1. Date of Despatch 23-8-57
2. Date of Receipt
3. Initials of Referee

M.R.O.—No. 1—32 4-10—21-11-49

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Confidential

G.O. No. 478 Press Mis.

Dated — — 18 —

Not to be folded or roughly handled

No. 42. Read the following Extract from the Minutes of Consultation in the Judicial Department, dated 15th October 1857, No. 1351.

Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to E. MALTBY, Esq., Acting Chief Secretary to the Government of Fort Saint George, dated Ootacamund, 1st October 1857, No. 427.

SIR,

I have now the honor to forward the reply I have received from the Session Judge of Chicacole, relative to the state of the Prison Hospital, I regret that the reply is still unsatisfactory, but I am enabled to supply from private information the details on which the information given was, in my opinion, evasive.

2. Mr. Glass' statement was that the water stood 1 foot above the floor of the Hospital, the evidence of Serjeant Williams, the late Jailor, is given in support of this statement, it shews, that soon after the building was erected and before the drainage channel was cut, the floor was (as is often the case in new buildings,) damp.

3. Mr. Colquhoan's letter to Mr. Glass evades two of my questions and instead of giving the levels of the ground on which the Hospital is built, he gives the level of the *subsoil* after removing the sand, and states "the *natural* ground is 3½ feet below it (meaning I suppose below the river") and this during the monsoon is three feet under water.

4. Now I happen to have by me a memorandum given by Mr. Colquhoan to Dr. Rogers for the Superintending Surgeon's information and I find that the "basement of the Hospital is 9½ inches above the basement of the Jail and is 3 feet 6 inches *above* the surface of the tank."

5. Again Mr. Colquhoan states the water rose during a flood, on the 11th September 1854, to 3 inches above the ground around the Hospital, and *from want of drains* was not carried off. 3rd para.

6. No answer is given to my question whether after the drains had been cut and during the monsoon of 1855, the patients continued to occupy the building. I know however that they did remain.

7. In regard to the defects in the building, I can only say I did not see them. Cracks in the floor any man employed in the Engineer's Department ought to know, have nothing to do with the foundations; I very strongly suspect that any cracks in the walls are owing to a faulty description of roof, in very general use, and that a few iron ties will sufficiently secure the building.

8. It is quite enough to satisfy me that the situation of the Hospital is far less objectionable than Mr. Glass, Mr. Palmer and Mr. Colquhoan's letters would lead one to suppose, that the floor is raised 9 inches above that of the Jail, the ground around may be raised by Convict labor.

9. I do not understand Mr. Glass' objection to his note to Dr. Rogers on an official matter being used officially. It was his duty to aid in the selection of a site and his local knowledge for many years eminently qualified him to do so; he never stated any objection, then, nor at any time till my proposition, for enclosing a space for the employment of prisoners within walls, was brought forward, he himself with the full knowledge of any defective locality proposed the enclosure of the Hospital at a cost of about 1,800 Rupees.

10. The only objection I now see to the building is one the Engineers must answer, and I think it desirable that the District Engineers of Vizagapatam and Ganjam should personally visit the work and state whether the defects are such as are represented, or whether the simple plan of securing the walls by ties will not effectually secure it.

11. As it may save trouble, I annex a statement of the levels as given or deduced.

Top of Hospital basement above the *high water* mark in the river as given by Lieutenant Palmer..... 4′ 6″

Top of Hospital basement above the surface of the tank as given in Mr. Colquhoan's Memo. to Dr. Rogers..... 3′ 6″

Rise of water in the tank as given by Mr. Palmer, more than..... 6′ 0″

Distance of River, (Mr. Palmer) within.....450 yards.

Do. (Mr. Colquhoan) about.....400 yards.

Level of the floor of Hospital above that of the Jail (Mr. Colquhoan)..... 9½ inches

Level of *the ground* on which the Hospital is situated *below that* of the Jail..... 2′ 3″

Natural ground (meaning subsoil!) below the river..... 3′ 6″

12. As the basement of the building is not 3 feet or more high, I presume that Mr. Colquhoan in speaking of "*ground on which the Hospital is built*" means the same as the "*natural ground*" that is the surface of the subsoil on which rests the sand bank on which the building stands.

