M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1426 Press / Mis.

223-226.
Dated 29-9-~~19~~ 1864

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
29th September 1864.

Read the following papers :—

No. 223. From J. ROHDE, Esq., Inspector General of Jails ; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Ootacamund, 18th June 1864, No. 27.

In acknowledging the Order of Government, No. 841, 7th June 1864, I have the honor to state that I have no information to lead me to believe that any of the prisoners in the Salem Jail specially entitled themselves to reward; the report enclosed of the Assistant Superintendent is, to my mind, by no means satisfactory.

2. The recommendation, if any was due, should, in my opinion, have been made to the officer in charge of the Jail, who, after inquiry into the facts elicited by the Police inquiry, would have been the proper person to say what convicts under his charge had specially recommended themselves.

3. I am not satisfied with the conduct of the Police in allowing a gang to come hooting and hollowing to the guard-room door before they were opposed. The Warders in the inner enclosure may be excusable in not giving notice ; but how a mob, of 70 men, could come from the inner enclosure to the Jail gate unchecked I cannot understand.

4. I cannot think the Police arrangements good or excusable under the Rules, Rule 25, for the conduct of the Police in Jails, provides for the guard being maintained standing till the prisoners are locked up, and, by Rule 24, before the sentries on guard are withdrawn the senior Police officer is to satisfy himself that the prisoners are secured in their cells.

5. It appears from Captain Story's report that with the exception of a sentry on the watch tower, who got frightened and proved useless, one sentry with a *baton* at the gate and 3 or 4 of the guard inside, none of the Police were available, and but for the accident of their being Policemen *armed*, returning with a party who went for water, the convicts might have gone away.

6. What business the Police had to fire as is stated over the heads of the convicts I know not, I thought there were positive orders against such conduct.

7. I know very well that after the prisoners retreated they were beaten by Warders and the Salem convicts; but I have no reason to believe that previous to, or during the out-break, any attempt to prevent it was made; on these points and on some others I have thought it desirable to communicate with the officer in charge before considering with the Inspector General of Police *what* reward should be given to Chocalingum and Bursoo Naik.

8. I should not have noticed the conduct of the Police in this matter to Government had not the Inspector General thought it necessary to go beyond what seem to me the proper limits of his Department. I had written, demi-officially to Captain Hankin, the Deputy Inspector General, now at Salem, suggesting what appeared to me defects in the present system of Police guarding at the Jail. I had already communicated my opinion officially to the Inspector General of Police in forwarding to him in November last a copy of my notes on the subject.

Inspector Genl. of Police.

9. From what source Captain Story derived the information stated in his letter I do not know; the first intimation I received was on the 23rd May from a note written by the Jailer to Mr. Cherry; Dr. Marrett's letter of that date I received on the 26th. I called for and received further information, but none that I received induced me to believe that any special service had been rendered by Pariasawmy Moodelly, or any other prisoner previous to the out-break; and from the position this man held in the Police, I should be very guarded in receiving any testimony of his fellow Policemen in his favor.

10. I must own that knowing the building as I do, I cannot reconcile the account given by Captain Story with possibility.

P. S.—There will be a Judicial inquiry, and the facts will then, in all probability, be elicited.

No. 224. From J. ROHDE, Esq., Inspector General of Jails; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Ootacamund, 25th June 1864, No. 41.

In continuation of my letter of the 20th instant, I have the honor to state that the Jailer at Salem distinctly asserts that, immediately on receiving* information of the intended out-break he informed the Superintendent and Inspector of Police of the same, and that they or the latter officer intimated the same to the whole of the force on duty at the Jail, and desired them to be cautious and ready at any moment.

* See Captain Story's letter quoted in Proceedings of Government.

2. In my opinion the report, through the Inspector General of Police, to Government, omitting this most important fact, if true, is most disingenuous; the Police officers and guard were it seems warned, yet at the hour of the day when all the prisoners were in Jail except a small party who fortunately had been sent to bring water, not a Policeman, except the sentry on the watch tower was armed, and but for the mere accident of a water party returning guarded by armed men the Police could have offered no armed resistance.

3. I still reserve my opinion on the facts till the trial of the rioters is over.

No. 225. From J. ROHDE, Esq., Inspector General of Jails; to J. D. SIM, Esq., Secretary to Government, Fort Saint George, dated Ootacamund, 13th September 1864, No. 169.

I have the honor to submit, for the favorable consideration of Government, the conduct of the Maistries who were instrumental in suppressing the insurrection of the Cuddapah convicts in the Salem Jail noticed in the Proceedings of Government of the 7th June, No. 841.

2. I questioned Captain Hankin as to his opinion of the part taken by the convicts recommended for reward.* I also spoke with Mr. Robinson on the subject.

I met Captain Story in the Jail Court who fully explained those parts of the account of the out-break which were not clear from his letter. I also ascertained from Mr. Cherry, who investigated the matter, his opinion of the value of the services rendered by the Maistries, and by conversation with the Jailer all particulars that could be gathered to supply the deficiencies in the reports.

