

Public Works (1898) Department.

G.O., No.

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*1<sup>st</sup> August 1898*

[Despatch Abstract.]

*Subjails in the South West Dist. Pm: Judd.  
Sept. passing order on the proposals of the  
Inspector General of Prisons for the abolition  
of certain —, and the commitment of all  
convicts at those points to the Dist. Jail at  
Cuddalore, Cou to Supy. Engineer for  
information*

Indexed.

*5/8*

Passing orders on the proposals of the Inspector-General of Prisons for the abolition of certain —, and the commitment of all convicts at those points to the District jail at Cuddalore.

## GOVERNMENT OF MADRAS.

## JUDICIAL DEPARTMENT.

READ—the following papers:—

From M. HAMMICK, Esq., I.C.S., Inspector-General of Police, to the Chief Secretary to Government, dated Madras, 21st July 1897, No. 2508.

I have the honour to submit for the orders of Government a letter from the Inspector-General of Prisons, Madras, dated 6th February 1897, No. 501, having reference to paragraph (ii) of G.O., No. 1519, Judicial, dated 18th September 1896, concerning the abolition of certain sub-jails in South Arcot.

2. The District Magistrate of South Arcot in his letter, which forms the enclosure to Mr. Cardew's letter, proposed—

- to abolish nine sub-jails on the railway line or near it;
- to convert the above nine sub-jails into lock-ups for under-remand and enroute prisoners;
- to send all prisoners who would have been confined in the above nine sub-jails to the district jail at Cuddalore.
- to abolish two other sub-jails at Tittagudi and Ulundúrpéttai.
- to convert these two jails into lock-ups (magisterial).
- to send all prisoners at Tittagudi and Ulundúrpéttai to Vriddhachalam.
- to strengthen the police guards at all the other sub-jails in the district.

3. I referred the papers to the Deputy Inspector-General of Police as I saw that difficulties would certainly be raised about police escorts and that proper station work would suffer in consequence. Mr. Agar, the Acting Deputy Inspector-General, submitted certain proposals to meet difficulties. These proposals were as follows:—

- At each taluk cusbah the jail and treasury guard should be reduced by one constable.
- At the stations where there is no treasury where the sub-jails would be abolished, the sub-jail guard of one head constable and four constables should be reduced to two constables, while the guards at the sub-jails to be retained would be increased by twenty-four constables.
- At stations where the sub-jails were abolished, police stations should be placed close to the lock-ups.

As I saw several objections to this scheme, the matter was again referred to the Superintendent of Police who replied that, after considering the matter, he considered that the scheme worked out by Mr. Castle Stuart was impracticable and could not be adopted. I agreed with him. The great additional amount of escort work required, and the proposal that the police should act as warders in large sub-jails while the prisoners were engaged on extramural labour, appeared to me to make the scheme impracticable. I thought the matter would have to drop.

4. The Inspector-General of Prisons, who recently visited Cuddalore, has now suggested that he should take over certain of the jails in the district and considers that he is prepared to undertake the guarding of the sub-jails at Tiruvannámalai and Vriddhachalam i handed over to him by the District Magistrate. This alters the matter, and while unable to support the scheme originally put forward by the District Magistrate of South Arcot, I think a trial might be given to the scheme which has been worked out by Mr. Hunt, the Acting Superintendent of Police, South Arcot, on the understanding that the Jail department undertake all the work of guarding not only the above two jails but all the sub-jails in the district, reducing the number to four. I cannot promise to give the necessary police for working any scheme under which the police are left in charge of sub-jails without running very serious risk, of having to permit the ordinary station duties to be neglected in order to provide police for escorts and guards. If, however, the Jail department will relieve the police of all sub-jail guarding in the district, I think it is just possible that the number of police saved on jail guards might enable the ordinary station strength to carry out the additional duties imposed upon it by the greater number of escorts that will be necessary.

5. The changes which will be necessary and possible by the adoption of Mr. Cardew's scheme under which he would take over two jails in the district would be these:—

(1) Fourteen subsidiary jails would be abolished, viz., those at—

|                |              |               |
|----------------|--------------|---------------|
| Merkanam.      | Vanur.       | Villupuram.   |
| Panruti.       | Cuddalore.   | Porto Novo.   |
| Bhuvanagiri.   | Mannárgudi.  | Tittagudi.    |
| Ulundúrpéttai. | Kallakurchi. | Tirukkóyilúr. |
| Gingee.        | Chengam.     |               |

