

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	606	Press Mis.
Dated	21-4-	19 1865

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
21st April 1865.*

Read the following papers :—

No. 156. From J. ROHDE, Esq., Inspector General of Jails, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George ; dated Tellicherry, 25th February 1865.

I have the honor to forward a report, received from Mr. Sullivan, regarding the late attempt at out-break, noticed in the Proceedings of Government of the 14th February 1865, on a report submitted to Mr. Robinson, Inspector General of Police, forwarded on one from his Superintendent, Captain Blomfield, on information acquired I know not how, but abounding in gratuitous assumptions, and the same evident tendency, which I noticed in reviewing a similar report on an out-break at Salem, to cast the whole blame on the shoulders of the prisons' servants, even when the blame attaches with at least equal force to the Police.

2. In reporting such an occurrence as this, it would have been better to have stated the simple ascertained facts, if it was considered necessary to make an immediate report at all, and to have stated that the matter was under investigation by the Magistracy.

I do not care to go into detail on Captain Blomfield's letter.* The out-break occurred on the 21st night ; Captain Blomfield did not come in till the 27th. Mr.

* On the 30th January.

McIntosh has stated the facts in his evidence before Mr. Garstin ;* that evidence

tallics with that given by other Europeans, as far as the knowledge of each went, but does not support the details, as given by Captain Blomfield.

4. Mr. Sullivan's statement is based partly on information derived the morning following the out-break, when he heard the statements made by Shangalli and others, but chiefly on the evidence on oath recorded in Cases 8, 9, and 12, of 1865, by Mr. Garstin, and I consider Mr. Sullivan's report to contain as full, and still as condensed, an epitome of the whole case as is necessary to a right understanding of the case.

5. Mr. Garstin has taken great pains in the matter, and I do not see what more could have been done to obtain a thorough knowledge of the facts. It is impossible for me to divest myself of the suspicion that the Deputy Jailer and warders were cognizant of much that was going on, and under the present system of divided responsibility, I fear there is too often a laxness, if not a wilful blindness to abuses, in the hope that the blame will attach to others. I find no evidence of ill-will between the Native and European Prisons' Officers. I am not prepared to say to whom the greater blame attaches ; but had either Police or Warders done their duty thoroughly, articles such as those described would not have found their way into the Prison. One Warder has been convicted under Section 223 of the Penal Code ; the Deputy Jailer and two Warders have been dismissed ; and I am satisfied that this step is just and necessary.

1856 I brought the insecure state of this jail to the notice of Government. The fort which contains the jail is open to general access ; the Marine department have the Flag staff in the Fort, and the Police reserve is there,† replete with arms and ammunition, but often deficient in guards. Fifteen thousand rounds of ammunition are, as I find by a note of Captain Blomfield to Mr. Sullivan, here depos.

† This has since been partially remedied, but in excess of the men actually on duty, by night especially, and the Magazine, are in the jail guard room.

J. R.

ited. The wards are, as they have ever been, the godowns of an old building. The inexpensive appliances as might render the building somewhat less secure. The drafts of short term men to Cannanore leave, no doubt, an unusual proportion of the most objectionable characters in the Zillah jail.

7. Two points occurred to me as un-noticed in Mr. Sullivan's statement; one, the degree of blame attaching to the Jailer, the other, the want of conduct in the convict maistries. Under the first head, I am disposed with Mr. Sullivan to believe that the Jailer's vigilance has been defeated by means of the privy tubs containing dry earth, in which the implements were concealed, and that the rope was not taken while the Jailer was present. Two ropes had been missed during the Jailer's absence, and were stated by the Deputy to have been worn out. These, concealed in a ventilator, would have been unperceived by any one not previously informed. I see no reason to blame the Jailer, and his general efficiency has been frequently the cause of commendation.

8. Both Mr. McIntosh and Mr. Murphy seem to have acted promptly and with judgment. I do not find that the Town Police party rendered any aid in apprehending the prisoner who got away, as it is distinctly stated by Mr. McIntosh and other that they took the Prisoner who had fallen, near Mr. Vanspall's house.