3. I cannot ascertain the exact part taken by the prisoners named by Captain Story and Mr. Cherry, but they both concur in the recommendation of Chocalingum and Bachigan (who I have ascertained to be identical with the Bursoo Naik Captain Story referred to); Mr. Cherry, further recommends Kundaar, Maduray Moodelly, and Aroolachary, the first for one year's remission, the others, in common with Bachigan, and Chocalingum, for six months' remission each. Mr. Cherry recommended Peryasawmy for remission of the remainder of his sentence, which would now nearly correspond with the remission already granted in his case.

4. Though I am unable to ascertain the precise amount and nature of the assistance rendered by these prisoners in the confusion, I am disposed to recommend that the prisoners Bachigan, Maduray Moodelly, Chocalingum and Aroolachary receive each a remission of six months of their respective sentences, and that Kundaar receive a remission of one-fourteenth of his sentence, of 14 years' imprisonment as recommended by the Sessions Judge. Peryasawmy has already had his reward meted to him by the Government.

5. I append a Statement of these prisoners, the discrepancies in which as to dates and the difference in Bachigan's designation occasioned a delay, which was increased by my not having the original papers with me when I received the explanation.

6. I censured the Jailer for the lax discipline of his Jail which could permit of prisoners wandering from one part of the building to another unchecked.

Inspector Genl. of Police.

NAMES of Convicts in the Salem Jail with crime and sentence, recommended for remittance of punishment for aiding the authorities in the suppression of an attempt at out-break by a large body of Convicts on the 21st May 1864.

Calendar Number.	Names of prisoners.	Crimes	Sentence.	Date of sentence.	Date of release.	Why recommended.	Recommendation of the Officer in charge of the Jail. The remaining portion of his sentence.
Joint Magistrate.	Peryasawmy Moodelly.	Extortion...	18 months' rigorous.	8th October 1863.	5th Nov. 1864....	For giving information to the Jail authorities on the part of a large body of convicts, received from Cuddapah, to break out of Jail, and rendering assistance in the suppression and restoration to order of an attempt at out-break on the 21st May 1864.	1 year. 6 months.
44	Kundaar.....	Gang robbery. ...	14 years.	20th March 1860.	20th March 1874.	For rendering assistance to the Jail authorities in suppressing a simultaneous rush and attempt to break out of Jail of a large body of convicts newly received, from Cuddapah, and recognizing the leaders in the attempt; the 3rd prisoner further brought to light, by over-heard conversation, where a number of tools were buried, which led to the discovery by the Jailer, near the river, of 9 chisels, 1 file, and 1 Jemmy.	Do.
45	Bachigan.....	Lurking House, trespass.	3 do.	8th July 1862...	8th July 1865....		Do.
Joint Magistrate...	Maduray Moodelly. ...	Extortion..... ...	2 do.	20th October 1863.	20th October 1865.		
Do.	Chokalingum.....	Theft.....	2 do.	1st Sept. ...	1st Sept. ...		
46	Arooljachari.....	Robbery.....	7 do.	2nd July 1858...	2nd July ...		

(Signed) W. J. CHERRY,
Session Judge.

SALEM SESSION COURT,
9th August 1864.

No. 226. ORDER THEREON, 29th September 1864, No. 1426.

The Governor in Council is pleased to remit six months of the respective sentences under which Bachigan (or Bursoo Naidoo), Maduray Moodelly, Chocalingum, and Arooljachary are undergoing imprisonment in the Zillah Jail of Salem, and one year of Kundaar's sentence, as a mark of approbation of their conduct during the late out-break of Cuddapah convicts transferred to that Jail.

(True Extract.)

Secretary to Government.

To the Inspector General of Jails.
„ Sessions Judge of Salem.
„ Inspector General of Madras Police.

Exd. J. Tulloch.

Inspector Genl. of Police.

Judicial Department

No. 1913 - 1249 - 1269 - 1838.

From the Inspector General of Jails.

Dated 24th. 25th. June & 13th Sept. 1864

For Orders

The recommendation of the Inspector General of Jails and Sessions Judge of Salem in respect to the five convicts may be acted on

J.P.

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Jail of Salem
Jail & one year of Kun-
daar's sentence, as a co

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Judicial Department.

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PROCEEDINGS of the MADRAS GOVERNMENT.

Read letters from the Inspector Genl. of Jails — Jated 20th & 25th June, & 13th Sept. '64 Nos. 27, 41, & 169.

Order — 29th September 1864, No. 1426.

The Governor in Council is pleased to remit six months of the respective sentences under which Bachigan (or Bursoo Naidoo), Madu-ray Moodely, Chocalin-gum, & Arolachary are undergoing imprisonment in the Hillah Jail, of Salem & one year of Fun-daar's sentence, as a mark of approbation of their conduct during the late outbreak of Cuddapah Convicts & transferred to that Jail.

The Inspector Genl. of Jails.
Sessions Judge of Salem.
Inspector Genl. of Police.

