

1. Date of issue
2. Initials of

11-11-1911

MADRAS RECORD OFFICE.

Government of Madras

DEPARTMENT.

GO. No.		Pre.
		518
Dated		1911

Not to be folded or roughly handled

130

No. 55. Read the following Extract from the Minutes of Consultation in the Judicial Department, dated 9th April 1857, No. 421.

Read the following letter from Lieut. Colonel W. E. BAKER, Secretary to the Government of India; to J. D. BOURDILLON, Esq., Secretary to the Government of Fort Saint George, dated Fort William, the 12th March 1857, No. 1201.

SIR,

Public Works Department.

Judicial.

* Honorable Court's Judicial Despatch to the Government of India, No. 2 of 1857, dated 2nd January, and the letter to which it is a reply.

I am directed by the Governor General in Council to call the attention of the Right Honorable the Governor of Madras in Council to the Despatch from the Honorable the Court of Directors noted in the margin,* sanctioning the construction on the Neilgherries of a Penitentiary for European Convicts from the several Presidencies, and to state that the Government of India await the submission of estimates for the Jail buildings.

No. 70 OF 1856.

HOME DEPARTMENT.

JUDICIAL.

The 19th August 1856.

To

THE HONORABLE THE COURT OF DIRECTORS

OF THE EAST INDIA COMPANY.

HONORABLE SIRS,

We have the honor to acknowledge the receipt of your Honorable Court's Despatch No. 23 of 1856, dated the 27th May, regarding the establishment of Jails in India for the reception of Europeans sentenced to penal servitude under Act XXIV. of 1855.

2. The proposal which we submitted to your Honorable Court in our letter of the 17th

Statement showing the number of Europeans sentenced to transportation annually, from 1843 to 1853 by all Her Majesty's Courts throughout India.						
YEAR.	For life	For 14 years	For 10 years.	For 8½ years	For 7 years	Total.
1843...	1	1	0	0	0	2
1844...	1	0	0	0	0	1
1845...	0	0	0	1	0	1
1846...	0	0	0	0	1	1
1847...	0	0	0	0	0	0
1848...	0	1	1	0	3	5
1849...	0	0	0	0	3	3
1850...	0	1	0	0	0	1
1851...	3	0	3	0	0	6
1852...	5	0	1	0	0	6
1853...	1	0	2	0	2	5
	11	3	7	1	9	31
Average per Annum 29-11.						

submitted to your Honorable Court in our letter of the 17th December 1855, was for the establishment of a Central Prison on the Neilgherries capable of accommodating 100 Prisoners. It had been ascertained by us that the number of Europeans annually sentenced to transportation by Her Majesty's Courts throughout all India on an average of 11 years from 1843 to 1853 was under 3, as shewn in the margin; and though the number of Europeans resorting to this Country was undoubtedly on the increase, we were of opinion that one general prison, like that above mentioned would be ample for the reception of all Europeans likely to be condemned to penal servitude in India for many years to come.

3. Your Honorable Court, in your Despatch under acknowledgment, however, object to this scheme on the ground of "the inconvenience of having to send one or two "prisoners to a great distance under the requisite guard as "often as a sentence of imprisonment for a lengthened period may have been passed by the Supreme Court at any

"one of the Presidencies;" and you direct that unless some material advantage is gained by

Fort Saint George, Public Works Consultation of 15th September 1857.

keeping all European prisoners in one Jail there should be a separate Jail, of moderate size, for each Presidency—that for Bengal being located at Meerut, in the Plains of Upper India. The locality of the Jails for the Madras and Bombay Presidencies is not suggested by your Honorable Court.

4. Our selection of the Neilgherries for the site of the proposed General Prison was founded as well on the consideration of their accessibility from all the Presidencies as on that of the climate being well suited to the European constitution. Your Honorable Court would appear to have overlooked the fact that the Neilgherries are even more accessible from Calcutta than Meerut is. They are also very conveniently approached from Madras and Bombay, and this convenience of approach will be vastly improved at no distant date by the construction of Railroads.