9. I cannot blame Mr. Kenny for firing at a prisoner in the act of escape: but for the accident of his fall, he might easily have got away, while the Inspector or Jailer went round by the rampart and steps.

10. Whatever can be done to the security of the building will be noticed in my inspection report.

11. I cannot but commend to the notice of Government the very satisfactory way in which Mr. Garstin's inquiry has been conducted. Mr. Sullivan's letter contains sufficient summary of the facts as therein elicited, and to it I beg to refer for details.

12. In regard to the rewards proposed to the Havildar Shangalli Tevan, and Prisoner Tykandi Kottan, who dropped from the wall, the 1st for information which led to the defeat of the conspiracy,

the 2nd for evidence given after being re-taken, I think it would not be objectionable to reduce the sentence of the former by two and a half years, the full extent proposed by Mr. Sullivan, and further, as a special case, to sanction his being employed as a Maistry immediately, though only 15 months of his term of 10½ years will have expired.

13. The Prisoner Tykandi Kottan will be sufficiently rewarded by a remission of one-half the additional sentence of 2 years for escape. He is not permanently injured by his fall, it seems by the testimony of the Medical Officer.

Mr. Sullivan recommended 4th—P. 39.

14. In regard to the prisoner Rungiah, I would beg that one-fourth of his fine of 500 Rupees, or a proportionate term of his sentence of one year, in commutation of the fine, may be remitted, as proposed by Mr. Sullivan (p. 34 and 35.)

15. In reference to the recommendation of Kunipurayil Kuniahmed (Mr. Sullivan's letter, p. 40) for one year's remission of his six years' sentence, I think it may

properly be accorded. He was, with two others, secured to a bar, being one of those suspected of the conspiracy, and when released by another prisoner from the manacles, he used his freedom in giving the alarm of the design.

16. I have directed the transfer of 9 of the prisoners named in Mr. Sullivan's 43rd paragraph, Mr. Sullivan agreeing with me that this is sufficient.

17. The Principal Inspector General, Medical Department, will be requested to relieve the Dresser.* When Jail Hospitals are within the walls of a Jail, the intimacy of the Dresser with the prisoners is always to be guarded against. I hear that so lately as yesterday a prisoner was found *bhanged*, and with *bhang* on him in this Hospital.

* Teroomalliah Naidoo.—Dr. Wither concurs in this recommendation.

From A. W. SULLIVAN, Esq., Session Judge of Tellichery, to J. ROHDE, Esq., Inspector General of Jails, Madras; dated Tellichery, 24th February 1865, No. 85.

I have now the honor, with reference to my letter, Nos. 12 and 15, dated respectively 23rd and 28th ultimo, to furnish you with a detailed report on the subject of the two attempts at out-break, which took place in the Zillah Jail under my charge at this station, on the 21st and 27th ultimo.

2. This report would have been furnished earlier, but that the Acting Joint Magistrate, who has throughout personally conducted an inquiry into the whole circumstances of the case, only concluded the inquiry on the evening of the 11th instant.

3. Until the evening of the 13th, my entire attention was necessarily devoted to the February Sessions, and since then my time has been fully employed in bringing up arrears of current civil business caused by the Sessions.

4. After a perusal of all the proceedings held by the Acting Joint Magistrate of Malabar, Mr. Garstin, I have arrived at the following conclusions:—

I. That for a month, or six weeks, before the out-break of the 21st ultimo, a plan for out-break and escape had been freely discussed and organized amongst a very large portion of the convicts, in which were included nearly all the heavy sentenced men in the Jail.

II. That the plan was first set on foot during the absence of the European Jailer, Mr. Kenny, on privilege leave, viz., from 11th December 1864 to 4th January 1865, during which period the late Deputy Jailer was in charge.

