

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	607	Press
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32-33		
Dated	7-5-	19.18.58.

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 11th May 1858.

No. 32. Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to T. PYCROFT, Esq., Chief Secretary to the Government of Fort St. George, dated Hanawar, 12th April 1858, No. 139.

SIR,

I have the honor to acknowledge the receipt of Extract from the Minutes of Consultation, 19th March (366,) relative to my letter of the 4th Instant, reporting the escape of certain prisoners from the Jail at Masulipatam.

2. I am directed to consider the claims of a Peon by whom one of the prisoners was stated to have been shot and further to take care that Revolvers are supplied to the Jailers for whom they were ordered.

3. I have since received a reply to my letter calling for further information from the Sessions Judge, a copy of which is now forwarded.

4. A reference to the 9th and 10th paras. of Mr. Cotton's letter shows that the Peons, when roused, acted promptly; they appear, like all imperfectly disciplined bodies, to have been confused at first, but I do not think that censure can be justly conveyed to others than the sentries.

5. Mr. Cotton recommends the Duffadar to favorable consideration, he, notwithstanding severe injuries, having been most active in following up the fugitives and having generally proved himself efficient. Should the Government in reference to the 4th para. of their Minute deem this individual worthy of a reward, I would suggest that an embroidered belt worth 25 Rupees and 75 Rupees in cash be bestowed on him.

6. In reference to para. 14 of Mr. Cotton's letter reporting the fact of two knives having been found on the runaway Convicts and the presumption that they were supplied from the Jail forge, I may add that I have lately rejected the appeal of the smith for restoration to his place.

7. On the whole the result of the endeavours to recapture the prisoners has been much more satisfactory than I could have anticipated from former experience. The Head of Police seems to have shewn considerable energy.

8. I do not think it desirable to reward any but the Duffadar specially recommended by Mr. Cotton.

From J. J. COTTON, Esq., Session Judge of Masulipatam; to J. ROHDE, Esq., Inspector of Prisons, Madras, dated 4th March 1858, No. 114.

SIR,

With reference to my communication to your address of the 23rd Ultimo, No. 95, giving a detailed account of the late daring out-break from the Jail at this station; I have the honor to continue my report of all that has come to my knowledge since the date of that letter.

2. The conduct of the guards in and about the Jail on the night in question has been the constant subject of investigation since the out-break, and the result is as follows: I believe from the strongest circumstantial evidence that the Peon on guard inside the Jail-yard must have been cognizant of and conniving at the out-break.

3. Upon the first enquiry his conduct appeared so glaringly culpable, that I at once sentenced him to (6) six months' imprisonment with hard labor in irons, and dismissal. Subsequent investigations however have induced me to apply to the Foujdaree Udalt to see if he may not be arraigned on the graver charge of connivance. Their reply has not yet been received, should it be in the affirmative, it is probable that a conviction may follow.

4. On the night in question, and indeed every night, there were 7 sentries posted at different parts of the Jail premises, and as the standard guard consists of 24, the duties on these men are severe; but it is inexcusable that the whole should apparently have been asleep, as not one of them admits that he heard any noise within the Jail, or until the attack on the guard at the main gate of the Jail. I have suspended for 6 months the sentry on the main guard, that over the place of Arms, and that on the main gate of the compound.

Fort St. George, Judicial Consultation, 11th May 1858.

5. I have restricted my sentence against these guards to the above, for the simple reason that I despair of improving the efficiency of the guard by any severer punishment, which indeed might have the effect of dissolving the body altogether. The above 3 appear to have been especially culpable in the neglect of their duties. I can hardly point out which is the most blameworthy, (admitting that they were all asleep at the time of the out-break.)

6. Had the sentry at the main gate simply kept the gate bolted while he aroused the sleeping guard near him, effective resistance might have been offered at once. Instead of this, with an amount of bare-faced lying that can only be met with in these localities, he states that the sentry inside called to him by name to *open* the door; thinking he wanted a light he did as he was asked, and was immediately seized by two Convicts &c. &c., and declares that he heard no noise whatever in the Jail till the Peon inside addressed him.

7. The Peon inside stated that he was suddenly seized when on his rounds, by four persons whom he named, in the *Northern* yard. The four prisoners named occupied 3 *different Wards* that night, one of which was certainly forced open with great violence, the door having been smashed from the outside, by the Convicts who had wrenched out the bars of the window in the other Ward, so that this Peon must have had some warning of what was going on, even if the gang on getting loose remained *silent* while in search of him. The thick black wood bar of another cell in which the under trial prisoners were confined, one of whom he also accuses of having seized him, was smashed into several pieces by the Convicts, after an attempt had been made by the tenants of the cell to burn it through by the aid of their lamp. Another Ward door close to the main gate was violently burst open from the outside also, just in front of the Hospital gate. All these must have caused a very considerable noise, sufficient to have aroused any ordinary persons even if asleep, and did arouse the Jailer Mr. Harrison in his house, but failed to affect the *sentries* (crædat.)