13. I have already shewn that the Hospital floor is 9½ inches above that of the Jail and Mr. Palmer shews it to be 4½ feet above the *high water* of the river, the distance being about 400 yards, that is, there is a fall to the *high water* of the river of upwards of 1 foot in 100 yards, the river is a rapid one and soon runs down, so much so that till 1834, there was neither bridge nor boat to cross it. The Hospital was not found damp after ordinary precautions had been taken, and unless the building is, as described, *dilapidated*, which I am inclined to question, I would recommend that my original proposition be carried out and the ground within the enclosure raised by Convict labor to the level of that about the Jail with suitable drains.

To Chief Secretary, dated 13th July 1857.

14. The Government will observe that my suggestion, that *nothing* should be done, was based on statements which I was bound to believe, but which I now consider unfounded.

15. A reference to Mr. Palmer's plan now enclosed will show that a drain might very easily be cut so that the water need not be allowed to flow down on the Hospital.

From E. B. GLASS, Esq., Session Judge of Chicacole; to J. ROHDE, Esq., Inspector of Prisons; Ootacamund, dated 15th September 1857, No. 204.

SIR,

1. With reference to your letter to me of 26th August 1857, in connection with my letter to Government, of the 20th of June, requesting to know, on what evidence I furnished the statements therein made with regard to the site and condition of the Jail Hospital of this place, I have the honor to state there is no difficulty in supplying further testimony to these facts. With regard to para. 1st of your letter, Serjeant Williams the late Jailor, makes the following statement, in the presence of the Medical Officer, Mr. Windus—"That the Hospital was frequently, and for a considerable time, so wet, and damp, as to render it necessary to employ the prisoners, in putting baskets full of dry sand upon the floors for the purpose of absorbing the water, removing the wet and replacing it, by dry sand, *daily*, which he did by order of the Medical Officer then in charge. But it was nevertheless found necessary to dig a nullah between the Hospital and tank, on the west side, not less than 6 feet deep, and the same in breadth, for the purpose of carrying off the water. This partially succeeded, but notwithstanding it was necessary to remove the sick from the Hospital, into the Jail, for some time, owing to the extreme dampness of the Hospital," and you are yourself aware, that "Mr. Windus has made the application, and been furnished with country cots to keep the sick off the wet floors."

2. With reference to my letter to the Civil Engineer of 21st February 1855, to which you allude, you may observe, it is simply in connection with the erection of a wall for the safety of the convalescent prisoners; no Military or Civil guard, being allowed. This was essential to the completion of the Hospital, and to its being serviceable in any degree in *any* weather.

3. But it appears to me that the point at issue, is not the natural results of an unfortunately chosen site, for the Hospital, of which there can be no question, but whether in its present dilapidated state, it be expedient to make the additions and enclosures you propose, at so large an outlay of public funds, or whether it would be more advisable, to have a new building erected, on a better and sounder foundation, at much smaller cost, as shewn by Lieutenant Palmer's clear and distinct survey, and statement, in his letter of the 17th June. The site of the present Hospital was selected by the Engineer Officer in charge, and the Zillah Surgeon, the parties certainly most competent to decide, on the erection of such a building, and chosen probably from its proximity to the Jail. When the point was referred to me, in a private note by Mr. Rogers, I replied (to the best of my recollection) that he, and Captain Rundall, were the best judges and if they were pleased, so was I. I should not wish (at any time when referred to, by those who may consider it due to the post I hold,) to assert my opinion in opposition, in matters in which it is presumed they are better qualified to decide. When the error committed, in the selection of the site became so unfortunately obvious, the building had been erected, and the expense undergone, and it only remained to bear with it, and rectify it in the best way the means afforded. But on the proposition being made, to incur so large an outlay to improve a building, in so dilapidated a state, as reported on examination at my request by the Assistant Civil Engineer in his letter which accompanied mine, it then became my duty, to make known to Government the facts I have already stated, and prevent what appeared to be an injudicious expenditure of public money. I have again to state the sheet of water, alluded to in my previous letter, is *now* standing below the Hospital, though the rains this season have been very deficient and that on my way to Court on the 6th Instant, I inspected the ground, in company with the Zillah Surgeon, Serjeant Williams, and Serjeant Adams the present Jailor. Enclosed is the report made at this present date, by the Sub Engineer, which fully answers your enquiries regarding the levels, and overflow.