III. That so generally was the plan discussed amongst the conspirators that, with the most ordinary precaution and attention to their duties, it must have come within the knowledge of the Deputy Jailer and the warders under him.

IV. That there is strong reason for presuming that the Deputy Jailer, and some of the warders were cognizant of the design, and secretly aided it, from the quantity of implements favorable to such a design found in and about the Jail, and from the deliberate preparations discovered in the Jail itself for facilitating and effecting escape.

5. After considerable preliminary inquiry, 18 convicts were put on their trial before the Acting Joint Magistrate; nine (9) of them under Section 109, and nine (9) under Section 224 of the Penal Code.

6. Of the nine (9) tried under Section 109, seven (7) were convicted, and the whole of the nine (9) tried under Section 224; and in both cases those convicted have been sentenced to enhanced periods of imprisonment, ranging from two years downwards.

7. Besides these convicts, the Deputy Jailer, 5 warders, a Police Constable, and a Peon were charged under Sections 202, 222, and 119 of the Penal Code.

8. The Acting Joint Magistrate finding that no offence had been proved against the Deputy Jailer, four of the warders, the Police Constable, and the Peon, directed their discharge.

9. One of the warders he put on his trial, under Section 223 of the Penal Code, and sentenced him to two (2) years' simple imprisonment.

10. In, however, discharging the Deputy Jailer and other warders as stated above, the Acting Joint Magistrate made certain observations in his judgment, which I shall have occasion to notice later in this report.

The design of the conspirators concerned in the attack on the prisoners is thus sketched by the Acting Joint Magistrate: "a fixed determination on the part of the prisoners, after breaking Jail, to massacre the Jailer, Doctor, and Judge. The design was to break Jail, and then to go to the house of the Jailer, Doctor, and Judge, and massacre them."

The design of those convicts concerned in the second affair of the 27th January last, who were under extra restraint, being suspected of complicity in the first attempt, is thus briefly sketched by the same officer: "that having already liberated themselves from the iron bars to which they had been attached, it was arranged that they were all to wait till 7 o'clock p. m., and were then to undo their hand-cuffs, and at 9 o'clock, when the Jailer and Inspector came round, were to burst open the door of the cell, by rushing against it in a body, and seize the Jailer and Inspector, and after murdering them, make for the Judge, who was to be treated similarly." The Joint Magistrate further observes "The door of the cell is in a weak condition, so that the tale of the plot is by no means improbable."

12 A. I am inclined with the Acting Joint Magistrate to put down the murderous intention towards myself and the Doctor to the imagination of the Doctor to enhance the value of their information, than to fact. At the same time, it is impossible to determine the lengths to which such scoundrels as these might be acting, as some of them were, under the influence of *bhang*, a fact

13. At paragraph 2 of my letter to your address of the 23rd of April, 1912, I informed you of a convict whose meritorious conduct I should have to bring before you in my next future report, as having given valuable information to the Police and Jail authorities, and to be on their guard, and to frustrate the efforts of the same.

15. In that case, this convict was charged under Penal Code, and sentenced by me under the usual charge, months' rigorous imprisonment.

16. An extract from those portions of my judgment in the prisoner, is herewith submitted (Enclosure No. 1)

17. The following is the nature of the information given : Deputy Constable Doorga Persaud has stated that, on the evening of the 21st ultimo, he was on guard at the Jail; that he went round, after the Jailer and all the warders had gone, with one exception, at about 6-30 P. M., to see that the gates of the wards were properly fastened; that he found that warder asleep near ward No. 2; that, as he was examining the gate of No. 2 ward, convict Shangalli Tevaim came to the gate, and informed him that there was to be an out-break from the Jail, and told him to remain at the guard room until 7 P. M., when he (Shangalli) would be in a position to give him further information. The Deputy Constable, at 7 P. M., went again to the gate of No. 2 ward, and was informed by Shangalli that a rope had been secreted, and that files and re ready hidden in the Jailer's garden, that after breaking Jail it was the intention of the conspirators to kill the Jailer, the Doctor, and the Judge, and then to make off for H. M. Prison, Bangalore.

