

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	727	Press
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	63-65	
Dated	9-6-1860.	

15/16

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

9th June 1860.

Read the following letters:—

No. 63. From the Principal Sadr Amín, in charge of Nellore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 23rd May 1860, No. 42.

In acknowledging receipt of Proceedings of the Madras Government, dated 18th current, bearing No. 623, I have the honor to state that the Court of Faujdárf Adálat having on the 18th May 1855, with reference to Circular from Government dated 26th April 1855, ruled that, all reports of the escape of Convicts should be forwarded to the Inspector General of Prisons, it was presumed that the Order of the 20th May 1834 was virtually cancelled, but to obviate any further delay, I beg to submit a copy of the letter addressed to the Inspector General of Prisons for the information of Government.

No. 64. From J. ROHDE, Esq., Inspector General of Jails, to T. PYCROFT, Esq., Chief Secretary to Government of Fort Saint George, dated Ootacamund, 25th May 1860, No. 219.

I have the honor to submit with reference to Extract from the Proceedings of Government of the 18th instant No. 623, an account of the escape of the prisoners from the Nellore Jail on the evening of Sunday the 15th ultimo.

2. The first report of the event I received by Telegraph on the 17th with the promise of a full report, this not having been received up to the 5th May, I wrote for it, but in the mean time received from Mr. Robinson, the Inspector General of Police, the report made to him by Lieutenant Grove.

3. Two days after this I received the Sessions Judge's letter dated the 28th April, giving the details as they were elicited at the investigation.

4. The steps taken by the Sessions Judge called for no comment from me and in the conduct of the Police I saw nothing to notice other than that, being a young body of men, more injury to the escaping body may have been done than would have been the case had they been many years in training and had become imbrued with the spirit of their officers; the case did not therefore appear to me to call for any special report other than that prescribed by the Order of the 20th May 1834.

5. From the investigation of the Sessions Judge, both as Officer in charge and on the bench, it appeared that several of the guard, reckless of consequences, and aware that a new system of guarding was to be introduced, as they thought on the morrow, had instigated the prisoners to escape, that they did so favored by circumstances, the Jailer being in Church, the Jemadar having postponed the hour of locking up to near dusk, the Peons generally being discontented and consequently careless and the guard over the gate not being on their proper post.

6. The 33 prisoners who escaped were, it appears, in the inner or convict yard waiting to be locked up, when, on the gate of the yard being opened, they rushed out, made for the outer gate, which was imperfectly secured, seized the arms, the muskets being loaded, wounded with a sword the Naigue and made off, followed almost immediately by the small Police guard stationed near the Jail and some Peons.

7. The prisoners it must be remembered had armed themselves and it is not to be wondered at, that a small body of men fully armed and witnessing an escape which it was their duty to prevent by any means should have made use of their arms.

8. Two prisoners were shot dead, 2 more were mortally wounded by gun-shot wounds; 3 others received musket shots and 5 sabre cuts; 14 convicts were that night brought in, and 9 have since been re-apprehended, 10 are still at large.

9. As usual on such occasions several of the prisoners brought in wounded by the sabre have received several wounds in addition to what might be needed to secure their apprehension, this will always be the case till a body of men trained by European Officers to the restraint peculiar to the best Police is formed, educated and fully disciplined.

10. Seven of the Peons on duty at the Jail have been sentenced for connivance to periods of imprisonment by the Sessions Judge.

*Proceedings of the Madras Government, Judicial Department,
9th June 1860.*

11. I fully concur in the opinion expressed by the Officer in charge excusing the Jemadar, one of the best Native Officers on the Prisons' Establishment.

12. Mr. Ratliff speaks well of the assistance rendered by the new Police Force and of their conduct throughout, he especially speaks of the aid afforded by Lieutenant Grove and mentions favorably Mr. Ward the Head Writer of the Court who from his house witnessed the escape and aided in the pursuit and recapture of the convicts.

No. 65.

ORDER THEREON, 9th June 1860, No. 727.