4. Lieutenant Palmer was appointed to the charge of the Northern Trunk road, in July 1854, and had *no charge* of works at Chicacole, nor was he in the station at the time; you have been misinformed as to the height of floods, of this river, those of 1846 exceeded by very many feet those of 1854. No complaints were ever made to me, of any irregularity of Mr. Rogers' attendance at Hospital, nor had I any reason to suppose that his duties were not at all times satisfactorily performed. But before concluding this reply I must remark, that seems to me, an unusual proceeding, to quote, or make use of, a private note, addressed to another party, in public correspondence, without the permission of its author, and that notes written, in the confidence of friendly intercourse, are not usually made available in public matters.

P. S.—If the Government have been put in possession of your questions to me in your letter of 26th August, I request this answer, and additional information may also be furnished to the Government.

(Signed) E. B. G.
S. J.

Fort Saint George, Public Works Consultation of 10th November 1857.

From Mr. A. COLQUHOAN, Sub Engineer in Executive charge of Sub Division; to E. B. GLASS, Esq., Civil and Session Judge, Chicacole, dated 12th September 1857, No. 205.

SIR,

Agreeably to your request, I took the relative levels of the Jail and Hospital. The *ground* on which the latter is situated is 2'-3" *below* that of the *former*.

I beg to state the site on which the Hospital is built is but an accumulation of drifted sand from the high mounds, which line the left bank of the Chicacole (Naugoolia) river, distant about 406 yards from the Hospital. The natural ground is 3½' below it; and this during the monsoon is 3 feet *under water*.

On the 11th September 1854, during the occurrence of a flood, the ground around the Hospital was 3' under water, and owing to the non-existence of the means of carrying it off, it remained until it evaporated or was absorbed by the sandy soil and this cannot but prove unhealthy. There are two river channels running on either side of the Hospital (vide* survey) which convey a large quantity of water from the adjacent fields, and owing to the absence of these not being provided with any outlet into the river, the water accumulates about the Hospital. I saw this personally and experienced some inconvenience in having to cross it frequently on my way to Town, from the Mission House at Balga, where I resided, while the sandy nature of the soil will cause percolation necessarily conveying a dampness to the Hospital, perhaps to the Jail were it not arrested by the embankment forming the road in its front, consisting of a thick coating of metal frequently repaired by the prisoners. I should also remark the Jail is situated on the natural ground with the means of drainage towards its rear, the country falling in that direction.

* To be obligingly returned.

The serious cracks in the walls of the Hospital and the fissures extending throughout its entire floor, with indications of many other cracks, tend to confirm my opinion long ago expressed to Major Birdwood, of the faultiness of its position, and the small depth of its foundations. It was thought to remedy this by constructing a buttress at one of its angles, but how ineffectual this has been to arrest the extension of fissures only requires an inspection of the building.

Resolved that, with reference to Extract Minutes of Consultation 5th August 1857, No. 961, the letter recorded above be referred through the Public Works Department, to the Chief Engineer for the purpose of ascertaining the real facts as to the dampness of the Jail at Chicacole, and the elevation of its site in reference to the neighbouring river. That Officer will also report on the practicability of the scheme proposed by the Inspector of Prisons for the improvement of the Jail building.

Mr. Rhode has again omitted to quote the dates of previous papers on the subject on which he writes. His attention will be called to Extract Minutes of Consultation, 23rd June 1857, para. 2, No. 711, and he be desired to avoid in future such omissions, as they occasion unnecessary trouble.

(True Extract and Copies.)

(Signed) E. MALTBY,
Acting Chief Secretary.

