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Communicated to the Supdg Engr. 5th Circle and the Consulting Architect to Govt

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Govt. of {1883} Madras.

JUDICIAL.

Issued

Recd. Encl.

G.O., 12th February 1883, No. 376.

FEBRUARY.

Reformatory Schools.

Passing orders on the report of the Committee appointed to consider the necessity or desirability of applying the Reformatory Schools Act to the Madras Presidency.

~~Read~~

No. 167 - 24.11.76
" 2561. R. 19.6.78
Rep: 15 - 6.6.79
No. 1431 - 16.6.80. forwd
Cy. 701 - 1.3.80
Memo 261 - 6.2.80
Cy. 2851 - 16.12.80
Memo, No. 86 - 13.1.81.
~~B of No. 1407. R. 5.6.82.~~

S. E. 5th Circle
Archt to Govt
dest'd 2/3/83

Written

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

Report of the Committee on Reformatory Schools, to the Chief Secretary to Government, dated 26th October 1882, No. 296.

The Right Honorable the Governor in Council having been pleased (under Order of Government, dated 5th May 1882, No. 320, Judicial Department), to refer to a Committee the general question, whether it is necessary or desirable to bring the Reformatory Schools Act, V of 1876, into force in this Presidency, we, the Committee appointed under the said order, have the honor to submit the following report on the subject.

2. The Government desire to be satisfied, in the first place, that the numerous difficulties which surround the Reformatory system have been thoroughly investigated; in the next place that, having reference to the number of juvenile offenders in this Presidency, there is need for expensive effort at reformation under the system provided in Act V of 1876; and it is asked, whether the object aimed at cannot be secured at a comparatively trifling cost by the adoption of special arrangements for juvenile offenders in existing jails, as well as under the system proposed.

We are further desired to ascertain the results attained in the Alipore Reformatory; and to consider whether, in carrying out the Reformatory system, it would be preferable to collect all juvenile offenders in one or more Reformatories, detaining them there for long periods with the object of removing them from home influences, or to have numerous places of detention in the neighbourhood of their homes.

3. There is one objection to the Reformatory system not noticed in the order of Government, but which, in the year 1867,* the Government of India described as "insuperable," viz., the difficulty of establishing an effectual Reformatory scheme in the absence of direct religious teaching.

Difficulties stated.

4. The objections, involving matters of principle which require to be investigated, appear then to be (1) that which may be called the religious difficulty, and (2) the removal of juveniles from their homes and parents or friends; such removal adding (as in some instances it may add) the terrors of transportation to imprisonment, and involving (if it does involve) responsibility for disposal of the boys after their discharge.

It has been alleged (3) that there is no class in this country corresponding to what is known as the regular criminal class in European communities, and that the number of juveniles to whom the Reformatory system would be applicable here will consequently be found to be very small. We propose to consider this objection in connexion with the statistics available, but it involves no question of principle.

First objection—The religious difficulty.

5. Returning then to the so-called religious difficulty, we observe that the Government of India, having in 1876 passed the Reformatory Schools Act and having since then sanctioned the establishment of a Reformatory School at Alipore, must be taken to have satisfied itself that the difficulty was not insuperable.

It is hardly putting it too broadly to say that this objection, if valid, is equally valid against the whole system of State Education in India. While the Government

* Letter from the Government of India, Home Department, 16th July 1867, No. 2332, to the Government of Madras.

adheres to the principle that "no creed shall be taught in schools conducted on the principle of religious neutrality," it not only allows but directs "the great truths of religion and morality common to all mankind" to be taught in their schools.

In the standing order* of the Educational Department to which we refer, the reading books to be used in such schools are described as not only containing "lessons on benevolence, justice, truth and order," but as "inculcating the existence of a Supreme Being;" and teachers are impressed with the necessity of cultivating the moral sense of their pupils both by precept and example.

We submit that those entrusted with the charge of a Reformatory will be debarred from the teaching of religious dogma only; that religious influence may legitimately be used without violation of the principle of neutrality; that morality may be taught and discipline ensured without the inculcation of any special religious tenets. The success of the scheme of Government education in this country may be taken as sufficient proof of this. Apart from religious instruction much may be effected by moral influence and example; by teaching habits of obedience, regularity and industry; and by a judicious system of rewards and punishments. The self-respect and self-control of the boys must, as has been well said, be carefully nurtured.

Views of native gentlemen.

We think that the remarks of the native gentlemen who have favoured us with their views are especially worthy of consideration in connexion with this part of the question. Mr. Justice Muthusami Aiyar† is of opinion that there will not be any difficulty in this respect. Mr. Pattabhiram Pillai‡ says:—"Religious instruction may no doubt have a salutary effect upon the minds of young criminals, but the absence of it cannot, in my humble opinion, undo the habits of industry that they may be trained to in a Reformatory." Mr. Venkataramana Pant§ says:—"It is submitted that no religious education as to temporal conduct is ever given in this country, especially among the lower classes of the population;" and "these classes," he goes on to say, "have no notion of any kind of religion whatever." He then proceeds to show that "a sense of their accountability to their Maker" might be instilled into the minds of juveniles of the class from which young criminals mostly come, "by means of text-books speaking of God and His works, and of the responsibility of man to his Maker." "Good religious books, without the special features of any particular form of worship, will do all that is needful in this case. Nobody can object to such books."

We consider that the Government should not be deterred from establishing a Reformatory or Reformatories merely on the score of religious difficulty.

6. We now proceed to the next objection—the removal of children from their homes and their separation from parents and friends. This objection has been stated with great force by Colonel Tennant:—"Where the distance is great and the climate is different, the removal to a central Reformatory at Madras is open to grave objections; such a removal will practically be adding transportation to imprisonment."

Second objection.—Removal of children from their homes.

One great object in the Reformatory system must be to remove children from the influences of bad associates and surroundings, and even of their parents where the example of those parents is evil; and one of the first principles to be observed in selecting proper objects for Reformatory treatment is (as we shall endeavour to show further on) that if a boy has parents, relatives or friends, who will take proper care of him, he shall not be sent to a Reformatory. We submit that if a boy has no parents, relatives or friends his removal will make little difference to him, while, if he has parents and these are themselves criminals, his removal will be rather an advantage than a disadvantage. It may be assumed that a boy will not be separated from his belongings unless it has been considered necessary for the child's own good to remove him. We believe that most of the children likely to be sent to a Reformatory will be orphans, and that, where they have parents, separation will not be enforced, unless the parents have forfeited all claim to consideration by neglect of their duties or by having encouraged their children in crime.

* No. 49. † Appendix, page 17. ‡ Appendix, page 4. § Appendix, page 3.

We hope that in time Reformatories may be established at different centres, so that boys sent to them could not with justice be said to be virtually transported, and for the present we would endeavour, by means which we shall state further on, to ensure that this shall not occur in practice. In the case of hill and jungle tribes the very greatest care and discrimination would doubtless have to be exercised by a Court which has to consider whether a boy of such a class should be sent to a Reformatory far distant from his home. Indeed, it seems questionable whether such a boy would be a fit subject for a Reformatory at all. We would here draw attention to the fact that, under Section 11 of the Act, the Local Government can at any time order any youthful offender to be discharged from a Reformatory School, or removed from one such school to another. But further observations on this part of our subject will be more appropriate when we come to consider whether there should be only one or more Reformatories.

On the whole we would say that the removal of a boy to a distance from his home and surroundings, it being assumed that he will not be removed without very good reason, is not a valid objection to the Reformatory system.

7. It is in connexion with the subject of separation of youthful offenders from their homes and relatives that the Madras Government speaks of the serious responsibility of disposing of boys, on discharge, "far from their homes and aliens from their own friends and relations."

The difficulty with regard to disposal of boys on discharge.

We hardly think that it is meant that any responsibility, whether legal or moral, exists in the case of boys discharged from a Reformatory after they have attained the age of eighteen. We are all agreed in thinking that no such responsibility attaches in such a case; that the State is not bound to continue to act as the boy's guardian and to provide for his future career. It is indeed impossible that it should do so, for it is not the boy's guardian and has no longer any control over him. We apprehend that the case really in view is that in which a boy's term of detention ceases at an earlier age, when, by reason of his tender years, he may not be capable of pushing his own way.

We are not altogether unanimous as to whether or not any responsibility, in the strict sense of the word, can be said to attach to the State even in such a case. It certainly is not recognised by the Act. But we are all of opinion that, with rules to regulate the periods of detention properly framed and observed, such cases should in practice seldom, if ever, occur; and that, without reference to the question of responsibility, the Government may, by rules framed for that purpose, ensure that no boy discharged from a Reformatory shall be cast adrift on the world before he is of an age to obtain his own livelihood.

Those immediately in charge of a Reformatory should, without doubt, do all that can be done with a view to providing a career for each boy on his release, whether by apprenticing him under the Act, or by ascertaining in what trades, pursuits or occupations the boy's labor may be best and soonest employed. On behalf of the State which they represent it would be their duty to ensure, as far as possible, that the training given at the public expense be not thrown away. But we think that when the State has, by giving a training, industrial and educational, done its best to enable a youthful offender to provide for himself on discharge, and he is not discharged before he is of an age at which he may be fairly expected to make his own living, and when it has also, though without success, made every endeavour to provide a career for him, all further responsibility ceases.

In the special case of a boy's period of detention terminating before he can reasonably be expected to make his own living, and in the absence of parents or others willing to take charge of the boy and on failure to provide for him otherwise, the Superintendent or Board in charge of the Reformatory might be *authorized* to afford food and lodging to such boy until employment can be found for him, or until he attains a sufficient age. But such cases should rarely, if ever, occur.

As is said in one of the reports on Reformatory Schools in England, there can hardly be any better test of the worth and capacity of the management of such schools than success or failure to obtain employment for those trained in them. It may

reasonably be expected that the training and education given will at least place a boy in a better position than if he had simply passed through an ordinary term of imprisonment in a jail. Assuming that the majority of such boys will have learnt at least the simple elements of agricultural labor, they could hardly fail to find suitable employment; while there is no reason to doubt that those who have acquired some industrial training—in carpentry, smith's work, cane-work and the like—would be able to secure good wages by honest labor. A good opening may be looked for in the various mills, already working or likely to be started, in this Presidency. There can hardly fail to be a demand in such establishments for the labor of boys and young men trained to habits of obedience and industry. Emigration, too, might, in some instances, offer advantages and attractions; and there would be no objection to assisting youths, of an age competent to decide for themselves, to seek their fortunes in other countries, if so disposed. The Inspector-General of Jails, Bengal, informs us, with reference to his experience at Alipore, that "there would never be any difficulty in obtaining employment for any of the released boys, provided they had remained long enough at the school to have learnt thoroughly any of the trades taught," a proviso which will be met by the rules which we are about to propose.

In connexion with this subject we would recommend that each boy should be credited with the value of a portion of his labor and profits in the school, to be given to him on leaving, to help him in his start in life, as well as to act as an incentive to honest work and thrift during his training. This should be in addition to the sum which, we presume, will be furnished to enable him to return to his native place, or such other place as he may wish to settle in. This system seems to have worked well at Alipore.

We believe that any practical difficulty connected with the chance of boys being turned adrift before they are of an age to provide for themselves may be obviated. We shall endeavour to show this when treating of the age at which youthful offenders should be sent to Reformatories and the periods for which they should be detained.

Can the object be secured in Jails?

8. We have next to consider "whether there are objectionable features in the arrangement at present in force for carrying out in jails sentences of imprisonment passed upon juvenile offenders." In his letter recorded in G.O., dated 10th June 1878, No. 1179, Judicial Department, the Inspector-General of Jails stated what had then been done towards rendering the separation of juveniles from adults in jails as complete as the then prison system would admit of, as also what had been done for the education and industrial training of youthful offenders. We will not add to the length of this report by recapitulating what is recorded in the Inspector-General's letter. He concluded his remarks by saying that "it must be allowed that the prison authorities of this Presidency have gone far to meet all that it is incumbent on the Government to undertake in this direction, under the present state of the law." Great improvements have unquestionably been made in this respect of late years, especially in Central Jails and notably in the Madras Penitentiary. And similar improvements might be made in District Jails also, irrespective of any question of establishing Reformatories. But here we come to the broad question put by Government, viz., "whether the object aimed at cannot be secured at a comparatively trifling cost by the adoption of special arrangements for juvenile offenders in existing jails, just as well as under the system proposed."

It is important to understand and define what the object aimed at is.

We think we cannot do better than make use of the report submitted by a Committee to the Government of Bengal in 1874. That Committee was appointed to consider the desirability of establishing a Reformatory for the Bengal Presidency. They reported that notwithstanding that much had been done—perhaps as much as could be reasonably expected—in many jails, in regard of the first requirement—viz., complete separation of juvenile offenders from adult prisoners—as also in the way of providing education and some industrial training for such juveniles, something more was required; "We want," they said, "to ensure the detention of juvenile offenders for a sufficiently long time to effect a real reform in their characters." And in a resolution passed by the Government of India in December 1874 the following

passage, in the same sense, occurs: "To reform juvenile offenders and to train them to lead useful lives, time and seclusion are essential; and this is an entirely separate matter from penal imprisonment."

The Reformatory Act proceeds on the same principle, viz., that for a term of imprisonment there is to be substituted correctional training, and that the latter must be for a sufficiently long period to make a lasting impression on character.

The returns from the Jail Department show that out of 683 juveniles imprisoned between January 1880 and May 1882, no less than 599 were committed for terms not exceeding one year. It may be taken that at least half of these were sentenced to not more than six months. Such terms are obviously much too short to allow of any real Reformatory training.

Another branch of the question is whether, in any circumstances, it would be possible to carry out Reformatory work within the precincts of a prison.

Speaking on this subject at Calcutta in 1875, Miss Carpenter said, with reference to juvenile offenders confined in the Presidency Jail—"Everything which can be done under the circumstances is done, they (juveniles) are kept separate from adult prisoners. They are taught skilled work. In every way the officials are trying to do them good. But it is absolutely certain, it has been demonstrated in our own country (England), that no prison can ever reform children. It is impossible. If, therefore, a Reformatory School is introduced into a jail, it is merely a department of the jail." On another occasion the same lady said, "in the first place there should be nothing of the jail element in Reformatory Schools, except the element of detention, and that is not to be effected by walls, bolts, and bars, but only by means of moral discipline. These schools are not to be in any way like prisons."

We may also quote Mr. Beverley.*—"The object of the Reformatory system is to substitute for a short term of penal incarceration a longer term of detention under milder conditions, during which the child subjected to it may be trained to habits of industry and virtue. A Reformatory ought in reality to partake more of the character of a school than of a prison, and is so described in the legal literature on the subject of prisons; they are, in England, prisons without walls and warders. The main lines on which the Reformatory system has invariably been based, whether in England, America, or France, are indeed much the same, viz., the detention of the offender for a long period of corrective and industrial training, the introduction of the family system and domestic feelings and habits into the schools, and the keeping of the offender under supervision after leaving the school by placing him out in employment on probation under license previous to final discharge." When very recently a proposal was made to create a Reformatory, or something which might be a substitute for a Reformatory, in the Penitentiary at Madras, the Inspector-General of Jails was of opinion that, "on the whole, on principle, it would be injudicious to attempt to establish a Reformatory School within the precincts of such a place as the Penitentiary."

Reasons for thinking that the object aimed at cannot be secured in prisons.

9. To admit that any further improvement in prison arrangements and a mere assimilation of the conditions of penal incarceration to a course of treatment in a Reformatory School might be as efficacious as reformatory treatment proper, would be in fact to admit that the Reformatory Act is based on a wrong principle, and that legislation on the subject was uncalled for.

It may be that, notwithstanding our recommendation, the Government may not feel justified in giving the Reformatory system a trial, but rather constrained to be content with what is possible in the way of improving prison-accommodation for juveniles, and of giving better industrial training and education to boys undergoing sentences in jail; but we cannot think that the object aimed at, if we rightly apprehend what that object is, can possibly be attained by such a course as well as by that which we now advocate, if indeed it is likely to be attained at all.

We are unanimously of opinion that the penal incarceration of juveniles, either in a prison, or in a Reformatory attached to a prison, can never be made to fulfil the conditions or effect the objects of the true Reformatory system.

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* See Appendix, page 24.
"A paper read before the Bengal Social Science Association in 1878."

It will not be out of place to notice here that, as stated by Sir Alexander Arbuthnot when moving the Reformatory Schools Bill, in 1875, "this subject had, so long ago as 1861, engaged the attention of the Legislature;" that in the Codes of Criminal Procedure passed respectively in 1861 and 1872, the Legislature kept in view the necessity of enabling Courts and Magistrates to send juvenile offenders to Reformatories; that in 1867 the Government of this Presidency made a forcible representation on the subject; and that in 1875 the Government of India "had come to the conclusion that it was no longer desirable to postpone resort to legislation on the subject;" that the Act passed in consequence of that resolution has now been in force for more than five years.

The Alipore Reformatory School.

10. Under that Act a school, controlled by a Board of Management, was opened at Alipore on the 20th February 1878.

The following is a short *resumé* of the results obtained, based partly on information kindly furnished by the Inspector-General of Jails in Bengal, and partly on the official reports upon the institution for the years 1880 and 1881:—

"Accommodation was provided for one hundred boys from all parts of the (Bengal) Province; but lately, owing to its success, the Government have sanctioned the opening of another Reformatory School at Hazaribagh. This will be set apart for juvenile prisoners of Behar and Chota Nagpur, while the Alipore School will be reserved for boys from the Lower Provinces. * * *. The Alipore School has been always full and applications from Magistrates of nearly every District in the Province, for the admission of juvenile offenders, have had to be refused. * * *. As yet only one boy has been admitted into the Hazaribagh Reformatory, but the Government have sanctioned the transfer of 25 boys from Alipore to start it.

"The number of boys admitted at Alipore to date (1882) is 188. The number of boys discharged to date is 43. Information has been received about 33 of the discharged boys; 30 bear a good character and 3 only have relapsed."

The following table shows the details of admissions and discharges during the years 1880 and 1881:—

	1880.	1881.
Boys in the school on 1st January	96	103
Committed from Alipore and Calcutta	9	15
Do. from "other Districts"	15	11
Recaptured	2	..
	122	129
Released on expiry of sentence	11	17
Do. by special sanction	2	2
Died	2	3
Escaped	3	1
Sent to a Magistrate for trial	1	..
	19	23

The average number in school was 85·67 in 1879, 98·32 in 1880, and 102·36 in 1881.

In the same three years the cost of dieting per head was reduced from Rs. 30-7-3 to 28-8-7 and 25-12-10.

The cost of the fixed establishment varied from Rs. 6,882 in 1879 to 8,282 in 1880 and 8,133 in 1881. The increase was in the salary assigned to the Superintendent.

In the same three years the aggregate cost rose from Rs. 11,428 to 13,100, but again fell to 12,452. The rise was due to the cause just mentioned. These figures give the cost per head in the three years respectively as Rs. 133-5-6, 132-5-7, and 122-1-1.

The net profit on manufactures in 1879 was only Rs. 1,851, but it rose in 1880 to Rs. 2,538 and to Rs. 4,993, or very nearly Rs. 5,000 in 1881.

Thus each successive year shows a considerable decrease in the cost per head and increase in the profits—a result which might reasonably be expected in the first few years of the experiment.

In paragraph 7 (*ad finem*) we recommended that each boy should be credited with a proportion of his earnings, and we stated that this system had worked well at Alipore. It is described as follows by the Inspector-General of Jails, Bengal, but in quoting his description we must not be understood to imply that we would adopt the system in its entirety. This, however, will be a question to be dealt with by the Board of Management after the establishment of a Reformatory has been sanctioned—

"Under the mark system the boys may earn by good conduct, attention at school and good workmanship at the trades, one anna a week; half of which they have the option of spending on sweetmeats, &c., and the balance is deposited for them in the local Savings' Bank; so that well behaved boys can thus earn two annas a month or Rs. 1-8-0 a year. On the recommendation of the Superintendent the Board have further sanctioned 4 annas a week to deserving boys who excel in good workmanship, who give extra work, and who exert themselves in teaching other boys. This is debited to 'Manufacture,' and being in addition to the money earned for marks, a boy may make as much as $1\frac{1}{4}$ rupees a month or 15 rupees a year. Hence a boy, whose sentence is five years and who earns during the last two years Rs. 15 can take with him on his release about Rs. 30 or more; and a boy whose sentence is seven years may accumulate as much as Rs. 70, while one who has earned nothing during a stay of four or five years is not likely to profit by any gratuitous help."

Suggestions as to what boys should be sent to Reformatories.

11. We will now consider the questions, "Who are the most proper subjects for Reformatory treatment?" and "For what periods is it desirable that those sent to such schools should be detained, so far as the Act allows of the exercise of discretion in this respect?"

The Legislature, after full consideration, resolved to leave it to the discretion of the Courts to decide who are "proper persons" to be inmates of such schools. But we think it very desirable that there should be some authoritative exposition of the principles which the Government would wish to see applied in the matter; and it may be assumed that those, to whom is entrusted grave responsibility and a very large discretion in the matter, will be only too glad to have such a guide. These principles moreover will materially affect the number of boys who may be expected to be sent to such schools, as well as the question whether the number of juveniles whom it may be desirable to send to Reformatories is or is not sufficient to call for experiment in this direction.

We offer the following suggestions, based on the opinions of persons who have had practical experience of the system:—

(1) The most proper subjects for Reformatory treatment are those boys who are without proper parental or other control, and who have committed an offence or offences against property.

(2) As a rule, no boy should be sent to a Reformatory on a first conviction, unless there is reasonable cause for supposing that he is being trained up to, or likely again to lapse into, crime.

(3) As a rule, it is not desirable to send boys to Reformatories before they have completed their 9th or after they have completed their 13th, or at all events their 14th, year of age.

(4) Habitual juvenile offenders ought to be committed (if at all) at an early stage in their career, being less amenable to reforming influences as they approach the age of sixteen.

(5) No boy should be sent to a Reformatory if he is subject to any defect or infirmity, whether mental or physical, such as would permanently incapacitate him from learning an industry taught in the Reformatory.

(6) No boy should be sent to a Reformatory who has been convicted of an unnatural offence, or of gross indecency indicative of habitual immorality.

As to the first and second of the above suggestions we have touched upon the subject of parental control, or the absence of it, elsewhere; the second part of the first suggestion hardly requires comment.

In respect of the third suggestion it is found that boys under nine years of age are too young to profit much by strict discipline or be trained to industries; and in so far as this and the fourth suggestion apply to older boys, experience shows that, as it is inexpedient to attempt to train boys before they are old enough, so it is not desirable that commencement of the training should be deferred too long.

It should be here stated that our President does not altogether approve the fifth suggestion.

Habitual criminals.

12. It will be seen that the possibility of "habitual criminals," "hardened offenders" or whatever they may most appropriately be styled, being sent to Reformatories, is recognized in the above rules. We would not say that in no case are such offenders to be given a chance in a Reformatory; and, whatever opinions might be held on the subject, nothing could prevent a Court from sending such an offender to a Reformatory. We would, however, suggest that the earnest attention of Judges and Magistrates be directed to the following remarks on the subject.

The members of the Prison Conference which sat at Calcutta in 1877 were of opinion that "confirmed and hardened offenders, and boys convicted of certain crimes, should not be sent to Reformatories, since they would be likely to contaminate others;" and Lord Northbrook, when Viceroy, stated it as his opinion that "it would be hopeless to expect the Act to work properly if these institutions were started by filling them with boys already four or five times convicted, and whom there would be little chance of reforming."

We would, however, submit, with all the deference due to so high an authority, that the number of previous convictions is not always the best test of "moral depravity" in a boy, nor a sure guide as to whether it may or may not be desirable to give him a chance of reformation; nor does it follow as a matter of course that such a boy is most likely to corrupt others.

Whether a boy is or is not a hardened offender, unlikely to be reformed and almost certain to contaminate others, will probably be best ascertained by observance of his conduct in the Reformatory; and we would suggest that all boys, when first admitted, should be kept under a stricter discipline and surveillance than afterwards, and should not be admitted to unrestricted communication with the others, until they have passed through a probationary stage.

It will always be open to the Government to direct under Section 11, cl. b of the Act that any youthful offender be discharged, and, if discharged, that he undergo the residue of his sentence. The Government will thus be able to get rid of those found to be incorrigible and likely to contaminate others.

With reference to the proviso as to the residue of the sentence of a boy so discharged being undergone, it will be desirable for Courts and Magistrates, in sentencing juveniles whom they intend to send to a Reformatory, to bear in mind this possibility, and not to pass a shorter sentence than they would have done had they not been sending the offender to a Reformatory. It seems only right that a boy, discharged from a Reformatory as incorrigible, should not go without an amount of punishment adequate, as far as possible, to the offence of which he was convicted. In practice six months or a year will probably be ample time to show whether a boy has a fair chance of profiting by detention in the school or not, but, as we shall presently show, the period of *detention* ought to be fixed (subject to the possibility of the order for detention in a Reformatory being cancelled by reason of the boy's unfitness to remain an inmate) with reference to considerations wholly apart from those which may determine the length and nature of the *sentence* to be awarded.

Periods of detention.

13. As to the minimum periods for which offenders should be detained, rules submitted by the Bengal Government were approved by the Government of India in 1878. These will be found printed on page 22 of the Appendix to this Report. They are published in the *Gazette of India*, dated 16th March 1878, page 132. Understanding that the Alipore Board of Management had recommended the revision of these rules, we wished to ascertain in what respect they had been found

defective. But it appears from the Resolution passed upon the report for the Alipore School for the year 1881 that the Government of Bengal has resolved not to recommend the alteration of the rules. We have not been able to obtain a copy of the Resolution containing the reasons for that decision.

The rules sanctioned for Bengal are, by the Notification of the Government of India, confined to the territories subject to the Lieutenant-Governor of Bengal. We have to consider whether we should recommend that these rules be made applicable to this Presidency. If not, whether any rules having the force of law under the Act are required, and if so, what.

The effect of the rules sanctioned by the Government of India is, (*a*) that in the case of a boy sent to a Reformatory on a first conviction, if the boy is under ten years of age, he shall be detained for not less than five years; if he is over ten years of age, for not less than three years; (*b*) that in the case of a boy convicted a second time of "a similar offence," if under ten years of age, he shall be detained for not less than seven years, and if over ten years of age, for not less than five years; (*c*) that in the case of a boy ordered, on a first conviction, to be detained in a Reformatory, such boy, (1) if he belongs to a criminal tribe, (2) or if either of his parents is an habitual criminal, (3) or if he is destitute, (4) and (or?) if the offence of which he is convicted is one arguing great depravity, *may* be treated as if he had been before convicted of "a similar offence," in which case, if under ten, he must be detained for not less than seven years, and if over ten, for not less than five years.

We think that objection may be taken to these rules on several grounds. In our opinion, it is not desirable to make the length of the term of detention depend on whether a boy is sent to a Reformatory on a first or subsequent conviction, or whether he belongs to a criminal class, or on the nature of the offence; that the term of detention should not be regulated with reference to the amount of punishment which would have been awarded if the boy had not been sent to a Reformatory, but rather with reference to the following consideration—what length of time is required to effect a real reformation in the boy's character, to give him an educational and industrial training that will be of real service, and to ensure that he shall not be thrown on his own resources before he is able to provide for himself. Under the rules in force in Bengal a boy sent to a Reformatory on a first conviction need not necessarily be ordered to be detained for more than five years; if under ten years of age when he first entered, he would be hardly old enough when discharged to make his own way; and if sent to a Reformatory when only just over ten years, a boy might be out again when little more than thirteen.

We think that the first consideration should be, what boys are to be taken to be the most proper subjects for Reformatory treatment, and then that for whatever reasons selected, and whether sent on a first or second or subsequent conviction, the term of their detention should be fixed with a view to their not leaving the school until the treatment has had time to effect a radical change in their habits, and until they may be of age at which they may be fairly expected to provide for themselves. It seems to us that boys who have completed their sixteenth year may, for all practical purposes, so far as providing for themselves goes, be considered to be of mature age.

It is true that according to the law now in force the general rule is that minority does not cease till completion of the eighteenth year. But the Majority Act has reference more particularly to legal capacity. Up to the year 1875 minority of males was, both by the custom of the country and by decisions of Courts in accordance with such custom, taken to end with completion of the sixteenth year.

Youths in this country are generally married before they have attained the age of sixteen; and we think we may safely say that they are generally not only regarded as capable, but are capable, of conducting most of the ordinary business of life. This would be more particularly the case with boys of the class likely to be sent to Reformatories, and with reference to the sort of work they might be expected to have to do, and the positions they might hope to fill on release. For a year or two before they attain their sixteenth year boys usually receive full wages for their labor on farms and in the fields.

We are, therefore, of opinion that in every case, and irrespective of the nature of the offence and number of convictions, the period of detention should be fixed (as far as this is possible without exceeding the maximum allowed under the Act) so as to ensure that a boy be not released until he approaches the completion of his sixteenth year.

A boy of nine would then, as a rule, be committed for the maximum period of seven years, and we have already stated that in our opinion boys under the age of nine should not, as a rule, be sent to Reformatories at all.

If the Government thinks it desirable that rules should be framed under the Act, prescribing the minimum periods for which juveniles should be detained, we are of opinion that the minimum periods prescribed in the Bengal rules in the case of first convictions of boys, whether under ten or over ten, are not sufficient, but that the rules should be framed on the principles above enunciated.

Is there sufficient "material" for a Reformatory.

14. We will now revert to the third objection stated in paragraph 4, viz., whether "there is no class in this country corresponding to the criminal classes" in Europe; or, as the objection has been stated elsewhere, whether the number of youthful offenders who might with propriety and advantage be sent to Reformatories is, in this country, so small as not to make it worth while to establish such institutions. We believe this will be found not to be the case. If the number is small the expense to be incurred will not be so great.

Some remarks "on the absence in this country of anything corresponding to the regular criminal classes in European cities" are made in the "Note on Jails and Jail Discipline in India, 1867-68 (selections from the records of the Government of India, Home Department, No. LXXII);" but these remarks are of a very general character, and are, we think, open to question in many respects. On the other hand in 1875 the Government of India concurred with the Government of Bengal in thinking it desirable to start a Reformatory in or near Calcutta for juvenile offenders convicted in and around that city; and, as we have shown elsewhere, the results appear to have justified the experiment, and it has been found necessary to open another school for Behar.

