a ticket-of-leave system in connection with some rules on the subject in force in the Punjab. The introduction of such a system in India is beset with difficulties, and the Governor-General in Council considers that the mark rules are sufficiently liberal for all classes of prisoners. The present would, in the opinion of His Excellency in Council, be a most inopportune time to introduce any relaxation into prison discipline, when the question of the deterrent effect of existing jail regulations is itself under consideration in connection with the crime statistics of the country.

The objections which apply to the introduction of a general system of ticket-of-leave apply, in the opinion of the Government of India, to the proposal to grant tickets-of-leave to Burman prisoners, and the Governor-General in Council is not prepared to

sanction either this proposal, or the alternative one of sending selected Burmese prisoners from Indian jails to the Andamans as self-supporters. Such Burmese convicts as have been sent to Port Blair have an advantage over those sent to Indian jails, just as Indian convicts sent to Port Blair have an advantage over convicts not considered fit for transportation. There is so far an inequality in treatment, but the proposal to release Burmese prisoners on ticket-of-leave or to send them as self-supporters to the Andamans after a certain term in Indian jails would introduce another inequality, and this the Government of India does not consider desirable.

17. The remarks in Chapter XXIX regarding appeals and petitions do not appear to be open to objection, except those in paragraph 5 which are in the direction of limiting the right of appeal for mercy. The Governor-General in Council could not approve of any rule which would countenance a limitation of the right to appeal to the executive Government for mercy which is inherent in every prisoner.

18. The remarks in Chapter XXX regarding visitors have the general approval of the Governor-General in Council. His Excellency in Council is particularly desirous that every Local Government and Administration should carefully consider the expediency of introducing or extending, as the case may be, the system of non-official visitors.

The recommendations regarding jail registers and returns deserve careful consideration. In Home Department letter, No. 409, dated the 28th February 1887, suggestions were made as to rules for the preservation or destruction of jail records, and the observance of such rules should remove the possibility of the records of a jail being in the untidy state referred to by the committee in paragraph 12, Chapter XXXI.

The several matters dealt with in paragraphs 1-10 of Chapter XXXII relate to questions which can best be dealt with by Local Governments and Administrations.

19. In conclusion, the Governor-General in Council desires that the recommendations of the committee may now be carefully considered in connection with the remarks which have been made above, and that the views of the Governor in Council may be in due course communicated to the Government of India. It is desirable that, in submitting his views to the Government of India, His Excellency in Council should bring specially to notice any point in which, either as a result of the recommendations of the committee or on independent grounds, he considers that the law regulating prisons requires amendment.

20. The Governor-General in Council trusts that the matters brought to notice in the inspection reports on individual jails (Appendix A of the Report) in the Madras Presidency will receive the careful consideration of the Governor in Council.

From Colonel J. M. SMITH, Acting Inspector-General of Jails, to the Chief Secretary to Government, dated Ootacamund, 7th May 1890, No. 158.

I have the honor to submit for the information of Government my remarks on the report of Deputy Surgeon-General Walker and Surgeon-Major Lothbridge on jail management in India, and to return the letter from the Supreme Government, in the Home Department, No. 659, dated 16th September 1889, referred to me with your endorsement, dated 15th October 1889.

ENCLOSURE.

Chapter II—Paras. 1 to 10.—With reference to the first ten paragraphs of this chapter, it is the rule in the Madras jails that prisoners sentenced to over one year and transportation, convicts are confined in central jails, and those sentenced to one year and under in district jails.

Paras. 11 to 15.—I do not think it would be of advantage to place the subsidiary jails more under the Jail Department than they are now. At present they are under the immediate control of the District Magistrate, but the superintendence is in the hands of the Taluk Magistrate. I would leave them as they are; the rules for their management are excellent now, and it would be impossible for the Superintendent of the district jail to supervise them properly, when it is considered how scattered they are and how large our districts are. The Zillah Surgeon (who is generally the Superintendent of the district jail where there is one) has, ex-officio, to visit all

sub-jails periodically and his remarks on them in the Visitors' Book are communicated to the Inspector-General. The remarks of the District Magistrate and the other ex-officio visitors in the Visitors' Book are, as is customary in all other jails, at once submitted to the Inspector-General.

I agree with the committee that prisoners sentenced to over 15 days should be sent to the district jail when the district jail is within a reasonable distance of the sentencing court. But there are several cases where this could not be done, and I would refer to G.O., No. 250, Judicial, dated 11th February 1889, as an instance where Government has sanctioned the concentration at Kimedi and Chicacole of the sub-jail prisoners at Tekali and Narsannapett. This I would not alter on account of their distance from the district jail. I do not think that magisterial "under trials" should be sent to district jails, the chief objection being the danger of infectious diseases being brought into the jail. When once committed to the Sessions, all under-trials are sent to the district jail, which is generally at the head-quarters of the District Court, except in the Kistna and North Malabar districts. In the former, the court is at Masulipatam and the jail at Guntur, and in the latter the court is at Tallicherry and the jail at Cannanore. At Trichinopoly, under-trials are not sent to the central jail when committed to the Sessions, but are kept in a sub-jail in the Fort. I do not agree with the committee in their statements as to the treatment under-trials are subject to in our subsidiary jails. If sent to a district jail, they would be put on jail diet and be subject to a certain amount of jail discipline. Under-trials, who, it must be remembered, are not approved guilty persons, would consider it a much greater disgrace to be confined in a jail till trial, than to be confined in a sub-jail, where they can get their own food and be under much less restraint. No magistrate is in charge of a district jail. They are now in charge of the sub-jails.

Chapter III—On Jail Construction.—I need hardly remark on this chapter. Almost all the general principles noted are carried out in our jails. The chief difficulty we have is noted in paragraph 32 (f)—the segregation of habituals. This is carried out as far as possible, but till all our jails are cellular, it won't be thoroughly efficient.

Para. 41.—Our workshops are in the yards with sleeping wards. It is found to answer well. The suggestion of enclosing them with wire netting might be carried out.

Chapter IV.—This chapter needs little comment. Our jail areas, with the exception of the Penitentiary and Calicut, are ample for the population.

Chapter V.—The standard of accommodation agrees with ours. Also the ventilation.

The conservancy suggested is exactly as followed in our jails except that we roof our latrines.

The water-supply of some of our jails is a very anxious subject, and everything is being done to get it as pure as possible.

Chapter VI.—I cannot agree with the committee in recommending medical officers for the appointment of Superintendent of Central Jails. I can see no advantage to be gained by it. They manage district jails fairly well, as the numbers of prisoners are small, and there are no manufactures and there is but a small establishment to look after, and their average visit of an hour a day has so far sufficed. But the charge of a central jail is a very different affair. The hour a day has to be kept over an average of 800 prisoners, the warder guards have to be strictest discipline has to be kept over an average of 800 prisoners, the warder guards have to be thoroughly well drilled and trained like sepoys; what do medical men know of all this? The manufactures must be carefully watched and promoted; medical men might learn to take an interest in this in time. I succeeded a medical man in charge of the central jail at Rajahmundry where there were 1,000 prisoners in it, and the state of discipline amongst the convicts was something lamentable. If it had not been for a most excellent jailor, there must have been an outbreak. It took me one year to get that jail into proper order. We have lately had an instance of the efficiency of a medical officer at Trichinopoly who only had his medical duties to perform, and at Parvatipur where a subordinate medical officer has distinguished himself in the absence of the Superintendent. It appears that in Bombay, the North-West Provinces, Punjab and Burma, medical officers are found who will take these appointments, but I cannot understand a medical man who cares for his profession taking one.

Para. 8.—With reference to this paragraph where the appointment of experienced jailors to be Superintendents of the district jails of Tanjore and Palamcottah are deprecated, I can only say that those jails are in far better order as regards discipline than any other district jails I have visited; and in Tanjore especially a great deal is being got out of the prisoners in manufactures. These appointments are prizes that jailors work for now.

Para. 36.—The committee in this paragraph suggest that Government should give appointments in subordinate grades of the Judicial and Revenue Departments to the best qualified men (jailors) of long and tried service as rewards. Would jailors be fit for them? and would they ever be given? I certainly would retain these two jails as rewards for deserving jailors. Mr. Tyrrell, who was one of the jailors selected for Palamcottah, is now Acting Superintendent of the 2nd-class central jail at Cannanore and is one of the best Superintendents we have.

Para. 11 and 12.—These say as much against as for medical officers in charge of jails.

Para. 61.—All the duty of escorting convicts in our jails is done by warders; therefore we require a larger warder establishment than in other provinces and the suggestions for the strength of warder establishment contained in paragraphs 56, 57, 58 and 59 would not suit our jails. The police escort under-trial prisoners, as they are not convicts, till sent to jail with a committal warrant. This escort duty being done by warders raises the cost per head of our convicts.

Para. 84 to 90.—These paragraphs relate to convict officers, paragraph 85 prohibits the employment or promotion of habituels to these grades.

Para. 87.—The requirements for promotion to A class is good behaviour and only one previous conviction, &c. My experience as a magistrate is, that very few convicts are sentenced to one year's imprisonment who have not undergone more than one previous conviction. If this is the case, few men could be promoted. We have nothing in our returns to show the length of sentence inflicted on old offenders. I would advocate no alteration in the proposal of convict warder guards now before Government, submitted by Colonel Porteous. This should be tried first before the changes for reduction of jail establishments suggested by the committee are carried out. They might be instituted gradually afterwards if thought necessary.

Para. 91-92.—There is very little difference between the suggestions contained in these paragraphs and the system now worked in Madras jails. The maistries inwards (watchmen the committee calls them) are held responsible for the conduct of prisoners in their wards at night. Convict guards do not patrol outside the jails now, but are placed so as to watch gangs of convicts on extramural work, how else are they to be guarded? The abolition of fetters has been sanctioned by Government.

The division of head warders and warders into two squads for day-guarding of extramural gangs is a system we might adopt. It is usual with us to have the guard under arms when there is a large association of prisoners at bathing, parades, &c.

Para. 113.—I cannot see the necessity of abolishing the Cannanore Central Jail as suggested by the committee. A central jail for long-sentenced prisoners of the West Coast is necessary. They should not be kept in district jails. A new class of jail called an Intermediate jail has been invented by the committee to suit this reduction—no arrangement is made for a Superintendent and it is not graded amongst other district jails. If there is to be a jail abolished on the West Coast, I would suggest the Mangalore district jail, where the average population in 1888 was 62, but if West Coast prisoners of long sentence are to be kept on the West Coast to preserve their health, and a large number of Burman convicts for the sake of their health, we must have a central jail to confine them in.

If the European prison is to be abolished and the prisoners transferred to the Penitentiary, I see no use for the building. The district jail has been done away with, and there is no necessity for anything but the sub-jail for natives. The European prison is not suitable for the confinement of natives. But, I strongly advocate the retention of this European prison. The cost has been very high, but that is because so few Europeans are confined in it. It is made to hold 36 and there are seldom more than 13 or 14 in it, half of whom are Eurasians. When the question for the retention of this prison was raised before, it was promised that all Europeans from northern jails should be sent there, but we have only had four or five sent us; another reason for retaining it is that it is in a climate suitable for Europeans, to which those suffering from ill-health in the jails on the plains can be sent for change.

In remarking on paragraph 8 of this chapter, I have strongly opposed the Tanjore jail being placed under the Civil Surgeon.

Para. 114.—The extra Rs. 1 for all warders and head warders is advisable.

Para. 115.—The committee state that our jails are over-manned with warder guards, and that they are overworked. The system is perhaps not perfect yet, but we are doing our best to make it so.

Para. 116.—I entirely disagree with the committee regarding the disadvantage of employing Europeans and Eurasians as jail officers. The salaries paid by Government are sufficient to attract a large number of these classes; my difficulty is to select good men, and the advantage of having this class over native subordinates is, that they form a strong check on the irregularities most natives are prone to, they have the interests of Government more at heart if they are good men; then, if they commit themselves, they are much more easily found out than natives, who all combine to screen each other. I certainly have had two instances lately of gross misconduct on the part of Eurasians, but the Cannanore case was an instance of a native on a much larger scale.

Para. 117.—I doubt if police could be spared to do escort duty when convicts are transferred. Our present warder guard is strong enough for it. We employ temporary warders now to watch lunatics. It might be arranged that convict officers should watch them in future or well-conducted convicts even, who might be given a rice ration as a reward, and which would also prevent the likelihood of their making away with the rice ration allowed to lunatics.

Chapter VII.—The suggestions of the committee in this chapter are fully carried out in our jails already. There is nothing new in them to us.

Chapter VIII.—Females are isolated as far as possible in our district jails. In all central jails, the isolation is complete, and we have a female matron, Native or European, over them. In all central jails the matron should be a European or Eurasian. Native matrons have not the necessary authority to keep the most depraved females in proper control, and in most cases fear them. How frightfully depraved and violent some native women can be is difficult to believe without experience.

The provisions of paragraphs 3, 4, 5 and 6 are carried out in our jails.

Para. 7.—I cannot agree with the committee that long-sentenced females should be kept in district jails. Almost all long-sentenced females are habituels and should be kept with their own kind in central jails, without the chance of contaminating other less depraved women in district jails. I see no reason why they should be less leniently treated than men in that respect. All prisoners receive sufficient batta to take them home on their release.

Para. 5.—I have never heard of the punishment of cutting off a woman's hair. It does not exist in our jails. A woman's hair is never cut except by the doctor's orders for some disease or extreme filth.

Chapter IX.—The provisions of this chapter are carried out in our jails, as far as practicable. All jails are not provided with separate cubicles for the boys; this should be. We have been separating "youths" from "boys" and from "adults."

Chapter X.—I quite agree with all the committee's remarks in this chapter down to paragraph 12, but that paragraph breaks through one of the most rigorous rules in the management of jails—Rule 295. Under no conditions would I allow the jails to be opened after lock-up to admit under-trial prisoners, unless they are under-trials that have been kept in the jail and have been taken out to attend the Court; then under Jail Rule 816 they must be re-admitted whether they are still under-trial or have been committed to prison as convicts. In all our jails now we refuse to receive prisoners committed to jail after lock-up, and that rule should certainly not be broken for under-trials. If they are brought too late, the police guard must be held responsible for them till the morning, as they are for other prisoners they arrest. I would not open the jail on a magistrate's order any more than I do now when a prisoner is brought too late on magistrate's committal warrant.

Chapter XI.—In Madras Town all civil debtors are confined in the civil jail. In the mofussil they are confined in separate compartments in the central and district jails. It would be most inconvenient to allow them to have interviews with their friends whenever they like. There are stated hours at which these visits are permitted.

Para. 5.—I do not see the advantage of the power of release given to Superintendents in this paragraph. If there is a chance of the debtor recovering from illness if released, there is plenty of time to refer to the committing court, which is almost always in the same station as the jail.

Chapter XII.—All the recommendations in this chapter are worked in our jails, except handing the bodies of criminals after execution to their friends. This, I think, should not be allowed on any account, as the ceremonies the natives go through over the dead bodies and over the graves utterly nullifies in their minds and in the minds of their co-religionists all the benefit that an execution is supposed to effect. They curse Government and the laws all the time the ceremonies proceed.

Chapter XIII.—I quite agree with all the committee says in this chapter. It is waste of time teaching adult convicts to read and write. Instruction of juveniles and youths should be continued, and Statement 7 should be, I think, abolished as recommended by the committee.

Chapter XIV.—This chapter simply advocates the Madras system of the abolition of fetters except as a punishment in extreme cases and transportation convicts for three months. The committee have recommended the submission of a statement in a form that I submit annually with my Administration Report Statement E.

Chapter XV.—All the suggestions contained in this chapter are carried out in our jails. No alteration is needed, I think. I strongly object to giving convicts iron plates and cups. They could be used as very formidable missiles and weapons of offence. We give them either tin or earthenware plates, and earthenware chatties for drinking. For these, zinc might be substituted, which are very neat. I should object to allow them to carry them about wherever they go. I cannot see the object of it. Our convicts, who sit in rows opposite the cook-room for their meals, after washing their cups and plates leave them there in readiness for their next meal.

Chapter XVI.—In district jails we use wooden tickets and in central jails zinc tickets. They are marked very much as described by the committee and are suspended round the convicts' necks by a string. I decidedly object to their being suspended by a piece of telegraph wire for the very reasons proposed by the committee. Every prisoner is held responsible for his ticket; so they are very seldom lost.

Chapter XVII.—Jail offences are here noted. I agree with the committee that it is perfectly hopeless to expect uniformity of practice amongst Superintendents in gauging the enormity of

offences and the proper punishment to inflict. Records of serious and minor offences could, of course, be submitted.

Chapter XVI.—Here the committee enters into the question of jail punishments, and in paragraphs 1, 4, 5 and 6 details the punishments now in force in different provinces. The punishments inflicted in Madras jails are detailed in paragraph 5, and so far we have found them sufficient.

Para. 15.—The committee recommends a uniform scale of punishments for all jails. These number 13 in all:—

1. Loss of marks.—This is one of our punishments for minor offences.
2. Change of labor to some form less agreeable to the convict.—This is now done in our jails.
3. Separate confinement is one of our punishments, but can only be imposed for seven days by the Superintendent. It entails No. 2 diet as a matter of course, and loss of marks under Rule 554.
4. Separate confinement for an indefinite time under orders of the Inspector-General—is a new rule and I see no objection to it.
5. Penal diet.—We have two scales of penal diet for Europeans and Eurasians and three for Natives under very strict rules as to its administration which cannot be improved upon.
6. Prisoners to be deprived of their early morning meal for short work.—This I would not advise, it would keep the convict starving from 5-30 P.M. supper to 11-30 A.M. next day. Two or three days of penal diet would be better.
- 7, 8 and 9 refer to hand-cuffs in front, hand-cuffs to a staple in the wall, and hand-cuffs behind his back. I think Superintendents should have the power of hand-cuffing a convict in front, or even behind his back in *extreme* cases when he is very violent, but I look on hand-cuffing a prisoner to a staple in the wall for hours at a time as a most cruel punishment and strongly deprecate the adoption of such a punishment.
- 10, 11 and 12.—All these punishments I see no objection to.
13. Corporal punishments we have now.

Paras. 16, 17.—I agree that punishments 1, 2, 3, 5 and 12 are suitable for minor offences, but not 6, 7, 8 and 10 and the other punishments for serious offences.

Superintendents in administering punishments should under Rule 554 deduct marks earned under revision rules in every case where he punishes a prisoner who is under those rules. This is often felt by the prisoners more than the other punishment, and in adjudging the severity of the punishment, it should be remembered by Superintendents.

Fetters are not used in our jails as a punishment, but under Rule 402 if a prisoner in a close prison is violent or dangerous, he may be fettered, and under Rule 412 the Superintendent of a district jail may fetter prisoners for safe custody (with reference to the state of the prison or the character of the prisoner). Under Rule 405 in cases of urgent necessity, a jailor may put a prisoner in irons or mechanical restraint, giving notice at once to the Superintendent.

Chapter XIX.—Our rules are sufficient for escapes and out-breaks, and we have a regular system in case of the alarm of an out-break. The suggestions of the committee are very good and I see no reason why we should not adopt them.

Chapter XX—Para. 3.—The committee approve of our diet scale as it is now.

Para. 4.—No alteration is ever made in our diet scales without the doctor's sanction, and then only in individual cases.

Para. 5.—The amount of fatty matter we give convicts is nearly as much as is recommended and is the same as in Bombay and Bengal.

Para. 6.—We give our convicts 1 oz. of salt daily. The committee recommend $\frac{1}{2}$ oz. only daily. I would not reduce our allowance of salt.

Para. 7.—I quite agree with the committee that a great deal of money is thrown away on ingredients for the manufacture of our jail curry powder. In their Appendix A, page XCIX, paragraph 19, they suggest the discarding of black pepper, cummin seed, mustard seed and vendium, and I would recommend following their advice. A jailor of some experience told me the other day that the item of black pepper alone cost Rs. 1 a year for each convict, i.e., Rs. 8,000 a year. The convicts care so little for the black pepper, cummin, mustard and vendium seeds that they save it and have been caught continually bartering it for forbidden articles with the warders. They would not barter necessary ingredients. With regard to growing the condiments in jail gardens we have great difficulty to contend with in the soil of our gardens. Most of our large jails are built on sites especially selected as being high, well drained and gravelly. None of these elements are conducive to a good garden, as it is very difficult to make anything grow in a gravelly soil. The soil has to be made with years of labor.

Para. 8.—The committee recommend that convicts get 6 oz. of vegetables daily instead of the 4 oz. they get now. Our convicts get the best vegetables that can be grown in the gardens

or procured in the market, but they certainly cannot be supplied with cabbages, turnips, tomatoes, &c., which only grow sparingly in the cold weather.

Para. 9.—All our convicts get $\frac{1}{2}$ oz. of tamarind daily free of seed and husk, or pickle, and our medical officers are fully aware of the necessity for antiscorbutics; free laborers use nothing but tamarind in our Presidency. We give our convicts a great deal of roselle and sour greens that are grown especially in jail gardens, as part of their vegetable diet.

Para. 11.—Only convicts in district jails that come under classes I and II are denied vegetables, and class II get tamarind.

Para. 12.—The issue of tamarind is never stopped.

Paras. 13, 14, 15 and 16.—These refer to the danger of reducing the diet of prisoners, and the committee recommends the re-consideration by Government of the short diets for laboring prisoners. In our jails short diets are only given to prisoners in district jails.

Class I, convicts sentenced to seven days and under, get 20 oz. of grain, $\frac{1}{2}$ oz. salt, and 1 lb. firewood.

Class II, sentenced to more than seven days and under a month, get 20 oz. grain, 2 oz. dholl, $\frac{1}{2}$ oz. oil, $\frac{1}{2}$ oz. tamarind, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ oz. curry powder, and $1\frac{1}{2}$ lb. firewood.

Class III are under trials and convicts sentenced to over one month and under three, get 20 oz. grain, 3 oz. dholl, four days a week and 5 oz. dholl three days a week, $\frac{1}{2}$ oz. oil, $\frac{1}{2}$ oz. tamarind, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ oz. curry powder, 4 oz. vegetables, $\frac{1}{2}$ oz. onions, and $1\frac{1}{2}$ lb. firewood.

Class IV, convicts, male, sentenced to rigorous imprisonment of more than three months, get the same as central jail convicts.

If these can be called short diets, they are what are ordered by Government after much consideration. Of course they are never altered in jails.

Para. 18.—The orders on weighments of prisoners are most accurately carried out and I hope in our jails are trustworthy. In central jails the Superintendents take the greatest interest in these tests and weigh the men themselves as a rule. The medical officer, of course, could check the weight of any man he thought was improperly recorded.

Para. 19.—Our convicts all get three meals a day. Raggi cake or porridge about 6-30 A.M., a full meal at 11 A.M., and another full meal at 5 P.M.

Chapter XXI.—We are gradually in our jails, as we can afford it, adopting the committee's suggestions with reference to having one kitchen in each jail. I agree with all the committee says in this chapter.

Chapter XXII.—I quite agree with all the remarks in this chapter on jail gardens, but, as I have remarked before, we have great difficulties to contend with in the soil on which most of our jails are built. Where the soil is good, as at Vellore, Salem and Palamcottah, very much is being done in this direction, and a good many of our jails not only supply all the vegetables required for jail use, but sell a good deal. We do not perhaps grow as many antiscorbutic vegetables and fruits as are suggested, but more attention will be paid to that in future. I have already made arrangements that one big order be sent home annually for all seeds required for jails. More attention will be paid in future to growing jail condiments. In a good many of our jails the water-supply is not sufficient. All vegetables grown in the jail gardens are supplied to the jail free of cost, and reduce the cost of diet.

Chapter XXIII—Paras. 1 to 11.—The contract system for the supply of jail requisites has been given up for more than a year, and all the suggestions in these paragraphs are now worked in our jails. No charges are made by averages. We are now trying a grain pit in the Coimbatore jail. Colonel Porteous started a jail circular from the 1st February 1890 which contains orders and statements of the prices of grain monthly in every district. This is circulated to all Superintendents as it is published.

Paras. 12, 13, 14 and 15.—We do cultivate our jail lands as much as possible. We have not a tank that I know of that does not dry up every hot weather. As far as possible we utilize jail labor for jail requirements. We never buy woollen twist.

Paras. 16, 17 and 18.—On a good many of our jail farms now we keep cows as jail property to supply good milk for the sick. We do not buy paddy and unhusked dholl.

Para. 20.—I agree with the committee here that the value of everything done by the convicts for their own maintenance or for jail economy should be debited to maintenance, and not credited to factories.

Chapter XXIV—Para. 5.—In each of our jails we have the three classes of labor, and the Superintendent uses his discretion under the Doctor's recommendation as to what class a prisoner shall be put to. I think it would be a mistake to define certain labor as "Hard," other as "Medium," and other as "Light," as the committee suggest in paragraph 13, for the reason that the committee give in the same paragraph, namely, that what one prisoner would consider "Hard" another prisoner would consider "Medium." I think it should rest with the Superintendent and Doctor to send a convict to such labor as suits his individual case, and that we do now. I would not change our present system.

All our extramural labor is working in the gardens, carting out night-soil, and in some cases bringing in water.

Paras. 9, 10, 11 and 12.—The committee advocate 9 hours' labor instead of our 8 hours. They make their day begin at 4 to 5 A.M. and last till 6-30 P.M., that is, 13½ hours. They give from 4 to 5 to 5-30 a meal, &c.; from 10-30 to 1-30, meal, bathing and rest; and from 5-30 to 6-30 the evening meal; that is, 9 hours' work and 4½ hours for meals and rest.

A fixed rule of this kind might do for a jail where there was no extramural labor, but it would not do in our jails where we always have two or three gangs at extramural labor. It is, in my opinion, contrary to all jail principles to unlock prisoners before daylight or lock them up after dark, and in this Presidency for several months in the year the sun does not rise till 6-30 A.M., and sets at 6 P.M. Our rule has been to unlock about ½ of an hour before sunrise, give the convicts ½ of an hour for their morning meal and latrine purposes, and immediately set them to work. It is then about 6-30 A.M. or 7, according to the time of year. They work till 11 A.M., when they get their midday meal. In the cold weather they go to work again at 12 noon and the committee suggest), and have their evening meal at about 5 P.M., and are locked up about 5-30 P.M. If out-door gangs are not brought to the gate before 5-30 P.M., it would be simply impossible to search them all, lock up tools, march them to their yards, bathe them and give them their evening meal, and then go through the very important process of locking them up before dark at any time of the year. The locking up, when every man has to be checked and searched, must be done by daylight. The very early rising before dawn in the coldest part of the morning I think is likely to be very deleterious to the prisoners' health. Natives never get up before the sun. We certainly get 8 hours' work out of our convicts, but we do not give them the 3 hours' rest in the middle of the day, except in certain cases in very hot weather, when we unlock a little earlier and a rest at noon is allowed. We give them a full 12 hours' rest in their cells, and I think that is sufficient for 8 hours' work. I would not alter our present arrangements.

Paras. 14, 15 and 16.—I agree with almost all the committee say in these three paragraphs, but see no necessity for lists of intramural labor under the heads of "Hard," "Medium" and "Light." I have given my reasons above in remarking on paragraphs 5 and 13. I think the jailor and Superintendent should use great discretion in assigning the task each individual convict should be called upon to perform, according to his capabilities and the time he has been at that particular work. There should not be one fixed task for every man of a set of weavers for instance. Having fixed the task, the convict should be made to perform it.

Paras. 17 to 30.—These paragraphs relate to jail manufactures, and the committee strongly advocate the reservation of jail labor to Government requirements. This is done to a very great extent in our jails, and, from the committee's report, more so than in the jails of other provinces. We weave all the cloth for police white clothing, supply them with blankets, shoes and sandals. We make our own jail clothing entirely, including coir and aloe fibre matting for convicts' beds; at the Penitentiary we do all (I believe) the forme printing required for Government offices in the Civil Department. At the Tanjore Jail paper is made for the Stationery Department besides the narrow office tape, also broad tape for the Camp Equipage Department. In paragraph 23 the committee deprecate commercial industries such as carpet and durree industry. I cannot agree with them there. We have the surplus labor, why should we not turn it to the best advantage for Government?

Our short-term prisoners are now employed in cleaning grain and expressing oil for jail consumption as suggested. They also make aloe-fibre and coir-fibre matting to a great extent. Jail gardens are kept up as far as possible in every jail as explained above.

Paras. 31, 32 and 33.—I quite agree with the committee that no estimates of the value of convict labor expended in the maintenance and management of a jail should ever appear in Statements 13 and 14. Actual cash earnings only should be shown. An approximate value of the labor of convicts expended on jail works might be shown in the annual reports, but it would be difficult to estimate it, unless it was valued at half rate of free labor saved.

Chapter XXV.—The Bengal rules have been adopted by our Government.

Chapter XXVI.—The first 16 rules in this chapter are almost word for word identical with the Remission rules now in force in all our jails. Rule 17 differs, as it suggests sending in to Government, quarterly, a list of convicts to be released on remission. We do it monthly, therefore Rule 18 is not necessary. Rule 19 we carry out. I do not understand the latter part of Rule 20. What is the object of taking into consideration the number of marks earned by a prisoner selected for convict officer if no limits are fixed as to the number of marks required as a qualification?

Para. 3.—I am of opinion that these History Tickets are utterly useless and unnecessary; everything recorded on them is now in our Convict Register. Whenever a convict is brought up to the Superintendent, the register is referred to and any fresh entry necessary is made. The tickets would be liable to be constantly lost, and keeping them and the register also regularly written up would give double clerical labor with no possible advantage that I can see.

In the whole of this Chapter there is no alteration in our system that I would adopt. With reference to the remarks of Supreme Government on Rule 8, our District Magistrates have no power in jails, so I do not understand the allusion.