18. This information the Deputy Constable immediately communicated to the Inspector of Police, Mr. McIntosh, who with the Jailer, Mr. Kenny, proceeded at once to the ramparts above the Jail, where they heard considerable noise in the cells of chains rattling, loud talking, &c. Noises of blows from the inside as against the roof were heard. This satisfied the Inspector and Jailer that there was something afoot, and some truth in Shangalli's report. They then proceeded to the guard-room for fire arms, and called up the Police. Some Constables armed were placed at the west, or flagstaff end, of the north rampart, while Inspector McIntosh, Jailer Kenny, and Jailer Murphy (of Calicut, on leave) took up a concealed position behind the corner of the Prison at the east end of the rampart.

19. Presently the sound of the tiles on the roof being removed was heard. Almost immediately afterwards a man's head appeared through the roof, and a man jumped out of the hole on to the rampart. Being alone, the watchers tried to secure him; but he sprang to the edge of the rampart, on which he was fired at by Jailer Murphy, and afterwards by Jailer Kenny.

20. Inspector McIntosh further states that, before he called to Kenny and Murphy to fire, he endeavoured to seize the escaping convict, but that mistaking a stick, which the convict was about to use for his descent from the rampart, for the convict's arm, the latter was enabled to make off.

21. This convict seriously injured himself in his fall from the rampart. He received also a skin wound on one of his legs, from one of the shots fired at him.

22. He was one of the prisoners tried by the Joint Magistrate under Section 224 of the Penal Code, and was sentenced by that Officer to two years' rigorous imprisonment.

23. After he was so sentenced, he gave valuable information, which induced Mr. Garstin to recommend that a portion of this sentence should be remitted. On this recommendation, I shall touch later in the report.

24. Suffice it to say, for the present, that the information given by him led, either directly or indirectly, to the conviction of 15 other convicts, as having been concerned in the conspiracy to break Jail.

25. At paragraph 10 of this report, I mentioned that I should have later in the report to notice certain observations made by the Joint Magistrate in his Judgment discharging the Deputy Jailer, and four out of five of the warders charged with complicity in the conspiracy to break the Jail.

26. That officer remarks with reference to their discharge : " Although there was not " evidence to support the charges against these Prisoners, evidence of a very important nature, as " affecting them in their position as public servants, was recorded, which showed that there existed " an amount of intimacy between the 1st Prisoner (Deputy Jailer), and some of the convicts in the " Jail supposed to have taken a leading part in the late plot to escape, which was most reprehensi- " ble, and quite at variance with a proper discharge of his duties ; that he was a useless man, " possessing no control either over the warders under him, or over the prisoners ; while the utter " indifference proved to have been displayed both by him and the 2nd, 3rd and 4th Prisoners, after " the discovery of the plot, even if it did not imply a guilty knowledge of what had been going on " in connection with that plot, at least showed such callousness as to the proper and efficient dis- " charge of their duties as to render them unworthy of further confidence. The carelessness of the " warders generally is further exemplified by the facts deposed to regarding the secreting of articles " in the wards which enabled the escape to be effected. The abstraction of a rope from the well, the " hiding it in the tool house, and its subsequent conveyance into ward No. 2 in an urine tub, and " the hiding of two sticks and this rope in the ventilator without detection, all show such an " amount of reckless carelessness on the part of the warders and of the Deputy Jailer, whose " especial province it is to supervise the warders, as only to make it a matter of wonder that an " attempt to escape was not carried into execution before."

27. After a careful perusal of Mr. Garstin's proceedings, I most fully concur in the opinions above expressed. We were all particularly struck with the guilty demeanour of the Deputy Jailer, on the morning after the first attempt, directly he became aware that he was suspected, on the information given by Shangalli and others.