While it is alleged by some that there are no criminal "classes" in this country, or next to none, others again say that there are whole tribes or classes in which criminal propensities are so ineradicable that it is useless to try to reform them, and that the residue, deducting these, is so small that it is not worth while to open a Reformatory.

If no boys of such tribes or castes as the Kalla, Korava, Marava, Yerukala, Yênâdi, and such like are ever to be sent to a Reformatory, the number of juveniles for whom provision would have to be made would be considerably diminished. But, judging from what appears from the Police statistics as regards the caste of adult offenders, the proportion of those belonging to the castes and classes above specified is not very great.

Out of the 10,171 persons convicted in 1881 of ordinary thefts, no less than 4,848 were Hindus of castes other than Brahmins, Rajputs, Komaties, and others, or speaking generally were Sudras; 2037 were Pariahs; and 402 were Mussulmans—total 7,289; or more than two-thirds of the whole. Of the remainder there were—

369	Maravas and Kallas,
113	Yênâdis,
123	Koravas and Yerakalas,
416	"Other local criminal tribes,"
18	"Other wandering criminal castes,"
1,039	

or little more than one-tenth of the whole, and we have reason to believe that the proportion of juvenile convicts of these classes would be very much less. It can only be an assumption that no boy taken from such castes can possibly be reclaimed. It

was thought at one time hopeless to attempt to reform young London thieves; experience has shown that it is quite possible to train them to lead honest and useful lives.

We would not say that boys of the castes or classes above mentioned should never, under any circumstances, be sent to a Reformatory; but we may assume that Courts and Magistrates would very soon cease to send such, if experience showed reclamation of this class to be invariably and altogether hopeless. And even if it were a fact that the case of these "criminal castes" is hopeless, that does not appear to be a good reason for not giving to others a fair trial.

Jail Statistics.

15. The statistics required by Government in regard to male juvenile offenders in jails, compiled under the orders of our President, appear* in the Appendix attached to this report. The Act not applying to girls, the tables contain information as to boys only. These returns show that between the 1st January 1880 and the 31st May 1882 there were admitted into Central and District Jails 683 male juveniles, being in the proportion of 2·21 per cent. to the total male convict population, the latter being 111,203.

Of these 683 male juvenile offenders—

64	were under	10	years of age.		
149	between	10	and	12	years of age.
263	,,	12	,,	14	,,
207	,,	14	,,	16.	,,
683					

As regards previous convictions—

1	had been previously convicted	,,	,,	seven times.
1	,,	,,	,,	six ,,
5	,,	,,	,,	five ,,
26	,,	,,	,,	four ,,
41	,,	,,	,,	three ,,
79	,,	,,	,,	twice.
167	,,	,,	,,	once.
363	had not been previously convicted.			
683				

The number of juveniles sentenced to terms of imprisonment not exceeding one

year was	599
over one year, but under two	63
over two years, but under three ...	27
over three, but under five years ...	19
over five, but under ten	9
over ten years	6
	683

No less than 573, out of the total number 683 were convicted of offences coming under the definition of theft and house-breaking, 7 of murder, 8 of culpable homicide, 2 of assault, 14 of gambling, and the remainder, 79, of "other offences."

As to the mode of livelihood of these boys, 68 are entered as "beggars and vagrants," 399 as "coolies," only 5 as "habitual thieves," 16 as cultivators, the rest as respectively Weavers, Bricklayers, Carpenters and Blacksmiths.

It must be admitted that these returns do not afford much useful information as to the boys' "mode of livelihood." The jail returns can only be based on what

* Appendix, pages 28 to 33.

appears in the Magistrate's or Court's calendar; the offender's own account of his mode of livelihood is usually accepted by a Court. Out of the 400 boys who work for hire when they can get work, it is not impossible that a good many, when they cannot get work, provide for themselves by practices not strictly honest. It is simply incredible that out of all these boys only five could properly be described as habitual thieves. Lastly, as regards the Weavers, Bricklayers and others, it is not improbable that the boy's caste has been taken, and it has been assumed that he follows the trade usually followed by such caste, which may or may not be the case.

The jail statistics are, however, in another important respect insufficient for our present purpose. They show only boys admitted into Central and District Jails; they give no account of those who underwent short sentences in subsidiary jails, or of those who were whipped and let go.

Police Statistics.

16. Turning to the criminal statistics submitted by the Inspector-General of Police with his Annual Administration Reports, we find the total number of male juveniles convicted of offences under the Indian Penal Code and the class of offences of which they were convicted. We have selected the past three years, 1879, 1880 and 1881. The first of these three years is perhaps hardly normal, being too little removed from the years of famine disturbance; but the two latter years may be taken as fair samples.

The total number of male juveniles convicted of offences under the Penal Code was—

in the year 1879	1,613
„ 1880	1,260
„ 1881	1,195

The appendix contains statements showing the number of male juveniles convicted in each of these three years of offences, the nature of which we assume to be such that a Court might with propriety consider whether it might or might not be desirable to order the offender to be detained in a Reformatory. It will be seen that this question might have arisen in regard to not less than 1,428 in 1879, 1,053 in 1880, and 1025 in 1881. The proportion of those convicted of theft and of criminal trespass for commission of serious offences by day or night is very striking.

Adhering to the principle we have stated elsewhere, viz., that it is in cases of convictions of offences against property, or against property and person combined, that juveniles may most properly be subjected to Reformatory treatment, we conclude that there will not be in any year less than 1,000 boys, any of whom a Court might think a proper subject for such treatment.

Allowance must be made for the case of boys above thirteen; for those whom it might appear unnecessary to send to a Reformatory on the grounds that they have parents willing and fit to take care of them; that it is a first conviction; and so on. But a very small percentage on the convictions would in the course of a very few years fill a Reformatory capable of holding only 100 boys. Assuming that boys would be detained for sufficiently long periods, the number of vacancies would be very small as compared with the admissions; and if only five per cent. of those convicted were sent as "proper persons," such a Reformatory would be full in a couple of years.

The population of the Bengal Presidency is about 64,000,000, that of this Presidency is about 31,000,000. Already in the course of three years it has been found necessary to open a second Reformatory in Bengal, leaving that at Alipore to supply the wants of a province containing about 36,000,000. We have no reason to suppose that crime in Bengal is in excess of that in Madras in proportion to population. It follows, therefore, that the Madras population would easily fill one Reformatory on the scale of that at Alipore. We have already mentioned that many applications made by Magistrates for admission of boys to the Alipore School have been refused.

Proposal that at first boys should not be sent to the Reformatory recommended at Madras, except from certain selected Districts.

17. We propose, however, that at first boys be selected only from the Tamil Districts. It has to be seen what the proportion of male juveniles convicted in these Districts bears to the total. Reference to the statement printed at page 33 of the Appendix shows the number of male juveniles convicted under the Penal Code in these Districts to be as follows:—

Madras Town	176
Chingleput	72
South Arcot	29
Tanjore	67
Trichinopoly	37
Madura	85
Tinnevelly	60
Salem	41
Coimbatore	51
Half of North Arcot (say)	45
	663

Eliminating those convicted of offences omitted from our Statement * No. the number of those from whom selection might be with propriety made would have been, in the year 1881, $(\frac{663 \times 1000}{1195}) = 555$. Here, again, allowance must be made for those whom Courts would not commit except in special cases.

We are, however, of opinion that Courts and Magistrates, if a Reformatory were in existence, would find it advisable to send a much larger percentage of juvenile offenders to such an institution than we have above taken. Experience alone can show which view is right, and we think it very undesirable that the Act should be allowed to remain inoperative on the assumption that even a small reformatory would not be filled, seeing that, if the first experiment is made on a small scale, the expense cannot be great, and the scheme can be abandoned if it is found to be not required.

"Possible" juvenile offenders; boys living on chance, or by habitual theft.

18. It seems necessary to take some account not only of those actually convicted, but of "possible" offenders, to have reference to what is likely to be the future career of boys living on chance or by habitual theft. Mr. Nicholson, Sub-Collector, Coimbatore District, had, before he was aware of the Order of Government on which we report, endeavoured to get statistics affording some idea of the number of possible juvenile offenders, and tracing the career of those who, having been convicted as juveniles, have within the last few years become adults.

Mr. Nicholson, who takes the greatest interest in the subject, and for whose papers † communicated to us we are much indebted, succeeded in obtaining returns from the towns of Madura, Salem, and Trichinopoly only. We have not printed these returns as they are not official, but we give a summary of the results.

Making due allowance for the fact that it is the Police who describe so many of the boys as habitual thieves and pickpockets, we entertain no doubt that not only in the towns above named but in all large towns there must be a considerable number of male juveniles habitually living by theft.

In Salem town out of 54 youths under the age of 18, who have been convicted once or oftener since 1878 of offences against property, 29 have no parents; 16 of those were under 13 years of age (in 1882); all are described as known to the Police as bazaar thieves or pickpockets. There are also, it seems, 20 boys under the age of 15 known to the Police as living by begging, their parents being in all cases (except two) dead. In Madura town 88 boys, once or oftener convicted since 1878, are returned as known habitual bazaar thieves or pickpockets; 21 of them had no parents. In Trichinopoly there are 49 such boys. In many cases it is reported that these boys are deliberately employed by adults to pursue this vicious mode of life. The Superintendent of Police, Trichinopoly, has favored us with an interesting account of a waif, who lately, on release from the Trichinopoly Central Jail, implored that he might be saved from having to return to a life of crime and slavery under a

* Appendix page 33. † Appendix, pages 5 to 12

renegade Koravan turned Mussulman, who had before employed him as a railway thief, and who was waiting to get hold of the boy as soon as he came out of jail.

19. We proceed to consider the question put in the third paragraph of the G.O., dated the 5th May 1882: "whether it would be preferable to collect all juvenile offenders in one or more Reformatories" * * "or to have numerous places of detention for such juveniles in the nearer neighbourhood of their homes."

Whether there should be one or more Reformatories.

We are agreed on the following principle: that it is desirable in every way that Reformatory Schools should be, as much as possible, disconnected from jail management; that they should not be attached to jails, and should have as little as possible in common with jails. On this ground we think it would be desirable not to locate such schools up-country, even in places otherwise eligible, where there may be large central jails, such as Coimbatore and Trichinopoly. There is much to be said in favor of such places as Ranipet, Pallávaram, Arkónam, and perhaps Erode.

The conclusion however at which we have arrived, not without much deliberation, is that it will be better to start one Reformatory only and to locate it in the vicinity of Madras.

Mr. Justice Muthusami Aiyar gives, as one of the principal reasons for recommending that the Act be not introduced at present, the necessity of having at least five or six Reformatory Schools. We certainly are averse from beginning with so many schools, but we do not agree that this is a sufficient reason for putting off indefinitely all attempt to try the system. We concur, however, with the Right Rev. the Bishop of Madras that it will be desirable eventually to have at least one Reformatory in each of the great divisions into which the Presidency naturally falls with regard to language.

Appendix, page 16.

Appendix, page 1.

After full consideration then we recommend that an experiment be made in the first instance with one Reformatory only, and that it be located in the vicinity of the Presidency town. Among other reasons for selecting Madras we may give the following, which were stated by the Committee on Reformatories in Bengal as reasons for commencing with the first Reformatory in or near Calcutta: "for the sake of the more efficient supervision to be obtained thereby, and for the greater facilities which exist for providing employment for the juveniles." It is probable that a considerable proportion of the juveniles to be sent to the Reformatory will be boys of the City of Madras. But the reason which has had most weight for us is that we wish the Reformatory to be under a Board of Management rather than a Committee of Visitors, and that it will be very difficult to find a sufficient number of competent gentlemen in any up-country station.

Where the first Reformatory should be located.

To meet the objection as to distance and climate, and as to sending youths to a strange place and among strangers not even speaking the same language, and also on account of the difficulty of instructing the boys in more than one language, we should wish to see only boys from the Tamil Districts (and perhaps Tamil-speaking boys from those districts in which this and another language is spoken) sent to the Madras Reformatory. That is to say, boys should not be sent from other districts than the following:—

Madras Town,	Madura,
Chingleput,	Tinnevelly,
South Arcot,	Salem,
Tanjore,	Coimbatore,
Trichinopoly,	

and the Tamil taluks of North Arcot.

It is possible however that, even with these limitations, it will be found necessary to teach Telugu as well as Tamil. There will be no difficulty in procuring subordinate teachers capable of giving elementary instruction in both languages, but it will not be so easy to find a competent Superintendent or Master with a knowledge of both.

If this difficulty can be overcome the neighbouring Telugu districts might be included; at all events the rest of North Arcot, Cuddapah, and Nellore, the population of which is about 3,000,000.

In either case we do not think that valid objection could be taken on the score of removing juveniles to strange and too distant places. With railways over the greater part of the Southern and South-western Districts, distance ought to be considered rather with reference to time than to miles. Relatives and friends should also be allowed to visit the boys and to communicate with them in writing, subject to necessary restrictions.

No doubt if the Act were once introduced and a school established, a Court or Magistrate might, if so advised, send an offender from any district, but if the wishes of the Government were expressed in accordance with our suggestions, and the reasons for the limitation understood, it may safely be assumed that boys would not be sent from districts other than those selected to begin with.

20. Assuming that the school is to be located in the vicinity of Madras town, we have to consider objections taken to some sites in that neighbourhood. The Board of Revenue, concurring with the Superintendent of the Government Farms and with the Director of Public Instruction, has expressed a decided opinion against having it near, or at least in any way connected with, the Government Farm. We agree generally in this view; but the objection does not seem to apply to the site on the opposite bank of the Adyar river.

Site.

The site of the old Guindy Jail has advantages and the buildings might be utilised with economy, but there is the objection that it was a jail once, and, as before said, it seems desirable that no prison associations should be connected with the school.

Kilpauk has been suggested as a suburb in which a suitable site might be found, and it seems free from objection if a sufficient area of land can be acquired there. We consider it essential that every boy should be employed on some out-door labor during a portion of the day. It is desirable that the school should not be too near a town or bazaar to tempt the boys to break bounds; and at the same time it should not be too far from the quarters inhabited by the European and Native gentlemen whom we wish to see on the Board of Management, and others who might take an interest in the experiment.

It is not easy to indicate precisely a site possessing all these requirements. We must admit that we are not in a position to make any decided recommendation in favor of any particular site, but we retain our opinion that the school should be located in the neighbourhood of the Presidency town.

21. It rests with the Government to decide whether a Board of Management, or a Superintendent and a Committee of Visitors, should be appointed for the control and management of the school.

Whether the Reformatory should be under a Board or a Committee of Visitors.

We are of opinion that the appointment of a Board of Management is preferable to that of a Superintendent and a Committee of Visitors.

A Superintendent would virtually have the whole management of the institution in his own hands, subject to the control of the Inspector-General of Jails; the Committee of Visitors cannot do more than make suggestions for the consideration of the Inspector-General of Jails. Having more real power, a Board of Management would probably take a greater interest in the school and feel themselves under a more real responsibility, and it appears that a Board of Management has worked well at Alipore.

We have had under consideration whether a Board of Management so constituted as to fulfil the requirements of the Act, and likely to work well, could be obtained in Madras. It would be invidious and perhaps unbecoming to give the names of those from among whom, as it appeared to us, selection might be made, but we think there would not be much difficulty in securing the services of enough and competent gentlemen, both English and Native.

22. A building on the plan * submitted by the Government Architect appears to be suitable, but we would suggest the addition of a block to accommodate, say, fifteen boys, in which new comers might be kept during the probationary stage, and in which refractory boys might be confined.

Cost and Establishment.

23. The cost of the establishment required may be estimated somewhat as follows:—

1 Head Master	on	Rs. 200	per mensem.
1 Deputy Master	„	„ 75	„
1 Native Doctor		„ 25	„
1 Writer		„ 20	„
3 Teachers		„ 50	„
3 Industrial Teachers		„ 60	„
Peons		„ 70	„
Inferior servants		„ 70	„
		570	

The annual cost then will be Rs. 6,840. The food and clothing of each boy may be taken as Rs. 5 per mensem, or Rs. 6,000 per annum for 100 boys—giving a total of Rs. 12,840.

Against this must be set off the cost of each boy had he been sent to jail. Deduction must also be made on account of the boys' earnings, the profit on their labor. The net profits at Alipore have risen from Rs. 1,850 in 1879 to nearly Rs. 5,000 in 1881.

24. We would call the head of the school "the Master," rather than by any other name more suggestive of jail management. As to whether the Master should, in preference, be a European, an Eurasian, or a Native; maintenance of firm, though kindly, discipline would perhaps be more likely secured under a European Master; but it is absolutely essential that the Master should possess not only a thorough knowledge of the native language, but also real acquaintance and sympathy with native modes of thought and ways, and these requisites a native would naturally be more likely to possess. In the selection of teachers your Committee would be inclined to prefer those of the lower castes, and perhaps for choice Native Christians. The great majority of the boys will almost certainly be of the lower or lowest castes and classes, and we incline to think that teachers of the class we suggest would find it more easy to sympathise with the boys they would have to deal with, and take more real interest in the attempt to raise the moral tone of pupils of low caste and social standing than would perhaps be possible for teachers of the higher castes.

Trades, &c., to be taught, and Education to be given.

25. It is essential that the elements of gardening and agriculture should be taught to all the boys. The trades taught should be carpentry, blacksmiths' and tinsmiths' work, and perhaps cane-work, weaving and book-binding. And, as far as possible, each boy should be taught the industry principally practised in his caste.

Education proper should be confined to sound elementary teaching of the simplest character in the vernacular. The Readers used should be those of the Madras Christian Vernacular School Book Society. But perhaps in time it will be desirable to provide a special series of primary Readers for Reformatories.

The rules for the management of the Alipore School, as well as those laid down for the Hazaribagh Reformatory (which is under a Superintendent and Committee of Visitors) will be found in the Appendix.†

* Attached to the Appendix. † Pages 34 to 42.

The former have been found to work well at Alipore. If the Government accept our recommendation in favor of a Board of Management, the Alipore rules may be adopted in the main.

We do not think it necessary or desirable to go into further detail in this respect. We have * elsewhere stated that we would not adopt the system of rewards and punishments in force at Alipore in its entirety.

We submit, too, that the hours of work and school appear to be somewhat too long, and we are of opinion that boys should not go to work in the early morning without some food. From six in the evening to nine o'clock next morning is, we think, too long for boys to be without food. We find, too, from information furnished to us from Alipore, that last year it was found necessary to give the boys in that Reformatory a light meal in the early morning before commencing work.

Caste.

26. We are not apprehensive of any difficulty arising from matters connected with caste. It is found practicable to obviate or meet such difficulties in jails, and, as before said, the majority of the boys will be of low caste or no caste at all.

Summary of opinions given by gentlemen consulted.

27. This report would not be complete without acknowledgment of the communications received from the several gentlemen who have favored us with their opinions. Of those communications we proceed to give a summary. To the views stated therein we have endeavoured to give our best attention; most, if not all, of the opinions given and arguments used have been noticed in the course of our remarks. We should state that the gentlemen who are of opinion that it is not desirable to give the system a trial, on the ground that there are not enough juvenile criminals to justify the experiment, had but the scantiest figures before them on which to form their opinion.

The Right Rev. the Bishop of Madras † considers in the first place the question where Reformatories, if established, should be located; next, the qualifications which the staff of teachers should possess; and lastly, the nature of the instruction in moral and religious subjects which might be imparted to the inmates. We have already stated our concurrence in his view that eventually at least one Reformatory will be required for each of the great divisions of the Presidency in which different language is spoken. We fully concur also in what is said as to the success of the experiments depending to a very great extent on "the character and qualifications of the persons with whom rest the discipline and the instruction, the moulding of the boys' characters, and the forming of their habits." As to the character of the moral and religious instruction which may be permitted, we have expressed our views in paragraph 5 of this report.

Mr. Justice Kernan ‡ says: "I am glad to see that there is a good prospect of the system being put in force in Madras. Ever since I came to India I have endeavoured to press the subject * * and I have no doubt vast good will be done if a trial is made."

Mr. Justice Muthusami Aivar § states that he "most earnestly desires to see our juvenile offenders brought under the influence of the Reformatory system," as that system has been found to work well in England, on the Continent, and in America; and is of opinion that, if practicable, it would be much better to have Reformatory Schools than juvenile wards in existing jails. But, assuming "the question really before the Committee to be, not the abstract question whether correctional training is not a better substitute for prison labor," but the narrower one, whether, having regard to the number of juvenile offenders in this Presidency, and to the social and other difficulties which surround the Reformatory system, it is expedient to introduce Act V of 1876, he is of opinion that if the Act is to be introduced it will be necessary to have several Reformatories; that is, in addition to the one at Madras, one in the South,

* Paragraph 10. † Appendix, page 1. ‡ Appendix, page 2. § Appendix, pages 15 to 17.

one or two on the West Coast, and two in the Northern Districts. Briefly stated, the reasons for this conclusion are that the people of the country are much attached to their homes, averse from sending their children to distant districts, and strongly imbued with the spirit of the ancient family system prevailing among the Hindus: that parents and relatives would therefore feel it grievous to see their children sent from one end of the Presidency to the other; and that the boys should at the end of the term of detention be discharged in the neighbourhood of their own homes, and trained to earn a livelihood in their own districts.

Mr. Justice Muthusami Aiyar came to the conclusion upon the figures available to him—that is the figures given by the Honorable A. J. Arbuthnot in introducing the Reformatory Bill—that there would not be a sufficient number of juvenile offenders to fill "each Reformatory." In the result he seems to think that, by providing separate and improved accommodation for male juveniles in connection with existing jails, enough may be done "to satisfy, at all events for the present, the requirements of this Presidency." He further speaks of the necessity of Government finding employment for boys removed from their homes, and who may be too young, when dismissed, to take care of themselves, as another reason for hesitating to try the experiment.

We have already expressed our obligations to Mr. Nicholson, whose papers are printed at pages 5 to 12 in the Appendix. He is a firm believer in the efficacy of Reformatory treatment, and most anxious that the system should be tried by the Madras Government.

Colonel Weldon, the Chief Presidency Magistrate, is "not satisfied that sufficient grounds appear for incurring such a grave responsibility on the part of Government, the ultimate disposal of the youths being at least as serious a question as the necessity for State interference in the first instance." He adds, however, that his answer to the general question "must of course be subject to the result of investigation of the several points indicated" in the order of Government.

The Honorable Mr. Shêshiah Sâstri * is of opinion that, excluding what may be called criminal tribes, the number of juvenile criminals is too small to make the system worth a trial; he is of opinion that it is perfectly hopeless to attempt to eradicate criminal propensities from boys of such tribes as the Chentsus and Yerukalas.

The other two native gentlemen who have favored with their opinion † are strongly in favor of giving the system a fair trial.

Mr. Symonds, the Superintendent of the Madras Penitentiary, thus expresses his views: "The first thing that strikes me as not a little remarkable is that although the principle of the Reformatory system has long ago passed from theory into practice admitted to have borne good fruit, a Committee is about to sit for the settlement not merely of details preliminary to giving effect to the Reformatory Schools Act of 1876, but in reality to re-open a question that has now been discussed in all its bearings and local aspects for the last twenty years." He very strongly advocates ‡ the establishment of a Reformatory School at once.

On the other hand Major Macleod, the Superintendent of the Vellore Central Jail, another officer of much experience in such matters, is on the whole averse from trying the experiment. He refers to the immense area of this Presidency; to the paucity of juvenile criminals; to the fact that there is in this country no criminal *class* to work upon (saving perhaps in the Presidency town), such as there is in England. He draws a distinction between the reformation of the criminal classes as such, the reclamation of the masses on the one hand, and the removal of a comparatively small number of youths from evil associations on the other. He also refers to difficulties connected with caste, and with the ultimate disposal of the boys. But it appears to your Committee that Major Macleod himself states a very strong case indeed in favor of the course which they would advocate when he says that not only does a few months' imprisonment in a jail neither reform nor improve a youth nor create a

* Appendix, page 17. † Appendix, pages 2 and 4. ‡ The paper is printed separately and attached to this Report.

wholesome dread of such a punishment, but that he is satisfied that in many instances "it would have been far better for the lad had he never been sent to such a place."

(Signed) T. E. TENNANT,
Inspector-General of Jails, President.
(„) H. D. CLOETE,
Inspector-General of Police.
(„) H. B. GRIGG,
Director of Public Instruction.
(„) E. F. WEBSTER, C.S.
(„) P. P. HUTCHINS, C.S.
(„) F. BRANDT, C.S.

Order—dated 12th February 1883, No. 376, Judicial.

The paper read above embodies the very interesting report of the Committee appointed in May last (G.O., 5th May 1882, No. 320, Judicial,) to consider the necessity or desirability of applying the Reformatory Schools Act (V of 1876) to the Madras Presidency.

2. After discussing the several objections which have suggested themselves in regard to (1) the religious difficulty, (2) the removal of children from their homes, and (3) the disposal of boys on discharge—none of which it is believed need interfere with the proposed establishment of schools under the Act—the Committee express a decided opinion that the object to be aimed at, viz., reform by a long period of correctional training, cannot be attained in prisons or reformatories attached to prisons.

3. They therefore propose that the Act should be brought into force at once, but that, in the first instance, only one Reformatory School should be established in the neighbourhood of Madras, to which juvenile offenders should be sent from certain stated districts, leaving it open hereafter to establish similar schools in other divisions of the Presidency. The arrangements proposed with reference to the location and erection of buildings, the cost of establishments, methods of management and education are then gone into, and the principles enunciated on which the rules necessary under the Act should be framed.

4. His Excellency the Governor in Council has given his careful attention to these recommendations and to the mass of information which has been accumulated. He is of opinion that the conclusions arrived at by the Committee may be generally accepted, but on the question of management, he adheres to the ruling of 1876 (G.O., 13th November 1876, No. 2349, Judicial Department), and prefers a Superintendent with a Visiting Committee to a Board of Management.

5. This point excepted, the recommendations are approved, and it will now be the duty of the Inspector-General of Jails to work out the details of the scheme in communication with the Public Works Department, and to submit an estimate of the cost of carrying it out together with draft rules under Sections 21 and 22 of the Act. It will then be determined how soon the Act can be brought into force.

6. The thanks of Government are due to the Members of the Committee.

(True Extract.)

Chief Secretary.

To the Committee on Reformatory Schools.
„ Inspector-General of Jails.
„ Public Works Department.
„ Board of Revenue.

Exd. J. Wright, A. F. Aaron and T. O'Connor.

Issued

Recd. Encl.

G.O., 12th February 1883, No. 376.

FEBRUARY.

Reformatory Schools.

Passing orders on the report of the Committee appointed to consider the necessity or desirability of applying the Reformatory Schools Act to the Madras Presidency.

Gobt. of {1883} Madras.

JUDICIAL.

Issued

Recd. Encl.

G.O., 12th February 1883, No. 376.

FEBRUARY.

Reformatory Schools.

Passing orders on the report of the Committee appointed to consider the necessity or desirability of applying the Reformatory Schools Act to the Madras Presidency.

No 691 dy 3-3-83

Communicated to the Supdg Supt. Stt Coll and the Consulting architect to Govt

Dft 1/3/83

Govt. of {1883} Madras.

JUDICIAL.

Issued

Read. *Encl.*

G.O., 12th February 1883, No. 376.

FEBRUARY.

Reformatory Schools.

Passing orders on the report of the Committee appointed to consider the necessity or desirability of applying the Reformatory Schools Act to the Madras Presidency.

G.O. 167 - 24.11.76
" 2561. R. 19.6.78
Rep. 15 - 6.6.79
G.O. 1431 - 16.6.80. Encl
Lr. 701 - 1.3.80
Memo 261 - 6.8.80
Lr. 285-1 - 16.12.80
Memo, No 86 - 13.1.81.
to No 1607. R. 8-6-82.
S. & S. Circle
Ch. to Govt
Despatch 3/3/83.

Written order

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

Report of the Committee on Reformatory Schools, to the Chief Secretary to Government, dated 26th October 1882, No. 296.

The Right Honorable the Governor in Council having been pleased (under Order of Government, dated 5th May 1882, No. 320, Judicial Department), to refer to a Committee the general question, whether it is necessary or desirable to bring the Reformatory Schools Act, V of 1876, into force in this Presidency, we, the Committee appointed under the said order, have the honor to submit the following report on the subject.

2. The Government desire to be satisfied, in the first place, that the numerous difficulties which surround the Reformatory system have been thoroughly investigated; in the next place that, having reference to the number of juvenile offenders in this Presidency, there is need for expensive effort at reformation under the system provided in Act V of 1876; and it is asked, whether the object aimed at cannot be secured at a comparatively trifling cost by the adoption of special arrangements for juvenile offenders in existing jails, as well as under the system proposed.

We are further desired to ascertain the results attained in the Alipore Reformatory; and to consider whether, in carrying out the Reformatory system, it would be preferable to collect all juvenile offenders in one or more Reformatories, detaining them there for long periods with the object of removing them from home influences, or to have numerous places of detention in the neighbourhood of their homes.

3. There is one objection to the Reformatory system not noticed in the order of Government, but which, in the year 1867,* the Government of India described as "insuperable," viz., the difficulty of establishing an effectual Reformatory scheme in the absence of direct religious teaching.

4. The objections, involving matters of principle which require to be investigated, appear then to be (1) that which may be called the religious difficulty, and (2) the removal of juveniles from their homes and parents or friends; such removal adding (as in some instances it may add) the terrors of transportation to imprisonment, and involving (if it does involve) responsibility for disposal of the boys after their discharge.

Difficulties stated.

It has been alleged (3) that there is no class in this country corresponding to what is known as the regular criminal class in European communities, and that the number of juveniles to whom the Reformatory system would be applicable here will consequently be found to be very small. We propose to consider this objection in connexion with the statistics available, but it involves no question of principle.

5. Returning then to the so-called religious difficulty, we observe that the Government of India, having in 1876 passed the Reformatory Schools Act and having since then sanctioned the establishment of a Reformatory School at Alipore, must be taken to have satisfied itself that the difficulty was not insuperable.

First objection—The religious difficulty.

It is hardly putting it too broadly to say that this objection, if valid, is equally valid against the whole system of State Education in India. While the Government

* Letter from the Government of India, Home Department, 16th July 1867, No. 2332, to the Government of Madras.

adheres to the principle that "no creed shall be taught in schools conducted on the principle of religious neutrality," it not only allows but directs "the great truths of religion and morality common to all mankind" to be taught in their schools.