Our rule corresponding to Rule 10 has the word "may," as suggested by the Supreme Government, and not "shall."

Chapter XXVII.—I have no remarks to make on this chapter on parades and discipline. We have a perfect system of our own, very similar to that described which requires no alteration.

Chapter XXVIII—Para. 1.—I think our rules should be modified with reference to the transportation of female term-prisoners to the Andamans. We have a great many in our jails fit for transportation. There are life-sentenced females also quite fit for transportation who, of course, are supposed to be over 45, but it is difficult to tell a woman's age. I would recommend sending any woman physically fit.

Para. 2.—I don't know that transportation is no longer a deterrent form of punishment. I think they dread it, but once it is inflicted for life, convicts would much prefer transfer to the Andamans to life in a central jail. I think habitual thieves dread it, they do not so often ask to be sent there as the lifers. I would strongly advocate the retention of the Andamans as a penal settlement.

Para. 4.—In our jails the Burmese prisoners are mixed up with the natives and work in association with them. They are not fettered except as a punishment. They are generally employed under cover, but where they are healthy and strong I cannot see that out-door labor is bad for them. The class of Burmese convicts in our jails are accustomed to out-door labor in their own country, and I think it agrees with them better than intramural. While the convicts of the Coimbatore Jail were in camp last year at Singanallur on account of the out-break of cholera, the Burmans were employed on, what Dr. Bidie after the Trichinopoly out-break would call, hard Public Works Department labor out in the sun all day, digging tanks, dragging heavy carts full of water, yet they never were in better health.

We have all along given the Burmese a distinctive dress and a special diet. I think the former custom is a mistake. I see no reason why they should not be dressed like the natives of this country. I believe they look on it as a distinction, which should not be allowed. They are not allowed tobacco now except some old Burmans who are still kept on the old scale. I object to the scale of diet advocated by the committee for the Burmans, as it is a question whether a diet that suits them in their own country will suit them in India. The diet we give them now suits them very well, and I would advocate no change in it. I do think they may object to the change of clothing.

I see no objection to our adopting all the rules suggested in this paragraph as far as possible. Rules (a), (b), (c) are now worked in our jails. Rule (c)—There would be some inconvenience in detailing a native to teach each Burman the language of the country. Rule (d)—I think we shall always have to give them their own diet of rice instead of the cereals used in our jails. Rule (e)—The Burmans are treated on a perfect equality with natives as regards remission, but it always depends on the Burman Government whether they derive any amelioration of sentence.

Para. 5.—The risks incurred in the treatment of Burmese are all understood in our jails where Superintendents have had long experience of them.

Para. 6.—The Supreme Government is not prepared to introduce a ticket-of-leave system. I think the present remission rules quite sufficient inducement for good conduct amongst our convicts.

Chapter XXIX.—There is not a suggestion in this chapter that is not carried out in our jails except the History Ticket, which I have objected to before, and see no necessity for it now. The Supreme Government does not approve of the proposal in paragraph 5.

Chapter XXX.—I have little to say on this chapter on visitors but that I object most strongly to non-officials being admitted as visitors to our jails. The Superintendents are—or ought to be—thoroughly trustworthy. There is nothing to object to in the supervision of official visitors who are supposed to know something about convicts and their management, but it would be insupportable to be subject to the comments of non-official visitors in the visitors' book.

Chapter XXXI.—The committee in this chapter recommend the reduction of the number of the Jail registers kept in our jails very materially. They recommend—

General registers	..	..	..	..	..	..	..	..	..	23
Hospital do.	..	..	..	..	..	..	..	..	..	2
Financial do.	..	..	..	..	..	..	..	..	..	7
Factory do.	..	..	..	..	..	..	..	..	..	6
Total	..	..	..	..	..	..	..	..	..	38

Rule 1304, Jail Code.—We have now in use—

Report and Order books	6
General registers	23
Hospital do.	11
Financial do.	10
Factory do.	6
Total	56

Rule 1431, Jail Code.—Our Manufactory registers are almost the same and require no change.

Of the Financial registers, the committee recommends—

28. Cash book	We use that.
27. Stock book of provisions, &c.	We have kept this since the contract system has been abolished.
28-a. Diet roll of native	Prisoners We keep these.
28-b. Do. of European	
29. Register of contingent charges	We keep this.
30. Pay and Acquittance roll	This we keep.
31. Security Deposit register	This we do not keep, but such receipt would be entered in the cash book.

We also keep a Permanent Advance account.

A tabular statement of Cash Receipts and Disbursements.

Jailor's Account book.

Storekeeper's Account book.

A Prisoners' Batta book.

A Register of Diet Money of Civil prisoners.

I think the tabular statement of cash receipts and disbursements is necessary to separate the different headings under which charges are incurred.

The Jailor's and Storekeeper's Account books are kept by themselves to account for advances given them. The contents of these three books are necessarily entered in the cash book.

Our Jailors are not required to give security, so we could hardly put them in sole charge of the permanent advance.

The Prisoners' Batta book and Register of Diet Money of Civil prisoners are handy for ready reference, but these items are also entered in the cash book.

Hospital Registers.

The committee recommend two only, when we keep eleven. Their first Register, No. 24, "Hospital Register and Register of Deaths and Post-mortems," seems, from the headings of the columns, to include in it the information contained in our—

- Nominal Register of admissions.
- Convalescent Gang register.
- Cholera register.
- Death register.
- Historical register.

I think our five may be done away with and the committee's register adopted.

Their second Register, 25, "Hospital Roll of sick, diet, bazaar medicines and miscellaneous articles."

Our "Case book" and "Morning Report book" embrace all this.

I think our "Register of Vaccination," "Journal," "Perishable Articles register," and "Letter book" should be retained.

General Registers.

The committee recommend 23, they include our Report and Order books in their General registers.

If we add ours together it makes one total 23 against their 23. There is not much difference between our registers and those recommended. We keep—

- A Jailor's Order book.
- A Matron's Report book.
- A Fetter register.
- A Register of Appeals.
- A do. of Petitions to Government.
- Prison Officer's Misconduct book, which the committee have not in their list.

Our Register of Receipt of Clothing and Register of Detailed Issue of new and part-worn Clothing seems to correspond with their Clothing Stock-book. I think one Register of Receipt and Issue of Clothing is enough.

We keep a Gate register of Persons and Gate register of Articles.
Of those they recommend which we do not keep are—

"Alphabetical register of convicted prisoners."

I do not see the use of this, when it is all contained in the General register—the convicts' number enables him to be turned up easily in the register without reference to his name.

"Register of letters sent by post or peon."

This is generally kept for office convenience but is not considered an official book.

"Register of prisoners sentenced to solitary confinement by the courts."

This appears in the General register and is not necessary.

Para. 5.—The committee suggests 11 registers for our sub-jails. If we adopt them we should have to allow a clerk for each sub-jail to write them up. At present each sub-jail keeps a Register of Administrations, and the District Magistrate has to submit a half-yearly Inspection report to the Inspector-General. The officer in charge of the sub-jail has to submit not less than 7 monthly forms and 3 additional statements filled in to the Divisional officer who

tabulates them and sends them to the District Magistrate to forward to the Inspector-General. I do not think the registers suggested by the committee are necessary.

Para. 12.—Every attention is paid to the orders of Government, 4th June 1887, No. 1174, regarding the destruction of records and the preservation of those to be kept.

Chapter XXXII.—Our jailors get no commission on net profits of jails.

Government has sanctioned gratuities under our Remission rules at the following rates:—

3rd-class convict	1 anna a month.
2nd do.	do.
1st do.	do.
A maistry	1 do.
Warder or overseer	1½ do.

up to a maximum of Rs. 10. This is quite irrespective of batta for the journey on release.

Para. 2.—The suggestions in this paragraph are exactly in accordance with our present procedure. I differ with the committee in thinking that a fine, if offered for a prisoner at the jail in which he is confined, must not be accepted, though the Court which inflicted the fine is in the same station. We remit the fine to the Court which sentenced the prisoner, if it is in the same station, if not, it is sent to the local treasury and the Treasury officer's receipt is sent with the warrant to the committing officer. It is very simple arrangement.

Para. 3.—Our dates of release are calculated exactly as suggested in this paragraph.

Para. 4.—Our released convicts are given subsistence allowance (as well as any gratuity earned) at the rate of 2 annas for 20 miles as suggested—a third-class ticket if they go by railway and a steamer ticket if sent from any northern jail to the south.

Paras. 5 and 6.—Almost all our central and district jails have sites now for cholera camps, and on the outbreak of an epidemic of any sort can at once be moved out. Of course the Medical officer is responsible for the necessity.

Paras. 7, 8 and 9.—These paragraphs remark on our close prison system; as a rule, the prisoners confined in the close prison do their work there in their cells and do not mix with the other convicts during hours of labor. I think it would be hard on an habitual who has done his term of close prison on admission to be relegated to the close prison afterwards (unless for misconduct) because he is an habitual.

Para. 10.—I concur in all said here.

OORACAMUND,
7th May 1890.

(Signed) J. M. SMITH, Colonel,
Ag. Inspector-General of Jails.

ORDER—dated 14th November 1890, No. , Judicial.

With the first of the letters read above, the Government of India in the Home Department forwarded a copy of a report of the committee appointed to inquire into certain matters connected with Jail administration in India for the consideration of this Government. The suggestions appearing in the report may be divided into two classes, of which the first contains those proposals in regard to which the opinion of this Government is expressly called for, the second those questions which are left entirely at the discretion of the Local Government. The former class is disposed of in a separate letter to the Government of India, while the latter forms the subject of the present order.

2. The various questions at issue have received the attention of the Inspector-General of Jails and his opinions are to be found in the second letter read at the head of this order; but it appears to His Excellency the Governor in Council that many important matters have received insufficient attention and that it is desirable that they should now be fully considered. With this object a committee, consisting of ^{the Inspector-General of Jails and} will be appointed and the whole report will form the subject of detailed discussion at their hands. There are, however, certain points upon which the Government is able to express an opinion upon the paper before it, and these are detailed below for the information and guidance of the committee, of the Inspector-General of Jails and of other officers.

3. Chapter II.—This chapter will be considered by the committee and attention is particularly drawn to the following matters which should be specifically noticed in the committee's report—

- (1) In what districts is it possible to carry out the proposal that all persons sentenced to more than 15 days' imprisonment shall be transferred to a district jail?
- (2) In what cases will it be expedient to abolish the sub-jail at the head-quarters of the district?
- (3) In what instances is the location of the sub-jail within the district jail possible?

The opinion of all District Magistrates is invited upon the above points. The system alluded to in paragraph 6 of this chapter already holds in the Madras Presidency; it remains with the Inspector-General to ensure its inviolable adoption elsewhere.

4. Chapter III.—The attention of the Public Works Department will be invited to this chapter which contains matter deserving of consideration when plans of jails are in hand. The Inspector-General of Jails should also give the chapter consideration and should ascertain what defects of construction exist in those jails which were not inspected by Drs. Walker and Lethbridge with a view to effecting an improvement. The local committee should specially report upon the following defects noticed by Drs. Walker and Lethbridge:—

- (1) In certain jails the construction of the outer wall is such as to afford facilities for flight.
- (2) The entrance to the close-prison is insufficiently protected from the weather.
- (3) Small court-yards should be attached to the solitary cells.
- (4) In certain jails the gates are so far apart as to render the double-gate system impracticable.
- (5) The sleeping-wards should be so constructed as to compel the prisoners to sleep apart.
- (6) At Vellore an improvement in the form of sleeping-ward would render possible a reduction in the patrols.
- (7) At Coimbatore the construction of partitions would increase the accommodation in the close-prison cells.
- (8) At Cannanore and Coimbatore the warders' quarters are undesirably distant from the jail.

In addition to the above, the extent to which habitual criminals are segregated should be reported upon in the various jails.

5. Chapter IV.—The Inspector-General will have the areas of all jails carefully checked with reference to the remarks contained in this chapter and in the appendix. The defects observed in the situation of the Penitentiary at Madras are such as do not admit of easy rectification.

6. Chapter V.—The Inspector-General has dismissed this chapter with but brief remark apparently not noticing the strictures passed by Drs. Walker and Lethbridge upon the latrine and water-supply arrangements in almost every jail. The particular attention of the Inspector-General is directed to the matter, and in this connection the observations regarding the use of masonry and lime in urinals and the careless method of working the dry-earth system should be noted.

The remarks in paragraph 18 of this chapter, relative to the improvement of water-supply, should not be neglected, and, as dealing with a similar subject, a copy of Dr. King's recent report upon the condition of Negapatam will be forwarded to the Inspector-General of Jails.

The Government attaches great importance to the matters dealt with in chapter V and expects the Inspector-General to take steps to remedy the defects noticed in the report.

7. Chapter VI.—This chapter requires careful consideration throughout by the local committee and should be made the subject of full report. Some of the more important portions of the chapter which call for particular notice are the following:—

- (1) The arrangement under which the Tanjore and Palamcottah Jails are in charge of an officer who performs the joint duties of jailor and superintendent.
- (2) The abolition of the Cannanore Jail and the conversion into a district jail of the Salem Central Jail.
- (3) The distribution of the district jails into three grades carrying different charge allowances calculated according to population.
- (4) The question of the reorganization of the warder establishment.
- (5) The proposal to enlist the services of jail clerks as assistant jailors.
- (6) The suggested re-transfer to the police of escort-duty.

The above represent a few only of the subjects requiring discussion and the whole chapter is of such importance that the Government is averse to expressing any opinion on the larger questions involved until placed in possession of the views of the local committee.

8. There are, however, certain points upon which observations are called for, chief among these is the proposal to abolish the European prison at Ootacamund. Upon this subject the Government has come to the conclusion that the retention of this prison is inadvisable and it will be closed on the 31st March 1891. Notice must at once be given to the establishment that, on the date mentioned above, such as cannot be absorbed in other jail appointments will be discharged.

It appears that there are at present in the jail four Europeans drafted from jails in the Punjab. The Inspector-General is requested to furnish at an early date to Government particulars sufficient to identify these individuals; upon receipt of this information the Government of the Punjab will be addressed as to their ultimate disposal. The other inmates will be transferred, on the abolition of the prison, to the Coimbatore Central Jail.

9. The suggested reduction of the Salem Central Jail to the status of a district jail has not been commented upon by the Inspector-General. The committee must consider this proposal as alternative to the abolition of the Cannanore Central Jail. The committee will report the number of local long-term prisoners confined during the past 5 years in this last-mentioned jail; if the number be small, and it be decided to retain the Salem Jail as at present, it will be possible to take one of two courses, either to abolish the Cannanore Central Jail and send all long-term prisoners to Calicut, raising that to the grade of a first-class district jail, or to abolish the Calicut District Jail and transfer the prisoners to Cannanore. The Government sees no particular reason why Burmans should not be confined at Vellore, where they do well, and is of decided opinion that old and infirm prisoners from other districts should not be subjected in future to the trying climate of the West Coast.

10. There are certain portions of chapter VI which deal with questions concerning the Medical Department. Upon all such matters the committee should consult the Surgeon-General and should embody his remark in the report submitted by it to Government. The Surgeon-General is requested to report whether he will be able to draw up, for the use of medical subordinates, a manual such as that referred to in paragraph 15 of chapter VI of the report.

11. *Chapter VII.*—The suggestions in paragraphs 3, 4, 5 and 8 of this chapter meet with the approval of Government and should be given effect to in future, the necessary modifications being made in the Jail Code.

12. *Chapter VIII.*—The chapter will be considered by the local committee with special reference to the question of transferring female convicts to jails outside the districts to which they belong: the Government is inclined to agree with the remarks of Drs. Walker and Lethbridge upon this point, but desires further information before passing final orders. The Government is in full accord with the observations contained in the report in regard to the appointment of female warders. The Inspector-General of Jails will submit proposition statements, making provision for the entertainment in every district and central jail of a female warder upon such pay as the Inspector-General considers advisable, but subject, in the case of district jails, to the maximum recommended in paragraph 2 of chapter VIII. For the new post the wives of warders would probably be found *particularly eligible*. The five matrons at present employed in certain of the central jails will be retained in their appointments.

13. *Chapter IX.*—The Inspector-General observes that the principles laid down in the report in regard to juvenile prisoners are observed so far as may be, but this hardly appears to be the case, for the committee has pointed out several grave defects in the Madras Jails. The Inspector-General's attention is drawn to the remarks upon the boys' cubicles in the Vellore and Tanjore Jails and he will call for, and submit to Government, the explanation of the Superintendent of the Calicut Jail in respect of the confinement of two juveniles along with adults. All the suggestions appearing in this chapter have the approval of Government and the Inspector-General should take steps for the immediate introduction of the system in force in the North-West Provinces in regard to the division of juveniles into two classes, the determination of which rests with the Medical officer in charge of the jail. The necessary alterations must be made in the Jail Code. The attention of all District Magistrates and of the Director of Public Instruction is drawn to the remarks in the concluding portion of paragraph 7 of chapter IX; the committee therein refers to the demoralizing effect produced by the presence of juvenile habitual criminals in reformatories and the Government agreeing with these remarks, desires to impress upon all Magistrates the inadvisability of transferring to such institutions juvenile convicts of this description.

14. *Chapter X.*—The Government objects to the proposals contained in paragraphs 7 and 12 of this chapter.

To require a "History Ticket" from an under-trial prisoner would be to assimilate his treatment to that of a convict and would be decidedly improper. The suggestion in paragraph 12 again amounts to a proposal to subordinate the exigencies of the administration to the convenience of jail officials and it cannot be approved. Under-trial prisoners must be received back into jail at whatever hour the Court sees fit to return them; this is the existing practice, and, as remarked by the Inspector-General, the rules at present in force regarding admissions after lock-up are sufficient to ensure safety. It is suggested in paragraph 9 of chapter X that prisoners under transfer from one place of confinement to another should be supplied with food for the journey; this plan carries with it several advantages and the Government desires that it shall be adopted in future.

15. *Chapter XI.*—The Government is in favor of the proposal to allow Civil prisoners the benefit of interviews with friends at any hour of the day; the Inspector-General will accordingly take steps to bring into force the Bengal system mentioned in paragraph 3. The Government does not propose to recommend any alteration in the existing law governing the release of prisoners suffering from a disease likely to prove fatal in case of continued confinement.

16. *Chapter XII.*—After careful consideration of the suggestions contained in this chapter, His Excellency the Governor in Council has arrived at the conclusion that the system of carrying out sentences of death in vogue in this Presidency is open to objection. The method of execution adopted in the North-West Provinces

and Oudh seems to ensure all the publicity which is necessary and it will be adopted in future in every jail where executions are carried out. For the purpose of introducing the system it may be necessary, in certain cases, to construct gallows-enclosures, while in other places accommodations of this description may already exist. The Inspector-General will inquire into the matter and, where necessary, submit estimates of the cost of ~~erecting walls and acquiring land, being spent to his satisfaction~~.

In other respects the suggestions contained in chapter XII do not for the most part commend themselves to Government. The proposal to permit the relatives of an executed criminal to remove the body is open to objections to which Drs. Walker and Lethbridge have made no allusion and the present system appears preferable and should continue. As to the debit of charges connected with the carrying out of executions also no change in the existing custom is called for. His Excellency in Council is entirely opposed to the enforced attendance of Magistrates at the execution of criminals and, as a consequence, many of the rules contained in paragraph 1 of chapter XII become unnecessary; such are rules I, II and VI. Rules III and VII also appear to be uncalled for and rule IX already exists in another form. Rules V and VIII are, however, approved in principle by the Government, but the Inspector-General will report whether he considers any alteration in their form desirable.

17. *Chapter XIII.*—In future, instruction should be confined to juveniles and should be restricted to reading and writing and some simple handicraft; the question should, however, have the consideration of the local committee and should be noticed in the report submitted to Government.

18. *Chapter XIV.*—The form of report appearing in paragraph 6 of chapter XIV should be substituted for form E appended to the annual Jail report. The form may require modification to suit the circumstances of this Presidency; upon this the local committee will decide.

19. *Chapter XV.*—This chapter should be carefully considered by the committee as it contains many important suggestions the adoption of which would probably have a beneficial effect upon the ~~Madras~~ Jails. The Government is not prepared to pass any specific orders as yet, but is decidedly of opinion that the recommendations of Drs. Walker and Lethbridge, to the effect that each central jail should have its own special manufacture, are sound in principle and the Inspector-General should take steps to bring this system into force. The particular attention of the Inspector-General is drawn to the remarks in paragraphs 6 and 7 of chapter XV; to the observations in respect of the bad quality of the blankets supplied to the prisoners and to the proposals to assign marks for carefulness as regards clothing and to issue new clothes, not at fixed intervals, but according to requirements. Upon the last three points the committee should report.

20. *Chapter XVI.*—The only matter calling for notice in this chapter is the method of fastening the wooden tickets worn round the necks of prisoners; the Government agrees with the Inspector-General that for this purpose a string should continue to be used.

21. *Chapter XIX.*—The suggestions in this chapter meet with the general approval of the Government, those relating to "alarm parades" particularly commending themselves for adoption. The whole chapter should be considered by the committee and draft rules regarding the course to be followed in case of escape or outbreak, the system of drill and such other matters suggested in the report should be submitted for the sanction of Government.

22. *Chapter XX.*—This chapter is referred to the committee for consideration; as the subject is dietary it is desirable that the Surgeon-General should be consulted in the matter and his views embodied in the committee's report. The Government has little doubt that the curry-powder used in Madras Jails is unnecessarily expensive and that such ingredients as black-pepper, cummin-seed, mustard-seed and vendium should be discarded. While admitting the existence of difficulties in the way of successful gardening, the Government is of opinion that it should be a rule that the condiments used in curry should be grown within the jail precincts, but as regards the

26. *Chapter XXII.*—This chapter calls for no long comment. The Government has already expressed its opinion that manufactures should be concentrated and the particular attention of the Inspector-General is again called to the matter. The Government accepts the recommendation that in future all the Government form-printing shall be executed in the Penitentiary; the Inspector-General will make the requisite arrangements and will report upon the unnecessary employment of free labor in this prison to which Drs. Walker and Iethbridge refer. The Government would not make any alteration in the number of hours during which work is exacted from convicts nor in the method of apportioning task work, but the definition of labor proposed in paragraph 13 should be adopted. The weaving of carpets may be continued as recommended by the Inspector-General, but it should be a general principle that manufactures useful to Government should be undertaken in preference to those of a purely commercial nature. In respect of unskilled labor which cannot be utilized in manufacture the best occupation would probably be found to consist in gardening and

33. Chapter XXXI.—There seems no doubt that the forms of account in use in the Jails of this Presidency are unnecessarily numerous and the Inspector-General in his letter read at the head of this proceedings has not dealt with the subject in sufficient detail. The committee will now collect samples of every form whether authorized or unauthorized in use in the jails and compare them carefully with those suggested by Drs. Walker and Lathbridge. Upon conclusion of this investigation the committee will submit for the approval of Government sets of forms arranged in the way suggested in paragraph 2 of chapter XXXI and will explain the necessity for every variation proposed. It will probably be found that Jail Code Nos. 11, 12 and 27 can be merged in the committee's Nos. 10 and 14. Jail Code Nos. 21 and 22 should possibly be abolished and committee's Nos. 21 and 22 introduced. Jail Code Nos. 29, 45 and 47 do not seem to be wanted and the necessity for Nos. 43 and 44 will also disappear if security be taken from all jailers and storekeepers—a system which the Government considers should be brought into force. On the other hand, it seems essential to maintain a Treasury Pass Book in every jail and the suggestions in paragraphs 4 (17), 10 and 11 also deserve consideration. The Government agrees with the Inspector-General in considering the accounts suggested for subsidiary jails as unnecessarily numerous, but awaits the observations of the committee upon this subject. The committee should also report upon the returns to be submitted in future, and in subsequent Administration reports the Inspector-General of Jails will state definitely whether he has examined the records of all jails inspected by him and to what extent the orders of Government in regard to them are carried out.

Chapter XXXII.—The various recommendations in this chapter, which have not been fully dealt with by the Inspector-General, will be considered by the committee. The Inspector-General is requested to report the reason for the absence of occupants from a large number of cells in the Coimbatore Central Jail and the Penitentiary.

35. The particular attention of the Inspector-General is drawn to the remarks upon individual jails contained in the appendices, and the observations upon the Reformatory school will be communicated to the Director of Public Instruction. The Inspector-General will submit draft rules regarding the transfer of leprosy prisoners to the criminal ward of the Leper hospital, Madras, for incorporation in the Jail Code. The Government is of opinion that a certain reduction is possible in the number of district jails and the Inspector-General will consider this matter carefully and report upon it.

36. It will probably be found necessary to effect considerable modifications in the Jail Code and the task of revision may possibly require the services of a special officer; orders upon this subject will, however, be passed upon receipt of the report of the local committee.

37. The following letter will be despatched to the Government of India.

(Here enter No./55, Judicial, dated /8 November 1890.)

(True Extract.)

Chief Secretary.

To Colonel Macdonald Smith.

" the Inspector-General of Jails.
" the Surgeon-General with the Government of Madras.
" the Director of Public Instruction.
" all District Magistrates.

Copy to Government of India, Home Department.

W. Dept -

Recd 20/11/90
off dispt
21/11/90

Send the Report to the D.P.S. H.

Send the Report to the D.P.S. H.

Exd. P. L. Pereira.

Govt. of Madras.

JUDICIAL

Issued.

Recd.

Encl.

G.O., 18th November 1890, No.

NOVEMBER.

18 NOVEMBER 1890, No. 187 JUDICIAL.

JUDICIAL DEPARTMENT

LETTER—from

THE CHIEF SECRETARY TO THE GOVERNMENT OF
FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

With reference to your communication dated the 16th September 1889, No. 659, requesting the opinion of this Government upon certain portions of the report of the committee appointed to inquire into matters connected with Jail administration in India, I am directed to forward the following remarks upon those chapters of the report which appear to require reply. These are dealt with below *seriatim*, and from the accompanying copy of the proceedings of this Government, you will be able to ascertain the orders passed upon those portions of the report which were left entirely to the discretion of this Government and in regard to which no report was desired by His Excellency the Governor-General in Council.

2. Chapter II.—The various suggestions appearing in this chapter are of such a nature that this Government hesitates to express any opinion without further consideration. It will be observed from the proceedings, of which a copy is enclosed with this letter, that a committee is to be appointed for the purpose of making a full inquiry into certain of the proposals appearing in the report, and to the above committee the questions raised in this chapter will be referred. At the same time the District Magistrates will be consulted and, upon receipt of their replies and of the report of the local committee, the Government of India will be further addressed on the subject. It may, however, be stated at once that this Government strongly disapproves of the proposal made in paragraph 12 of chapter II; the only officers who could be appointed as Superintendents of Subsidiary Jails are the Tahsildar-Magistrates and it is eminently undesirable that they should be withdrawn from the control of the District Magistrates and permitted to correspond direct with the Inspector-General of Jails. The system alluded to in paragraph 6 of chapter II already holds in this Presidency.

3. Chapter VI.—In regard to the changes proposed in this chapter also the Government is not prepared to pronounce definitely as yet and prefers to await the report of the local committee. Upon receipt of its opinion the various questions relating to establishment, the guarding of prisoners, the abolition of the Cannanore Jail, the conversion of the Salem Central into a District Jail, and the alteration of the system of superintendence in the Tanjore and Palamcottah Jails will receive due attention. Upon certain of the suggestions contained in this chapter, however, it is possible to express the views of this Government at once. The proposed abolition of the Ootacamund Jail, for example, is approved; but, on the other hand, the suggested increase in the pay of Central Jail Superintendents after eighteen years' service is open to objection. The Government of India is already in possession of the reasons which led this Government to protest against the restriction of the post of Superintendent of Central Jail to the ranks of commissioned Medical officers and the views of this Government upon that subject have undergone no change. His Excellency the Governor in Council cannot, therefore, regard with approval a proposal which will

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1. Charge upon the Provincial was unaccompanied by any it to this Presidency. The question of granting a more uniform Superintendent of District Jails, referred to in paragraph 7 of the opinion of the local committee on the subject. It may, however, be mentioned that the change will not result in any increase of expense, as the present arrangement for the average of the district jails in 1889 and including such as Anore, Palamcottah, Russellkondra and Parvatipur which stand on a peculiar footing, the proposed change would affect the charge allowance of only four jails, viz., Bellary, Chiddappah, Guntur and Berhampore. In the first case the allowance will be Rs. 75, instead of Rs. 100 as at present, while in each of the others the allowance will be raised from Rs. 50 to Rs. 75. There will thus be a net additional charge of Rs. 50 per mensem.

4. Chapter VIII.—This chapter will also be commended to the consideration of the local committee, but I am directed to express the general approval of this Government to the proposals therein contained. The cropping of the hair of female prisoners and the use of handcuffs (except as a means of restraint) are prohibited in the Madras Jail Code and thus no alteration in the code in this respect appears to be called for. There are at present five matrons on salary rising from Rs. 30 to Rs. 50 per mensem in this Presidency; in order to avoid a sudden reduction of establishment these women will continue to be employed in central jails and in the remaining central jails and in the district jails female warders on some such pay as that suggested in paragraph 2 of chapter VIII will be entertained. In this way the recommendations of Drs. Walker and Jothipidge can be carried out.

5. Chapter XI.—The Government of Madras is in favor of the proposal to allow Civil prisoners interviews with friends at any time of the day and will issue the necessary orders to this effect. As remarked by the Government of India, the adoption of the proposal in paragraph 5 of this chapter is impossible as the law now stands and this Government sees no reason for fresh legislation for the purpose of empowering the Superintendent of a jail to release a sick Civil prisoner.