5. As to the establishment of a Prison for Europeans on the Plains we feel that we cannot too strongly urge upon your Honorable Court the inexpediency of such a measure. The sentences of the Prisoners will be for various periods of years, and even for life; and we fear that any attempt to give effect to such sentences in a Jail establishment in the Plains will be attended with the most disastrous consequences to the health of the prisoners. We earnestly beg your Honorable Court will on this ground, if on no other, reconsider the decision conveyed in your letter under acknowledgment.

6. The establishment of one general prison on the Neilgherries for all India appears to us to be a more advisable measure in every way than the construction of separate prisons for each Presidency. Besides the advantage of having all European Convicts under one system of discipline in a temperate climate, the expense of constructing and maintaining one prison capable of holding 100 persons will be little more than one-third of the expense of three small prisons capable of holding 20 or 30 each; and the results shewn in the statement entered on the margin, of paragraph 2 of this letter will, we trust, convince your Hon'ble Court that a separate Jail for each Presidency is indeed not necessary, seeing that the wants of each are so very small and the united wants of all can be conveniently met by the establishment of a general prison such as that we have proposed.

7. For all these reasons we desire to re-submit the proposal made in our letter of the 17th December last, for your Hon'ble Court's consideration, and it will afford us much gratification to receive your Hon'ble Court's early permission to carry it out, the convicts now sentenced to penal servitude being of necessity confined in the Jails at the several Presidency towns.

We are, &c.,

(Signed) CANNING,
(„) G. ANSON,
(„) J. A. DORIN,
(„) J. P. GRANT,
(„) B. PEACOCK.

(A true Copy.)

(Signed) R. B. CHAPMAN,
Offg. Under Secy. to the Govt. of India.

JUDICIAL DEPARTMENT.

No. 2 of 1857.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Letter dated 19th August (No. 70) 1856.

1. With reference to the decided opinion expressed by you as to the expediency of erecting one Jail for the reception of European Convicts in some healthy locality, rather than separate Jails for the several Presidencies, we approve, and accordingly sanction your recommendation for the erection of a Jail for the purpose mentioned, on the Neilgherries, which appear to combine the advantages of healthiness of climate, and facility of access from all the Presidencies of India.

Regarding the establishment of Jails in India for the reception of Europeans sentenced to penal servitude under Act No. XXIV. of 1855.

Fort Saint George, Public Works Consultation of 15th September 1857.

2. We have transmitted a copy of this Despatch to the Governor in Council of Madras, in reply to a communication from that Presidency on the same subject.

LONDON, }
2nd January 1857. }

We are, &c.,

(Signed) W. H. SYKES.

(„) ROSS D. MANGLES.

AND OTHER DIRECTORS.

(A true Copy.)

(Signed) R. B. CHAPMAN,
Offg. Under Secy. to the Govt. of India.

No. 297.

Extract from the Proceedings of the Right Honorable the Governor General of India in Council in the Home Department, (Judicial) under date the 25th February 1857.

Read again the letter written under date the 19th August 1856, (No. 70) to the Honorable the Court of Directors, suggesting the Establishment on the Neilgherries of a General Penitentiary for Europeans in India sentenced to penal servitude under Act No. XXIV. of 1855.

Read the Honorable Court's reply No. 2 of 1857, dated the 2nd January, sanctioning the construction of the proposed Penitentiary.

Ordered that a copy of the foregoing correspondence with the Honorable the Court of Directors be communicated to the Public Works Department where the necessary steps will be taken in communication with the Government of Fort St. George for the construction of the proposed Penitentiary for Europeans on the Neilgherries.

(A true Extract.)

(Signed) R. B. CHAPMAN,
Offg. Under Secy. to the Govt. of India.

The attention of the Government of Madras is called by the Supreme Government to the Despatch from the Honorable the Court of Directors noted in the margin, sanctioning the construction on the Neilgherries, of a Penitentiary for European Convicts from the several Presidencies, and it is stated that the Government of India await the submission of Estimates for the Jail Buildings.

