1. Number of Petition. 1/0
2. Date of Repair. 1-10-58
3. Number of References.

M.R.O. 1—82,400—23-11-50.

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Cons 8 2 24.1.858

G.O. No. 757 Press Mis.

15-16

Dated 23 : 4 : 1858

Not to be folded or roughly handled

Fort Saint George, Public Works Consultation of 27th April 1858.

No. 15. Read the following Extract from the Minutes of Consultation in the Judicial Department, dated 19th March 1858, No. 366.

Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George, dated 4th March 1858, No. 95.

SIR,

I have the honor to forward a copy of a report received on the 1st Instant from Mr. Cotton, Sessions Judge of Masulipatam, relative to the escape of Convicts on the night of the 18th Ultimo.

2. The general purport of Mr. Cotton's letter has already been communicated to the Government by Telegram.

3. The Sessions Judge appears to have been warned early in December last, that an escape was meditated, he alludes to his having reported this to you on the 9th Idem.

4. The escape seems to have been effected by cutting away the lower part of the window frame and thus removing the bars; this ought not to have occurred as I pointed out this very cause of insecurity both in this Jail and in that of Guntoor, at my last visit, and certainly understood that it should be remedied. Two other wards appear to have been opened from the outside by those who first got out.

5. I do not understand from Mr. Cotton's letter whether the Convicts escaped from the enclosure by means of the sentry box placed against the wall or by the gate-way after seizing the Arms.

6. The prisoners who escaped are accounted for as follows :—

1 16 years' sentence for gang robbery, &c., at Juggiahpetta and escape.....	Killed in the attempt.
2 14 years for robbery of the Nundegaum Treasury.....	do.
3 & 4 Juggiahpetta prisoners. Names not given.	Wounded in the attempt and retaken.
5 & 6 Hyderabad prisoners. Names not given.	do.
7 Mahomed Khan, 14 years for murder and robbery.....	Re-apprehended by the Head of Police.
8 Abdool Kawder, 14 years for assault on Brigadier McKenzie.....	do.
9 Ismail Khan, 14 years for gang robbery and murder.....	do.
10 Manaty Neelachellum, 1 year for cattle stealing.....	do.

Under trial for Highway robbery.

11 Codaty Boocheegaudoo.....	Re-apprehended by the Head of Police.
12 Chemenany Cauteegaudoo.....	do.
13 Sookala Runga or Ramjee, 7 years for highway robbery.....	Still at large.
14 Toorka Cotoya, 7 years for secreting notorious robbers.....	

7. Mr. Cotton refers to the want of a Revolver for the Jailer, this is owing to his not having made arrangements for paying for it in sending his Indent to the Principal Commissary of

15. The Sessions Judge has been requested to take steps to introduce the messing system, the better course will be to divide the prisoners into messes of 25 or 30 prisoners in each, and to purchase and prepare the condiment in wholesale quantities, the diet table should be prepared in communication with the Zillah Surgeon. I would recommend attention to the pulses and similar grains which if thoroughly boiled may probably be used to the extent of one-third of the grain allowance; when the diet tables are arranged, a copy should be sent to the Inspector.

16. I see no use in the removal of the prickly pear hedge round the Jail compound, it now forms an effectual barrier against escape and if removed to roots would still remain.

17. Arrangements should be made for privies for the prisoners either by the use of privy tubs to be carried out daily or by forming a privy of brick in chunam with bars across, some deodorising substance being used, the privy being cleared when required.

18. Privy tubs should be substituted for chatties in the privies attached to the wards.

19. In the disposal of the 16 Peons to be employed in Jails north of the Kristna, I have reserved 2 who may in consideration of the inconvenient arrangements of this Jail, for guarding, be employed at this station, making the total fixed guard up to 26 Peons.

(True Copy.)

(Signed) J. ROHDE,
Inspector of Prisons.

The Inspector of Prisons forwards a report from the Judge of Masulipatam, on the late escape of Convicts from his Jail.