6. Chapter XIII.—The views expressed in this chapter meet with the general approval of this Government. In future, instruction will be confined to juveniles in all classes of jails and the subjects taught will be reading and writing in the vernacular of the prisoner and, in addition, some simple handicraft. The details of the system will form the subject of report on the part of the local committee, and will be considered subsequently by Government. Statement VII may, in the opinion of His Excellency in Council, be discontinued in future.

7. Chapters XVII and XVIII.—This Government is disposed to dispute the principle underlying the arguments of the committee in regard to jail discipline. To record every offence against discipline of however trivial a nature would add to a great increase of scriptory work unaccompanied by any corresponding advantage. From the remarks contained in Home Department Resolution, dated 7th October 1887, No. 23-1609-1619, it would appear that the Government of India was itself previously averse to the system now proposed, upon the ground that it has a tendency to lead to the infliction of unnecessary punishments. With this opinion the Government of Madras is in complete accord and considers that the objections to the proposal outweigh the one advantage—uniformity of record. Such being the case, this Government regards the sub-division of offences into "serious" and "minor" as unnecessary. As regards the punishments to be inflicted for infraction of Jail rules, I am to observe that those already provided in the Madras Jail Code have been hitherto found sufficient; the form of punishment which consists in prescribing gunny clothing does not indeed find a place in the present Jail Code and may, with advantage, be introduced, but, otherwise, His Excellency the Governor in Council is not prepared to recommend any addition to the existing list of punishments. I am to point out that Madras Act V of 1869 limits the period of solitary confinement to seven days and legislation will therefore be necessary if the committee's proposal to fix the maximum at fourteen days is to be adopted. Similarly, Madras Act, VII of 1882 will require amendment if a minimum of fifteen stripes be imposed in the case of corporal punishment. For

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fresh legislation (the Government sees no sufficient reason and to such extent as depriving of the morning meal and standing headcloths) Council is entirely opposed.

8. Chapter XXVI.—The rules proposed in this chapter will be submitted to the local committee for report. His Excellency the Governor is opposed to the proposal of a "Ticket" which is suggested in paragraph 3 of chapter XXVI. Objections to the proposal are numerous; in the first place the amount of labor required to keep up the ticket will be considerable; the second place it will form only a duplicate of part of the existing convict register and will be liable, unlike that register, to be mislaid and effaced; finally, the entries in the ticket will necessarily be written up by various hands and an element of uncertainty will thus be introduced. The advantages which will counterbalance these objections are not apparent.

I am further directed to suggest that the mark system should be extended so as to bring within its scope all prisoners sentenced to imprisonment for one year and upwards. If this be done all convicts confined in central jails will have the advantages of good conduct brought prominently before them and the effect upon the discipline of these jails can hardly fail to be beneficial.

9. Chapter XXVIII.—The question of transportation will be made the subject of a separate communication; it is only necessary to observe that this Government approves generally of the proposed rules, some of which are already in force in this Presidency, and that measures will be taken to introduce such others as, after consideration, appear desirable. I am to add that this Government is in favor of removing the prohibition against the deportation of female term-prisoners to the Andamans.

10. Chapter XXX.—The proposal to appoint non-official visitors for jails has the approval of this Government and steps will be taken to meet the wishes of the Government of India in this respect.

I have the honor to be,

Sir,

Your most obedient servant,

FORT ST. GEORGE,
17 November 1890.

Chief Secretary

Ed. A. Raitt

Govt. of

JUDICIAL

DEPT.

in addition to the
existing benches
of the High Court
at Madras, one will
be added at
Tanjore, and one
at Coimbatore.

By order of
the Secretary to
the Government of
Madras.

From the Government of
Madras, St. George.

Just No 1804-5 of 18-11-90

Issued

Read.

Encl.

Letter, 11th November 1890, No.

NOVEMBER.

FROM

C. J. LYALL, ESQ.,

Offg. Secretary

to the Government of India,

TO

THE SECRETARY TO THE GOVERNMENT OF MADRAS.

Home Department.
Jails.

Simla, the 16 September 1889.

SIR,

UNDER the orders contained in Home Department Resolution No. 458, dated 9th October 1888, Deputy Surgeon-General Walker and Surgeon-Major Lethbridge were deputed to inspect and report on certain matters connected with the administration of the jails in the Madras and Bombay Presidencies, Bengal, the North-Western Provinces and Oudh, and the Punjab, during the cold weather of 1888-89. The Government of India has been placed in possession of their report, which contains valuable suggestions for the improvement of jail administration. These suggestions have been considered by the Governor General in Council, and subject to the remarks made below, they seem to His Excellency in Council to be generally suitable for adoption. Before, however, deciding whether they should be generally adopted, His Excellency in Council desires to learn whether in the opinion of the Governor in Council they are suitable to the circumstances of the Madras Presidency, and, if not, to what extent they appear unsuitable.

2. Chapter II deals with the classification of jails. The Governor General in Council accepts the standard proposed by the Committee that all prisoners sentenced to rigorous imprisonment for periods of one year and upwards and all prisoners sentenced to transportation should be confined in Central jails. His Excellency in Council considers that the collection in large jails of long-termed prisoners must conduce not only to discipline, but also to the profitable employment of jail labour, and to economy in management. With the accommodation available in the Central Jails in Madras, as shown in paragraph 7 of Chapter II of the report, His Excellency in Council should experience no difficulty in bringing the rule into immediate effect.

The remarks contained in paragraphs 11-13 of Chapter II of the report deserve careful consideration. The Governor General in Council thinks that the rule that a subsidiary and District Jail should not exist at the same place should

be strictly enforced, and that the necessity for maintaining a subsidiary jail within easy distance by railway or other means of communication from a District Jail should in every instance be closely examined. With reference to paragraph 12, His Excellency in Council considers that there will be an advantage in bringing the establishments at subsidiary jails under the Jail Department where this has not already been done, the Magistrate in charge taking exactly the same position in regard to such a jail as he does when he is in charge of a District Jail.

The view of the Government of India on the subject referred to in paragraph 14 is that no accused person should be remanded to the charge of the police when there is any sort of jail available for his custody, that in this view *hawalats* or lock-ups in charge of the police should be abandoned as far as possible, and that where the Courts and the jail are at a distance from one another special arrangements should be made to convey all prisoners during the hot weather, and sick prisoners at all seasons, between the jail and the Courts.

3. The recommendations in Chapters III, IV and V appear to the Government of India to be judicious, and are commended to the attention of the Governor in Council. His Excellency in Council trusts that in future reports on jail administration special care will be taken to avoid inaccuracies, such as are referred to in page 16 of the Committee's report as having occurred in some provinces in Statement A.

4. The chapter on jail establishments (Chapter VI) contains, in the opinion of the Government of India, the most important recommendations made by the Committee, and from the adoption of those relating to the subordinate establishments the Committee anticipates both increased efficiency and a reduction of expense. The Governor General in Council hopes that they will receive the careful consideration of the Governor in Council, and will be glad to learn the extent to which they can be adopted in the Madras Presidency. It has recently been determined to reserve the appointment of Superintendent of a Central Jail for commissioned Medical Officers in the Madras Presidency and Bengal, the only provinces in which this rule was not previously enforced. The scale of pay for the Superintendents of Central Jails is now regulated by Financial Department Resolution No. 1821, dated the 31st March 1871, which prescribes—

(1) for 1st Class Central Jails—

Rs. 700 per mensem rising by annual increments of Rs. 50 a month to Rs. 950 a month.

(2) for 2nd Class Central Jails—

Rs. 550 per mensem rising by annual increments of Rs. 50 a month to Rs. 700 a month.

When the Superintendent is not a Medical Officer, the allowance is reduced by Rs. 100 or Rs. 150 a month.

The Governor General in Council desires to be favoured with the opinion of the Governor in Council on the proposal of the Committee that officers who remain in jail appointments after completing eighteen years service should receive an increase of pay from Rs. 950 to Rs. 1,200 by annual increments.

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In Bengal, District Jails are for the purposes of calculating the pay of the officers in charge divided into (1) jails containing 300 or more prisoners, and (2) jails with less than 300 prisoners.

In other provinces District Jails are divided into four classes:

- 1st class, containing 500 or more,
- 2nd class, 300 and not more than 499,
- 3rd class, 150 and not more than 299,
- 4th class, more than 50 and less than 150,

and the scale of pay allowed to the officer in charge is Rs. 150 a month when the jail is a 1st class one, and Rs. 100, 75 and 50 when it is a 2nd, 3rd or 4th class jail, respectively. His Excellency in Council desires to learn the views of the Government of Madras on the Committee's proposal that the classification of District Jails and the allowances of officers in charge should be regulated in the manner suggested in paragraph 7 of Chapter VI of the report. It should be specifically stated whether the adoption of the Committee's proposal will result in economy or not.

5. The proposals in Chapter VII approve themselves to the Governor General in Council and are recommended to the Governor in Council for adoption.

The question of the entertainment of matrons and female warders on the staff of jails has already been commended to the attention of Local Governments and Administrations, which are alive to the difficulties of the subject. His Excellency in Council thinks that the suggestions in paragraphs 2, 3, 4 and 7 of Chapter VIII should be observed as far as possible, and at all events in all Central and large District Jails.

With regard to the remarks of the Committee in paragraph 5 of Chapter VIII of the Report, I am to ask for the views of the Government of Madras as to the retention or abolition of the power of cutting off the hair of a female prisoner as a punishment. The restrictions proposed by the Committee on the use of hand-cuffs in the case of females seem to the Government of India to be reasonable.

6. The Governor General in Council leaves the proposals in Chapters IX and X regarding the classification and treatment of juvenile prisoners and the treatment of under-trial prisoners to the consideration of the Governor in Council. His Excellency in Council fears that the rule proposed in paragraph 12 of the latter Chapter may, in some cases, be found difficult to work; but Magistrates of Districts should be requested by executive orders to lessen the extent of the evil referred to by the Committee.

7. Chapter XI deals with Civil prisoners. His Excellency in Council leaves it to the Government of Madras to decide whether a rule should be introduced to permit friends to have interviews with Civil prisoners at any hour of the day. His Excellency in Council fears that the rule referred to in paragraph 5 of the Chapter is inconsistent with the terms of section 8 Act VI of 1838.

The rules proposed in Chapter XII for the treatment of condemned criminals are for the consideration of Local Governments and Administrations.

With reference to Chapter XIII, the Governor General in Council desires to learn how far in the opinion of the Governor in Council, the present system of teaching convicts, and consequently statement 7 appended to the annual report, are capable of modification.

8. The question of the use of fetters for safe custody discussed in Chapter XIV has recently been under the consideration of the Government of India. The Governor General in Council agrees with the Committee in thinking that the rule regarding the use of fetters in force in Madras is preferable to those in force elsewhere and that it does not require alteration.

The suggestions in Chapters XV and XVI are left to the consideration of Local Governments and Administrations.

9. The important question of jail offences is dealt with in Chapter XVII. It has been frequently discussed in the reviews of the Government of India on provincial reports and the general jail statistics. The Governor General in Council regards it as most desirable that uniformity of treatment of prisoners should be secured in this respect, and is convinced that much remains to be done before this desirable object is attained. His Excellency in Council therefore requests that this subject may receive most careful attention at the hands of the Madras Government, and that the recommendations of the Committee may be thoroughly examined. The statistics given in paragraph 4 of Chapter XVII regarding Bengal Jails in 1886 hardly warrant the conclusion of the Committee, and in order to prevent misapprehension the Governor General in Council thinks it necessary to point out the faultiness of the deductions drawn from them. It is true that there were 93,042 admissions to the Jails in Bengal in 1886, but in estimating the number of prisoners likely to have committed offences, this figure must be reduced by—

1. 27,511 under trial prisoners.
2. 3,662 civil prisoners.
3. 1 state prisoner.
4. 15,780 prisoners transferred from other jails in Bengal, and shown as admissions.
5. 1,592 prisoners in transit to Andamans, etc.

TOTAL 48,546.

This leaves a balance of 44,496 individual prisoners likely to have committed offences, and 40,512 offences were actually committed.

The Governor General in Council views with favour the proposal of the Committee to divide the record of jail offences into (a) serious and (b) minor offences, but he is of opinion that offences of both kinds should be tabulated and shown in the reports in different statements. On this suggestion he awaits the views of Local Governments and Administrations.

The cognate question of jail punishments is dealt with in Chapter XVIII, and the first question which has to be decided is whether legislation should be undertaken to prescribe additional punishments in jails, and, if so, whether there should be one general Act for all India, or whether separate local laws should

be passed in those provinces where there are Legislative Councils. No specific legislative authority appears to be required for such punishments as consist merely of a modification, to the disadvantage of a prisoner, of matters of discipline or treatment which, with the exception of penal labour which can only (section 48 (4) Act XXV of 1870) be awarded for a period of 7 days to a prisoner not under sentence of rigorous imprisonment, the law leaves completely in the discretion of the executive authorities. In this connection the Governor General in Council trusts that the list of punishments given in paragraph 15 of Chapter XVIII will be carefully examined with a view to ascertaining whether it is exhaustive, whether all the punishments enumerated in it can unobjectionably be adopted, and whether it is desirable that legislative sanction should be given to all of them, or whether the law should not be so altered as to reserve to Government the power to impose or introduce new punishments of the same kind by executive order or rule. In particular, information is required as to the nature of fetters, and the mode of their application, should it be proposed to adopt them as a form of punishment. The introduction of the rule proposed in paragraph 15 (13) regarding corporal punishment would be impossible under the present law in Madras (Madras Act V of 1869, Section 11, Clause II), which fixes the maximum number of stripes for corporal punishment at 12 in many cases. In this connection it may be noticed that the Committee (paragraph 5 Chapter XVIII) has erroneously referred to the orders in the Madras Presidency as having been drawn up under section 54, Act XXIII of 1870.

10. The Governor General in Council has no observation to make at present on the recommendations in Chapters XIX, XX, XXI, XXII, and XXIII, which, in the opinion of His Excellency in Council, require to be carefully considered and examined.

11. Chapter XXIV deals with the employment of prisoners. The rules under which their employment is regulated are laid down in Home Department Resolution No. 10-605-618 of 7th May 1886. The Governor General in Council considers that the Committee has exaggerated the difficulty of employing prisoners on extramural labour, and sees no necessity for any alteration in the rules laid down in 1886 in this respect. The observations in paragraphs 10 to 16 of the Chapter and particularly those in paragraph 16, and the suggestions in paragraphs 20 to 30, require careful consideration at the hands of Local Governments and Administrations.

The Government of India entirely agrees with the Committee that nothing but cash earnings of convicts should be shown in Financial statements XIII and XIV, and this rule must in future be strictly observed. The object of these statements is to show exactly what has been earned by the jails, but the Governor General in Council thinks it would be well that information should be given in the body of the report to show what has been saved to Government by the employment of prison labour, as well as what has been actually earned, and that figures might be given for each jail to show this result.

12. The rules regarding criminal lunatics suggested in Chapter XXV are those in force in Bengal, which were recommended for general adoption in Home Department letter of the 15th October 1888.

13. Chapter XXVI deals with the mark system and contains a set of draft rules drawn up for the regulation of the system.

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The rules seem to be generally suitable, but the Governor General in Council would wish the following suggestions to be considered in connection with them.

Rule 1.—The last sentence might be thrown into a new clause A, and the present clauses A. B. C. numbered B. C. D.

Rule 1 B.—After the word "allowed" the words "so long as they conduct themselves well" should be inserted.

Rule 8.—This rule omits the power given to District Magistrates by present rule 9 a power which in the opinion of the Government of India should be retained.

Rule 10.—Uniformity of rule on the subject of forfeiting marks for offences such as are mentioned is required, and it should at the same time be provided that a prisoner who has been well-behaved during a long term of imprisonment should not be prejudiced by a rigid rule that he must lose all his marks for an offence which may not be of a grave character. The rule might run "A prisoner may, with the sanction of the Inspector General, be excluded from the benefits of the mark system for any limited time, or adjudged to forfeit the whole or any of the marks previously earned, if he is found guilty of any of the following offences, namely—

Escape or attempt to escape from a jail or subsidiary jail.

Striking or attacking a jail official.

Criminal immorality of a gross description.

Forgery in connection with marks and the weight test; deliberate tampering with the prison history ticket or wilfully making away with it; wilfully causing bodily injury to himself with the view of escaping work or going to hospital.

Illicit correspondence with outsiders.

Deliberately bringing a false charge against a jail official, or wilful destruction or theft of Government property."

Rule 12.—The words "must be" and "must periodically report" should be substituted for the words "has been" and "have reported" respectively.

Rule 13.—Will need alteration with reference to the alteration of rule 1 suggested above.

Rules 16 to 20.—The Governor General in Council is not assured of the necessity of these rules, and will be glad to receive the opinion of the Governor in Council as to the need for adopting them, as well as on the rules generally.

14. Chapter XXVII.—The details of prison discipline herein suggested are left to Local Governments and Administrations to adopt as far as they consider them desirable and feasible.

15. Chapter XXVIII deals with the question of transportation. The remarks in paragraph 1 seem to have been written under a misapprehension as to the rules regarding the transportation of female prisoners. The standing orders prohibit the transfer to the Andamans of female term-prisoners, but the

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Governor General in Council will be glad to receive the views of the Madras Government as to the desirability of removing the present prohibition.

The remarks in paragraph 2 of the Chapter regarding the deterrent effects of transportation to the Andamans deserve the most careful consideration, and the Governor General in Council desires to learn the opinion of the Governor in Council on the subject. The question is of the highest importance with reference to the subjects discussed in Home Department letter No. 630, dated the 22nd December 1888, and if the general experience of district officers is that the system of penal labour in the Andamans is not at present regarded with sufficient apprehension to deter people from crime, the Governor General in Council will direct a local inquiry with a view to considering how it can be made more stringent. The question of the abandonment of the Andamans as a penal settlement, even as regards convicts from Bengal, (see paragraph 3, Chapter XXVIII of the Committee's report) is, however, not one which the Government of India is as yet prepared to consider; and apart from other objections on general grounds which His Excellency in Council entertains to the suggestions of the Committee as applied to Bengal, it is evident that Indian jails are not as yet suitable for the confinement of all transportation convicts, both because the jail establishments generally require to be improved and reorganized, and because the accommodation in Central Prisons is in some provinces inadequate even for the convicts who are not under sentence of transportation.

16. The Committee has made special recommendations for the treatment of Burmese prisoners under sentence of transportation who have been sent to Indian jails. The Governor General in Council regrets to learn that there are inequalities in the treatment of these prisoners in different jails, and trusts that Local Governments and Administrations will adopt as far as possible the recommendations made in paragraph 4 of Chapter XXVIII. His Excellency in Council has recently had under his consideration the question of a ticket-of-leave system in connection with some rules on the subject in force in the Punjab. The introduction of such a system in India is beset with difficulties, and the Governor General in Council considers that the mark rules are sufficiently liberal for all classes of prisoners. The present would, in the opinion of His Excellency in Council, be a most inopportune time to introduce any relaxation into prison discipline, when the question of the deterrent effect of existing jail regulations is itself under consideration in connection with the crime statistics of the country.

The objections which apply to the introduction of a general system of ticket-of-leave apply, in the opinion of the Government of India, to the proposal to grant tickets-of-leave to Burman prisoners, and the Governor General in Council is not prepared to sanction either this proposal, or the alternative one of sending selected Burmese prisoners from Indian jails to the Andamans as self-supporters. Such Burmese convicts as have been sent to Port Blair have an advantage over those sent to Indian jails, just as Indian convicts sent to Port Blair have an advantage over convicts not considered fit for transportation. There is so far an inequality in treatment, but the proposal to release Burmese prisoners on ticket-of-leave or to send them as self-supporters to the Andamans after a certain term in Indian jails would introduce another inequality, and this the Government of India does not consider desirable.

17. The remarks in Chapter XXIX regarding appeals and petitions do not appear to be open to objection, except those in paragraph 5 which are in the

direction of limiting the right of appeal for mercy. The Governor General in Council could not approve of any rule which would countenance a limitation of the right to appeal to the executive Government for mercy which is inherent in every prisoner.

18. The remarks in Chapter XXX regarding visitors have the general approval of the Governor General in Council. His Excellency in Council is particularly desirous that every Local Government and Administration should carefully consider the expediency of introducing or extending, as the case may be, the system of non-official visitors.

The recommendations regarding jail registers and returns deserve careful consideration. In Home Department letter No 409, dated the 28th February 1887, suggestions were made as to rules for the preservation or destruction of jail records, and the observance of such rules should remove the possibility of the records of a jail being in the untidy state referred to by the Committee in paragraph 12, Chapter XXXI.

The several matters dealt with in paragraphs 1—10 of Chapter XXXII relate to questions which can best be dealt with by Local Governments and Administrations.

19. In conclusion, the Governor General in Council desires that the recommendations of the Committee may now be carefully considered in connection with the remarks which have been made above, and that the views of the Governor in Council may be in due course communicated to the Government of India. It is desirable that in submitting his views to the Government of India His Excellency in Council should bring specially to notice any point in which, either as a result of the recommendations of the Committee or on independent grounds, he considers that the law regulating prisons requires amendment.

20. The Governor General in Council trusts that the matters brought to notice in the inspection reports on individual jails (Appendix A of the Report) in the Madras Presidency will receive the careful consideration of the Governor in Council.

I have the honour to be,

SIR,

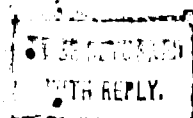
Your most obedient Servant,



Offg. Secretary to the Government of India,

*Specimen copy of letter with form attached
to be kept in file of the committee on
prisons.*

JURIAL DEPARTMENT.

Co 26.10.88: 22/78
12.12.87: 25/11/88

From

Govt of India,
Home Dept.

27/5 Oct/89

Referred to the Inspector
General of Jails for remarks.Sd/- (by order)
A. J. Cardew
Under Secy.

No. 659

Dated 16-9 } 89.
Received 22-9 }

Enclosures -

SUBJECT.

Inviting opinion of the Madras Govern-
ment on certain suggestions made by the
Juries deputed to inspect the Adminis-
tration of the Indian Jails &c.

Received by

Subd. Secy.
Jails
B. B. P. S.

23/9 / 20.12/10
24.9/9 / 20.12/10

(Enclosure)

File

68

With reference to the first
paras of this letter it is to be
rule in the District Jails, the
prisoners sentenced to over
year and transportation con-
are confined, in central jails
and those sentenced to one
and under in District jails.

para 2/15.

I do not think it would
of advantage to place the
subsidiary jails more under
the Jail Department
than they are now. At pres-
they are under the immedi-
control of the District Mag-
but the Superintendence is
the hands of the District Magistrate.
I would leave them as they are.
the rules for their management
are excellent now, and it would
be impossible for the Superintend-
ent of the District Jail to super-
them properly, when it is consid-
ed how scattered they are, and
how large our districts are.

gallah surgeon, who is given by the
Superintendent of the District Jail
(where there is one) has an office,
to visit all sub-jails periodically
and his remarks on them in the
Visitors' Book are communicated
to the Inspector General. The
remarks of the District Magistrate
and the other ex-officio visitors
in the Visitors' Book are, as is cus-
tomary in all other jails, at once
submitted to the Inspector General.

I agree with the Committee
that prisoners sentenced to over
15 days should be sent to the Dis-
trict Jail when the District
Jail is within a reasonable
distance of the sentencing Court.
But there are several cases
where this could not be done
and would refer to C. A.
Judicial, dated 11/1/11
as an instance where
Government has sanction
concentration at Kumbh
and Chikacole of the
prisoners at Sekali and
Sunnappett. They would
alter on account of their disti-

from

from the District Jail. I do not think
that prisoners under trials are
sent to District Jails, the chief
objection being the danger of
infectious diseases being brought
into the jail, when once com-
mitted to the sessions, all
trials are sent to the District
Jails which is generally at the
Head Quarters of the District
Court, except in the Krishna
and North Malabar Districts.
In the former, the Court is at
Mangalapatnam and the jail
at Coimbatore, and in the latter
Court is at Tellicherry and the
jail at Cannanore. At Coimbatore,
under trials are not
sent to the District Jail when com-
mitted to the sessions but are kept in
a sub-jail in the Fort. I do not
agree with the Committee in their
statement, as to the treatment
of under trials are subject
in our subsidiary jails. If
sent to a District Jail they
would be put on jail diet
and be subject to a certain

amount

accidents of jail discipline. But trials, who it must be understood are not approved of by persons would consider it a much greater disgrace to be confined in a jail till trial, than to be confined in a sub-jail, where they can get their own food and be under much less restraint. No magistrate is in charge of a district jail. They are now in charge of the sub-jails.

On jail construction I need hardly remark on this chapter. Almost all the general principles noted are carried out in our jails. The Chief difficulty we have is noted 32 (f) - the segregation trials. This is carried as possible, but till are cellular it were thoroughly efficient.

Our work shops in yards with sleeping wards found to answer well. The suggestion of enclosing them in wire netting might be carried

Chapter I
Carried out. This Chapter needs little comment - Our jail, except with the exception of the Penitentiary and labour are ample for the population.

The standard of accommodation agrees with ours. Also the ventilation.

The conservancy suggested is exactly as followed in our jails except that we roof our latrines.

The water supply of some of our jails is a very anxious subject, and every thing is being done to get it as pure as possible.

I cannot agree with the Committee in recommending medical officers for the appointment of Superintendent of Central Jails. I can see no advantage to be gained by it. They manage district jails fairly well as the numbers of prisoners are small and there are no manufactures.

Comp. app. ~~XCV~~
para. 9.

Chapter II

there is but a small establishment
to look after - and their average
visit of an hour a day has so
far sufficed. But the charge
of a Central Jail is a very different
affair. The strictest discipline
has to be kept over an average of
800 prisoners - the warder guards
have to be thoroughly well drilled
and trained like Sepoys - what
do medical men know of all
this? The manufactures must
be carefully watched and
promoted - Medical men might
learn to take an interest in this
in time. I succeeded a medical
man in charge of the Central
Jail at Rajahmundry where
there were 1000 prisoners in it
and the state of discipline among
the convicts was something lament-
able. If it had not been for
a most excellent jailor there
must have been an outbreak.
It took me one year to get
that jail into proper order. We
have lately had an instance
of the efficiency of a medical
officer at Trichinopoly who
only had his medical duties

to perform, and at Barwathpur
where a medical officer has
distinguished himself in the
absence of the Superintendent.
It appears that in Poonah,
the North West Provinces, Punjab
and Rummah, medical officers
are found who will take these
appointments, but I cannot
understand a medical man
who cares for his profession
taking one. 73

With reference to this para
where the appointment of experienced
jailors to be Superintendents of
the District jails of Sanjore and
Palanecottah are deprecated, I
can only say that those jails
are in far better order as regards
discipline than any other District
jails I have visited; and in Sanjore
especially a great deal is being
got out of the prisoners in manu-
factures. These appointments are
prizes that jailors work for now.

Para 64.

The Committee in this para
suggest that Government should
give appointments in subordinate
grades of the Judicial and Police
Departments to the best qualified
men (jailors) of long and tried
service as rewards - Would
jailors

8
 Jailors be fit for these? and would
 they ever be given? I certainly
 would retain these two jails
 as rewards for deserving jailors.
 Mr. Syrell who was one of the
 jailors selected for Belamcottah
 is now ^{2^d} Superintendent of the
 2^d class central jail at Coim-
 more and is one of the best
 superintendents we have.

These say much against
 as for medical officers in charge
 of jails.

1142
 All the duty of escorting convicts
 in our jails is done by warders
 therefore we require a larger
 warder establishment than
 in other provinces and the sug-
 gestions for the strength of warder
 establishment contained in
 paras 56, 57, 58 & 59 would
 not suit our jails. The Police
 escort under trial prisoners,
 as they are not convicts, till
 sent to jail with a committal
 warrant. This escort duty being
 done by warders raises the
 cost per head of our convicts.

These paras relate to convict
 officers, para 85 prohibits the
 employment or promotion of
 habituais to these grades.

9
 The requirements for promotion
 to A class is good behaviour
 and only one previous conviction
 &c. My experience as a mag-
 -istrate is that very few convicts
 are sentenced to one year's im-
 -prisonment who have not under-
 gone more than one previous
 conviction. If this is the case
 few men could be promoted.
 We have nothing in our return
 to show the length of sentence
 inflicted on old offenders.
 I would advocate no alteration
 in the proposal of convict ward-
 guards now before Government
 submitted by Colonel Porters.
 This should be tried first before
 the changes for reduction of jail
 establishments suggested by
 the Committee are carried
 out. They might be instituted
 gradually afterwards if they
 necessary.

There is very little difference
 between the suggestions contained
 in these paras from the system
 now worked in Madras jails.
 The Maistries in wards (watch-
 the Committee calls them) are
 held responsible for the con-

1143
 The Comm. understood by watchman &c.
 better grade than the Maistry - &c.
 (para 85) (para 86) (para 87) (para 88) (para 89) (para 90) (para 91) (para 92) (para 93) (para 94) (para 95) (para 96) (para 97) (para 98) (para 99) (para 100)

10
of prisoners in their wards, at night - convict guards do not patrol outside the jails now, but are placed so as to watch gangs of convicts on extramural work, how else are they to be guarded? The abolition of fetters has been sanctioned by Government.

The division of Head Warders and warders into two squads for day guarding of extramural gangs is a system we might adopt. It is usual with us to have the guard under arms when there is a large association of prisoners at bathing parades.

I cannot see the necessity of abolishing the Coimbatore Central Jail as suggested by the Committee. A central Jail for long sentenced prisoners of the West Coast is necessary. They should not be kept in District Jails. A new class of Jail called an Intermediate Jail has been invented by the Committee to suit this reduction - no arrangement is made for a Superintendent and it is not graded amongst other

11. 11 9/2
District Jails. If there is to be a Jail abolished on the West Coast, I would suggest the Mangalore District Jail, where the average population in 1881 was 62 - but if West Coast prisoners of long sentence are to be kept on the West Coast to preserve their health, and a large number of Punjabi convicts for the sake of their health, we must have a Central Jail to confine them in.

