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[Despatch Abstract.]

to Swing: directing with
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Gob. of {1893} Madras.
JUDICIAL.

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Issued

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Encl.

G.O., 30th June 1893, No. 1334.

JUNE.

Hook-swinging.

Directing, with certain observations, that the letter from the Government of India regarding the proposed legislation to make the practice of — illegal be referred to the Mahajana Sabha and all District Magistrates for their opinion as well as that of such local associations and individuals as the latter may think advisable to consult.

[Confidential.]

No. 12 Judl.
6/14/682

CHIEF SECRETARY
21 JUN 93
GOVERNMENT OF INDIA

FROM

C. J. LYALL, Esq., C.S.I., C.I.E.,
Secretary to the Government of India,

To

THE SECRETARY TO THE GOVERNMENT OF BOMBAY,
JUDICIAL DEPARTMENT.

THE CHIEF SECRETARY TO THE GOVERNMENT OF BENGAL.

THE SECRETARY TO THE GOVERNMENT OF THE
NORTH-WESTERN PROVINCES AND OUDH,
JUDICIAL DEPARTMENT.

THE CHIEF SECRETARY TO THE GOVERNMENT OF THE
PUNJAB.

THE CHIEF COMMISSIONER OF THE CENTRAL PROVINCES.

THE CHIEF COMMISSIONER OF BURMA.

THE CHIEF COMMISSIONER OF ASSAM.

THE CHIEF COMMISSIONER OF COORG.

THE RESIDENT AT HYDERABAD.

Home Department.
Judicial.

Simla, the 15th June 1893.

SIR,

I AM directed to forward a copy of the papers noted in the margin, regarding the practice of hook-

- (1) Despatch from Her Majesty's Secretary of State, No. 4 (Judicial), dated the 17th December 1891.
(2) Madras Government's order No. 1418, dated the 27th August 1890.
(3) Despatch from the Government of Madras to the Secretary of State, No. 8 (Judicial), dated the 17th May 1892, with enclosure. (G.O. 856 dt 5-5-92)
(4) Despatch from the Secretary of State to the Government of Madras, No. 5 (Judicial), dated the 14th July 1892.
(5) Despatch from the Government of Madras to the Secretary of State, No. 13 (Judicial), dated the 27th October 1892, with enclosures.
(6) Despatch from the Secretary of State to the Government of India, No. 2 (Judicial), dated 5th January 1893.

nished with the views of the Government of India upon the subject.

2. The practice of hook-swinging appears to have been carried on formerly as a public exhibition not only in Madras, but also in Bombay and the Lower Provinces of Bengal. In 1851 a case of hook-swinging at the Charak Puja in the district of Jessore in Bengal attracted the notice of the Court of Directors, who

to be arraigned, the

expressed their opinion that the practice was inconsistent with the dictates of humanity, and desired that it should be put a stop to by any proper measures that could be adopted. An enquiry was instituted by the Local Government, and it was stated that the authoritative suppression of hook-swinging would be regarded with satisfaction by the sensible part of the Hindu community and with indifference by the rest. The Court of Directors, in reviewing the matter, however, were of opinion that endeavours for the suppression of the practice should be based on the exertion of influence rather than upon any act of authority.

In 1858 the question came before the Legislative Council of India in connection with a petition from certain Protestant missionaries who prayed for the passing of an enactment to suppress hook-swinging in Bengal; but it was resolved that any direct interference on the part of Government was inadvisable. Her Majesty's Secretary of State (Lord Stanley), in commenting upon the proceedings of the Council, intimated that if the practice could not be discountenanced by such action as might be adopted in the course of official administration, it might be necessary to consider whether Government would not be called upon to take more decided steps to put an end to observances so flagrantly opposed to the dictates of common humanity. The Lieutenant-Governor (Sir J. P. Grant), who caused an exhaustive enquiry to be made into the subject, deprecated direct legislative interference, but issued instructions to local officers to adopt quiet and persuasive measures, rather than any action likely to cause irritation, to induce the people voluntarily to give up the practice, which had begun to show signs of decreasing.

In 1865 Raja Satya Sharan Ghosal, a member of the Bengal Legislative Council, moved for leave to introduce a Bill to declare hook-swinging illegal. The motion was, however, withdrawn, in deference to the opinion of the President and of a majority of the members present that the discontinuance of the practice might be brought about without recourse to special legislation. The British Indian Association, who were consulted in the matter, deprecated the barbarities still prevalent, but expressed preference for their suppression with the aid of the ordinary criminal law rather than by a new enactment. Orders were then promulgated by a Resolution of the Bengal Government, dated the 15th March 1865 (a copy of which will be found among the papers appended to enclosure No. 5 of this letter), in which it was announced that the Government viewed hook-swinging with abhorrence, and Magistrates were required, under the powers vested in them by law, "whenever they considered that such direction was necessary to prevent annoyance to persons lawfully employed, or danger to human life, health, or safety, to direct any person to abstain from the act of hook-swinging, or other self-torture, in public, and from the abetment thereof, or to take such order with property in his possession or under his management as might serve to prevent the commission of the act." Persons disobeying any such injunction were to be prosecuted and punished according to law. These instructions, which were issued after consulting leading members of the Hindu community, were not intended to interfere with the purely religious observances of the Charak festival. The proceedings of the Local Government were approved by the Government of India and the Secretary of State (Sir Charles Wood).

The last orders issued by the Bengal Government regarding this matter are contained in a circular dated the 13th August 1872, in which District Magistrates were directed to republish every year the prohibition against hook-swinging and other self-torture of the kind in all places where the Charak festival was celebrated. The failure in the Appellate Court of a prosecution, under the latter part of section 188 of the Indian Penal Code, of certain persons who had resorted to a practice formerly in vogue of running skewers through their arms and tongues, and exhibiting themselves in public, led to the issue of the circular referred to; the Sessions Judge who heard the appeal having set aside the conviction on the ground that the injunction published by the Magistrate of the District in 1865 was not an injunction for all time, and that there was not sufficient evidence

3. In the Bombay Presidency, in the year 1855, it was held by the Sadar Court that no Act of the Legislature was required for the purpose of suppressing

hook-swinging, and that the Local Government were competent to proceed under clause 1, section 19 of Bombay Regulation XII of 1827. The Sadar Court also advised that District Magistrates should by proclamation prohibit the exhibition of the practice as occasion arose in the case of particular fairs, in preference to issuing a general proclamation, as much less importance would thus be given to the subject. The Bombay Government instructed District Magistrates accordingly.

4. The action taken in the Madras Presidency is described in the précis embodied in the order of the Local Government, No. 1418, dated the 27th August 1890, a copy of which forms part of the enclosures of this letter. District Magistrates were instructed to discourage the practice as much as possible with the co-operation of the wealthy and intelligent classes, and to make known the disapproval of Government.

5. The measures above mentioned appear to have led to the entire cessation of the practice in Bengal and Bombay, but recently there has been reason to apprehend that it may revive in the former Province. Hook-swinging is reported to have been practised in a village in the 24 Parganas on the occasion of the Charak Puja in April 1893; and it is said that attempts have lately been made to institute a swinging festival in the Hazaribagh District. It may also be mentioned that the practice of hook-swinging appears to be kept up annually at Frásdanga, a small patch of French territory adjacent to Balasore in Orissa.

