M.R.O. 1—33,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1189 Press Mis.

Dated 28. 8 1965

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
28th August 1865.

No. 220. Read the following letter from A. P. HOWELL, Esq., Under Secretary to the Government of India, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Simla, 29th July 1865, No. 547.

Home Department,
Judicial.

With reference to the correspondence noted on the margin, I am directed to transmit, for the information of the Government of Madras, the accompanying copy of a letter from the Chief Commissioner of British Burmah, No. $\frac{P.\ R.}{229}$, dated the 28th ultimo, with enclosures, and to call attention to the difference between the character given to the convict Robert West in the statement signed by Mr. Rohde, and forwarded to the Government of India with your letter of the 8th October 1863, and that given in the Roll sent with the convict to Port Blair, under the signature of the keeper of the European prisoners at Ootacamund.

From the Government of Madras, No. 1624, dated 8th October 1863.
To Do. No. 857, 22nd June 1864.

2. It is requested that, in future, great care may be taken to recommend no convict for Port Blair, who may be at all likely to evince an insubordinate and unruly spirit, there being no means whatever in that settlement of subjecting such convicts to the discipline requisite for their proper management and control.

3. The License of the prisoner Robert West has been revoked.

From Major H. N. DAVIES, Secretary to the Chief Commissioner of British Burmah, to the Secretary to the Government of India, Home Department; dated Rangoon, 28th June 1865, No. $\frac{P.\ R.}{229}$.

I have the honor, by direction of the Chief Commissioner, to solicit the instructions of His Excellency the Viceroy and Governor General in Council, as to the disposal of the convict, Robert West, referred to in the accompanying letter from the Superintendent, Port Blair, dated the 21st June, No. 55.

2. Appended to this communication is a report of the proceedings held by Major Ford, on the preceding day, the result of which, in conjunction with West's general bad conduct, necessitated his immediate removal from the Settlement, and despatch to Rangoon, where he is at present placed in confinement in the Jail.

3. The Chief Commissioner begs to recommend that Robert West's License, (which is also enclosed) may be withdrawn, and he be favored with early orders regarding the prisoner.

From Major B. FORD, Superintendent, Port Blair, to Major H. N. DAVIES, Secretary to the Chief Commissioner, British Burmah; dated Port Plair, 21st June 1865, No. 55.

I have the honor to enclose copy of Proceedings of this Court, on inquiry into the conduct of a licensed prisoner, named Robert West, who, from the proceedings, the Chief Commissioner will observe, has, ever since he arrived in this Settlement, caused me much anxiety by his violent and insubordinate behaviour.

2. I beg to state that I have been at great pains to endeavour to reform this man, but to no purpose. His natural disposition is so bad and uncontrollable, and his temper under such circumstances is so violent, that for such a man to be any longer at large is in my opinion most undesirable; while, from the same cause, it is quite impossible for me to entrust him with any duty in which convicts would be placed under his orders for work, for which service he was sent here. Bad at all times, as above described, he is worse when under the influence of liquor, which, taking advantage of his privilege of being at large, he has, by every artifice he could use, sometimes obtained, at which times he would become so infuriated as to have severely injured persons coming in his way.

3. The Chief Commissioner is aware that I have no suitable place in which to place men so offending in confinement; even if I had, I am of opinion that to do so would have no beneficial result on a man like Robert West, whose character, when in Jail before, it will be seen from the copy of his Register attached, has been bad. It is hardly necessary also to remark how prejudicial to all efforts of a reformatory nature the presence of such a character must be in the eyes of other Christian prisoners, who are here at large on License, when, in the words of his Register, "he works others up to do what is evil." I, therefore, have thought it advisable under all the circumstances of the case to send this man back to Jail, and for that purpose have accordingly forwarded him to Rangoon, in charge of a return party of Police of that Town, proceeding by the Steamer *Prince Arthur*, where I have made him over to the Magistrate, to be lodged in Jail, until the Chief Commissioner's further orders regarding him can be received.

4. I would respectfully recommend that Robert West's License (original and duplicate of which I enclose) may be cancelled, and that he be forwarded to the Jail in Calcutta there to work out the remaining portion of his sentence in hard labor.

SUPERINTENDENT'S COURT, PORT BLAIR, THE 20TH JUNE 1865.

Present.

B. FORD,

Superintendent.

Crim: Reg: Pro:— No. 34 of 2nd Quarter 1865.

Inquiry into the conduct of Robert West, holding a License to be at large, granted to him by His Excellency the Governor General in Council, on this Settlement.

Memorandum by the Superintendent.

The Defendant has been on this Settlement now since the 11th December 1864. During that time his conduct has been very unsatisfactory. His general bad habits necessitated his being kept apart from the other Ticket of leave European prisoners, owing to his bad example, being addicted to drinking, and violence of conduct generally. To keep the Defendant out of mischief, it was arranged to give him duty on board the Hulk "Erin go bragh" here. He also not only obtained liquor, but he got others of his class on board at night, improperly and against orders, making use of the Ship's boat. Complaints of a serious character have twice also been received of acts of violence towards convicts of the crew on board.