If the European Prison is to be abolished and the prisoners transferred to the Penitentiary, I see no use for the building. The District Jail has been done away with, and there is no necessity for anything but the sub-jail for natives. The European Prison is not suitable for the confinement of natives. But, I strongly advocate the retention of the European Prison. The cost has been very high but that is because so few Europeans are confined in it. It is made to hold 36 and there are seldom more than 13 or 14 in it. It

by whom?
no one promised
any thing of the kind

of whom are Eurasians. When the
question for the retention of this
prison was raised by C, it was
promised that all Europeans
from Northern jails should be
sent there, but we have only
had four or five ever, as another
reason for retaining it is that
it is in a climate suitable for
Europeans to which those suffer-
ing from ill health in the jails
on the plains can be sent for
change.

In remarking on para 8 of
this chapter I have strongly opposed
the Janyoro jail being placed
under the Civil Surgeon.

The extra R. 1 for all wards
and Head warders is advisable.

The Committee state that
our jails are over-manned with
warder guards, and that they
are overworked. The system
is perhaps not perfect yet,
but we are doing our best to
make it so.

I entirely disagree with the
Committee regarding the dis-
advantage of employing

Para 115.

James and Burrows

as jail officers - the salaries paid
by Government are sufficient
to attract a large number of
these classes - my difficulty is
to select good men - and the
advantage of having this class
over natives subordinates is, that
they form a strong check on the
irregularities most natives are
prone to - they have the interests
of Government more at heart
if they are good men. Then if
they commit themselves they
are much more easily found
out than natives who all con-
bine to screen each other. I
certainly have had two instances
of gross misconduct on
the part of Eurasians - but the
Cannanore case was an
instance of a native on a
much larger scale.

Para 117.

I doubt if Police could be
spared to do escort duty when
convicts are transferred. Our
present warder guard is strong
enough for it. We employ tem-
porary warders now to watch
lunatics. It might be arranged

that

14
that convict officers should watch
them in future or well conducted
convicts even who might be given
a rice ration as a reward and
which would also prevent the
likelihood of their making away
with the rice ration allowed to
lunatics.

The suggestions of the Committee
in this chapter are fully carried
out in our jails already. There
is nothing new in them to us.

Females are isolated as far
as possible in our District jails.
In all Central jails, the isol. tow
is complete, and we have a
female matron, native or
European over them. In all
Central jails the matron should
be a European or Eurasian.
Native matrons have not the
necessary authority to keep the
most depraved females in
proper control, and in most
cases fear them. How fright-
fully depraved and violent some
native women can be, is dif-
ficult to believe without
experience.

The provisions of paras 3, 4, 5,
and

35 138
and 6 are carried out in our
jails.

I cannot agree with the
Committee that long sentenced
females should be kept in District
jails. Almost all long sentenced
females are habituals and
should be kept with their own
kind in Central jails, without
the chance of contaminating
other less depraved women
in District jails. I see no reason
why they should be less leniently
treated than men in that respect.
All prisoners receive sufficient
batta to take them home on
their release. 3)

I have never heard of the
punishment of cutting off a
woman's hair. It does not exist
in our jails. A woman's hair
is never cut except by the Doctor
orders for some disease or
extreme filth.

The provisions of this chapter
are carried out in our jails as
far as practicable. All jails are
not provided with separate cubicles
for the boys. This should be. We
have been separating "youths"
from "boys" and from adults.

16
I fully agree with all the
Committee's recommendation in this
Chapter down to 10. but
that, para. breaks through one
of the most important rules in
the management of the jail.
11: Under no conditions would
I allow the jail to be opened
after 10 o'clock to admit under-
trial prisoners, unless they are
under trials that have been
held in the jail and have been
taken out to attend the Court,
then under Jail Rules 81b they
must be so admitted whether
they are still under trial or
have been committed to prison
as convicts. In all our jails
now we refuse to receive prisoners
committed to jail after 10 o'clock,
and that rule should certainly
not be broken for under trials.
If they are brought too late the
Police guards must be held
responsible for them till the
morning as they are for other
prisoners they arrest. I would
not open the jail on a magis-
trate's order any more than
I do now when a prisoner is
brought too late on a magistrate's
commitment.

17
Committal warrant. 148

In Madras town all civil
debtors are confined in the civil
jail. In the magisterial they
are confined in separate com-
partments in the Central and
District jails. It would be most
inconvenient to allow them to have
interviews with their friends
whenever they liked. There are
stated hours at which these
visits are permitted.

I do not see the advantage
of the power of release given
to Superintendents in this para.
If there is a chance of the debtor
recovering from illness if released,
there is plenty of time to refer to
the committing Court which is
almost always in the same
station as the jail. 83

All the recommendations
in this chapter are worked in
our jails, except handing the
bodies of criminals after exe-
cution to their friends. This, I
think should not be allowed
on any account as the cere-
monies the natives go through
over the dead bodies and over

Sept 11, 1897

beachten

11-11-61

Chapter XVI

Leit

Jail offences are here stated. I agree with the Committee that it is perfectly hopeless to expect uniformity of practice amongst superintendents in punishing the enormity of offences and the proper punishment to inflict. Records of serious and minor offences could, of course, be submitted.

Here the Committee enters into the question of Jail Punishments and in paras. 1, 4, 5 & 6 details the punishments now in force in different Provinces.

The punishments inflicted in Madras jails are detailed in para 5. and so far we have found them sufficient.

The Committee recommends a uniform scale of punishments for all jails. These number 13 in all.

1. Loss of marks - This is one of our punishments for minor offences.

2. Change of labor to some form less agreeable to the convict - This is now done in our jails.

3. Separate confinement is one of our punishments, but can only be imposed for 7 days by the Superintendent. It entails loss of diet as a matter of course, and loss of marks under Rule 52.

4. Separate confinement for an indefinite time under orders of the Inspector General - is a new rule and I see no objection to it.

5. Penal Diet - We have two scales of Penal Diet for Europeans and Eurasians and three for natives under very strict rules - as to its administration which cannot be improved upon.

6. Prisoners to be deprived of their early morning meal for short work. This I would not advise, it would keep the convict starving from 5 P.M. supper to 11-30 A.M. next day. Two or three days of penal diet would be better.

7-8-9 Refer to Handcuffs in front - Handcuffs to a staple in the wall - and Handcuffs behind his back - I think

Superintendent

Superintendents should have
the power of handcuffing
a convict in front or even behind
his back in extreme cases when
he is very violent - but I look
on handcuffing a prisoner to
a staple in the wall for hours
at a time as a most cruel
punishment and strongly
deprecate the adoption of such
a punishment.

10, 11 & 12. All these punish-
ments I see no objection to.

13. Corporal punishments
we have now.

I agree that punish-
ments 1, 2, 3, 5 and 12 are
suitable for minor offences
but not 6, 7, 8 and 10.
and the other punishments
for serious offences.

Superintendents in ad-
ministering punishments
should under Rule 354 de-
duct marks earned under
remission

23 17m
Remission rules in every case
where he punishes a prisoner
who is under those rules. This
is often felt by the prisoners
more than the other punish-
ment and in judging the
severity of the punishment,
it should be remembered
by Superintendents.

89
Fetters are not used in
our jails as a punishment -
but under Rule 402 if a
prisoner in a close prison
is violent or dangerous, he
may be fettered and under
Rule 412 the Superintendent
of a district jail may fetter
prisoners for safe custody (with
reference to the state of the prison
or the character of the prisoner).
Under ^{Rule} 405 in cases of urgent
necessity a jailor may put
a prisoner in irons or mecha-
nical restraint giving notice
at once to the Superintendent.

Chapter XIX

Our Rules are sufficient
for escapes and outbreaks
and we have a regular system

in case of the alarm of an outbreak.
The suggestions of the Committee
are very good and there is no
reason why we should not adopt
them.

The Committee approve of
our diet scale as it is now.

No alteration is ever made
in our diet scales without the
Doctor's sanction, and then only
in individual cases.

The amount of fatty matter
we give convicts is nearly as
much as is recommended and
is the same as in Bombay and
Bengal.

We give our convicts 1 oz.
of salt daily. The Committee
recommend $\frac{1}{2}$ oz. only daily.
I would not reduce our allow-
-ance of salt.

I quite agree with the
Committee that a great deal
of money is thrown away on
ingredients for the manufacture
of our jail ~~prison~~ powder. In
their appendix A. page XCIX
para 17 they suggest the
discarding of black pepper
cumin

188
cumin seed, mustard seed
and vendium, and I would
recommend following their advice.
A jailor of some experience told
me the other day that the cost
of black pepper alone cost Rs. 1
a year for each convict i.e. 8000
a year. The convicts care so
little for the black pepper, cum-
-min, mustard and vendium
seeds that they save it and
have been caught continually
bartering it for forbidden arti-
-cles with the warders. They would
not barter necessary ingredients.
With regard to growing the
condiments in jail gardens
we have great difficulty to
contend with in the soil of
our gardens. Most of our large
jails are built on sites es-
-pecially selected as being
high, well drained and
gravelly. None of these ele-
-ments are conducive to a
good garden, as it is very
difficult to make anything
grow in a gravelly soil. The
soil has to be made with
years

Gear of labor.

The Committee recommend that convicts get 2 oz of vegetables daily instead of the 4 oz they get now. Our convicts get the best vegetables that can be grown in the gardens or procured in the market, but they certainly cannot be supplied with cabbages, turnips, tomatoes &c which only grow sparingly in the cold weather.

All our convicts get 1/2 oz of Samarind daily free of cost, and husk, or pickle and our Medical officers are fully aware of the necessity for Antiscorbutics - free laborers use nothing but Samarind in our Presidency. We give our convicts a great deal of nosele and sour greens that are grown especially in jail gardens, as part of their vegetable diet.

para 11. Only convicts in District jails that come under classes

I

I and II are Klined vegetable and class II get 1/4 lb of Samarind

The issue of Samarind is never stopped.

We refer to the danger of reducing the diet of prisoners and the Committee recommend that consideration by Government of the short diets for laboring prisoners. In our jails short diets are only given to prisoners in District jails. Class I - convicts sentenced to 7 days and under, get 20 oz of grain 1/2 oz salt & 1 lb of firewood.

Class II sentenced to more than 7 days and under a month get 20 oz grain 2 oz dholl 1/2 oz oil 1/2 oz Samarind 1/2 oz salt 1/2 oz Curry powder and 1 1/4 lbs firewood.

Class III are under trial and convicts sentenced to over 1 month and under three, get 22 oz grain, 3 oz dholl four days a week & 5 oz dholl

shall 3 days a week, $\frac{1}{2}$ lb oil
 $\frac{1}{2}$ lb. Tamarind, $\frac{3}{4}$ lb salt
 $\frac{1}{2}$ lb Curry powder 1 lb vegetables
 $\frac{1}{2}$ lb onions $\frac{1}{2}$ lb firewood.

Labels IV convicts male
sentenced to rigorous imprison-
ment of more than three
months - get the same as
Central Jail convicts.

If these can be called short
diets they are what are ordered
by Government after much
consideration. Of course they
are never altered in jails.

The orders on weighing
of prisoners are most accurately
carried out and I hope in
our jails are trustworthy.
In Central jails the superin-
tendents take the greatest
interest in these tests and
weigh the men themselves as
a rule. The medical officers
of course, could check the
weight of any man if thought
was improperly recorded.

Our convicts all get three
meals a day. Poggie cake or
porridge

porridge about 6.30 A.M.
a full meal at 11 A.M. and
another full meal at 5 P.M.

XXI. We are generally in our
jails as we can afford it,
adopting the Committee's sug-
gestions with reference to
having one kitchen in each
jail. I agree with all the
Committee says in this
Chapter. 95

XXII. I quite agree with all
the remarks in this Chapter
on jail gardens, but as I have
remarked before, we have
great difficulties to contend
with in the soil on which
most of our jails are built.
Where the soil is good as at
Vellore, Salem and Palamcottah
very much is being done in
this direction, and a good many
of our jails not only supply
all the vegetables required
for jail use but sell a
good deal. We do not perhaps
grow as many antiscorbutic
vegetables

suggest the new jail is
 suggested but more attention
 will be paid to it in future.
 I have already made arrange-
 -ments that the big water be
 sent down annually for all
 seeds required for jail. More
 attention will be paid in future
 to growing such contributions
 a good many of our jails the
 water supply is not sufficient
 the vegetables grown in the jail
 gardens are supplied to the jail
 free of cost and some to eat of
 it.

The contract between for the
 supply of jail vegetables has been
 given up for some time ago
 and all the vegetables in these
 farms are now raised in our
 jails. No charges are made by
 averages. We are now trying to
 grow just in the same way as
 before. The contract for the
 vegetables from the jail
 which contains orders and bills
 -ments of the price of grain
 -ments of the price of grain

Chapter XX
 Jail

This is circulated to all super-
 intendants as it is published.

We do cultivate the jail lands
 as much as possible. We have not
 a large tract I know of that does
 not dry up every hot weather.
 As far as possible we utilize
 jail labor for jail requirements.
 We never buy wooden twist.

para 17, 18.

On a good many of our jail
 farms now we keep cows as
 jail property to supply good
 milk for the sick. We do not
 buy paddy and unhusked doll.

para 20.

I agree with the Committee
 here that the value of every thing
 done by the convicts for their own
 maintenance or for jail economy
 should be debited to maintenance
 and not credited to factories.

Chapter XX

In each of our jails we
 have the three classes of labor
 and the Superintendent uses
 his discretion under the Doctor's
 recommendation as to what
 class a prisoner shall be put
 to. I think it would be a mistake

103

to define certain labor as "hard" or as "medium". And after a light talk the Committee suggest in para 13 for the reason that the Committee gives for the same para. namely that what one prisoner would consider "hard" another prisoner would consider "medium". I think it should rest with the Superintendent and Doctor to send a convict to such labor as suits his individual case and that we do now. I would not change our present system.

All our extramural labor is working in the gardens, carting out night soil and in some cases bringing in water.

paras 7, 10, 11 & 12

The Committee advocates 9 hours' labor instead of our 8 hours. They make their day begin at $\frac{1}{4}$ to 5 A.M. and last till 6.30 P.M. that is $10\frac{3}{4}$ hours. They give from $\frac{1}{4}$ to 5 to 5.30 a meal &c. from 10.30 to 1.30 meal bulking & rest and from 5.30 to 6.30 the evening meal - that is 9 hours work.

work and $4\frac{3}{4}$ hours for meals and rest.

A fixed rule of this kind might be for a jail where there was no extramural labor, but it would not do in our jails where we always have two or three gangs at extramural labor. It is in my opinion contrary to all jail principles to unlock prisoners before day light or lock them up after dark - and in this Presidency for several months in the year the sun does not rise till 6.30 A.M. and sets at 6 P.M. Our rule has been to unlock about $\frac{1}{4}$ of an hour before sun rise give the convicts $\frac{3}{4}$ of an hour for their morning meal and latrine purposes - and immediately set them to work. It is then about 6.30 A.M. or according to the time of year. They work till 11 A.M. when they get their midday meal. In the cold

incalculable

weather they go to work again at 12 noon and work till 2.30 P.M. and then after their work is over they are all bathed (not at 10.30 as the Committee suggests) and have their evening meal at about 5 P.M. and are locked up about 5.30 P.M. If our door gangs are not brought to the gate before 5.30 P.M. it would be simply impossible to search them all, lock up tools, march them to their yards, bathe them and give them their evening meal, and then go through the very important process of locking them up before dark at any time of the year. The locking up, when every man has to be checked and searched, must be done by day light. The very early rising before dawn in the colder part of the morning I think is likely to be deleterious to the prisoners' health. I never get up before the sun. We certainly get 8 hours work out.

out of our convicts but we do not give them the 3 hours rest in the middle of the day, except in certain cases in very hot weather when we insist a little earlier and a rest at noon is allowed. We give them a full 12 hours rest in their cells and I think that is sufficient for 8 hours work. I would not alter our present arrangements.

paras 14, 15 & 13.

I agree with almost all the Committee says in these three paras, but see no necessity for lists of intramural labor under the heads of "hard", "medium" and "light". I have given my reasons above in remarking on paras 5 & 13. I think the jailor and superintendent should use great discretion in assigning the task each individual convict should be called upon to perform, according to his capabilities, and the time he has been at that particular work.

work. He should not be
 fixed back for every man of a
 set of measures for instance. Having
 fixed the task, the convict should
 be made to perform it.

para 17 & 18

These points relate to jail
 manufactures and the Committee
 strongly advocates the reservation
 of jail labor to Government require-
 -ments. This is done to a very
 great extent in our jails and,
 from the Committee's report, more
 so than in the jails of other Princes.
 We weave all the cloth for police
 white clothing, supply them with
 blankets, shoes and sandals. We
 make our own jail clothing entirely,
 including coir and also fibre
 matting for convict beds - at
 the Bristentary we do all (I think)
 the form printing required for
 Government offices in the
 Civil Department. At the Jyppe
 jail paper is made for the Labo-
 -ry Department. Besides narrow
 office tape - also broad tape for
 the Camp equipage department.
 In para 25 the Committee
 deprecates

deprecate commercial industries
 such as Carpet and shawl industry.
 I cannot agree with him there!
 We have a surplus labor, why shall
 we not turn it to the best advan-
 tage for Government.

Our short term prisoners
 are now employed in cleaning
 grain and expressing oil for jail
 consumption as suggested. They also
 make also fibre and coir fibre
 matting to a great extent. Jail
 gardens are kept up as far as
 possible in every jail as ex-
 -plained above. 103

paras 31, 32 & 33.

I quite agree with the
 Committee that no estimates
 of the value of convict labor -
 expended in the maintenance
 and management of a jail
 should ever appear in State-
 -ments 13 and 14. Actual cash
 earnings only should be shown.
 An approximate value of the
 labor of convicts expended on
 jail works might be shown
 in the Annual reports, but
 it

it would be difficult to estimate it, unless it was valued at half rate of free labor saved.

The Bengal Rules have been adopted by our Government.

Chapter XXII

The first 16 Rules in this Chapter are almost word for word identical with the Remission now in force in all our jails. Rule 17 differs as it suggests sending in to Government. Quarterly, a list of convicts to be released on Remission. We do it monthly - therefore Rule 18 is not necessary. Rule 19 we carry out. I do not understand the latter part of Rule 20. What is the object of taking into consideration the number of marks earned by a prisoner selected for convict officer if no limits are fixed as to the number of marks required as a qualification.

para 3.

I am of opinion that these History Tickets are utterly useless and unnecessary. Every thing

Recorded

on them is now recorded, in our Court Registers. Whenever a convict is brought up to the Superintendent, the Register is referred to and any fresh entry necessary is made. The tickets would be liable to be constantly lost and keeping them and the Register also regularly written up, would give double clerical labor with no possible advantage that I can see.

105

In the whole of this chapter 26 - there is no alteration in our system that I would adopt.

With reference to the remark of Supreme Government on Rule 8, our District Magistrates have no power in jails - so I do not understand the allusion.

Our Rule corresponding to Rule 10 has the word "may" as suggested by the Supreme Government and not "shall".

I have no remarks to make on this chapter on Parades and Discipline. We have a perfect system of our own, very similar

See Rules of the Skeleton Rules cited by India recorded in G.O. 24 July 84. No 1819. Mr. Guinness, when submitting his draft, was to be found in G.O. 13 Dec 84. No 3251 - omitted the power of the D.C. Magt. to give marks.

Chapter XXIII

29
Similar to that described which
requires no alterations.

XXI/11/11
para 1. I think our Rules should be
modified with reference to the
transportation of female term
prisoners to the Andamans. We
have a great many in our jails
fit for transportation. There are
life sentenced females also quite
fit for transportation who, of course,
are supposed to be over 40, but it
is difficult to tell a woman's age.
I would recommend sending
any woman physically fit.

para 2. I don't know that Trans-
-portation is no longer a deter-
-rent form of punishment.
I think they dread it, but once
it is inflicted for life, convicts
would much prefer transfer
to the Andamans to life in
a Central jail. I think habitual
thieves dread it, they do not so
often ask to be sent there as the
lifers. I would strongly advocate
the retention of the Andamans as
a penal settlement.

41 26/8/11
para 1. In our jails the Burmese pri-
-soners are mixed up with the
natives and work in association
with them. They are not fettered
except as a punishment. They are
generally employed under cover,
but where they are healthy and
strong I cannot see that out-door
labor is bad for them. The class
of Burmese convicts in our jails
are accustomed to out-door labor
in their own country and I think
it agrees with them better than
intra mural. While the convicts
of the Coimbatore jail were in
camp last year at Linga-
-mullur on account of the
out-break of Cholera, the Bur-
-mans were employed on,
what Dr. Bidie after the Sri-
-chipothy outbreak would
call hard I.P.W. labor out
in the sun all day, digging
tanks, dragging heavy carts
full of water - yet they never
were in better health.

We have all along given

42
the Burmese a distinction of dress
and a special diet. I think
the former custom is a mistake.
I see no reason why they should
not be ~~allowed~~ ^{treated} like the natives
of this country. I believe they
look on it as a distinction which
should not be allowed. They
are not allowed tobacco now
except some old Burmans who
are still kept on the old scale.
I object to the scale of diet
advocated by the Committee for
the Burmans, as it is a question
whether a diet that suits them
in their own country, will suit
them in India. The diet we
give them now suits them very
well, and I would advocate
no change in it. I do think
they may object to the change
of clothing.

I see no objection to our
adopting all the rules suggested
in this paper as far as possible.
Rules (a) (b) (c) are now worked
in our jails - Rule (c) there
would be some inconvenience

43, 27 8p
in detailing a native to teach
each Burman the language of
the country. Rule (d) I think
we shall always have to give
them their own diet of rice
instead of the cereals used in
our jails. Rule (g) the Burmans
are treated on a perfect equality
with natives as regards remission,
but it always depends on the
Burmese Government whether
they derive any amelioration
of sentence.

109
para 5. The risks incurred in the
treatment of Burmese are all
understood in our jails where
superintendents have had
long experience of them.

para 6. The Supreme Government
is not prepared to introduce
a ticket-of-leave system. I
think the present Remission
rules quite sufficient induc-
ements for good conduct among
our convicts.

Chapter XXIX. There is not a suggestion
in this Chapter that is not
correct

4-
 carried out in our jails except
 the History Ticket which I have
 objected to before, and see no
 necessity for it now. The Supreme
 Government does not approve
 of the proposal in para 5.

I have little to say on this
 chapter on visitors, but that I
 object most strongly to non-offi-
 cials being admitted as visitors
 to our jails. The Superintendents
 are, or ought to be, thoroughly
 trustworthy. There is nothing to
 object to in the supervision of
 official visitors who are supposed
 to know something about convicts
 and their management, but
 it would be insupportable to
 be subject to the comments of
 non-official visitors in the
 visitors' book.

Chapter XXXI

The Committee in this
 chapter recommend the re-
 duction of the number of the
 Jail Registers kept in our
 jails very materially - they

Recommend

recommend

45 288/2

23 General Registers
 2 Hospital - do -
 7 Financial - do -
 6 Factory - do -
 Total 38

We have now in use

6 Report and order Books
 23 General Registers
 11 Hospital - do -
 10 Financial - do -
 6 Factory - do -
 Total 56

Rule 1431, p. 1431

Our Manufactory Registers
 are almost the same and re-
 quire no change.

Of the Financial Registers
 the Committee recommends

26 Cash Book - we use that
 27 Stock book of } - we have kept
 provisions &c. } this since the
 Contract System
 has been abo-
 lished.

28 A. Diet Roll of native prisoners - we
 28 B - do - European keep these

29 Register of Contingent
 charges - } - we keep this

30 Pays Acquittance roll - this we keep

31 Security Deposit Register } This we do not
 keep, but each
 receipt would be entered in
 the cash Book.

We also keep a permanent advance account.

A tabular statement of cash receipts and disbursements
Jailors' account book.

Storekeepers' account book.

A Prisoners' Ratta Book.

A Register of diet money of civil prisoners.

I think the tabular statement of cash receipts and disbursements is necessary to separate the different headings under which charges are incurred.

The jailors' and storekeepers' account books are kept by themselves to account for advances given them. The contents of these three books are necessarily entered in the cash book.

Our jailors are not required to give security, so we could hardly put them in sole charge of the permanent advance.

The Prisoners' Ratta Book and Register of diet money of ^{and} prisoners are

are handy for ready reference; but these items are also entered in the cash book.

Hospital Registers.

Our Committee recommend two only when we keep eleven. Their first Register No 24 "Hospital Registers and Register of Deaths and Post-mortems" seems from the headings of the columns to include in it the information contained in our

113

Nominal Register of admissions
Convalescent Gang Register.

Cholera Register
Death Register.

Historical Registers.

I think our fine may be done away with and the Committee's Register adopted.

Their second Register 25 "Hospital roll of sick, diet, bazaar medicines and miscellaneous articles"

Our Case Book and morning Report Book embrace all this.

I think our "Register of Vaccination" ^{Journal} "Perishable articles register" and "Letter Book" should be retained.

General

General Registers.

The Committee recommended
23. they include our Report and
Order Books in their General
Registers.

If we add ours together it
makes one total 23 against
their 23. There is not much
difference between our Registers
and those recommended. We
keep

- A Jailors Order Book
- A Jailors Report Book
- A Jetter Register
- A Register of appeals
or - Petitions & Court.

Prison officers' misconduct
Book which the
Committee have
not in their list.

Our Register of receipt of
Clothing and Register of
detailed issue of new and
part worn clothing seems to cor-
respond with their clothing Book - I think one Register
of Receipt and Issue of clothing
is enough.

We keep a Gate Register of names
and Gate Register of articles

Of those they recommended which
we do not keep are

Alphabetical Register of convicted
prisoners.

I do not see the use of this,
when it is all contained in the
General Register - the convict's
number enables him to be turned
up easily in the Register without
reference to his name.

"Register of letters sent by post
or person."

This is generally kept for
office convenience but is not
considered an official book.

"Register of prisoners sentenced
to solitary confinement by the
Courts."

This appears in the General
Register and is not necessary.

The Committee suggests
11 Registers for our sub-jails.
If we adopt them we should
have to allow a clerk for each
sub-jail to write them up.

At present each sub jail keeps a Register of Admissions and the District Magistrate has to submit a half yearly Inspection Report to the Inspector General. The officer in charge of the sub jail has to submit not less than 7 monthly forms, filled in to the Divisional Officer who tabulates them and sends them to the District Magistrate to forward to the Inspector General. I do not think the Registers suggested by the Committee are necessary.

- (1) Statement of Receipts and Disbursements
- (2) Expenditure in guarding and maintaining prisoners
- (3) Employment of prisoners

Every attention is paid to the orders of Government 4 June 1887 No. 1174 regarding the destruction of Records and the preservation of those to be kept.

Chapter XXXII

Our jailors get no commission on net profits of jails.

Government has sanctioned gratuities under our Remission Rules at the following rates.

3 Class Convict 1/2 anna a month
 2nd do do 1/4 do
 1st do do 3/4 do
 A Ministry 1/2 do
 Warden & Overseer 1/4 do
 up to a maximum of Rs. 10
 this is quite irrespective of batta for the journey on release.

para 2.

The suggestions in this para are exactly in accordance with our present procedure. I differ with the Committee in thinking that a fine if offered for a prisoner at the jail in which he is confined must not be accepted, though the Court which inflicted the fine, is in the same station. We remit the fines to the Court which sentenced the prisoner, if it is in the same station, if not, it is sent to the local treasury and the Treasury Officers receipt is sent with the warrant to the Committing officer. It is very simple

simple arrangement.

Our dates of release are
calculated, ^{exactly} as suggested in
this para.

Our released convicts are
given subsistence allowances
(as well as any gratuity earned)
at the rate of 2 annas for 20
miles as suggested - a 3rd class
ticket if they go by Railway
and a Steamer ticket if sent
from any northern jail to
the South.

Almost all our Central
and District jails have sites
now for Cholera Camps,
and on the outbreak of an
epidemic of any sort can
at once be moved out. Of
course the medical officer is
responsible for the necessity.

These points remark
on our close prison system,
as a rule the prisoners con-
fined in the close prison
do.

do their work there and their cells
and do not mix with the other
convicts during hours of labor.
I think it would be hard on an
habitual who has done his term
of close prison on admission
to be relegated to the close prison
afterwards (unless for misconduct)
because he is an habitual.

para 10

I concur in all said here.

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Ootacamund
May 7, 1890

J. Smith
Ag. Inspector General of Jails

N. 158.

Office of Inspector General of Jails.
Cotacumund, May 7, 1890.

From,

Colonel J. D. Smith.
Inspector General of Jails.

The Chief Secretary to Government,
Cotacumund.

Sir,

123

I have the honor to submit for the
information of Government my remarks
on the Report of Deputy Surgeon General
Walker and Surgeon Major Lethbridge
on jail management in India and to
return the letter from the Supreme Government
in the Home Department No. 659 dated 16 Septem-
ber 1889 referred to me with your endorsement
dated 15 October 1889.

I have the honor to be,
Sir,
Your most obedt. servt.
J. D. Smith
Inspector General of Jails.

Post 1853-1890

JUDICIAL
Jail (1870.) Department.

From
THE INSPECTOR-GENERAL
OF JAILS
To
THE CHIEF SECRETARY
TO GOVERNMENT

Dated
Received
No. 158.

ENCLOSURE 2

SUBJECT.

Submitting his remarks on the
Report of Deputy Surgeon General
Walker and Surgeon Major Lithbridge
on jail management
in India.