2. It is observed that on receipt of the Despatch in question, the Madras Government deferred taking it into consideration in the expectation of receiving some communication from the Supreme Government relative to the kind of Jail required. From the papers now transmitted, it would seem to be a Jail capable of containing 100 European Convicts.

3. Copies of Colonel Baker's letter and its accompaniments will now be furnished to the Inspector of Prisons, and through the Department Public Works to the Engineer of the Coimbatore District. The Engineer will in communication with the Inspector submit, through the Department Public Works, Plans and Estimates of the required Building.

4. Mr. Rohde will also consider and report after an inspection of the localities and communication with the Collector of Coimbatore, the Judge of the Zillah and Principal Sudder Ameen of Ootacamund and District Engineer, what is the best site on the Neilgherries for a European Prison. The Medical Officers for the Hills should also be consulted both as to the site and plan of the Jail.

5. The Government are disposed to doubt whether it would be advisable to have the Prison at Ootacamund both for sanitary and other reasons.

6. The consideration of the Plan and Estimate for a small Prison at Ootacamund attached to the Principal Sudder Ameen's Court ordered in Extract Minutes Consultation 7th Ultimo, but

Fort Saint George, Public Works Consultation of 15th September 1857.

directed to remain in abeyance in Extract Minutes Consultation 24th Idem, may be resumed on the Inspector visiting the Hills. It would not under any circumstances be expedient to combine it with the Prison for Europeans now ordered, even if the latter were located at Ootacamund.

(True Extract and Copies.)

(Signed) T. PYCROFT,
Chief Secretary.

No. 56.

ORDER THEREON, No. 1745; dated 14th September 1857.

Ordered to be communicated to the Chief Engineer.

(Signed) H. FORBES,
Acting Secretary to Government.

Public Works 1857
Cons. 15th September

N^o 1797

Minutes of Consultation
Dep^t

9th April 1857

Trans. by Ch. Eng. g^o Decr/58
Enclosed.

Communicating copies
of Col. Baker's letter & its
accompaniments to request
ing the Cons. of the Council
to the District in commu-
nicating with the Inspector
of Prisons to submit plans
& estimates for a Jail on
the hill & heretofore capable
of containing 100 European
convicts.

With an order

Fort Saint George, Public Works Consultation of 18th May 1858.

Read the following.

No. 43. Extract from the Minutes of Consultation in the Judicial Department, dated 1st April 1858, No. 428.

Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to T. PYCROFT, Esq., Chief Secretary to the Government of Fort St. George, dated 4th March 1858, No. 99.

SIR,

I trust I may be excused for pressing on the attention of the Right Honorable the Governor in Council the importance of obtaining, without delay, one secure and proper Prison for Europeans, sentenced to penal servitude, and one secure central Prison for such Convicts as it is of great moment effectually to secure.

2. The small* Prison at Ootacamund was designed by me partly with a view to meet the necessity first alluded to. In regard to the second point, I feel some difficulty in making any suggestion, as the temporary occupation of an unfinished building would necessarily delay its completion. The erection of a small but secure Jail, at Chingleput, would perhaps be the best course next to that of pushing on the erection of the great central Jail, a measure which in my opinion cannot be safely deferred.

3. The old Jail of Chingleput is not one that would be retained under a better and more economical system, and a secure Jail for 150 prisoners, capable of being increased for 300, would be as a temporary expedient, probably the best.

4. There is not at present a single secure Jail in the country, partly from construction, partly from the impossibility of segregating dangerous offenders from those not necessarily subjected to the same strict imprisonment.

In the above letter, the Inspector of Prisons presses on the attention of Government the importance of obtaining without delay, one secure and proper Prison for Europeans, sentenced to penal servitude, and one secure central Prison for such Convicts as it is of great moment effectually to secure.

2. In regard to the first of these objects, it is observed, that an estimate for a general Prison for the confinement of Europeans was called for from the Chief Engineer in Extract Minutes of Consultation 14th September last, and he will now be desired to furnish it with all despatch.