6. There is no doubt that the practice, which was reported to have almost died out in Madras, has lately been resuscitated in that Presidency and is rapidly extending in certain districts. In 1884, 1885, and 1889 there were petitions to the Local Government from the Madura District for permission to celebrate the swinging festival. In 1890 a case occurred at Valambagudi in the Tanjore District, which appears to have shown the people that they had no need to ask permission, for the ceremony was performed with impunity in spite of the expressed disapproval of the officers of Government. In September 1891, hook-swinging was practised at Sholavandan in the Madura District, after (it is said) having been discontinued for fifteen years. In May 1892, a celebration was held at Virabandi in the same district, and another at Abhishekapuram in the Trichinopoly District after the lapse of twenty-eight years. In the same year the festival was repeated at Sholavandan and Valambagudi, and it was announced that it was intended to hold a celebration at Cope in the Trichinopoly district.

These instances seem to show that the practice is regaining popularity in the Madras Presidency, and that intimation of the disapproval of Government is of no avail in checking resort to it.

7. The Government of India are advised that under the present law there is no legal means of preventing or punishing the practice of hook-swinging, provided that the person on whom the operation is performed is a consenting party and of full age. The Resolution of the Bengal Government, dated the 15th March 1865, was issued when the old Code of Criminal Procedure (Act XXV of 1861) was in force, and the terms of section 62 of that enactment were wide enough to authorise Magistrates to issue the necessary injunctions. But under the present Code it is probable that no such prohibition could lawfully be issued.

8. The Governor General in Council believes that, as stated in the previous correspondence on the subject when the practice was put a stop to, this form of self-torture (which does not appear ever to have been prevalent elsewhere than in Lower Bengal [including Orissa] and Southern India) has no religious sanction or obligation among Hindus, and has grown up merely as a form of penance which may be resorted to by individual devotees at their discretion for the purpose of propitiating a deity or acquiring a reputation for asceticism.

In this connection I am to append a copy of the letter, dated the 4th February 1865 from the British Indian Association which is quoted in the preamble to the Bengal Government Resolution of the 15th March of that year, and appears to express accurately the feeling with which the practice was regarded by educated Hindu opinion in that Province twenty-eight years ago. His Excellency in

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Council is persuaded that, with the advance in general education and enlightenment which has since taken place, the abhorrence of the observance which was so strongly expressed by the British Indian Association in 1865 is now even more widely felt among all classes of the population, and that any revival of the practice, though it might find some vogue among the ignorant and degraded, would be strongly condemned by all right-thinking persons among the Hindu community.

9. In these circumstances, and in view of the change in the Criminal Procedure Code which has removed the legal sanction under which the Bengal orders of 1865 were issued, it has been suggested to the Government of India that legislation should be resorted to with a view to make the practice distinctly illegal, and to subject persons resorting to it, either as principals or abettors, to definite penalties. Such legislation might perhaps take the form of (1) declaring hook-swinging, when performed in a place to which the public have access, either on payment or without it, to be a public nuisance; and (2) appointing a penalty, which might be that mentioned in section 290 of the Indian Penal Code (fine up to Rs. 200), with an alternative of three months' imprisonment, for principals and abettors in the offence.

10. Before taking the matter into consideration, the Governor General in Council desires to be informed whether in ^{the} ^{your} opinion ^{of the Governor in Council} of H. H. the L. G. (and C. C.) such legislation is expedient, or whether it is thought that the practice might be suppressed by any other means. I am particularly to ask that the opinions of the leaders of Hindu society in ^{the Bombay Presidency} ^{Bengal, &c.} on the subject may be obtained and forwarded for the information of the Government of India.

I have the honour to be,

SIR,

Your most obedient Servant,

C. J. LYALL,

Secretary to the Government of India.

No. 683.

COPY forwarded to the Government of Madras, with a request that the Governor in Council may be moved to favour the Government of India with an expression of his views on the subject of the proposed legislation. It is also requested that the opinions of the leaders of Hindu society in the Madras Presidency on the subject may be obtained and submitted for the information of the Governor General in Council.

By order,

P. Melitus

Depy. Secy. to the Govt. of India.

No. 4, Judicial, dated India Office, London, the 17th December 1891.

From—Her Majesty's Secretary of State for India,

To—His Excellency the Right Hon'ble the Governor in Council, Madras.

My attention has been called to the swinging festival held at Madura in September last, of which an account is given in the *Madras Weekly Mail* of the 29th of October last. It is alleged that the Government were apprized of the coming event and took no steps to prevent it. I desire that your Lordship will furnish me with an early report on this case, and state, at the same time, whether your Government has issued any instructions since the date of your order dated 27th August 1890, No. 1418, Judicial.

Excerpt from the Proceedings of the Government of Madras, Judicial Department, No. 1418, dated 27th August 1890.

READ the following paper:—

No. 4598, dated Renigunta, the 12th August 1890.

From—Colonel C. A. PORTEOUS, Acting Inspector-General of Police,

To—The Chief Secretary to the Government of Madras.

THE Superintendent of Police, Tanjore district, having mentioned in his weekly report that a case of swinging (Chedel kuttu) had taken place, during the festival, in honour of goddess Mariamman, at Valambagudi, in the Vallam taluk of his district, I called for a special report on the subject, copy of which I have the honour now to submit for the information of Government.

The practice of swinging having been prohibited many years ago, it is difficult to understand how it has continued in the Tanjore district to this day.

No. 738, dated Koradacheri, the 2nd August 1890.

From T. E. THOMAS, Esq., Superintendent of Police, Tanjore,

To—The Inspector-General of Police, Madras.

I have the honour to report, for your information, that on 10th June 1890, after the Car festival of the Mariamman goddess at Valambagudi village, in the Vallam taluk of this district, was celebrated, a Swinging festival called in Tamil " * * * " took place. This is a vow performed by a Pariah to propitiate the deity known there as the "Muthu Mariamman," and this year the duty devolved on Para Vythi of Palyaputty, a strongly-made man aged 35 years. Two iron hooks were passed through the skin of the back in opposite directions, below the shoulder blades, and on both sides of the spine, and tied to the end of a long beam which rested on its centre on a granite pillar about 12 or 13 feet high; a rope was attached to the other end of the beam, and a man lowered it, and thus elevates the end to which Vythi was hooked and then pulled it round six times. The Inspector described it "as if the man were floating in the air, at a height of 50 feet," but from the length of the beam and height of the pillar, I should say it could not be more than 20 or 25 feet. After the sixth round the man was lowered, and the hooks were removed, and his wounds were dressed, and he was given some arrack, and conducted to a place near the temple of the deity, and allowed to rest; after which he appeared all right, and moved about. Only the Pariahs of Palyaputty are allowed to perform this vow; the temple is common to 18 villages, and its affairs are managed by a Brahmin, Swamy Iyen, who is the temple priest or "goorucal." Both the priest and the Pariahs profit to a certain extent by the alms that are given by the people that witness the ceremony. It has been going on uninterruptedly for the past 30 years, as the priest told me. The Inspector mentioned in his diary that the Pariahs would really like the thing stopped, but are afraid to express such a wish, for fear of the Kullars; but from what I learned from a Pariah who had

been swung some few years back, I should say they are not willing to have it discontinued. In 1888 the villagers were split into two factions, and one of them put in an application to the Division Magistrate and District Magistrate praying for an injunction to discontinue the practice. The prayer was not granted and serious breach of the peace was apprehended, but averted by the presence of the Inspector and Sub-Magistrate. Since I mentioned the circumstance of this Swinging festival in my weekly report, the District Magistrate has issued the following order under date the 10th July 1890, No. 1132, on the arzee No. 85, dated 2nd July 1890, reporting on the Swinging festival at Valambagudi:

"It appears that in 1888 Mr. Gibson, on a petition made, passed orders directing the Sub-Magistrate of Vallam to see that the celebration of a certain Swinging festival is not revived if the petitioner's statements were true. The undersigned regards this order as prohibiting such festivals and now also distinctly prohibits them everywhere: the Sub-Magistrate will see that this order is communicated to all concerned."

READ also the following:—

Précis of Orders on the Swinging Festival.

On the 12th September 1853, on receipt of a letter from the Government of India giving cover to copy of a Despatch from the Court of Directors reporting the measures adopted in British Guiana for the suppression of the Swinging festival among Indian emigrants in that colony, an order was issued calling on all District Magistrates and the Chief Magistrate at Madras to report on the frequency of the observance of this festival in the Madras Presidency and the measures adopted for discouraging it. The replies to this order have been printed in the pamphlet—Selection No. VII from the records of the Madras Government.

2. In the order passed on these reports, it was observed that the Swinging festival appeared to be less frequently observed than formerly, and that though the suppression of a practice so revolting in its nature and so injurious in its effects to those who witnessed it, would be perfectly justifiable, the Government hoped that it might be greatly checked, if not entirely abolished, by the influence of the Magistrates, aided by the example and endeavours of the higher and more educated classes of the native community. The introduction of the practice in any place where it did not then obtain might with propriety be prohibited, and the ceremony might be prohibited in any village where the observance led to loss of life. The best method of discouraging the practice must therefore be left to the discretion of the Magistracy, and the Government felt confident that, if the object of its interference were clearly understood, the efforts of the Magistracy would be willingly seconded by the influence of the great mass of the community and more particularly of the wealthy and intelligent classes, who did not appear even then to countenance or support the ceremony.

3. In Minutes of Consultation, dated 24th February 1854, No. 187, the Magistrate of Coimbatore was informed that he had exceeded the intentions of Government by entirely prohibiting the Swinging festival in his zillah, and the Board of Revenue was requested, with reference to a report by the Collector of Madura of the existence of two Maniems in that district for the Swinging festival, to state whether similar grants existed elsewhere, and the steps proposed for entirely disconnecting the Government from so objectionable a custom.

4. On the 24th July 1854, the District Magistrate of Tanjore reported that the festival had been entirely abandoned in his district, and that the managers of the 78 pagodas in the district, where the practice had hitherto prevailed, had voluntarily given a written engagement to discontinue it. This letter was communicated to all Magistrates for information and guidance.

5. The Magistrate of Trichinopoly, in his letter No. 121, dated 18th September 1854, in acknowledging receipt of the order last mentioned, stated that the practice had similarly been abandoned in that district, the managers of the 18 pagodas where it had prevailed having given a written promise to entirely discontinue it.

6. In letter No. 2, dated 24th January 1855, the Acting Collector of Nellore reported that the performance of the ceremony might be considered as at an end in his district, inasmuch as he had obtained Karanamahs to that effect from the parties connected with it in the villages in which it had been celebrated.

7. In the marginally noted proceedings, a letter from the Magistrate of Masulipatam, No. 75, dated 22nd May 1855, reporting that, in every part of the district in which the practice had hitherto existed, those concerned had engaged to abandon it altogether, was recorded with an expression of satisfaction.

8. In their No. 945, dated 19th April 1855, the Board of Revenue reported, with reference to the existence of grants in money or land for the Swinging festival referred to in Minutes of Consultation, dated 24th February 1854, No. 187, that such allowances did exist in the districts of Guntur, Nellore, Cuddapah, Chingleput, North Arcot, Rajahmundry and Ganjam, and recommended that "such inams as were clearly and simply for the swinging" should be continued to the existing incumbents for life only, with a proviso that they should abstain from the practice. The Board also reported that the Zemindar of Cungoondy had evinced a desire to revive the practice. The Government, in Minutes of Consultation No. 572, dated 8th May 1855, approved of the Board's proposals, empowering it to commute the claims of such Inamdars as might be agreeable, for a reasonable sum of money. The Board was further instructed to inform the Zemindar of Cungoondy that any attempt on his part to revive the practice would meet with the marked displeasure of Government.

9. On the 27th August 1856, the Magistrate of Chingleput was requested to report on the occurrence of the ceremony at a village between Madras and Ennore, and the Officer Commanding the Mount regarding the celebration of the festival there. In his reply to this reference, the Magistrate of Chingleput reported that the celebration alluded to took place at the village of Poolidewakam (*sic*), a short distance from Ennore, where it had been usual to celebrate it. He stated that his predecessor had endeavoured on the occasion of the annual settlement, by making the opinions of Government widely known, to discourage the continuance of the ceremony, but ineffectually, as the festival was held in high repute among the lower orders and nothing short of the direct action of Government would be sufficient for the purpose. The Magistrate expected that there would be little chance of any attempt at celebrating the festival at places other than where the sanctity of the village goddess had established its claims to the performance, and reported that he had instructed the Police to put a stop to any such attempt. At places where it had been usual to celebrate the festival, addresses had been sent to the Dharmakatas of the different pagodas embodying the views of Government on the subject and warning them of their responsibility for any accidents that might occur. The Officer Commanding St. Thomas' Mount had issued an order prohibiting the celebration of the ceremony within the cantonment. This order Government, in its Minutes of Consultation No. 1255, dated 17th October 1856, characterised as "very proper." At the same time, the Magistrate of Chingleput was informed that he should avail himself of every opportunity of discountenancing the practice, and Government had no doubt but that his efforts, aided by the influence of the more respectable portion of the community, would bring about its discontinuance at an early date.

10. In paragraphs 6 and 7 of their Despatch, dated 22nd October 1856, No. 39, the Court of Directors approved of the measures proposed by the Madras Government for discountenancing the Swinging festival, suggested that the higher and more educated of the native community should be induced to circulate short printed addresses, pointing out that the practice was not enjoined in the sacred writings, and desired that reports as to the effect of such measures should be called for from time to time. These paragraphs were communicated to the Commissioner of Police and District Magistrates for the necessary action.

11. In his letter, No. 31 of 24th September 1857, the Magistrate of Nellore reported that the practice of the Swinging festival had been generally abandoned in the district. This was brought to the notice of the Court of Directors in paragraph 4 of Despatch No. 8, dated 16th February 1858.