28. During the two years that I have been in charge of this Jail, I have had frequent occasion to warn the Deputy Jailer as to his conduct. Frequent complaints have been made to me by the Jailer, a quiet respectable European, of his intimacy with the convicts, of his neglect of his duties, and of a quiet, underhand, but systematic, opposition to the discipline of the Jail.

29. It is quite clear that under these circumstances, and after the recent occurrences and the strong opinion expressed by the Acting Joint Magistrate, it is impossible, that this Deputy Jailer, and the warders included in that opinion, can be allowed any longer to remain in the public service, and I have accordingly dismissed them, from the date of their being taken into custody.

30. Since 1848, I have almost, without interruption, as you are aware, been in charge of a large jail, and I have always found that the guards and warders give much more trouble than the convicts themselves. I am convinced that if jail discipline is to be maintained at all, no opportunity must be lost of severing any branch of carelessness, and forcing it when such an opportunity offers.

31. After he had concluded his inquiry, Mr. Garstin, the Acting Joint Magistrate, addressed two letters to me, in which he brought to my favorable notice the names of the following convicts, with a view to having portions of their sentences remitted:--

1. Shangalli Tevan.
2. Rungiah Naidoo.
3. Eruthani Karuvan.
4. Tykandi Kottan.
5. Kunipurayil Kuniahmed.

32. In speaking of No. 1, Mr. Garstin observes "it has been clearly proved that he gave information of the intended out-break to the authorities, and that owing to that information the plot failed * * *; the timely information given by him prevented what would have been a horrible outrage. This stands to his credit in full."

33. I would recommend that two years and six months of this convict's aggregate sentence of ten years and six months be remitted, and would solicit your permission to appoint him, on probation as a soldier. He has behaved very well in jail, is very intelligent and hard working, and, from being an old soldier, understands discipline and obedience of orders.

34. Regarding Nos. 2 and 3, Mr. Garstin observes that he makes the recommendation "because they gave their evidence so truthfully and well, and because, jointly with that of the 1st and 4th individuals, it led to the conviction of several other convicts concerned in the affair."

35. Number 2 was formerly the Mess writer of the 18th Regiment N. I., and was sentenced by me in Session Case No. 28 of 1864, under Section 408 of the Penal Code, to one year's simple imprisonment, to pay a fine of 500 Rupees, or, in default of such payment, to one year's further simple imprisonment.

36. I would recommend, in his case, that one-fourth of the fine be remitted, or three months of the further period of imprisonment awarded.

37. No. 3 was sentenced by the Principal Sudder Ameer in Case No. 73 of 1864, to four months' rigorous imprisonment, which expires on the 25th April 1865. It is therefore unnecessary that I should make any recommendation in his case.

38. With reference to No. 4, the Acting Joint Magistrate observes "he is the man who escaped (on the 21st January 1865) and was re-captured. It was essential that all the ramifications of the plot should be traced out, more especially any line that any of the Jail officials might have had in it: for this purpose, after convicting this individual, I examined him as a witness, holding out to him the promise of a recommendation for a remission of a part of the two years' imprisonment to which I had sentenced him for concealing the truth; the evidence he gave led to the conviction of 15 convicts concerned in the plot. He is one of the most important Warders, and was very important."

39. I think, under these circumstances, that I am justified in recommending that quarter or six months of the additional sentence awarded by the Acting Joint Magistrate be remitted.

40. Regarding No. 5, the Acting Joint Magistrate observes "he is the man who gave such a timely warning, on the 2nd attempt to escape, on the part of the ringleaders in the first conspiracy, when handcuffed together in Ward No. 8, on the night of the 27th January 1865, and thereby prevented what had every probability of becoming a successful and serious outbreak."

41. This convict was sentenced by me in Session Case No. 12 of 1864, under Section 457 of the Penal Code, to six years' rigorous imprisonment, to pay a fine of 100 Rupees, and, in default of payment, to one year's further rigorous imprisonment.

42. I think I am justified in recommending, in his case, that twelve months of the period of rigorous imprisonment awarded be remitted.