2. Of those who made the attempt, two were killed at the time and four wounded and retaken. Eight got away, but six of them have since been re-captured through the meritorious exertions of the Head of Police, D. Vencatanarasing Row, leaving only two still at large.

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4. The Peon guard seem to have behaved most discreditably with perhaps one exception. The exception is the Peon mentioned in para. 17 of Mr. Cotton's report by whom both the deceased Convicts are said to have been shot. The Inspector will consider whether some reward should not be given this man for his conduct on the occasion. Immediate measures will be taken for the reform of this Jail establishment.

Report para. 18.

5. Mr. Rohde will see that all the Jailors for whom Revolvers have been sanctioned are forthwith supplied with them. As respects the Jailor at Masulipatam, it is however remarked that the Judge in his letter of 7th December last, stated that he had armed him with his own Revolver.

(True Extract and Copies.)

(Signed) T. PYCROFT,
Chief Secretary.

No. 16. ORDER THEREON, No. 751; dated 22nd April 1858.

Ordered to be communicated to the Chief Engineer in view to the necessary instructions being issued to the District Engineers of Masulipatam and Guntoor, to proceed at once with the works intended for the security of the Jails at those Stations, forwarding in the meanwhile estimates for sanction.

(Signed) H. FORBES,
Acting Secretary to Government.

No. 366.

Extract from the Minutes of Consultation under date the 19th March 1858.

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7. Mr. Cotton refers to the want of a Revolver for the Jailer, this is owing to his not having made arrangements for paying for it in sending his Indent to the Principal Commissary of Ordnance, as I believe; I have about a month since returned all Indents so forwarded with instructions.

8. The Sepoy guard, Mr. Cotton refers to, have for the last 18 years consisted of 6 Sepoys; I reduced the number to that extent on the Brigadier's recommendation, when I was Assistant Judge of the station. I am quite satisfied that had the Peon guard been alert, this escape would not have taken place; whether the Sepoys would have deterred the prisoners from the attempt I cannot say.

9. Although I did, in reference to the orders of Government, Public Department, dated the 25th July 1857, No. 1014, directing the stoppage of Public Works, desist from urging on the Sessions Judge the precautions recommended in the enclosed report on my visit to that Jail in May last, I feel it my duty to recommend that effect be now given to those suggestions.

18. As to the cause for the present outbreak, I can only trace it to the stringent orders enforced (only such as are sanctioned by higher authority) through the European Jailer, and the determination of the worst characters confined here, to effect their escape *under any circumstances.* It may be remarked that nearly the whole of the gang who broke Jail are Hyderabad men, or from the frontier Talooks in the direction of the Nizam's country. On the 7th December, I communicated to Government the information I then received of a threatned outbreak, and the steps taken by me to thwart it. The present outbreak has carried out exactly what was then threatened! viz. to break open their wards, to rush upon the guards, seize their arms, and effect their escape. *Stringent* orders were issued by me then to all the guards, as well as threats to the Convicts, should an outbreak be attempted. Those precautions have not been successful to the extent desired, though it is some satisfaction to know that two of the escaped Convicts have been killed by the Peon guards within a few minutes after their escape, and that others were re-apprehended without unnecessary bloodshed and violence. Still the want of discipline and energy among the Peon guard is most lamentable; as evidenced by the way in which the whole outbreak was carried out, without *reasonable* resistance being offered by a single individual *until the Jailer* appeared among them, when the Chief part of the mischief was done.

19. I feel satisfied, that the present daring outbreak would never have been contemplated, far less have occurred, had a Sepoy guard been retained. I beg to refer you to my remarks on this subject dated 28th March 1857, paras. 4 and 5.

20. Before closing, I would again urgently call your attention to my repeated application for a Revolver Pistol (sanctioned by Government so long ago as the 19th October last) for issue to the Jailer at this station. On the occasion of the present outbreak, he was altogether without fire arms, until he took the loaded musket from the hands of one of the Jail Peons.

21. A further communication will be made as soon as proceedings have been closed regarding the punishment of those concerned in the above outbreak.