No. 13. ORDER THEREON, No. 2078; dated 7th November 1857.

Ordered to be communicated to the Chief Engineer with a request that he will supply the information called for in the foregoing Minutes of Consultation regarding the Jail at Chicacole.

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

JUDICIAL DEPARTMENT.

No. 1351.

Extract from the Minutes of Consultation under date the 15th October 1857.

Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to E. MALTBY, Esq., Acting Chief Secretary to the Government of Fort St. George, dated Ootacamund, 1st October 1857, No. 427.

SIR,

I have now the honor to forward the reply I have received from the Session Judge of Chicacole, relative to the state of the Prison Hospital, I regret that the reply is still unsatisfactory, but I am enabled to supply from private information the details on which the information given was, in my opinion, evasive.

2. Mr. Glass' statement was that the water stood 1 foot above the floor of the Hospital, the evidence of Serjeant Williams, the late Jailor, is given in support of this statement, it shews, that soon after the building was erected and before the drainage channel was cut, the floor was (as is often the case in new buildings,) damp.

3. Mr. Colquhoan's letter to Mr. Glass evades two of my questions and instead of giving the levels of the ground on which the Hospital is built, he gives the level of the *subsoil* after removing the sand, and states " the *natural* ground is 3½ feet below it (meaning I suppose below the river") and this during the monsoon is three feet under water.

4. Now I happen to have by me a memorandum given by Mr. Colquhoan to Dr. Rogers for the Superintending Surgeon's information and I find that the " basement of the Hospital is 9½ inches above the basement of the Jail and is 3 feet 6 inches *above* the surface of the tank."

5. Again Mr. Colquhoan states the water rose during a flood, on the 11th September 1854, to 3 inches above the ground around the Hospital, and *from want of drains* was not carried off. (3rd para.)

6. No answer is given to my question whether after the drains had been cut and during the monsoon of 1855, the patients continued to occupy the building. I know however that they did remain.

7. In regard to the defects in the building, I can only say I did not see them. Cracks in the floor any man employed in the Engineer's Department ought to know, have nothing to do with the foundations; I very strongly suspect that any cracks in the walls are owing to a faulty description of roof, in very general use, and that a few iron ties will sufficiently secure the building.

8. It is quite enough to satisfy me that the situation of the Hospital is far less objectionable than Mr. Glass, Mr. Palmer and Mr. Colquhoan's letters would lead one to suppose, that the floor is raised 9 inches above that of the Jail, the ground around may be raised by Convict labor.

9. I do not understand Mr. Glass' objection to his note to Dr. Rogers on an official matter being used officially. It was his duty to aid in the selection of a site and his local knowledge for many years eminently qualified him to do so; he never stated any objection, then, nor at any time till my proposition, for enclosing a space for the employment of prisoners within walls, was brought forward, he himself with the full knowledge of any defective locality proposed the enclosure of the Hospital at a cost of about 1,800 Rupees.

10. The only objection I now see to the building is one the Engineers must answer, and I think it desirable that the District Engineers of Vizagapatam and Ganjam should personally visit the work and state whether the defects are such as are represented, or whether the simple plan of securing the walls by ties will not effectually secure it.

11. As it may save trouble, I annex a statement of the levels as given or deduced.

Top of Hospital basement above the *high water* mark in the river as given by Lieutenant Palmer..... ..... 4′ 6″

Do. above the surface of the tank as given in Mr. Colquhoan's memo. to Dr. Rogers..... 3′ 6″

Rise of water in the tank as given by Mr. Palmer, more than... ... . 6′ 0″

Distance of River, (Mr. Palmer) within..... .....450 yards.

Do. (Mr. Colquhoan) about ....400 yards.

Level of the floor of Hospital above that of the Jail (Mr. Colquhoan)..... ... 9½ inches.

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Natural ground (meaning subsoil!) below the river .... 3′ 6″

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To Chief Secretary, dated 13th July 1857.

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15. A reference to Mr. Palmer's plan now enclosed will show that a drain might very easily be cut so that the water need not be allowed to flow down on the Hospital.