In the standing order* of the Educational Department to which we refer, the reading books to be used in such schools are described as not only containing "lessons on benevolence, justice, truth and order," but as "inculcating the existence of a Supreme Being;" and teachers are impressed with the necessity of cultivating the moral sense of their pupils both by precept and example.

We submit that those entrusted with the charge of a Reformatory will be debarred from the teaching of religious dogma only; that religious influence may legitimately be used without violation of the principle of neutrality; that morality may be taught and discipline ensured without the inculcation of any special religious tenets. The success of the scheme of Government education in this country may be taken as sufficient proof of this. Apart from religious instruction much may be effected by moral influence and example; by teaching habits of obedience, regularity and industry; and by a judicious system of rewards and punishments. The self-respect and self-control of the boys must, as has been well said, be carefully nurtured.

Views of native gentlemen.

We think that the remarks of the native gentlemen who have favoured us with their views are especially worthy of consideration in connexion with this part of the question. Mr. Justice Muthusami Aiyar† is of opinion that there will not be any difficulty in this respect. Mr. Pattabhiram Pillai‡ says:—"Religious instruction may no doubt have a salutary effect upon the minds of young criminals, but the absence of it cannot, in my humble opinion, undo the habits of industry that they may be trained to in a Reformatory." Mr. Venkataramana Pant§ says:—"It is submitted that no religious education as to temporal conduct is ever given in this country, especially among the lower classes of the population;" and "these classes," he goes on to say, "have no notion of any kind of religion whatever." He then proceeds to show that "a sense of their accountability to their Maker" might be instilled into the minds of juveniles of the class from which young criminals mostly come, "by means of text-books speaking of God and His works, and of the responsibility of man to his Maker." "Good religious books, without the special features of any particular form of worship, will do all that is needful in this case. Nobody can object to such books."

We consider that the Government should not be deterred from establishing a Reformatory or Reformatories merely on the score of religious difficulty.

6. We now proceed to the next objection—the removal of children from their homes and their separation from parents and friends. This objection has been stated with great force by Colonel Tennant:—"Where the distance is great and the climate is different, the removal to a central Reformatory at Madras is open to grave objections; such a removal will practically be adding transportation to imprisonment."

Second objection.—Removal of children from their homes.

One great object in the Reformatory system must be to remove children from the influences of bad associates and surroundings, and even of their parents where the example of those parents is evil; and one of the first principles to be observed in selecting proper objects for Reformatory treatment is (as we shall endeavour to show further on) that if a boy has parents, relatives or friends, who will take proper care of him, he shall not be sent to a Reformatory. We submit that if a boy has no parents, relatives or friends his removal will make little difference to him, while, if he has parents and these are themselves criminals, his removal will be rather an advantage than a disadvantage. It may be assumed that a boy will not be separated from his belongings unless it has been considered necessary for the child's own good to remove him. We believe that most of the children likely to be sent to a Reformatory will be orphans, and that, where they have parents, separation will not be enforced, unless the parents have forfeited all claim to consideration by neglect of their duties or by having encouraged their children in crime.

* No. 49. † Appendix, page 17. ‡ Appendix, page 4. § Appendix, page 3.

We hope that in time Reformatories may be established at different centres, so that boys sent to them could not with justice be said to be virtually transported, and for the present we would endeavour, by means which we shall state further on, to ensure that this shall not occur in practice. In the case of hill and jungle tribes the very greatest care and discrimination would doubtless have to be exercised by a Court which has to consider whether a boy of such a class should be sent to a Reformatory far distant from his home. Indeed, it seems questionable whether such a boy would be a fit subject for a Reformatory at all. We would here draw attention to the fact that, under Section 11 of the Act, the Local Government can at any time order any youthful offender to be discharged from a Reformatory School, or removed from one such school to another. But further observations on this part of our subject will be more appropriate when we come to consider whether there should be only one or more Reformatories.

On the whole we would say that the removal of a boy to a distance from his home and surroundings, it being assumed that he will not be removed without very good reason, is not a valid objection to the Reformatory system.

7. It is in connexion with the subject of separation of youthful offenders from their homes and relatives that the Madras Government speaks of the serious responsibility of disposing of boys, on discharge, "far from their homes and aliens from their own friends and relations."

The difficulty with regard to disposal of boys on discharge.

We hardly think that it is meant that any responsibility, whether legal or moral, exists in the case of boys discharged from a Reformatory after they have attained the age of eighteen. We are all agreed in thinking that no such responsibility attaches in such a case; that the State is not bound to continue to act as the boy's guardian and to provide for his future career. It is indeed impossible that it should do so, for it is not the boy's guardian and has no longer any control over him. We apprehend that the case really in view is that in which a boy's term of detention ceases at an earlier age, when, by reason of his tender years, he may not be capable of pushing his own way.

We are not altogether unanimous as to whether or not any responsibility, in the strict sense of the word, can be said to attach to the State even in such a case. It certainly is not recognised by the Act. But we are all of opinion that, with rules to regulate the periods of detention properly framed and observed, such cases should in practice seldom, if ever, occur; and that, without reference to the question of responsibility, the Government may, by rules framed for that purpose, ensure that no boy discharged from a Reformatory shall be cast adrift on the world before he is of an age to obtain his own livelihood.

Those immediately in charge of a Reformatory should, without doubt, do all that can be done with a view to providing a career for each boy on his release, whether by apprenticing him under the Act, or by ascertaining in what trades, pursuits or occupations the boy's labor may be best and soonest employed. On behalf of the State which they represent it would be their duty to ensure, as far as possible, that the training given at the public expense be not thrown away. But we think that when the State has, by giving a training, industrial and educational, done its best to enable a youthful offender to provide for himself on discharge, and he is not discharged before he is of an age at which he may be fairly expected to make his own living, and when it has also, though without success, made every endeavour to provide a career for him, all further responsibility ceases.

In the special case of a boy's period of detention terminating before he can reasonably be expected to make his own living, and in the absence of parents or others willing to take charge of the boy and on failure to provide for him otherwise, the Superintendent or Board in charge of the Reformatory might be *authorized* to afford food and lodging to such boy until employment can be found for him, or until he attains a sufficient age. But such cases should rarely, if ever, occur.

As is said in one of the reports on Reformatory Schools in England, there can hardly be any better test of the worth and capacity of the management of such schools than success or failure to obtain employment for those trained in them. It may

reasonably be expected that the training and education given will at least place a boy in a better position than if he had simply passed through an ordinary term of imprisonment in a jail. Assuming that the majority of such boys will have learnt at least the simple elements of agricultural labor, they could hardly fail to find suitable employment; while there is no reason to doubt that those who have acquired some industrial training—in carpentry, smith's work, cane-work and the like—would be able to secure good wages by honest labor. A good opening may be looked for in the various mills, already working or likely to be started, in this Presidency. There can hardly fail to be a demand in such establishments for the labor of boys and young men trained to habits of obedience and industry. Emigration, too, might, in some instances, offer advantages and attractions; and there would be no objection to assisting youths, of an age competent to decide for themselves, to seek their fortunes in other countries, if so disposed. The Inspector-General of Jails, Bengal, informs us, with reference to his experience at Alipore, that "there would never be any difficulty in obtaining employment for any of the released boys, provided they had remained long enough at the school to have learnt thoroughly any of the trades taught," a proviso which will be met by the rules which we are about to propose.

In connexion with this subject we would recommend that each boy should be credited with the value of a portion of his labor and profits in the school, to be given to him on leaving, to help him in his start in life, as well as to act as an incentive to honest work and thrift during his training. This should be in addition to the sum which, we presume, will be furnished to enable him to return to his native place, or such other place as he may wish to settle in. This system seems to have worked well at Alipore.

We believe that any practical difficulty connected with the chance of boys being turned adrift before they are of an age to provide for themselves may be obviated. We shall endeavour to show this when treating of the age at which youthful offenders should be sent to Reformatories and the periods for which they should be detained.

Can the object be secured in Jails?

8. We have next to consider "whether there are objectionable features in the arrangement at present in force for carrying out in jails sentences of imprisonment passed upon juvenile offenders." In his letter recorded in G.O., dated 10th June 1878, No. 1179, Judicial Department, the Inspector-General of Jails stated what had then been done towards rendering the separation of juveniles from adults in jails as complete as the then prison system would admit of, as also what had been done for the education and industrial training of youthful offenders. We will not add to the length of this report by recapitulating what is recorded in the Inspector-General's letter. He concluded his remarks by saying that "it must be allowed that the prison authorities of this Presidency have gone far to meet all that it is incumbent on the Government to undertake in this direction, under the present state of the law." Great improvements have unquestionably been made in this respect of late years, especially in Central Jails and notably in the Madras Penitentiary. And similar improvements might be made in District Jails also, irrespective of any question of establishing Reformatories. But here we come to the broad question put by Government, viz., "whether the object aimed at cannot be secured at a comparatively trifling cost by the adoption of special arrangements for juvenile offenders in existing jails, just as well as under the system proposed."

It is important to understand and define what the object aimed at is.

We think we cannot do better than make use of the report submitted by a Committee to the Government of Bengal in 1874. That Committee was appointed to consider the desirability of establishing a Reformatory for the Bengal Presidency. They reported that notwithstanding that much had been done—perhaps as much as could be reasonably expected—in many jails, in regard of the first requirement—viz., complete separation of juvenile offenders from adult prisoners—as also in the way of providing education and some industrial training for such juveniles, something more was required; "We want," they said, "to ensure the detention of juvenile offenders for a sufficiently long time to effect a real reform in their characters." And in a resolution passed by the Government of India in December 1874 the following

passage, in the same sense, occurs: "To reform juvenile offenders and to train them to lead useful lives, time and seclusion are essential; and this is an entirely separate matter from penal imprisonment."

The Reformatory Act proceeds on the same principle, viz., that for a term of imprisonment there is to be substituted correctional training, and that the latter must be for a sufficiently long period to make a lasting impression on character.

The returns from the Jail Department show that out of 683 juveniles imprisoned between January 1880 and May 1882, no less than 599 were committed for terms not exceeding one year. It may be taken that at least half of these were sentenced to not more than six months. Such terms are obviously much too short to allow of any real Reformatory training.

Another branch of the question is whether, in any circumstances, it would be possible to carry out Reformatory work within the precincts of a prison.

Speaking on this subject at Calcutta in 1875, Miss Carpenter said, with reference to juvenile offenders confined in the Presidency Jail—"Everything which can be done under the circumstances is done, they (juveniles) are kept separate from adult prisoners. They are taught skilled work. In every way the officials are trying to do them good. But it is absolutely certain, it has been demonstrated in our own country (England), that no prison can ever reform children. It is impossible. If, therefore, a Reformatory School is introduced into a jail, it is merely a department of the jail." On another occasion the same lady said, "in the first place there should be nothing of the jail element in Reformatory Schools, except the element of detention, and that is not to be effected by walls, bolts, and bars, but only by means of moral discipline. These schools are not to be in any way like prisons."

We may also quote Mr. Beverley.*—"The object of the Reformatory system is to substitute for a short term of penal incarceration a longer term of detention under milder conditions, during which the child subjected to it may be trained to habits of industry and virtue. A Reformatory ought in reality to partake more of the character of a school than of a prison, and is so described in the legal literature on the subject of prisons; they are, in England, prisons without walls and warders. The main lines on which the Reformatory system has invariably been based, whether in England, America, or France, are indeed much the same, viz., the detention of the offender for a long period of corrective and industrial training, the introduction of the family system and domestic feelings and habits into the schools, and the keeping of the offender under supervision after leaving the school by placing him out in employment on probation under license previous to final discharge." When very recently a proposal was made to create a Reformatory, or something which might be a substitute for a Reformatory, in the Penitentiary at Madras, the Inspector-General of Jails was of opinion that, "on the whole, on principle, it would be injudicious to attempt to establish a Reformatory School within the precincts of such a place as the Penitentiary."

Reasons for thinking that the object aimed at cannot be secured in prisons.

9. To admit that any further improvement in prison arrangements and a mere assimilation of the conditions of penal incarceration to a course of treatment in a Reformatory School might be as efficacious as reformatory treatment proper, would be in fact to admit that the Reformatory Act is based on a wrong principle, and that legislation on the subject was uncalled for.

It may be that, notwithstanding our recommendation, the Government may not feel justified in giving the Reformatory system a trial, but rather constrained to be content with what is possible in the way of improving prison-accommodation for juveniles, and of giving better industrial training and education to boys undergoing sentences in jail; but we cannot think that the object aimed at, if we rightly apprehend what that object is, can possibly be attained by such a course as well as by that which we now advocate, if indeed it is likely to be attained at all.

We are unanimously of opinion that the penal incarceration of juveniles, either in a prison, or in a Reformatory attached to a prison, can never be made to fulfil the conditions or effect the objects of the true Reformatory system.

* See Appendix, page 24.
"A paper read before the Bengal Social Science Association in 1878."

It will not be out of place to notice here that, as stated by Sir Alexander Arbuthnot when moving the Reformatory Schools Bill, in 1875, "this subject had, so long ago as 1861, engaged the attention of the Legislature;" that in the Codes of Criminal Procedure passed respectively in 1861 and 1872, the Legislature kept in view the necessity of enabling Courts and Magistrates to send juvenile offenders to Reformatories; that in 1867 the Government of this Presidency made a forcible representation on the subject; and that in 1875 the Government of India "had come to the conclusion that it was no longer desirable to postpone resort to legislation on the subject;" that the Act passed in consequence of that resolution has now been in force for more than five years.

10. Under that Act a school, controlled by a Board of Management, was opened at Alipore on the 20th February 1878.

The Alipore Reformatory School.

The following is a short *resumé* of the results obtained, based partly on information kindly furnished by the Inspector-General of Jails in Bengal, and partly on the official reports upon the institution for the years 1880 and 1881:—

"Accommodation was provided for one hundred boys from all parts of the (Bengal) Province; but lately, owing to its success, the Government have sanctioned the opening of another Reformatory School at Hazaribagh. This will be set apart for juvenile prisoners of Behar and Chota Nagpur, while the Alipore School will be reserved for boys from the Lower Provinces. * * * The Alipore School has been always full and applications from Magistrates of nearly every District in the Province, for the admission of juvenile offenders, have had to be refused. * * * As yet only one boy has been admitted into the Hazaribagh Reformatory, but the Government have sanctioned the transfer of 25 boys from Alipore to start it.

"The number of boys admitted at Alipore to date (1882) is 188. The number of boys discharged to date is 43. Information has been received about 33 of the discharged boys; 30 bear a good character and 3 only have relapsed."

The following table shows the details of admissions and discharges during the years 1880 and 1881:—

	1880.	1881.
Boys in the school on 1st January	96	103
Committed from Alipore and Calcutta	9	15
Do. from "other Districts"	15	11
Recaptured	2	..
	122	129
Released on expiry of sentence	11	17
Do. by special sanction	2	2
Died	2	3
Escaped	3	1
Sent to a Magistrate for trial	1	..
	19	23

The average number in school was 85·67 in 1879, 98·32 in 1880, and 102·36 in 1881.

In the same three years the cost of dieting per head was reduced from Rs. 30-7-3 to 28-8-7 and 25-12-10.

The cost of the fixed establishment varied from Rs. 6,882 in 1879 to 8,282 in 1880 and 8,133 in 1881. The increase was in the salary assigned to the Superintendent.

In the same three years the aggregate cost rose from Rs. 11,428 to 13,100, but again fell to 12,452. The rise was due to the cause just mentioned. These figures give the cost per head in the three years respectively as Rs. 133-5-6, 132-5-7, and 122-1-1.

The net profit on manufactures in 1879 was only Rs. 1,851, but it rose in 1880 to Rs. 2,538 and to Rs. 4,993, or very nearly Rs. 5,000 in 1881.

Thus each successive year shows a considerable decrease in the cost per head and increase in the profits—a result which might reasonably be expected in the first few years of the experiment.

In paragraph 7 (*ad finem*) we recommended that each boy should be credited with a proportion of his earnings, and we stated that this system had worked well at Alipore. It is described as follows by the Inspector-General of Jails, Bengal, but in quoting his description we must not be understood to imply that we would adopt the system in its entirety. This, however, will be a question to be dealt with by the Board of Management after the establishment of a Reformatory has been sanctioned—

"Under the mark system the boys may earn by good conduct, attention at school and good workmanship at the trades, one anna a week; half of which they have the option of spending on sweetmeats, &c., and the balance is deposited for them in the local Savings' Bank; so that well behaved boys can thus earn two annas a month or Rs. 1-8-0 a year. On the recommendation of the Superintendent the Board have further sanctioned 4 annas a week to deserving boys who excel in good workmanship, who give extra work, and who exert themselves in teaching other boys. This is debited to 'Manufacture,' and being in addition to the money earned for marks, a boy may make as much as 1¼ rupees a month or 15 rupees a year. Hence a boy, whose sentence is five years and who earns during the last two years Rs. 15 can take with him on his release about Rs. 30 or more; and a boy whose sentence is seven years may accumulate as much as Rs. 70, while one who has earned nothing during a stay of four or five years is not likely to profit by any gratuitous help."

11. We will now consider the questions, "Who are the most proper subjects for Reformatory treatment?" and "For what periods is it desirable that those sent to such schools should be detained, so far as the Act allows of the exercise of discretion in this respect?"

Suggestions as to what boys should be sent to Reformatories.

The Legislature, after full consideration, resolved to leave it to the discretion of the Courts to decide who are "proper persons" to be inmates of such schools. But we think it very desirable that there should be some authoritative exposition of the principles which the Government would wish to see applied in the matter; and it may be assumed that those, to whom is entrusted grave responsibility and a very large discretion in the matter, will be only too glad to have such a guide. These principles moreover will materially affect the number of boys who may be expected to be sent to such schools, as well as the question whether the number of juveniles whom it may be desirable to send to Reformatories is or is not sufficient to call for experiment in this direction.

We offer the following suggestions, based on the opinions of persons who have had practical experience of the system:—

(1) The most proper subjects for Reformatory treatment are those boys who are without proper parental or other control, and who have committed an offence or offences against property.

(2) As a rule, no boy should be sent to a Reformatory on a first conviction, unless there is reasonable cause for supposing that he is being trained up to, or likely again to lapse into, crime.

(3) As a rule, it is not desirable to send boys to Reformatories before they have completed their 9th or after they have completed their 13th, or at all events their 14th, year of age.

(4) Habitual juvenile offenders ought to be committed (if at all) at an early stage in their career, being less amenable to reforming influences as they approach the age of sixteen.

(5) No boy should be sent to a Reformatory if he is subject to any defect or infirmity, whether mental or physical, such as would permanently incapacitate him from learning an industry taught in the Reformatory.

(6) No boy should be sent to a Reformatory who has been convicted of an unnatural offence, or of gross indecency indicative of habitual immorality.

As to the first and second of the above suggestions we have touched upon the subject of parental control, or the absence of it, elsewhere; the second part of the first suggestion hardly requires comment.

In respect of the third suggestion it is found that boys under nine years of age are too young to profit much by strict discipline or be trained to industries; and in so far as this and the fourth suggestion apply to older boys, experience shows that, as it is inexpedient to attempt to train boys before they are old enough, so it is not desirable that commencement of the training should be deferred too long.

It should be here stated that our President does not altogether approve the fifth suggestion.

12. It will be seen that the possibility of "habitual criminals," "hardened offenders" or whatever they may most appropriately be styled, being sent to Reformatories, is recognized in the above rules. We would not say that in no case are such offenders to be given a chance in a Reformatory; and, whatever opinions might be held on the subject, nothing could prevent a Court from sending such an offender to a Reformatory. We would, however, suggest that the earnest attention of Judges and Magistrates be directed to the following remarks on the subject.

Habitual criminals.

The members of the Prison Conference which sat at Calcutta in 1877 were of opinion that "confirmed and hardened offenders, and boys convicted of certain crimes, should not be sent to Reformatories, since they would be likely to contaminate others;" and Lord Northbrook, when Viceroy, stated it as his opinion that "it would be hopeless to expect the Act to work properly if these institutions were started by filling them with boys already four or five times convicted, and whom there would be little chance of reforming."

We would, however, submit, with all the deference due to so high an authority, that the number of previous convictions is not always the best test of "moral depravity" in a boy, nor a sure guide as to whether it may or may not be desirable to give him a chance of reformation; nor does it follow as a matter of course that such a boy is most likely to corrupt others.

Whether a boy is or is not a hardened offender, unlikely to be reformed and almost certain to contaminate others, will probably be best ascertained by observance of his conduct in the Reformatory; and we would suggest that all boys, when first admitted, should be kept under a stricter discipline and surveillance than afterwards, and should not be admitted to unrestricted communication with the others, until they have passed through a probationary stage.

It will always be open to the Government to direct under Section 11, cl. b of the Act that any youthful offender be discharged, and, if discharged, that he undergo the residue of his sentence. The Government will thus be able to get rid of those found to be incorrigible and likely to contaminate others.

With reference to the proviso as to the residue of the sentence of a boy so discharged being undergone, it will be desirable for Courts and Magistrates, in sentencing juveniles whom they intend to send to a Reformatory, to bear in mind this possibility, and not to pass a shorter sentence than they would have done had they not been sending the offender to a Reformatory. It seems only right that a boy, discharged from a Reformatory as incorrigible, should not go without an amount of punishment adequate, as far as possible, to the offence of which he was convicted. In practice six months or a year will probably be ample time to show whether a boy has a fair chance of profiting by detention in the school or not, but, as we shall presently show, the period of *detention* ought to be fixed (subject to the possibility of the order for detention in a Reformatory being cancelled by reason of the boy's unfitness to remain an inmate) with reference to considerations wholly apart from those which may determine the length and nature of the *sentence* to be awarded.

13. As to the minimum periods for which offenders should be detained, rules submitted by the Bengal Government were approved by the Government of India in 1878. These will be found printed on page 22 of the Appendix to this Report. They are published in the *Gazette of India*, dated 16th March 1878, page 132. Understanding that the Alipore Board of Management had recommended the revision of these rules, we wished to ascertain in what respect they had been found

Periods of detention.

defective. But it appears from the Resolution passed upon the report for the Alipore School for the year 1881 that the Government of Bengal has resolved not to recommend the alteration of the rules. We have not been able to obtain a copy of the Resolution containing the reasons for that decision.

The rules sanctioned for Bengal are, by the Notification of the Government of India, confined to the territories subject to the Lieutenant-Governor of Bengal. We have to consider whether we should recommend that these rules be made applicable to this Presidency. If not, whether any rules having the force of law under the Act are required, and if so, what.

The effect of the rules sanctioned by the Government of India is, (*a*) that in the case of a boy sent to a Reformatory on a first conviction, if the boy is under ten years of age, he shall be detained for not less than five years; if he is over ten years of age, for not less than three years; (*b*) that in the case of a boy convicted a second time of "a similar offence," if under ten years of age, he shall be detained for not less than seven years, and if over ten years of age, for not less than five years; (*c*) that in the case of a boy ordered, on a first conviction, to be detained in a Reformatory, such boy, (1) if he belongs to a criminal tribe, (2) or if either of his parents is an habitual criminal, (3) or if he is destitute, (4) and (or?) if the offence of which he is convicted is one arguing great depravity, *may* be treated as if he had been before convicted of "a similar offence," in which case, if under ten, he must be detained for not less than seven years, and if over ten, for not less than five years.

We think that objection may be taken to these rules on several grounds. In our opinion, it is not desirable to make the length of the term of detention depend on whether a boy is sent to a Reformatory on a first or subsequent conviction, or whether he belongs to a criminal class, or on the nature of the offence; that the term of detention should not be regulated with reference to the amount of punishment which would have been awarded if the boy had not been sent to a Reformatory, but rather with reference to the following consideration—what length of time is required to effect a real reformation in the boy's character, to give him an educational and industrial training that will be of real service, and to ensure that he shall not be thrown on his own resources before he is able to provide for himself. Under the rules in force in Bengal a boy sent to a Reformatory on a first conviction need not necessarily be ordered to be detained for more than five years; if under ten years of age when he first entered, he would be hardly old enough when discharged to make his own way; and if sent to a Reformatory when only just over ten years, a boy might be out again when little more than thirteen.

We think that the first consideration should be, what boys are to be taken to be the most proper subjects for Reformatory treatment, and then that for whatever reasons selected, and whether sent on a first or second or subsequent conviction, the term of their detention should be fixed with a view to their not leaving the school until the treatment has had time to effect a radical change in their habits, and until they may be of age at which they may be fairly expected to provide for themselves. It seems to us that boys who have completed their sixteenth year may, for all practical purposes, so far as providing for themselves goes, be considered to be of mature age.

It is true that according to the law now in force the general rule is that minority does not cease till completion of the eighteenth year. But the Majority Act has reference more particularly to legal capacity. Up to the year 1875 minority of males was, both by the custom of the country and by decisions of Courts in accordance with such custom, taken to end with completion of the sixteenth year.

Youths in this country are generally married before they have attained the age of sixteen; and we think we may safely say that they are generally not only regarded as capable, but are capable, of conducting most of the ordinary business of life. This would be more particularly the case with boys of the class likely to be sent to Reformatories, and with reference to the sort of work they might be expected to have to do, and the positions they might hope to fill on release. For a year or two before they attain their sixteenth year boys usually receive full wages for their labor on farms and in the fields.

We are, therefore, of opinion that in every case, and irrespective of the nature of the offence and number of convictions, the period of detention should be fixed (as far as this is possible without exceeding the maximum allowed under the Act) so as to ensure that a boy be not released until he approaches the completion of his sixteenth year.

A boy of nine would then, as a rule, be committed for the maximum period of seven years, and we have already stated that in our opinion boys under the age of nine should not, as a rule, be sent to Reformatories at all.

If the Government thinks it desirable that rules should be framed under the Act, prescribing the minimum periods for which juveniles should be detained, we are of opinion that the minimum periods prescribed in the Bengal rules in the case of first convictions of boys, whether under ten or over ten, are not sufficient, but that the rules should be framed on the principles above enunciated.

Is there sufficient "material" for a Reformatory.

14. We will now revert to the third objection stated in paragraph 4, viz., whether "there is no class in this country corresponding to the criminal classes" in Europe; or, as the objection has been stated elsewhere, whether the number of youthful offenders who might with propriety and advantage be sent to Reformatories is, in this country, so small as not to make it worth while to establish such institutions. We believe this will be found not to be the case. If the number is small the expense to be incurred will not be so great.

Some remarks "on the absence in this country of anything corresponding to the regular criminal classes in European cities" are made in the "Note on Jails and Jail Discipline in India, 1867-68 (selections from the records of the Government of India, Home Department, No. LXXII);" but these remarks are of a very general character, and are, we think, open to question in many respects. On the other hand in 1875 the Government of India concurred with the Government of Bengal in thinking it desirable to start a Reformatory in or near Calcutta for juvenile offenders convicted in and around that city; and, as we have shown elsewhere, the results appear to have justified the experiment, and it has been found necessary to open another school for Behar.

While it is alleged by some that there are no criminal "classes" in this country, or next to none, others again say that there are whole tribes or classes in which criminal propensities are so ineradicable that it is useless to try to reform them, and that the residue, deducting these, is so small that it is not worth while to open a Reformatory.

If no boys of such tribes or castes as the Kalla, Korava, Marava, Yerukala, Yênâdi, and such like are ever to be sent to a Reformatory, the number of juveniles for whom provision would have to be made would be considerably diminished. But, judging from what appears from the Police statistics as regards the caste of adult offenders, the proportion of those belonging to the castes and classes above specified is not very great.

Out of the 10,171 persons convicted in 1881 of ordinary thefts, no less than 4,848 were Hindus of castes other than Brahmins, Rajputs, Komaties, and others, or speaking generally were Sudras; 2037 were Pariahs; and 402 were Mussulmans—total 7,289; or more than two-thirds of the whole. Of the remainder there were—

369	Maravas and Kallas,
113	Yênâdis,
123	Koravas and Yerakalas,
416	"Other local criminal tribes,"
18	"Other wandering criminal castes,"
1,039	

little more than one-tenth of the whole, and we have reason to believe that the portion of juvenile convicts of these classes would be very much less. It can only an assumption that no boy taken from such castes can possibly be reclaimed. It

was thought at one time hopeless to attempt to reform young London thieves; experience has shown that it is quite possible to train them to lead honest and useful lives.

We would not say that boys of the castes or classes above mentioned should never, under any circumstances, be sent to a Reformatory; but we may assume that Courts and Magistrates would very soon cease to send such, if experience showed reclamation of this class to be invariably and altogether hopeless. And even if it were a fact that the case of these "criminal castes" is hopeless, that does not appear to be a good reason for not giving to others a fair trial.

Jail Statistics.

15. The statistics required by Government in regard to male juvenile offenders in jails, compiled under the orders of our President, appear* in the Appendix attached to this report. The Act not applying to girls, the tables contain information as to boys only. These returns show that between the 1st January 1880 and the 31st May 1882 there were admitted into Central and District Jails 683 male juveniles, being in the proportion of 2·21 per cent. to the total male convict population, the latter being 111,203.

Of these 683 male juvenile offenders—

64	were under	10	years of age.		
149	between	10	and 12	years of age.	
263	,,	12	,, 14	,,	
207	,,	14	,, 16.	,,	
683					

As regards previous convictions—

1	had been previously convicted	,,	,,	seven times.
1	,,	,,	,,	six ,,
5	,,	,,	,,	five ,,
26	,,	,,	,,	four ,,
41	,,	,,	,,	three ,,
79	,,	,,	,,	twice.
167	,,	,,	,,	once.
363	had not been previously convicted.			
683				

The number of juveniles sentenced to terms of imprisonment not exceeding one

year was	599
over one year, but under two	63
over two years, but under three ...	27
over three, but under five years ...	19
over five, but under ten	9
over ten years	6
	683

No less than 573, out of the total number 683 were convicted of offences coming under the definition of theft and house-breaking, 7 of murder, 8 of culpable homicide, 2 of assault, 14 of gambling, and the remainder, 79, of "other offences."

As to the mode of livelihood of these boys, 68 are entered as "beggars and vagrants," 399 as "coolies," only 5 as "habitual thieves," 16 as cultivators, the rest as respectively Weavers, Bricklayers, Carpenters and Blacksmiths.