12. The Magistrate of North Arcot, in his report on a petition endorsed to him by Government directing him to state what order had been passed regarding the Swinging festival in the village of Chary in Caveripauk taluk of that district, stated that the Collector had in 1854 issued a circular virtually prohibiting the celebration of the festival at all. This was, however, superseded by a subsequent circular issued by Mr. Bourdillon, in which the orders of Government were strictly followed. The Collector proposed that the Tahsildar of the taluk in which the village in question was situated should be directed to limit his exertions to inducing the people to relinquish the custom, and not authoritatively to prohibit it. The Government ruled that the Magistrate should be guided by the circular instructions issued by Mr. Bourdillon in 1854.

13. The Magistrate of Tinnevely reported, in his letter No. 73, dated 10th February 1858, that the Swinging festival had not been performed in his district during 1857. This information was forwarded to the Court of Directors.

14. The Magistrate of Canara, in his letter No. 47, dated 5th June 1858, reported that, though none of the Swinging festivals usually held in the district were given up in the December preceding, he believed that the practice was gradually on the decline. At one of the places where the practice obtained, the most influential man in the neighbourhood was interested in keeping up the festival, as the offerings, considerable in amount, found their way into his pocket as Mokhtesar of the village temple at which they were made. The Magistrate, however, hoped that the individual in question would be induced to use his influence in the right direction. This report was communicated to the Court of Directors in paragraph 6 of Despatch No. 40, dated 30th October 1858.

15. The Magistrate of Nellore, in his letter No. 18, dated 1st September 1858, reported that the Swinging festival was not practised in his district during 1857.

16. The Magistrate of Tinnevely, in his letter No. 25, dated 23rd January 1860, reported that the Swinging festival had not been performed in the district during the previous year.

17. In his Despatch, No. 10, dated 11th March 1862, the Secretary of State for India intimated his approval of the Government's action in having authorised the Magistrate of Canara to prohibit the celebration of the festival in thoroughfares and places of public resort, and directed that this order should be extended to all parts of the Presidency, pointing out at the same time that, whilst Her Majesty's Government had not thought it proper absolutely to prohibit the practice, it was desired that their disapprobation of such proceedings should be made known as widely as possible, and the practice discouraged as much as possible, whatever the localities might be in which it was proposed to celebrate it. This decision of the Secretary of State was communicated to all Magistrates for information and guidance.

18. The District Magistrate of Nellore addressed Government in 1881 on the subject of walking through fire, and Government approved of the order issued by him that in any cases where it was proposed to hold the ceremony on thoroughfares or places of public resort, or where danger to life and property was likely to result from it, it should be stopped.

19. In March 1884, certain inhabitants of Nallamaram, a village in Madura district, who applied for permission to celebrate the Swinging festival, were referred

to the District Magistrate, Madura, to whom a copy of G. O., No. 1323, dated 5th July 1881, was furnished for guidance.

20. In May 1884 and March 1885, petitions on the same subject from other villages in Madura were similarly referred to the District Magistrate.

21. In April and August 1889, two petitioners from Madura, who applied for permission to celebrate the festival, were informed that Government declined to accede to their requests.

Order thereon by the Government of Madras.

The attention of all District Magistrates and the Inspector-General of Police will be drawn to the course of action adopted by Government in regard to the "Swinging festival" as indicated in the précis read above, and they will endeavour to discourage the practice as far as lies in their power. The District Magistrate of Tanjore should, in the opinion of His Excellency in Council, withdraw the order which he appears to have issued on the subject; the policy of Government has hitherto been to discourage but not to absolutely prohibit the custom, and this policy has been approved by the Secretary of State in his Despatch No. 10, dated 11th March 1862.

No. 8, Judicial, dated Fort St. George, the 17th May 1892.

From—The Government of Madras,

To—Her Majesty's Secretary of State for India.

We have the honour to acknowledge the receipt of your Lordship's Despatch, dated the 17th December 1891, No. 4 (Judicial), wherein we are requested to furnish a report upon the allegation that we took no steps to prevent the occurrence of the "Swinging festival" which was held in the district of Madura in September last, and to state whether any instructions regarding festivals of this nature have been issued since the date of our Order of the 27th August 1890, No. 1418, Judicial.

2. In reply, we have the honour to inform your Lordship that we did receive intimation that the "Swinging festival" was to be held before the event occurred, and we communicated this to the District Magistrate of Madura observing that the policy of Government was to discourage but not absolutely prohibit these exhibitions. Upon receipt of your Lordship's Despatch we called upon the District Magistrate of Madura for a report regarding the circumstances of the case. It appears that upon receiving information as to what was about to take place the Deputy Magistrate of Madura Division instructed the Taluk and class Magistrate of Madura to warn the inhabitants of the village of Sholavandan, where it was intended to hold the ceremony, that its promoters would be held responsible for anything serious that might occur, and the Superintendent of Police took the additional precaution of visiting the village and warning the people that Government viewed the ceremony with disfavour.

In spite of this the festival was held on the 21st October in the presence of the Deputy Magistrate, the Superintendent of Police and a Mr. Van Allen, a medical man attached to the Madura American Mission. We forward to your Lordship an account* written by the last named gentleman, from which it will be observed that the ceremony passed off without any serious consequences.

3. Finally, we beg to state that we have passed no general orders on the subject since the issue of our Order dated the 27th August 1890, No. 1418, Judicial.

* Enclosed in a letter from the District Magistrate of Madura, dated the 24th February 1892, of which a copy is forwarded along with a copy of a further letter, dated the 26th March 1892, from the same officer with its enclosures.

No. 9, dated Madura, the 24th February 1892.
 From—S. H. WYNNE, Esq., Acting District Magistrate, Madura,
 To—The Chief Secretary to Government of Madras.

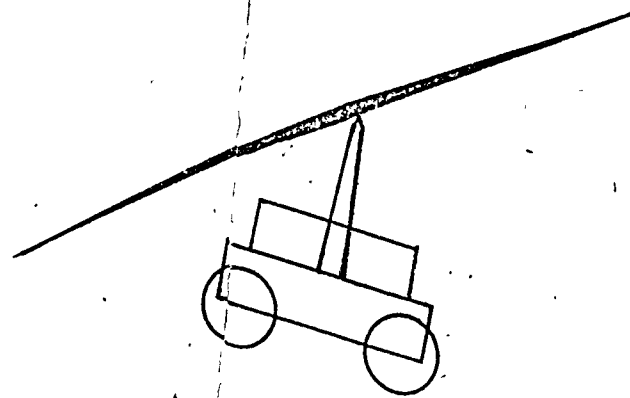
I HAVE the honour to submit the report called for in G. O., No. 83, dated 14th January 1892.

2. The Swinging festival was held on the 21st October 1891. The Superintendent of Police and Divisional officer, Mr. Tillanayagam Pillai, were present. There was a crowd of about 5,000 persons. Two hooks were passed through the muscles below the shoulder blades of a Kallan. This was not done in public, but it is believed that the muscles were first kneaded or pounded to induce insensibility and prevent hemorrhage. The man himself says there was no pain. He was swung to a height of twenty feet by the hooks to a pole fixed in the centre of a car which was then dragged round the town. He was hung for an hour and a quarter. He was then lowered and given some arrack, but says he had none previously. His voice was then full and his pulse strong. There was little or no bleeding. The hooks remained in their place and he walked about among the crowd. The holes were then large enough to admit the little finger. The man last swung (twenty-four years ago) was in the crowd. The scars in his back were distinct. I enclose a letter from Dr. F. Van Allen, a medical man attached to the Madura American Mission.