(2) The remaining jails would take prisoners convicted at neighbouring stations thus:—

|                                      | Average jail population for 1895. |    |    |    |       |                                                       |
|--------------------------------------|-----------------------------------|----|----|----|-------|-------------------------------------------------------|
| Tiruvannámalai (Jail population) 3-0 | Chengam ..                        | .. | .. | .. | 3-0   | These two jails to be managed by the Jail department. |
|                                      | Tirukkóyilúr ..                   | .. | .. | .. | 7-17  |                                                       |
|                                      | Total ..                          | .. | .. | .. | 13-17 |                                                       |
| Vriddhachalam (Jail population) 8 .. | Ulundúrpéttai ..                  | .. | .. | .. | 5-0   |                                                       |
|                                      | Kallakurchi ..                    | .. | .. | .. | 12-5  |                                                       |
|                                      | Tittagudi ..                      | .. | .. | .. | 5     |                                                       |
|                                      | Total ..                          | .. | .. | .. | 25-5  |                                                       |
| Tindivanam (Jail population) 10-25.  | Markanam ..                       | .. | .. | .. | 2-69  | To be guarded by the police.                          |
|                                      | Gingee ..                         | .. | .. | .. | 1-19  |                                                       |
|                                      | Vanur ..                          | .. | .. | .. | 4-0   |                                                       |
|                                      | Total ..                          | .. | .. | .. | 17-13 |                                                       |
| Chidambaram (Jail population) 2-0 .. | Bhuvanagiri ..                    | .. | .. | .. | 1-9   |                                                       |
|                                      | Porto Novo ..                     | .. | .. | .. | 1     |                                                       |
|                                      | Mannárgudi ..                     | .. | .. | .. | 1-52  |                                                       |
|                                      | Total ..                          | .. | .. | .. | 4-62  |                                                       |

The prisoners at Cuddalore, Panruti and Villupuram would be sent straight to the district jail.

(3) Prisoners sentenced to a few days' simple imprisonment would be kept at the local lock-up.

6. The corresponding reduction and addition to station strength proposed under the scheme are given in the following table. It must be remembered that at present in all these stations the treasury and sub-jail guard is supplied from station strength:—

|                        | Present strength. |             | Proposed strength. |             | Result.  |
|------------------------|-------------------|-------------|--------------------|-------------|----------|
|                        | Head Constables.  | Constables. | Head Constables.   | Constables. |          |
| Pudupalaiyam .. .. .   | 2                 | 14          | 2                  | 14          | ..       |
| Chidambaram .. .. .    | 2                 | 20          | 2                  | 24          | + 4      |
| Villupuram .. .. .     | 2                 | 16          | 2                  | 16          | ..       |
| Tindivanam .. .. .     | 2                 | 18          | 2                  | 22          | + 4      |
| Tiruvannámalaí .. .. . | 2                 | 23          | 2                  | 19          | - 4      |
| Tirukkóyilúr .. .. .   | 2                 | 22          | 2                  | 25          | + 3      |
| Kallakurchi .. .. .    | 2                 | 17          | 2                  | 20          | + 3      |
| Vriddhachalam .. .. .  | 3                 | 19          | 2                  | 17          | - 1 - 2  |
| Panruti .. .. .        | 3                 | 24          | 2                  | 21          | - 1 - 3  |
| Porto Novo .. .. .     | 2                 | 16          | 1                  | 14          | - 1 - 2  |
| Bhuvanagiri .. .. .    | 2                 | 13          | 1                  | 11          | - 1 - 2  |
| Tittagudi .. .. .      | 2                 | 14          | 1                  | 16          | - 1 + 2  |
| Mannárgudi .. .. .     | 2                 | 18          | 1                  | 20          | - 1 + 2  |
| Ulundúrpéttai .. .. .  | 2                 | 14          | 1                  | 16          | - 1 + 2  |
| Chengam .. .. .        | 2                 | 18          | 1                  | 20          | - 1 + 2  |
| Ginjee .. .. .         | 2                 | 15          | 1                  | 16          | - 1 + 1  |
| Merkanam .. .. .       | 2                 | 11          | 1                  | 9           | - 1 - 2  |
| Vanur .. .. .          | 2                 | 10          | 1                  | 8           | - 1 - 2  |
| Total ..               | 38                | 302         | 27                 | 308         | - 11 + 6 |

Note.—In the first eight stations the treasury and sub-jail guard would be reduced from one head constable and six constables to one head constable and four constables and in the last ten the guard would be abolished altogether, the lock-ups being guarded by the station sentry.

The saving of 11 head constables gives Rs. 154 per mensem and the cost of two establishments of jail guards to be met from the Jail department for Vriddhachalam and Tiruvannámalaí of 1 head warder and 6 men each, will be Rs. 110. The balance Rs. 44 will pay for the increase in constables—two first-class and four second.

7. The objection to the above scheme is that it only gives Chidambaram and Tindivanam, where the sub-jails will be large, an increase of four men each and leaves the jail guarding there to be done by the police, and the jails under the District Magistrate and not directly under the Inspector-General of Prisons. The present jail and treasury guard is one head and six men but with a large jail population, the guard will have to be increased by more than four men in each case. An increase of six at least will be necessary and thus the station strength will be reduced practically by two who certainly cannot be spared. As it is, the station strength of these two stations is not sufficient to carry on the ordinary duties properly. If the Jail department could take over these two jails at Tindivanam and Chidambaram, the station strength at each place might be reduced by two men. But more than this I could not recommend. Moreover the increased strength given to meet escort work is probably not really sufficient. In Merkanam and Vanur, for instance, the reduction of two men proposed is of doubtful expediency. The strength at these stations is not sufficient now to do the work and the escort duty thrown on the stations will be heavy and give almost as much work to the police as does the jail guarding at present. The reductions at Panruti, Porto Novo and Bhuvanagiri are also larger than is really advisable. It must be remembered that although the number of prisoners to be escorted is not large, each prisoner involves two constables and each escort, even if the station is on the railway line, must be absent two days at least, possibly three, on escort duty and when the station is away from the railway as at Vanur or Merkanam the absence will be of longer duration. At Tiruvannámalaí too, which is now a municipality, I do not consider that the station strength can be reduced by more than two.