43. In enclosure No. 2, is exhibited a list of the convicts principally concerned in the late disturbance, and I would strongly recommend that Nos. 1, 2, 3, 5, 6, 7, 9, 11, 12, 13, 14, and 15 be transferred to other and distant Jails.

44. In these transfers, care should be taken not to send any two men in the same case to the same Jail.

45. I have only now a few remarks to make, in conclusion.

46. I would, in the first instance, draw your attention to the fact that, at the time of the outbreak and now, the guard-room of the Head Quarter Reserve of the Police Force is in a building inside the Jail square, close to the north and west wards: that in it are all the stands of arms, and about its walls are hung on pegs the Policemen's truncheons, and in a little room, at the side of it, is the reserve ammunition of the force, amounting at that time to 15,000 rounds.

47. It was elicited, in the course of the inquiry, that a part of the plan of the conspirators was to make rush for the arms in this building, to take what ammunition they required, and to blow up the rest.

48. From my own personal and frequent observation of the insufficiency of the guard over this building, I have no hesitation in stating that nothing could have been easier of execution than the plan of the conspirators.

49. With all the facilities from position of being a very salubrious and secure Jail, the Jail at Tellicherry, from the disposition and nature of the present buildings is one of the most insecure, I believe, in the Presidency, and by no means remarkably salubrious.

50. The ramparts of the old fort, with a few improvements, would be invaluable for security, if the buildings containing the ward were not, for the most part, especially on the north side, built close up to the outer walls, instead of in blocks down the centre of the quadrangle, the interval being filled up to the top of the walls with earth, thus rendering it a matter of no difficulty to a prisoner escaping, if he can once get out on the roof, a simple tiled one; and the earth between the prison and fort walls keeps these wards in a constant state of most deleterious dampness.

51. Owing to the constant drain on this Jail from Cannanore (the latter being numerically much stronger than the Head Quarter Jail), I am unable to keep up mixed the proportion of heavy sentenced and short sentenced prisoners, so necessary for proper discipline; and I would strongly recommend that the Jail at Cannanore be somewhat reduced in strength, or that its requirements be partially met either from the Mangalore or Calicut Jails, or from both.

52. In one other respect, I think your interference is called for: the present Jail Dresser M. Teroomaliah Naidoo, No. 461, has been for a long time attached to the Jail; I have reason for believing that much intimacy exists between him and several of the convicts, and, though unable to detect him in any actual malpractices, I am sure that the quantity of unauthorized articles found in the Jail Hospital from time to time, could not find their way in without his direct assistance or connivance. The Zillah Surgeon has often mentioned to me his want of confidence in this man, and also brought it to the notice of the Deputy Inspector General of Hospitals, when he recently visited the Jail. This man, in my opinion, ought at once to be sent elsewhere.

53. I cannot conclude this report without recording my sense of the conduct of Mr. Garstin, the Acting Joint Magistrate, who was indefatigable in his exertions to get at the bottom of what was evidently a deep laid and serious plot in the Jail, and most efficiently and successfully did he conduct his inquiries.

54. To Inspector McIntosh, Jailer Kenny, and Jailer Murphy (of Calicut), my thanks are also due, for the promptness with which they acted on the information given by the convict Shangalli Tevan. They acted with great judgment in all respects but one.

55. I think the use of fire arms was premature and uncalled for, and the position from which they were used was one fraught with danger to the surrounding public. Had they shot the convict

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Kottan dead, or had any outsider been seriously wounded or killed, they would have been in a predicament from which the law would hardly have extricated them.

(True Copy.)

(Signed) J. ROHDE,
Inspector General of Jails.

Session Case No. 67 of 1863.

Summary of Evidence.

5th Prisoner Shangalli, Havildar, 18th Regiment.

1.