(True Copy.)

(Signed) J. ROHDE,
Inspector of Prisons.

P. S.—Since the foregoing was written, the following escaped prisoners have been re-apprehended, through the activity and zeal displayed by the present Head of Police, D. Venkatanarasing Row, who scoured the country from 4 A. M., till night fall, raising the Villagers and Police in every direction.

Mahomed Khan,
Abdool Kauder,
Ismail Khan,
Mannaty Neilachellum.

Under trial Prisoners.

Codaty Bootcheegaudoo.
Chemenany Cautegaudoo.

(Signed) J. J. COTTON,
Sessions Judge.

(True Copy.)

(Signed) J. ROHDE,
Inspector of Prisons.

Masulipatam, 5th May 1857.

The only alteration made in this Jail, since my last visit, has been the removal of the flat tiles for 3 feet on either side the ridge in the principal wards and the removal of the gallows to a spot within the compound in which the Jail stands.

2. The Surgeon has, I find, in his last report, complained of the defects already noticed in my Report, the want of height in the wards and the want of ventilators above the level of the surrounding walls; it is however I think questionable whether it is worth while going to the expense of remedying these defects, the Sessions Judge is requested to ascertain from the District Engineer the cost of raising the walls of all the wards to 14 feet in height measured on the inside and replacing the roof, tiles being used to resist the thrust with a coupled roof of necessity causes.

3. The building is also defective in the means for shutting out one class of prisoners from another, in two ways may this want be remedied, one by replacing the division walls which appears to have formerly served this purpose by railways or palisades, the other *by placing such palisades on two sides of the four squares, of which the ranges of wards already form two sides,* this latter, though the most costly, would be by far the better course, as it allows of a free passage around all the enclosures and the fence would in no place be against the outer wall. Yapy-wood palisades with iron spikes would probably be as good, cheap and durable as any.

4. If the walls of the corner wards be raised as proposed, the doors might be removed and placed to open out side the palisade enclosure.

5. It will be desirable that a line of palisades with a gate in each, should be placed on either side the passage through the guard room to prevent the Arms being seized.

6. Some smaller alterations seem desirable, namely, an alteration in the privy of the hospital to prevent the effluvia from the sink ascending to the annoyance of the hospital inmates, this may be conveniently done by placing a funnel of sheet iron in the aperture, the pipe being carried some inches below the floor and a small trap being attached as in Marryatt's water closets.

7. The steps to the dead house afford a convenient access to the top of the wall, this back wall of the hospital yard should be raised 3 feet.

8. In case the roofs of the wards above referred to are removed and replaced, the flat tiles within 3 feet of the ridge on either side should be omitted.

9. In all Prison buildings the precautions enumerated by the Inspector of Prisons in his Circular from Bellary should be attended to.

10. *The iron bars of the windows of the principal wards being insecure in the bottom sills, an iron or wooden cross bar should be secured 6 inches above the present, often decayed, sills, to the bars to prevent their removal.*

11. The accumulation of sand within the Jail enclosure whereby the ground inside the wall is gradually being raised is very preceptible and clearly shews the importance of providing ample basement to buildings so situated.

12. The two gates of the Jail should be furnished with wickets; *the gate should be kept shut except when the whole body of prisoners pass in or out,* at which times the guard should stand to their Arms.

13. The hedges about the Jailer's house preclude his having a proper view from it of what is passing in the Jail compound, they are not sufficient to impede any prisoner's escape while the shelter they afford would favor the concealment of any one who once made his way through them. It is desirable that the Jailer should have from his house a clear view of all that passes in the compound, it is certainly desirable in this country, that persons frequenting the Jailer's house should not have access to the prisoners, it will therefore be desirable to maintain some fence to shut out his garden from the rest of the enclosure, to remove the wall at the east end of the verandah and to have a gate with a fastening inside to shut out access from the Jail.