Dated Madura, the 6th February 1892.
 From—F. VAN ALLEN, Esq., M.D.,
 To—The Second class Magistrate, Madura Taluk.

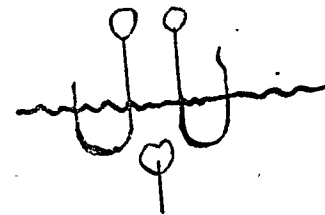
WITH reference to your letter of 30th January 1892, asking for particulars of the circumstances attending the Swinging festival which occurred at Sholavandan, India, in October last, I have the honour to say that I attended the said festival, saw the man who was swung twice before the Swinging and once afterwards. I saw him first at a distance of about fifteen yards, this time about two hours before the occurrence, the second time close at hand when I observed him carefully for about two minutes, this time about five minutes before he was swung. During the time he was hanging aloft I was watching him nearly all the time. On his completing the circuit and being lowered to the ground I examined him carefully as soon as he was released from the pole.

I may state that Sholavandan is a village of some 1,500 souls located twelve miles north of Madura. Much publicity had been given to the hook-swinging, and the village was filled with a large crowd of 10,000 to 12,000 people. So far as I could see the people were well behaved, their only emotions being curiosity and subdued excitement. The temple stands in the centre of the town; near this stood the car bearing the pole on which the victim was to swing. This car was made of timbers, was about fifteen feet square and was supported by four wheels. Projecting from the centre of the car was a large timber, the top of which rose up about twenty feet high from the ground. The top of this timber acted as a pivot for a pole about sixty feet long. This pole was spliced in the middle and where spliced rested on the point of the timber.



The distance from the end of the pole where he swung to the ground was thirty-eight feet.

Promptly at 3 o'clock the man who had been chosen to be swung was seen coming down a side street on a run accompanied by a shouting and excited crowd. I was standing near the front of the temple and as the man came near me I saw that the hooks had already been inserted. This had been done probably in a house some distance away, though it had been advertised to be done publicly at the temple. They were two iron hooks inserted into the skin and subcutaneous tissues, one on each side the backbone and brought together back to back.



Surface of the skin.

Back bone.

Some blood was running down his back.

I could not learn just how the hooks had been inserted but had heard before that a curved gouge was to be plunged into the tissues, cutting down in and then up and out, and in the path thus formed the hooks were to be passed. It is probable that this was the procedure judging from the fact that a curved gouge was shown together with the hooks and ropes afterwards. It is said that the parts were made somewhat insensible by slapping and pounding before the hooks were put in. As to this I cannot say. As the man came up to the front of the temple he was seen to be a splendid specimen of brute strength, though not of large frame. He was of medium or under size, stockily built and muscles markedly firm. His attendants were fanning him and urging to a dancing motion. The man was evidently under strong excitement but was self-controlled.

He was then hurried away to the car which stood a few yards away. I proceeded to the car at once and watched them tie the ropes which were attached to the hooks. When all was made secure, traction was made on the further end of the pole and he was raised into the air. When he first left the ground he winced decidedly and the skin and muscular tissues were drawn up from the face of his back about three inches. He had no other support than the hooks in his back. As he went higher into the air I could not see plainly the expression of his face, but as well as I could make out, it took on a dogged or determined look. On his ankles were bangles and in his hand he carried a silk cloth. His body was naked except a cloth about his hips and a turban on his head. He kept beating his ankles together with a steady cling-clang and kept waving the cloth in his hand. These motions were probably to show that he had not fainted, but as a physician, I must say that I fully expected that he might faint at any time. There can be no doubt but he had strong stimulants.

The car was drawn through four streets forming a square, about one mile in distance and after one hour and fifteen minutes it returned to its starting place. During the time of the ordeal the victim was encouraged by the shouts of the people.

When he was lowered to the ground again I examined him in less than a minute after the ropes were untied. His face wore a somewhat exhausted look but his voice was full and strong, he answered questions promptly, his pulse was good. The hooks were still left in his back, in fact were not taken out for several hours. The hooks, which at first had fitted snugly in the hold in the holes in the skin and deep tissue, had now torn their way about one-third out.

The man was able to walk around the town that afternoon and night and collect money from the people for his performance. It is certain that he took large quantities of arrack afterwards, for he did so openly.

As a physician I am much surprised that the ill-effects on the man were so small. No ordinary man could pass through such an ordeal without serious danger to his life.

No. 15, dated Madura, 26th March 1892.

From—C. J. WEIR, Esq., Acting District Magistrate, Madura,
To—The Chief Secretary to Government of Madras.

WITH reference to Government Reference on C. No. 883, dated 8th March 1892, Judicial, I have the honour to submit, for the information of Government, copies of proceedings of the Deputy Magistrate, dated 8th August last, and of the letter, No. 454, dated 21st March 1892, of the Superintendent of Police.

2. It will be observed that the promoters were duly informed of the feelings of Government in the matter and warned of their responsibility.

Proceedings of the Deputy Magistrate of Madura Division, dated 8th August 1891.

READ—

Arzi, No. 1103, dated 2nd August 1891, of the 2nd class Magistrate of Madura taluk, requesting orders on the mahazir of the inhabitants of Sholavandan, &c., villages, praying that they may be allowed to celebrate the Swinging festival which has not been done for the last 15 years.

Read—

G. O., No. 1418, dated 27th August 1890, Judicial, stating that the practice be discouraged but not prohibited.

ORDER.—The Taluk 2nd class Magistrate of Madura will warn the petitioners of the serious risk they run of being held responsible for anything serious that may happen by the renewal of the practice.

No. 454, dated Madura, the 21st March 1892.

From—COLONEL F. KILGOUR, Superintendent of Police, Madura,
To—The District Magistrate, Madura.

WITH reference to your letter, No. 287, dated 14th March 1892, I have the honour to report that previous to the festival, I went to the spot and personally communicated to the promoters of the feast the feelings of Government.

No. 5, Judicial, dated India Office, London, the 14th July 1892.

From—Her Majesty's Secretary of State for India,
To—His Excellency the Right Hon'ble the Governor in Council, Madras.

I HAVE considered in Council the letter of your Government, No. 8, dated the 17th of May last, on the subject of the Swinging festival held in the district of Madura in September 1891, and the instructions issued by you regarding such festivals.

2. It is much to be regretted that the barbarous process of hook swinging should have been practised on the occasion referred to, notwithstanding the warning and remonstrances of the taluk 2nd class Magistrate and the Superintendent of Police; and I desire to invite the attention of your Excellency in Council to the question whether the time has not arrived when, in the interests of civilization and common humanity, such degrading exhibitions should be prohibited.