* * *

2. The 5th prisoner pleaded "guilty" to the 1st charge against him, before the Committing Magistrate and before this Court; he pleaded guilty to the 2nd and 3rd charges, also, before the Committing Magistrate; before this Court he pleaded not guilty to those charges.

4.

* * *

5.

* * *

6. The 3rd witness speaks to the 5th prisoner having been one of the original conspirators in the robbery of the cash chest; and to the 1st prisoner, after the robbery having been seen by him, entering muffled up into the 2nd prisoner's house, into which, at the time, 3rd witness tried to obtain admission in which he failed: he states that from the outside he heard the sound of money being counted out.

7.

* * *

8.

* * *

9. The evidence of the 15th witness, the Adjutant of the 18th Regiment, establishes that up to the 4th November 1863, Shangalli, Havildar, the 5th prisoner, was a deserter, and that as such he was bound to bring to the notice of his superior officers any knowledge he may have had before the fact of the intended robbery of the cash chest at the Pay office, as also any knowledge he may have had after the fact of the outrage having been committed.

10.

* * *

11.

* * *

12. As regards the 2nd and 3rd charges against the 5th prisoner, as already observed, he pleaded "not guilty" before this Court; but at the same time admitted his deposition before the Committing Magistrate, Mr. Robinson, which confession is in evidence against him, and in which he fully admits both those charges; before that Officer and this Court he urged that he had given information of the crime to the Subadar Major of the Regiment, and that he was told to keep quiet as he had partaken of the booty; he has cited no evidence in support of this statement; he took exception to some omissions in his deposition before Mr. Robinson, but to nothing affecting his own guilt.

13. The Assessors unhesitatingly convicted the 1st prisoner on both the charges against him, and the 5th prisoner on the 2nd and 3rd charges against him, and in this finding I fully concur.

14.

* * *

15.

* * *

16.

* * *

(True Extract).

9th December 1863.

(Signed) A. W. SULLIVAN,
Session Judge.

Proceedings of the Madras Government, Judicial Department,
21st April 1865.

MR. ROBINSON, Deputy Inspector General
MR. ARBUTHNOT, Chief Secretary
dated Madras, 8th March 1865, No. 509.

at Saint

28th February
Superintendent of Police

have the
Malabar,

final result of the matter.

have been convicted of attempt and escape, and six of convicts
14 convicted and sentenced.

One prisoner has been convicted of abetting; and Deputy Jailer and some Warders have been dismissed from Public Service.

The Havildar of the 18th Regiment, has behaved well throughout the case. His information prevented a serious out-break, and his evidence has furthered the ends of justice.

From Captain C. G. BLOMFIELD, Superintendent of Police, North Malabar, to the Deputy Inspector General, Western Range, Coimbatore; dated Camp Pyengadi, 28th February 1865.

In continuation of my report of 29th ultimo, I have the honor to report the various steps which have been taken in the matter of the attempt at escape in the Tellicherry Jail.

II. The eight prisoners, referred to in paragraph 10 of my Report, have been by Joint Magistrate of attempt.

have also been sentenced to 6 months, and one sentenced to two years', each, rigorous imprisonment, in addition to former sentence. Palli

Kutti Mopillab, the head of the gang, previously sentenced to 14 years' transportation, has been despatched to Calicut under escort. The Session Judge has also recommended that the prisoners, referred to in the commencement of this paragraph, be moved to other and as an example to others.

Mundayoden Krishnan) has also been convicted by Joint Magistrate and sentenced to two years' simple imprisonment. The Deputy and others escaped legal punishment, as no prisoners would give evidence against them, and Havildar, was merely heard by have been dismissed from the service.

Charge against the Policeman turned out to be merely a report (unsubstantiated) and postponement of the attempt at escape for 24 hours, on the morning obtained. Constable, who was an acquaintance of his, was on duty and put him into trouble.

was arrested (Tykandi Kottan) having from the evidence, which were thought at first to be mortal. He was sentenced by Joint Magistrate to rigorous imprisonment: commutation of this has, however, been refused on the giving evidence, after conviction, against his comrades.