It must be admitted that these returns do not afford much useful information as to the boys' "mode of livelihood." The jail returns can only be based on what

* Appendix, pages 28 to 33.

appears in the Magistrate's or Court's calendar; the offender's own account of his mode of livelihood is usually accepted by a Court. Out of the 400 boys who work for hire when they can get work, it is not impossible that a good many, when they cannot get work, provide for themselves by practices not strictly honest. It is simply incredible that out of all these boys only five could properly be described as habitual thieves. Lastly, as regards the Weavers, Bricklayers and others, it is not improbable that the boy's caste has been taken, and it has been assumed that he follows the trade usually followed by such caste, which may or may not be the case.

The jail statistics are, however, in another important respect insufficient for our present purpose. They show only boys admitted into Central and District Jails; they give no account of those who underwent short sentences in subsidiary jails, or of those who were whipped and let go.

16. Turning to the criminal statistics submitted by the Inspector-General of Police with his Annual Administration Reports, we find the total number of male juveniles convicted of offences under the Indian Penal Code and the class of offences of which they were convicted. We have selected the past three years, 1879, 1880 and 1881. The first of these three years is perhaps hardly normal, being too little removed from the years of famine disturbance; but the two latter years may be taken as fair samples.

Police Statistics.

The total number of male juveniles convicted of offences under the Penal Code was—

in the year 1879	1,613
„ 1880	1,260
„ 1881	1,195

The appendix contains statements showing the number of male juveniles convicted in each of these three years of offences, the nature of which we assume to be such that a Court might with propriety consider whether it might or might not be desirable to order the offender to be detained in a Reformatory. It will be seen that this question might have arisen in regard to not less than 1,428 in 1879, 1,053 in 1880, and 1025 in 1881. The proportion of those convicted of theft and of criminal trespass for commission of serious offences by day or night is very striking.

Adhering to the principle we have stated elsewhere, viz., that it is in cases of convictions of offences against property, or against property and person combined, that juveniles may most properly be subjected to Reformatory treatment, we conclude that there will not be in any year less than 1,000 boys, any of whom a Court might think a proper subject for such treatment.

Allowance must be made for the case of boys above thirteen; for those whom it might appear unnecessary to send to a Reformatory on the grounds that they have parents willing and fit to take care of them; that it is a first conviction; and so on. But a very small percentage on the convictions would in the course of a very few years fill a Reformatory capable of holding only 100 boys. Assuming that boys would be detained for sufficiently long periods, the number of vacancies would be very small as compared with the admissions; and if only five per cent. of those convicted were sent as "proper persons," such a Reformatory would be full in a couple of years.

The population of the Bengal Presidency is about 64,000,000, that of this Presidency is about 31,000,000. Already in the course of three years it has been found necessary to open a second Reformatory in Bengal, leaving that at Alipore to supply the wants of a province containing about 36,000,000. We have no reason to suppose that crime in Bengal is in excess of that in Madras in proportion to population. It follows, therefore, that the Madras population would easily fill one Reformatory on the scale of that at Alipore. We have already mentioned that many applications made by Magistrates for admission of boys to the Alipore School have been refused.

17. We propose, however, that at first boys be selected only from the Tamil Districts. It has to be seen what the proportion of male juveniles convicted in these Districts bears to the total. Reference to the statement printed at page 33 of the Appendix shows the number of male juveniles convicted under the Penal Code in these Districts to be as follows:—

Proposal that at first boys should not be sent to the Reformatory recommended at Madras, except from certain selected Districts.

Madras Town	176
Chingleput	72
South Arcot	29
Tanjore	67
Trichinopoly	37
Madura	85
Tinnevelly	60
Salem	41
Coimbatore	51
Half of North Arcot (say)	45
	663

Eliminating those convicted of offences omitted from our Statement * No. the number of those from whom selection might be with propriety made would have been, in the year 1881, $(\frac{663 \times 1000}{1195}) = 555$. Here, again, allowance must be made for those whom Courts would not commit except in special cases.

We are, however, of opinion that Courts and Magistrates, if a Reformatory were in existence, would find it advisable to send a much larger percentage of juvenile offenders to such an institution than we have above taken. Experience alone can show which view is right, and we think it very undesirable that the Act should be allowed to remain inoperative on the assumption that even a small reformatory would not be filled, seeing that, if the first experiment is made on a small scale, the expense cannot be great, and the scheme can be abandoned if it is found to be not required.

18. It seems necessary to take some account not only of those actually convicted, but of "possible" offenders, to have reference to what is likely to be the future career of boys living on chance or by habitual theft. Mr. Nicholson, Sub-Collector, Coimbatore District, had, before he was aware of the Order of Government on which we report, endeavoured to get statistics affording some idea of the number of possible juvenile offenders, and tracing the career of those who, having been convicted as juveniles, have within the last few years become adults.

"Possible" juvenile offenders; boys living on chance, or by habitual theft.

Mr. Nicholson, who takes the greatest interest in the subject, and for whose papers † communicated to us we are much indebted, succeeded in obtaining returns from the towns of Madura, Salem, and Trichinopoly only. We have not printed these returns as they are not official, but we give a summary of the results.

Making due allowance for the fact that it is the Police who describe so many of the boys as habitual thieves and pickpockets, we entertain no doubt that not only in the towns above named but in all large towns there must be a considerable number of male juveniles habitually living by theft.

In Salem town out of 54 youths under the age of 18, who have been convicted once or oftener since 1878 of offences against property, 29 have no parents; 16 of those were under 13 years of age (in 1882); all are described as known to the Police as bazaar thieves or pickpockets. There are also, it seems, 20 boys under the age of 15 known to the Police as living by begging, their parents being in all cases (except two) dead. In Madura town 88 boys, once or oftener convicted since 1878, are returned as known habitual bazaar thieves or pickpockets; 21 of them had no parents. In Trichinopoly there are 49 such boys. In many cases it is reported that these boys are deliberately employed by adults to pursue this vicious mode of life. The Superintendent of Police, Trichinopoly, has favored us with an interesting account of a waif, who lately, on release from the Trichinopoly Central Jail, implored that he might be saved from having to return to a life of crime and slavery under a

* Appendix page 33. † Appendix, pages 5 to 12

renegade Koravan turned Mussulman, who had before employed him as a railway thief, and who was waiting to get hold of the boy as soon as he came out of jail.

19. We proceed to consider the question put in the third paragraph of the G.O., dated the 5th May 1882: "whether it would be preferable to collect all juvenile offenders in one or more Reformatories * * * "or to have numerous places of detention for such juveniles in the nearer neighbourhood of their homes."

Whether there should be one or more Reformatories.

We are agreed on the following principle: that it is desirable in every way that Reformatory Schools should be, as much as possible, disconnected from jail management; that they should not be attached to jails, and should have as little as possible in common with jails. On this ground we think it would be desirable not to locate such schools up-country, even in places otherwise eligible, where there may be large central jails, such as Coimbatore and Trichinopoly. There is much to be said in favor of such places as Ranipet, Pallávaram, Arkónam, and perhaps Erode.

The conclusion however at which we have arrived, not without much deliberation, is that it will be better to start one Reformatory only and to locate it in the vicinity of Madras.

Mr. Justice Muthusami Aiyar gives, as one of the principal reasons for recommending that the Act be not introduced at present, the necessity of having at least five or six Reformatory Schools. We certainly are averse from beginning with so many schools, but we do not agree that this is a sufficient reason for putting off indefinitely all attempt to try the system. We concur, however, with the Right Rev. the Bishop of Madras that it will be desirable eventually to have at least one Reformatory in each of the great divisions into which the Presidency naturally falls with regard to language.

Appendix, page 16.

Appendix, page 1.

After full consideration then we recommend that an experiment be made in the first instance with one Reformatory only, and that it be located in the vicinity of the Presidency town. Among other reasons for selecting Madras we may give the following, which were stated by the Committee on Reformatories in Bengal as reasons for commencing with the first Reformatory in or near Calcutta: "for the sake of the more efficient supervision to be obtained thereby, and for the greater facilities which exist for providing employment for the juveniles." It is probable that a considerable proportion of the juveniles to be sent to the Reformatory will be boys of the City of Madras. But the reason which has had most weight for us is that we wish the Reformatory to be under a Board of Management rather than a Committee of Visitors, and that it will be very difficult to find a sufficient number of competent gentlemen in any up-country station.

Where the first Reformatory should be located.

To meet the objection as to distance and climate, and as to sending youths to a strange place and among strangers not even speaking the same language, and also on account of the difficulty of instructing the boys in more than one language, we should wish to see only boys from the Tamil Districts (and perhaps Tamil-speaking boys from those districts in which this and another language is spoken) sent to the Madras Reformatory. That is to say, boys should not be sent from other districts than the following:—

Madras Town,	Madura,
Chingleput,	Tinnevelly,
South Arcot,	Salem,
Tanjore,	Coimbatore,
Trichinopoly,	

and the Tamil taluks of North Arcot.

It is possible however that, even with these limitations, it will be found necessary to teach Telugu as well as Tamil. There will be no difficulty in procuring subordinate teachers capable of giving elementary instruction in both languages, but it will not be so easy to find a competent Superintendent or Master with a knowledge of both.

If this difficulty can be overcome the neighbouring Telugu districts might be included; at all events the rest of North Arcot, Cuddapah, and Nellore, the population of which is about 3,000,000.

In either case we do not think that valid objection could be taken on the score of removing juveniles to strange and too distant places. With railways over the greater part of the Southern and South-western Districts, distance ought to be considered rather with reference to time than to miles. Relatives and friends should also be allowed to visit the boys and to communicate with them in writing, subject to necessary restrictions.

No doubt if the Act were once introduced and a school established, a Court or Magistrate might, if so advised, send an offender from any district, but if the wishes of the Government were expressed in accordance with our suggestions, and the reasons for the limitation understood, it may safely be assumed that boys would not be sent from districts other than those selected to begin with.

20. Assuming that the school is to be located in the vicinity of Madras town, we have to consider objections taken to some sites in that neighbourhood. The Board of Revenue, concurring with the Superintendent of the Government Farms and with the Director of Public Instruction, has expressed a decided opinion against having it near, or at least in any way connected with, the Government Farm. We agree generally in this view; but the objection does not seem to apply to the site on the opposite bank of the Adyar river.

Site.

The site of the old Guindy Jail has advantages and the buildings might be utilised with economy, but there is the objection that it was a jail once, and, as before said, it seems desirable that no prison associations should be connected with the school.

Kilpauk has been suggested as a suburb in which a suitable site might be found, and it seems free from objection if a sufficient area of land can be acquired there. We consider it essential that every boy should be employed on some out-door labor during a portion of the day. It is desirable that the school should not be too near a town or bazaar to tempt the boys to break bounds; and at the same time it should not be too far from the quarters inhabited by the European and Native gentlemen whom we wish to see on the Board of Management, and others who might take an interest in the experiment.

It is not easy to indicate precisely a site possessing all these requirements. We must admit that we are not in a position to make any decided recommendation in favor of any particular site, but we retain our opinion that the school should be located in the neighbourhood of the Presidency town.

21. It rests with the Government to decide whether a Board of Management, or a Superintendent and a Committee of Visitors, should be appointed for the control and management of the school.

Whether the Reformatory should be under a Board or a Committee of Visitors.

We are of opinion that the appointment of a Board of Management is preferable to that of a Superintendent and a Committee of Visitors.

A Superintendent would virtually have the whole management of the institution in his own hands, subject to the control of the Inspector-General of Jails; the Committee of Visitors cannot do more than make suggestions for the consideration of the Inspector-General of Jails. Having more real power, a Board of Management would probably take a greater interest in the school and feel themselves under a more real responsibility, and it appears that a Board of Management has worked well at Alipore.

We have had under consideration whether a Board of Management so constituted as to fulfil the requirements of the Act, and likely to work well, could be obtained in Madras. It would be invidious and perhaps unbecoming to give the names of those from among whom, as it appeared to us, selection might be made, but we think there would not be much difficulty in securing the services of enough and competent gentlemen, both English and Native.

22. A building on the plan * submitted by the Government Architect appears to be suitable, but we would suggest the addition of a block to accommodate, say, fifteen boys, in which new comers might be kept during the probationary stage, and in which refractory boys might be confined.

Cost and Establishment.

23. The cost of the establishment required may be estimated somewhat as follows:—

1 Head Master	on	Rs. 200	per mensem.
1 Deputy Master	,,	,, 75	,,
1 Native Doctor	,,	,, 25	,,
1 Writer	,,	,, 20	,,
3 Teachers	,,	,, 50	,,
3 Industrial Teachers	,,	,, 60	,,
Peons	,,	,, 70	,,
Inferior servants	,,	,, 70	,,
		570	

The annual cost then will be Rs. 6,840. The food and clothing of each boy may be taken as Rs. 5 per mensem, or Rs. 6,000 per annum for 100 boys—giving a total of Rs. 12,840.

Against this must be set off the cost of each boy had he been sent to jail. Deduction must also be made on account of the boys' earnings, the profit on their labor. The net profits at Alipore have risen from Rs. 1,850 in 1879 to nearly Rs. 5,000 in 1881.

24. We would call the head of the school "the Master," rather than by any other name more suggestive of jail management. As to whether the Master should, in preference, be a European, an Eurasian, or a Native; maintenance of firm, though kindly, discipline would perhaps be more likely secured under a European Master; but it is absolutely essential that the Master should possess not only a thorough knowledge of the native language, but also real acquaintance and sympathy with native modes of thought and ways, and these requisites a native would naturally be more likely to possess. In the selection of teachers your Committee would be inclined to prefer those of the lower castes, and perhaps for choice Native Christians. The great majority of the boys will almost certainly be of the lower or lowest castes and classes, and we incline to think that teachers of the class we suggest would find it more easy to sympathise with the boys they would have to deal with, and take more real interest in the attempt to raise the moral tone of pupils of low caste and social standing than would perhaps be possible for teachers of the higher castes.

25. It is essential that the elements of gardening and agriculture should be taught to all the boys. The trades taught should be carpentry, blacksmiths' and tinsmiths' work, and perhaps cane-work, weaving and book-binding. And, as far as possible, each boy should be taught the industry principally practised in his caste.

Trades, &c., to be taught, and Education to be given.

Education proper should be confined to sound elementary teaching of the simplest character in the vernacular. The Readers used should be those of the Madras Christian Vernacular School Book Society. But perhaps in time it will be desirable to provide a special series of primary Readers for Reformatories.

The rules for the management of the Alipore School, as well as those laid down for the Hazaribagh Reformatory (which is under a Superintendent and Committee of Visitors) will be found in the Appendix.†

* Attached to the Appendix. † Pages 34 to 42.

The former have been found to work well at Alipore. If the Government accept our recommendation in favor of a Board of Management, the Alipore rules may be adopted in the main.

We do not think it necessary or desirable to go into further detail in this respect. We have * elsewhere stated that we would not adopt the system of rewards and punishments in force at Alipore in its entirety.

We submit, too, that the hours of work and school appear to be somewhat too long, and we are of opinion that boys should not go to work in the early morning without some food. From six in the evening to nine o'clock next morning is, we think, too long for boys to be without food. We find, too, from information furnished to us from Alipore, that last year it was found necessary to give the boys in that Reformatory a light meal in the early morning before commencing work.

26. We are not apprehensive of any difficulty arising from matters connected with caste. It is found practicable to obviate or meet such difficulties in jails, and, as before said, the majority of the boys will be of low caste or no caste at all.

Caste.

27. This report would not be complete without acknowledgment of the communications received from the several gentlemen who have favored us with their opinions. Of those communications we proceed to give a summary. To the views stated therein we have endeavoured to give our best attention; most, if not all, of the opinions given and arguments used have been noticed in the course of our remarks. We should state that the gentlemen who are of opinion that it is not desirable to give the system a trial, on the ground that there are not enough juvenile criminals to justify the experiment, had but the scantiest figures before them on which to form their opinion.

Summary of opinions given by gentlemen consulted.

The Right Rev. the Bishop of Madras † considers in the first place the question where Reformatories, if established, should be located; next, the qualifications which the staff of teachers should possess; and lastly, the nature of the instruction in moral and religious subjects which might be imparted to the inmates. We have already stated our concurrence in his view that eventually at least one Reformatory will be required for each of the great divisions of the Presidency in which different language is spoken. We fully concur also in what is said as to the success of the experiments depending to a very great extent on "the character and qualifications of the persons with whom rest the discipline and the instruction, the moulding of the boys' characters, and the forming of their habits." As to the character of the moral and religious instruction which may be permitted, we have expressed our views in paragraph 5 of this report.

Mr. Justice Kernan ‡ says: "I am glad to see that there is a good prospect of the system being put in force in Madras. Ever since I came to India I have endeavoured to press the subject * * and I have no doubt vast good will be done if a trial is made."

Mr. Justice Muthusami Aivar § states that he "most earnestly desires to see our juvenile offenders brought under the influence of the Reformatory system," as that system has been found to work well in England, on the Continent, and in America; and is of opinion that, if practicable, it would be much better to have Reformatory Schools than juvenile wards in existing jails. But, assuming "the question really before the Committee to be, not the abstract question whether correctional training is not a better substitute for prison labor," but the narrower one, whether, having regard to the number of juvenile offenders in this Presidency, and to the social and other difficulties which surround the Reformatory system, it is expedient to introduce Act V of 1876, he is of opinion that if the Act is to be introduced it will be necessary to have several Reformatories; that is, in addition to the one at Madras, one in the South,

* Paragraph 10. † Appendix, page 1. ‡ Appendix, page 2. § Appendix, pages 15 to 17.

one or two on the West Coast, and two in the Northern Districts. Briefly stated, the reasons for this conclusion are that the people of the country are much attached to their homes, averse from sending their children to distant districts, and strongly imbued with the spirit of the ancient family system prevailing among the Hindus: that parents and relatives would therefore feel it grievous to see their children sent from one end of the Presidency to the other; and that the boys should at the end of the term of detention be discharged in the neighbourhood of their own homes, and trained to earn a livelihood in their own districts.

Mr. Justice Muthusami Aiyar came to the conclusion upon the figures available to him—that is the figures given by the Honorable A. J. Arbuthnot in introducing the Reformatory Bill—that there would not be a sufficient number of juvenile offenders to fill "each Reformatory." In the result he seems to think that, by providing separate and improved accommodation for male juveniles in connection with existing jails, enough may be done "to satisfy, at all events for the present, the requirements of this Presidency." He further speaks of the necessity of Government finding employment for boys removed from their homes, and who may be too young, when dismissed, to take care of themselves, as another reason for hesitating to try the experiment.

We have already expressed our obligations to Mr. Nicholson, whose papers are printed at pages 5 to 12 in the Appendix. He is a firm believer in the efficacy of Reformatory treatment, and most anxious that the system should be tried by the Madras Government.

Colonel Weldon, the Chief Presidency Magistrate, is "not satisfied that sufficient grounds appear for incurring such a grave responsibility on the part of Government, the ultimate disposal of the youths being at least as serious a question as the necessity for State interference in the first instance." He adds, however, that his answer to the general question "must of course be subject to the result of investigation of the several points indicated" in the order of Government.

The Honorable Mr. Shêshiah Sâstri * is of opinion that, excluding what may be called criminal tribes, the number of juvenile criminals is too small to make the system worth a trial; he is of opinion that it is perfectly hopeless to attempt to eradicate criminal propensities from boys of such tribes as the Chentsus and Yerukalas.

The other two native gentlemen who have favored with their opinion † are strongly in favor of giving the system a fair trial.

Mr. Symonds, the Superintendent of the Madras Penitentiary, thus expresses his views: "The first thing that strikes me as not a little remarkable is that although the principle of the Reformatory system has long ago passed from theory into practice admitted to have borne good fruit, a Committee is about to sit for the settlement not merely of details preliminary to giving effect to the Reformatory Schools Act of 1876, but in reality to re-open a question that has now been discussed in all its bearings and local aspects for the last twenty years." He very strongly advocates ‡ the establishment of a Reformatory School at once.

On the other hand Major Macleod, the Superintendent of the Vellore Central Jail, another officer of much experience in such matters, is on the whole averse from trying the experiment. He refers to the immense area of this Presidency; to the paucity of juvenile criminals; to the fact that there is in this country no criminal *class* to work upon (saving perhaps in the Presidency town), such as there is in England. He draws a distinction between the reformation of the criminal classes as such, the reclamation of the masses on the one hand, and the removal of a comparatively small number of youths from evil associations on the other. He also refers to difficulties connected with caste, and with the ultimate disposal of the boys. But it appears to your Committee that Major Macleod himself states a very strong case indeed in favor of the course which they would advocate when he says that not only does a few months' imprisonment in a jail neither reform nor improve a youth nor create a

* Appendix, page 17. † Appendix, pages 2 and 4. ‡ The paper is printed separately and attached to this Report.

wholesome dread of such a punishment, but that he is satisfied that in many instances "it would have been far better for the lad had he never been sent to such a place."

(Signed) T. E. TENNANT,
Inspector-General of Jails, President.
(„) H. D. CLOETE,
Inspector-General of Police.
(„) H. B. GRIGG,
Director of Public Instruction.
(„) E. F. WEBSTER, C.S.
(„) P. P. HUTCHINS, C.S.
(„) F. BRANDT, C.S.

ORDER—dated 12th February 1883, No. 376, Judicial.

The paper read above embodies the very interesting report of the Committee appointed in May last (G.O., 5th May 1882, No. 320, Judicial,) to consider the necessity or desirability of applying the Reformatory Schools Act (V of 1876) to the Madras Presidency.

2. After discussing the several objections which have suggested themselves in regard to (1) the religious difficulty, (2) the removal of children from their homes, and (3) the disposal of boys on discharge—none of which it is believed need interfere with the proposed establishment of schools under the Act—the Committee express a decided opinion that the object to be aimed at, viz., reform by a long period of correctional training, cannot be attained in prisons or reformatories attached to prisons.

3. They therefore propose that the Act should be brought into force at once, but that, in the first instance, only one Reformatory School should be established in the neighbourhood of Madras, to which juvenile offenders should be sent from certain stated districts, leaving it open hereafter to establish similar schools in other divisions of the Presidency. The arrangements proposed with reference to the location and erection of buildings, the cost of establishments, methods of management and education are then gone into, and the principles enunciated on which the rules necessary under the Act should be framed.

4. His Excellency the Governor in Council has given his careful attention to these recommendations and to the mass of information which has been accumulated. He is of opinion that the conclusions arrived at by the Committee may be generally accepted, but on the question of management, he adheres to the ruling of 1876 (G.O., 13th November 1876, No. 2349, Judicial Department), and prefers a Superintendent with a Visiting Committee to a Board of Management.

5. This point excepted, the recommendations are approved, and it will now be the duty of the Inspector-General of Jails to work out the details of the scheme in communication with the Public Works Department, and to submit an estimate of the cost of carrying it out together with draft rules under Sections 21 and 22 of the Act. It will then be determined how soon the Act can be brought into force.

6. The thanks of Government are due to the Members of the Committee.

(True Extract.)

C. G. MASTER,
Chief Secretary.

To the Committee on Reformatory Schools.
„ Inspector-General of Jails.
„ Public Works Department.
„ Board of Revenue.

Exd. J. Wright, A. F. Aaron and T. O'Connor.

Govt. of {1883} Madras.

JUDICIAL.

Issued

Recd.

Encl.

G.O., 12th February 1883, No. 376.

No. 691 Jud. 22nd March 83

FEBRUARY.

Communicated to the Supdg Engr. 5th Circle and the Consulting Architect to Govt.

Sd/ J.P.

Sd/ J.P.

E. 5th Circle

C. A. to Govt.

A.I.

Reformatory Schools.

Passing orders on the report of the Committee appointed to consider the necessity or desirability of applying the Reformatory Schools Act to the Madras Presidency.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

Report of the Committee on Reformatory Schools, to the Chief Secretary to Government, dated 26th October 1882, No. 296.

The Right Honorable the Governor in Council having been pleased (under Order of Government, dated 5th May 1882, No. 320, Judicial Department), to refer to a Committee the general question, whether it is necessary or desirable to bring the Reformatory Schools Act, V of 1876, into force in this Presidency, we, the Committee appointed under the said order, have the honor to submit the following report on the subject.

2. The Government desire to be satisfied, in the first place, that the numerous difficulties which surround the Reformatory system have been thoroughly investigated; in the next place that, having reference to the number of juvenile offenders in this Presidency, there is need for expensive effort at reformation under the system provided in Act V of 1876; and it is asked, whether the object aimed at cannot be secured at a comparatively trifling cost by the adoption of special arrangements for juvenile offenders in existing jails, as well as under the system proposed.

We are further desired to ascertain the results attained in the Alipore Reformatory; and to consider whether, in carrying out the Reformatory system, it would be preferable to collect all juvenile offenders in one or more Reformatories, detaining them there for long periods with the object of removing them from home influences, or to have numerous places of detention in the neighbourhood of their homes.

3. There is one objection to the Reformatory system not noticed in the order of Government, but which, in the year 1867,* the Government of India described as "insuperable," viz., the difficulty of establishing an effectual Reformatory scheme in the absence of direct religious teaching.

Difficulties stated.

4. The objections, involving matters of principle which require to be investigated, appear then to be (1) that which may be called the religious difficulty, and (2) the removal of juveniles from their homes and parents or friends; such removal adding (as in some instances it may add) the terrors of transportation to imprisonment, and involving (if it does involve) responsibility for disposal of the boys after their discharge.

It has been alleged (3) that there is no class in this country corresponding to what is known as the regular criminal class in European communities, and that the number of juveniles to whom the Reformatory system would be applicable here will consequently be found to be very small. We propose to consider this objection in connexion with the statistics available, but it involves no question of principle.

First objection—The religious difficulty.

5. Returning then to the so-called religious difficulty, we observe that the Government of India, having in 1876 passed the Reformatory Schools Act and having since then sanctioned the establishment of a Reformatory School at Alipore, must be taken to have satisfied itself that the difficulty was not insuperable.

It is hardly putting it too broadly to say that this objection, if valid, is equally valid against the whole system of State Education in India. While the Government

* Letter from the Government of India, Home Department, 16th July 1867, No. 2332, to the Government of Madras.

adheres to the principle that "no creed shall be taught in schools conducted on the principle of religious neutrality," it not only allows but directs "the great truths of religion and morality common to all mankind" to be taught in their schools.

In the standing order* of the Educational Department to which we refer, the reading books to be used in such schools are described as not only containing "lessons on benevolence, justice, truth and order," but as "inculcating the existence of a Supreme Being;" and teachers are impressed with the necessity of cultivating the moral sense of their pupils both by precept and example.

We submit that those entrusted with the charge of a Reformatory will be debarred from the teaching of religious dogma only; that religious influence may legitimately be used without violation of the principle of neutrality; that morality may be taught and discipline ensured without the inculcation of any special religious tenets. The success of the scheme of Government education in this country may be taken as sufficient proof of this. Apart from religious instruction much may be effected by moral influence and example; by teaching habits of obedience, regularity and industry; and by a judicious system of rewards and punishments. The self-respect and self-control of the boys must, as has been well said, be carefully nurtured.

Views of native gentlemen.

We think that the remarks of the native gentlemen who have favoured us with their views are especially worthy of consideration in connexion with this part of the question. Mr. Justice Muthusami Aiyar† is of opinion that there will not be any difficulty in this respect. Mr. Pattabhiram Pillai‡ says:—"Religious instruction may no doubt have a salutary effect upon the minds of young criminals, but the absence of it cannot, in my humble opinion, undo the habits of industry that they may be trained to in a Reformatory." Mr. Venkataramana Pant§ says:—"It is submitted that no religious education as to temporal conduct is ever given in this country, especially among the lower classes of the population;" and "these classes," he goes on to say, "have no notion of any kind of religion whatever." He then proceeds to show that "a sense of their accountability to their Maker" might be instilled into the minds of juveniles of the class from which young criminals mostly come, "by means of text-books speaking of God and His works, and of the responsibility of man to his Maker." "Good religious books, without the special features of any particular form of worship, will do all that is needful in this case. Nobody can object to such books."

We consider that the Government should not be deterred from establishing a Reformatory or Reformatories merely on the score of religious difficulty.

6. We now proceed to the next objection—the removal of children from their homes and their separation from parents and friends. This objection has been stated with great force by Colonel Tennant:—"Where the distance is great and the climate is different, the removal to a central Reformatory at Madras is open to grave objections; such a removal will practically be adding transportation to imprisonment."

Second objection.—Removal of children from their homes.

One great object in the Reformatory system must be to remove children from the influences of bad associates and surroundings, and even of their parents where the example of those parents is evil; and one of the first principles to be observed in selecting proper objects for Reformatory treatment is (as we shall endeavour to show further on) that if a boy has parents, relatives or friends, who will take proper care of him, he shall not be sent to a Reformatory. We submit that if a boy has no parents, relatives or friends his removal will make little difference to him, while, if he has parents and these are themselves criminals, his removal will be rather an advantage than a disadvantage. It may be assumed that a boy will not be separated from his belongings unless it has been considered necessary for the child's own good to remove him. We believe that most of the children likely to be sent to a Reformatory will be orphans, and that, where they have parents, separation will not be enforced, unless the parents have forfeited all claim to consideration by neglect of their duties or by having encouraged their children in crime.

* No. 49. † Appendix, page 17. ‡ Appendix, page 4. § Appendix, page 3.

We hope that in time Reformatories may be established at different centres, so that boys sent to them could not with justice be said to be virtually transported, and for the present we would endeavour, by means which we shall state further on, to ensure that this shall not occur in practice. In the case of hill and jungle tribes the very greatest care and discrimination would doubtless have to be exercised by a Court which has to consider whether a boy of such a class should be sent to a Reformatory far distant from his home. Indeed, it seems questionable whether such a boy would be a fit subject for a Reformatory at all. We would here draw attention to the fact that, under Section 11 of the Act, the Local Government can at any time order any youthful offender to be discharged from a Reformatory School, or removed from one such school to another. But further observations on this part of our subject will be more appropriate when we come to consider whether there should be only one or more Reformatories.

On the whole we would say that the removal of a boy to a distance from his home and surroundings, it being assumed that he will not be removed without very good reason, is not a valid objection to the Reformatory system.

7. It is in connexion with the subject of separation of youthful offenders from their homes and relatives that the Madras Government speaks of the serious responsibility of disposing of boys, on discharge, "far from their homes and aliens from their own friends and relations."

The difficulty with regard to disposal of boys on discharge.