3. It is true (as stated in the Order of your Lordship in Council, dated the 27th of August 1890) that the policy of discouraging, but not absolutely prohibiting, the custom was approved by the Secretary of State in his Despatch

No. 10, dated the 11th March 1862. Since that time, however, the practice of hook swinging has almost entirely disappeared, and it is, I believe, to be found only in a very few places in Madras. This most desirable result has been mainly brought about by the advance in education and intelligence of the people themselves, but partly also by the judicious action and influence of the officers of Government.

4. The action to which I specially refer was taken in Bengal in and subsequent to 1865. I enclose, for the information of your Government, a Resolution of the Lieutenant-Governor of Bengal, dated the 15th of March 1865, directing that, when necessary, active steps should be taken to prevent the recurrence of these barbarities. The Resolution was approved by the Secretary of State (Despatch, Judicial, No. 36, dated 25th May 1865). It carried with it the assent of all the more enlightened, intelligent, and respectable Hindus, and the results were entirely successful.

5. I shall be glad to be favoured with the opinion of your Excellency in Council as to the advisability of now adopting in Madras some such measures as proved so beneficial in Bengal.

No. 13 (Judicial), dated Ootacamund, the 27th October 1892.

From—The Government of Madras,

To—Her Majesty's Secretary of State for India.

We have the honour to acknowledge the receipt of your Lordship's Despatch, dated 14th July 1892, No. 5 (Judicial), in which our attention was invited to the desirability of suppressing such barbarous exhibitions as that of "hook swinging" at religious festivals in this Presidency and the adoption of some such procedure was suggested as that followed by the Government of Bengal in and after 1865.

2. Prior to the receipt of your Lordship's Despatch above referred to, we had communicated with the Government of Bengal, with a view to ascertain what action had been taken in that Province to discourage similar practices therein, and we also enquired of that Government whether any objection to the legality of its order (with a copy of which we were furnished) had ever been raised and contested in a court of law. From the information received, it appeared that the orders passed by the Bengal Government in 1865 were issued under the provisions of section 62 of the Code of Criminal Procedure then in force (Act XXV of 1861). A conviction under section 188 of the Indian Penal Code for disobeying an order issued in compliance with these instructions was quashed by the Officiating District Judge of Burdwan in 1872, and a re-trial ordered by the High Court of Calcutta; the question then involved, however, was not as to the legality of the order, but as to whether it had been "lawfully promulgated" and brought to the notice of the accused. Except in this instance, it is stated that the validity of the orders issued by the Government of Bengal has never been disputed. Act XXV of 1861 has, however, been long since repealed, and the present Criminal Procedure Code (Act X of 1882) gives much less power to Local Governments and Magistrates in dealing with such cases. On our referring the correspondence with the Government of Bengal to the local Advocate-General, that officer has expressed the opinion that the procedure adopted in the last-mentioned Province is now illegal, and that section 144 of the present Criminal Procedure Code cannot be interpreted to authorize the prohibition of "hook swinging" or any other practices of a similar nature. From this view we see no reason to differ.

3. The only means of preventing the recurrence of such exhibitions would appear, therefore, to be by legislative enactment. We consider that, if this course is decided upon, the necessary action should be taken by the Government of India, as the practices in question exist in other parts of India and are not confined to this Presidency in particular. In this connection we desire to point out that the customs of swinging devotees from poles by means of hooks inserted into the muscles of the back, and of exhibiting other devotees with hooks and needles inserted into their flesh, &c., though barbarous, cruel and revolting

punished, but I am bound to see that the proceedings of the Magistrate are legal.

The conviction is disobedience of an order which the offenders knew to have been published with lawful authority by a public servant, or, in other words, for having practised "banfora" in contravention of an order published in 1865 under authority from Government conveyed in Resolution of 15th March 1865.

The terms of that Resolution are such that it was the duty of Magistrates to issue injunction, whenever they might think it necessary, directing any person (not all persons) to abstain from hook swinging and self-torture. This seems to contemplate an injunction or order to be directed to individuals and not to the public, and it is now established that section 62 of the Procedure Code is not to be taken to allow general prohibition. I feel, therefore, compelled to say that these persons have not contravened any order by which they were prohibited from practising "banfora" and must be released from further imprisonment.

P. S.—If the promulgation of a general prohibition entailed the consequences of disobedience on the population for all time, I should in this case have been bound to call for fresh evidence (section 122) to establish the fact of such promulgation in the village or near the place where this affair occurred. A statement of the mohurir of the District Superintendent's office at Burdwan that a general perwanah was sent out to the thannahs proves nothing.

HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

Criminal Revisional Jurisdiction, the 3rd June 1871.

PRESENT:

The Hon'ble F. B. KEMP,
" F. A. GLOVER, } two Judges of the said Court.

Revision of proceedings in the case of Kali Dass Manna and others.

Mr. Justice Glover.—We think that the Deputy Magistrate was wrong in refusing to go into the case.

The mere fact of the notification being addressed, in the first instance, to the Police would not prevent its being an "order promulgated by a public servant" in the sense of section 188. The order was sent to the Police for the purpose of being promulgated through the district, and the prosecutor was ready (as appears from the Magistrate's letter) to prove by evidence that it had been so promulgated. The only point for inquiry was whether the Magistrate's orders embodying the Government Resolution prohibiting hook swinging had been promulgated; and, if so, whether the accused knew of such order.

There is nothing in section 188, Penal Code, which makes it necessary to serve special notice of an order on particular individuals, and except under very peculiar circumstances, it would be enough that they are shown to have known of the order. In this case the prosecutor would have to show first that an order was promulgated; and, secondly, that the accused, knowing that it had been so promulgated, wilfully disobeyed it.

The Deputy Magistrate will be directed to re-hear the case with reference to those remarks.

(Signed) F. B. KEMP,

(") F. A. GLOVER.

3rd June 1871.

No 30.

Criminal Appeal.

For the reasons stated in my reference, dated 13th instant, I am of opinion that the Proclamation of the Magistrate in 1865 is not an order to hold good

for ever against all persons whether they have become aware of it or not. I am of opinion that there is not evidence that these prisoners were cognizant of that order and they cannot be convicted of wilfully disobeying an order which they knew to have been promulgated by the Magistrate. I reverse the conviction and direct that the prisoners be discharged.

(Signed) A. F. MACLEAN,

Officiating Sessions Judge.

29th June 1872.

From the Government Solicitor, Madras, dated 27th July 1892, No. 306.
ABSTRACT.—Forwarding the following opinion of the Advocate-General, dated 25th July 1892.

OPINION.

[In the matter of the "Hook swinging" festival and of section 144 of the Code of Criminal Procedure.]

The Resolution of the Government of Bengal, dated the 15th March 1865, the "Injunctions" published in obedience thereto, and the Circular No. 46, dated "Calcutta, the 13th August 1872," were all passed and published while the Code of Criminal Procedure XXV of 1861 was in force. The terms of section 62 of that Code were so wide and general that, under it, Magistrates were "lawfully empowered to promulgate" the order required, and disobedience of such order was an offence punishable under section 188 of the Indian Penal Code, which was then in force.