8. Upon the whole, while thinking that it is very advisable to improve our sub-jail system, I do not think that it can be done without increased expenditure. The escort charges alone would be heavy; they have not been taken account of in framing the scheme. On the other hand, the abolition of the present jail warders has not been taken account of which would, no doubt, go some way to meet the additional cost of the escorts.

9. The system in Bengal is of course quite different from that followed here. There not only are the subsidiary jails fewer than they are in this Presidency, but the magistrates are fewer also. Nothing like our Madras system of numerous second-class magistrates scattered all over large areas under separate police administrations exists, and in consequence escorts are not the difficulty they would be in this Presidency.

10. If, however, the Government is prepared to sanction a scheme, which will involve a small increase in expenditure, I think the best thing to do would be to place all the four central sub-jails shown above under the Jail department and then the police establishment at Chidambaram and Tindivanam might be reduced by two constables each. The Police department would then show a saving of eleven head constables, or Rs. 154 per mensem, and a saving of two constables at the following stations:—

|                 |                |              |
|-----------------|----------------|--------------|
| Chidambaram.    | Vriddhachalam. | Bhuvanagiri. |
| Tindivanam.     | Panruti.       | Merkanam.    |
| Tiruvannámalaí. | Porto Novo.    | Vanur.       |

Eighteen constables in all.

On the other hand, to meet additional escort work, the following additions would be necessary to the stations:—

Three men at Tirukkóyilúr and Kallakurchi.

Two men at Tittagudi, Mannárgudi, Ulundúrpéttai, Chengam and Gingee, or 6 + 10 men, or 16 men in all. The saving would then be about Rs. 16 per mensem in constables, or a total saving of Rs. 154 + 16, or Rs. 170 per mensem. The pay of the jail warders at eighteen jails would also be saved, and these savings would probably almost cover the cost of the jail guards at the four new sub-jails. The additional escort work would involve some increased cost in the railway fares and atta. There would probably however be some saving in the expense on food in sub-jails owing to improved management.

11. I would also advocate, if this or any similar scheme is approved of, that it be made a rule that the police escort work shall be done on fixed days, say, Monday and Thursday in each week, and that prisoners convicted by magistrates on intervening days shall be kept in the magisterial lock-ups till the fixed day for escort arrives. As matters stand at present, the escorts in some districts fall very heavily on the police. In Tinnevely, for instance, the police at out sub-magistrates' stations are called upon on all days of the week to supply escorts to the district jail. It would do no harm and be a great convenience to the police if magistrates would commit short-sentenced prisoners of a month or upwards to the local sub-jails until the day of the week fixed for the police escort and then hand them over for transfer from the sub-jails to the district jail. A system like this is followed in the Jeypore sub-jail, where prisoners are escorted in large batches to Vizagapatam at stated intervals. In most cases, however, the magistrates insist on the police escorting prisoners as soon as ever they are convicted to the central or district jail, which involves great waste of power by the police.

From A. G. CARDEW, Esq., M.A., Inspector-General of Prisons, Madras, to the Chief Secretary to Government (through the Inspector-General of Police), dated Palamcottah, 6th February 1897, No. C.-501.

With reference to paragraph (ii) of G.O., No. 1519, Judicial, dated 18th September 1896, I have the honour to submit (in original) a letter with enclosures from the Collector and District Magistrate of South Arcot proposing the abolition of certain sub-jails in his district and the commitment of all convicts at those points to the district jail at Cuddalore.

2. Mr. Castle Stuart has dealt with the matter so fully that it is unnecessary for me to say more than that I approve of his proposals. It is not clear, and it is not claimed, that the closing of the sub-jails, as such, will produce an immediate saving, but it will prevent sentences of rigorous imprisonment from being, as the District Magistrate says they now are, a farce.

3. The South Arcot district is a favourable one in which to attempt a reduction in the number of sub-jails, as it has a district jail near the centre of the district and a line of rail right across the district, while both the magisterial and police authorities are in favour of the attempt being made.

4. With reference to paragraph (i) of the G.O., No. 1519, it has been ascertained that in other Provinces under-trial prisoners are kept in lock-ups, which are sometimes under the control of the magistracy, sometimes of the police. Mr. Stuart's proposal, it will be seen, is to follow this arrangement by retaining, in place of each sub-jail abolished, a magisterial lock-up. As regards convicts sentenced to short periods of imprisonment, the practice differs in different Provinces. In Bengal, Burma, the North-West Provinces and the Central Provinces, all convicts are either confined in the sub-jails (which are very few in number) or have to be sent to nearest district or central jail. In Bombay, convicts sentenced to seven days' imprisonment and upwards are kept in police lock-ups, and in the Punjab, a similar system prevails. It will be seen that Mr. Stuart's proposals tend to bring the Madras practice into accord with that prevailing in the greater part of India.