We hardly think that it is meant that any responsibility, whether legal or moral, exists in the case of boys discharged from a Reformatory after they have attained the age of eighteen. We are all agreed in thinking that no such responsibility attaches in such a case; that the State is not bound to continue to act as the boy's guardian and to provide for his future career. It is indeed impossible that it should do so, for it is not the boy's guardian and has no longer any control over him. We apprehend that the case really in view is that in which a boy's term of detention ceases at an earlier age, when, by reason of his tender years, he may not be capable of pushing his own way.

We are not altogether unanimous as to whether or not any responsibility, in the strict sense of the word, can be said to attach to the State even in such a case. It certainly is not recognised by the Act. But we are all of opinion that, with rules to regulate the periods of detention properly framed and observed, such cases should in practice seldom, if ever, occur; and that, without reference to the question of responsibility, the Government may, by rules framed for that purpose, ensure that no boy discharged from a Reformatory shall be cast adrift on the world before he is of an age to obtain his own livelihood.

Those immediately in charge of a Reformatory should, without doubt, do all that can be done with a view to providing a career for each boy on his release, whether by apprenticing him under the Act, or by ascertaining in what trades, pursuits or occupations the boy's labor may be best and soonest employed. On behalf of the State which they represent it would be their duty to ensure, as far as possible, that the training given at the public expense be not thrown away. But we think that when the State has, by giving a training, industrial and educational, done its best to enable a youthful offender to provide for himself on discharge, and he is not discharged before he is of an age at which he may be fairly expected to make his own living, and when it has also, though without success, made every endeavour to provide a career for him, all further responsibility ceases.

In the special case of a boy's period of detention terminating before he can reasonably be expected to make his own living, and in the absence of parents or others willing to take charge of the boy and on failure to provide for him otherwise, the Superintendent or Board in charge of the Reformatory might be *authorized* to afford food and lodging to such boy until employment can be found for him, or until he attains a sufficient age. But such cases should rarely, if ever, occur.

As is said in one of the reports on Reformatory Schools in England, there can hardly be any better test of the worth and capacity of the management of such schools than success or failure to obtain employment for those trained in them. It may

reasonably be expected that the training and education given will at least place a boy in a better position than if he had simply passed through an ordinary term of imprisonment in a jail. Assuming that the majority of such boys will have learnt at least the simple elements of agricultural labor, they could hardly fail to find suitable employment; while there is no reason to doubt that those who have acquired some industrial training—in carpentry, smith's work, cane-work and the like—would be able to secure good wages by honest labor. A good opening may be looked for in the various mills, already working or likely to be started, in this Presidency. There can hardly fail to be a demand in such establishments for the labor of boys and young men trained to habits of obedience and industry. Emigration, too, might, in some instances, offer advantages and attractions; and there would be no objection to assisting youths, of an age competent to decide for themselves, to seek their fortunes in other countries, if so disposed. The Inspector-General of Jails, Bengal, informs us, with reference to his experience at Alipore, that "there would never be any difficulty in obtaining employment for any of the released boys, provided they had remained long enough at the school to have learnt thoroughly any of the trades taught," a proviso which will be met by the rules which we are about to propose.

In connexion with this subject we would recommend that each boy should be credited with the value of a portion of his labor and profits in the school, to be given to him on leaving, to help him in his start in life, as well as to act as an incentive to honest work and thrift during his training. This should be in addition to the sum which, we presume, will be furnished to enable him to return to his native place, or such other place as he may wish to settle in. This system seems to have worked well at Alipore.

We believe that any practical difficulty connected with the chance of boys being turned adrift before they are of an age to provide for themselves may be obviated. We shall endeavour to show this when treating of the age at which youthful offenders should be sent to Reformatories and the periods for which they should be detained.

Can the object be secured in Jails?

8. We have next to consider "whether there are objectionable features in the arrangement at present in force for carrying out in jails sentences of imprisonment passed upon juvenile offenders." In his letter recorded in G.O., dated 10th June 1878, No. 1179, Judicial Department, the Inspector-General of Jails stated what had then been done towards rendering the separation of juveniles from adults in jails as complete as the then prison system would admit of, as also what had been done for the education and industrial training of youthful offenders. We will not add to the length of this report by recapitulating what is recorded in the Inspector-General's letter. He concluded his remarks by saying that "it must be allowed that the prison authorities of this Presidency have gone far to meet all that it is incumbent on the Government to undertake in this direction, under the present state of the law." Great improvements have unquestionably been made in this respect of late years, especially in Central Jails and notably in the Madras Penitentiary. And similar improvements might be made in District Jails also, irrespective of any question of establishing Reformatories. But here we come to the broad question put by Government, viz., "whether the object aimed at cannot be secured at a comparatively trifling cost by the adoption of special arrangements for juvenile offenders in existing jails, just as well as under the system proposed."

It is important to understand and define what the object aimed at is.

We think we cannot do better than make use of the report submitted by a Committee to the Government of Bengal in 1874. That Committee was appointed to consider the desirability of establishing a Reformatory for the Bengal Presidency. They reported that notwithstanding that much had been done—perhaps as much as could be reasonably expected—in many jails, in regard of the first requirement—viz., complete separation of juvenile offenders from adult prisoners—as also in the way of providing education and some industrial training for such juveniles, something more was required; "We want," they said, "to ensure the detention of juvenile offenders for a sufficiently long time to effect a real reform in their characters." And in a resolution passed by the Government of India in December 1874 the following

passage, in the same sense, occurs: "To reform juvenile offenders and to train them to lead useful lives, time and seclusion are essential; and this is an entirely separate matter from penal imprisonment."

The Reformatory Act proceeds on the same principle, viz., that for a term of imprisonment there is to be substituted correctional training, and that the latter must be for a sufficiently long period to make a lasting impression on character.

The returns from the Jail Department show that out of 683 juveniles imprisoned between January 1880 and May 1882, no less than 599 were committed for terms not exceeding one year. It may be taken that at least half of these were sentenced to not more than six months. Such terms are obviously much too short to allow of any real Reformatory training.

Another branch of the question is whether, in any circumstances, it would be possible to carry out Reformatory work within the precincts of a prison.

Speaking on this subject at Calcutta in 1875, Miss Carpenter said, with reference to juvenile offenders confined in the Presidency Jail—"Everything which can be done under the circumstances is done, they (juveniles) are kept separate from adult prisoners. They are taught skilled work. In every way the officials are trying to do them good. But it is absolutely certain, it has been demonstrated in our own country (England), that no prison can ever reform children. It is impossible. If, therefore, a Reformatory School is introduced into a jail, it is merely a department of the jail." On another occasion the same lady said, "in the first place there should be nothing of the jail element in Reformatory Schools, except the element of detention, and that is not to be effected by walls, bolts, and bars, but only by means of moral discipline. These schools are not to be in any way like prisons."

We may also quote Mr. Beverley.*—"The object of the Reformatory system is to substitute for a short term of penal incarceration a longer term of detention under milder conditions, during which the child subjected to it may be trained to habits of industry and virtue. A Reformatory ought in reality to partake more of the character of a school than of a prison, and is so described in the legal literature on the subject of prisons; they are, in England, prisons without walls and warders. The main lines on which the Reformatory system has invariably been based, whether in England, America, or France, are indeed much the same, viz., the detention of the offender for a long period of corrective and industrial training, the introduction of the family system and domestic feelings and habits into the schools, and the keeping of the offender under supervision after leaving the school by placing him out in employment on probation under license previous to final discharge." When very recently a proposal was made to create a Reformatory, or something which might be a substitute for a Reformatory, in the Penitentiary at Madras, the Inspector-General of Jails was of opinion that, "on the whole, on principle, it would be injudicious to attempt to establish a Reformatory School within the precincts of such a place as the Penitentiary."

Reasons for thinking that the object aimed at cannot be secured in prisons.

9. To admit that any further improvement in prison arrangements and a mere assimilation of the conditions of penal incarceration to a course of treatment in a Reformatory School might be as efficacious as reformatory treatment proper, would be in fact to admit that the Reformatory Act is based on a wrong principle, and that legislation on the subject was uncalled for.

It may be that, notwithstanding our recommendation, the Government may not feel justified in giving the Reformatory system a trial, but rather constrained to be content with what is possible in the way of improving prison-accommodation for juveniles, and of giving better industrial training and education to boys undergoing sentences in jail; but we cannot think that the object aimed at, if we rightly apprehend what that object is, can possibly be attained by such a course as well as by that which we now advocate, if indeed it is likely to be attained at all.

We are unanimously of opinion that the penal incarceration of juveniles, either in a prison, or in a Reformatory attached to a prison, can never be made to fulfil the conditions or effect the objects of the true Reformatory system.

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* See Appendix, page 24.
"A paper read before the Bengal Social Science Association in 1878."

It will not be out of place to notice here that, as stated by Sir Alexander Arbuthnot when moving the Reformatory Schools Bill, in 1875, "this subject had, so long ago as 1861, engaged the attention of the Legislature;" that in the Codes of Criminal Procedure passed respectively in 1861 and 1872, the Legislature kept in view the necessity of enabling Courts and Magistrates to send juvenile offenders to Reformatories; that in 1867 the Government of this Presidency made a forcible representation on the subject; and that in 1875 the Government of India "had come to the conclusion that it was no longer desirable to postpone resort to legislation on the subject;" that the Act passed in consequence of that resolution has now been in force for more than five years.

The Alipore Reformatory School.

10. Under that Act a school, controlled by a Board of Management, was opened at Alipore on the 20th February 1878.

The following is a short *resumé* of the results obtained, based partly on information kindly furnished by the Inspector-General of Jails in Bengal, and partly on the official reports upon the institution for the years 1880 and 1881:—

"Accommodation was provided for one hundred boys from all parts of the (Bengal) Province; but lately, owing to its success, the Government have sanctioned the opening of another Reformatory School at Hazaribagh. This will be set apart for juvenile prisoners of Behar and Chota Nagpur, while the Alipore School will be reserved for boys from the Lower Provinces. * * *. The Alipore School has been always full and applications from Magistrates of nearly every District in the Province, for the admission of juvenile offenders, have had to be refused. * * *. As yet only one boy has been admitted into the Hazaribagh Reformatory, but the Government have sanctioned the transfer of 25 boys from Alipore to start it.

"The number of boys admitted at Alipore to date (1882) is 188. The number of boys discharged to date is 43. Information has been received about 33 of the discharged boys; 30 bear a good character and 3 only have relapsed."

The following table shows the details of admissions and discharges during the years 1880 and 1881:—

	1880.	1881.
Boys in the school on 1st January	96	103
Committed from Alipore and Calcutta	9	15
Do. from "other Districts"	15	11
Recaptured	2	..
	122	129
Released on expiry of sentence	11	17
Do. by special sanction	2	2
Died	2	3
Escaped	3	1
Sent to a Magistrate for trial	1	..
	19	23

The average number in school was 85·67 in 1879, 98·32 in 1880, and 102·36 in 1881.

In the same three years the cost of dieting per head was reduced from Rs. 30-7-3 to 28-8-7 and 25-12-10.

The cost of the fixed establishment varied from Rs. 6,882 in 1879 to 8,282 in 1880 and 8,133 in 1881. The increase was in the salary assigned to the Superintendent.

In the same three years the aggregate cost rose from Rs. 11,428 to 13,100, but again fell to 12,452. The rise was due to the cause just mentioned. These figures give the cost per head in the three years respectively as Rs. 133-5-6, 132-5-7, and 122-1-1.

The net profit on manufactures in 1879 was only Rs. 1,851, but it rose in 1880 to Rs. 2,538 and to Rs. 4,993, or very nearly Rs. 5,000 in 1881.

Thus each successive year shows a considerable decrease in the cost per head and increase in the profits—a result which might reasonably be expected in the first few years of the experiment.

In paragraph 7 (*ad finem*) we recommended that each boy should be credited with a proportion of his earnings, and we stated that this system had worked well at Alipore. It is described as follows by the Inspector-General of Jails, Bengal, but in quoting his description we must not be understood to imply that we would adopt the system in its entirety. This, however, will be a question to be dealt with by the Board of Management after the establishment of a Reformatory has been sanctioned—

"Under the mark system the boys may earn by good conduct, attention at school and good workmanship at the trades, one anna a week; half of which they have the option of spending on sweetmeats, &c., and the balance is deposited for them in the local Savings' Bank; so that well behaved boys can thus earn two annas a month or Rs. 1-8-0 a year. On the recommendation of the Superintendent the Board have further sanctioned 4 annas a week to deserving boys who excel in good workmanship, who give extra work, and who exert themselves in teaching other boys. This is debited to 'Manufacture,' and being in addition to the money earned for marks, a boy may make as much as $1\frac{1}{4}$ rupees a month or 15 rupees a year. Hence a boy, whose sentence is five years and who earns during the last two years Rs. 15 can take with him on his release about Rs. 30 or more; and a boy whose sentence is seven years may accumulate as much as Rs. 70, while one who has earned nothing during a stay of four or five years is not likely to profit by any gratuitous help."

Suggestions as to what boys should be sent to Reformatories.

11. We will now consider the questions, "Who are the most proper subjects for Reformatory treatment?" and "For what periods is it desirable that those sent to such schools should be detained, so far as the Act allows of the exercise of discretion in this respect?"

The Legislature, after full consideration, resolved to leave it to the discretion of the Courts to decide who are "proper persons" to be inmates of such schools. But we think it very desirable that there should be some authoritative exposition of the principles which the Government would wish to see applied in the matter; and it may be assumed that those, to whom is entrusted grave responsibility and a very large discretion in the matter, will be only too glad to have such a guide. These principles moreover will materially affect the number of boys who may be expected to be sent to such schools, as well as the question whether the number of juveniles whom it may be desirable to send to Reformatories is or is not sufficient to call for experiment in this direction.

We offer the following suggestions, based on the opinions of persons who have had practical experience of the system:—

(1) The most proper subjects for Reformatory treatment are those boys who are without proper parental or other control, and who have committed an offence or offences against property.

(2) As a rule, no boy should be sent to a Reformatory on a first conviction, unless there is reasonable cause for supposing that he is being trained up to, or likely again to lapse into, crime.

(3) As a rule, it is not desirable to send boys to Reformatories before they have completed their 9th or after they have completed their 13th, or at all events their 14th, year of age.

(4) Habitual juvenile offenders ought to be committed (if at all) at an early stage in their career, being less amenable to reforming influences as they approach the age of sixteen.

(5) No boy should be sent to a Reformatory if he is subject to any defect or infirmity, whether mental or physical, such as would permanently incapacitate him from learning an industry taught in the Reformatory.

(6) No boy should be sent to a Reformatory who has been convicted of an unnatural offence, or of gross indecency indicative of habitual immorality.

As to the first and second of the above suggestions we have touched upon the subject of parental control, or the absence of it, elsewhere; the second part of the first suggestion hardly requires comment.

In respect of the third suggestion it is found that boys under nine years of age are too young to profit much by strict discipline or be trained to industries; and in so far as this and the fourth suggestion apply to older boys, experience shows that, as it is inexpedient to attempt to train boys before they are old enough, so it is not desirable that commencement of the training should be deferred too long.

It should be here stated that our President does not altogether approve the fifth suggestion.

12. It will be seen that the possibility of "habitual criminals," "hardened offenders" or whatever they may most appropriately be styled, being sent to Reformatories, is recognized in the above rules. We would not say that in no case are such offenders to be given a chance in a Reformatory; and, whatever opinions might be held on the subject, nothing could prevent a Court from sending such an offender to a Reformatory. We would, however, suggest that the earnest attention of Judges and Magistrates be directed to the following remarks on the subject.

Habitual criminals.

The members of the Prison Conference which sat at Calcutta in 1877 were of opinion that "confirmed and hardened offenders, and boys convicted of certain crimes, should not be sent to Reformatories, since they would be likely to contaminate others;" and Lord Northbrook, when Viceroy, stated it as his opinion that "it would be hopeless to expect the Act to work properly if these institutions were started by filling them with boys already four or five times convicted, and whom there would be little chance of reforming."

We would, however, submit, with all the deference due to so high an authority, that the number of previous convictions is not always the best test of "moral depravity" in a boy, nor a sure guide as to whether it may or may not be desirable to give him a chance of reformation; nor does it follow as a matter of course that such a boy is most likely to corrupt others.

Whether a boy is or is not a hardened offender, unlikely to be reformed and almost certain to contaminate others, will probably be best ascertained by observance of his conduct in the Reformatory; and we would suggest that all boys, when first admitted, should be kept under a stricter discipline and surveillance than afterwards, and should not be admitted to unrestricted communication with the others, until they have passed through a probationary stage.

It will always be open to the Government to direct under Section 11, cl. b of the Act that any youthful offender be discharged, and, if discharged, that he undergo the residue of his sentence. The Government will thus be able to get rid of those found to be incorrigible and likely to contaminate others.

With reference to the proviso as to the residue of the sentence of a boy so discharged being undergone, it will be desirable for Courts and Magistrates, in sentencing juveniles whom they intend to send to a Reformatory, to bear in mind this possibility, and not to pass a shorter sentence than they would have done had they not been sending the offender to a Reformatory. It seems only right that a boy, discharged from a Reformatory as incorrigible, should not go without an amount of punishment adequate, as far as possible, to the offence of which he was convicted. In practice six months or a year will probably be ample time to show whether a boy has a fair chance of profiting by detention in the school or not, but, as we shall presently show, the period of *detention* ought to be fixed (subject to the possibility of the order for detention in a Reformatory being cancelled by reason of the boy's unfitness to remain an inmate) with reference to considerations wholly apart from those which may determine the length and nature of the *sentence* to be awarded.

13. As to the minimum periods for which offenders should be detained, rules submitted by the Bengal Government were approved by the Government of India in 1878. These will be found printed on page 22 of the Appendix to this Report. They are published in the *Gazette of India*, dated 16th March 1878, page 132. Understanding that the Alipore Board of Management had recommended the revision of these rules, we wished to ascertain in what respect they had been found

Periods of detention.

defective. But it appears from the Resolution passed upon the report for the Alipore School for the year 1881 that the Government of Bengal has resolved not to recommend the alteration of the rules. We have not been able to obtain a copy of the Resolution containing the reasons for that decision.

The rules sanctioned for Bengal are, by the Notification of the Government of India, confined to the territories subject to the Lieutenant-Governor of Bengal. We have to consider whether we should recommend that these rules be made applicable to this Presidency. If not, whether any rules having the force of law under the Act are required, and if so, what.

The effect of the rules sanctioned by the Government of India is, (*a*) that in the case of a boy sent to a Reformatory on a first conviction, if the boy is under ten years of age, he shall be detained for not less than five years; if he is over ten years of age, for not less than three years; (*b*) that in the case of a boy convicted a second time of "a similar offence," if under ten years of age, he shall be detained for not less than seven years, and if over ten years of age, for not less than five years; (*c*) that in the case of a boy ordered, on a first conviction, to be detained in a Reformatory, such boy, (1) if he belongs to a criminal tribe, (2) or if either of his parents is an habitual criminal, (3) or if he is destitute, (4) and (or?) if the offence of which he is convicted is one arguing great depravity, *may* be treated as if he had been before convicted of "a similar offence," in which case, if under ten, he must be detained for not less than seven years, and if over ten, for not less than five years.

We think that objection may be taken to these rules on several grounds. In our opinion, it is not desirable to make the length of the term of detention depend on whether a boy is sent to a Reformatory on a first or subsequent conviction, or whether he belongs to a criminal class, or on the nature of the offence; that the term of detention should not be regulated with reference to the amount of punishment which would have been awarded if the boy had not been sent to a Reformatory, but rather with reference to the following consideration—what length of time is required to effect a real reformation in the boy's character, to give him an educational and industrial training that will be of real service, and to ensure that he shall not be thrown on his own resources before he is able to provide for himself. Under the rules in force in Bengal a boy sent to a Reformatory on a first conviction need not necessarily be ordered to be detained for more than five years; if under ten years of age when he first entered, he would be hardly old enough when discharged to make his own way; and if sent to a Reformatory when only just over ten years, a boy might be out again when little more than thirteen.

We think that the first consideration should be, what boys are to be taken to be the most proper subjects for Reformatory treatment, and then that for whatever reasons selected, and whether sent on a first or second or subsequent conviction, the term of their detention should be fixed with a view to their not leaving the school until the treatment has had time to effect a radical change in their habits, and until they may be of age at which they may be fairly expected to provide for themselves. It seems to us that boys who have completed their sixteenth year may, for all practical purposes, so far as providing for themselves goes, be considered to be of mature age.

It is true that according to the law now in force the general rule is that minority does not cease till completion of the eighteenth year. But the Majority Act has reference more particularly to legal capacity. Up to the year 1875 minority of males was, both by the custom of the country and by decisions of Courts in accordance with such custom, taken to end with completion of the sixteenth year.

Youths in this country are generally married before they have attained the age of sixteen; and we think we may safely say that they are generally not only regarded as capable, but are capable, of conducting most of the ordinary business of life. This would be more particularly the case with boys of the class likely to be sent to Reformatories, and with reference to the sort of work they might be expected to have to do, and the positions they might hope to fill on release. For a year or two before they attain their sixteenth year boys usually receive full wages for their labor on farms and in the fields.

We are, therefore, of opinion that in every case, and irrespective of the nature of the offence and number of convictions, the period of detention should be fixed (as far as this is possible without exceeding the maximum allowed under the Act) so as to ensure that a boy be not released until he approaches the completion of his sixteenth year.

A boy of nine would then, as a rule, be committed for the maximum period of seven years, and we have already stated that in our opinion boys under the age of nine should not, as a rule, be sent to Reformatories at all.

If the Government thinks it desirable that rules should be framed under the Act, prescribing the minimum periods for which juveniles should be detained, we are of opinion that the minimum periods prescribed in the Bengal rules in the case of first convictions of boys, whether under ten or over ten, are not sufficient, but that the rules should be framed on the principles above enunciated.

14. We will now revert to the third objection stated in paragraph 4, viz., whether "there is no class in this country corresponding to the criminal classes" in Europe; or, as the objection has been stated elsewhere, whether the number of youthful offenders who might with propriety and advantage be sent to Reformatories is, in this country, so small as not to make it worth while to establish such institutions. We believe this will be found not to be the case. If the number is small the expense to be incurred will not be so great.

Is there sufficient "material" for a Reformatory.

Some remarks "on the absence in this country of anything corresponding to the regular criminal classes in European cities" are made in the "Note on Jails and Jail Discipline in India, 1867-68 (selections from the records of the Government of India, Home Department, No. LXXII);" but these remarks are of a very general character, and are, we think, open to question in many respects. On the other hand in 1875 the Government of India concurred with the Government of Bengal in thinking it desirable to start a Reformatory in or near Calcutta for juvenile offenders convicted in and around that city; and, as we have shown elsewhere, the results appear to have justified the experiment, and it has been found necessary to open another school for Behar.

While it is alleged by some that there are no criminal "classes" in this country, or next to none, others again say that there are whole tribes or classes in which criminal propensities are so ineradicable that it is useless to try to reform them, and that the residue, deducting these, is so small that it is not worth while to open a Reformatory.

If no boys of such tribes or castes as the Kalla, Korava, Marava, Yerukala, Yênâdi, and such like are ever to be sent to a Reformatory, the number of juveniles for whom provision would have to be made would be considerably diminished. But, judging from what appears from the Police statistics as regards the caste of adult offenders, the proportion of those belonging to the castes and classes above specified is not very great.

Out of the 10,171 persons convicted in 1881 of ordinary thefts, no less than 4,848 were Hindus of castes other than Brahmins, Rajputs, Komaties, and others, or speaking generally were Sudras; 2037 were Pariahs; and 402 were Mussulmans—total 7,289; or more than two-thirds of the whole. Of the remainder there were—

369	Maravas and Kallas,
113	Yênâdis,
123	Koravas and Yerakalas,
416	"Other local criminal tribes,"
18	"Other wandering criminal castes,"
1,039	

or little more than one-tenth of the whole, and we have reason to believe that the proportion of juvenile convicts of these classes would be very much less. It can only be an assumption that no boy taken from such castes can possibly be reclaimed. It

was thought at one time hopeless to attempt to reform young London thieves; experience has shown that it is quite possible to train them to lead honest and useful lives.

We would not say that boys of the castes or classes above mentioned should never, under any circumstances, be sent to a Reformatory; but we may assume that Courts and Magistrates would very soon cease to send such, if experience showed reclamation of this class to be invariably and altogether hopeless. And even if it were a fact that the case of these "criminal castes" is hopeless, that does not appear to be a good reason for not giving to others a fair trial.

15. The statistics required by Government in regard to male juvenile offenders in jails, compiled under the orders of our President, appear* in the Appendix attached to this report. The Act not applying to girls, the tables contain information as to boys only. These returns show that between the 1st January 1880 and the 31st May 1882 there were admitted into Central and District Jails 683 male juveniles, being in the proportion of 2·21 per cent. to the total male convict population, the latter being 111,203.

Jail Statistics.

Of these 683 male juvenile offenders—

64	were under	10	years of age.	
149	between	10	and 12 years of age.	
263	,,	12	,, 14	,,
207	,,	14	,, 16.	,,
683				

As regards previous convictions—

1	had been previously convicted	seven	times.	
1	,,	,,	,, six	,,
5	,,	,,	,, five	,,
26	,,	,,	,, four	,,
41	,,	,,	,, three	,,
79	,,	,,	,, twice.	
167	,,	,,	,, once.	
363	had not been previously convicted.			
683				

The number of juveniles sentenced to terms of imprisonment not exceeding one year was 599
over one year, but under two 63
over two years, but under three ... 27
over three, but under five years ... 19
over five, but under ten 9
over ten years 6
683

No less than 573, out of the total number 683 were convicted of offences coming under the definition of theft and house-breaking, 7 of murder, 8 of culpable homicide, 2 of assault, 14 of gambling, and the remainder, 79, of "other offences."

As to the mode of livelihood of these boys, 68 are entered as "beggars and vagrants," 399 as "coolies," only 5 as "habitual thieves," 16 as cultivators, the rest as respectively Weavers, Bricklayers, Carpenters and Blacksmiths.

It must be admitted that these returns do not afford much useful information as to the boys' "mode of livelihood." The jail returns can only be based on what

* Appendix, pages 28 to 33.

appears in the Magistrate's or Court's calendar; the offender's own account of his mode of livelihood is usually accepted by a Court. Out of the 400 boys who work for hire when they can get work, it is not impossible that a good many, when they cannot get work, provide for themselves by practices not strictly honest. It is simply incredible that out of all these boys only five could properly be described as habitual thieves. Lastly, as regards the Weavers, Bricklayers and others, it is not improbable that the boy's caste has been taken, and it has been assumed that he follows the trade usually followed by such caste, which may or may not be the case.

The jail statistics are, however, in another important respect insufficient for our present purpose. They show only boys admitted into Central and District Jails; they give no account of those who underwent short sentences in subsidiary jails, or of those who were whipped and let go.

16. Turning to the criminal statistics submitted by the Inspector-General of Police with his Annual Administration Reports, we find the total number of male juveniles convicted of offences under the Indian Penal Code and the class of offences of which they were convicted. We have selected the past three years, 1879, 1880 and 1881. The first of these three years is perhaps hardly normal, being too little removed from the years of famine disturbance; but the two latter years may be taken as fair samples.

Police Statistics.

The total number of male juveniles convicted of offences under the Penal Code was—

in the year 1879	1,613
„ 1880	1,260
„ 1881	1,195

The appendix contains statements showing the number of male juveniles convicted in each of these three years of offences, the nature of which we assume to be such that a Court might with propriety consider whether it might or might not be desirable to order the offender to be detained in a Reformatory. It will be seen that this question might have arisen in regard to not less than 1,428 in 1879, 1,053 in 1880, and 1025 in 1881. The proportion of those convicted of theft and of criminal trespass for commission of serious offences by day or night is very striking.

Adhering to the principle we have stated elsewhere, viz., that it is in cases of convictions of offences against property, or against property and person combined, that juveniles may most properly be subjected to Reformatory treatment, we conclude that there will not be in any year less than 1,000 boys, any of whom a Court might think a proper subject for such treatment.

Allowance must be made for the case of boys above thirteen; for those whom it might appear unnecessary to send to a Reformatory on the grounds that they have parents willing and fit to take care of them; that it is a first conviction; and so on. But a very small percentage on the convictions would in the course of a very few years fill a Reformatory capable of holding only 100 boys. Assuming that boys would be detained for sufficiently long periods, the number of vacancies would be very small as compared with the admissions; and if only five per cent. of those convicted were sent as "proper persons," such a Reformatory would be full in a couple of years.

The population of the Bengal Presidency is about 64,000,000, that of this Presidency is about 31,000,000. Already in the course of three years it has been found necessary to open a second Reformatory in Bengal, leaving that at Alipore to supply the wants of a province containing about 36,000,000. We have no reason to suppose that crime in Bengal is in excess of that in Madras in proportion to population. It follows, therefore, that the Madras population would easily fill one Reformatory on the scale of that at Alipore. We have already mentioned that many applications made by Magistrates for admission of boys to the Alipore School have been refused.

17. We propose, however, that at first boys be selected only from the Tamil Districts. It has to be seen what the proportion of male juveniles convicted in these Districts bears to the total. Reference to the statement printed at page 33 of the Appendix shows the number of male juveniles convicted under the Penal Code in these Districts to be as follows:—

Proposal that at first boys should not be sent to the Reformatory recommended at Madras, except from certain selected Districts.

Madras Town	176
Chingleput	72
South Arcot	29
Tanjore	67
Trichinopoly	37
Madura	85
Tinnevelly	60
Salem	41
Coimbatore	51
Half of North Arcot (say)	45
	663

Eliminating those convicted of offences omitted from our Statement * No. the number of those from whom selection might be with propriety made would have been, in the year 1881, $(\frac{663 \times 1000}{1195}) = 555$. Here, again, allowance must be made for those whom Courts would not commit except in special cases.

We are, however, of opinion that Courts and Magistrates, if a Reformatory were in existence, would find it advisable to send a much larger percentage of juvenile offenders to such an institution than we have above taken. Experience alone can show which view is right, and we think it very undesirable that the Act should be allowed to remain inoperative on the assumption that even a small reformatory would not be filled, seeing that, if the first experiment is made on a small scale, the expense cannot be great, and the scheme can be abandoned if it is found to be not required.