(Signed) J. ROHDE,
Inspector of Prisons.

From E. B. GLASS, Esq., Session Judge of Chicacole; to J. ROHDE, Esq., Inspector of Prisons, Ootacamund, dated 15th September 1857, No. 204.

SIR,

1. With reference to your letter to me of 26th August 1857, in connection with my letter to Government, of the 20th of June, requesting to know, on what evidence I furnished the statements therein made with regard to the site and condition of the Jail Hospital of this place, I have the honor to state there is no difficulty in supplying further testimony to these facts. With regard to para. 1st of your letter, Serjeant Williams the late Jailor, makes the following statement, in the presence of the Medical Officer, Mr. Windus—"That the Hospital was frequently, and for a considerable time, so wet, and damp, as to render it necessary to employ the prisoners, in putting baskets full of dry sand upon the floors for the purpose of absorbing the water, removing the wet and replacing it, by dry sand, *daily*, which he did by order of the Medical Officer then in charge. But it was nevertheless found necessary to dig a nullah between the Hospital and tank, on the west side, not less than 6 feet deep, and the same in breadth, for the purpose of carrying off the water. This partially succeeded, but notwithstanding it was necessary to remove the sick from the Hospital, into the Jail, for some time, owing to the extreme dampness of the Hospital," and you are yourself aware, that "Mr. Windus has made the application, and been furnished with country cots to keep the sick off the wet floors."

2. With reference to my letter to the Civil Engineer of 21st February 1855, to which you allude, you may observe, it is simply in connection with the erection of a wall for the safety of the convalescent prisoners; no Military or Civil guard, being allowed. This was essential to the completion of the Hospital, and to its being serviceable in any degree in *any* weather.

3. But it appears to me that the point at issue, is not the natural results of an unfortunately chosen site, for the Hospital, of which there can be no question, but whether in its present dilapidated state, it be expedient to make the additions and enclosures you propose, at so large an outlay of public funds, or whether it would be more advisable, to have a new building erected, on a better and sounder foundation, at much smaller cost, as shewn by Lieutenant Palmer's clear and distinct survey, and statement, in his letter of the 17th June. The site of the present Hospital was selected by the Engineer Officer in charge, and the Zillah Surgeon, the parties certainly most competent to decide, on the erection of such a building, and chosen probably from its proximity to the Jail. When the point was referred to me, in a private note by Mr. Rogers, I replied (to the best of my recollection) that he, and Captain Rundall, were the best judges and if they were pleased, so was I. I should not wish (at any time when referred to, by those who may consider it due to the post I hold,) to assert my opinion in opposition, in matters in which it is presumed they are better qualified to decide. When the error committed, in the selection of the site became so unfortunately obvious, the building had been erected, and the expense undergone, and it only remained to bear with it, and rectify it in the best way the means afforded. But on the proposition being made, to incur so large an outlay to improve a building, in so dilapidated a state, as reported on examination at my request by the Assistant Civil Engineer in his letter which accompanied mine, it then became my duty, to make known to Government the facts I have already stated, and prevent what appeared to be an injudicious expenditure of public money. I have again to state the sheet of water, alluded to in my previous letter, is *now* standing below the Hospital, though the rains this season have been very deficient and that on my way to Court on the 6th Instant, I inspected the ground, in company with the Zillah Surgeon, Serjeant Williams, and Serjeant Adams the present Jailor. Enclosed is the report made at this present date, by the Sub Engineer, which fully answers your enquiries regarding the levels, and overflow.

4. Lieutenant Palmer was appointed to the charge of the Northern trunk road, in July 1854, and had *no charge* of works at Chicacole, nor was he in the station at the time; you have been misinformed as to the height of floods, of this river, those of 1846 exceeded by very many feet those of 1854. No complaints were ever made to me, of any irregularity of Mr. Rogers' attendance at Hospital, nor had I any reason to suppose that his duties were not at all times satisfactorily performed. But before concluding this reply I must remark, that seems to me, an unusual proceeding, to quote, or make use of, a private note, addressed to another party, in public correspondence, without the permission of its author, and that notes written, in the confidence of friendly intercourse, are not usually made available in public matters.