2. I think that the Officiating Chief Secretary to the Government of Bengal was not quite accurate when he stated in his letter of the 13th June 1892 (No. 244, Judicial Department, Current No. 2593) that "the legality of the orders of 1865 was contested in a District Court, and that the order also came under consideration of the High Court." The legality of the order of prohibition under section 62 of Act XXV of 1861 was not, and could not be contested. The contentions of the Officiating Judge of Burdwan were that though the Magistrates were legally bound to issue the order required by the Resolution of the Bengal Government, they were, by the very terms of that Resolution, not authorized to issue a general Proclamation to the public to remain in force for all time.

The Calcutta High Court pointed out that the only questions for the consideration of the learned Judge were whether the Magistrate's order had been promulgated; and, if so, whether the accused knew of such order.

3. Section 62 was one of the sections contained in Chapter III which laid down "Preliminary Rules," and was unconnected with the subject of "Public Nuisances" dealt with in section 63, and with "Local Nuisances" dealt with in Chapter XXXIX. I think it is clear that the orders of the Magistrates under section 62 prohibiting "hook swinging" did not deal, and could not have dealt, with the thing prohibited as a "nuisance." They were legal because the terms of the section were sufficiently wide to include such orders.

4. A similar general provision was not contained in the Code of Criminal Procedure of 1872 (Act X of 1872) and is not to be found in the present Code, Act X of 1882. Chapter XXXIX of the Code of 1872 deals with "local nuisances," and confers powers somewhat similar to those conferred by section 62 of Act XXV of 1861, but those powers are apparently confined to cases of such "nuisances." The object, according to the first explanation annexed to section 518, was to provide for prompt action where such action was necessary in cases which (but for such necessity) would come within the provisions of section 521. That section did not include such practices as "hook swinging" and self-torture.

5. This object is carried out in the present Code by dealing with "Public Nuisances" in Chapter X, and with "temporary orders in urgent cases of nuisance" in Chapter XI. No new powers are conferred on Magistrates by these

It is arruthers, the

Committee have already observed, sanctioned by the Shasters; in the second place it is not followed by the better instructed and higher orders of the community; in the third place it may be abandoned without materially interfering with popular religion; in the fourth place the suppression of these cruel practices has been effected by many landholders in their respective estates without producing dissatisfaction among the masses; and lastly, if these practices are now to be put down as proposed with the authority of Government it is not because that the Government wishes to suppress them arbitrarily, but because the Government has the consent and support of the upper and educated classes of the community, those on whom the ruler in every civilized country naturally relies for the eradication of any evils of long standing, or for the promotion of any measure of general usefulness affecting the well-being of the entire community.

The Committee would of course deprecate any interference with the religious observances connected with the Churruck, and they are glad to receive the assurance of the Lieutenant-Governor that His Honour entertains no such intention. Nor do the Committee see much objection in swinging in itself. If the mob in Bengal wish to amuse themselves by swinging from the Churruck tree without hooking the flesh, the Committee see no reason why they should be interfered with. In Madras, the Committee are informed, the people swing by sitting within a basket, and either this or any other contrivance may be employed by the swingers here for their own amusement. As a popular pastime simple swinging may, the Committee are of opinion, be fitly allowed to be continued without violence to the moral feelings of any educated or right-thinking persons.

This festival, His Honour the Lieutenant-Governor may not be unaware, is made the occasion of a general *melâ* in the villages, where thousands of people congregate, make purchases of edibles, playthings, articles of dress, and interchange social reciprocities, and the *melâ*, the Committee submit, deserves to be encouraged rather than otherwise. The continuance of the pooja and simple swinging, without the attendant barbarities, will render the proposed interference of the Police innocuous.

The Committee would certainly prefer to see the suppression of the barbarities of the Churruck with the aid of the ordinary criminal law to the enactment of any special law on the subject. The action of the Magistrates and the Police in the usual course will not cause any needless alarm or suspicion in the popular mind, while it will not fail to be effectual, which, however, cannot be confidently said of any special legislation.

In conclusion, the Committee deem it due to observe that, while they recommend the suppression of the cruel practices of perforating the body commonly called *bânphorah* and hook swinging at the Churruck pooja, they humbly and respectfully hope that the interference of Government may not be extended beyond the prohibition of the barbarities under comment. Perhaps this object may be well attained by requiring the District authorities to prevent simply the abovenamed practices, without interfering with the Poojah and the amusements of the people.

9
ailed to report it to me. Asance
No. 676

Rajahmundry
Central Jail (Office)
12th June 1893

From

G. D. Grimes Esquire,
Superintendent

Raja

To

A. G. Bardew Esquire
Inspector General of Jails
Potalamund

Sir,

I have the honour to forward my remarks called for in your confidential Memorandum No 2258 dated 18th May 1893, and to request that you will be good enough to submit this my explanation in original to His Excellency the Governor in Council.

2. Of the points in connection with the administration of this jail during 1891 and 1892 dwelt upon in your letter No 1519 dated 18th April 1893, I will first take up the subject of the hospital of the jail. I beg to refer you to the following observations of Surgeon H. Barruthers, the

g. 1025
17-5-93

8
during the current year. With regard
to the rice found new by the Assistant
Surgeon, I have the honour to state
that I subsequently proved that
the rice was old and not new as he stated.

7. With regard to the meat, this
was the first occasion on which
the meat was ever condemned and
this was only one carcass. Dr Hall
remarked in the journal, "Yesterday
"after visit rejected one sheep's carcass
"being pale, flabby and illnourished."
This was at once replaced by a
fresh one. Considering there are
on an average 27 to 30 animals killed
weekly and they are merely grass fed,
it is not to be wondered at, should
a poor carcass be found; but as I
previously remarked, this, to my know-
ledge, has been the one only case of
the meat being rejected.

The supply of garlic ran out
February 1893, and the Ag-Jailer

I duty it was to see

that this was done

9
failed to report it to me. As near
as I learnt from the Deputy
Jailer on 25 February 1893, in
the supply having run out, I
immediately ordered a fresh
supply to be procured which
was done.

9. I have always ordered
the cholam to be properly cleaned
and ground, and it was the
duty of the Ag-Jailer Mr. Payne
to see that my orders were
carried out, and I regret that
on the two occasions mentioned
by Surgeon Major Evans that it
was not done. It was only a
short time previous to this that
I examined the cholam with
Surgeon Major Carruthers, and
he made no remarks as to its
unfitness or bad preparation.
The defects pointed out
were soon rectified, and
not the least complaint
10. Surgeon Major Evans
da

16
that the delay in supplying
to allotment affected after allot-
ments, as of course the arrears had
to be executed in addition to the
legitimate allotment. A few of the
cumbies were not up to the standard
owing to the want of proper super-
vision by the Ag. Jailor Mr. Payne
and the storekeeper, who had not
properly examined them before
being taken into store as I pointed
out to them; the defects in the cumb-
lies were rectified before despatch.

17. With reference to the drill
I pointed out that the quantity
rejected by the Police could be
disposed of without a loss as
private individuals are ready to
purchase it at the same rate.

18. With regard to the manu-
facture results of last year which
showed a profit of Rs 1052 and
which, I much regret, was not
so more, I beg to state that
results should not be com-
pared with those of the previous
year.