5. Paragraph 14 of Mr. Stuart's letter will be separately dealt with.

From A. E. CASTLESTUART STUART, Esq., I.C.S., F.G.S., F.L.S., F.R.G.S.,  
District Magistrate of South Arcot, to the Inspector-General of Prisons,  
dated Cuddalore, 26th January 1897, Dis. No. 70-Mag.

In continuation of my Ref. on C.R. No. 311-Mag., dated 31st March 1896, and in reply to your letter, No. 6011, dated 25th September 1896, I have the honour to make the following remarks.

2. The working of the subsidiary jails in this district has, as you are aware, engaged my special attention, and for some time past I have been carefully considering how the existing defects in their management might best be remedied. Having discussed the subject with the police and medical authorities and yourself, I am now in a position to formulate my scheme for such consideration as it may deserve.

3. There are no less than eighteen subsidiary jails in this district, of which eight, viz., Tindivanam, Villupuram, Tirukkóyilúr, Tiruvannámalai, Panruti, Manchakkupam, Porto Novo and Chidambaram, are on the line of rail; nine, viz., Ginjee, Merkanam, Vanur, Ulundúrpéttai, Chengam, Mannárgudi Vriddhachalam, Tittagudi and Kallakurchi, are at considerable distances from the nearest railway station, whilst one, viz., Bhuvanagiri, is within (4?) miles of the Porto Novo railway station. Appendix A is a map which clearly shows their respective positions.

4. As I have frequently observed in the inspection registers of these jails, judicial sentences in cases where the convicts have been awarded "rigorous imprisonment," that is "imprisonment with hard labour" (section 53, Indian Penal Code), are set at nought. The so-called "hard labour," exacted from such convicts in the rare cases where any attempt to exact "labour" at all is made, is a farce. It is generally described as "gardening," and the value of the work is often rightly entered in the "Labour register" as "nil." Practically, little or no difference is observable in these jails in the treatment of convicts sentenced to "simple" or "rigorous" imprisonment. The non-execution of judicial sentences of rigorous imprisonment is not only illegal, but on grounds of public policy, highly objectionable. Section 389, Criminal Procedure Code, authorises the issue of warrants for the execution of such sentences; section 16 of Act No. V of 1871 (as amended by Acts IX of 1882 and X of 1886) empowers officers in charge of these jails "to give effect to" the sentences. Rule 1358 of the Jail Code requires "effect" to be given "to all sentences of rigorous imprisonment," whilst section 400, Criminal Procedure Code, requires the return of warrants to the courts from which they issued to be made when the sentences have "been fully executed" with endorsements under the hands of the officers executing them "certifying the manner in which" the sentences have been executed. I do not hesitate to affirm that the certificates received from officers in subsidiary jails on returning warrants for the execution of sentences of rigorous imprisonment are for the most part incorrect. So much for the illegality of the existing practice. On grounds

of public policy, I am of decided opinion that to permit a convict sentenced to suffer rigorous imprisonment to sit idle in a subsidiary jail is to detract altogether from the supposed deterrent nature of the punishment and tends to demoralize him. He is apt to think that the temporary rest, food and comfortable lodging provided for him by the State for the commission of crime are not in themselves serious evils to be avoided. He may even become habituated to regard them as actual blessings. The restraint placed upon his personal liberty of action and his enforced withdrawal for a short time from the society of his friends and relatives are slight inconveniences which he shares with other occupants of the same building sentenced to suffer "simple" imprisonment. It cannot be doubted that if the punishment of "rigorous" imprisonment is to produce beneficial effects "hard labour" should be made very real and cease to be the sham that it is at present in subsidiary jails.

5. The almost invariable excuse offered for the stultifying of judicial sentences in the case of convicts in these jails sentenced to suffer "rigorous imprisonment" is that on account of the paucity of the police guard these convicts cannot be properly watched whilst at hard labour. On this subject, I have frequently addressed and spoken to the police authorities, but the "non-possumus" argument is always advanced. In his official memorandum, No. 2064, dated 17th April 1894, to the Superintendent of Police by whom the subject was referred at my request to the Inspector-General of Police, the latter officer remarked: "The difficulty in guarding prisoners at work exists nearly everywhere owing to paucity of constables, but the police should be directed whenever they have spare men to furnish a guard to work prisoners sentenced to rigorous imprisonment. The remedy would appear to be a walled enclosure with sheds close to jail in which prisoners could be employed under a guard of minimum strength." The occasions when the police have "spare men" appear to be rare in this district judging by the difficulty experienced by the officers in charge of the subsidiary jails in obtaining their services for the purpose indicated. As regards the "remedy" proposed, I shall have something to say later on.