14. The guards are being drilled to the use of fire Arms, they seem generally a rather unpromising set, indeed it seems very questionable whether the better course will not be to engage a fresh body of men, the Sessions Judge is requested to take steps to ensure efficiency, the interests or claims of individuals must not be allowed to outweigh this most important consideration.

10. I cannot sufficiently deprecate the impolicy of my not being provided with a single really secure Jail to which desperate characters might be confined in strict imprisonment.

11. As Mr. Cotton's report is still defective, I have requested further information on certain points particularly in regard to the responsibility attaching to the Peons immediately over the ward first broken.

From J. J. COTTON, Esq., Sessions Judge of Masulipatam; to J. ROHDE, Esq., Inspector of Prisons, Madras, dated 23rd February 1858, No. 95.

SIR,

1. In continuation of my telegram of the 19th Instant, and of my letter dated the 20th Instant, forwarding a list of escaped Convicts; I have the honor to report further particulars of the daring outbreak from the Jail at this station, for your information.

2. At about 10 minutes to 12 on the night of the 18th, I was awakened by the information that the whole of the Convicts had broken Jail, and effected their escape. I instantly dressed myself and proceeded to the Jail, to ascertain the facts of the case, and to issue such orders as might still be expedient for the re-apprehension of the run-aways.

3. On my arrival there as the clock struck midnight, I found 3 men, Convicts, lying on the ground wounded or dead inside the Jail compound gate, and three more near the Jail main gate, more or less wounded.

4. I then ascertained that the outbreak took place through some Convicts having broken out of their wards, and overpowering the sentry on guard within the walls in the first instance, they then forced the relieving guards who were at the main gate, most of whom were sleeping till their turn came on, and finally rushing *en masse* to the place of arms, seized and secured some of the muskets &c., there kept for the use of the guard.

5. The sentry here on duty states that owing to the darkness he could not distinguish the Peons from the Convicts as they ran past him to the place of arms, and was consequently unable to prevent the capture of the Arms.

6. While the above was going on, the Jailer was aroused and came at once to the main gate, and finding what had occurred, after securing it, proceeded in haste to the gate of the compound, and issued his orders to fire on all who were attempting to escape.

7. Some Convicts had before this apparently made their way out of the Jail compound either through the fence, or over the gate which remained locked (as usual after night fall). The Jailer sent a body of the Peons over this gate to surround the hedge, and arming himself with one of the muskets defended the gate, while others of the Peons extended themselves on his right and left flanks. While there the reports of fire-arms were heard both at some little distance and close at hand, and one of the Convicts running up towards the gate presented a loaded musket at the Jailer, and pulled the trigger close in front of him. The piece clicked, having no cap, and the Jailer Mr. Harrison attempted to fire on the Convict; but with exactly a similar result; the Peon from whose hands he took the musket not having capped it! He then came down to the charge, and believes he succeeded in wounding the man, who dropped his piece and ran off to the right, and was lost sight of in the darkness: a Convict was shortly after apprehended in the cooking sheds where he was concealing himself, who is supposed to be the individual who attempted to fire on the Jailer.

8. Some of the shots heard were effectual, and two men (Convicts) were shortly after dragged into the compound, one shot through the head, and the other through the back, both of whom are dead. Others were captured both inside and outside the Jail compound more or less wounded, chiefly from blows with sticks.

9. The total is two killed and four wounded.

10. On cautiously entering the precincts of the Jail, to ascertain how the outbreak had been effected, and the state of the several wards, it was found 12 Convicts had escaped out of 3 wards, and two others under trial from another.

11. As far as I have been able to ascertain by observation, and summarily questioning the Peons and prisoners at the time, and on the following morning, it would appear that a small saw of some kind must have been secreted by one of the Convicts who used to sleep under a particular window in No. 3 cell, and with it he had succeeded in cutting through the half of the sash

(which was split up the middle from the effects of wet and rust) at the bottom in two places, leaving two bars between, which were then wrenched out, thus leaving ample space for the egress of the Convicts through the aperture.