On the 18th ultimo, in Proceedings No. 623, the Government remarked that no report had reached them of a serious outbreak, which, they had been given to understand, had taken place among the prisoners in the Nellore Jail—and they called for explanation from the Session Judge in charge and the Inspector General of Jails.

2. The Principal Sadr Amfn in charge at Nellore, in now forwarding copy of the Session Judge's report of the occurrence, made under date the 28th April last to the Inspector General, explained that "the Court of Faujdari Adalat having on the 18th May 1855, with reference to Circular from Government, dated 26th April 1855, ruled that all reports of the escape of convicts should be forwarded to the Inspector General of Prisons, it was presumed that the Order of the 20th May 1834 was virtually cancelled." On the other hand, the Inspector General of Jails represents that the "case did not appear to him to call for any special report other than that prescribed by the Order of the 20th May 1834."

3. In Extract Minutes Consultation, 6th May 1834, No. 330, communicated to Officers in charge of Jails by the Faujdari Adalat in their Circular Order of the 20th May 1834, the Government desired, in reference to an outbreak in a Zila Jail of which no timely report had reached them, that, "whenever such an event occurs, the Officer in charge of the Jail shall transmit direct to the Secretary to Government in the Judicial Department a copy of his report to the Provincial Court." In the Government Circular of the 26th April 1855, addressed to all Judges, Sub Judges, and Magistrates in charge of Jails, announcing that the Inspector General of Jails had been invested with the Superintendence and control of the Jails in the Presidency, it was directed that all reports, returns, and accounts hitherto furnished by Officers in charge of Jails to other authorities, were in future to be furnished to the Inspector General. This Circular was not intended to cancel the standing rule of the 6th May 1834.

4. The Honorable the Governor in Council desires that it may be made generally known that the Order of the 6th May 1834, has not been suspended by any subsequent Orders—and that every serious outbreak by convicts is to be communicated by the Officer in charge of the Jail direct to Government at the same time that a report is made by him to the Inspector General. This latter functionary will in due course submit to Government a copy of any remarks which he may make, or orders which he may pass in the case, but will not forward a copy of the report from the Officer in charge of the Jail, as that will be already before Government.

5. The Honorable the Governor in Council has no particular observations to record on the late outbreak at the Nellore Jail. It seems to have been owing to the misconduct of the Peons, who, in the early prospect of being relieved by the new Police, were sullen and neglectful of their duty, if indeed they did not actually connive at the escape of the prisoners. The number of the convicts, who have been killed or wounded, is to be regretted, but it is no more than usually occurs on such occasions. It is hoped that when the Jail guards are taken by the new Police, attempts to break Jail will be more rare—and, when they do happen, will be suppressed with smaller loss of life, and fewer injuries to the prisoners.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Nellore 28th April 1860.

To,

J. Ratliff Esquire

Acting Session Judge of Nellore

To,

J. Rhode Esquire

Inspector General of Jails—

Sir,

1. I have now the honor to report, in detail, upon the outbreak from the Jail, at this Station; of which I afforded you brief, but immediate, intimation, by Telegraph, on the 15th Current—

2. It occurred during the performance of Divine Service, on Sunday evening, the 15th Current— at about 6 1/2 P. M. when, Captain Grove, (the Superintendent of Police), Mr. Green (the Jailor), and myself, were in Church— when information of the matter reached us through a messenger despatched by the Jail

Jail Samadar - and whence we,
of course, hurried as quickly as
possible to the jail -

3 I there ascertained that a
number of Convicts had actually
got away (though how many none knew)
so after satisfying myself as far
as possible that every thing practica-
ble was being done for following
up, and re-capturing, them, I, at once,
counted those remaining, and found
that no less than thirty three had
effected their escape -

4. Out of this number, I am
happy to be able to report re-capture
of twenty three - of these, eleven
were taken and brought back to
the jail, on the same night, viz
I quit it, at 9 P.M. Two were
already dead from gun-shot wounds -
and each of the other nine more,
or less wounded - resulting in the
subsequent death of two of their
number also -

5 The Zila Surgeon was in attend-
-ance and at once aided by the Native
Surgeon treated the wounded - a
detailed report from the former
Officer accompanies this -

6. At 6 A.M. next morning,
I again proceeded to the jail, and
thence, after collecting all further
local information, I went, to Court,
where I, at once commenced an
enquiry, which I have since continued
to prosecute to the best of my
ability, into the causes immediate
and contingent that led to the outbreak.