Honorable Members.
The Inspectors for orders, but
it is nearly impossible to decide
important & complicated questions
the Jail Committee at once. Col.
Smith's Memorandum, ^{doubtless} in
view of his having so recently taken
the Dept. - is very general and
vague. It is submitted, therefore, that
of the Committee's most important
issues, especially those in Chapter VI, must
again for full investigation and
and ~~that~~ at present - the orders
are as far as possible confined to
those on which India's letter requires
reply.

Secondly, the Inspectors' notices
taken from the report of India &
from the report of the Inspectors
are not only in detail but also in
a comprehensive manner. Col. Smith
is to be commended for his
care in adding to the report
of the Inspectors a list of the
points on which the Inspectors
have made remarks.

- 17/9/20
- I (Jail Classification)
 - II (— Estab^t)
 - III (Female prisoners)
 - IV (Under trials)
 - V (Civil prisoners)
 - VI (Jail Education)
 - VII (Jail offences)
 - VIII (Jail discipline)
 - IX (Employment of Prisoners)
 - X (Moral System)
 - XI (Financial accounts & Prisoners)

12th Sept.
From the Govt of India, 16th Sept. 1890. No. 158. 3559
18th Sept. 1890. No. 158.
19th Sept. 1890. No. 158.
20th Sept. 1890. No. 158.
21st Sept. 1890. No. 158.
22nd Sept. 1890. No. 158.
23rd Sept. 1890. No. 158.
24th Sept. 1890. No. 158.
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27th Dec. 1890. No. 158.
28th Dec. 1890. No. 158.
29th Dec. 1890. No. 158.
30th Dec. 1890. No. 158.
31st Dec. 1890. No. 158.

It is unsuitable to put the Presidency in the 2d in the line of road to get there are at present 2nd class. Supts nor 1st class, nor a good for sub-jails nor 2nd class. The average daily population of a Sub-jail in the Presidency for 1939 appears to have been only 1.4 men

Ch. II. Abolition of sub-jails situated at the Headquarters of Districts: of several such sub-jails in the Madras Presd., those at Coimbatore, Calicut & Tanjore were inspected by the Jail Commr. who have recorded their opinion that each of them should be abolished. [These recommendations have been overlooked by the Dy. apparently because they are made only in the Appendix to the Report.] The objection on the score of addl expense (in the shape of escort, travelling & maintenance allowance etc) does not arise in regard to the abolition of these similar sub-jails, because prisoners could be committed by the sentencing Court direct to the 2d Tail & could be conveyed thither as easily as they are now to the sub-jail. The closing of such sub-jails will involve a gain at least in point of discipline & of really penal labour. It is submitted that the Dy. should be asked to consider this recommendation.

Ch. II. para 14. Confinement of under trials in District Tails (cf. Jail Code, Rules 3 & 4). Under trials in this Presidency are confined during the magisterial showing in sub-jails and are transferred after committal

v. app. p. cvii (Coimbatore Sub-Jail) - Calicut - do - Coimbatore (Tanjore sub-jail)

Regarding sub-jails, generally, in this Presidency & in others, see p. 21 July 33. At 1642. The question of concentration of sub-jails & transfer of prisoners was carefully considered in 1931 (vide orig. p. 21 July 33, 1542 & 11 Feb 39, 49 260.) & a negative reply was given. Most of the magistrates then said that the proposal was not to be made. The Dy. might be called on to report on the subject of what cases the transfer to a 2d Tail on remittance of 10 days may be ordered - (1) in what cases sub-jails at headquarters of dist may be abolished. These questions could be dealt with on the spot. It will be absurd to send 15 day prisoners to Morapet & Vengal, and may be impossible to abolish sub-jails at headquarters of districts. The Dy. must deal with the question in detail. As regards destroying the 2d Mag's control over the Sub-jails, committal with the Dy. Submitter that butia should be called to the 2d Tail if it is strongly opposed to it. The idea of abolishing sub-jails and 2d Tails seems a good one - where districts are small. Submitted that the Dy. may be told to report on each case whether it is possible. There are only 15 2d Tails. Dy. Submitter.

I don't think that this is quite correct. The rule at present is that, though under the Jail Code, (Rule 117) it is not necessary to send prisoners to a Sub-jail or District Jail.

District Jail. Manipulation of prisoners undergoing trial before the Sessions Court are confined in the District Jail. In the case of the proposal to abolish the sub-jails at the Headquarters of Districts where there are also District Jails, it is proposed, then, under trials in such places would have to be confined from the beginning of an investigation in the District Jail. Consideration of coming apart, this arrangement would secure the complete withdrawal from Police influence of prisoners undergoing enquiry or trial at the Headquarters of most Districts. This point has not been dealt with by the Dy. with any degree of fullness. The single objection he has to the course recommended, viz the risk of introducing infectious diseases is of little weight as much as the same diseases must even under present arrangements find admission, though only after committal.

Chapter VI. Jail Establishments. This chapter which occupies between a third & a fourth part of the entire report & to which considerable importance is attached by the Commr & by the Govt of India recommends are made regarding every

the appointment of from
to the Government of India.
The principal object proposed by the Govt.
is to have a single list of appointments for all
the jails in India.

(1) Superintendent of Jails

(a) Superintendent of Jails to be in
Every case med. officers in the scale of
pay already laid down by the Govt. of
India, to which it is recommended that
after 10 years' service their pay should
be raised by annual increments from the
present maximum of Rs 950 to a maxi-
mum of Rs 1200.

(b) Superintendent of District Jails to be in
Civil Surgeons, drawing jail allowance as
follows:-

- 1st cl. not less than 300 prisoners - 100 p.m.
- 2nd cl. between 300 + 100 u u - 75 p.m.
- 3rd cl. not more than 100 u u - 50 p.m.

(2) Medical Staff - Subordinate Establishments

For all Central jails containing less than
11400 prisoners, under which class we come,
all Madras Central Jails, 1 Hosp. Asst. &
to 1 compounder, instead of 2 Hosp. Assts. as now,
are recommended. For all Dist. Jails, 1 Hosp.
Asst. is consid. suff. Besides, the grade
pay of the Hosp. Asst. an add. allowance
called deferred pay, ranging from Rs 10 to Rs 20
p.m., to be paid at the end of year on results
of inspection, is recommended.

(3) Deputy Superintendents - not recommended for Mad.
no Jails

(4) Executive Subordinates generally

It is proposed that all the Jail Subordinates
of the Province should be placed on a
single radiation list, and divided into
three classes, viz. Tailors, Deputy Tailors
& Asst. Tailors, instead of the present
classification, in which each jail has
its own scale of rates & the officers

2. v. para 4 of c. 112 1907

1. Superintendent
(2) Wardens

Table 90
2 July 1899
G.O. No. 132
457

It is necessary to say that the Govt. of India is already
in possession of the reasons which led the Govt. to
object to the reservation of Central Jail appointments
for med. officers (Letter 3 Feb 1900 & 132 Feb. in
volume put up), & that the views of this Govt.
remain unaltered. Mr. W. P. Dalrymple's remarks
on this point contain no argument & merely
beg the question.

It is clear that we get a stronger cadre
of officers

the various...
Tailor, clerk, etc. etc.
Stores, etc. etc.
are to be undergoing the same training
to see that they are all on the same
level of efficiency & that they are all
doing the same kind of work.

(5) Tailors to be educated men, receiving
unmarried scale of pay, as shown in para 31,
and should have a prospect of being drafted
into the Revenue & Dist. Dept. etc.

(6) Asst. Tailors should be selected from
the class of Asst. Tailors Pay Rs 50-60

(7) Asst. Tailors should be educated men, and
be appointed after a period of probation
Pay Rs 40-50

(8) Wardens (See Below)

11. The H. confirms his remarks to return
(1), (2), leaving out (4), (5), & (6), which
relate to the reorganizing of the Jail
Establishment.

12. As regards (1) he points out the insep-
arability of having med. officers for Super-
intendents of Central Jails refers to the recent case
of Rajahmundry & Trichinopoly. The order
of the Govt. of India, however, on the sub-
ject are quite positive and have been suf-
ficient to be in abeyance. Merely for want
of sufficient no. of commissioned med. officers
to take up the Jail charges. It seems only
to take up the Jail charges.

12. The Govt. of India requests the opinion
of this Govt. (1) as to the proposed increase
of pay to Superintendents of Central Jails who
are also med. officers & (2) as to the scale of pay proposed by

I have been thinking of the
 way in which the old
 people of the world
 have lived and how
 they have died.

[illegible]

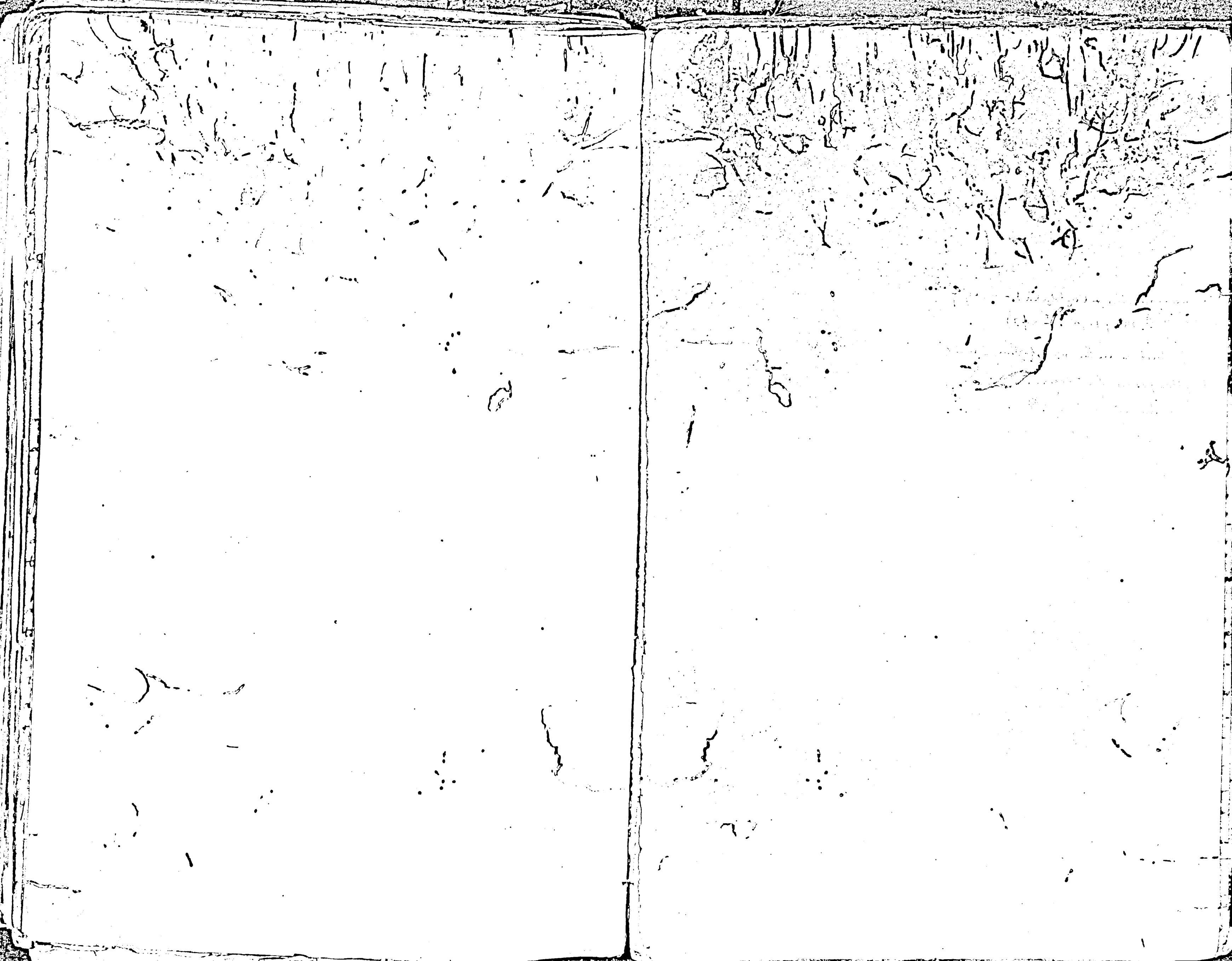
~~Palmerston North, N.Z. 1914~~

dy. depends the present arrangement on the ground that these two appointments are prizes which Jurlon look forward to. Jurlon have small chance in the Field of entering the Ind^a a Revenue Dep^y, as suggested by the Comm^{rs}, because the arrangement has worked well. No notice of the Commos' remarks on this point seems necessary in the letter to India.

1000
JMS
I think the ^{meaning of} ^{book} ^{series} referred to pp 4 & 13 of
originally 25

It might be argued that I & J & K
are taken on jointly

It might be argued to 18 of 4
 Cor Park one conjointly 25



The reason for order is that it is
with the...
out for...
these have been referred back to the Dy.
11 March 1890. No 464, and no reply has yet
been received. In his opinion now for order,
Col. Macdonald Smith does not really go into
the matter at all.

The Committee makes several suggestions which
are worth careful consideration. The chief
of these is to raise the rates of pay of the
wardens while reducing their numbers. There can
be little doubt that the present scale of salaries
shown overleaf, is too low to attract any but
very inferior men, & if the strength of establish-
ment proposed by the Committee can do the
work, it would be better to adopt their plan &
have fewer men but on higher pay.

It seems obvious, however, that this question can't
be settled without full information, & carefully
worked out comparison of strength & cost, & that
the Dy. must do this. The final comparison in
para. 113 is only with present cost: a reduction
on which is known to be possible - for Col. Porteous
has proposed it.

Submitted that the ^{old} question of the Warden guard be
referred to the Dy. - who might be told to expedite
his answer to go. 11 March 1890. No 464, and
in that answer to compare carefully the
final result of the Committee's proposals with
those of Col. Porteous, & to give his opinion with
reasons, for preferring one set of recommendations
to the other. It will be observed from Col. Smith's
remarks on Para. 61 of the Rept. that he does
not understand that the Committee propose to
re-assign escort duty to the Police (see para. 17). This
is a point which can be decided at once. & it is
submitted that the Govt. may, at once say, down
that they do not approve of this proposal & that
escorts of convicts must continue to be furnished by the
Warden establishment, who must, therefore, be so fixed as
to perform this duty.

approved - but I don't see why the Police
should do the escort duty. They do it in
the case of India & Malacca.

Is the Police strong enough? If the question
is referred to the Dy. & Col. Porteous
eventually this doubt will be cleared up.

9
The organization
of the... still
under reference...
Porteous's... recorded in 30.
11 March 1890...
Especially... guarding against
the dangers involved in the too sudden
curtailment of the warden staff
which is advocated by the Tail Com.
It might, however, be claimed as an ad-
vantage of the Comm. scheme that
it gives scope to fewer variations than
Col. Porteous's... Broadly put,
using the Comm. allotment to all central
jails either 56 men (5 Headwardens &
51 wardens) or 45 men (3 H.W. & 42 wardens)
according as the strength of the jail is
over or under 1900 prisoners. For Trichin-
opoly, Coimbatore & Vellore Central Jails
each of which has fewer than 1000
prisoners; the larger establishment is recom-
mended, on account of the escort service
which falls to wardens in the Presiden-
cy. ~~Col. Porteous's proposal is not adopted.~~ Col. Porteous
gives to these jails 64, 84 & 90 men res-
pectively. ^{Do not note also that} ~~which~~ ^{the} reduction in numbers which gives an
air of economy to the Comm. scheme
is neutralized to a considerable extent
by the increase of pay which is recom-
mended by them & which compares as
follows with the Madras scale -

3rd _____
4th _____

The reasons for proposing a minimum pay of Rs 64 to warder guards and their objections to the Madras Minimum of Rs 62 will be found recorded in para 52, page 83 of the Report. Col. Porteous made recommendations for the increase of minimum pay but the present I.G. opposes the Commee's suggestion that the warders should have batta of at Rupee 1 p.m (in addition to increased pay).

17. The system of recruiting warders from ex-soldiers of the native army which is commented on in para 49 of Ch III has been fully considered by Porteous & his views approved in G.O. 11th March 1890 A.D.

Convict warder guards. - On this subject also very complete proposals have been submitted by Col. Porteous recorded in the G.O. last referred to but final orders on the subject have not been passed, pending further report as to the probable number of convict guards that will be forthcoming.

18. In para 90 of Ch III the qualifica-

A.H. G. 1890
S. 1894
G. 1890

This body has been of the opinion that the present system of recruiting warders from ex-soldiers of the native army is not a good one & that it should be improved.

9
The Commission of Enquiry into the Administration of the Prisons of the Madras Presidency, recorded in G.O. 1890, has recommended that the minimum pay of Rs 64 should be paid to warder guards. This recommendation is already passed on the 10th of the period of imprisonment. It is suggested that the minimum pay should be increased to Rs 64. The necessity of excluding "navvies" from the office of convict guards is insisted on by the Commee as well as by Col. Porteous. They note the fact that in several instances of this Presidency this salutary rule is not observed. Col. Macdonald Smith appealing to his experience as a Magistrate states that very few prisoners are sentenced even to one year's imprisonment who have not undergone more than one previous conviction. If this were true, it would be fatal to the employment of convict guards on the lines suggested by Col. Porteous. There is considerable difference of opinion between the various classes of convict officers as sanctioned by the Madras Jail Code & those adopted by the Jail Committee. The two sets of names are compared below: -

Madras Jail	Jail Commee (p. 50)
Convict majority	Wardchman
(Jail Rule 546)	
Convict work overseer	overseer (name, main)
(Jail Rule 544)	try recommended in letter for Madras A.H. p. xcv.
Convict warder	
(Jail Rule 543)	
Convict warder-guard	Convict warder

gradations as used in the prison as used in the committee divisions & names for adoption. The watchman by the Comm. is designated as the maistr whose duties are described in Jail Rule 541. Neither with any degree of authority, while upon the watchman, as on the maistr, does the duty of keeping order inside the sleeping ward at night (Ch. II of Rept, para 57): only instead of the somewhat inconsistent provision in the Jail Code that he should "sleep in the ward & be on duty to maintain order" the Comm. recommends that he should give 2 or 3 hours' regular watch every night inside the ward & that he should report to the night guard, patrolling outside any unusual movement among the prisoners. This seems a very useful provision which if carried out on the lines suggested by the Comm. will render absolutely impossible any irregular practices inside the ward at night.

The term convict warder, though defined in Jail Rule 543, cannot etymologically be distinguished from convict warren guard.

which in Col. Porteous's scheme is the designation of the highest class of convict officers. There is therefore some danger of the two grades being confused.

the expression warden guard is tautological.

The division of the guard into two squares, the plan of night & day guarding, the formation of the reserve guard are more or less novel successful features of the Comm. scheme, which might be embodied as the rules of the Jail Code. These provisions are very fully illustrated in the Appendix (pp. xciii to xcvi) in connection with the Vellore Jail.

Paragraphs 123 to 126 of the VI deal with the application to Madras Jails of the principles laid down in the first part of the Chapter. The main defects of the Madras System according to the Comm. conclusions are summed up in para 127.

- (1) the reduction of the Salem Central Jail to the status of a 1st class District Jail
- (2) the abolition of the Central Jail.
- (3) the abolition of the European prison or pacamund.

This is a high-contrast, black-and-white image showing a dense, abstract pattern. The image is composed of thick, irregular, and somewhat jagged black lines and shapes against a white background. These shapes are interconnected, creating a complex, textured appearance that resembles a close-up of a rough material, a heavily textured surface, or perhaps a microscopic view of a biological structure. The overall effect is one of intense detail and organic complexity.

It should be specially mentioned
in the reference

It should be specially marked
in the reference

Vol. 2. Jan & O. 20th April 1880. 12942 (put up with papers regarding Tail Construction) the Govt prohibited the confinement even was possible of West Coast & prisoners in the Comm. h. Tail.

The suggestion that the Comm. Central Tail should be abolished might be considered as an alternative to no. (1). is maintained for a possible reason. —

- (1) to provide for long sentence & all labor prisoners.
- (2) to form a depot for aged & infirm prisoners of all ages.
- (3) for Burmans.

Burmans do very well at V. Lore, & it is not clear at all that they need be on the West coast - or even that it suits them. A healthiest jail available, & not to the trying climate of the h. Coast. There remains the class of local long-term prisoners. The Jf. should, it is submitted, report the average number of this class during the last 5 years. The Committee at its visit found only 174. If the number is small, one of the courses not be followed —

- (1) Calicut not be made a 1st class Tail - as the Comm. recommends, & long term Malabar convicts sent there, or with the Comm. Central.

Col. Macdonald with his grade only some general remarks on this question, while committing altogether the question to further working out. At present we have accommodated 7332 central jail prisoners, & only 200 such prisoners whom a number are Burmanese. Inquisition, there is a possibility.

The best plan I think is to abolish Comm. Central Tail & maintain a 1st class Tail at Calicut & a 2nd class Tail at V. Lore & a 3rd class Tail at Cochin.

[Faint handwritten notes and markings are visible across the page.]

[A faint rectangular stamp or box contains the following text:]

*Organization
is to
C.I.
recorded in 30.*

X. GO. 1st June 1857
1856.

There seems no good reason for keeping
the City Jail. It might be turned
into a lunatic asylum or a place of
detention for some
etc.

The question of maintaining the European Prison at
OOT is one it can be decided on the papers of 1857. No
good reason for its retention was scanned to be forthcoming.
It is surely absurd to keep up an expensive jail merely
in order to use the buildings. The facts given by the Committee
show that the Jail was really being maintained for the
sake of 2 European Prisoners. We are not obliged to take
Punjabi prisoners, & East Indians & Portuguese would do
well enough on the plain. Experience since 1856 shows
that the Prison will never be filled. & it will always be
expensive. It is a superbly useless building.
There seems to be reason why the European
& other convicts are confined in this jail
should be the best & comfortable which is not
likely to be.

would be too far. (115)
(3) As regards the European Prison at Ootacamund, its abolition was
seriously thought of in 1857, and a
order ~~drafting~~ abolishing it was
actually drafted, but the Honble
Mr. Hitchens having personally inspected
the jail, came to the conclusion that no other
use could be made of the building
it was therefore resolved to retain the
prison with a reduced establishment. Other
Govts also were invited to send their
European convicts to OOT. At the time
of the Comm^{ee}'s inspection, ^{in Jan'y 1859} the prisoners
^{on this jail} were distributed as follows:—

East Indians	Portuguese	—	7
Europeans	Madras	—	3
	Punjab	—	4
			Total 14.

According to the Jail Adminⁿ Rep
for 1859, the total cost of maintain^g
ing & guarding these prisoners ^{at OOT} during
the year was Rs 8255, or Rs 625 per
head per annum. This was 5 times more
than the average cost per head in any
other jail. The net cash earnings of
these prisoners amounted to Rs 76. The
net cost to Govt. ^{of these} ~~of these~~ prisoners
still continues high, & the jail app^r
also to be scarcely half full. If no
other use should be found for the building
the Comm^{ee} suggests that they might
be utilized as a sub-jail for the ex^e
tion of sharp short sentences.

On III. para 13. The employment of
convict wardens in place of such fr

warders as ^{may be} absent on duty and the substitution of convict maistries for temporary paid guards in order to watch ^{or measures which} convicts lunatics have been already proposed by Col. Porteous & approved by ^{the Govt} ~~the Govt~~ This brings Ch. II to a close.

Chapter VIII. Female prisoners. - The views of the Govt are invited as to how far the power of cutting off a woman's hair ~~is to be~~ as a punishment may be retained. This practice of which the J.G. says he has never heard, is prohibited by Jail Rule 877. Regarding the use of handcuffs for female prisoners, the Jail Code lays down (Art. 879) - that handcuffs should be used only as a means of restraint, not of punishment.

Ch. VIII, para 2. The Comm^{ee} disapproved of the employment of highly paid European matrons ^{which is} the recent practice in Madras Jail. The object aimed at by the Comm^{ee} being economy, Col. Porteous effected the suggested trenchment in another way by ^{confined} ~~transferring to the Salem & Bellary Jails~~ the female prisoners at Coimbatore & Trich^{ee} ~~abolishing the post of matron~~ the two ~~prisons~~ jails. This was sanctioned in G.O. 11th March 1899.

464. Transfers of female prisoners to distant jails are disapproved by Comm^{ee} in para 7, Ch VIII & in detention in the J^{ail} Tail, inres.

was employed in the establishment of the institution since 1878. The three hundred Rs. paid salary was sent to the Govt. Perhaps his sentence is less than the one in the same jail. This is stated by an E. Indian. This is stated.

It would be a good punishment in case of an inmate, by a hair & legg comb.

The Govt of Madras & the Jails Committee in India thought that the suggestions in paras. 2, 3, 4 & 7 of Ch. VIII should be adopted, at least in all Central & District Jails. The important point here is contained in para. 2. The Committee proposed -

- (1) That the female staff of a prison shall invariably have a female warder, when any females are imprisoned.
- (2) That no female warder shall be paid less than Rs 8/ or more than Rs 12-15 per m.

In fact, they got over the first difficulty regarding the appointment of Matrons by proposing to appoint female warders. But they object (para 7) to removing female prisoners to distant jails for their homes, except in certain cases. These recommendations are all found in the Madras Jail Code.

- (1) The pay of Matrons was raised for Rs. 30/- to Rs. 35/- per m. solely as G.O. 25 Nov 89, A.C. 1985.
- (2) The first transfer of female convicts was ordered in para. 3 of G.O. 29 Jan 90, A.C. 186, & in G.O. 11 Mar 90, A.C. 464. The plan of transferring all female convicts to Trichinopoly, Coimbatore & Salem Jails was approved.
- (3) No District Jails have hitherto had Matrons or Female Warders vide para. III. J.G.'s letter in G.O. 29 Jan 90, A.C. 126 & 170 thereon.

In the whole, it is submitted that the Committee is right. The policy of transferring women seems bad for the reasons given in para. 7 of Chapter VIII. The provision of a Female Warder in each Central & District Jail would cost little, if the pay were not above what the Committee suggests, & as proposed in G.O. 29 Jan 90, A.C. 186. The wives of warders might be engaged. In order to avoid sudden reduction of establishment, the 5 Matrons now employed in Central Jails could be retained, other Central Jails & all District Jails being supplied with a comparatively cheap Female Warder.

319
Chapter VIII Education: The Govt
of India desires to know how far the
present system of educating convicts
is consequently stated / applied to the annual report
is capable of modification.
rules on the subject which appear to
have been originally drawn up by
the Jail Conference of 1877 and
contained in the Jail Code, Arts.

- 598-610. The principal rules are:-
(1) Art. 600. - All prisoners under 16 yrs
of age, sentenced to more than one
month, shd. be compelled to attend school.
(2) Art. 601. Exempts all persons be-
tween the ages of 16 & 24 whose sentence
extend beyond one year, and
(3) Art. 602. Any other persons at the
discretion of the Supt.

319. The Sg. suggests a change in the
rules, ~~namely~~ that it is wasteful
time to teach adult convicts to read
write. It is not clear whether by adults
he means prisoners between 16 & 24 years
or is thought that the poor results obtain
at present from convict education are due
principally to the absence of superior
control. Jail Rule 600 provides that
Schools of central jails shall be visited
twice a year, if possible by an officer
of the Educl Dept & that any advice
tendered by that officer shall be duly con-
sidered by the Supt, who should for-
ward the report of every inspection to
the Sg. for orders. It is believed that
these inspection reports by Educl officers
have never been read in the Govt office.
It wd be well to have ~~these reports~~ that the
reports shall be reviewed once a year by
the S.P.D. like all the other Sg. reports
of his proceedings submitted to Govt.

The Committee states that the general belief among Jail
Officers is that, except in the case of juveniles, it is useless to
try to teach convicts, & it adds that it shares this opinion
will limit all attempt at education to the divisions of boys
& youths, & suggests the abolition of Statement VII.
The Sg. agrees & Col. Forbush has previously expressed a similar view.
That the amt. of educ. now given is of little value appears from
para. 11 - G.O. 26 June 89. No. 1087 & para. 9-90. 22 July 1890.
No. 1221. The question is whether any change of system would
effect a material improvement. It is submitted - that in the
case of adults it will not. By the time an illiterate man is 25
at the outside, he is generally ~~incapable~~ incapable of learning except
under most favourable circumstances & special care. Fig. 2 are not available
to show what proportion of convicts are under 25, but in 1889 only
387 males out of 21742 admitted were under 16. Secondly - the
prisoners in the jails are all in for less than one year. It is
surely impossible to expect that within this period any appreciable
instruction can be given. Thirdly - Education does not pay & Govt does
generally care much about it, & Sg. will always rather devote
their money to manufactures or some thing for which credit can be
got. Lastly - as the Committee says, unless the convict is brought
to an ability to read & write - it is but little good.
For reasons No. 2 - in particular - it is submitted that all
education, except of juveniles - may be given up in ~~the~~ jails.
It does not seem worth while to keep it up even in Central
Jails - but this is a matter for consideration.
If it is abandoned, Statement VII will become useless.
The Sg. is called on to report on the system of instruction
followed (in regard to juveniles) - & the S.P.D. is advised to
take notice of the same.

20
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the S.P.D. like all the other Sg. reports
of his proceedings submitted to Govt.