17
year. In 1891 I had the assistance
of a most capable Jailor Mr. Blong,
who took the greatest interest in
the Manufactures and every thing
else connected with the Jail, and
there was no epidemic. In 1892
Mr. Payne came to act, and although
I pointed out to him the importance
of keeping up the Manufactures,
he took very little interest in
them either in the way of Public
work or work for private indivi-
duals. As cholera broke out in
the Jail which greatly retarded
Manufactures for two months. From
the statement (appendix H) it will
be seen how manufactures progressed
in the Commanore and Salem Jails
and the Penitentiary in the years
1885 to 1890 when I was in charge
and had officers of ordinary ability
to assist me and when the
of Manufactures in some Jails was
nil.
da

du 19. I now come to the general discipline of the jail which you consider in the highest degree unsatisfactory, basing your reasons for the same on the occurrence of the escape in October 1892, and again in March 1893. The first escape took place when the chief warden in charge of the warden guard was an inefficient native, who was transferred here by your predecessor just before he left the Department, and against whose nomination I protested by telegram when you in your No 57103 dated 25 February 1892, regretted your inability to comply with my request as it was too late. I remarked at your inspection that the man was useless, and in my annual Report, that he was "wanting in tact and had not the control over the wardens he should have." The gross negligence on the part of a head warden in not seeing removal of a ladder from a

workshop to a place of confinement just before meal time mainly attributed to the escape, and the warden was punished by dismission from the service. Of the escape of the four convicts on the 13th March 1893 I gave you information in 14 lines as you say, but not a report. In this my letter No 303 dated 15 March 1893 I have stated that a full enquiry was being made into the cause of the escape and would be duly reported. I accordingly sent a full report in my No 320 dated 22nd March 1893 severely criticizing the conduct of the Ag. Jailer Mr. Payne in the following terms. "In conclusion I must remark that I think if the Jailer had personally attended to the locking up of the solitary cells instead of deputing a 2nd Grade Head Warden Laiji of him to do so, the escape would not have occurred, and I have the honor to be, Sir, your obedient servant."

A reference to the records will, I think, shew that the health of the Jail has been declining for several years past. The mortality had been heavy before I took charge at the end of 1888. During the next seven or eight months there were but few fatal cases, and then the death rate rose again. The majority of fatal cases being due to bowel complaints.

4. The last two or three analyses of the water made by the Chemical Examiner shewed a deterioration of quality, the details of which are entered in the Medical Officer's journal.

5. I called the attention both of the Sanitary Commissioner and of his Deputy when they visited Rajahmundry to the state of affairs and begged them to favour me with any suggestions in their power, but elicited nothing for our guidance in the future.

You will remember that the chief points we went into from time to time were briefly:—
1. The possible existence of any taint

taint of scurvy among the men.

2. The numbers in the various barracks and the state of the ventilation of each barrack.

3. The position of the night soil trenches with reference to the Jail and the prevailing wind.

4. The existence of any special condition in the blocks furnishing moss of the sick; or any special point in regard to the men's work or work sheds.

5. The condition of the hydrant and of the pipes leading thereto, some of which were dug out and the joints examined.

6. The latines and pans received careful attention.

7. Disinfecting powder was ^{liberally} used for a time.

8. New chattries were issued.

9. All water was boiled and then filtered.

10. The food instead of being prepared in chattries as had been the custom, was cooked in iron pots.

11. The tables on which the food was spread were covered with zinc.

12. Boxes were made to protect it.

when, and at what hour of the day.

2) whether the two machines yield exactly similar
results. This should be tested by weighing a gang
of 50 men on each and the results on the two machines
would be submitted.

4) whether the provision of fixed shutters to both
doors and windows of Blocks Nos 1 and 8 have been
completed, and, if not, how much remains to be done.

5) whether the pials in Ward No 5 Blocks 1 and 8
are completed.

3. The Inspector-General of Jails further desires
that the Superintendent will, at least, once a fortnight,
without notice and on varying dates, check-weigh
the whole of the grain (flower) ration issued from the store-
room. The hour of issue can be ascertained, and the
Superintendent can easily arrange to make his exami-
nation in such a way as to ascertain for certain
whether the proper quantity of flour is issued.

The Superintendent in addition to weighing the puddings
could occasionally count the whole number, going from
itchew to witchew to do so.

Estimates should be submitted for providing wooden
shutters, on the outside, to both doors and windows of
blocks 3 & 7.

An early reply should be submitted.

(Signed) A. G. Carvelaw

Inspector General of Jails

Superintendent, Central Jail, Rajahmundry

(True Copy)

G. H. Miles

Superintendent Central Jail

Received
in Rajahmundry Central Jail
24-4-1893

Appendix C

No 502

Rajahmundry Central Jail
5th May 1893.

From

The Superintendent, Central Jail
Rajahmundry

To

The Inspector-General of Jails
Pootacamund.

Sir

With reference to your Order No 1635 dated
the 20th April 1893, I have the honor to report as follows
to the queries therein contained in para 2.

(I) The weights are taken by the Hospital Assistant
in the presence of the Medical Officer after the prisoners
have done their ten days of quarantine, on the weighing
machine used in the Hospital at 7 or 8 A.M. in
accordance with the foot-note printing on the Commis-
sioners Registers Cols. 6, 10, and 22.

(II) The periodical weighments are taken on the at-
weighing machine kept in the Hospital early in the
morning before the prisoners have had their porridge
i.e., on empty stomach. In future they will be carried
out in accordance with your Circular No 1683 dated
24-4-1893.

(III). Only the above weighing machine is in
use owing to the Salters Spring balance sanctioned by
letter No 2165 dated 16-5-92 and purchased from
Messrs. Atkins & Co. Madras being inaccurate.

Appendix E

N^o 4984

Office of the Inspector-General of Police
Madrass 29th August 1890

From

Colonel L. A. Porters

M. Inspector-General of Police

To

The Inspector-General of Jails,
Pottacammund.

Sir,

The Superintendent of Police Ganjam reports that the supply of boots for the year 1890 is not yet made to his District, I have the honor to ask you to be good enough to expedite their despatch.

I have &c.

(Signed) J. Maradith

M. Inspector-General of Police

N^o 3864.

True Copy forwarded to the Superintendent of Pottacammund Jail for early compliance.

(Signed) J. M. Smith,

Colonel

Madrass.

1st September 1890

M. Inspector-General of Jails.

(True Copy)

Pottacammund Central Jail

12 June 1893

G. H. H. H. H.

Superintendent of Jails

name
in by

Years	Tails	Average Sowing Ratio (of deaths) of manufacturing, per mille of average per head of female strength. deducted to laborer			Tails which showed no sowing at all.	Remark.
		7	12	.		
1885	Manufactures					
1886	Salem	+ 22	13			+ 1 st no Residence
1887	Manufactures	+ 21	12			+ — 80 —
1888	Do.	10	6			
1889	Do.	+ 9	13			+ 2 nd Among Central Jail.
1890	Do.	7	2			

J. P. Robinson
Central Jail
12 June 1893

E. H. Warner
Superintendent Central Jail

name
in by

EDP

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