7. The principal one, appears
to have been, the (then) pending
transfer of the duty of guarding
the Convicts, & jail, from the
hitherto body of Pons to the new
Police Force - a measure extremely
distasteful to the Pons as a body,
owing to a, long since evinced, dis-
inclination to join the Force on the
part of all likely to be accepted as
recruits; and to a regret at permanent
loss

loss of occupation, even though accompanied by a gratuity, on the part of those who felt that age or other disability would in any case, bar their own enlistment -

8. These feelings whilst engendering probably, a degree of carelessness and laxity on the part of even the best disposed among them, have undoubtedly induced others to co-plot and connive -

9. Two, are implicated by the direct statements of several convicts and admissions of others, as deliberate accessories before the fact - a third who should have been on sentry inside the north gate of the new Jail, as well as three others who were on duty as general assistants - to said sentry, and whose proper post at the time the outbreak occurred, & for some time previously was also, inside the gates under & adjacent to the three Portico, were

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discovered, all outside the gate in line - and are wholly unable to, satisfactorily account for this direct and even has nothing occurred to invest the act with grave suspicion most improper breach of rules, orders, and invariable custom -

10. The sentry at the outer (Entrance) gate through which the final exit was effected, ^{appears} by his own admissions, to have not only omitted to properly secure it, after the Jamaras' egress some little time prior to outbreak, but to have failed in even attempting to do so, when the shouts raised by the convicts in escaping from the inner (new) Jail, reached his ears, as he admits they did - his reasons, for these ommissions, being most unsatisfactory - He appears to have further failed even to summon the adjacent Police guard - as he might readily

and certainly should, have done,
immediately on hearing the fracas
inside - It is possible certainly that
gross carelessness may have been
the extent of his culpability in re-
the first named omissions - and
that fear and bewilderment may
have prevented his doing the latter,
but, so barely such, that I cannot
feel justified in giving him the
benefit of the possibility -

11. The details of punishments
awarded will be found in accompanying
copy of Calendar -

12. The plot to escape is by
several convicts who did not attempt
it, declared to have been for some
weeks hatching, as well as known
to, and abetted by, many of the Pious -
The particular day for its carrying
out appears to have been suddenly
settled by the fact of the Pious &
Prisoners, having been led to believe
that the New Police Force was to

assume charge of the Jail guard,
on the following day (Tuesday),
and that unless at once attempted,
it would be too late - This belief,
I afterwards ascertained from the
Superintendent of Police, to have
been well grounded - as that officer
had, he informed me, fully made
up his mind to take charge on
the Monday, and made the same
known to his subordinates, though
he was subsequently precluded doing
so - I was not myself however
aware of any ^{such} intention, until
I learnt it, as above -

13. The actual exit from the Jail,
appears to have been thus effected -
after waiting until the last moment
before locking up, in order, it may
be presumed, to be favored as much
as possible by darkness, those
meditating escape availed themselves
of the opportunity afforded by the
opening at that time of the new
Jail north gate, in order to let a
Convict

Convict pass out (as usual every evening, with a Lantern, after lighting up the Wards), to make a rush, pull the gates completely open, and pass through to the outer gate, which although not actually open, was, as above recorded, merely secured by the bolt being shot across, outside and (as I afterwards practically tested) could in this state readily be burst open by the force of 2 or 3 men - arrived there, they seized and made off with twenty of the Muskets from the arms-stand under the entrance gate-way - all of which however, save, five, have been recovered -