18. It seems necessary to take some account not only of those actually convicted, but of "possible" offenders, to have reference to what is likely to be the future career of boys living on chance or by habitual theft. Mr. Nicholson, Sub-Collector, Coimbatore District, had, before he was aware of the Order of Government on which we report, endeavoured to get statistics affording some idea of the number of possible juvenile offenders, and tracing the career of those who, having been convicted as juveniles, have within the last few years become adults.

"Possible" juvenile offenders; boys living on chance, or by habitual theft.

Mr. Nicholson, who takes the greatest interest in the subject, and for whose papers † communicated to us we are much indebted, succeeded in obtaining returns from the towns of Madura, Salem, and Trichinopoly only. We have not printed these returns as they are not official, but we give a summary of the results.

Making due allowance for the fact that it is the Police who describe so many of the boys as habitual thieves and pickpockets, we entertain no doubt that not only in the towns above named but in all large towns there must be a considerable number of male juveniles habitually living by theft.

In Salem town out of 54 youths under the age of 18, who have been convicted once or oftener since 1878 of offences against property, 29 have no parents; 16 of those were under 13 years of age (in 1882); all are described as known to the Police as bazaar thieves or pickpockets. There are also, it seems, 20 boys under the age of 15 known to the Police as living by begging, their parents being in all cases (except two) dead. In Madura town 88 boys, once or oftener convicted since 1878, are returned as known habitual bazaar thieves or pickpockets; 21 of them had no parents. In Trichinopoly there are 49 such boys. In many cases it is reported that these boys are deliberately employed by adults to pursue this vicious mode of life. The Superintendent of Police, Trichinopoly, has favored us with an interesting account of a waif, who lately, on release from the Trichinopoly Central Jail, implored that he might be saved from having to return to a life of crime and slavery under a

* Appendix page 33. † Appendix, pages 5 to 12

renegade Koravan turned Mussulman, who had before employed him as a railway thief, and who was waiting to get hold of the boy as soon as he came out of jail.

19. We proceed to consider the question put in the third paragraph of the G.O., dated the 5th May 1882: "whether it would be preferable to collect all juvenile offenders in one or more Reformatories" * * "or to have numerous places of detention for such juveniles in the nearer neighbourhood of their homes."

Whether there should be one or more Reformatories.

We are agreed on the following principle: that it is desirable in every way that Reformatory Schools should be, as much as possible, disconnected from jail management; that they should not be attached to jails, and should have as little as possible in common with jails. On this ground we think it would be desirable not to locate such schools up-country, even in places otherwise eligible, where there may be large central jails, such as Coimbatore and Trichinopoly. There is much to be said in favor of such places as Ranipet, Pallávaram, Arkónam, and perhaps Erode.

The conclusion however at which we have arrived, not without much deliberation, is that it will be better to start one Reformatory only and to locate it in the vicinity of Madras.

Mr. Justice Muthusami Aiyar gives, as one of the principal reasons for recommending that the Act be not introduced at present, the necessity of having at least five or six Reformatory Schools. We certainly are averse from beginning with so many schools, but we do not agree that this is a sufficient reason for putting off indefinitely all attempt to try the system. We concur, however, with the Right Rev. the Bishop of Madras that it will be desirable eventually to have at least one Reformatory in each of the great divisions into which the Presidency naturally falls with regard to language.

Appendix, page 16.

Appendix, page 1.

After full consideration then we recommend that an experiment be made in the first instance with one Reformatory only, and that it be located in the vicinity of the Presidency town. Among other reasons for selecting Madras we may give the following, which were stated by the Committee on Reformatories in Bengal as reasons for commencing with the first Reformatory in or near Calcutta: "for the sake of the more efficient supervision to be obtained thereby, and for the greater facilities which exist for providing employment for the juveniles." It is probable that a considerable proportion of the juveniles to be sent to the Reformatory will be boys of the City of Madras. But the reason which has had most weight for us is that we wish the Reformatory to be under a Board of Management rather than a Committee of Visitors, and that it will be very difficult to find a sufficient number of competent gentlemen in any up-country station.

Where the first Reformatory should be located.

To meet the objection as to distance and climate, and as to sending youths to a strange place and among strangers not even speaking the same language, and also on account of the difficulty of instructing the boys in more than one language, we should wish to see only boys from the Tamil Districts (and perhaps Tamil-speaking boys from those districts in which this and another language is spoken) sent to the Madras Reformatory. That is to say, boys should not be sent from other districts than the following:—

Madras Town,	Madura,
Chingleput,	Tinnevelly,
South Arcot,	Salem,
Tanjore,	Coimbatore,
Trichinopoly,	

and the Tamil taluks of North Arcot.

It is possible however that, even with these limitations, it will be found necessary to teach Telugu as well as Tamil. There will be no difficulty in procuring subordinate teachers capable of giving elementary instruction in both languages, but it will not be so easy to find a competent Superintendent or Master with a knowledge of both.

If this difficulty can be overcome the neighbouring Telugu districts might be included; at all events the rest of North Arcot, Cuddapah, and Nellore, the population of which is about 3,000,000.

In either case we do not think that valid objection could be taken on the score of removing juveniles to strange and too distant places. With railways over the greater part of the Southern and South-western Districts, distance ought to be considered rather with reference to time than to miles. Relatives and friends should also be allowed to visit the boys and to communicate with them in writing, subject to necessary restrictions.

No doubt if the Act were once introduced and a school established, a Court or Magistrate might, if so advised, send an offender from any district, but if the wishes of the Government were expressed in accordance with our suggestions, and the reasons for the limitation understood, it may safely be assumed that boys would not be sent from districts other than those selected to begin with.

20. Assuming that the school is to be located in the vicinity of Madras town, we have to consider objections taken to some sites in that neighbourhood. The Board of Revenue, concurring with the Superintendent of the Government Farms and with the Director of Public Instruction, has expressed a decided opinion against having it near, or at least in any way connected with, the Government Farm. We agree generally in this view; but the objection does not seem to apply to the site on the opposite bank of the Adyar river.

Site.

The site of the old Guindy Jail has advantages and the buildings might be utilised with economy, but there is the objection that it was a jail once, and, as before said, it seems desirable that no prison associations should be connected with the school.

Kilpauk has been suggested as a suburb in which a suitable site might be found, and it seems free from objection if a sufficient area of land can be acquired there. We consider it essential that every boy should be employed on some out-door labor during a portion of the day. It is desirable that the school should not be too near a town or bazaar to tempt the boys to break bounds; and at the same time it should not be too far from the quarters inhabited by the European and Native gentlemen whom we wish to see on the Board of Management, and others who might take an interest in the experiment.

It is not easy to indicate precisely a site possessing all these requirements. We must admit that we are not in a position to make any decided recommendation in favor of any particular site, but we retain our opinion that the school should be located in the neighbourhood of the Presidency town.

21. It rests with the Government to decide whether a Board of Management, or a Superintendent and a Committee of Visitors, should be appointed for the control and management of the school.

Whether the Reformatory should be under a Board or a Committee of Visitors.

We are of opinion that the appointment of a Board of Management is preferable to that of a Superintendent and a Committee of Visitors.

A Superintendent would virtually have the whole management of the institution in his own hands, subject to the control of the Inspector-General of Jails; the Committee of Visitors cannot do more than make suggestions for the consideration of the Inspector-General of Jails. Having more real power, a Board of Management would probably take a greater interest in the school and feel themselves under a more real responsibility, and it appears that a Board of Management has worked well at Alipore.

We have had under consideration whether a Board of Management so constituted as to fulfil the requirements of the Act, and likely to work well, could be obtained in Madras. It would be invidious and perhaps unbecoming to give the names of those from among whom, as it appeared to us, selection might be made, but we think there would not be much difficulty in securing the services of enough and competent gentlemen, both English and Native.

22. A building on the plan * submitted by the Government Architect appears to be suitable, but we would suggest the addition of a block to accommodate, say, fifteen boys, in which new comers might be kept during the probationary stage, and in which refractory boys might be confined.

Cost and Establishment.

23. The cost of the establishment required may be estimated somewhat as follows:—

1 Head Master	on	Rs. 200	per mensem.
1 Deputy Master	,,	,, 75	,,
1 Native Doctor		,, 25	,,
1 Writer		,, 20	,,
3 Teachers		,, 50	,,
3 Industrial Teachers		,, 60	,,
Peons		,, 70	,,
Inferior servants		,, 70	,,
		570	

The annual cost then will be Rs. 6,840. The food and clothing of each boy may be taken as Rs. 5 per mensem, or Rs. 6,000 per annum for 100 boys—giving a total of Rs. 12,840.

Against this must be set off the cost of each boy had he been sent to jail. Deduction must also be made on account of the boys' earnings, the profit on their labor. The net profits at Alipore have risen from Rs. 1,850 in 1879 to nearly Rs. 5,000 in 1881.

24. We would call the head of the school "the Master," rather than by any other name more suggestive of jail management. As to whether the Master should, in preference, be a European, an Eurasian, or a Native; maintenance of firm, though kindly, discipline would perhaps be more likely secured under a European Master; but it is absolutely essential that the Master should possess not only a thorough knowledge of the native language, but also real acquaintance and sympathy with native modes of thought and ways, and these requisites a native would naturally be more likely to possess. In the selection of teachers your Committee would be inclined to prefer those of the lower castes, and perhaps for choice Native Christians. The great majority of the boys will almost certainly be of the lower or lowest castes and classes, and we incline to think that teachers of the class we suggest would find it more easy to sympathise with the boys they would have to deal with, and take more real interest in the attempt to raise the moral tone of pupils of low caste and social standing than would perhaps be possible for teachers of the higher castes.

25. It is essential that the elements of gardening and agriculture should be taught to all the boys. The trades taught should be carpentry, blacksmiths' and tinsmiths' work, and perhaps cane-work, weaving and book-binding. And, as far as possible, each boy should be taught the industry principally practised in his caste.

Trades, &c., to be taught, and Education to be given.

Education proper should be confined to sound elementary teaching of the simplest character in the vernacular. The Readers used should be those of the Madras Christian Vernacular School Book Society. But perhaps in time it will be desirable to provide a special series of primary Readers for Reformatories.

The rules for the management of the Alipore School, as well as those laid down for the Hazaribagh Reformatory (which is under a Superintendent and Committee of Visitors) will be found in the Appendix.†

* Attached to the Appendix. † Pages 34 to 42.

The former have been found to work well at Alipore. If the Government accept our recommendation in favor of a Board of Management, the Alipore rules may be adopted in the main.

We do not think it necessary or desirable to go into further detail in this respect. We have * elsewhere stated that we would not adopt the system of rewards and punishments in force at Alipore in its entirety.

We submit, too, that the hours of work and school appear to be somewhat too long, and we are of opinion that boys should not go to work in the early morning without some food. From six in the evening to nine o'clock next morning is, we think, too long for boys to be without food. We find, too, from information furnished to us from Alipore, that last year it was found necessary to give the boys in that Reformatory a light meal in the early morning before commencing work.

26. We are not apprehensive of any difficulty arising from matters connected with caste. It is found practicable to obviate or meet such difficulties in jails, and, as before said, the majority of the boys will be of low caste or no caste at all.

Caste.

27. This report would not be complete without acknowledgment of the communications received from the several gentlemen who have favored us with their opinions. Of those communications we proceed to give a summary. To the views stated therein we have endeavoured to give our best attention; most, if not all, of the opinions given and arguments used have been noticed in the course of our remarks. We should state that the gentlemen who are of opinion that it is not desirable to give the system a trial, on the ground that there are not enough juvenile criminals to justify the experiment, had but the scantiest figures before them on which to form their opinion.

Summary of opinions given by gentlemen consulted.

The Right Rev. the Bishop of Madras † considers in the first place the question where Reformatories, if established, should be located; next, the qualifications which the staff of teachers should possess; and lastly, the nature of the instruction in moral and religious subjects which might be imparted to the inmates. We have already stated our concurrence in his view that eventually at least one Reformatory will be required for each of the great divisions of the Presidency in which different language is spoken. We fully concur also in what is said as to the success of the experiments depending to a very great extent on "the character and qualifications of the persons with whom rest the discipline and the instruction, the moulding of the boys' characters, and the forming of their habits." As to the character of the moral and religious instruction which may be permitted, we have expressed our views in paragraph 5 of this report.

Mr. Justice Kernan ‡ says: "I am glad to see that there is a good prospect of the system being put in force in Madras. Ever since I came to India I have endeavoured to press the subject * * and I have no doubt vast good will be done if a trial is made."

Mr. Justice Muthusami Aivar § states that he "most earnestly desires to see our juvenile offenders brought under the influence of the Reformatory system," as that system has been found to work well in England, on the Continent, and in America; and is of opinion that, if practicable, it would be much better to have Reformatory Schools than juvenile wards in existing jails. But, assuming "the question really before the Committee to be, not the abstract question whether correctional training is not a better substitute for prison labor," but the narrower one, whether, having regard to the number of juvenile offenders in this Presidency, and to the social and other difficulties which surround the Reformatory system, it is expedient to introduce Act V of 1876, he is of opinion that if the Act is to be introduced it will be necessary to have several Reformatories; that is, in addition to the one at Madras, one in the South,

* Paragraph 10. † Appendix, page 1. ‡ Appendix, page 2. § Appendix, pages 15 to 17.

one or two on the West Coast, and two in the Northern Districts. Briefly stated, the reasons for this conclusion are that the people of the country are much attached to their homes, averse from sending their children to distant districts, and strongly imbued with the spirit of the ancient family system prevailing among the Hindus: that parents and relatives would therefore feel it grievous to see their children sent from one end of the Presidency to the other; and that the boys should at the end of the term of detention be discharged in the neighbourhood of their own homes, and trained to earn a livelihood in their own districts.

Mr. Justice Muthusami Aiyar came to the conclusion upon the figures available to him—that is the figures given by the Honorable A. J. Arbuthnot in introducing the Reformatory Bill—that there would not be a sufficient number of juvenile offenders to fill "each Reformatory." In the result he seems to think that, by providing separate and improved accommodation for male juveniles in connection with existing jails, enough may be done "to satisfy, at all events for the present, the requirements of this Presidency." He further speaks of the necessity of Government finding employment for boys removed from their homes, and who may be too young, when dismissed, to take care of themselves, as another reason for hesitating to try the experiment.

We have already expressed our obligations to Mr. Nicholson, whose papers are printed at pages 5 to 12 in the Appendix. He is a firm believer in the efficacy of Reformatory treatment, and most anxious that the system should be tried by the Madras Government.

Colonel Weldon, the Chief Presidency Magistrate, is "not satisfied that sufficient grounds appear for incurring such a grave responsibility on the part of Government, the ultimate disposal of the youths being at least as serious a question as the necessity for State interference in the first instance." He adds, however, that his answer to the general question "must of course be subject to the result of investigation of the several points indicated" in the order of Government.

The Honorable Mr. Shêshiah Sâstri * is of opinion that, excluding what may be called criminal tribes, the number of juvenile criminals is too small to make the system worth a trial; he is of opinion that it is perfectly hopeless to attempt to eradicate criminal propensities from boys of such tribes as the Chentsus and Yerukalas.

The other two native gentlemen who have favored with their opinion † are strongly in favor of giving the system a fair trial.

Mr. Symonds, the Superintendent of the Madras Penitentiary, thus expresses his views: "The first thing that strikes me as not a little remarkable is that although the principle of the Reformatory system has long ago passed from theory into practice admitted to have borne good fruit, a Committee is about to sit for the settlement not merely of details preliminary to giving effect to the Reformatory Schools Act of 1876, but in reality to re-open a question that has now been discussed in all its bearings and local aspects for the last twenty years." He very strongly advocates ‡ the establishment of a Reformatory School at once.

On the other hand Major Macleod, the Superintendent of the Vellore Central Jail, another officer of much experience in such matters, is on the whole averse from trying the experiment. He refers to the immense area of this Presidency; to the paucity of juvenile criminals; to the fact that there is in this country no criminal *class* to work upon (saving perhaps in the Presidency town), such as there is in England. He draws a distinction between the reformation of the criminal classes as such, the reclamation of the masses on the one hand, and the removal of a comparatively small number of youths from evil associations on the other. He also refers to difficulties connected with caste, and with the ultimate disposal of the boys. But it appears to your Committee that Major Macleod himself states a very strong case indeed in favor of the course which they would advocate when he says that not only does a few months' imprisonment in a jail neither reform nor improve a youth nor create a

* Appendix, page 17. † Appendix, pages 2 and 4. ‡ The paper is printed separately and attached to this Report.

wholesome dread of such a punishment, but that he is satisfied that in many instances "it would have been far better for the lad had he never been sent to such a place."

(Signed) T. E. TENNANT,
Inspector-General of Jails, President.
(„) H. D. CLOETE,
Inspector-General of Police.
(„) H. B. GRIGG,
Director of Public Instruction.
(„) E. F. WEBSTER, C.S.
(„) P. P. HUTCHINS, C.S.
(„) F. BRANDT, C.S.

ORDER—dated 12th February 1883, No. 376, Judicial.

The paper read above embodies the very interesting report of the Committee appointed in May last (G.O., 5th May 1882, No. 320, Judicial,) to consider the necessity or desirability of applying the Reformatory Schools Act (V of 1876) to the Madras Presidency.

2. After discussing the several objections which have suggested themselves in regard to (1) the religious difficulty, (2) the removal of children from their homes, and (3) the disposal of boys on discharge—none of which it is believed need interfere with the proposed establishment of schools under the Act—the Committee express a decided opinion that the object to be aimed at, viz., reform by a long period of correctional training, cannot be attained in prisons or reformatories attached to prisons.

3. They therefore propose that the Act should be brought into force at once, but that, in the first instance, only one Reformatory School should be established in the neighbourhood of Madras, to which juvenile offenders should be sent from certain stated districts, leaving it open hereafter to establish similar schools in other divisions of the Presidency. The arrangements proposed with reference to the location and erection of buildings, the cost of establishments, methods of management and education are then gone into, and the principles enunciated on which the rules necessary under the Act should be framed.

4. His Excellency the Governor in Council has given his careful attention to these recommendations and to the mass of information which has been accumulated. He is of opinion that the conclusions arrived at by the Committee may be generally accepted, but on the question of management, he adheres to the ruling of 1876 (G.O., 13th November 1876, No. 2349, Judicial Department), and prefers a Superintendent with a Visiting Committee to a Board of Management.

5. This point excepted, the recommendations are approved, and it will now be the duty of the Inspector-General of Jails to work out the details of the scheme in communication with the Public Works Department, and to submit an estimate of the cost of carrying it out together with draft rules under Sections 21 and 22 of the Act. It will then be determined how soon the Act can be brought into force.

6. The thanks of Government are due to the Members of the Committee.

(True Extract.)

C. G. MASTER,
Chief Secretary.

To the Committee on Reformatory Schools.
„ Inspector-General of Jails.
„ Public Works Department.
„ Board of Revenue.

Exd. J. Wright, A. F. Aaron and T. O'Connor.

Govt. of {1883} Madras.

JUDICIAL.

Issued

Recd. *Encl.*

G.O., 12th February 1883, No. 376.

No. 691—Jra. / 3rd March / 83.

FEBRUARY.

Communicated to the Public Dept. 5th Circle and the Consulting Architect to Govt.

S. 85th Circle
C. A. to Govt.

Sd. J. P. N.

Reformatory Schools.

Passing orders on the report of the Committee appointed to consider the necessity or desirability of applying the Reformatory Schools Act to the Madras Presidency.

No. 1407 Wdy 5th January / 82

B

Communicated to the Supdt. Engrs. 5th Circle.

30.5.82

Cs

Govt. of {1882} Madras.

JUDICIAL.

No. 1407 Wdy 5th Jan

5 S C

S. E. 5th Circle
despd 6/6/82

Withdrawn

Entd. in Receipt Regr

For C.No.
1506

MEMORANDUM.

Communication
Requested for ~~reference~~ the under-mentioned papers:-

Copy of the plan for a Reformatory School submitted by the Govt. Architect and referred to in para 22 of the Committee's report recorded with Judicial Dept. Go. No. 376 of 12th Feby. 1883.

Govt. Office P.W.D.
19th Feby. 1883.

R. Gordon
Chief Asst. P.W. Sett.

TO

The Chief Asst.
Public Works Dept.

Govt. of {1883} Madras.

JUDICIAL.

Issued

Recd. *Encl.*

G.O., 12th February 1883, No. 376.

No. 691—Jud. 3rd March 83.

FEBRUARY.

Communicated to the Supdg. Engr. 5th Circle and the Consulting Architect to Govt

S. & 5th Circle Sal. Jud. 1 & 4

C. A. & Govt.

Reformatory Schools.

Passing orders on the report of the Committee appointed to consider the necessity or desirability of applying the Reformatory Schools Act to the Madras Presidency.

5th May 1882, No. 320, Judicial.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Read—the following letter from Lieutenant-Colonel T. E. TENNANT, Inspector-General of Jails, to the Chief Secretary to Government, dated Cannanore, 21st March 1881, No. 54 :—

In returning the sketch plan for the proposed Reformatory School at Saidápet received with the Under Secretary's Public Works Department Memorandum, No. 86, dated 13th January 1881, I have the honor to state that I approve generally of the arrangement of the buildings. In the dormitories the allowance for each inmate ought not to be less than 30 square and 500 cubic feet of space. The plans of the buildings will, I presume, show all necessary details as to the drainage, ventilation, and internal space.

2. In my letter, No. 93, dated 13th May 1878, I requested to be favored with the views of Government as to the steps to be taken for the establishment of a Government Reformatory at Madras and for the development of the Reformatory system in this Presidency under Act V of 1876.

G.O., 10th June 1878, No. 1179.

3. Under the permission granted in G.O., dated 10th June 1878, No. 1179, I visited Poona, Tanna, Bombay, Calcutta, and the principal prisons in the North-Western Provinces. In Bombay the Sassoon Reformatory has been in existence for more than twenty years, and it is stated to have done some good; at the time of my visit it had not been brought under the operations of the Reformatory Schools Act. The arrangements were perhaps as good as they could be under the circumstances, but no attempt was made to segregate the boys at night. At Poona there was no Reformatory as defined by Act V of 1876, but a portion of the jail separated from the part occupied by adults and appropriated for boys, who receive some schooling, was called a "Reformatory." In the North-West there is a separate boys' jail in each central prison; in these the juveniles are divided into two classes—the junior comprising boys under twelve years old and the senior including all boys above twelve who, in the judgment of the medical officer, have not arrived at puberty. Adolescents who are reported by the medical officer as having arrived at puberty are classed as adults. I saw no Reformatories as defined by Act V of 1876 in the North-Western Provinces. In Calcutta I visited, in company with the Superintendent, the Reformatory at Alipore. The arrangements appeared to me to be generally good, with the exception of children convicted for the first time being associated with habitual offenders. The school had only been recently established, and there was no experience of its working.

4. I enclose, for the information of Government, a copy of the draft rules* for the management of this institution. It will be observed that the school at Alipore is managed and controlled by a "Board of Management." For this Presidency it has been already decided—and rightly I think—that the management of the Madras Reformatory School shall be under a Superintendent appointed by Government and a Committee of Visitors constituted as required by the Act, and not by a Board of

* Return requested.—no other copy.

Management. The local Government have power to frame rules to regulate the matters mentioned in clauses (*b*), (*c*), (*d*), (*e*), and (*f*) of the 21st section of the Act and also rules to regulate the mode in which the Committee of Visitors shall conduct their business. If it be decided to establish a Reformatory at Madras, I request I may be favored with instructions as to the steps to be adopted for drawing up these rules and for the constitution of the Committee of Management.

G.O., No. 2349, dated 13th November 1876.

5. One of the important questions connected with the Act seems to be this—by what principles shall Courts be guided in determining whether a boy is "a proper person to be an inmate of a Reformatory School"? Section 7 of the Act gives a wide discretion to the Magistrate, and by Section 8 the Magistrate, on the motion of the officer in charge of the Jail, has power to modify a sentence passed possibly by a Court of Sessions. It has already been pointed out that, unless the powers conferred on Criminal Courts by the Act are exercised with a sound discretion, considerable hardship and possible mischief may result.

6. The success of the whole Reformatory Act will greatly depend on the selection of the right class of offenders for commitment under it. I would submit that, as a fundamental rule, confirmed and hardened offenders and boys convicted of certain crimes should not be sent to the Reformatory, since they would be likely to contaminate others, and, instead of working reformation, they will act as the recruiting and training agents for the perversion of others. Boys are more easily corrupted by other boys than by men.

7. On the other hand, if boys are sent to the Reformatory indiscriminately on first conviction, perhaps on the ground of rescuing them from bad influences and evil courses, or because their parents are poor and of indifferent character, the institution will be crowded; we shall do away with the chance that the first conviction may deter and we shall burthen the State with the expense of maintaining an unnecessarily large number of boys. Further, as I stated in my previous letter, where the distance is great and the climate is different, the removal to a Central Reformatory at Madras is open to grave objections; such a removal will practically be adding transportation to imprisonment, for the boys will be altogether removed from the influence of their friends, and their friends will be deprived of all knowledge of their condition.

8. The selection of the right class of youthful offenders for detention in a Reformatory is a question attended with many difficulties, and the Magistrate will have chiefly to look into the boy's surroundings. If the boy has parents who will take reasonable care of him, there ought to be very special reasons for justifying the Magistrate in sending him to a Reformatory on a first conviction; if, on the other hand, he is friendless, or his parents and associates are themselves criminals, there ought to be special reasons if a boy is *not* sent to a Reformatory. Anyhow I think that the sentence of detention in a Reformatory should not be passed unless there is evidence, or strong presumption, that the offender is really, by choice or force of circumstances, living by crime and vice. I request I may be favored with the views of Government on this matter.

9. Another important question connected with the Act is—the difficulties of providing for the after-career of the boys. The Reformatory being located near Madras will doubtless afford some facilities for licensing boys and of placing them out under circumstances affording reasonable promise that they will lead an honest life. It is, however, I fear, hopeless to expect that we shall prove more successful in finding occupation for our youthful offenders than the Committees of the Orphan Asylums and other Benevolent Institutions. In this matter the active assistance of native society will be needed, and it is well that two at least of the Members of the Committee will be native gentlemen of experience, whose assistance should be invited. Unless means are devised of getting boys off their hands, the State will, I fear, find that Act V of 1876 will only add another to the long list of our benevolent, but expensive, failures.

READ—the following Proceedings of the Board of Revenue, dated 9th December 1881, No. 3152:—

Read—again the following Proceedings of the Board of Revenue, dated 13th May 1881, Mis. No. 4928:—

ABSTRACT.—Communicating to the Superintendent of Government Farms, for remarks, Official Memorandum from the Chief Secretary to Government, dated 20th April 1881, No. 725, regarding the proposed establishment of a Criminal Reformatory on the Saidápet Farm.

Read—again the following Proceedings of the Board of Revenue, dated 1st July 1881, Mis. No. 6382:—

Read—the following letter from W. R. ROBERTSON, Esq., M.R.A.C., Superintendent of Government Farms, to the Secretary to the Board of Revenue, dated Saidápet, 28th May 1881, No. 533:—

With reference to Board's Proceedings, Miscellaneous No. 4928, of the 13th instant, calling for my remarks on the proposal to establish a Criminal Reformatory either on the Saidápet Farm Estate or on land in the neighbourhood of the farm, I have the honor to state that to establish such an institution on the farm would undo much of the work we have been engaged on during the past ten or twelve years and would ruin the educational work on which we are now engaged in—a work the importance of which has been recognised alike by Government, the Government of India, the Secretary of State for India, and the public. As regards the selection of a site on land in the neighbourhood of the farm, I have no objections to urge, provided the land is thoroughly isolated from the farm and the institution is worked entirely by its own agency through the Jail Department.

2. In 1868, when it was proposed to establish a Reformatory on the farm estate, the farm was only partly developed, and it had no connection whatever with agricultural education, but even then doubts were felt as to the wisdom of establishing a Criminal Reformatory thereon, and a good deal of discussion took place between 1868 and 1870. Writing in July 1870, in a letter No. 5013, the Board thus expressed their views on this subject:—"The Board decidedly approve of agriculture as an occupation for convicts, but do not consider that jail farms could ever take the place, or properly answer the purpose of, the model farms, the establishment of which they are now advocating *as a means for raising the status of agriculture and enlisting the interest of the well-to-do classes*. Jail farms cannot be public institutions open to the inspection and participation of the people, and *the association might tend to degrade rather than elevate the subject in the eyes of the people*."

3. One great aim in the management of this department is to raise the status of agriculture and to show to the people that the higher education their sons now enjoy does not unfit them for pursuing agricultural careers. We have enormous difficulties to contend with in carrying out this aim from the husbandry of the country having so long been in the hands of the most ignorant classes of the community and having been so long looked upon by the higher classes as an occupation fitted only for serfs. We have, I venture to believe, been successful, as far as our means admitted, in showing that agriculture, properly practised, is a pursuit which may honorably be engaged in even by the graduates of our Universities. This good work would be ruined if it were attempted to give an agricultural training to youths of the criminal classes in connection with our work at Saidápet, but Mr. Benson, in a letter printed in Board's Proceedings, No. 2988, dated the 7th of November 1878, so fully set forth my views on this subject that it seems unnecessary to restate them herein.

4. As regards a site on land in the neighbourhood of the farm, there need be no difficulty in making a good selection. I enclose a map on which is shown a block of land, consisting of about 40 cawnies, which can be hired. This land is situated on the opposite bank of the river to the farm at its northern end, and on it are some excellent buildings well adapted for the use of the proposed Reformatory. I enclose a plan of these buildings. It will be seen that the accommodation is spacious. A few altera-

tions will be necessary and some small extensions, but the expense need not be great; quarters for the Manager might be constructed on the main building if this is desirable.

5. The land is well stocked with fruit-trees, which bring in on the average about Rs. 30 per mensem. About half of the land is available for cultivation, most of which is provided with wells or can be watered from an adjoining tank. The land is similar in quality to that of the farm and is suited for gardening, which, I presume, is the only kind of out-of-door labor the convict-children can be employed on, for they will be quite unable to hold the plough or perform other agricultural field-labor.

6. I enclose a statement showing the fruit-trees on this land, its wells, &c.; also copy of a letter from the owner stating the terms on which the land may be rented.