8. The sentry on the place of Arms, appears to have slumbered quietly also until the passage of the main gate had been forced; when he ran into the Arms room to awaken the Jemadar and guard, and was seized and struck he says by the Convicts who entered the place of Arms before he could offer resistance. He adds that in consequence of Peons and Convicts being then mixed together, he was unable to distinguish friend from foe, and therefore did not make use of the Arms in his hands, till too late to be of any use. The Peon on the main gate of the compound has little to say. Had he defended that gate for an instant, the out-break in that direction might have been effectually prevented. There were two other guards asleep in the shed close to him, and a sentry at the women's ward, in all four persons who ought to have been able to defend that post against almost any number of armed Convicts.

9. The Duffadar Venkatasawmey and one or two of the Peons on the main guard have been severely struck by the Convicts when passing through the guard-room, one of the Duffadar's ribs has been fractured just over the region of the heart, and he has a contusion on the shoulder blade as well. He however chased the runaways, some of whom had succeeded already in scaling the compound gate. Random shots were fired in considerable numbers, and it seems incredible that others were not struck by this wild style of firing than Convicts. The Sepoy guard in the Commissariat compound must have had a narrow escape, as the Convict shot just outside the gate was evidently accidentally hit by a ball which must have first passed through the Jail hedge; and no one claims the honor of the deed. The Duffadar and others who first cleared the gate found him lying mortally wounded where he was, and dragged him inside the compound. Other shots attracted them further on the road towards the town, and there they found Meerga Mahommed Beig, one of the convicts who attempted to cut down Brigadier Mackenzie at Bolarum, had just been wounded by Bayonets in the face, and captured by some Jail Peons. Shots continuing to be fired on the north side of the Jail, in French pettah, the Duffadar and those with him then ran in that direction, and came upon another Convict shot dead, a Peon standing near him; but I believe this man was killed also in the dark by a random shot, and was dragged back to the Jail compound. A third Convict subsequently captured was shot through the forepart of his thigh, and had a narrow escape of the bone of the leg being fractured.

10. From the foregoing it will be seen that after the guard Peons had once recovered their surprize they acted with considerable decision and energy, especially considering the darkness of the night at the time of the out-break.

Fort St. George, Judicial Consultation, 11th May 1858.

11. None of the escaped Convicts who have been apprehended succeeded in removing their irons, though I found that those caught in the Jail had taken the precaution of winding torn cloth over their fetters; to prevent their making a noise by clanking while engaged in making their escape.

12. I would now beg to bring the conduct of the above Duffadar to your favorable notice. He has gained the especial animosity of the Convicts from repeated acts of assiduity in bringing them to punishment for breach of the Jail rules; and in enforcing the orders for their observance. On a former occasion of an attack made by the Convicts on their guards inside the Jail, he was with the Jemadar selected for especial vengeance, and had his arm broken in the affray. I trust upon a consideration of his services that you may be able to accord your approbation of his conduct in some substantial manner, as an encouragement not only for himself but for others of his class.

13. In sentencing 5 of the captured runaways (the whole to 5 years' imprisonment extra to their former sentences, and two to receive in addition 150 lashes,) I have not thought it expedient or necessary to recommend their removal from this Jail, because I consider that the very fact of the late outbreak, and the signal fate which has befallen many of those who escaped, will both act as an additional warning to the Convicts themselves, and strengthen the resolution of the guards, who have now as it were been engaged in active operations, in the better performance of their duties on any future occasion.

14. Two roughly made knives were found on one of the runaways, which had been used in cutting through the window sill as reported in my last. This man had been constantly employed assisting the smith &c., one of the knives had been converted into a saw by a three sided file. Several such knives (without the saw teeth) have constantly been discovered secreted by the Convicts in the cooking sheds and elsewhere, and as the Convicts are searched twice every day, it is almost impossible that such knives could have been clandestinely introduced by them from outside. Accordingly there is every reason to suspect, especially from what has now transpired in the matter of the saw, that these instruments have been manufactured in the smith's work shed. I have therefore directed the smith to be summarily dismissed from his employment.

* Thoosakah Cotoyah.

15. I am sorry to say that two runaway Convicts are still at large, † Sookalah Rauga alias Ramjee. one* sentenced to 7 years' imprisonment for harbouring other runaways, and the other† to a similar sentence for highway robbery.

(True Copy.)

(Signed) J. ROHDE,
Inspector of Prisons.

No. 33.

ORDER THEREON, No. 607; dated 7th May 1858.

1. The Right Honorable the Governor in Council is pleased to authorize the presentation of an embroidered Belt worth 25 Rs. and a donation of 100 Rupees in cash to the Duffadar referred to in the above communication, in acknowledgment of his praiseworthy conduct when the prisoners broke Jail at Masulipatam.

2. Referring to para. 14 of the Session Judge's letter to the Inspector of Prisons of 4th May and para. 3 of Extract Minutes Consultation of 19th Idem, No. 366, immediate measures should be taken for securing the windows against similar attempts being made for cutting through them.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

3
Judicial Dept

No 706.