Twice, when the Superintendent has visited the ship, he has found the Defendant in liquor: so much so as to forget himself, and behave in a highly disrespectful manner towards the Superintendent.

He has been thrice cautioned by the Superintendent in Court, for intoxication—once with violence also. He has promised amendment, and has broken his promise; and his character has been so unreliable from these evil habits, that the Superintendent has been unable to place any work in his hands, or to trust him to do any thing.

On the 16th instant, the Defendant was reported by Mr. Driscott, in charge of the Hulk, as insubordinate and refusing to work, saying that he begged the Superintendent might be informed that he might be employed on shore. To give him a chance again, he was relieved by convict Pinyard, and he was directed to the charge of cultivators at Haddo.

On 17th, Saturday, Quarters there were allotted to him, which instead of proceeding to, he remained on Ross Island. That night he got drunk, and, without permission, got the boat and went on board the Hulk, threatening the convict crew with such violence that they in fright were compelled to take him on board. His violence and the uproar that he made before going on board was so great as to disturb the Harbour Master and Chaplain. The latter called on the Police to interfere, but the latter do not appear to have tried to keep him on shore. During all this time he was in a state of frantic violence. He threatened all approaching him. Shortly after he was on board, he attacked one of the crew, felling him to the deck with a chair. The Medical Certificate as to this convict's condition is attached. He might have killed him, in his violence. Some of the

crew came on shore to report this; and it was reported that he was discovered trying to get one of the Guard Muskets on board, saying that he would shoot Mr. Corbyn if he followed him. This violence necessitated the Harbour Master proceeding on board to make a prisoner of and handcuff him. From the intoxicated state he was in, he has not been fit to be produced before the Superintendent's Court till this day.

(Signed) B. FORD,

Superintendent.

The above having been read and explained to Robert West, and he called upon to state what he may have to urge in defence for his repeated bad conduct, and particularly to the charge now against him, he states: "I have nothing to say for myself; I dont know what I have done; it may be all true; it must be as you say Sir. I have broke my word with you. If you will have mercy on me, I will not offend you again. I beg you will let me off this time."

(Signed) B. FORD,

Superintendent.

Court.—I cannot yield to the prayer of the defendant, West. His conduct, ever since he has been on the settlement, has been bad throughout; and his evil example, worse. He has no less than three times broken the solemn promises he has made me of amendment, and I can therefore no longer place any confidence in his protestations of amendment. The violence of his conduct is such as to alarm all who come near him. He gets others into trouble, also, and is becoming more hardened, insubordinate, and violent, causing myself and others a great deal of trouble in useless efforts to reclaim him; but so unworthy an object no longer deserves commiseration, being apparently so beyond reclamation. Under the above circumstances of the case, and seeing that he has so violated the conditions under which His Excellency the Governor General in Council was pleased to grant him a license to be at large at Port Blair, which license he has thereby rendered "null and void"—

IT IS ORDERED, subject to the confirmation of the Chief Commissioner of British Burmah, that the said Robert West be again committed to Jail till the expiry of the sentence awarded against him by the High Court of Judicature at Fort William in Bengal.*

(Signed) B. FORD,

Superintendent.

(True Copy).

(Signed) B. FORD,

Superintendent Port Blair.

* Vide copy of Register attached.

CELL No. 27.

Register No. 8, Robert West, Town or Village of Halifax, County or Shire of Nova Scotia, British America.

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Judicial 1865 Department

No of Encl.

From

Under Secretary to Government of India

Home Department

No 347

Dated 29th July 1865

Rec'd 1st Aug 1865

Enclosure

No 1737

Enclosing papers regarding the bad conduct of Convict Ross West, transferred to Port Blair from the European Prison at Bhagalpur, and requesting that as Convict of doubtful character may be recommended for a Conditional pardon & Port Blair

With Order

2812 Hide

Pros: 8th October 1863. At Nos 73—74
" 15th July 64 At 185—186
" 11th January 165— At 38—39.
" 4th April 64 At 15—16.

List of 5 Sepoys

28 Received 1865. No 1189 forwarding Communication to the "Inspector General of Jails & with Enclosures from Port Blair"

With Enclosures from Port Blair

Enclosure

Copy of Letter from Inspector General of Jails

Dated 25th July 1865

To the Under Secretary to the Government of India

Home Department

Fort William

Sir

I have the honor to forward herewith a letter from the Superintendent of Port Blair, dated 22nd instant, with enclosures, regarding the bad conduct of Convict Ross West, transferred to Port Blair from the European Prison at Bhagalpur, and requesting that as Convict of doubtful character may be recommended for a Conditional pardon & Port Blair

I have the honor to be

Sir

Your most obedient Servant

Sd/ [illegible]

Inspector General of Jails

220-224