14. The North gates of the new Jail, have never, I found to my extreme surprise, been kept locked hitherto - at least so I am assured by the Jailor & Jail Jamadar, as it having been, they say, considered and found enough for security to merely close them so as to afford ready ingress ^{egress} to the Prison - the

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guard under the inner Portico being looked upon as sufficient to preclude any successful attempt at passage, I have, of course, ordered that they shall hereafter be invariably kept as securely closed as possible from without, until after the Prisoners are locked up, in their sleeping Wards each evening - after which, simple closing may suffice -

15. Notwithstanding the above fact however, the outbreak might and would have been prevented, had the Prison Sentry at that gate, and those detailed to assist him, (if needed), been at their posts inside, in lieu of outside, that is to say had they been honestly desirous of preventing, and to their utmost striven to prevent, it - which they certainly were not and did not - If within and honest, the Sentry would never have allowed the gates opened for passage of the man with

with the Lantern had he seen others
as he then might have done col-
lecting near the gate-way: nor,
would the Assistant Sentries, have
permitted any such proximity.
As it was, being all of them, outside
the gate (as above recorded), they could,
of course, see nothing that was passing
within, and by pushing open the
gate, from the outside, when sum-
moned by the Massalgie Prisoner
from within the Sentry palpably
told himself open, to what occurred
even if he did not purposely abet
it knowing that all his Assistant
Peons were also outside, and utterly
unaware, therefore, how many Prisoners
might be waiting at hand, within,
to avail themselves of the opportunity
of egress; in fact unaware whether
it was safe to open the gate at
all - or not -

16. I may here explain that these

gates which open inward being
heavy, and fitting closely, require
pushing open from without,
in order to permit ready egress,
although not otherwise secured than
by simple closing - It is possible
to open them from within although
so closed but is a matter of time
and difficulty -

17. The only Peons actually inside
the new Jail itself, when the sortie
occurred were those placed as sentries
specially over the walls, there - I
do not feel justified in looking
upon them as open to suspicion
of either connivance - or culpable
neglect - They had nothing to do,
directly, with the security of the
gate through which the egress
from the new Jail was effected -
and it is very probable that, as
asserted by themselves, the Prisoners
who rushed out, suddenly from different
quarters

quarters had done so, i.e. they (the Prisoners) had time to reach the gate from the spots where they were themselves posted and stop their exit, which they aver, and with apparent truth, (as 33 only out of the large number in the yard, got away) that they at once did - in the case of ^{the} others -

18. There is no doubt that the Prisoners ought to have been already locked up in the sleeping wards, at the time they escaped; or that the darkness which almost immediately ensued, alone precluded the almost immediate re-capture of the runaways - The Jamaradar, who has always performed the duty of locking up, on Sunday evenings, to allow of the Jailors attending Church, protests, and so far with apparent reason, that there is no specially fixed hour for the purpose: and further avers that he had not

delayed

2 delayed it, to any unusually late hour on this occasion - an avowment, however, which is directly contradicted by the statements of the Duffadar who acts as Jail Writer and Jailor's Assistant, and of the Jail Dresser - as well as by the fact that it was quite dusk when the exit was effected - and that they certainly should have been safely in their wards, i.e. then -

19. Under ordinary circumstances, I should have been inclined to have, at once, assumed the existence of guilty complicity on the part of the officer who had thus left the Prisoners at large in the Jail square, i.e. not locked them up in their wards, until so late an hour - but am unable, in the present case, to believe this Jamaradar guilty of other than culpable thoughtlessness - a belief, forbidden as well by the very high character he has borne for a long series of

of

of years, as by the fact, that he had personally nothing to gain, and all to lose, by committing himself in any way - in as much as he was to retain his post notwithstanding the change of system which had caused such discontent among his subordinates, as a body - whilst a yet further and material point in his favor, exists in the fact, of neither Dow or Prisoner, having in the very slightest degree adverted to him or at all implicated in the plot - a highly improbable reticence has he been so, in as much as he is very generally disliked by all - and petitions and complaints against him, have been frequent - though, as far as I could ascertain, baseless -