3. Mr. Rohde states, that the small Prison at Ootacamund—attached to what is now the Principal Sudder Ameen's Court, but will be hereafter the Court of the Subordinate Judge—was designed by him partly to meet this purpose. The estimate for this Jail, it is remarked, has been included in the Budget of 1858-59. The Supreme Government will be solicited to give it early sanction. The want of some Prison in a suitable climate for the confinement of Europeans, sentenced to penal servitude, is more pressing. A short time since a prisoner whose original sentence of transportation had been changed to one of penal servitude, under Act XXIV, 1855, and who had been imprisoned for more than two years in the Madras Jail and Penitentiary, petitioned that he might be transported according to the terms of his original sentence, but his application could not be complied with. It is clear that Europeans cannot be effectually put to hard labor in the low country, and that to imprison them there for any protracted period, is cruel.

4. With respect to a secure central Prison for Natives, the Government are by no means disposed to approve the erection of a small Jail at Chingleput. It would in their view be far preferable to proceed with the great central Jail. The Government have already, 26th January last, sanctioned the plan of this Prison, it being intended that this work should be carried on gradually and a revised estimate has been called for from the Chief Engineer. On its submission the project will be laid before the Government of India for their special sanction. It will be pointed out to them, that in the opinion of the Inspector there is not a secure Jail in the Madras Presidency, and that the most serious consequences have resulted from this want. Very recently an out-break occurred in the Masulipatam Jail in which two Convicts were killed on the spot,

Fort Saint George, Public Works Consultation of 18th May 1858.

four wounded and eight escaped, of whom two are still at large, all desperate characters. The Judge has also just forwarded three prisoners whom he deems it unsafe to keep in the Masulipatam Jail, by sea to Madras, that they may be made over to the Jail at Chingleput, which Jail itself in Mr. Rohde's judgment is not a secure one.

(True Extract and Copy.)

(Signed) H. FORBES,

Acting Secretary to Government.

No. 44. Extract from the Minutes of Consultation in the Judicial Department, dated 28th April 1858, No. 548.

Read the following Extract Minutes Consultation in the Public Works Department.

Referring for consideration copy of a letter from the Chief Engineer, submitting Plans and Estimate, amounting to Rupees 1,63,200 of the expense of constructing a Central Jail at the Red Hills. (Here enter 19th April 1858, No. 723.)

1. The Government approve the plan for the Central Jail, submitted with the foregoing communication; and direct that the necessary application for the execution of the work be made, through the Public Works Department, to the Government of India.

2. The consideration of the question respecting the location of the Jail at Red Hills, will be deferred until Government are informed whether the space likely to be required for the proposed Cantonment at Avady would in any wise interfere with that wanted for the Jail.

(True Extract.)

(Signed) T. PYCROFT,

Chief Secretary.

No. 45. ORDER THEREON, No. 922; dated 14th May 1858.

Resolved accordingly that the following application be despatched to the Government of India for their early sanction to the Estimate of 1,63,200 Rupees for the erection in part of a Central Jail in the vicinity of the Presidency.

(Signed) W. H. BAYLEY,

Acting Secretary to Government.

No. 46. Ordered in consequence that the following letter be despatched.

From W. H. BAYLEY, Esq., Acting Secretary to the Government of Fort St. George; to Major R. STRACHEY, Officiating Secretary to the Government of India, P. W. D., dated 14th May 1858, No. 923.

SIR,

I am directed by the Right Honorable the Governor in Council to submit for early orders and sanction, the accompanying Estimate and Plans for the erection of a Central Prison at the Red-Hills, a few miles without the Presidency limits, at a cost in the first instance of 1,63,200 Rupees; circumstances rendering it necessary to exempt the work from the ordinary operation of the Budget rules, and to commence its structure as early as possible.