6. Acting upon the suggestions contained in your letter, No. 903, dated 14th February 1896, that "it might be possible to concentrate convicted prisoners from sub-jails along the line of rail at two or three selected points and there to provide some means of executing a reasonable amount of hard labour" and that "in sub-jails, which are within easy reach of Cuddalore, prisoners sentenced to fifteen days and over might be sent in to the district jail," I worked out a scheme in consultation with Mr. Sullivan, the Superintendent of Police, which at first seemed likely to attain the end in view. Briefly stated, this scheme contemplated—

- (1) the maintenance of all the existing subsidiary jails;
- (2) sending *all* convicts from the eight sub-jails on the line of rail to the district jail twice a week by special police escort; and
- (3) strengthening the police guards at the remaining ten sub-jails so as to enable proper "hard labour" to be exacted.

Copy of Mr. Sullivan's letter No. 438-General, dated 13th March 1896, forms appendix B. It explains the details of this scheme which it was thought would not only set free a sufficient number of police constables at the eight sub-jails on the line of rail to strengthen the remaining ten out-station sub-jails, but would also probably effect a saving in the expense of keeping convicts for more than 2 or 3 days at the eight sub-jails referred to. On further consideration however and after discussion of the subject with Mr. Hammick, Inspector-General of Police, I am of opinion that this scheme would not be the best possible. It is doubtful whether the police guards at the eight sub-jails on the line of rail could be sufficiently reduced to meet the requirements of the scheme at the remaining ten out-station sub-jails and no great saving, if any, would be effected by the arrangements proposed.

7. The scheme which I advocate is as follows:—

- (a) To abolish altogether the eight sub-jails at Tindivanam, Villupuram, Tirukkóyilúr, Tiruvannámalai, Panruti, Manjakuppam, Porto Novo and Chidambaram, all on the line of rail, as also Bhuvanagiri sub-jail, which is within easy reach of the Porto Novo railway station *qua* sub-jails;

(b) To convert these nine sub-jails into mere magisterial lock-ups for the accommodation of "under-trial," "remand" and "en route" prisoners;

(c) To send *all convicts*, whether sentenced to simple or rigorous imprisonment, at these nine places direct to the district jail to undergo their sentences, the warrants being addressed to the Superintendent, District Jail, and the convicts being conveyed there by the police as soon as the sentences were passed;

(d) To abolish the sub-jails at Tittagudi and Ulundurpétai *qua* sub-jails;

(e) To convert these two sub-jails into mere magisterial lock-ups for the accommodation of "under-trial," "remand" and "en route" prisoners;

(f) To send *all convicts*, whether sentenced to simple or rigorous imprisonment, at these two places direct to the Vriddhachalam sub-jail, the warrants being addressed to the Superintendent of that sub-jail and the convicts being conveyed there by the police as soon as the sentences were passed;

(g) To retain the subsidiary jails at the remaining seven out-stations, viz., Gingee, Merkanam, Vanur, Chengam, Mannargudi, Vriddhachalam and Kallakurichi; and

(h) To strengthen the police guard at these seven out-station sub-jails sufficiently to enable sentences of rigorous imprisonment to be properly carried out. The compounds of these sub-jails might be enclosed to facilitate intramural hard labour such as breaking stones, &c., but the police guard should be sufficiently strong to enable convicts to be usefully employed outside the sub-jail limits, but in their vicinity in such work as conservancy, road-repairing, removing noxious vegetation, clearing drains, &c.

8. A glance at the map (Appendix A) will suggest the reasons for the retention of the seven subsidiary jails, whilst Appendix C shows the number of *convicts* received by *direct committal* during the years 1895 and 1896 in all the existing sub-jails. It will be observed that in *all* these eighteen sub-jails there were only 808 convicts received by direct committal in 1895 and 870 in 1896. It further proves that in some months none, or very few convicts, were received by direct committal in several of the subsidiary jails suggested to be abolished *as* sub-jails, so that the police will experience no practical difficulty in conveying these convicts either to the district jail or to the Vriddhachalam sub-jail, as the case may be, from the places named in paragraph 7 (a) and (d) which I propose shall henceforth be retained merely as *magisterial* lock-ups—directly sentences of imprisonment, whether simple or rigorous, are passed. I would invite special attention to this Appendix C the figures in which, I think, fully justify these proposals.

9. There are, in my opinion, far too many subsidiary jails, not only in this District, but in the Presidency far more than in any other Province in India, and I believe that this plethora of subsidiary jails in which the so-called rigorous imprisonment of convicts, mostly first offenders, is a farce goes far to account for the extraordinary number of short-sentenced prisoners. The deterrent effect of imprisonment, as carried out at present in the subsidiary jails, is, in my opinion, very trifling, and I fully agree in the view put forward that first offenders sentenced to rigorous imprisonment should "be concentrated into as few sub-jails as possible and that they should be subjected to rigorous penal discipline and hard labour of some suitable kind."

10. The abolition of eleven out of the eighteen existing sub-jails in this district will, I feel confident, be a move in the right direction and will, I believe, gradually result in the subordinate native magistracy abandoning the habit of awarding so many short sentences of imprisonment. This tendency requires to be constantly watched and repressed. The adoption of this scheme will also reduce the number of periodical returns; another increasing evil of latter days, for, with the conversion of the eleven subsidiary jails into magisterial lock-ups, the necessity for submission of jail returns, so far as they are concerned, should cease. There will only remain seven subsidiary jails in this district, and from their geographical position it would not be possible to reduce their number.