21
It would seem also that the alleged poor results
of Jail Edu. are due to the circumstances
peculiar to confinement, ~~namely~~ the employment of con-
victs by teachers - the exhibition of ob-
edience by the taught are features whose ex-
istence is by no means confined to Jail
and in tracing the causes of failure
of Jail Edu., defects in the methods of in-
struction will have to be taken into ac-
count quite as much as previous session the
part of pupils. For instance the means em-
ployed at present to teach convict pupils
to read might be examined. It is believed
that ~~the~~ ^{these means} ~~convicts~~ barely of the enormous
alphabet sheets which have long gone
out of date even in village schools under
the Education Dept. If the system de-
veloped in Mr. Ganthwaite's First Malay
alam and First Tamil readers were
employed instead, Convict pupils
might learn to read their vernacular
languages just as any other pupils, in these
months time. There is no doubt that
several other defects exist which could be
brought to light & remedied only by means
of regular inspections. Again the object
of Jail educ. being only to teach classes
very reading, writing & arithmetic, the
minimum period of instruction in the
case of convicts between 18 & 24 years
of age, might be reduced from 12 months
to six, so as to bring a greater number
of such convicts under the influence of

In order to promote instruction special use might be made, as recommended by the Tail Conference of 1877, of Sundays as well as of the spare hours between lockup & bed time every day. Rule 345 of the Tail Code directs that a light shall be kept burning in every sleeping room, & an arrangement which would favor the proposed marks might also be given at the periodical school inspections, small rewards in money or apparel to be credited along with the convict's earnings as judged on the marks obtained. And it might be mentioned also that normal schools for convict teachers were recommended by the Tail Conference of 1877. Lastly as regards the Bureau convicts who are sent to be all of them educated to some extent before admission into Tail, books might be supplied to them to be read during leisure hours.

Tail Conf. Rept. p. 136, III.

Tail Conf. Rept. p. 50

* Tail Conf. Rept. 1c.

As regards statement VII (on Educⁿ) appended to the annual adminⁿ Rept^e which the Id. proposes to abolish, it is submitted that it should be retained but brought into greater accord with the Rules. The 2nd col. ^{of the statement} shows no imprisoned during the year. The meaning of this is not very clear: in most cases this no. is less than the average daily populⁿ whereas it ought in reason to be greater. The daily average no. of convicts male & female might be omitted, being in form given elsewhere and not quite needed here; in its stead might be inserted: "No. of convicts out of those in col. 3. qualified to receive instruction under rule 300 & 301." For the compression of this statement might be effected by showing in footnote the no. of female convicts able to read & write well or

Statement VII seems to require need Col. 3 is the number of admissions. useful fig^s and in cols. 6-9, Sept 8

set for the no. successfully instructed under
Rule 600 & under Rule 601

Tail Offices.

The question gets to the root of Tail Offices does not seem to be very important. The India says it is, but it has been a long time of contention between the Govt of India & the Bengal for years. See particularly paras. 19 to 21 of Home Dept. Resoln. 7 Oct. 1887. N. 23 - 1887 - 1162 - 1163. 22 Nov 87. N. 23. The Govt of India these would upon no account. The remark that it had no longer any doubt that the system of imprisoning punishment in Bengal stood in need of improvement & that its application to that in force in other provinces. The Committee, Dr. Walker & the bridge - adopted the Bengal view, it is not surprising as to the Bengal & all local Govts are now asked to adopt the system as in 1887 the Govt of India had no doubt was wrong. Of the initial principle, that every offence of jail discipline should be recorded, is admitted, then no doubt Bengal is right. The question is whether the principle is really sound. If, for instance, a prisoner neglects to button his coat & appears looking unkempt, this is an offence against Tail Code Rule 5 & 8. In Bengal it is solemnly recorded or ought to be, according to the system in force there, the punishment is accorded & paid. The only notice is an oral order to the prisoner to button his coat & not be unkempt again. It may surely be asked what possible good comes of recording this "offence". Yet, if it is not necessary to record this case, the principle at underlies the whole of the Commissioners' argument fails, & the Bengal practice loses its sole reason for existence. It is submitted that it has not been shown that there is any cause for altering the existing practice regarding record of offences in Madras Tails, & that the Commission's fundamental principle is wrong. On this view commends itself to Govt, India should be told so strongly, because they must have uniformity in all provinces for the sake of comparison, & unless a protest is made the Bengal fact may be referred on the whole of the rest of India.

I think the principle is sound in para 19 of Ch. XVIII is quite wrong. It is quite enough to record the offence of the prisoner and on serious cases to record the offence of the prisoner. It is not necessary to record the offence of the prisoner. It is not necessary to record the offence of the prisoner. It is not necessary to record the offence of the prisoner.

Tail Punishments

25. Chapters XVII & XVIII. The last chapters on Tail offences & Tail Punishments are next commented on by the Govt of India. As regards the former, the Govt of India Council rejects the opinion of the Govt of India as to whether the Commission's division of offences into minor & serious should be accepted as well as the proposed exclusion of minor offences from St. II. The distinction drawn between the two classes of offences is that ~~the~~ ^{the} ~~minor~~ ^{minor} ~~offences~~ ^{offences} in the 8 ways enumerated in para 16, Ch. XVIII should be considered as light, while those to which any of the remaining 7 forms of punishment are awarded ~~as~~ ^{as} ~~facto~~ ^{facto} be classed as serious. Of course such a distinction is easily made but it will not secure the object aimed at, which is, uniformity in the treatment of prisoners throughout India. Hence it would appear that the safer opinion is that, however they may be distinguished, both classes of offences should still be exhibited in St. II. 30. Tail punishments are dealt with in Ch. XVIII. The Govt of India opinion is that how far in what manner legislation should be undertaken to remedy the present state of the law regarding Tail punishments (1) as to whether the list of punishments given in Ch. XVIII (116) is unexceptionable or whether it is exhaustive (2) as to the nature of fetters & the mode of their application (3) as to the minimum of 15 days for

20) read by the Comm^{ee} when dealing
the corporal punishments.

21) As regards, (1) the Govt of India
Act XXVI of 1870 (Prisons Act) is only of
local extent & does not apply to Madras,
Act I of 1869, as amended by Act
VII of 1882 is the law for Madras
Tails. The enumeration of prison of-
fences in section 11 of this Act is sup-
plemented by Tail Rule 543 which is
quite comprehensive.

22) ~~According to~~ legal sanction exists
in the Act ~~where~~ referred to for the fol-
lowing forms of punishment, viz. separate con-
finement, reduced diet, & corporal punish-
ment. The other punishments proposed by
the Comm^{ee}, viz. penal labor, the im-
position of fetters & loss of marks are
also enforced in Madras Tails. No
legal sanction has been provided except
by the Tail Code (which is a body of
rules prescribed under sec. 3 of Madras
Act I of 1869) for the putting on of
fetters: & none is necessary for "fine"
of marks or (in the case of prisoners sent
enced to rigorous imp^t) for penal labor.
In the whole fresh legislation does not
seem called for ~~on this head~~ the head of offences
& punishments. The maximum of 15
strokes proposed by the Comm^{ee} will
require Act II, 1882 to be repealed in
part & for sec. 3 of that Act prescribed
a maximum of 12 strokes in certain
cases, but the difficulty might be
avoided by ~~declaring~~ ^{declaring} 12 strokes ^{to be} the ma-
ximum in all cases, as it is the maximum in some.

(3) The precautions to be used in the ap-

Tail Rule 523 purports to be named under
sec. 3. Madras act of 1859, ~~but that is a~~
~~act of out punishment in force on the~~
~~date of the act in force of the~~
~~act of 1859~~ and disobedience to a
rule ^{made} under sec 3, is an offence under sec. 10.

Note
* One of the minor punishments recom-
mended by the Commee is no (6); depriva-
tion of the early morning meal. The H^y does
not approve of this; it w^d leave the pris-
oner without food from 5 p.m. to 11 A.M.
Kado!
JH 28

The Committee recommends separate or solitary confinement up to 14 days, or longer (indefinite period) under military orders of O.C. Col. McDonald Smith has no objection. These proposals will require an alteration of clause iii. sec II of Madras act V of 1870 - which limits confinement to 7 days. See also Act XXVI of 1870. sec 48. It has to be remembered that solitary imprisonment is a specific punishment under the M.C. act. 73.

Similarly the restriction of the minimum n^o. of strokes to 15 will need legislation.

It hardly seems, however, that sufficient case exists for legislating & it is submitted that no action may be taken so.

Col. Smith objects to nos. (6) & (8) in the Committee's list of offences, & it is submitted that in this matter he should be supported. Volatile legislation seems called for, sec 3 & 10 of the Madras act being very effective.

It is suggested that his attempt to prevent his men from leaving the barracks should be treated as desertion which is liable to internment because he does so with intent to be absent without leave & to avoid his duty.

There is much to be said for the proposal that the punishment of solitary confinement should be limited to cases where the offender is guilty of a crime punishable by death or life imprisonment.

I object to depriving a prisoner
 of his earnings - but
 I don't object to standing his debts
 long I think it is very mild for
 imprisonment -
 It is quite sufficient to be able
 to make to raise the minimum
 of 6 shillings to 15 - I hope
 the person a prisoner to be able
 along with his earnings will
 be able to deprive him of the latter.
 I regard shipping as the worst
 system of imprisonment of all that
 are the records for my serious
 offences.

Shawbury Hand cuffs is a fastening with
hand cuffs for ships in the well is
objected to by Col. Smith as a most
cruel & unnecessary punishment, & I
do not think it is so from the description

* Rules 442 to 445. These rules have been repeatedly revised & added to.

* App. p. xll p. 25 (Vellor)

39 Ch. XXVI. Madras system The Commrs propose a set of rules the object of which is to render the working of the system more uniform than it is at present. The rules differ very little from the corresponding articles of the Madras Jail Code. The only addition of importance is cl. 6 of Rule 7, which awards special mark for economy in the wear of clothing. As noted by the J. the proposed rules contemplate a quarterly return of releases whereas a monthly return is enforced under the Madras Jail Code. The latter appears to be the more convenient arrangement and for this reason the Govt of India opinion that Rules 16 to 20 are unnecessary may be acquiesced in. The other changes in the rules suggested by the Govt appear to be unobjectionable. Rule 12 alludes to the history ticket (or rather history card) distinguish it from the wooden ticket an example of which is given on p. 133 of the Report. The advantages claimed for the history ticket are that it enables marks to be recorded on the spot & that it will save the Superintendent the trouble of writing up the Prisoners' Register which the Commrs think takes up a great deal of his time at present. On the other hand

the 24. thinks the history of the
 useless ^{as it will be} ~~existing~~ ^{conduct}
 registers ^{and as will be} ~~existing~~ ^{conduct}
 to be lost or effaced. ^{to this not be added} ~~to this not be added~~
 that the subject is ^{to this not be added} ~~to this not be added~~
 character & ^{to this not be added} ~~to this not be added~~
 at least half a dozen hands, so that the
 chances of important entries being omitted
 are very great. The question whether the Commr's
 rules should be accepted, to the extent recommended by the 24., is submitted for orders.

Ch. XXVII. Transportation Prisoners - Burmans
 Para. 1. Female transportation prisoners -
 Female prisoners sentenced to transport
 for any term shorter than life are not
 now sent to the Andamans. The
 24. agrees with the Commr in think-
 ing that such prisoners as well as
 life convicts over 45 may be sent to
 Port Blair, provided they are physi-
 cally fit. The present orders on the
 subject are contained in G.O. 25th Ho
 May 1886, no. 1335.

Para 2. Transportation as a deterrent
punishment - The Commr is of opinion
 that the penal settlement at Port
 Blair should be abandoned because pris-
 oners no longer dread the prospect of
 being sent thither. They ~~also believe~~
 urge as an addl reason that the
 expense of conveying such prisoners to
 the Andamans will be saved and a
 real profit made by employing them
 in large manufacturing jails. The
 Govt of India is against the abandon-
 ment at the present date of the
 Andamans as a penal settlement but

Subject: ^{to this not be added} ~~to this not be added
 The mark 24. contains numerous
 debatable points - but it seems impossible
 to go into them now. The first 16 Rules of the
 Committee will leave things much as they
 are & may, it is submitted, be accepted.
 Tail Code, Rule 36. } It will be considered & proposed that
 all prisoners in Central Jail should be
 let under the Mark system - by applying to
 every one a sentence of one year or
 upwards, instead of 2 years. At present,
 (1889) out of 20,380 admissions sentenced
 to rig imprisonment, 484 only get the
 benefit of the remission rules. If the limit
 were extended to one yr, this number would be
 more than doubled - i.e. increased to 1068.
 The existence of a large class in Central Jail
 who are in for a long period of 23 months
 & who are excluded for remission, must be
 injurious to discipline.~~

Chap: XVIII. Paras. 1 & 2 need not be noticed
 now, as they will form the subject of
 a 2^d comm. to India when the report of
 Mr. Lyell & Dr. Liddridge on the Andamans
 is received. Only one copy of that report
 has been sent & none can be sent
 with this file.

It has been considered

16
 27
 it is prepared in case transportation
 beyond sea is found to have lost
 any of its terror to render the
 regulations. Part B is more strin-
 gent. It believes however that the
 question raised by the Commr is of im-
 portance in connection with the facts
 discussed in Home Dept. letter of
 22nd Decr 1886, no. 630 (regarding
 Crim. Statistics). The ~~scope~~ very
 minute enquiry would be needed to
 ascertain the deterrent effect of
 transportation sentences: but it ~~does not seem~~
 does not seem that the inquiry is now called for
~~seeing that the increase~~
 of crime in this Presidency is no longer
 the established fact which it was sup-
 posed at the date of the G.O. of India's
 letter to be.

Burman convicts. - In para 4 of
 Ch. XVIII the Commr proposes certain
 rules for the better management
 of this class of prisoners, which
 are commended by the G.O. of India.
 The Commr objects to the special diet
 & the special clothing which ^{prisoners} ~~these~~ receive
 in Madras Jail. ^{it} ~~they~~ recommends
 that they should be gradually taught
 to speak the vernaculars. The 24.
 thinks that the proposal ^{to abolish the} ~~is~~
^{distinctive} ~~their~~ dress is good but that the
 others are inconvenient. He states
 that the Burmans are not used to the

X. 903 Decr 89
 No 2060

alternation of dry grains which is enforced in the Madras dietary, and on the other that to give them their own Burman food) we not quite do in this country. This argument is not a satisfactory one. The Burman dietary which has been appended by a reference to figures of price is dearer by 10% per head per annum than the dietary allowed in Burma. It is submitted that the present Burman diet should be modified ~~at least~~ at least as to price from the charge of extravagance.

43. The suggestion that the Burmans should be taught the vernacular of the Tail where they are confined is a very useful one, which might be adopted ~~at least~~ but the objection is that the other recommendations regarding any Burman prisoners do not call for special comment.

44. The recommendation to give these convicts the benefit of the ticket-of-leave system is negatived by the Govt of India.

45. Chapter XXX - Offl & Non-offl visitors.

There are no non-offl visitors at present for any of the Madras Tails; but the Govt of India in Council is desirous that the expediency of introducing them should receive careful consideration. The J.G. dismisses the suggestion with the remark that such visitors ~~there~~ would not be tolerable. It is to be feared that

The J.G. does not point out that the special diet for Burmans, to which the Tail refers as being very costly, has been abandoned since the Committee's visit, and that the Burmans now receive the same as active convicts, except that they are given rice instead of dry grain. The question of their diet was carefully considered in 1889, & the result will be found in p. 15 of the 1889-8-775 & 17 July 1889-12-19. No cause for further change appears.

para 4(c)

Light I think

Regarding Official Visitors. The Rules will be found on page 7 of the Tail Code. In his Rept for 1888 Col. Portman promised (para. 36) to give full information regarding the rules of offl visitors in the following years but, unfortunately, he did not write the Rept for 1889, & it therefore gives merely a statement of the total number of visits p. 63 offl visitors of each class already p. 38. With reference to the Committee's remarks in para. 5 of Chapter one. The J.G. in Council is desirous that the expediency of introducing them should receive careful consideration. The J.G. dismisses the suggestion with the remark that such visitors would not be tolerable. It is to be feared that

I think it is difficult to see how offl visitors will be very eagerly tendered for by the public who are under the way of caste prejudice. It might be useful however to associate with the European offl visitors some native officials who might have suggestions to make regarding the cooking & other arrangements.

Where ever we can.

at any rate in the Madras, appointments as offl visitors will be very eagerly tendered for by the public who are under the way of caste prejudice. It might be useful however to associate with the European offl visitors some native officials who might have suggestions to make regarding the cooking & other arrangements.

46. This closes the points to which the attention of this Govt has been specially drawn by the Govt of India & which ~~should~~ be mentioned in the reply to that Govt's letter.

P.T.O.

P.T.O.

30 165
There remain a large no. of questions relating to Jail Adminⁿ, regarding which the opinion of the Govt is not called for but which are ^{still} dealt with in the Report & the Appendix. The Dy's memorandum refers to most of them, but his statements as to the practice in Madras Jails on many important points are considerably at variance with the facts adduced in the ~~Appendix~~ ^{Report} to the Report. It will therefore be necessary that the criticism in the Appendix ~~be~~ be studied before the Dy's objections to suggested improvements are accepted. Attached to this note is a tabular precis of the statements & remarks made by the Jail Comm^{rs} in their Appendix on the most prominent Jail questions & in the following Summary those statements & remarks are compared with the corresponding parts of the Dy's memorandum.

Ch. III. Jail Construction :— The following defects under this head are noted in the Appendix:

- (1) the outer wall in some jails offers facilities for escape, by not being raised at the points where it meets the inner divisional walls
- (2) the entrance to the close prison cells is not sufficiently protected from the weather

at Cannanore, Salem, Tanjore

31
The courtyard should be a series of
solitary cells and to shut in the view.

Ch. II. para 21
App. Foundation, Salem.
Ch. II. § 13
App. Salem
Ch. II. 16
App. nearly all jails.

- (4) the double gate system cannot be worked properly, the two gates being too far apart
- (5) The sleeping wards have no light on benches, so as to compel the prisoners to sleep apart from each other
- (6) sleeping wards at Vellore might be enlarged by arched openings in the partition walls, so as to reduce the no. of patrols
- (7) Each gaol prisoner cell at Coimbatore might be made to accommodate two by making a partition of open brick wall
- (8) The Comm. is of opinion that habitueals should be thoroughly secluded at night. The Dy. says that their seclusion will be difficult till all jails are made cellular.
- (9) wandering quarters are not within the jail, at Cannanore & Coimbatore
- (10) workshops: - Though the Comm. advises in the body of the Report that the workshops should be in a separate enclosure, from the sleeping wards, still in the appendix it is approved & app. Vellore. the Madras arrangement on the ground that the common enclosure in Madras jails is spacious enough to contain both.

Submitted that the Dy. might be called on to submit remarks on points (1) to (7) and on (9). Further details regarding the extent to which Habitueals are segregated should be submitted, be called for.

The suggested Comm. might report on these points.

Ch. II. Jail Hygiene - (a) Conservancy:-

It will be seen from the remarks in the Appendix on the Salem, Coimbatore & Calicut Jails that though the dry earth system is prescribed by the Jail Code & minute directions are given as to the mode of carrying it out, it is very imperfectly followed in practice. In their remarks on the Salem Jail, the Comm. have sketched a plan & details of the latrine to which the DPs

App. p. xcvi

32
attention might be drawn to remarks cited in Tanning: - Jail Rule 1195 directs that latrines should be freely used in latrines, but the Comm. think that expenditure of coal for unnecessary drying a perfect dry earth system that the disposal of the soil used every year at Calicut might be wholly saved.

Ch. II. § 12
App. Calicut

Ch. II. § 13
App. p. xci, § 13

disposal of night soil: - the Madras system is criticized in the remarks on Vellore Jail.

Ch. washing: the whitewashing in Madras Jails is considered unnecessary expenditure.

Water supply - generally defective. Comm. advocate deepening of a single well to 50 or 60 feet - they prefer distribution of water by pipes to distribute by hand or water carts. Wells are not cleaned once a year at Cannanore & Trichinopoly.

Bathing: - Prisoners in almost no jail get a daily bath, which the Comm. recommend, as well as the Jail Code (Rule 357)

Ch. III. Medical Officers & Hospital Work

para 9. Proposed addn to the "Monthly returns of sick prisoners & Sanitary Report" subm. to the Sanj. Comm. with the Govt. of India: - There has apparently been no separate communication from the Govt. of India on this subject but it is thought that if the addn is required by the Govt. a special circular will be issued by the Govt.

There is nothing else calling for remark in this chapter. The attention of Govt. has recently been directed to several defects in the medical management of jails & orders have been issued in each case.

Recent orders on Trich. Coim. Rajahmundry & Purnea Jails

Ch. II. Juvenile Prisoners:- The Commrs bring

to notice that in Vellore & Tanjore ^{T. D.} the boys' cubicles are separated by iron bars instead of by wooden battens or corrugated iron sheets, and that in Calicut jail there were two boys who ought to have been made to sleep in cubicles apart from the men but ^{who} were actually ~~so~~ ^{found} confined with the men. The ^{if} should, if it is submitted, be called as for example.

Ch. XII. Condemned Criminals - Rules

For the treatment of prisoners under sentence of death are given in the Jail Code pp. 134 to 138. There are no important variations between these rules & those proposed by the Commee.

The Comm^{rs} note especially the publicity of executions in Madras Town. There was one recently which attracted thousands of spectators although the hour fixed for the execution was 5.30 A.M. The gall^s scaffold is so situated, being surrounded on three sides by the walls of the Penitentiary & on the fourth by the Coorum, that it cannot be approached by the public: there is no permanent woodwork on the scaffold, as suggested by the Comm^{rs}. As regards ~~executing~~ ^{executing} the scene, in the presence of men, women & children - a feature which was also commented on ~~that~~ the "Mail" in a leading article ~~at the time~~ ^{the} ~~fact~~ ^{truth} is that a stage execution could not ^{have} been more de-
corous. The peculiar situation of the gallows prevents the public seeing the details - except through the mind's eye: and all that succeeds the drop is effectually concealed by the tall walls & the raised bank ^{on} which ~~the scaffold~~ ^{is erected}. ~~On the whole the~~ ^{the entire} arrangements seem to be calculated ~~and~~ to yield the maximum amount of moral effect by means of the least possible ^{on} ~~of~~ ^{tragic} sentiment.

From Para. 1. of Chapter XII it will be observed that there is no objection to executions taking place within the Tail, for it is so done in Bombay:

the remarks in the note as to the real character of the execution on the banks of the Caorum may be of interest, as they appear to be those of an eyewitness!

The question is being separately dealt with,

The bodies of executed criminals assigned
in the past purging ground, not handed
over to the relatives as suggested by
the law. The latter course is recom-
mended in order that the vindication
of justice may be brought home to the
minds of the community to which
the criminal belonged. It seems that
where executions are so public as they
are in this Presidency, no additional
need be resorted to for proclaiming the
punishment ^{suffered by} a murderer.

Ch. XIV. Futterer in The Madras news
on the subject and fully approved of
Committee's report and was satisfied
by the Govt of India

Ch. XV - Clothing & Bedding: Plates & cups:

v. App. pressing. The Comm^{ee} remarks that in most modern
 systems the prisoners are given to the prisoners

Facts the umbles given to the prisoners
 do not afford sufficient protection from
 the weather. Extra umbles are recom-
 mended in many cases. Fresh issues
 of clothing are recommended to be given
 out, as the old ones are worn out
 after fixed intervals. ^{Special} ~~shirts~~ ^{shirts} are
 proposed for economy shown by the prisoners
 in the wear of clothing. The Tail Rule
 1141 ~~recommends~~ directs the issues of clothing
 every year to be made on 1st Jan'y + 1st July.
 The ~~rule~~ does not notice that ^{above ruling based.}
 the Commel's recommendations ~~in the head~~
~~might be adopted~~ Subjuncted that he may be called on to report further

Bedding: The remark is made, against several jails that mats of aloe fibre are ~~now~~ bought in the market, not made; as they might easily be, by the prisoners themselves. There are not

many mats among the items shown
pp. 26-28 of the Jail Admin. Rept
for 1889 as manufactured for J. D.
Tail. Dept. See below. Chpt. XXIII.

Irons cups etc. are recommended
by the Comm^{rs} in the body of the
Report, but zinc plates are also ap-
proved in the Appendix. The S.G. pro-
fere the latter. No cult. ground for a change is to be shown.

Ch. XVI. Wooden tickets - the
objections to a white collar are stated
by the Comm^{rs} & the S.G. thinks they
are by no means "strained", as the Comm^{rs} ^{pronounces} them to be.

Ch. XIX. Escapes & outbreaks:

A very elaborate alarm parade to
prevent outbreaks are
established on p. 99 of the Report. There
do not seem to be any corresponding
rules in the Jail Code, the only provn
on the subject being Jail Rule 373.
Outbreaks do not appear to be a very
frequent occurrence in Madras Jails
yet the parade recommended by the Comm^{rs}
may be a useful precaution.
The S.G. accepts the recommendation of the Comm^{rs} ^{as before, he adopted} it.

recommended in the Appendix
(p. cxvii), para 25(6) - Trichinopoly

Ch. XX. Dietary. The Bombay

Scale of diet was in force in certain
jails at the time of the Comm^{rs}'s
inspection, but it was withdrawn
in Feb. 1889. The existing diet scales
are given at pp. 79-81 of Jail Admin.
Rept for 1889. The ^{ingredient} of curry powder
is the subject of several criticisms
in the Appendix. In the Salem Jail the
Comm^{rs} found that for condiments had
cost in 1888 Rs 871-5-4, every anna of
which might have been saved had the cur-
ry stuff been composed of the ingredients

the poorer class use such as
the ^{big} have been grown in the jail garden.
The kind of black pepper seems to be the
most costly ingredient of the curry stuff
its selection is ^{dictated} by the
Comm^{rs} approved by the S.G. definite
recommendations might be carried for
on this subject from the S.G. & the
Surgeon Genl.

I think the recommendation
is accepted - But S.G.
better & better & are not
of course.

Vegetables: - The issues of vegetables
in Madras Jails are blamed for con-
sisting mainly of melons, cucumbers
& brinjals instead of those species
which are of special antiscorbutic
value, such as radish, turneps &c.
The Comm^{rs} having observed cabbages
being grown in several jails have
come to the conclusion that cabbages
as well as tomato might be regularly
issued to the prisoners: but the S.G.
rightly observes that these plants can
be grown only in the cold weather
& then only sparingly. The recommended
to giving the prisoners mango or
lime pickle, chatni, & roselle or sour
greens, are reported to be followed
in all ^{Madras} jails.

Ch. XXI. Cooking: - Recent orders
of Govt have been directed to this
question and the Comm^{rs}'s recommendations
are being given effect to in most
jails. Plan no. 3 in Appendix B is
a specification & sketch of a circular
cookhouse in the N.W.P., the model

Ch. XVII. Tail Gardens. — The cultivation of tail gardens is, for the most part, the one point most frequently insisted on by the Comm. Several of the

x. Canunone. App. p. cxix. § 24.

Yes: special attention should be given to the

* Rec. At p. 128 VIII of the App. the Comm^{rs} say
 that in the Bellary Dist^{ct} Tail night soil is first
 carried out & buried in a piece of waste land about
 half a mile from the Tail & that the resulting
 mound is brought back to the garden as required.
 The Sup^{nt} of this Tail is Mr O'Hara who
 took a lesson from his own investigations of the
 terrible mortality in Trichinopoly Tail during
 1881-82, which he proved to have been due to
 impudent trenching of the night soil
 in the garden in proximity to the well.
 (v. G.O. 21 Jan'y '05, 1265, & 21st Aug. '06 no. 234)

The H's remarks on this subject are ~~more business~~
~~rather~~ rather more to the point than usual. It
is sufficient to draw his attention to the Committee's
observations in the passages above quoted.

to him. Thus the numerous employes of unskilled labor will come up in the report called for in para. 13 of 80-227. July 1890. No 1221, reviewing the Tail Report. Meanwhile the H. & attention not be drawn specially to the suggestions in paras. 14 - 16, 17, 18 of this Chapter.

25 Aug
 To the Jail during the
 day & night. with 2 of the
 other 2 of the same. It took the
 day to get out of the
 hospital in 6 feet in one
 day. The jail will be
 closed by the

(2) Purchase of grain — All shroddas pils now purchase grain directly from the market, but they employ a low paid official for this purpose, called a purveyor. The Commrs object to this system because it tends to weaken the responsibility of the superior officials of the Tail, whose duty it ought to be to meet the grain merchant on his terms.

his terms.
16. Grain pits are reported to have been
opened in the Coimbatore Tal. ~~in~~ the
method of storing grain is practiced by
ryots all over the Presidency
" : + preparing dall :-

nyots all over the ~~country~~ ^{provinces}
c/c. Paddy husking & preparing dail :-
The suggestions that paddy should
be brought raw & husked in jail
that dail should be made from the
raw pulse ~~is~~ ^{both of these} the ~~fact~~
by prison labour ~~are~~ ^{is} calculated to
yield a real saving to Govt. The
I.L. reports that neither of these things
is done at present, but does not
state why they should ~~be~~ not be
introduced. ~~to~~ : Both these sug-
gestions are apparently derived from the
practice in banya households where
great economy is said to be effected
in this way.

The Committee found that considerable sums of money were being expended in Madras Jail on these ~~things~~ ^{supplies} which were almost invariably ^{paid for} purchased in the market, whereas they might have been made ~~without even any charge~~ ^{without even any charge} for raw material within the jail itself. Tailors etc.

Tail dairy.:- The ~~statements~~^{suggestions} on this point are being carried out in most Tails

Ch. XXIV. Employment of prisoners:

pres. Nine hours labour:- The laborer
to master in Madras Jail is an shorter
man than. The Comm^{ee}'s proposal to add an
p.xc other hour to the working day is opposed
The by the J.G. on the ground that prisoners
of h^{ad} in that case have to be locked up
in some month^{of the year} after dark - an ar-
rangement which w^{ould} be very incon-
venient. The J.G. seems to show good grounds for his objection.
in The division of labor into hard,
medium & light is observed in Madras

I think a 9 hour thing to be expected
 here as elsewhere. To much time
 is taken up in shadow with the
 many dead.