2. The proposal to build the first Central Prison in this Presidency in the locality above-named, originated in August 1855, with Mr. Rohde, the Inspector of Prisons, who after visiting the unfinished range of buildings on the banks of the Cooum, known as the Penitentiary, reported that in his opinion the object would be best provided for, by placing the Central Jail

Fort Saint George, Public Works Consultation of 18th May 1858.

at such a distance from Madras, that all prisoners sentenced to imprisonment by Her Majesty's Judges, as well as all sentenced by the Magistrates to periods of imprisonment exceeding three months, might be sent there, an opinion in which, he added, Sir Christopher Rawlinson, the Chief Justice, had expressed his hearty concurrence. He accordingly recommended the selection of the Red-Hills as affording a good situation for such a prison. As to the plan of the building, Mr. Rohde thought that it could be better and more economically arranged in a circle, or in segments of circles, having a common centre, with offices, workyards &c., in the rear, and suited to the system of separate confinement. These views having met with the approval of Government, Mr. Rohde was requested to place himself in communication with the Chief Engineer and the Chief Magistrate, and to devise a plan for the proposed prison. Colonel Faber at first estimated for a building at a cost of 4,77,600 Rupees, exclusive of drains; but the rates were far too high, and the Estimate altogether was considered to be excessive.

3. In consequence of the objection made the Chief Engineer submitted a second Estimate reducing the cost to 2,60,400 Rupees, or 2,17,200 Rupees less than the former one; the main plan of the building, or the panopticon principle, being still preserved. The details were as follows. A circular two storied building for the Warders on guard, placed in the middle of the enclosure. The Chief Warder's and Apothecary's rooms, placed at the entrance gate, with ranges on either side for the Hospital, Store, Receiving rooms &c. Houses for five other Warders placed round the prison enclosure. The three inner segments of the prison to contain 84 cells each, and the three outer segments 96 each, or altogether 540 cells; each cell being 12 feet long by 8½ feet average breadth. The buildings to be raised on basements, 2 feet above the foundations. The lower cells to be 9'7" and the upper 9'6" high. An open verandah, 7 feet broad and raised 6 inches above the ground, to run the length of the buildings on the inner side, both above and below. The circular guard building to be 24 feet in diameter, raised in a basement 2 feet above the foundations. The lower story to be 14 feet, and the upper 11 feet high; the former being surrounded by an open verandah, 8 feet broad. The two Hospital &c., ranges to contain 21 cells each, 12 feet long, 9 feet broad, and 14 feet high, with an enclosure for privies at the end. The Chief Warder's and Apothecary's Quarters to have 3 rooms. These ranges to be raised on a basement 2 feet above the foundations; and an open verandah, 8 feet broad, to extend along the rooms on the inner wide. The Warder's houses to contain 3 rooms each, 14 feet long, 11 feet broad, and 12 feet high, with an open verandah at one end; these also to be raised on a basement 2 feet above the foundations. The boundary wall to be 14 feet high. Lastly, all the buildings to be terraced, and built with brick in chunam, as being cheaper than laterite.

4. Mr. Rohde approved of this disposition and arrangement of the building, though he suggested a few alterations, which he thought would not involve any increase of expense: these were, the substitution of cast iron verandah pillars, as offering less obstruction to the view; the substitution of light iron stair cases, so placed as not to obstruct the view of the cells, in place of the heavy stair cases proposed by Colonel Faber; the omission of the parapets on the roof; an alteration in the proposed form of railing, by substituting 3 parallel iron rods secured to the posts, for wooden railing; and the use of strong durable metallic paint, in lieu of white paint. Colonel Faber having reported his approval of the alterations thus suggested by Mr. Rohde, was requested to submit a revised Estimate to suit the fresh recommendation made by this Officer, viz., to omit the three inner ranges, or segments of cells for the present, and to commence the work at once, gradually carrying it out to completion. Colonel Faber has accordingly prepared and forwarded the present Plans and Estimate amounting to 1,63,200 Rupees, providing for the proposed Central Jail at the Red-Hills, omitting the three inner ranges of cells, and including the alterations suggested by the Inspector of Prisons, as above noticed, with the exception of the iron stair cases, the adoption of which Mr. Rohde does not now press. The Chief Engineer further reports that the rates have been carefully considered with reference to the locality, after its inspection by the Superintending Engineer, and that while there is no excess in any of the calculations, the amount is believed to be altogether sufficient for the purpose in view; that allowance has been made to the extent of 2,500 Rupees for providing temporary accommodation for 500 Convicts, who are to be employed in the erection of the buildings; and that provision is also made for forming a road 5 miles long, from the Red Hills to the nearest point of

Fort Saint George, Public Works Consultation of 18th May 1858.

the Canal, from which chunam and fuel can be obtained. The Estimate provides for the following items.