11. I have purposely styled the sub-jails proposed to be abolished "*magisterial* lock-ups," for I think that they should be under the immediate control of the local magistracy rather than of the police who, however, will, of course, also be able to utilize the buildings for the purposes of police lock-ups.

12. Appendix D furnishes the information asked for in paragraph 1 of your letter No. 6011, dated 25th September 1896.

13. I shall be glad if you will be so good as to forward this letter to Government through the Inspector-General of Police, with your remarks, as the matter is, I think, one of considerable public importance. The scheme, if approved, might be tried with effect from 1st April 1897, and if it should succeed in this district, there is no reason why a similar scheme should not work satisfactorily in all districts in the Presidency through which railways run.

14. In conclusion, I would suggest, for your consideration, the advisability of Rule 1345 of the Jail Code being amended so as to make it clear that all convicted prisoners, whether in subsidiary jails or elsewhere, sentenced to suffer short terms of rigorous imprisonment, should be vaccinated a few days before the expiry of their sentences and not directly they are admitted. It is immaterial when convicted persons sentenced to *simple* imprisonment are vaccinated, but those sentenced to short terms of rigorous imprisonment should, I think, be promptly set to and kept at real hard labour: for, if vaccinated directly, they are admitted, much of their time may be taken up in nursing their arms if the operation has been successful. Hard labour might with advantage be extracted from them first and they might be left to attend to their arms just before their release. The strict observance of Rule 1345 is, I believe, not common in many districts, but it is certain that compulsory vaccination of first offenders is at present almost the most deterrent punishment that can be inflicted.

From H. E. SULLIVAN, Esq., Superintendent of Police, South Arcot, to the District Magistrate, South Arcot, dated 13th March 1896, Cur. No. 438-Genl.

With reference to our conversation regarding sub-jails' prisoners and their police guards, I have the honour to state as follows.

I think that your suggestion that all prisoners in the sub-jails on the line of rail should be sent to the district jail is an excellent one. These jails are situated at Tindivanam, Villupuram, Tirukkóylúr, Tiruvannámalai, Chidambaram, Panruti and Porto Novo (and Cuddalore), and I do not see that there would be any difficulty in providing a proper police escort for them. If it could be arranged that prisoners might be despatched from sub-jails on certain days of the week, one police guard would be sufficient, for Villupuram junction being half way from Tindivanam and Tiruvannámalai the guard coming from those places could hand over their prisoners to the Villupuram Police at the railway station (taking an acknowledgment for the same) and the latter could then proceed with all the prisoners to Cuddalore, where they would, of course, be met by more police. As Panruti is half way between Villupuram and Cuddalore, the Panruti Police could have their prisoners, if any, ready at the station, and the whole party of prisoners in charge of the Villupuram escort could then proceed to Cuddalore. In the same manner the Chidambaram and Porto Novo prisoners could be brought up from those places.

2. If this scheme be introduced, we could materially reduce the sub-jail and treasury guards at the above-mentioned places, as there would be very little jail duty to perform, and one head constable and three constables would be sufficient to guard the treasuries.

By this means we should be able to provide more men for such sub-jails as exist at *out-stations* like Vriddhachalam, Tittagudi, Kallakurichi, &c., from whence it would be impossible, owing to distance, to send prisoners to the district jail, and prisoners at these out-station sub-jails could then be put to proper out-door labour which, at present, they do *not* perform.

3. The sanction of the Inspector-General would of course have to be obtained, but I think, with a little management, the plan is quite feasible.

## APPENDIX C.

STATEMENT showing the number of convicts received by direct committal during 1895 and 1896.