(Signed) E. B. GLASS,
Session Judge.

P. S.—If the Government have been put in possession of your questions to me in your letter of 26th August, I request this answer, and additional information may also be furnished to the Government.

(Signed) E. B. G.
S. J.

To E. B. GLASS, Esq., Civil and Session Judge, Chicacole, dated 12th September 1857, No. 205.

SIR,

Agreeably to your request, I took the relative levels of the Jail and Hospital. The *ground* on which the latter is situated is 2′-3″ *below* that of the *former*.

I beg to state the site on which the Hospital is built is but an accumulation of drifted sand from the high mounds, which line the left bank of the Chicacole (Naugoolia) river, distant about 400 yards from the Hospital. The natural ground is 3½′ below it; and this during the monsoon is 3 feet *under water*.

On the 11th September 1854, during the occurrence of a flood, the ground around the Hospital was 3′ under water, and owing to the non-existence of the means of carrying it off, it remained until it evaporated or was absorbed by the sandy soil and this cannot but prove unhealthy.

* To be obligingly returned.

There are two river channels running on either side of the Hospital (vide* survey) which convey a large quantity of water from the adjacent fields, and owing to the absence of these not being provided with any outlet into the river, the water accumulates about the Hospital. I saw this personally and experienced some inconvenience in having to cross it frequently on my way to Town, from the Mission House at Balga, where I resided, while the sandy nature of the soil will cause percolation necessarily conveying a dampness to the Hospital, perhaps to the Jail were it not arrested by the embankment forming the road in its front, consisting of a thick coating of metal frequently repaired by the prisoners. I should also remark the Jail is situated on the natural ground with the means of drainage towards its rear, the country falling in that direction.

The serious cracks in the walls of the Hospital and the fissures extending throughout its entire floor, with indications of many other cracks, tend to confirm my opinion long ago expressed to Major Birdwood, of the faultiness of its position, and the small depth of its foundations. It was thought to remedy this by constructing a buttress at one of its angles, but how ineffectual this has been to arrest the extension of fissures only requires an inspection of the building.

(Signed) A. COLQUHOAN,
Sub Engineer.
In Ex. charge of Sub Division.

(True Copy.)

(Signed) E. B. GLASS,
Session Judge.

(True Copies.)

(Signed) J. ROHDE,
Inspector of Prisons.

Resolved that, with reference to Extract Minutes of Consultation 5th August 1857, No. 961, the letter recorded above be referred through the Public Works Department, to the Chief Engineer for the purpose of ascertaining the real facts as to the dampness of the Jail at Chicacole, and the elevation of its site in reference to the neighbouring river. That Officer will also report on the practicability of the scheme proposed by the Inspector of Prisons for the improvement of the Jail building.

Mr. Rohde has again omitted to quote the dates of previous papers on the subject on which he writes. His attention will be called to Extract Minutes of Consultation, 23rd June 1857, para. 2, No. 711, and he be desired to avoid in future such omissions, as they occasion unnecessary trouble.

(True Extract and Copies.)

Acting Chief Secretary.

To the Inspector of Prisons.
,, Public Works Department, with a Plan.

Exd. F. Cartledge.

Public Works 1857 Deptt.
Abs. to Comr. 10th Nov. 1857

No 2111.

Extract Mins of Covt.
Judicial Deptt.
Dd 15th Oct. 57.
Recd 24th Oct. 57.
No. 1351.

Minds:

Requesting to ascertain from the Ch. Engr the real facts as to the insufficiency of the Jail at Chicacole & the elevation of the site in reference to the neighbouring river & report on the practicability of the scheme proposed by Mr Robde for improving the Jail building. — No. 2078. 7th Nov.

No 42843.

No 2078

Ordered to be communicated to the Chief Engineer with a request that he will supply the information called for in the foregoing Mins: of Covt: regarding the Jail at Chicacole. —

Dd 7th Nov. 1857

Copy to the Chief Engr with a Plan.