7. If it is intended to transfer from the farm to the Reformatory the manufacture and repair of agricultural implements, machines, &c., which I think would be desirable in the interests of both the institutions, the Reformatory workshops, if at the buildings referred to, would be sufficiently convenient for the requirements of the farm. The farm workshops consist of only a couple of sheds, in which, at the outside, only half a dozen workmen could be employed, and there is no plant belonging to the workshops but which could readily be transferred to the Reformatory. It would be an advantage if this work was taken from the farm; it is on too small a scale to justify the employment of a competent Foreman in looking after it, and the present arrangement wastes the time of the Farm Overseer.

8. If it is considered preferable to purchase a block of land and to construct on it a permanent set of buildings for the Reformatory, I would suggest that for this purpose the land lying immediately behind the late Guindy Jail is well suited. I refer to the blocks owned by the trustees of one Lutchmana Moodelly and by Mrs. Crampton. The area of the land is about 63 cawnies. It was valued by Deputy Collector C. Venkatesiah at Rs. 5,320-5-10 (*vide* paragraphs 3 and 4 of his letter printed with the Proceedings of the Board, No. 2536, dated the 11th December 1873). Some of this land is very good, well provided with water, and suitable for gardening purposes. Lying, as it does, immediately between the farm and the Guindy Park, it would be an advantage if the land was in the hands of Government. If the buildings were situated as shown on the map, the workshops would be as accessible to the farm as if situated on the land first referred to.

9. I should be glad if the views of the Director of Public Instruction could be obtained on the subject under discussion.

10. I return the plan which accompanied the Proceedings under reply.

Enclosures.

Plans.

List of trees including land at Mahabool Baugh.

Copy of correspondence with the owner of the above.

Plan of a Criminal Reformatory forwarded by Government with their Official Memorandum, dated 20th April 1881, No. 725.

Copy of G.O., Judicial Department, dated 13th November 1876, No. 2349.

Resolution—dated 1st July 1881, Mis. No. 6382.

Forwarded in original to the Director of Public Instruction with a request that he will state his views on this matter at an early date.

(True Extract.)

(Signed) C. D. MACLEAN,
Acting Sub-Secretary.

To the Director of Public Instruction,
with five enclosures to be returned.

Read—also the following letter from H. B. GRIGG, Esq., M.A., Director of Public Instruction, to the Secretary to the Board of Revenue, dated Ootacamund, 24th October 1881, No. 585-N.

I have the honor to return the papers referred to me with Board's endorsement, Miscellaneous No. 6382, 1st July 1881, and to state that I generally concur in the Superintendent's strong objections to the location of the school on the farm at Saidápet. The School of Agriculture, though it has been in existence for several years, has still a very precarious existence, and I feel convinced that it would be very inexpedient to weight its chance of success in any way. The simple fact that criminals are being educated and trained at the farm would, I believe, lower the institution in the eyes of the native community. It is to be borne in mind that one of the special objects in view is to draw to the school the sons and dependents of wealthy landholders, and not only young men anxious for Government employment, who join the school partly from this consideration, and partly in view of the emoluments given in the shape of studentships. The former class would be particularly sensitive in a matter of this description; so also would be the students who are being sent to the school by Native States, of which there are already several in the institution. In England even the prejudice against these institutions among certain classes is so strong that the schools are, I believe, ordinarily located at a distance from other institutions for the education of the young.

2. The reasons assigned in G.O., dated 13th November 1876, No. 2349, for locating the school at Saidápet are—(1) the healthiness of the site; (2) its nearness to Madras; (3) the facilities the farm would afford for training the juveniles in agricultural labor, gardening, and care of animals; (4) the existence of carpenters' and smiths' shops on the farm—conditions which would result in the boys being taught real work instead of the imperfect industrial training given in a school.

3. As regards the healthiness of the site, I am under the impression that Kilpauk would be equally healthy, in whose neighbourhood suitable premises would probably be obtained, whilst the latter district would be much more convenient for the Superintendent of the Penitentiary and for the Committee of Visitors.

4. The facilities for training in agriculture and gardening would doubtless be greater at Saidápet, but I fail to see how these facilities can be given effect to without bringing the juveniles more or less into contact with the students, and the same remark applies to the mechanical departments and the care of animals. At present the students are required to plough and garden, and I trust before long it may be possible to render manual labor in the smiths' and carpenters' shops a necessary portion of the practical course through which the pupils have to pass, as is the case with young Engineers. But no one conversant with the prejudices of the higher classes of this country against working with their own hands will undervalue the difficulties which beset the carrying out of such a scheme in a thoroughly practical, as opposed to a dilettante, manner.

5. I submit that the interests of the School of Agriculture, upon whose successful working the future of this Presidency so largely depends, must be considered first, and that those of the Criminal Reformatory must be regarded as quite secondary. That the location of the juveniles at the farm will probably prejudice the Agricultural School can, I think, hardly be questioned, and, if this be so, the paramount importance of the School of Agriculture should suffice to guard it from such a retarding influence.

6. I have deferred reporting on the matter, as I hoped, before doing so, to have inspected the alternative sites suggested by Mr. Robertson. This, however, I regret I have as yet been unable to do.

7. I beg to return copy of Government Order forwarded to me with Board's Proceedings, No. 919, of 15th October 1881.

Resolution—dated 9th December 1881, No. 3152.

Submitted to Government with reference to Official Memorandum, dated 20th April 1881, No. 725, Judicial Department.

2. The Board agree with the Director of Public Instruction and the Superintendent of Farms that the proposed location of the Reformatory on the site of the Government Farms at Saidápet would be a fatal blow to the prospects of the School of Agriculture.

3. Whether either of the sites indicated by Mr. Robertson or the locality suggested by Mr. Grigg would be best suited for the purpose is a matter for the decision of the Inspector-General of Jails. Mr. Robertson's remarks regarding the transfer of his workshops to the Reformatory premises are worthy of consideration.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

To the Chief Secretary to Government, Judicial Department, with the plan of Criminal Reformatory (in Govt. Register No. 1368 of 1881) returned, and four enclosures in G.R. No. 4228 of 1881 to be returned, and with copies of Board's Procs., dated 23rd July 1870, No. 5013, and 7th Nov. 1878, No. 2988.
Copy to the Secretary to Government, Revenue Department.
" " Superintendent of Government Farms.
" " Director of Public Instruction.

ORDER—dated 5th May 1882, No. 320, Judicial.

Before taking any further steps in the matter of establishing a Reformatory, the Government desire to be satisfied that the numerous difficulties which surround the Reformatory system have been thoroughly investigated and that the object aimed at cannot be secured, at a comparatively trifling cost, by the adoption of special arrangements for juvenile offenders in existing jails just as well as under the system proposed, which involves the serious responsibility of disposing of the boys, on discharge, far from their homes and aliens from their own friends and relations. The Right Honorable the Governor in Council resolves, therefore, to refer to a Committee the general question whether it is necessary or desirable to bring the Reformatory Schools Act, 1876, into force in this Presidency.

2. The following are the topics to which the attention of the Committee should be chiefly directed.

Having ascertained the average number of juvenile offenders in the several jails, their ages, sexes, castes, ordinary residence and mode of livelihood, and the class of offences of which they are convicted with the extent of punishment imposed, the Committee should consider what need is apparent for expensive effort at reformation in the manner indicated; what prospect there is of effecting it, in what way, and by what kind of training or education; what facilities already exist in jails for such reformatory treatment, and whether there are objectionable features in them which can be removed, and, if removed, whether the facilities would be probably adequate. The Inspector-General will be able to inform the Committee whether at the various jails in other parts of India visited by him there exist any arrangements for juveniles in advance of those now obtaining in this Presidency, and, if so, whether such improvements could with advantage be adopted. The experience of the Alipore Reformatory and the results attained there should also be ascertained.

3. The Committee will further consider whether, in carrying out the Reformatory system in this country, it would be preferable to collect all juvenile offenders in one or more Reformatories, detaining them there for long periods with the object of removing them from all home influences, good or bad, and at long distances from their native place, or whether it would be preferable to have numerous places of detention for such juveniles for purposes of reformation in the nearer neighbourhood of their homes.

The following gentlemen will be requested to form themselves into a Committee for the above purpose with the Inspector-General of Jails as President. The Committee should consult by letter such native gentlemen as they may think fit; for example, the Hon. Mr. T. Muttusami Iyer and the Hon. Sashia Sastri would be able to furnish valuable information:—

Colonel Tennant, Inspector-General of Jails, President.
The Director of Public Instruction.
Inspector-General of Police.
Mr. Forster Webster, C.S.
" P. P. Hutchins, C.S.
" F. Brandt, C.S.

(True Extract.)

for Acting Chief Secretary.

To the Inspector-General of Jails, with draft rules returned.
" Director of Public Instruction.
" Inspector-General of Police.
" Forster Webster, Esq., C.S.
" P. P. Hutchins, Esq., C.S.
" F. Brandt, Esq., C.S.

Copy to the Board of Revenue, with four enclosures returned.
" " Public Works Department.

Exd. J. W. Fischer.

No. 1407 W d/5th June/82

B

Communicated
to the Supt Engr 5th
Circle.

30.5.82

Cy

No. 1407 W d/5th June/82

5 5 0

S. E. 5 Circle

Despd 6/6/82

Letter Underneath

Govt. of India Madras
JUDICIAL.

Order, dated 5th May 1882, No. 320.

Reformatory Schools Act, 1876.—Referring to a Committee the general question whether it is necessary or desirable to bring the — into force in this Presidency.

P. W. SECRETARIAT—18.

KEEP-WITH.

Current No. 53

Letter No. 535

Dated the 6 Jany/83

from the Con: Architect
to Govt.

R. 86 Memo

Adverting to Rec* of Govt. Judicial Dept. marginally noted, the undersigned is directed to forward for any remarks the Inspector General of Jails may desire to offer, the accompanying sketch plan by the Consulting Architect to Govt. for the proposed Reformatory School at Saidapett.

(By O)
13 Jany/83 Sy Asst. Sec.

* Ro 2349 d/13-11-76
" 1179 — 10-6-78

The Insp Genl of Jails
Returned with plan
Dated
Ltr C.S. 14-8-83 Dated
14-8-83

No 1407 Wds/5th June/82

B

Communicated to the Supt Engr 5th Circle.

30.5.82

C4

No. 1407 Wds/5th June/82

5 50

S. E. 5th Circle

despd 6/6/82

J 7/6

Entd. in Receipt Regr.

GOVT. OF MADRAS. } 188 . { 1407

SECRETARY.

Chepauk, 7th Jan

OFFICE NOTE.

To The Secretary

From C. A. Dew

5 5 / 6th Jan 1882

Reformatory Schools

For orders

Mr Dew's letter

deals with the

distinctly more convenient

and better adapted

to its purpose as well

as from the advantage

of economical plan

adopted

C. 9. 1. 81. 4 12. 1.

C.S. 2851. 16.12.80

ROADS AND BUILDINGS.

From

The Consulting Architect
to Government,

To

The Chief Engineer, P. W. Department
Buildings and Roads Branch

No. 535

Dated 6th January 1881

Received

No. of Enclosures. 3

Returns plans of Reformatory
with remarks.

× two plans given to the
Technical Section.
27/2/81.

ROADS AND BUILDINGS.

No. 535

CONSULTING ARCHITECT'S OFFICE,
Chepauk, 6th January 1881.

From

THE CONSULTING ARCHITECT TO GOVERNMENT,

To

THE CHIEF ENGINEER, PUBLIC WORKS DEPARTMENT,
BUILDINGS AND ROADS BRANCH.

SIR,

Enclosures.

3 tracings

I have the honor to return the plans of Jeypore Sanatoria forwarded to me with your Memorandum No 2851 dated 16th December 1880.

The sketch design which I drew up in the year 1877 was the result of reading most carefully the printed papers sent to me by the Government. The scheme according to those instructions is complete.

There is a Superintendents house with Board room which forms the general entrance to the Courtyard, There are the workshops Dining room, and School room, and lastly the Dormitories divided into two blocks each one under the control of a Warder centrally situated, and there are night and day latrines.

The Ootacamund plan simply consists of Dormitories and work shed with Superintend

quarters. There must be Latrines somewhere but they are not shown. -

In regard to detail the arrangement in the dormitories of both plans is somewhat similar a 3'-6" passage up the centre giving access to Cells on either side. The Alipoor dormitory from accessible breadth does not give so good a proportioned cell as my own plan. The Alipoor Cell is 8'-0 × 4'-3" = 34'-0"

My plan shows 7'-0 × 5'-0 = 35'-0

The Alipoor plan has deep Verandahs all round which add Cent per Cent to the cost of the plan, and in my opinion are quite unnecessary for the class of boy to be housed.

The Alipoor plan provides a Compound wall all round while the positions of the Warders Cottages in my plan render a Compound wall unnecessary.

I have the honor to be

Sir

Your most Obedt. Servant.

H. Irwin.

Consulting Archt. to Govt.

C.E. 2871. 16-12-80

ROADS AND BUILDINGS.

From

The Consulting Architect
to Government,

To

The Chief Engineer, P. W. Department,
Buildings and Roads Branch.

No. 535

Dated 6th January 1881

Received

No. of Enclosures. 3 x

Returns plans of Reformatories with remarks.

x two plans given to the Technical Section.
27/2/81.

2.1.81 R.21.

E

No. 809, of 1880.

Public Works Department,

Bombay Castle, 14th August 1880.

From

The Secretary to Govt., Bombay

To

The Secretary to the Govt. of Madras,
Public Works Department.

Sir,

In reply to your letter No. 261, dated 6th instant, I am directed to inform you that there is no standard plan for a Reformatory School on the records of the Public Works Department of this Presidency.

I have the honor to be,
Sir,
Your most obedient Servant,

J. M. Wallace for Colonel, R.E.,
Secretary to Government.

P.W.D.
17 AUG 80
No. 5206

Ch. Do. 2851 of 16th Dec. 80.

D. 18.8.80.

All communications should be addressed to the Secretary.

No. 2103.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

~~GENERAL.~~
Civil Works.
Buildings.

To
The Secy: to the Govt: of Madras
P. W. Deptt.

Simla 31st August 1880.

Sir,

In reply to your letter No. 261 dated 6th August, I am directed to state that no "Standard Plan of a Reformatory has been issued by the Govt. of India but that it is understood a plan of Reformatory was prepared in Bombay in 1877 or 78 and to suggest your applying to that Govt. for a copy.—

I

I have the honor to be,
Sir,
Your most obedt. Servt.

W. Tomkins Capth. R.E.
Asstt. Secy. to the Govt. of India

P.W.D.
7SEP80
N.P.

S. No

Q. Ex. 2851 of 16th Decr/80.

7.908

Govt. Secrt., N.-W. P. and Oudh.
P. W. D., No. 15,
A.—3,700 of 1879.

No. C 463 BR

GOVT., N.-W. P. AND OUDH, P. W. D.

Building & Roads Br.

Nainí Tal the 14th Septr. 1880

To

The Secy. to Govt.
of Madras P.W.D.

Sir,

In reply to your No. 261 of 5th Augt. 1880, I am directed to state that the Standard Plan of Reformatory Schools therein asked for cannot be furnished, as no such Buildings have as yet been constructed in this Province.

I have the honor to be
Sir
Your most obedt. Servant

J Bradley Capt. R.E.
for Secy. to Govt. N.W.P.
Oudh & to the Govt. of India

Ch. Le. 2851 of 16th Dec/80.

PUBLIC WORKS DEPARTMENT.

From the Govt. of Bombay No. 809 E. d/14th Augt 1880
" " Govt. of India " 210 B " 31st " "
" " Govt. of the N.W.P. & Oudh No. 1463 BR d/4th Septr

Circulated FOR ORDERS. with reference to the
Hon'ble Members remarks
of the 31st July-

2. The Govt. of Bom
have not replied to the
reference, in spite of
reminders, but it is un-
likely that a standard
plan has been prepared
in that province without
the knowledge of the
Govt. of India.

3. The idea that a
plan of a reformatory was
prepared in Bombay some years ago
seems to be a mistaken

one -

FOR ORDERS.

Col. R.C.

28/10/80.

28/10

For disposal

As considerable dissatisfaction has been expressed by the Ch Engr Bombay circle if returned for orders to be otherwise disposed of, but in the following quoted from the letter of the 4th Sept. it seems to be left to the discretion "no such Buildings have as yet been erected in these Provinces" would seem to include the idea that any new Reformatory should be of course one previously existing buildings may have

Forwarded

Dated 10-11-80.

one -

Am made over
to the Trustees

Att

6/11/80

28/10/80.

Bunbury

2 Dec^{r} 1880

My dear Col Sankey

We have rec^{d} refer-

-ence to any regular plan

such as we have

are simply ordinary

buildings adapted

for the purpose ac-

-cording to the rules

of Medical Science

2. June 1677.

Ray anent Sir William Robinson

Lenders a tuang

Shuning whent I annex produce

for the Assumption the Civil

a Ecclesiastic -

The whole Lenis of Building

is annexed in a Grandrugle

Open at the Comm for a fair

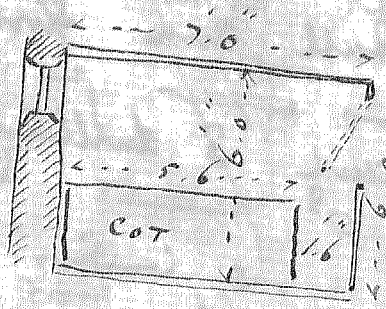
Circulation of air. The windows in the Eastern side should be so that at night a boy could not get into by scaling the surrounding wall.

The work, which will be an Asphalt. open Structure 110 × 20 ft = 2200 ~~22~~ Asph ft for boy.

The dining room with two Tables, allows 8 inches each boy at Table.

The School Room allows about 20 Sq. ft. for 50 boys. (I presume that at the time would have the half the full number (50 in School).

The Dormitory are so arranged that each boy has a separate Compartment with a window and a door.



In reply to Judge Whitten this is sufficient I think it would be better to make up a list from this sizes and put a cot in it. I think myself it is simple. -

The Superintendents house is in two stories - Nice - Entire

Hall, and stores above Stores, and 3 dwelling rooms above. The wooden houses being on either side -

If you will kindly look over the sketches and note anything which occurs to you and let me know before Saturday it Wednesday.

Believe me Very faithfully yours

R. Christchurch.

In dem Christlichen
Heil Buch
wird uns die Plain &
English & German
Reformation Bibel
& collated - bey
deckung an die 20
Compend. of the Syd
ol Reformats
Kinds hud Day

In Communication
with the L. G. Pails
on the matter
of Issuing
B. Rabinowitz

2913

P. W. D.

Demi-official from the Chief Engineer of Bombay P.W.D. dated 2nd December 1880.

Circulated to the Hon'ble Member with reference to his notes in accompanying file.

Lt Col Hon'ble the Chief Engineers to Government Bombay

Lt Col A. Lambert Col. R.E.

Secy: to Govt. Bom.

2nd Dec. 1880.

R.S.

Recd. 3/8

In Communication with the P.W.D. papers on the margin.

Jenny
for Robinson

29/1

No. 1586 B.

FROM

THE ——— TO THE GOVERNMENT OF BENGAL
IN THE PUBLIC WORKS DEPARTMENT,

To The Secretary to the Govt. of Madras.
Public Works Department.

Dated Fort William, 25th October 1880.

P. W. DEPARTMENT.
Civil Buildings

SIR,

With reference to your letter No. 2
of the 6th August last, and subsequent
reminders on the subject, I am directe
to forward herewith copy of the plans o
Nos 387/88 of 1880/81 of this Office for the Reformatory school
at Alipore, which is the only institution
of that kind in Bengal, and to state
that no standard plan for such a buil
-ding has yet been issued under the orde
of this Government.

I have the honor to be
Sir
Your most obedient Servt

Edmd. G. Gardner Esqr. Engr.
Temporarily attached to the
Bengal Secretariat P.W.D.

Attested
27/10/80

B. O. F. No. 389—360—7-7-80.

P.W.D.
3 NOV 80
No

Read the following :—

Letter from the Govt of Bengal No 1586 T
dy 25th Octr 1880.

FOR ORDERS. with previous papers.

(Jo) R.H.S.

5-11-80.

FOR ORDERS.

Plans of the Reformatory
School at Aliphar.

Sketch

No 2851/D 16th Dec 80.

The accompanying plans of a Reformatory School at Aliphar are forwarded to the Surveying Architect & Cost. who will compare them with the plan drawn up by himself and which is also sent herewith. He will state whether any modification of his plan is considered desirable with reference to the arrangements adopted at Aliphar.

for R.K.P.
C.E.

Supt R.P.

To the Surv. Architect
with 6 plans.

Copied
16-12-80

Ch. Es. 2851/3 16 Dec/00.

Judicial Department

No. R. 10

Official Memorandum.

With reference to G.O. Judicial Dept. No. 1179, d. 10th June 1898, the Secretary to Govt. Public Works Dept. is requested to be good enough, to state, whether Mr. Chisholm, the Consulting Architect to Government, has submitted any plans and estimates for a Reformatory School; and if he has what is the amount of the estimate.

By Order,
N. Macrae,
Chief Secretary

Ootacamund
16th July 1900.

To The Secretary to Govt.
P.W.D.

Judl No. 1431 of 16-6-80

" Despatch 15-6-79

O.M. to Com. Ch. No. 141 of 27-2-80

Judl No. 2349 — " — 13-11-76

Attaching &c

P.W.D.
19JUL80
No.

Cir 26.7.80.

Corby. 22/7/80

Cir 15.7.80.

v.h. Shut 40 Only.

P.W. Dept.

Official Memorandum from the Judicial Dept., No. 1410, dated 14th July 1880, prepared with reference to Engineer made by the Hon'ble Mr. Ilbert

Circulated by order
His Grace, who in a
note written early
this year stated that
he was going to write
again to England
for some designs
of Reformatory
schools. Pending
the receipt of these,
the preparation of a
design by Mr. Chisholm
is in abeyance.

Undertaken [illegible]
for Secy to Govt Bom
15th July/80

Turn over please

Judicial Dept
Secy to Govt
Victoria
Post offices

Agree as above

15/7

Judl

" D

Oct

Judl

Adam Shufak

Defendant -

Against all

Informations and

Indictments now

Pending or may

Hereafter be

Exhibited -

Ch

&

C

Recd 31.7.80. Ackd 5.8.80
Cir 26.7.80. Ackd 31.7.80
Copy 22/7/80
Cir 15.7.80
D.L. Shall 4 Only.

S. W. D.

Note
Memo

Perhaps from the papers before action officially for only Rules & Regns &c. & these only prescribe entirely to be sent presumed. But for the Asylums - from the Rules it seems clear that to Standard plan be taken prescribed in England. altho the S. sanctions & approves of purpose plans necessary. I don't know but can in a letter point out the powers for building Reformatory - what restrictions is likely to be given - & how much time to already been lost that should be laid before Secretary of State for sanction before 26th July 1880. from Europe. Submitted

The enclosed papers are circulated to the Board Mr. Hendleston with reference to the Chief Secretary's Memo: No. 1410 of the 14th inst July 1880, as showing the action which has been taken in regard to the preparation of designs for Reformatory Schools - pending perusal of the papers by the Board Member, the Consulting Architect has not been addressed.

Memorandum Col. H.E.
2/12 for Secy: to Govt. P.W.D.
H.H.
26/

[illegible] Calcutta & Bombay
& H.W.P. agreeing with
plan of new Lighthouse
& letting him know what
steps [illegible] are taking here
[illegible] & [illegible] &
[illegible] & [illegible] plans
[illegible] & [illegible] &
[illegible] for the Lighthouse
[illegible]. & thus enclosing
[illegible] for Juries Report.

J.T.B. 31/7

Recd 31.7.80. Ans 5.8.80.
Cir 26.7.80. Ans 31.7.80
22.7.80

No. 623

28 Feb 1880.

Received & returned 5 Mr.
Consulting Architect to
Govt. of India.

To Secretary to Govt.
of India
P.W. Dept.

Madras
Bengal
Bombay
North West Provinces

Reminder sent to Secy: to Govt. of Bengal 20/9/80
do 9/10/80.

Sir

I am directed
to request that with
reference to
the proceedings of
the G. G. in Council
the Govt. of Ben.
the G. in Council
the Govt. of Ben.

the Madras Govt. may
be favored with
copy of ~~any standard~~ plan
~~for a~~ for a Veterinary
School building, which
~~it~~ may have been
~~issued~~ issued under the
orders of the Govt. of ——.

To the Cons: Architect
for information, and
return.

P. W. Dept

In his list of un-
answered references, the
Consulting Architect
includes G.O. No 187 of the
24 November 1876, remarking
that it is "in abeyance
pending the receipt of
certain documents from
England by His Grace
the Duke of Buckingham
& Chandos". The under-
signed has the honor
to enquire whether His
Grace the Governor has
yet received the papers
in question from England.

* Heading "Reformatory Schools"

Col. Secy
Secretary to Govt. W.D.

Govt. of [illegible] Madras.

JUDICIAL.

To

The REVENUE DEPARTMENT, &c., &c., &c.

Dated [illegible], 1880.

Issued [illegible].

Read [illegible].

G.O., 10th June 1880, No. 1491.

JUNE.
Nos. 108.109.

Reformatory Schools.—Despatch from the Secretary of State forwarding copies of the Rules and Regulations with reference to Reformatory Schools now in force in England, recorded.

P. O. Dept

In his list of unanswered references, the Consulting Architect includes G.O. No 167 of the 26 November 1876, remarking that it is "in abeyance pending the receipt of certain documents from England by His Grace the Duke of Buckingham & Chandos". The undersigned has the honor to enquire whether His Grace the Governor has yet received the papers in question from England.

Col. W. Lawley
Secretary to Govt WA

* Heading "Reformatory Schools"

GENERAL RULES AND REGULATIONS

FOR THE MANAGEMENT OF

CERTIFIED REFORMATORY SCHOOLS

FOR THE DETENTION OF

JUVENILE OFFENDERS,

Under the provisions of the Statute 29 *and* 30 *Vict., Cap.* 117.

ESTABLISHMENT OF A CERTIFIED REFORMATORY SCHOOL.

Application should be made in the first instance to the Secretary of State for the Home Department stating the grounds for the application, naming the site of the proposed School, the amount of accommodation required, and supplying all requisite information bearing on the subject.

Before a certificate can be issued, legalising the School as a place of detention for Juvenile Offenders under the Reformatory Schools Acts, the site, the plans for the buildings, and the Rules and Regulations for the management of the School must be previously approved by the Secretary of State.

The Rules and Regulations should state—

(*a.*) The name and situation of the School.

(*b.*) The constitution and powers of the Governing Body and the proposed schemes for the management of the School.

(*c.*) The conditions of age, sex, health, &c., on which its Inmates are to be admitted.

(*d.*) The number of Inmates, Male or Female, to be provided for.

The Rules should also embody the following Regulations:—

1. Lodging and Clothing. The Inmates shall have separate beds, and shall be supplied with a sufficiency of plain useful clothing.

2. Dietary. The Inmates shall be supplied with plain wholesome food, according to a Dietary to be approved by the Inspector; no substantial alterations in the Dietary shall be made without previous notice to him. A copy of the Dietary shall be hung in the Dining-room.

3. Instruction. The Secular Instruction shall consist of Reading, Spelling, Writing, and Arithmetic, and, as far as practicable, the Elements of History, Geography, and Vocal Music. It shall be given for three hours daily. The Industrial training shall be, for Boys, in Farm and Garden Work, and such handicrafts as can be conveniently practised; for Girls, in Needlework, Washing, and Housework. The employment of the Inmates shall not exceed nor fall short of six hours daily. In Training Ships the Boys shall be properly instructed in Naval exercises and employments, and in the elements of Navigation.

4. Religious Exercises and Worship. Each day shall be begun and ended with simple family worship, consisting of Prayer and Praise to God, and the Reading of Scripture. The Religious Instruction shall be from Holy Scripture, shall comprise the doctrines and Precepts of Christianity, and shall be given daily. On Sunday the Inmates shall, if possible, attend Public Worship at some convenient Church or Chapel, provided that no Boy or Girl under detention shall be taken to any Church or Chapel if his Parent or Guardian objects to his being so taken on the ground that the Services at such Church or Chapel are not in

accordance with the religious persuasion of the Child. In the case of any Young Offender being admitted who is specified in the Order of Detention as belonging to some particular religious persuasion, a Minister of such religious persuasion shall be allowed to visit such Young Offender on certain days and hours to be fixed from time to time by the Secretary of State, and such Young Offender shall not be required to learn the Catechism or tenets of any persuasion other than that to which he is stated to belong.

5. TIME-TABLE. A Time-Table showing the Hours of Rising, Work, School Instruction, Meals, Recreation, Retiring, &c., &c., shall be drawn up, be approved by the Inspector of Reformatory Schools, and shall be fixed in the School-room and carefully adhered to on all occasions.

6. DISCIPLINE. The Superintendent shall be authorised to punish any Young Offender detained in the School in case of misconduct or breach of Rule. All faults and punishments whatever shall be carefully recorded, and entered in a Book kept for that purpose. This Book shall be laid before the Committee of Managers at their meetings, and shall be open to the Inspector when called for by him. The Discipline of the School shall be maintained not only by punishment, but by a well considered system of Rewards and Encouragements. Such system to form part of the Byelaws of the School, and to be approved by the Secretary of State.

7. PUNISHMENTS. Punishments shall consist of,—

(*a.*) Forfeiture of rewards and privileges, or degradation from rank, previously attained by good conduct.

(*b.*) Reduction in quality or quantity of food.

(*c.*) Confinement in a light room, or light cell.

(*d.*) Moderate personal correction and chastisement.

Referring to (*a.*) Byelaws shall state clearly what offences constitute a breach of law, with the accompanying penalties.

The Regulations as to degradation shall also be inserted in the Byelaws.

Referring to (*b.*) For simple offences the boy or girl may be deprived of one regular meal or of that portion of the meal which renders it most agreeable, but shall be allowed eight ounces of bread, with water or gruel when deprived of any regular meal. No boy or girl shall be deprived of *two* meals in succession.

Referring to (*c.*) No Young Offender shall be confined for a longer period than *three days*, without the special sanction of the Committee of Managers, nor for a longer period than *seven* days under any circumstances whatever. Any Young Offender confined for more than three days shall be visited by the Medical Officer of the School, shall be allowed such extra diet as he may direct, and shall be taken out of the cell for exercise for not less than one hour daily. Offences requiring graver penalties shall be dealt with by the Magistrates of the district in which the School is situated. No Young Offender shall be kept in solitary confinement in darkness under any pretence whatever. In confinement each Offender shall be allowed one pound of bread, with gruel or milk, and water daily.