	Rs.
3 Outer segments of Cells, or 288 Cells in all	92,475
Circular guard room for the Warders on duty... ..	2,680
2 Hospitals, @ 8,380 Rupees each... ..	16,760
2 Guard houses near the gate, @ 1,220 Rupees each... ..	2,440
5 Warders' houses, @ 1,420 Rupees each... ..	7,100
Apothecary's quarters, including out-Offices... ..	1,650
Do. for the Chief Warder... ..	1,650
Compound Walls... ..	20,700
Iron railings and gates	1,820
Wells and drains... ..	3,600
Levelling ground and forming roads... ..	500
Temporary accommodation for 500 Convicts to work at the erection of the Prison... ..	2,500
5 Miles of road from the Canal of the Red Hills, to convey building materials... ..	1,500
Superintendence and Contingencies... ..	7,825
Total Rupees...	1,63,290

5. It may be added that by the omission of the three inner ranges of cells, accommodation will in the first instance as shewn above be provided for only 288 Convicts, and that by the addition hereafter of these three ranges, the number which will be provided for in all will amount to 540 Convicts; but in his general report for 1855-56 the Inspector had proposed, and the Govern-

ment had subsequently* approved, that accommodation should be provided in the Central Jail for 1,148 prisoners. Mr. Rohde has however explained† that by the addition hereafter of a third

story, which the building is calculated to bear, the accommodation could be increased to 810 cells, exclusive of the 42 cells and two large general wards at the entrance, or in all 852 cells and two wards; while 200 or 300 additional second class cells in two or three floors, might be added in radial blocks; and that it is his intention to erect the female prison eventually distinct from this building, the cells to the right of the entrance being used for the present for the purpose.

6. The Inspector of prisons has since addressed the Government, pressing on their attention the importance of obtaining sanction in the above work, without delay; and I am now directed to point out to the Government of India that in the opinion of this Officer, there is not a secure Jail in the Madras Presidency, and that the most serious consequences have resulted from this want. Very recently an outbreak occurred in the Masulipatam Jail, in which two Convicts were killed on the spot, four wounded, and eight escaped, of whom two are still at large, all desperate characters. The Judge has also forwarded three prisoners, whom he deems it unsafe to keep in the Masulipatam Jail, by Sea to Madras, that they may be made over to the Jail at Chingleput, which Jail itself, in Mr. Rohde's judgment, is not a secure one. Under these circumstances, this Government have been induced to make the present application, earnestly soliciting that sanction may be given at once to the Estimate now laid before the Government of India, amounting to 1,63,200 Rupees, so that the work partially provided for in it may be immediately undertaken. Although the Government are at present in favor of the Red-Hills as the site of the proposed Jail, they would wish to be allowed some latitude in this respect. His Excellency the Commander in Chief as long been desirous that a Military Cantonment should be formed at that place, and it is at present doubtful if there be sufficient space for both purposes, the precise position of the Central Jail therefore the Government would determine hereafter.

7. I am directed to take this opportunity of requesting attention to paras. 44 @ 46 of the recently submitted Budget report for 1858-59, relating to a project of 30,000 Rupees for a Jail or Native prisoners at Ootacamund, and to solicit early sanction for this work also.

Public Works 1858 Dept
Cons. 18 May

N^o 922
Extract Mms. of Cons.
Dated 14 May 1858

From the Off^r Secy. to the
Government of India
D/28 Sept/58 No 2152
in Cons.

Directing that an application
be despatched to the Govt. of India for
early sanction to the estimate of Rs 4
163200 for the erection in front of a
central jail in the vicinity of the
Presidency -

With a letter to the Government
of India -

Los 43046