From about the mid day hour to the
 middle of the afternoon we were at the
 before 6 o'clock. The day being
 quite warm the 6 o'clock
 the last hour of labor might be

5.15 A.M. - to 6.0 the labor
 finished by 6.0
 6.0 to 10.0 - labor
 10. to 12.0 - ~~the~~ breakfast
 12. 05 - 0 labor
 5.0 to 5.30. Day finished
 5.30 to 6.0 - dinner
 6.0 to 6.30 - work up.

19
para 24 Concentration of industries
in large Tails - A glance at the
items of departmental work performed
in the Tails, ~~which~~ are given at pp.
26-28 of the Admin. Rept for 1889
will show that the ^{of concentration of industries} principle is not
followed in Madras Tails. Almost
all industries can be turned to better
account, by being followed on a large
scale, while there must be much waste
of labor in such a Tail as that at Tan-
jore where several ^{different} industries
seem to be ^{simultaneously} carried on. Each in a fitful way.
The most important manufactures in
the ^{Tanjore} Tail in 1889 were country tape & paper
which were not made in any other Tail
in which could probably have been made
in greater quantities if other smaller
industries had been suspended.

This supper time has
help to do it

para 22. It is recommended that all the ^{type} form-printing for the Presidency should be done at the Benin Press. The quantity of this kind of work which is done at present at the Benin Press is not given anywhere; but it might have been given with other similar work at pp. 26-28 of the Annual Report.

The Comm^{ee} notes in the app. that an unnecessary amount of free labor is employed at the Penitentiary to help the prisoners.

para 29 The various kinds of labor recommended for short term prisoners, with the exception of brick making, were considered by Govt in G.O. 2152 July 28, 1904.

Ch. XXV The Bengal Rules for the treatment & release of female lunatics were adopted by G.O. 24th Apr 1889. N^o 7-6.

Ch. XXVII Parades & Discipline:—

The form of prison drill described in this chapter might be adopted in Madras Jail. The only provision on this subject in the Jail Code appears to be that "Rule 305, viz. that prisoners shall at all times march in fours & should keep step according to the Comm^{ee}'s plan." Prisoners should be marched in pairs & they should carry their plates & cups with them whenever they go.

This last named regulation seems to be unnecessary & the Jy. is of the same opinion.

Sunday parades - weekly parades. There are provided for in the Jail Code (Rule 362).

Ch. XXIX Appeals & Petns:— The Comm^{ee}'s suggestion that a limit should be placed on the right of every prisoner to petition Govt, is not approved by the Govt. It is contrary to orders of this Govt.

Also the Jy. make some remarks on this Chapter, he has not touched half of the points raised by the Committee.

Referring first to General Registers, the Supt's Journal (Jail Code N^o 1305) - which is not included by the Committee is probably useful. The Jail Orderbook (1309) is apparently a duplicate of the Supt's Journal & is not much trouble.

But the Madras Jail Code N^{os} 11, 12 & 27 all dealing with missions releases might surely be thrown into 2 - the Committee's (10) & (14). The Registers of appeals & Petns. 21 & 22 kept in Madras seem quite unnecessary & must give considerable trouble. On the other hand the Committee (4 & 20) do not seem needed. The Madras Registers are really more numerous than the Jail Code shows for several ones not shown there are kept - viz. 24 & 25 & 26 registers of persons & articles. The latter seem important & should be preserved. It is submitted that the Jy. may be told, unless he can show objection -

- (1) to throw 11, 12 & 27 into 2 registers like the Committee's (10) & (14)
- (2) to abolish 21 & 22.
- (3) to introduce Committee's (21) & (22)

Hospital Registers. Here the Jy. agrees to substitute the Committee's 2 registers for 5 of those kept in Madras. As the Committee says all letters should go for the office & there should be no separate letter book for the Hospital. Form 29 does not seem necessary. The other add^l forms kept in Madras are needed.

Financial - It seems quite clear that Madras N^{os} 40 & 47 are not needed, & it is submitted that they should be dropped. It is submitted for consideration whether it will not be well to take security for Tailors & Storekeepers, & so perhaps do away also with N^{os} 43 & 44. The ledger (N^o 41) is necessary, again here the list in para 1304 is not complete, a Stockbook being also now maintained.

True in g prison might be made in the reference

Chapter XXXI Registers & Returns

The recommendations made in this chapter are discussed at some length by the Jy. His conclusions as to the number of Registers & books to be retained & those to be discontinued are shown in the following summary:—

	Comm ^{ee} recommended	Existing	As proposed by Jy.
General	23	6 + 23 = 29	28
Hospital	2	11	17
Financial	6	10	10
Factory	26	6	6
Total	37	56	51

The reductions accepted by the Jy. are thus not very numerous but he has good reason to give for most of the registers which he proposes to retain. A serial list of the Jail Registers at present used in Madras Jail will be found at pp. 182, 183 of the Jail Code, followed by a detailed explanation of the contents of each book & the manner of keeping it. This list gives 27 Gen^l Registers which the Jy. reckons only 23 & omits the Factory registers which were introduced subsequent to the publication of the Jail Code. In their remarks on the Salem Jail (App. p. c.) the Comm^{ee} note that

The Hoopl! Asst has too much writing work to do that this time ^{would} be better ~~than~~ ^{employed} if he saw each prisoner in the jail morning evening reviewed some check on the issue cooking operations. Similar remarks occur elsewhere. The question of reducing the no. of Hoopl registers might be referred to the Surgⁿ Gen^l along with the Comm^{ee}'s proposals regarding the ^{no. of} pay of Jail Hoopl Assts.

The excessive no. of Jail registers is due to the fact that the Tailor & Store Keeper, not being entrusted with the Cash chest have to keep their own account books, being responsible to the Supt^r for every payment made through them. If they had to give security, as suggested by the Jail Comm^{ee}, these books wd not be necessary.

The Dy. has no suggestions to offer for reducing the no. of gen^l registers except that he thinks that the two clothing registers might be replaced by one.

Ch XXXII. Miscellaneous:-

para 2: The procedure to be adopted when payment of a fine is tendered at the Jail where the a prisoner is confined, is detailed in Rule 77 of the Jail Code. No special books or checks are used in this residency in carrying out this rule the Comm^{ee}'s suggestions for reducing labour of the Jail Office ~~and~~ ^{are} therefore seem to be applicable to the Jail.

Ch XXXII para 3 to 6: The suggestion as to subsistence allowance to be given to released prisoners, date of release in certain cases, cholera Camps are followed in the Presid^{cy} Prison, &c. The Madras Close Prison system is here commented on ^{very slightly} the defects of construction ^{which are not pointed out} have been noted above in connection with Jail Construction. The Comm^{ee} observes that a large no. of cells in Convict atore Central Jail & at the Penitentiary were unoccupied at the time of its visit. The Dy. mt be called on to say how this happened.

lin
9/9/40

dy.
7 Aug.

Inspector General's
Memorandum
on Mrs Walker & Lettbridge's
Report on Tail Winding

For orders

14 M.

June

C. No. 3559/39, 1883 + 1949/90

FROM

Dated

18

FOR ORDERS

The 2. 7. 9. suggest that I can find some other
 music parts or go to the post office about
 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 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. 83

Feb 10. 24th observed.

Pages 11673. "Pages 11000 might
be referred to the Dis. Hospital as to
whether 15d or is a good limit
or whether it is to be altogether paid.

Page 12. The proposed line is 1
thick a nominal vol. 6
associated { fort.

From 18.06¹⁸? he informs that Dr.
they buy the fish to be supplied
person who has been buying the fish
can be done very well & the
fish are sent to the Dr./fish the
small fish. being a lot of

previous for 4th quarter the
 side Dist 2nd quarter of mile, 2nd 1/2
 by morning riding only on horse, 2nd 1/2
 of the incense made known on horse.
 there was a special time for them
 some days of they might have to
 wait at the place of rest for hours
 or a whole night.

Para 14. The project is still in
progress.

I suggest submit the following suggestion for adopting the Charter of the report as arranged in the Office Note.

Chapt II. Para 6.

"The Govt. of India may be informed that the English Minister attended to already hold in this Presidency but that the L^y will be instructed to see that it is carefully insisted upon respecting in these ^{the} jails."

Para 11 - 13.

India may be told that the matters herein referred to will form the subject of further report after the receipt of good information which this Govt. considers it necessary to obtain before deciding how far the suggestions of the Comtee. can be carried into effect.

Since 11.12 & 13 may be referred to the higher
for full report they being required to state
in return any objections which they may
have to any of the proposals which they contain
and to give a statement showing the cost of
the present system and the estimate of that
suggested.

Chap VI.

All that need apparently be said to sustain
 regarding this is that the views of the Govt.
 as regards the employment of medical officers
 of the Department of Central India have already
 been fully represented and discussed, and that
 that if Govt. decides to do so - but there seems
 no ~~more~~ sufficient reason why it should do so.
 The European Division at Fort Secunderabad will be
 at once closed and that the other European

[illegible]

with his committee as they expand. This would
make the subject absolutely unmanageable
and make an estimate to be made of the
financial effect on the whole of the population
under their head.

• The well as put in the
the population in the
the well as put in the

7-10-68

2-3-58 C

The proposed in the Report of the
to find the defects for
the general interest

Proposed in the
to find the defects for
the general interest

Yes: but in the reference general approval
since we expected

the proposed in the Report of the
to find the defects for
the general interest

Don't allow Druggists in
the Room on 12 of this city.
The intention of the 5 is to make
the persons if there is a
a 4 and the person is not
back into the 5, but it is
how they are making for the
city. The intention of the
administration is to make
and to give to the comfort a
union of the people.

25

~~There is no person in the
the person is not in the
the person is not in the~~

25

400. after 2 months down again to
 100 in its ¹⁰⁰ year old has passed
 into it.

25
 11 27

Chap. II. I think in this to be
 that we know that the Angel who is here
 39th Chap. 1st & after all the
 history of which we know (and that is
 the end of the day. The present appears to

bad habits, which long have been
not, and to concentrate them. ^{which is not to be done} The new law
is intended to force a course of discipline, in
any appreciable degree, for the purpose of making
them good. It seems doubtful whether
it is altogether right to treat the person who
who is under sentence of law, in relation with
the habitually criminal - might not habitual
the justice which their sentences, for as far
possible keep the distinct faults of those
habits, being conferred as suggested by
the Court? 227

(8)

Chap. X.

Nothing either to India. ~~anyway~~ perhaps that Rule 87b, of the Jail Code would provide ~~for~~ the non admission of under trial prisoners after lock up - or to the effect appears to be necessary. The proposed rule mentioned in para 12 of Chap. X ~~appears~~ ^{seems} to be ~~and~~ almost one and a half's bit of red tape. The attention of J. H. might be called to the practice spoken of in para 12. There there are ~~sub~~ ^{existing} ~~in~~ ^{under} doubt. The Rules contained in paras 874-878 of the Jail Code. The only point upon which anything seems required is para 9 of Chap. X, which suggests that in lieu of passing butter for food during transit, all prisoners should take with them that food necessary for the journey. This seems a desirable rule. The Jail Code, as it stands, needs considerable revision and it would if it submitted be ~~advisable~~ ^{advisable}, when Govt. has finally decided what of the suggestions made in the report it will adopt, to put an officer specially ~~under~~ ⁱⁿ charge to revise the Code all through. He could then ~~then~~ deal with the existing rules in the light of the remarks made in Chap. X.

Chap. XI. There is nothing to be said apparently to India about anything in this nor do any

Chap XIX. The suggestion is that the
provisions are very good & should be adopted.

Chap XX. The suggestion in this Chap. has
been referred to the Law & Equity Committee.

Chap XXI. The suggestion is that the
provisions are very good & should be adopted.

Chap XXII. The suggestion is that the
provisions are very good & should be adopted.

Chap XXIII. The suggestion is that the
provisions are very good & should be adopted.

Chap XXIV. The suggestion is that the
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Chap XXV. The suggestion is that the
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Chap XXVI. The suggestion is that the
provisions are very good & should be adopted.

Chap XXVII. The suggestion is that the
provisions are very good & should be adopted.

Chap XXVIII. The suggestion is that the
provisions are very good & should be adopted.

Chap XXIX. The suggestion is that the
provisions are very good & should be adopted.

Chap XXX. The suggestion is that the
provisions are very good & should be adopted.

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provisions are very good & should be adopted.

Chap XVIII. The suggestion is that the
provisions are very good & should be adopted.

Chap XIX. The suggestion is that the
provisions are very good & should be adopted.

Chap XX. The suggestion is that the
provisions are very good & should be adopted.

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Chap XXIX. The suggestion is that the
provisions are very good & should be adopted.

Chap XXX. The suggestion is that the
provisions are very good & should be adopted.

Chap XXXI. The suggestion is that the
provisions are very good & should be adopted.

Handwritten notes in Arabic script, likely a continuation of the text or a separate entry.

25

of the use of machinery & lime with peat
to a bed with urine

250

Handwritten: $\frac{1}{2}$ inch deep impression in ink
Eggs - $\frac{1}{2}$ inch

This letter refers to juvenile prisoners who
 are detained in jails. The S. J. says that
 black is laid down in it is generally known
 as far as is practicable in our jails but
 it seems that the last of the case, in the
 district that there are two children in the
 jail, the court is about to send them
 to the jail which they have imprisoned
 with a conviction that the separation
 of adults' children. And boys who have
 no criminal history is not carried out
 in any better system.
 The rules relating to juvenile prisoners are
 contained in sections 883-891. These include
 of the jail code. These rules are, for the
 first time, general and a person begins
 division with reference to Chap 14 of the
 statute, the suggestion in which reference
 will be to food.
 It is suggested that the S. J. be instructed
 to be once introduced the N. W. S. system, it
 being laid down that the local officers to
 with the high shall be the authority to decide
 in which class they shall be placed.

The Attorney General's
 recommendation is that the
 bodies of executed criminals
 be handed over to their
 relatives, or to the State, or
 to the Government, or to the
 Crown, or to the people, or to
 the nation, or to the world.
 Chapter XII.

The Attorney General's
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 Crown, or to the people, or to
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 It is no doubt desirable in India, but
 in England, the bodies of
 executed criminals should be
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 to the Government, or to the
 Crown, or to the people, or to
 the nation, or to the world.

As regards the question of handing the
 bodies of executed criminals over
 to their relatives, it appears to
 be the only Province in which that
 practice does not hold. Our existing law
 does not absolutely prohibit it though
 Rule 1000 provides for the burial of
 the bodies in the jail cemetery.
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 Crown, or to the people, or to
 the nation, or to the world.

for feeding the prisoners with their fish.
in about 1/2 lb. of fish to each prisoner a day
under the present system. The fish is sold at
the rate of a fair price, and the cost of
it is quite feasible to raise vegetables for
the ordinary use of the prisoners. The fish
will for several months of the year
but to grow English vegetables is one of the
questions. Cereals may be raised, but
the success will require much thought
and careful treatment.
The suggestion made in the concluding portion
of para 7 has been detailed in para 8
and contains of the most extraordinary character
and also mentioning "Zabardast" - I
supposed all the managers of prisons would
be devoted to their duties, and to the
detriments of the prisoners, more important
work. Conditions for carrying stuff might
be given in jail gardens. The Comm^{rs}
do not, however, state specifically what
these are but it is to be presumed
that these are the same as in London
& Bengal. If, however, a jail garden
is to provide vegetables and carry stuff
for all the prisoners detained in
the jail to which it belongs, are areas
not larger than are usually available
for this purpose will be required. A
jail containing 800 prisoners would require
at 6 sq. feet per prisoner 48 tons of
cleaned vegetables a year & to work require
a large area to grow this quantity.
The subject of the carrying stuff appears
to be a matter - setting aside the question
of compelling jailors to pay for the material
if they do not succeed in growing them
in the jail gardens & some for carrying and
careful consideration. The only highly
attention from the authorities the material
to vegetables having in this connection,
and having might be expected of having
any powder manufactured in a few
jails & distributed to others within reasonable
limits. This would lead to improving
jail by gradually economy.

What time I leave to make my flight
in the presence of the whole
of the congregation, I shall not say as much as
one in the way of self-preservation as I shall
in the way of self-sacrifice. I shall not say as much as
one in the way of self-sacrifice as I shall in the way of
self-preservation. I shall not say as much as one in the way
of self-preservation as I shall in the way of self-sacrifice.

x Appendix A xcvii. para 15
~ EIV para 17

indicated by the fact that they are
wound for the same reason - Should
be noted) after this Chapter
the change of any will
become a part of the present scale of
relating - and to make such observations as
they may deem fit in the same manner
as made at June 13th at the end of this Chapter.
Referring to the remarks made at the close
of June 5th & 19th it is to be observed
that a consent was given to the
officer in the Collected file and that the
last morning trial is a standing practice
in all our files.

201

Chap XXI.

As regards what is said in this chapter the T.C. makes no remark upon a defect pointed out by the Com^r. and he does not seem to have referred to the appendices. The adoption of one kitchen for each jail is no doubt a work which must be carried out gradually. This however is not a condition necessary to a reduction in the quantity of fuel used. The sanctioned amount per head in this Presidency is very much in excess of that used anywhere else, and the Com^r distinctly states that in one jail another ^{comparable} system - the Supt. manages to cook the prison food - and, looking for 16 oz per head. Submitted such as is the principle of the C.T. to be able to ascertain how this is done and to direct the introduction of the ^{Captain's} System into all other jails. There is no necessity now for this until all the jail kitchens have been reduced to a single one.

Час XXII.

The remarks made in this chapter go to show that, as regards fudlers, our faith are far and away, the worst in India. It is all my well for the City is with us but does lack the Cardinal defect of fud fudging here is the utter ignorance of those directing it of the fud principles of fudging. The fud officials

There are a great deal of the Chinese who
think they are not all that they have to do
is to see the merchants at the
wholesale house of the goods. As the Chinese
merchants might not be able to do the business
authorities in the city of Shanghai. These
things are really done from the goods
of the Chinese would be lost and shall be
sinking. The difficulty regarding storage
large quantities can be for sale
of the goods and merchants can store
can the fact of the goods of the goods
into a little trouble.

II. The introduction of the Statement appended to the Annals would seem desirable. Col. Johnson's name seemed to be the only one not seen to be of this nature.

41. ~~Kindergarten~~ The defect pointed out in para 14 should be at once ~~rectified~~^{liquidated} so far as possible. It may be impossible to supply or repair, in some instances, certain articles, but there are many instances in the incomplete list given by the Commⁿ. which no jail Dept. should be allowed to purchase, or if he cannot make them himself he should procure them for the benefit of jail transportation. If this rule was strictly enforced the result probably would be that subordinates being deprived of their "business" in this respect, all jails would be long time out to repair almost everything coming under the head of jail equipment. It is no doubt because jail subordinates make a poor deal out of them, that there have been so many purchases of articles required for jail use.

14. The suggestions in para's 17 & 18, which are excellent, should be given effect & forthwith and strictly carried out. It is astonishing that Col. Smith did not take these up at once.

As regards the daring question that appears to be a matter involved in the Ely. angle, to hold a systematic investigation, was to work out a scheme and submit it to Gov. From the remarks in Para 20 it seems highlyly that this Presidency has been for some years past never under a similar great undecorated libelious for on the

He then says: "It is completely unimpaired" & continues
describing its appearance in detail.

The best place is to have a Trustworthy gentleman to
look after and be stake-pled in the jail prison in
return for the milk at a reduced price.

It is daylight earlier than mid
morning

I think one must turn off
back to some of her too much
time for this early morning work
there - perhaps of one hour for this
too much - be still get - of her
a very strong tone early. her.

- 5.30 - humbuckella
5.30-6 - chrysogaster
6-7 - end.
10-12 - end.
12-5 - end.
5-6 - botany & Dandel
6-11 - look up. *ling*

Ad. 1890-1891

If we give 9 hours work the
Commun seem right in saying
we must allow a wedding
gift & so far as I can see
this is impossible.

of what an ordinary man
can get through in the day-
his day's work of his study.

All they seem to say is that looks
I should be paid for individual
connections

I have a but very faint idea, though I can be
 no doubt that the ^{first} part of my opinion is
 not from any real principle but from the thought
 that I should like to see the world
 look like this.

Question of physical labour is one which
we do seem to call for consideration in the
future. We have here. That the self calls
for attention is not only so in the present
description of the term.

The 24th objections: - The proposal contained
 in paras 10 & 12 appears to be valid. 4-45
 there is an absurd hour. It is, in the worst
 case, pitch dark at 5.30. ~~Strongly~~
~~improper~~. Our hours seem reasonable and
 proper and it is submitted that they should
 be fixed to: How Bengal & Bombay fit in
 their nine & ten hours each, is not stated.
 It seems likely that they are elastic. That
 our people are in the matter of searching &c. The
 Scheme in para 12 allows only 1/2 an hour
 for searching in, counting, searching & off-putting
 working 43 hrs.
 Nothing after the day's work in the worst-
 natural course and in accordance with the
 custom of the laboring classes in the part
 of India. Cf. further objections to turning the
 Committee out before dawn seems to be a further
 one.

me.
The suggestion in para 13 calls for orders. Let
Frank object to it and give his reasons. He
seems rather a bit of a red tape but the idea
is one which can be worked out easily enough.
It is not very clear how the Comm: proposal
in para 14-16 inclusive is to be worked
out in practice. The 1. go now that is both
standard table is to be fixed by taking the average
of the numbers of the whole of the men employed
upon any particular industry appears to be in
correct. That the Comm: apparently intends
to that the table is to be fixed by observation
of the work of single individual convicted men
which is hardly meant by the passage headed
with a note of interrogation as this pencil
in para 15 is beyond my comprehension either.
The system in our jail is a very sensible one viz
that each convict is dealt with separately as regards

[illegible]

the 2^d probably had but place for
any because back 2^d probably
coming out from the hills then at

[Faint, illegible handwritten notes]

100



[illegible]

The Commission on the
 Government of the
 District of Columbia
 has the honor to acknowledge
 the receipt of your letter
 of the 10th inst. and in
 reply to inform you that
 the same has been referred
 to the appropriate
 committees of the
 Commission.

the Com - 12 I presume, if a formal letter, might be.

[illegible]

How rare

As you have been at
much pains with the locker
information, I would like for the
kind of come up at 10/30 on
Tuesday next, when he will
be prepared to spend an
hour or more if necessary
in going through it with
you.

have to ask you

to kindly be prepared

to run through the

important points

to call for orders.

as His Ex^{ty} does with
~~the~~
with these to be

observed! a mass

of detail, before

the papers / file
business

pieces

(8)

11. Council

Question of membership
Committee

Admission to membership

the Joint Committee

the Committee of the

the National Council

the whole of the

the whole of the

the whole of the

the whole of the

the whole of the

the whole of the

Chapter 11: Classification of fish.

Mr. H. - finished. Remains. Page Para 10. Should
be approved. No material mentioned yet already
his
H. is a bit with regard to Para 12. He is
from New Guinea to the last but one. The other
part is newable.

Capit. VI. Establishment.

Pass. 2, & 3. hundred eight. Pass 113.
 2 paper 'jumping hnd. eight. have rather changed
 the aspect of affairs)

He is agree to refer this chapter and the rest
of the report to a Committee composed of Col.
S. Jones & Smith. This seems undesirable
to many of our friends because it is very
doubtful whether Col. S. Jones has time
to spare for what is really a big job.
As is said, Boy of Justice Sept. - He says
I go off to the - and don't find as said.

Chap VII. Finances.

Nothing to be said to those beyond what
Suggendering has.
(Mr. Wm. S. Brown had it would be a good
point made in some cases.)

Chap X. Under trial process.

and might be told that as beyond house
12. then go. and the other aged
as surprised from not seeing them.

(86)

Aug 26 Karl Linnæus.

Hon. Mr. Sumner thinks that E. of I ought
 be told that the Principal rule we have
 is should be adopted. There seems no necessity
 for saying anything to Tucker as that point

~~Quinn's painting from the 19th century~~
 Chap 866

der untr. Page 6.

1. Portions of Report requiring a reply to India

Appointment of the Commission of Cols. Porteous & Smith, with a view to the abolition of the Rajah's Office Note. 27

2. Chap. I.
H.E. differ as to para. 12 - viz as to whether Submagls in charge of Sub Tails should correspond direct with H.E. or thro' Dist Magt as at present. How our Govt is for latter course - How Mr. Gardin for former. Messrs Wood: prob. didn't understand our Subtails who differ for these all over India - cp G.O. as to 1542. Office Note p. 4 - Cl. note p. 1.

3. Chap. VI
(1) H.E.'s approval should be obtained to the proposed reply to India on this chapter as contained -
(2) H.E. & Mr. Notes - top of page 2 of Cl.'s note
(3) - - - bottom of page 7 of office note.
Both are important.

(2) H.M. differ as to para. 5 of this chapter - Mr. Wood propose that Dist officers in charge of Central Tails should receive increased pay after a certain standing. How Mr. Gardin would oppose this - 3 page 8 office note. Mr. Gross - is not sure. Pool will have to pay the increase, this the reason for it is the exigencies of the Imperial Mil. service.

(3) H.E.'s approval should be obtained to abolition of outly European provision - bottom of page 16 of office note.

4. Chap. VIII.
H.E.'s approval to the proposals summarized on page 7 of office note might be obtained - The point is the employment of a low paid female worker in all jails, instead of an expensive matron & bonded of transport. (p. top of page 8 of Cl.'s note).

5. Chap. IX.
Both H.M. are opposed to para. 7 & 8 of this chapter. See page 3 Cl.'s note. Nothing is to be said to India your Code seems to need no alteration. H.E. approval not be taken but it is not important.

6. Chap. XIII
H.E.'s approval should be obtained to the proposed abandonment of adms except for juveniles? abolition of Statute VII Page 20 Office Note + 4. Cl.'s note

7. Chap. XVII + XVIII
H.E. approval should be obtained to the proposed project of a financial system of recording every offence - page 22 Office Note.
(2) to the ans was to India that no legislation is needed - page 24 Office Note.
H.M. differ as to whether Handcuffing to a star should be adopted. How Mr. G. is for it. Mr. G. reports it to be cruel & unnecessary. See page 24 Office Note - p. 4 Cl.'s note as for.

May 5. 10. 11. 12. 14

Chap. III

Chap. V

Chap. VII

Chap. IX

327-

XI

XII

XIII

2047 + 12

XIV

XV

XVI

XVII

8. Chap XVII

H.E.'s approval in the following:

- (1) to the opinion that Trials of 6-20 are unnecessary, and
- (2) to propose to reduce Commission to convicts over one year. Page 26. H.E. Note.
- (3) objection to proposed history trial. P. 6. Convicts

9. Chap. XXVIII - nil.
10. Chap. XXX -
H.S. to opinion as to official visitors should be recorded - page 7 - C.S. note - p. 29 of office note.

10. Chap. ~~XXX~~ ^{XX} -
H.E. to opinion as to official visitors should be
recorded - page 7 - C.D.'s note p. 29 office note.

B Portions of report not calling for a reply to Lucia
Points on which AM. differs

Chap. XII - Regarding executions & the making over the bodies of executed criminals to relatives. } 15. Note p. 10.

- XXIV - Regarding proposed 9 hours } Cf. note
labour } p. 21
- method of regulating }
standard task } p. 21-22

Other important points

1. 5 note p. 12 - Rules as to executions -
13 - Concentration of a single manufacture in
each big jail.
14 - Jail Gardens & Vegetables.
19 - Abolition of prison yards.
22 - 23 - Manufactures.
25 - appeals.

26. Forms + accounts
office Note p 42

1. 28. Remarks on individual jail,
 29. Exports.
 Abolition of ~~dist~~ ^{dist} Jail.

Alf 74 Sept

~~TOP SECRET~~

Aduty on. n. v.

Submitted -

Crossed on the

in the sense of

will get

contains nothing

15. 15. 15. 15.

NOTE FOR THE CHIEF SECRETARY.

Two drafts about the spl. duty or. n. t. i. are to be reported and submitted -
marked A merely revises that passed on the
"Order in Council" slip in the sense of
H.M.'s orders. It will be well to get
H.M.'s initials to it, but it contains nothing
new, except the direction to Supts to
give the necessary facilities.

The other - marked B - is a revised draft in
place of paras. 1 & 2 of the ^{revised} G.O. on Walker &
Leithbridge's report. It will not do, I think,
merely to substitute my name for the words
appointing a Committee, as that course
would convey an unnecessary slight to Col.
Smith.

It is very desirable for the success of the
spl. duty contemplated, that I should not
have the Hq. & Supts agt me - as they
could make it by no means easy to obtain
inform. The revised draft will, I think,
be found unobjectionable & as ~~much~~ little
offensive to the Hq. etc as is possible.

Alf. 17/11.



C. A. 3559 of 1897
C. A. 1033 of 1890
[Handwritten notes and signatures]

PROCEEDINGS OF THE MADRAS GOVERNMENT.

~~From the following papers.~~

Order.
With the first of the letters read above the Govt. of India in the Home Dept. forwarded to this a copy of a Report of the Committee appointed to enquire into certain matters connected with Rail Administration in India for the consideration of this Govt. The suggestions contained in the Report may be divided into two classes of which the first contains those proposals in regard to which the opinion of this Govt. is expressly called for, the second those questions which are left entirely at the discretion of the local Govt. The former class is disposed of in a separate letter to the Govt. of India while the latter forms the subject of the present order.

8. Chap. 2. The various questions have
 have received the attention of
 the S. of Tails this opinion
 will be found in the second letter
 read at the head of this order
 but it appears to be the
 fact that many important
 matters have received insuffi-
 cient attention & that it is
 desirable that they should now
 be fully considered. With this
 object a Committee consisting
 of
 will be appointed & the whole
 Report will form the basis of
 of detailed discussion at their
 hands. There are, however, certain
 points upon which the
 J. is able to express an opinion
 upon the paper submitted before
 it & these are detailed below
 for the information & guidance
 of the Committee & of the S. of Tails.
 3. Chapter 1.