Shangalli, Havildar, has not varied, throughout the whole case, from the statement he made. His case merits consideration.

Allen

21st April 1865.

No. 158.

ORDER THEREON, 21st April 1865, No. 606

The foregoing papers relate to the attempts at escape made by certain convicts in the Tellicherry Jail, which formed the subject of the Inspector General of Police's letter of the 3rd February 1865.

2. Eighteen convicts have been tried, of whom sixteen have been convicted, and sentenced to additional terms of imprisonment, ranging from two years downwards. The Deputy Jailer, five warders, a Police Constable, and a Peon were also tried for connivance; and one of the warders has been convicted, and sentenced to two years' imprisonment. The Deputy Jailer and the other warders have been dismissed.

3. The Governor in Council sanctions the remission of sentence in the case of the prisoners Shangalli Tevan, Rungiah, and Kunipurayil Kunialmed, to the extent recommended by the Inspector General of Jails, in the 12th, 14th and 15th paragraphs of his letter. He also sanctions a remission of one-half of the additional sentence passed upon the convict Tykandi Kottan, in consideration of the information subsequently given by him. The Havildar Shangalli Tevan, to whom the discovery of the plot is entirely due, may be employed, Mr. Rohde suggests, as a Convict Maistry. This convict should, however, be transferred to another jail. The Governor in Council presumes that the request made by the Inspector General of Jails, that the Jail Dresser, M. Teromaliah, should be transferred to another station, as recommended by the Session Judge, in paragraph 1 of his letter of the 24th February last, is approved by the Principal Inspector General of the Medical Department.

4. The insecure condition of the Tellicherry Jail is a serious matter; but the only effectual remedy appears to be the entire reconstruction of the buildings, and until additional Jails are built, such a measure cannot be entertained. Whatever can be done to render the Jail more secure, at a moderate cost, should be put in hand at once. Mr. Rohde will submit the inspection report prepared in the 10th paragraph of his letter.

(True Extract).

Chief Secretary.

To the Inspector General of Jails.
" Inspector General of Police.

Ed. J. H. Burns.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers:-

From the Inspector Genl of Jails. D. 25th February 1865.
From the Inspector Genl of Police. D. 8th March 1865. N: 509
D. 21st April 1865. N: 606.

The foregoing papers relate to the escape made by certain convicts in the Tellicherry Jail, which formed the subject of the letter of the Inspector General of Police under date of the 3rd February 1865. N: 247.

2. Eighteen convicts have been tried, of whom sixteen have been convicted, and sentenced to additional terms of imprisonment, ranging from two years downwards. The Deputy Jailer, five warders, a Police Constable and a peon were also tried for connivance; and one of the warders has

W. J. H. Burns

been convicted and sentenced
to two years imprisonment.
The Deputy Jailor and the
other warders have been
dismissed.

3. In view of
the fact that the sentence of
prisoners Shangallu Khan,
Rungiah and Kunipurage
remained, to the extent
recommended by the Inspector
General of Jails
14th and 15th paras of his letter.
It is recommended a remission
of one half of the additional
sentence passed upon
convict Tykandi Kottan, in
consideration of the
subsequently given
The Havildar Shangallu Khan,
in view of information the discovery
of the fact is truly due,
may be employed, and the
Rohde suggests, as a convict
Ministry. This Committee
however, be transferred
another jail.

It is in the prison...
that the fact...
has been...
to another...
of the...
letter to the...
the...
by the...
of the...

4. The immense cost of
the Tulliherry Jail is a very
serious matter; but the only
effectual remedy appears to
be the entire reconstruction
of the buildings; and until
additional jails are built,
such a measure cannot be
entertained. Whatever can
be done to render the jail
more secure at a moderate
cost should be put in
hand at once. Mr. Rohde
will submit the inspection
report promised in the 10th
para of his letter.

To the
The Inspector General of Jails } despt 22/4
The Inspector General of Police }