Referring to (*d.*) Personal chastisement.

For very serious offences in the case of boys the punishment of whipping shall be inflicted on the posterior with a birch rod, such punishment not to exceed eighteen strokes, to be applied once for all, for the same offence.

For less serious offences personal punishment shall be inflicted with a common school cane, to be applied to the palm of the hand, and shall not exceed *eight* strokes.

No corporal punishment whatever shall be inflicted except by the Superintendent or in his presence.

No Subordinate Officer, the Educational Teacher excepted, shall be permitted to inflict corporal punishment.

The Regulations as to corporal punishment apply to *boys* only.

No form of correction other than the above shall be resorted to. Irregular or unauthorised punishments are altogether forbidden and illegal.

8. RECREATION. The Inmates shall be allowed two hours daily for recreation and exercise, and shall be occasionally taken out for exercise beyond the boundaries of the School.

9. PRIVILEGES OF FRIENDS. The parents and near relatives of the Inmates shall be allowed to correspond with them at reasonable times, and to visit them once in two (or three) months, such privilege to be forfeited by misconduct or interference with the discipline of the School. In the case of the serious illness of any Inmate, or of his (or her) removal from the School by licence or legal discharge, notice shall be sent to the parents.

10. PROVISION ON DISCHARGE. On the discharge of any Inmate from the School, he (or she) shall be provided with a sufficient outfit, according to the circumstances of the discharge at the expense of the Managers, and shall be placed, as far as practicable, in some employment or service. If returned to relatives or friends, the expenses of such return shall be defrayed by the Managers.

11. MEDICAL OFFICER. A Medical Officer shall be appointed to visit the School periodically. He shall enter his visits in a book kept for that purpose, with a note of all serious cases of illness attended by him in the School, their course, duration, and the treatment prescribed. He shall also give a quarterly report as to the sanitary condition of the School.

12. INQUESTS. In the case of the sudden or violent death of any Inmate of the School, immediate notice shall be sent to the Coroner of the District in which the School is situated, and the circumstances of the case reported to the Inspector.

13. VISITORS. The School shall be open to the inspection of Visitors at convenient times, to be regulated by the Managers.

14. JOURNAL. The Superintendent shall keep a Journal of all that passes in the School. All admissions, licences, discharges, and every event of importance connected with the School shall be recorded in it. The Journal shall be laid before the Managers at their meetings, and be open to the Inspector when called for.

15. REGISTER, RETURNS, &c. The Superintendent or Secretary shall keep a Register of Admissions, with particulars of the parentage, previous circumstances, &c., of each of the Inmates.

He shall also keep a Discharge and Disposal Book, showing the date of discharge of each individual, giving particulars as to conduct after discharge.

He shall also regularly send to the Office of the Inspector, the required Returns of Admission and Discharge, Quarterly List of Cases under Detention, and Quarterly Accounts for maintenance, and in the month of January in each year a full Statement of the Receipt and Expenditure of the School for the past year, showing all debts and liabilities duly vouched by the Managers.

16. INSPECTOR. In the case of any Young Offender absconding from the School, or being placed out on licence, or dying while an Inmate, or on licence, or of being sent to Prison for a criminal offence, immediate notice shall be given to the Inspector. The Inmates shall be examined and their proficiency in School instruction and Industrial training tested from time to time by the Inspector. All books and journals of the School shall be open to the Inspector for examination. Any Teacher employed for the instruction of the Inmates shall be examined by him if he think it necessary. Notice shall be given to him of the appointment, death, resignation, or dismissal of the Superintendent and of the School Teacher.

17. GENERAL REGULATIONS. The Officers and Teachers of the Schools shall be careful to maintain the discipline and order of the School, and to attend to the instruction and training of the Inmates in conformity with the above Regulations. Every Young Offender under detention in the School shall be required to obey the Officers and Teachers of the School, and to comply with the Regulations of the Committee for its management; and any wilful neglect or refusal to obey or comply on the part of any such Young Offender shall be deemed to be an offence under the 20th Section of the Reformatory Schools Act, 1866; absconding or inducing to abscond an offence under the 21st and 22nd Section of the said Act respectively.

BYELAWS OF THE MANAGERS FOR THE REGULATION OF THE SCHOOL.

These Regulations should prescribe—

Hours of Work, Meals, Instructions, &c.

Rules as to Correspondence with Parents and Relatives.

Privileges, Rewards, Penalties, and Forfeitures.

Special Duties and Obligations.

MEMORANDUM.—Under the provisions of the Reformatory Schools Act (§ 12) the Managers of any Reformatory School are authorised to make such Rules as are necessary for the Regulation of the School; *but such Rules cannot be enforced unless sanctioned by the Secretary of State.* Such Regulations, therefore, as are required in addition to the foregoing General Rules should be appended as Byelaws, and submitted with them for the approval of the Secretary of State.

NOTE 1.

Under the Regulations now in force the allowance from the Treasury for the maintenance and training of Juvenile Offenders in Reformatory Schools is 6*s.* per head per week, subject to a reduction to 4*s.* a week after three years, detention and the attainment of the age of 16 years. This allowance is usually supplemented by a grant in aid from the county or borough authority committing cases to the Schools. A portion of the Treasury allowance, 1*s.* 6*d.* per head per week, is granted on the condition that the staff for School instruction and Superintendence is sufficient and of the requisite ability. For Juveniles placed out in employment on licence before the expiration of the term of detention an allowance of 2*s.* per week is granted for the first 13 weeks, and 1*s.* a week for the next 26 weeks, to defray the cost of assistance and supervision.

An allowance is also made to the Managers of efficient Schools for the occasional training of Teachers, to fit them for the discharge of their duties in Reformatory Schools.

NOTE 2.

The conditions to be observed for the establishment of a Certified Reformatory School are,—

That the site and position of the School shall be such as to allow of a sufficient amount of ground being attached to it for the exercise and recreation of the Inmates, and to ensure free ventilation and good drainage in the internal space;

That in the dormitories the allowance for each Inmate shall be not less than 24 square and 240 cubic feet of space; in the School and Day Rooms not less than 10 square and 100 cubic feet;

That Boys and Girls shall not be boarded together in the same Institution; neither shall the number of Inmates in the same Institution exceed 150, except in the case of School Ships, or under special circumstances, and with the special sanction of the Secretary of State thereto;

That the Plans of the Buildings or Premises of the proposed School be submitted to and approved by the Secretary of State, such Plans to show the area, height, and connection of the rooms, the external offices and conveniences attached to the Building, and all necessary details as to the Drainage, Ventilation, and arrangement of the Offices.

NOTE 3.

The Returns and Accounts required (Rule 15) are—

Form A. Notice of each admission to the School.

Form B. Monthly Return of Admissions, Re-admissions, Licences, Deaths, Discharges, Desertions, &c., for the preceding month.

Form C. Quarterly Return of all Inmates chargeable for maintenance during the previous Quarter.

Quarterly Account of the sums due for the maintenance of the Children under detention during the Quarter.

Licence Account. Return of Inmates in Employment on Licence for previous Quarter.

NOTE 4.

In case of the Managers of any Reformatory School desiring to resign their Certificate, the Reformatory Schools Act requires that six months' previous notice of such Resignation be given to the Secretary of State (§ 7).

NOTE 5.

By § 4 of the Reformatory Schools Act it is provided, "That no substantial addition "or alteration must be made to the Buildings of any Certified Reformatory School "without the approval of the Secretary of State."

NOTE 6.

All communications for the Inspector's Office should be addressed—

To the Inspector of
Reformatory and Industrial Schools,
3, *Delahay Street,*
London, S.W.

N.B.—The Postage on Letters, Returns, &c., thus addressed *need not be prepaid.*

GENERAL RULES

FOR THE MANAGEMENT OF

CERTIFIED REFORMATORY SCHOOLS
IN GREAT BRITAIN.

APPROVED BY THE SECRETARY
OF STATE FOR THE HOME
DEPARTMENT.

Referred to in Judicial Letter to Madras,
No. 7, dated 20th May 1880, para. 1.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT

16th June 1880, No. 1431.

Reformatory Schools.

Read the following paper :—

No. 108. *Despatch from the Right Honorable the Secretary of State for India.*

Judicial.
No. 7.

INDIA OFFICE, LONDON,
20th May 1880.

MY LORD DUKE,—I forward herewith, in accordance with the request contained in the Despatch of your Excellency in Council, No. 15, dated the 6th of June last, copies of the Rules and Regulations with reference to Reformatory Schools now in force in England.

2. These Rules have only quite recently been received from the Home Office.

I have, &c.,
(Signed) HARTINGTON.

To His Excellency the Most Noble
The Governor in Council, Fort St. George.

No. 109. ORDER THEREON, 16th June 1880, No. 1431.

Recorded.

(True Extract.)

R. DAVIDSON,
Chief Secretary.

To the Revenue Department,
" Board of Revenue,
" Inspector-General of Jails,
" Director of Public Instruction,
} with a copy of the Rules.

Exd. T. O'Connor.

Govt. of [1880] Bombay

JUDICIAL.

To

THE REVENUE DEPARTMENT,

&c., &c., &c.

Dated June, 1879.

Rec'd.

Ansd.

Encl.

G. O., 16*th June* 1880, *No.* 1431.

JUNE,

Nos. 108-109.

Reformatory Schools.—Despatch from the Secretary of State forwarding copies of the Rules and Regulations with reference to Reformatory Schools now in force in England, recorded.

JUDICIAL DEPARTMENT.

No. 15 OF 1879.

To

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA.

MY LORD,

We have the honor to request that, in view to Act V of 1876 (The Reformatories' Schools Act) being introduced into this Presidency, a copy of the Rules and Regulations, &c., with reference to similar institutions now in force in England may be sent to this Government.

We have the honor to be,

My Lord,

Your Lordship's most obedient, humble servants,

(Signed) BUCKINGHAM AND CHANDOS.
(,,) NEVILLE CHAMBERLAIN.
(,,) W. HUDLESTON.
(,,) DAVID F. CARMICHAEL.

OCTACAMUND,
6th June 1879.

Exd. J. Wright.

FORT SAINT GEORGE.

JUDICIAL (1879) *DEPARTMENT.*

LETTER to the Right Honorable the Secretary of State for India.

Dated 6th June,

No. 15 of 1879.

Requesting that, in view to Act V of 1876 (*The Reformatories' Schools Act*) *being introduced into the Madras Presidency, a copy of the Rules and Regulations, &c., with reference to similar institutions now in force in England may be sent to the Madras Government.*

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

10th June 1878, No. 1179.

Jails—Reformatory Schools.

Read the following paper:—

No. 45. *From Lieutenant-Colonel T. E. TENNANT, Inspector-General of Jails, to the Chief Secretary to Government, dated Ootacamund, 13th May* 1878, *No.* 93.

In the review of the Administration Report of the Jails of the Madras Presidency for the year 1876, Government remark that the experiment of a separate Reformatory for juveniles at Madras, in connection with the Government Farm, is still in embryo. I have the honor to request that I may be favored with the views of Government as to the steps to be taken for the establishment of a Government Reformatory at Madras, and for the development of the Reformatory system in this Presidency under Act V of 1876.

2. For the sake of easy reference I will briefly recapitulate the steps that have been taken towards the establishment of a Reformatory School in this Presidency. In obedience to instructions conveyed in Judicial Proceedings, No. 521, dated 21st March 1876, I submitted certain remarks upon all the main points on which my views were solicited for bringing the Reformatory Schools Act into operation in the Madras Presidency. The orders passed on my memorandum are contained in G.O., No. 2349, of the 13th November 1876. In these Proceedings, Government directed Mr. Chisholm, after examining the farm land at Sydapett, and after consultation with Mr. Robertson, the Farm Superintendent, to submit a site-plan and plans and estimates for a Reformatory, together with plans and estimates for certain subsidiary buildings. Further Government decided to avail themselves of the proffered services of their colleague the Hon. Mr. Ellis, to direct the preparation of the plans and the details of the management in communication with the Inspector-General of Jails. I am not aware of the steps taken by the Government Architect to carry out these instructions, nor whether plans and estimates have been submitted to Government for approval. With regard to the management of the institution, I suggested to the Hon. Mr. Ellis that as the experiment was a novelty—certainly in this part of India—it would be better to obtain copies of the rules and regulations which have proved successful at home and elsewhere, rather than endeavour to originate however ingeniously. The Hon. Mr. Ellis promised to obtain the information required, but he shortly afterwards left Madras to take his seat in the Indian Council at home, and I am not aware of any reply having been received to his reference.

3. The Government have already decided that the management of the Reformatory School shall be under a Superintendent appointed by Government and a Committee of Visitors, constituted as required by the Act, and not by a Board of Management under Section 12. The form of management having been thus determined, the Local Government has the power to frame rules to regulate, for the Reformatory School, the matters mentioned in clauses *b*, *c*, *d*, *e* and *f* of the 21st Section of the Act and also the mode in which the Committee of Visitors ought to conduct their business. It remains therefore to be considered what means should be adopted for drawing up these rules.

4. Certain principles of management have been recognised and generally adopted in establishing Reformatories and Industrial Schools in England, and it seems very desirable that, as far as circumstances will allow, and the exigencies of race and

climate will permit, these principles should be observed in establishing similar institutions in this country. I am informed that rules have been drawn up and approved for the proposed Reformatory School at Alipore near Calcutta, and that by the end of last year the works and arrangements had so far approached completion that it was hoped the institution would be opened early in 1878. A Juvenile Reformatory—the Sassoon Institution—has for some years existed at Bombay and a prison for juveniles has also been established at Poona. I have endeavoured to make myself acquainted with the history and management of the Bombay Reformatories as far as can be done from reports, and I have carefully studied the reports and evidence of the working of these institutions at home, but I think it would be highly advantageous if I were allowed an opportunity of personally inspecting these institutions. Success greatly depends on the judicious way such an institution is started. I therefore respectfully request permission to visit Bombay, Poona, and Calcutta in order to make myself personally acquainted with the management of the Reformatory Institutions already established. I would likewise suggest that copies of detail rules of management in force in some of the most successful Reformatory Schools in Great Britain be obtained through the Secretary of State for India. With this information before me I shall be in a position to draw up and submit for approval a code of rules for the management of the proposed Reformatory in Madras.

5. The subject of Juvenile Reformatories and the necessity for the establishment of suitable schools for the confinement of juvenile offenders and for the correction and education of children convicted of offences has from time to time been so strongly urged by some of our Judicial officers, and more recently by the Sessions Judge of Tinnevelly, and such false ideas appear to exist as to the general state of this branch of prison administration, that I take the opportunity to record briefly the steps already taken by the Madras Government for rendering the separation between juvenile offenders and the rest of the prisoners in jails as complete as the present prison system in India will admit.

6. In all Central Jails (with the exception of that at Salem) good separate accommodation is provided for juveniles; their education and industrial training are well cared for; they are completely separated from the adult convicts and every effort is exerted to prevent their further demoralization. Separate sleeping accommodation for each juvenile has not been provided, as the Prison authorities of this Presidency have been opposed to confining juvenile prisoners at night in separate cells as being a severe additional punishment, and I am not prepared to approve so severe a discipline as solitary confinement for nearly half the twenty-four hours in the case of children many of whom are of tender years. Young criminals sentenced to more than three months' imprisonment are generally transferred to the nearest Central Jail. Those sentenced to shorter terms of imprisonment are confined in the District Jails. In some of these the accommodation for juveniles is still unsatisfactory, but in all the new District Jails an entirely separate block for juveniles has been provided. Looking at what we have done, and what we are doing for the treatment of juvenile offenders, it must be allowed that the Prison authorities of this Presidency have gone far to meet all that it is incumbent on the Government to undertake in this direction, under the present state of the law.

7. To reform young offenders, and to train them to lead useful lives, time and seclusion are necessary. Under the existing law (Section 318, Act X of 1872) a youthful offender sentenced to imprisonment may be confined in a Reformatory only for such period as his sentence may continue, and the number of juvenile offenders sentenced to terms of imprisonment of sufficient length to make the work of reformation possible, is exceptionally few. This will now be remedied by the powers conferred on Criminal Courts by the Reformatory Schools Act, 1876; but unless these powers are exercised with a wise discretion considerable hardship and possibly mischief may result. Where the distance is great and the climate is different the removal to a Central Reformatory at Madras seems open to grave objections; such a removal would practically be adding transportation to imprisonment; for the boys would be altogether removed from the influence of their friends, and their friends would be deprived of all knowledge of their condition. It should also be remembered that the bulk of juvenile

offenders sent into the Provincial Jails are by no means the depraved and habitual criminals such as infest a city like Madras; they belong to a different category, and it is a mistake to confound the offspring of our predatory tribes, who come into the Mofussil Jails, with children of the irreclaimable thieves, the pests of our large towns and cities. Unless care is taken the transfer of youthful offenders from our Provincial Jails to a Central Reformatory at Madras instead of working reformation will probably increase the chance of their being contaminated by juveniles more advanced in crime than themselves.

No. 46. ORDER THEREON, 10th June 1878, No. 1179.

Pending the receipt of the plans, &c., for Reformatories applied for to the Secretary of State, the only point in the letter above recorded, which calls for orders, is the Inspector-General's request to be allowed to visit Poona and Calcutta for the purpose of inspecting the Reformatory Schools which have been established there. This His Grace the Governor in Council sanctions, and resolves that the Governments of Bombay and Bengal be requested to afford the Inspector-General every facility for the duty.

2. There is considerable force in what the Inspector-General urges as to the objections to removing children from their homes and native climate; but some suitable cases for bringing the Act into operation will doubtless be found, and an inexpensive trial of its provisions should be made.

3. His Grace in Council thinks that even more importance attaches to the isolation of juveniles under short sentence from the contamination of adult convicts, and to the mischief of keeping together at night a number of child criminals, and desires that the Inspector-General will report precisely in what District Jails arrangements for separation absolutely from adults, and at night from each other, do not at present exist, and submit proposals for completing those arrangements in all cases, including the Central Jail at Salem. The separate provision of cubicles in wards divided off by gratings or planking should not be expensive, when the numbers to be provided for are so few, and would be free from the objection of confining children in complete solitude.

(True Extract.)

D. F. CARMICHAEL,
Chief Secretary.

To the Inspector-General of Jails.
„ Public Works Department.

Exd. J. Wright.

Govt. of Madras

JUDICIAL.

To

The INSPECTOR-GENERAL of JAILS,

&c., &c., &c.

Dated June, 1878.

Issued

Rect.

G.O., 19th June 1878, No. 1178.

JUNE.
Nos. 45—48.

Jails — Reformatory Schools. — The Inspector-General permitted to visit Poona and Calcutta for the purpose of inspecting the Reformatory Schools established there, and the Governments of Bombay and Bengal requested to afford him every facility for the duty. Certain information regarding the separation of juvenile from adult prisoners called for from the Inspector-General.

Inv. Rec. 2561 W dy 19th June 78.

Lodged.

pkg R.A.F.

Proceedings of the Madras Government, Public Works Department,
24th November 1876. *No.* 167.

Read the following Proceedings of the Madras Government in the Judicial Department, dated 13th November 1876, No. 2,349:—

ABSTRACT.—*Jails—Reformatory Schools.*—Orders passed on certain remarks by the Inspector-General on the introduction of Reformatory Schools into this Presidency.

ORDER THEREON, 24th November 1876, No. 167.

COMMUNICATED to the Consulting Architect to Government.

(True Extract.)

Colonel,
Offg. Under Secy. to Govt., P.W.D.

To the Consulting Architect to Government. ✓

Exd. S. T. Austin.
2 Spare Copies

Jails—Reformatory Schools.

No. 69. *Read the following letter from Major T. E. TENNANT, Inspector-General of Jails, to the Chief Secretary to Government, dated Ootacamund, 7th August* 1876, *No.* 192:—

With reference to Proceedings of Government, No. 521, dated 21st March 1876, I have the honor to submit some remarks on the introduction of the Reformatory Schools' Act, V of 1876, into this Presidency.

REMARKS of the Inspector-General of Jails on the introduction of the REFORMATORY SCHOOLS' Act, V of 1876, into the Madras Presidency.

Selection of locality.

The first point to be considered is in what place or places Reformatory Schools should be established. On considerations of discipline and in order to minimize the evil of communication between the inmates and the outer world, the reformatory should be situated at some distance from the city of Madras. A central position would be that of Vellore on the line of Railway, a convenient distance from Madras and from the Arconum and Erode junctions. The locality is considered healthy, the prices of provisions and supplies at Vellore are generally lower than those obtaining at Madras. On the other hand, for the sake of the more efficient supervision and of the greater facilities that exist for providing employment for the juveniles, the reformatory should be in or near the Presidency town.

Site for Reformatory if established in Madras.

2. It would of course be desirable to construct a model building on the radiating or panoptical system, but, as the construction of such a building would involve a considerable outlay, financial reasons necessitate the conversion of some building already in existence which might be converted into a Reformatory School, at a reasonable outlay. The only place of the kind that I know of in Madras is the old Lunatic Asylum at Kilpauk. Of this a plan is forwarded, which, although not quite accurate, gives a good idea of the accommodation. Captain Hallett, Superintendent of Prisons for the Town of Madras, at my request has carefully gone over the place, and thinks it could be made to answer the purpose of a reformatory with very little expenditure, but that it would be advisable to obtain the opinion of an Engineer Officer as to the state of the buildings. Dr. Murray, Superintendent of the Lunatic Asylum, who knows the Kilpauk Asylum thoroughly, at Captain Hallett's request has kindly given his views as to the adaptability of the buildings to the purposes of a reformatory. Dr. Murray thinks that the facilities for supervision are good; that there is ample water on the premises for washing and gardening purposes; that the quarters on each side of the main gate are suitable for the resident officials; and that the soil of the compound is fairly good.

Accommodation required.

3. The Reformatory Act now amended provides for convicted juveniles only. The number of juveniles in confinement on the 31st of December 1875 was eighty-nine, of whom seventy-eight were boys. They were confined in the under-mentioned jails:—

Jails.	Boys.	Girls.	Total.
Berhampore	2	...	2
Vizagapatam	2	...	2
Rajahmundry, Central	10	2	12
Nellore	1	...	1
Kurnool	1	...	1
Bellary	6	1	7
Cuddapah	4	...	4

Jails.	Boys.	Girls.	Total.
Chittoor	1	1	2
Vellore, Central	3	...	3
Salem, Central	4	...	4
Tranquebar	4	4	8
Tanjore	5	1	6
Trichinopoly, Central	3	...	3
Madura	4	2	6
Calicut	2	...	2
Mangalore	1	...	1
Coimbatore, Central...	6	...	6
Do. District	4	...	4
European Prison	1	...	1
Penitentiary	14	...	14
Total ...	78	11	89

4. I would commence by providing accommodation for a hundred boys, as it is probable that many boys now sentenced to flogging or to short terms of imprisonment would be sent to a reformatory. The old Lunatic Asylum has fifty-six cells, but there is sufficient space within the grounds to provide additional accommodation.

5. The Act directs that sufficient means for separating the inmates at night must be provided. This can be effected without introducing the cellular system. The dormitories might be divided by wooden partitions in the same manner as the Cadets' sleeping barracks were divided at the Military College at Addiscombe. To confine native lads and children, many of whom are of tender years, in separate cells at night would, in many cases, be cruel and be serious additional punishment. I would rather trust to constant watchfulness to prevent deviations from right conduct. The dormitories might be so arranged that boys of about the same age should be together. It will be necessary, however, to provide a certain number of separate cells for the segregation of boys suspected of immoral practices.

Segregation.

6. For the control and management of the reformatory, I would strongly advocate the appointment of a Superintendent and a Committee of Visitors. In the judicious selection of a person for the post of Superintendent will greatly depend the success or non-success of the reformatory.

Management of Reformatory Schools.

7. I recommend that the Superintendent of Prisons for the Town of Madras be appointed Superintendent (under the Act) if the reformatory is in Madras. If it is established at Vellore that the Superintendent of the Central Jail should be appointed Superintendent of the reformatory. The Superintendent should receive a salary of Rupees 300 a-month in addition to his present salary. The Committee of Visitors for a Presidency Reformatory should consist of the Commissioner and Deputy Commissioner of Police, two Police Magistrates, an officer of the Educational Department, the Surgeon-General, or one of the Presidency Medical Officers, and the Sanitary Commissioner.

8. The establishment should include a resident Manager on a salary of Rupees 200 a-month with a house. A Deputy Manager on Rupees 75 a-month and quarters. A Clerk on Rupees 25 rising to Rupees 35 a-month. A Schoolmaster for Tamil and Telugu and if necessary for English. A staff of warders at the rate of one to every fifteen boys.

Establishment required.

9. The Medical Officer to receive a remuneration of not less than Rupees 50 per mensem with a resident Apothecary who should receive Rupees 20 a-month and quarters.

Medical Staff.

10. The institution should contain appliances for teaching carpentry, blacksmith work, tailoring, brick making and such ordinary trades as will prepare the boys to gain an honest livelihood on release, and to become useful members of society. Trade Instructors will have to be employed as circumstances require.

Industries.

11. The daily routine of work in the reformatory will include three or four hours' schooling; the rest of the day will be devoted to industrial labor combined with out-door employment. Sufficient time will be allowed for recreation.

Daily routine of work.

12. The discipline maintained in the reformatory should resemble that of a school rather than of a prison. Strict discipline ought to be enforced without harshness, the punishment inflicted for idleness and ordinary misconduct resembling school corrections rather than jail punishments.

Discipline.

13. These remarks are of a general character and are more applicable to those reformatories to be established by Government than to existing private schools which may be brought under Government control and used as a reformatory.

14. In the event of these recommendations meeting with approval, I shall be prepared to submit further detailed remarks.

OOTACAMUND,
7th August 1876.

(Signed) T. E. TENNANT,
Inspector-General of Jails.

No. 70. ORDER THEREON, 13th November 1876, No. 2349.

In the above Memorandum the Inspector-General of Jails sketches, in general terms, the steps to be taken for the establishment of a Government Reformatory School under Act V of 1876. The Governor in Council proceeds to notice his proposals *seriatim*:—

The Governor in Council is strongly of opinion that the reformatory should be situated in the immediate neighbourhood of Madras. The experiment is novel and interesting, and it is very desirable that it should be under the immediate observation of the Government, of the Director of Public Instruction, and of the Sanitary Commissioner, and the vicinity of Madras will facilitate greatly the composition of the Committee of Visitors. The original intention in 1868 was to locate the juvenile inmates of the reformatory in inexpensive buildings on or near the Government Farm at Sydapet, and to this original intention the Government adhere. The site is healthy, and it is near Madras. The farm would afford great facilities for training the juveniles in agricultural labor and gardening, and the care of farm animals. There is a certain quantity of carpenters and smiths' work also going on at the farm, so that one great difficulty—industrial training—would be overcome. The boys would be initiated in real work, instead of receiving a costly and imperfect industrial training in a school-room. Well taught in the occupations which would be those of their future lives, they would probably easily find employment when they leave the reformatory. The buildings should be as inexpensive as possible, and sanitary requirements being observed should be in keeping with the ordinary habitations of natives of the laboring classes. The Governor in Council desires that

Site for Reformatory.

Mr. Chisholm, after examining the farm land, and after consultation with Mr. Robertson, will submit a site-plan and plans and estimates for the reformatory (to contain a hundred boys) which should be a single storied building with dormitories, refectory, a school-room, a house for a Manager on 200 Rupees, quarters for a Deputy Manager on 75 Rupees a-month, three native schoolmasters and about five warders, and a resident Native Hospital Assistant. The ordinary subsidiary buildings such as cook-rooms, latrines, lavatory round a well, a drinking well, &c., should be provided. As the boys will be employed on the farm separate workshops will probably be unnecessary, but if required they should be sheds of the simplest description.

The Act requires, Section 5 (*a*), "Sufficient means of separating the inmates at night," and the best mode of giving effect to this provision will have to be considered and provided for by the Architect in preparing plans. It may be effected either by long dormitories with each boy's sleeping-place formed as a separate compartment by partition of boards and wire-netting or wooden gratings or by locking up each juvenile inmate in a separate cell. A few separate cells, say ten for a hundred boys, should be provided for punishment cells, or for special cases, when it is desirable to separate boys entirely for a time. The Architect should also prepare a plan for a small hospital on the plan of the wards of the Monegar Choultry with a room for dispensing medicines and storing the necessary drugs. The size of this ward and the necessity for a small ward for contagious disorders can be deterimined by the Surgeon-General in communication with Mr. Chisholm.

Management of Reformatory School.

The management will be under a Superintendent appointed by Government with Official Visitors.

The Governor in Council approves generally of the Committee proposed by the Inspector-General, but observes that the conditions of the Act require at least two Native Members on a Committee of five. This proportion must be maintained in any Committee that is appointed, for it is very desirable that the Government should have the advice of Native gentlemen of experience whose presence will secure the confidence of the native community in the institution.

Industrial training.

As the boys will be worked on the farm industrial training will have been sufficiently provided.

Two hours in the middle of the day and two hours after outdoor work,

Daily routine of work.

will be ample time for teaching the boys in elementary education. Sufficient time such as ordinary laborers have, but not more, should be allowed for rest and recreation.

Major Tennant's remarks on this subject are brief and judicious. The

Discipline.

discipline should be that of a school rather than of a prison, and the inmates should remember the reformatory as a home rather than as a place of punishment. The Government have very briefly noticed the more salient points

Proceedings of the Madras Government, Judicial Department,
13th November 1876. *No.* 2349.

requiring decision, and gladly avail themselves of the proffered services of their colleague, the Hon. Mr. Ellis, to direct the preparation of the plans and the details of management in communication with the Inspector-General of Jails.

(True Extract.)

Chief Secretary.

To the Inspector-General of Jails, with plan.

Exd. J. Wright.

Govt. of [1876] Madras.

JUDICIAL.

To

THE INSPECTOR-GENERAL OF JAILS.

Dated November, 1876.

Issued

Read.

G.O., 19th November 1876, No. 2689.

NOVEMBER.
Nos. 69-70.

Jails—Reformatory Schools.—Orders passed on certain remarks by the Inspector-General on the introduction of Reformatory Schools into this Presidency.