From the Inspector of Prisons.
Date 3rd March 58.

For Orders

Sanction Mr. Secy. Prop.
J

I would make
the money belong
to the Super
Intend

W H

Yes
H
—

Judicial Department

Mr. May

Extract from the Minutes of Consultation
dated 7th May 1858.

Read the following letter
from the Inspector of Prisons

(Here enter 30th March 1858)

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the Session Judge's letter to the
Inspector of Prisons of 4th March
and para 3 of Ext. Min. Cons.

Indivisible Letter to Gay
F. D. 10/12/13 of 1858
Page 26.

C. 110, 57-1852
19/5/52

In 17. 4. 1851. 11th May.
Pudicel 1850 & 1851

Ad 1851

Extract. Maint. of 1851

29/4/1851 1858

22403

of 19th idem 1856, immediate
measures should be taken for
securing the windows against
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for cutting through them.

J. J.

Copy to Inspector of Prisons.
Acct. General
Civil Auditor } Dispt. 1851

M. J.

C 28 Apr
R. B. May

Has my place

2. The conduct of the guards in and about the Jail on the night in question has been the constant subject of investigation since the outbreak, and the result is as follows: I believe in the charge, that no one examined the deed. The Duffadar and others who first cleared the gate found him lying mortally wounded where he was, and dragged him inside the compound. Other shots attracted them further on the road towards the Town, and there they found Meerza Mahommed Reij, one of the convicts who attempted to cut down Brigadier MacKenzie at Bolapur, had just been wounded by Bayonets in the face, and captured by some Jail Peons. Shots continuing to be fired on the north side of the Jail, in French pettah, the Duffadar and those with him then ran in that direction, and came upon another convict shot dead, a Peon standing near him; but I believe this man was killed also in the dark by a random shot, and was dragged back to the Jail compound. A third convict subsequently

different parts of the Jail premises, and as the stand-
-ard guard consists of 24, the duties on these men
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of arms, and that on the main gate of the compound.

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that post against almost any number of armed con-
victs.

9. The Duffadar Venkataswamy
(true copy)

[Signature]

Inspector of Prisons.

My Dear Sir
Judicial 1858 Department

From
The Inspector of Prisons

To
The Secretary to the Govt. of
Fort St. George

Dated 30 March 1858. No. 139
Sup. from Calicut April 1858
Rec. 19 —

No. 706.
Enclosures - one

In forwarding copy
of a communication from the Sepins
Judge of Masulipatam giving a
more detailed account of the late
outbreak of the Prisoners at that
station, and with reference to the
order of Govt. relative to the claims
of a person by whom one of the prisoners
was stated to have been shot,
suggests at the recommendation
of the Sepins Judge that a reward
be granted in the manner herein
proposed to the Duffadar.

For order respecting
recd. —

Judicial 1858 Department
No 1.

Enclosed in a letter from
the Inspector of Prisons dated
30th March 1858 No 139.

From

The Sessions Judge of
Masulipatam

To The Inspector of Prisons
Dated 4th March 1858
No 114.

Submitting a further
report relative to the late
outbreak of the Prisoners
in the Jail of Masulipa-
tam.

J/50/8.

In no 706.

Judicial Department.

From, No 159

J. Rohde Esq^r
Inspector of Prisons

To,

P. Pycroft Esq^r
Chief Secy to the Govt. of

Sir,

Port St George

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5. Mr. Cotton recommends the Duffadar to favorable consideration, he notwithstanding being severe in justice having been most active in following up the fugitives and having generally proved himself efficient and should the Government in reference to the 4th Para of their Minute deem this individual worthy of a reward I would suggest that an embroidered belt worth 25 Rs and 75 Rs in cash be bestowed on him.

6. In reference to P. 14 of Mr. Cotton's letter reporting the fact of two knives having been found on the runaway Convicts and the presumption that they were supplied from the Jail forge I may add that I have lately rejected the appeal of the Smith for restoration to his place.

7. On the whole the result of the endeavours to recapture the prisoners has been much more satisfactory than I could have anticipated from former experience. The Head of Police seems to have shown considerable energy.

J.

8.

I do not think it desirable to reward any but the Duffadar specially recommended by Mr. Cotton.

Have the honor to be,

Sir

Your most obed^t servant

W. H. Smith

Inspector of Prisons.

Honourable

Secretary

Off. of Inspector of Prisons

38th April 1858

Recd from Calcutt April 1858

May 27 & 28 - 11 - 1838
 Medical 1838 & 1839

From the Instructor of Prisoners

Fort St. Joseph
Oct 30 and 1858. Fe 1859
Wm. Cabot April 1858
Oct 19 —

Dr. Forwarding copy

ever has stated Stone has not
suspect of the permeation
of the deposit. I hope that a power
be placed in the measure herein
proposed to the satisfaction

C 21.4/12
 R27"
 C 58"
 Ob Gray
 32.