This Chapter will necessarily be
 considered by the Committee & their
 attention is particularly drawn to the
 following matters which should be
 specifically noticed in the Report.

34 2.
 What districts is it
 proposed to carry out the
 proposal that all persons
 sentenced to more than 16 days
 imprisonment shall be
 transferred to a District Jail
 (2) In what cases is it to be
 expedient to abolish the Sub-
 Jail at the headquarters of
 the District?

(3) In what instances is the
 location of the Sub-Jail within
 the District Jail possible?
 The opinion of all D. Magistrates is invited upon the above points.
 The system alluded to in para 6
 of this Chapter already holds in
 the Madras Presidency; it remains
 with the S. of T. to ensure its invariable
 adoption.

4. Chapter III
 The attention of the P.W.D. will
 be invited to this Chapter which
 contains matter deserving of
 consideration then plans of
 Tails are in hand. The S. of
 Tails should also give the
 Chapter consideration & should
 ascertain what improvements
 Tails of which have been
 seen by the Committee
 that defects of construction exist
 in these Tails & whether or not
 inspected by the Committee with
 a view to effecting an improvement
 The local Committee should
 specially report upon the
 following defects
 noticed by D. Magistrate & S. of Tails

- (1) In certain jails, the construction of the outer wall is such as to afford facilities for flight.
 - (2) The entrance to the close-prison is insufficiently protected from the weather.
 - (3) In some jails, it should be attached to the solitary cells.
 - (4) In certain jails, the gates are so far apart as to render the double gate system impracticable.
 - (5) The sleeping-wards should be so constructed as to compel the prisoners to sleep apart.
 - (6) As to show an improvement in the form of sleeping-ward bounds under possible a reduction in the patrols.
 - (7) At Combarua the construction of partitions would ^{increase} the accommodation in the close-prison cells.
 - (8) At Combarua & Combarua the "warden's quarters" are indifferently situated for the Jail.
- In addition to the above the extent to which habitual criminals are segregated should be reported upon.

5. Chapter IV.

Chief-Inspector, the areas of all jails, ^{carefully} checked with reference to the remarks contained in this Chapter & in the Appendixes. The defects observed in the situation of the Prisoners at large are such as do not admit of early rectification.

6. Chapter V.

The Lf. has dismissed this Chapter

with that brief remark, apparently not noticing the striking passage by Dr. Walker that "upon the vital water supply arrangements in almost every jail."

The particular attention of the Lf. is directed to this matter & in this connection the observations regarding the use of ^{discovery} & the useless method of working the dry-salt system should be noted.

The remarks in para 10 of this chapter relative to the improvement of water-supply should not be neglected & as dealing with a similar subject, a copy of Dr. King's recent report upon the condition of Nagasatam, will be ~~communicated~~ forwarded to the Lf. of Jails.

The 1st. attaches great importance to the matters dealt with in Chapter V & expects the Lf. to take steps to remedy the defects noticed in the Report.

7. Chapter VI.

This Chapter requires careful consideration throughout by the local Committee & should be made the subject of full report. Some of the more important portions of the Chapter which ^{may} call for particular notice are the following:—

- (1) The arrangement under which the Tanjore & Palamuttah Jails are in charge of an officer

Chap
H E

4. Chap
5. Cha

13

Ch

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88

8. The suggested reduction of the
Salmon Central Tail & the status
of a District Tail has not
been commented upon by
the D. G. The Committee must
consider this proposal as
alternative to the abolition of
the Canadian Central Tail.

8. Chap
11

9. Ch
11

10

Ch

The Committee will report the
number of local long term
prisoners in each district
first & second class. If the
mentioned jail is so small
it will be decided to retain the
Salem Jail as at present,
it will be possible to take care
of two classes, either to abolish
the Lanesboro Central Jail &
send all long term prisoners to
Calicut sending that to the
grade of a first class District
Jail, or to abolish the Calicut
District Jail & transfer the
prisoners to Lanesboro. The
J. J. is so particular reason
why prisoners should not
be confined at Calicut. There
they do very well & is of
decided opinion that old &
infirm prisoners ^{from the jail district} should not
be subjected to the trying
climate of the local coast.
9. There are certain portions
of Chapter II which deal
with questions concerning the
medical department. Upon
all such matters the Com-
mittee should consult the
Surgeon-General & should embody
his remarks in the report
submitted by it to Govt.
The Surgeon-General is requested

37 85
to report whether he will be
able to draw up for the
use of medical prisoners
a ^{medical} ~~medical~~ ^{prisoners} ~~prisoners~~ ^{that}
referred to in para. 15 of
Chapter II of the Report.
10. Chapter III.
The suggestions in paras 3, 4,
5 & 8 of this Chapter meet
with the approval of Govt.
& should be given effect to
in future, the necessary modifications
being made in the Jail Code.
11. Chapter VIII.
The Chapter will be considered
by the local Committee with
special reference to the
question of transferring female
convicts to jails outside the
districts to which they belong.
The Govt. is inclined to agree with
the remarks of Mr. Walker &
Mr. Lethbridge upon this point
but desires further information
before passing final orders.
The Govt. is in full accord with
the observations contained in
the Report in regard to the
appointment of female warders.
The Secy of Jails will submit
Proposition statements making
provision for the entertainment
in every District & Central Jail
of a female warder upon such
pay as the Secy considers advisable
but subject to the maximum
recommended in para 2
of Chapter VIII. For the Secy

the list of board members probably be found among the eligible. The five members at present employed in each of the Central Jails will be retained in their appointments.

12. Chapter IX.

The Lf. observes that the principle laid down in the Report in regard to juvenile prisoners are observed so far as may be, but this hardly appears to be the case, for the Committee has pointed out several grave defects in the Madras Jail. The Lf.'s attention is drawn to the remarks upon the boys' cuticles in the Volume & Jail. Jail & he will call for, & submit to the explanation of the Supt. of the Calicut Jail in respect of the confinement of two juveniles along with adults. All the suggestions appearing in this Chapter have the approval of Jt. & the Lf. should take steps for the immediate introduction of the system in force in the North West Provinces in regard to the division of juveniles into two classes, the determination of which rests with the Medical Officer in charge of the Jail. The necessary alterations shall

38
must be made in the Jail Code. The attention of the Magistrate & the Director of Prisons is drawn to the concluding portion of para. 7 of Chapter IX, which is observed by the Committee as ~~an objection~~ ^{an objection} to the demoralizing effect produced by the presence of juvenile habitual criminals in Reformatories & the Jt. advising with these remarks, desires to impress upon all Magistrates the inadvisability of transferring such institutions juvenile convicts of this description.

13. Chapter X.

The Jt. objects to the proposals contained in paras 7 & 12 of this Chapter. As regards the former it is obviously improper to ~~transfer~~ ^{transfer} a juvenile from one institution to another without a ~~proper~~ ^{proper} inspection to require a history ticket to require a history ticket from an undetained prisoner would be to assimilate his treatment to that of a convict & would be decidedly improper. The suggestion in para. 12 again amounts to a proposal to subordinate the exigencies

of the administration of
the convenience of Jail
officials & it cannot be
approved. Under trial
prisoners should be received
back into Jail at whatever
hour the Court sees fit to
return them; this ~~provision~~
exists at present and, as the
Jf. remarks, the rules of the
Jail Code are sufficient
to regulate their admission after
~~lock-up~~ this is the existing
practice & as remarked by
the Jf., the rules at present
in force regarding admission
after lock-up are sufficient
to ensure safety. It is suggested
in para 9 of Chapter II that
prisoners under transfer from
one place of confinement to
another should be supplied
with food for the journey;
this plan carries with it
several advantages & the
Govt. desires that it shall be
adopted in future.

14. Chapter II.

The Jf. will ~~have~~ ^{learn} from
the letter to the Govt. ~~of the~~
~~that the~~ Govt. is in favor
of the proposal to allow
Civil prisoners the benefit
of interviews with friends

at any hour of the day
the Jf. will accordingly take
steps to bring into force
the Bengal system mentioned
in para 3. ~~but~~ ^{it} does not
propose to recommend any
alteration in the existing
law governing the release
of prisoners suffering from
a disease likely to prove
fatal in case of continued
confinement.

15. Chapter III.

After careful consideration of
the suggestions contained in
this Chapter H.S. the Jf. in C.
has arrived at the conclusion
that the present system of
carrying out sentences of
death in this region in this
Presidency is unnecessarily
open to objection. The method
of execution adopted in
the North West Provinces &
Bahr seems to insure all
the publicity which is
necessary & it will be
adopted in every
jail where executions are
carried out. For the purpose
of introducing the system
it may be necessary in
certain cases to construct
fellow-innocent, which in
other places accommodation

8. Ch

of the administration
of this decision in early
stages. It will
inquire into the matter &
give necessary submitt
estimation of the
cost of creating walls &
acquiring land.
In other respects the suggestions
contained in Chapter XII
do not for the most part
commend themselves to Govt.
The proposal to permit the
release of an executed crim-
inal to remove the body is
open to objections to which
Dr. Walker & Littlebridge have
made no allusion & the present
system ^{appears} preferable & should
continue. As to the debit of
charges connected with the
carrying out of executions
also no change in the existing
arrangement is called for.
As to the enforced attendance
of Magistrates at the
execution of criminals &
as a consequence many of
the rules contained in para
1 of Chapter XII become
unnecessary; such are
Rules I, II & VII. Rules
III & VIII ^{also} appear to be useless
for & Rule IX already exists
in another form. Rules V &

17-40 8.
approved
by the Govt.
report
whether he ^{should} ^{any}
alteration in the form
of the report
16. Chapter XIII.
The future instruction should
be confined to juveniles &
should be restricted to reading &
writing & some simple handicraft; the question should
however have the consideration
of the local Committee & should
be referred in the report
submitted to Govt.
17. Chapter XIV.
The form of report appearing in
para 6 of Chapter XII should
be substituted for Form E appen-
dix to the Annual Report. The form
may require modification to
suit the circumstances of this
Presidency; upon this the
Committee will decide.
18. Chapter XV.
This Chapter should be care-
fully considered by the Com. It
contains many of
important suggestions the Govt.
adoption of which would ^{undoubtedly} ^{have} ^a ^{beneficial} ^{effect}
upon the Madras jails. The
Govt is not prepared to prosecute

any specific orders as
yet but is decidedly
of opinion that the recommen-
dation of Mr. Walker, ^{relating to}
the effect that each Central
Tail should give its own
special signature, is
sound in principle & the
Sf. should take steps to bring
such a system into force.
The particular attention of
the Sf. is drawn to the remarks
in paras. 6 & 7 of Chapter XX,
to the observations in respect
of the bad quality of the
blankets supplied to the pri-
soners & to the proposals to
assign marks for economy
in blankets, carefurness as regards
clothing, & to issue new clothes
not at intervals, but according
to requirements. Upon the
^{Committee} ~~three~~ last points the Sf.
should report. ~~See~~

19. Chapter XVI.

The only matter calling for
notice in this Chapter is the
method of fastening the wooden
tickets worn round the necks
of prisoners. The Sf. agrees
with the Sf. that for this pur-
pose a string should continue
to be used.

20. Chapter XIX.

The suggestions in this Chapter
meet with the general approval

of the Sf. ^{relating to}
the ~~proposals~~ ^{particular}
concerning them. For
adoption. The whole Chapter
should be considered by the
Committee. ~~at the same time~~
the draft rules regarding
the course to be followed in
case of escape or outbreak,
& the system of drill &
such other matters suggested
in the Report should be sub-
mitted for the sanction of
Sf.

21. Chapter XX.

This Chapter is referred to
the Committee for consideration
as the subject is dietary it
is desirable that the Surgeon-
General should be consulted
in the matter & his views con-
sidered in the Committee's
Report. The Sf. has little
doubt that the curry-powder
used in Madras, India
unnecessarily expensive &
that such ingredients as
black pepper, cummin seed,
mustard seed & ~~red~~ ^{red} ~~chilli~~ ^{chilli}
should be discarded. While
~~discussing the matter~~ ^{discussing the matter}
~~the Committee~~ ^{the Committee}
~~is of opinion~~ ^{is of opinion}
that it should
be a rule that the condiments
used in curry should be
grown within the Tail prison

but as regards the raising
of anti-scorbutic vegetables
the latter tail bridge here
has not sufficient allowance
for the climate of the South
India. In any case the vegetables
mentioned in the report can
be grown only with the greatest
difficulty & could never be
raised in quantities sufficient
to supply a large number of
convicts; but, while ^{recognizing} ~~admitting~~
this, H. C. is still ^{believes} ~~in~~ ^{proper} ~~the~~
opinion that sufficient attention
has not been paid to the
duties of gardening. It tends
to ~~show~~ its importance should
be constantly borne in mind
by the Sg. & the Superintendent
of Tails. A saving might
possibly be effected by the
manufacture of curry-powder
in a few Tails & its distribution
to other Tails within reasonable
distances; this the Committee
will consider. The ^{Inspector-General} ~~largest~~
should accept in from the
latter bridge & composition
of the curry-powder in
use in the Tails of Lower
Bengal.

142 1/2 10.
22. Chapter ~~XXV~~ 151
H. C. does not appear to
have noticed the remarks in
the report upon the excessive
quantity of fuel ~~burned~~
used in the Madras Tails. This
is a matter upon which it
is ~~impossible~~ ^{necessary} to defer. It
seems that, while the average
daily allowance ^{of fuel} per head for
fuel is 24 ounces in the Presidency
generally, in Coimbatore the
fuel is ^{with an expenditure of only} ~~cooked for 20~~
11 ounces. This is a matter which
requires the immediate inves-
tigation of the Sg. & the will
report. Whether the economical
system in force in Coimbatore
cannot be introduced elsewhere.

23. Chapter ~~XXVI~~

The first thing which that is
necessary in regard to Tail
gardens is to ascertain the
area available in each Tail
for this purpose, the portions
necessary for raising anti-
& anti-scorbutic vegetables
can then be marked off &
the space remaining will serve
for the cultivation of mangoes,
limes, tamarinds, & similar
fruits. As regards the class of
vegetables it will probably
be found better to confine
attention to the indigenous

3

Such work and the definition of labor proposed in para 25. Since the ~~being~~ weaving of carpets may be continued as recommended by the Lf. but it should be a general principle that manufactures useful to Govt. should be undertaken in preference to those of a purely commercial nature. ~~Some~~ ^{in respect of} unskilled labor which cannot be utilized in manufacture the best occupation is probably to be found in animal husbandry & farming but as regards employment much must be left to the discretion of Superintendents & Lf. in ~~the~~ ^{the} has no desire to lay down ~~any~~ ^{any} rules on the subject.

26. Chapter XXVI

The Sanjal rules in regard to the treatment of lunatics have been adopted by the Govt. & will be incorporated in the Jail Code when revised.

27. Chapter XXVII

This Chapter will be considered by the Govt. which will report whether any ~~revisions~~ ^{revisions} ~~shall~~ ^{shall} modifications are necessary in the present rules regarding remission. ~~Some~~ ^{some} ~~of the~~ ^{of the} ~~provisions of this Chapter~~ ^{provisions of this Chapter} ~~are~~ ^{are} ~~expressed~~ ^{expressed} in the letter to the Govt. of India.

28. Chapter XXVIII

The Lf. objects to the introduction

The Govt. of India has been informed that the Govt. objects to the suggestion "Hitting Ticket" & ~~the~~ ^{the} suggestion has been made to extend the benefits of the mark system to all convicts confined in Central Jails.

OK

of making changes in the system of Parades & discipline of the Govt. leaves the matter to his discretion, but it would be as well to draw up general rules upon the subject to be dealt with in this Chapter for incorporation in the Jail Code.

29. Chapter XXIX

The Lf. will frame & submit for approval rules for the management of Burmese convicts. He should at once carry out the suggestions in the Report in regard to their dress but no change in the present dietary appears to be called for. The Lf. objects to the proposal ~~to~~ ^{to} ~~establish~~ ^{establish} a native committee to look Burman. appears well-founded but it is undoubtedly desirable that Messrs Burmese convicts should receive instruction in some Indian colloquial language & for this purpose special classes should be formed.

30. Chapter XXX

~~The Lf. appears to be in agreement with the suggestion that all the suggestions at the suggestion to have a printed form of forwarding letter for the purpose of giving cover to appeals appears worthy of adoption. The remaining proposals in this Chapter~~

limiting the right of appeal
through the jail authorities
are strongly disapproved of
by Gov.

31. Chapter xxx.

The ~~first~~ vigorous brought forward by the Sg. against the appointment of hon. official visitors are not convincing & the Govt is of opinion that the system should be given a trial. Accordingly all District Magistrates are requested to report at an early date the names of the ~~the number of~~ hon-official visitors assuming for each Central & District Jail & to give the names of those gentlemen who are willing to undertake the duties. The hon-official visitors will be expected to visit the Jails periodically & to record their impressions. ~~themselves~~

32. Chapter XXXX.

32. Crayton
There seems no doubt that the
former account in the Tails of
this Presidency are unimpeachable
and the J. G. in his
letter read at the head of
the Proceedings; has not
dealt with the subject
sufficiently. The

10th Committee will now collect samples of every form then authorized or unauthorized in use in the Tails & compare them carefully with those suggested by Mr. Walker & Littlebridge. Upon conclusion of this investigation the Committee will submit for the approval of the acts of forms arranged in the way suggested in para. 2 of Chapter ~~XXXX~~ & will explain the necessity for such variation proposed. It will probably be found that the Code nos 11, 12 & 27 can be merged in the Committee's act 10 & 14, Tail Code act 21 & 22 should ^{possibly} be abolished & Committee's act 21 & 27 intro-duced. Tail Code act 29, 45 & 47 ^{which} ~~do not seem~~ ^{be wanted} ~~if be~~ ^{the necessity for} will also ~~be~~ ^{be} ~~abolished~~ ^{abolished} & act 43 & 44 ^{will also} ~~be~~ ^{be} ~~abolished~~ ^{abolished} ^{if appear} ^{if} ^{the necessity be} taken from all Tails & Storekeepers a system which the Govt considers should be brought into force. On the other hand it seems to be to maintain a Treasury Pass Book in every Tail & the suggestions in paras 4(17), 10 & 11 also ~~seem~~ ^{deserve}

Consideration. The J. of. gives
with the J. of. in considering
the accounts suggested for
Subsidiary Tails as un-
necessarily numerous but
awaits the observations of
the Committee upon this
subject. The Committee
should also report upon
the Returns ^{to be} submitted in
future & in ^{subsequent} Admini-
stration Reports the J. of.
Tails will report state
definitely ~~whether~~ whether
he has examined the records
of all Tails inspected & to
what extent the orders of
J. of. in regard to them are
carried out.

33. Chapter XXII

The various recommendations
in this Chapter, which has not
been fully dealt with by the
J. of., will be considered by the
Committee. The J. of. is requested
to report the reason for the absence
of occupants from a large number
of cells in the Coimbatore Central
Jail & the Prisonery.

34. The particular attention of
the J. of. is drawn to the remarks
upon individual Tails contained
in the Appendixes & the statement
upon the Reformatory School
will be communicated to the
D. P. J. The J. of. will submit

P 46 14.
draft rules regarding the
transfer of leprosy prisoners
to the Criminal Ward of the
Leprosy Hospital, Madras, for
incorporation in the Tail Code.
The J. of. is of opinion that
a certain reduction is
possible in the number of
District Tails & the J. of. will consider
this matter carefully &
report upon it.

35. It will probably be found
necessary to effect considerable
modifications in the Tail Code
& the task of revision may
possibly require the services
of a special officer; orders upon
this subject will, however, be
passed upon receipt of
the report of the local
Committee.

36. The following letter will be
despatched to the J. of. of
India.
(M. L. & Co.)
(From orders.)

19 Oct.
Col. Headmaster Smith.
To J. of. Tails
D. P. J.
Surg. Genl.
All D. P. J.
Copy to India Home Office.

180 Litter.

17. 11. 1889
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Sir,
In reply to your communication dated the 16th Sept. 1889, regarding the opinion of this Govt. upon certain portions of the Report of the Committee appointed to Enquire into matters connected with Jail Administration in India, I am directed to forward the following remarks upon those ^{chapters} of the Report which appear to require reply. These are dealt with below ^{separately} chapter by chapter, & from the accompanying copy of the Proceedings of this Govt., you will be able to ascertain the orders passed upon those portions of the Report which were merely left entirely to the discretion of this Govt. & in regard to which no report was desired by H.E. the G.O. in C.

2. Chapter II

The various suggestions appearing in this Chapter are of such a nature that this Govt. hesitate to express any opinion on the subject until a further without further consideration.

It will be observed from the
accompanying letter, that
a Committee is to be appointed
for the purpose of making
full enquiry into certain
of the proposals of the Report
& to the above Committee
the questions raised in this
Chapter will be referred. At
the same time the District
Magistrates will be consulted
& upon receipt of their
replies & of the report of
the Committee the Govt. of
India will be further addressed
on the subject. It may however
be stated at once that this
Govt. strongly disapproves
of the proposal made in
para 12 of Chapter II, the
only officers who could be
appointed as Superintendents
of Subsidiary Tails are
the Tahsildar Magistrates
& it is immediately undesirable
that they should be withdrawn
from the control of the District
Magistrates & permitted to
correspond direct with the
Inspector-General of Tails.
*The system suggested in para 16 of Chapter II
is also strongly disapproved.*
Chapter II. In regard to the
changes proposed in this
Chapter also the Govt. is not
prepared to pronounce de-

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finitely as yet & will
await the report of
the local Committee. Upon
receipt of its opinion
the various questions relating
to establishment, manding
of prisoners, the abolition
of the Cannanore Tail, the
conversion of the Salem Central
into a District Tail & the
alteration of the system of
Superintendence in the Tanjore
& Palamcottah Tails will
receive due attention. ~~It is~~
~~undoubtedly~~ ~~generally~~
~~to be~~ ~~administered~~
~~by~~ ~~the~~ ~~Govt.~~ ~~of~~ ~~India.~~ ~~There~~
~~is~~ ~~no~~ ~~doubt~~ ~~that~~ ~~you~~ ~~are~~ ~~certain~~ ~~of~~ ~~the~~ ~~suggestion~~
~~contained~~ ~~in~~ ~~this~~ ~~Chapter~~ ~~it~~
~~is~~ ~~possible~~ ~~to~~ ~~express~~ ~~the~~ ~~views~~
~~of~~ ~~this~~ ~~Govt.~~ ~~at~~ ~~once.~~ ~~The~~ ~~purpose~~
~~of~~ ~~the~~ ~~abolition~~ ~~of~~ ~~the~~ ~~Potacamund~~
~~Tail~~ ~~for~~ ~~example~~ ~~is~~ ~~approved~~
~~but~~ ~~on~~ ~~the~~ ~~other~~ ~~hand~~ ~~the~~
~~suggested~~ ~~increase~~ ~~in~~ ~~the~~
~~pay~~ ~~of~~ ~~Central~~ ~~Tail~~ ~~Superintendents~~
~~after~~ ~~eighteen~~ ~~years~~ ~~service~~
~~is~~ ~~open~~ ~~to~~ ~~objection.~~ ~~The~~ ~~Govt.~~
~~of~~ ~~India~~ ~~is~~ ~~already~~ ~~informed~~
~~of~~ ~~the~~ ~~reasons~~ ~~which~~ ~~lead~~ ~~to~~
~~the~~ ~~Govt.~~ ~~to~~ ~~protest~~ ~~against~~ ~~the~~ ~~abolition~~
~~of~~ ~~the~~ ~~post~~ ~~of~~ ~~Superintendent~~
~~a~~ ~~Central~~ ~~Tail~~ ~~to~~ ~~the~~ ~~rank~~ ~~of~~
~~Commissioned~~ ~~Medical~~ ~~Officer.~~

attention ~~of the~~ of India
will be again addressed upon
that subject. Statement VII may
in the opinion of H.E. in C. be discontinued
in future. XVIII & XXII.

This Fort is disposed to dispute
the principle underlying the
arguments of the Committee
in regard to jail discipline.
to record every offence against
discipline, of however trivial a
nature would lead to a great
increase of scriptory work
unaccompanied by any
corresponding advantage.
From the remarks contained in
Home Department Resolution dated
7 Oct. 1857 no. 23 — 1859-1860 it
would appear that the Fort
of India was itself previously
^{averse} to the system now pro-
posed, upon the ground that
it has a tendency to lead
to the infliction of unnecessary
punishments. With this opinion
the Fort of Madras is in complete
accord & considers that
the objection to the proposal
outweighs the one advantage
— uniformity of record.
Such being the case this
Fort regards the classification
subdivision of offences into
"serious" & "minor" as un-
necessary.
As regards the punishments to be

50.5 4
inflicted for infractions of Jail
rules I am to observe that
those already provided in
the Madras Jail Code have
been hitherto found sufficient
the form of punishment
which consists in prescribing
Tunny clothing. Does not indeed
find a place in the present
Jail Code & may with ad-
vantage be added, but otherwise
H.E. in C. is not prepared
to recommend any addition
to the existing list of punishment.
I am to point out that
Madras Act V of 1869 limits
the period of solitary confine-
ment to seven days & legislation
will therefore be necessary
if the Committee's proposal to
fix the maximum at fourteen
days is to be adopted. Similarly
Madras Act ^{III} of 1852 will
require amendment if a mini-
mum of fifteen stripes be
imposed in the case of
corporal punishment. For
fresh legislation this Fort sees
no sufficient reason & to
such forms of punishment
as deprivation of the morning
meal & standing handcuff.
H.E. in Council is entirely
opposed.

Chapter XXVI

The ^{proposed} rules in this chapter will be referred to the local Committee for report ~~and~~ ~~the result of the deliberations of this Govt. will be submitted to the Govt. of India & the Govt. of England & the Govt. of the Colonies~~ therefore unnecessary to deal at length with the ~~proposed~~ ~~suggested by the Govt. of India~~ ~~itinerary & the proposed~~ I say that this Govt. concurs in looking upon Rules 18 & 20 of the proposed rules as unaltered ~~by~~. H.E. in Council is opposed to the introduction of a "History Ticket" which is suggested in para 3 of Chapter XXVI; the objections to the proposal are numerous, in the first place the amount of labor required to keep up the ticket will be considerable; in the second place it will form only a duplicate of part of the existing convict register & will be liable, unlike that register, to be mislaid & misplaced; & finally the entries in the ticket will be written up by various hands & an element of uncertainty will thus be introduced. The advantages which will counterbalance these objections, are not apparent. I am further directed to suggest that the convict system

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should be extended so as to bring within its scope all prisoners sentenced ^{for} ~~to~~ imprisonment for one year & upwards. If this be done ^{convicts} ~~all~~ ~~prisoners~~ confined in Central Tails will have the advantages of good conduct brought prominently before them & the effect upon the discipline of these Tails can hardly fail to be beneficial.

Chapter XXVII

The question of transportation will be made the subject of a separate communication; it is only necessary to observe that this Govt. approves generally of the proposed rules, some of which are already in force in this Presidency, & that measures will be taken to introduce such others as, after consideration, appear desirable. I am to add that this Govt. is in favor of removing the prohibition against the deportation of female term-prisoners to Andaman.

Chapter XXVIII

The proposal to appoint local official visitors for Tails ~~has~~ ^{has} ~~been~~ ^{been} ~~the~~ ^{the} approval of this Govt. & steps will be taken to carry

meet the wishes of the Govt
of India in this respect.

(Reminders)

to
Govt.

To Govt. of India (Home)
Copy to be circulated with the
Govt.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:

Order, 18 Nov 90. No. 1804.

With the first of the Letters
read above, the Govt. of India forwarded
for the consideration of this Govt.
the report of the Committee which
was appointed at the close of
1888 to inquire into certain matters
of Jail administration. This
report had been referred to the
Inspector General of Jails for
opinion and his remarks formed
the second of the preceding papers.
The inquiry conducted by D. R.
Walker & Colthridge was very
exhaustive, and covered nearly
the whole range of Jail adminis-
tration and as observed by
the

15 1/2

the Govt. of India their reports
 contain valuable suggestions
 for the improvement of the
 working of jails. After
 careful consideration of the
 whole correspondence, H.E. the
 Governor in Council has come
 to the conclusion that before a
 final decision on many of
 their recommendations is arrived
 at ^{it will be advantageous to make} further enquiry ~~concerning~~
~~the~~ ~~present~~ ~~state~~ ~~of~~ ~~the~~ ~~jails~~
 to depute an officer in special
 duty to make a full report
 in co-operation with the
~~Inspector General of Jails~~
 under that the current work-
 ing of the department which
 needs the closest attention of
 the Inspector General may not
 be interfered with. It is
 hoped the Govt. proceed to
 pass the necessary matters
 which seem already to be ripe
 for decision or for disposal
 which instructions are given
 in this regard.

To be substituted
 12/1/11
 of the printed draft

and as the current work requires the Inspector
 General's ~~exclusive~~ ^{exclusive} attention & no other
 member of the Jail Dept is available,
 has resolved to

24/1/11

28/1/11

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1804

9/18/11 November 1890

The Collectors of
The District Magistrates of

Sept 24/11/90

Anantapur. 8
North Arcot, Chittoor. 8
South Arcot, Cuddalore. 8
Bellary. 8
South Canara, Mangalore. 8
Chingleput, Saidapet. 8
Coimbatore. 8
Cuddapah. 8
Ganjam, Chatrapur. 8
Godavari, Cocanada. 8
Kistna, Masulipatam. 8
Kurnool. 8
Madras (when necessary)
Madura. 8
Malabar, Calicut. 10
Nilgiris, Ootacamund. 8
Nellore. 8
Salem. 8
Tanjore. 8
Tinnevelly. 8
Trichinopoly. 8
Vizagapatam. 8