| No. | Sub-jail.           | 1895.    |           |        |        |      |       |       |         |            |          |           |           | 1896.  |          |           |        |
|-----|---------------------|----------|-----------|--------|--------|------|-------|-------|---------|------------|----------|-----------|-----------|--------|----------|-----------|--------|
|     |                     | January. | February. | March. | April. | May. | June. | July. | August. | September. | October. | November. | December. | Total. | January. | February. | March. |
| 1   | On line of railway— | ..       | ..        | ..     | ..     | ..   | ..    | ..    | ..      | ..         | ..       | ..        | ..        | ..     | ..       | ..        | ..     |
| 2   | Thidivanam          | 3        | 9         | 3      | 5      | 6    | 6     | 11    | 1       | 8          | 1        | 5         | 2         | 41     | 1        | 2         | 5      |
| 3   | Villupuram          | 5        | 1         | 1      | 1      | 3    | 3     | 3     | 4       | 3          | 3        | 5         | 3         | 30     | 3        | 6         | 15     |
| 4   | Tirukkóyilúr        | 1        | 4         | 5      | 1      | 5    | 5     | 3     | 2       | 2          | 2        | 1         | 1         | 39     | 4        | 4         | 8      |
| 5   | Tiruvannámalaí      | 5        | 1         | 1      | 1      | 3    | 3     | 4     | 2       | 2          | 1        | 1         | 1         | 28     | 3        | 3         | 3      |
| 6   | Pannuti             | 12       | 29        | 22     | 17     | 19   | 9     | 14    | 7       | 7          | 5        | 4         | 3         | 146    | 7        | 6         | ..     |
| 7   | Manjakkuppam        | 4        | 4         | 3      | 2      | 2    | 1     | 3     | 1       | 1          | 4        | 5         | 1         | 53     | 1        | 12        | ..     |
| 8   | Porto Novo          | 11       | 3         | 3      | 2      | 3    | 1     | 7     | 4       | 3          | 2        | 3         | 2         | 52     | 1        | 7         | ..     |
| 9   | Chidambaram         | ..       | ..        | ..     | ..     | ..   | ..    | ..    | ..      | ..         | ..       | ..        | ..        | 41     | ..       | ..        | ..     |
| 10  | Ginjée              | ..       | ..        | ..     | ..     | ..   | ..    | ..    | ..      | ..         | ..       | ..        | ..        | 55     | ..       | ..        | ..     |
| 11  | Merkanam            | 1        | 9         | 2      | 3      | 2    | 2     | 4     | 4       | 2          | 2        | 4         | 3         | 47     | 4        | 4         | 3      |
| 12  | Ulundárpéttai       | 2        | 2         | 2      | 2      | 17   | ..    | ..    | 2       | 1          | 4        | 13        | 2         | 37     | ..       | ..        | ..     |
| 13  | Chengam             | ..       | ..        | ..     | ..     | ..   | ..    | ..    | ..      | ..         | ..       | ..        | ..        | 46     | ..       | ..        | ..     |
| 14  | Bhuvanagiri         | ..       | ..        | ..     | ..     | ..   | ..    | ..    | ..      | ..         | ..       | ..        | ..        | 9      | ..       | ..        | ..     |
| 15  | Manarágudi          | ..       | ..        | ..     | ..     | ..   | ..    | ..    | ..      | ..         | ..       | ..        | ..        | 10     | ..       | ..        | ..     |
| 16  | Vriddhachalam       | ..       | ..        | ..     | ..     | ..   | ..    | ..    | ..      | ..         | ..       | ..        | ..        | 6      | ..       | ..        | ..     |
| 17  | Tittagudi           | ..       | ..        | ..     | ..     | ..   | ..    | ..    | ..      | ..         | ..       | ..        | ..        | 58     | ..       | ..        | ..     |
| 18  | Kallakurchi         | 4        | 2         | 2      | 7      | 8    | 12    | 4     | 1       | 10         | 4        | 5         | 3         | 68     | ..       | 2         | ..     |
|     | Total               | 54       | 80        | 57     | 88     | 84   | 76    | 82    | 52      | 78         | 46       | 67        | 44        | 808    | 23       | 41        | 60     |

## APPENDIX D.

| Name of the sub-jail. | Total available accommodation. | Average population in 1894. | Average population in 1895. |
|-----------------------|--------------------------------|-----------------------------|-----------------------------|
| 1. Cuddalore ..       | 33                             | 12.19                       | 10.82                       |
| 2. Pannuti ..         | 18                             | 5                           | 4                           |
| 3. Porto Novo ..      | 17                             | 3                           | 1                           |
| 4. Chidambaram ..     | 24                             | 2.45                        | 1.9                         |
| 5. Bhuvanagiri ..     | 16                             | 1.77                        | 1.52                        |
| 6. Manarágudi ..      | 18                             | 6                           | 8                           |
| 7. Vriddhachalam ..   | 18                             | 5                           | 5                           |
| 8. Tittagudi ..       | 16                             | 7.53                        | 7.27                        |
| 9. Villupuram ..      | 18                             | 4                           | 4                           |
| 10. Vanur ..          | 15                             | 4                           | 3                           |
| 11. Tiruvannámalaí .. | 17                             | 6.46                        | 2.69                        |
| 12. Chengam ..        | 18                             | 3                           | 19                          |
| 13. Merkanam ..       | 20                             | 31                          | 10.25                       |
| 14. Gingee ..         | 30                             | 9.5                         | 5                           |
| 15. Indivannam ..     | 20                             | 3                           | 7.17                        |
| 16. Ulundárpéttai ..  | 32                             | 6.5                         | 12                          |
| 17. Tirukkóyilúr ..   | 18                             | 21                          | 83.41                       |
| 18. Kallakurchi ..    | ..                             | ..                          | ..                          |
| Total ..              | 366                            | 96.51                       | 83.41                       |

Endt. No. 1582.

Referred to the District Magistrate of South Arcot, with the request that he will submit, through the Inspector-General of Prisons, such remarks as he may desire to offer on the proposals of the Inspector-General of Police.

(Signed)

W. FRANCIS,  
Ag. Under Secretary.

27th July 1897.

To the District Magistrate, South Arcot.

From A. E. CASTLESTUART STUART, Esq., District Magistrate of South Arcot, to the Chief Secretary to Government (through the Inspector-General of Prisons, Ootacamund), dated Cuddalore, 24th October 1897, No. 862-Mag.