20. I have not, under the above circumstances, considered it necessary to take any steps to his disadvantage -

21. The men of the New Police

Force, I have every reason for believing, to have behaved well on the occasion - whilst their Commanding officer, Captain Grove, I need scarcely add, afforded me every possible aid and assistance - as did the Magistrate by whose Subordinates several of the captures have been effected -

22. I cannot close this Report without recording favorable mention of the conduct of Mr. R. G. Ward (the Head Writer of this Court) who happened to witness the outbreak from his adjacent residence, and (as I find from enquiry), at once took a leading part in the pursuit and capture of the Criminals re-secured that night - subsequently joining me in the Jail and affording assistance in carrying out my orders -

23. I was also joined in the Jail, by Major Beaver, Commanding the Station - who, as soon as news of the outbreak reached him

him, (which as his residence is at some distance was not until some little time after its occurrence) at once came down, to offer any aid required or affordable -

24. I take this opportunity of strongly recommending the deportation of the Convict Affiah (1st Prisoner in Calendar) to some distant Jail, situate in a District, where a vernacular other than his own (Telugu) is spoken - and would suggest, one of the Western Coast Jails -

25. I make this recommendation with reference to the fact of his residence and friends being here - where he has much influence -

He was formerly a Sepoy, is son of a pensioned Subedar and looked upon as a desperate character -

Gilt Court, } I have &c.

Bellare } (Signed J. Blatiff

28th April 1860 } (Sd: Session Judge
(True Copy)


Din. Sadr Amis in Charge

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Judicial.

Proceedings of the Madras Govt.

Read the following letters—

From the Principal
Sadr Amin, Nellore — letter 23rd May '60 N^o 42.

the Inspector General of Sails — 25th do — "219.

Orders — 9 June 1860. No. 727.

On the 18th ulto. in Proceedings N^o 623, the Govt. remarked that no report had reached them of a serious outbreak, which, they had been given to understand, had taken place among the Prisoners in the Nellore Jail — & they called for explanation from the Session Judge in charge & the Inspector General of Sails.

W. M.

W. M.

W. M.

2. The Principal Sadr Amin

Just 1860 1000
Enclature 171
In letter from the
Principal Sadr Amin in
charge & the Chief
Secretary of the
Nellore 23rd May 1860
From the Principal Sadr Amin
of Nellore
To the Inspector General
of Sails —
Nellore
25th May 1860
N^o 219
N^o 887.

Mississ

Amin in charge at
Nellore, in ^{now} forward-
ing copy of the Sessi-
on Judge's report of
the occurrence, made
under date the 28th A-
pril last to the In-
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— that "the Court of
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On the other hand, the
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Judicial

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3. In Govt. Min: Sec: 330, com-
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Govt. Circular of the
26th

April 1855, addressed
to all Judges, Sub Judges,
& Magistrates in charge
of Jails, announcing
that the Inspector
General of Jails had
been invested with the
superintendence and
control of the Jail
in the Presidency, it
was directed that
all reports, returns, &
accounts hitherto
furnished by officers
in charge of Jails to
other authorities, were
in future to be furnish-
ed to the Inspector Ge-
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cancel the standing
rule of the 6th May 1834.

4. The Honble the Gover-
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15
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or orders which he
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The Inspector Genl. of Jails — with Jails.
" Inspector Genl. of Police. rets.
All Judges, Sub Judges, &
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14
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The Inspector Genl. of Jails. - with Encls. ret.
" Inspector Genl. of Police.
All Judges, Sub-Judges, &
Magistrates in charge of Jails

disph.
15 June

10 June

Michael 1800 (D. 2)

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Discussions of Love

279: June 100

Defining observation

F. 4264/61. - 2134/62.
— "475—

on the Reports of the Principal
Agents under Command of the
and the Inspector General;
not of any respecting
or tedious and disagreeable
which had taken place
places among the Pri-
soners in the Yellow
Jail.

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Р. 8.