With reference to endorsement No. 1582, dated 27th July 1897, on letter from the Inspector-General of Police, No. 2508, dated 21st July 1897 (the enclosures to which are herewith returned), I have the honour to submit the following remarks, premising that I have again discussed the subject with the Acting Superintendent of Police, South Arcot.

2. Mr. Cardew's letter, referred to in paragraph 1 of the letter of the Inspector-General of Police, alluded to the original scheme which I formulated. This scheme had the approval of Mr. Sullivan, who was then Superintendent of Police in this district. The papers appear to have been returned to Mr. Hunt, the Acting Superintendent of Police, who, disagreeing with his predecessor, considered the original scheme unworkable from a police point of view and suggested another which he thought could be worked. The Inspector-General of Police at first rejected Mr. Hunt's scheme, assuming that the Inspector-General of Prisons would not be disposed to accept any scheme which involved the transfer of any of the sub-jails to the Jail department. Mr. Cardew, however, happened to visit this district when the matter was discussed with him by Mr. Hunt and myself, with the result that the Inspector-General of Prisons expressed his willingness to adopt Mr. Hunt's proposal that all, except four sub-jails, should be abolished *qua* sub-jails; that provision for the cost of jail guards should be made by abolishing the existing jail peons and transferring to the Jail department the money that would be saved by the police department by the abolition of police guards; and that the balance of police and money saved should be utilized to meet the additional escort duty. He was of opinion, however, that, as a *tentative*

measure, the jail department should at first only take over two of the four sub-jails proposed to be retained. If the Inspector-General of Prisons can see his way to adopting the full scheme, viz., to take over all the four sub-jails instead of two only, I see no reason why the scheme should not work very well in its entirety. I am confident that the jail department can manage the sub-jails far more satisfactorily than the police department can.

3. The table given by Mr. Hammick in paragraph 5 of his letter is Mr. Hunt's table and has reference to the *tentative* scheme only.

4. Similarly his remarks contained in paragraph 7 refer to the *tentative* scheme.

5. As regards the "escort charges" being likely to be heavy (*vide* paragraph 8 of the letter of the Inspector-General of Police) beyond railway fares and batta, I do not think there would be much additional cost and this, as Mr. Hammick points out, would probably be counter-balanced to some extent, if not altogether, by savings otherwise effected by the introduction of the scheme in its entirety. My proposals, however, were not made in the expectation that much, if anything, in the way of savings would be effected, but were based on grounds of public policy.

6. As regards paragraph 10, I would observe that the only real *saving* would be that of *eleven head constables* at stations where there would, on the introduction of the full scheme, be no sub-jails. The *men* apparently saved would be required for additional escort duty. The pay of the eleven head constables saved would be utilized in enlisting more constables and would also go towards providing money for the jail warder guards.

7. I quite agree with Mr. Hammick in thinking that the police escort duty should, on the introduction of the scheme, if sanctioned by Government, be performed on fixed days in each week.

8. For the reasons stated in my letter, No. 70-Mag., dated 26th January 1897, I am of opinion that the subject is one of considerable public importance. Sentences of rigorous imprisonment are *not* carried out in the sub-jails of this Presidency and there are far more sub-jails than in my opinion are necessary, or are deemed to be necessary, in other parts of India. Returns are quite unnecessarily multiplied by the existing Madras system, and any workable scheme which would tend to remove these anomalous evils would be welcomed.

Endt. No. C-2457.

Forwarded.

2. I am prepared, in order that the scheme for reducing sub-jails may be given a trial, to take over the direct administration of the four central sub-jails, as proposed in paragraph 10 of Mr. Hammick's letter, the cost of the warder guards at these sub-jails to be met from the savings in the Police department.

3. The Inspector-General of Police's proposal that the escort of convicted prisoners to central sub-jails and to the district jail shall be limited to a fixed bi-weekly despatch, is also accepted.

4. In order not to add to the bulk of correspondence, I abstain from further remarks.

VELLORE,  
1st November 1897.

(Signed) A. G. CARDEW,  
Inspector-General of Prisons.

ORDER—No. 1008, Judicial, dated 30th June 1898.

His Excellency the Governor in Council is not in favour of the proposed establishment of Central sub-jails at Tiruvannamalai, Vriddhachalam, Tindivanam and Chidambaram at all events at present. He has, however, no objection to the conversion of the sub-jails situated on or near the railway line in the South Arcot district into lock-ups for the confinement of under-trial, remand and *en-route* prisoners, and of

those sentenced to imprisonment for periods not exceeding seven days, and to the removal of other prisoners to the Cuddalore District jail, provided that sufficient accommodation is available therein and that the escort of convicted prisoners thereto is limited to a fixed bi-weekly despatch. A report on the working of the scheme should be submitted to Government at the end of one year.

2. The Inspector-General's recommendation that all future sub-jails should be constructed on the cellular system is approved.

(True Extract.)

for - Chief Secretary.

To the Inspector-General of Prisons.  
of Police.  
" District Magistrate, South Arcot.  
" Public Works Department.  
Copy to the Hon'ble the Chief Justice (with C.L.).

Exd. A. F. Eccleston.