12. In the next ward No. 4, the door had been forced open, I suspect from the *outside* by the Convicts who had broken out of the other cell. The ward No. 2 was evidently so forced, after the bolts at the top and bottom had been drawn, and thus the whole of the prisoners confined in these wards, amounting to 75 men, were liberated in the Jail yard.

13. Numbers must have now collected at the west corner, as they appear to have carried the sentry box bodily, *i. e.* without dragging it, from its place to another between the corner wards and the outer wall. There they had made a rope of their cloths and cumblies, which enabled those who wished it to make their escape over the wall. The sentry box was found in the above position, and was so heavy that the posse of Peons with me were unable to bring it back again to its original site. When I visited the whole of the wards at night with the guard, we found all the Convicts remaining, inside their respective wards.

14. Fourteen prisoners in all have broken Jail, most of these I regret to say are desperate characters: two were killed by musketry, four were re-apprehended during the same night, and the remainder eight made their escape.

15. Of the two men killed No. 1 was a Convict sentenced in the aggregate *to* 16 *years*, and 4 *months*; for gang robbery, escape, uniting in the Jail, and attempting to break his irons. He came from Juggiahpetta.

No. 2 was concerned in the robbery of the Nundegaum Government Treasury, and came from the Nizam's country. His sentence was 14 years.

16. Of those wounded Nos. 1 and 2 are from Juggiahpetta, and Nos. 3 and 4 from Hyderabad.

17. Of those who escaped,

No. 1 was from Ellore.
Nos. 2 and 5 are from Hyderabad.
Nos. 3 and 4 from Tirvoor.
Nos. 6 from Juggiahpetta.

Under trial prisoners are Nos. 7 and 8, both from Juggiapetta.

If I am informed rightly, both deceased Convicts were shot by the same Peon, while the rest appear to have done little or nothing towards the re-apprehension of the run-aways, except under the immediate direction of Mr. Harrison.

18. As to the cause for the present outbreak, I can only trace it to the stringent orders enforced (only such as are sanctioned by higher authority) through the European Jailer, and the determination of the worst characters confined here, to effect their escape *under any circumstances*. It may be remarked that nearly the whole of the gang who broke Jail are Hyderabad men, or from the frontier Talooks in the direction of the Nizam's country. On the 7th December, I communicated to Government the information I then received of a threatened outbreak, and the steps taken by me to thwart it. The present outbreak has carried out exactly what was then threatened! viz. to break open their wards, to rush upon the guards, seize their arms, and effect their escape. *Stringent* orders were issued by me then to all the guards, as well as threats to the Convicts, should an outbreak be attempted. Those precautions have not been successful to the extent desired, though it is some satisfaction to know that two of the escaped Convicts have been killed by the Peon guards within a few minutes after their escape, and that others were re-apprehended without unnecessary bloodshed and violence. Still the want of discipline and energy among the Peon guard is most lamentable; as evidenced by the way in which the whole outbreak was carried out, without *reasonable* resistance being offered by a single individual *until the Jailer* appeared among them, when the chief part of the mischief was done.

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18. Privy tubs should be substituted for chatties in the privies attached to the wards.

19. In the disposal of the 16 Peons to be employed in Jails north of the Kristna, I have reserved 2 who may in consideration of the inconvenient arrangements of this Jail, for guarding, be employed at this station, making the total fixed guard up to 26 Peons.

(True Copy.)

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(True Extract and Copies.)

Chief Secretary.

To the Inspector of Prisons.
„ Department Public Works.

Exd, F, Cartledge.

Public Works 1858 Bdle
Dy to Cons: Engr
No 643.

Extract Mins: Cons:
in the Judicial Dept

Dated 19th } March
Recd 25th } /58

From the Chief Engr 22nd Apl
/58 No 1984 Viz. No 366.

Directing that the measures recommended by the Inspector of Prisons in Paras: 3, 5, 7, 12, 13 in his Memorandum on the Masulipatam Jail dated 5th May last, respecting the improvement of the defective state of the Building, with its alterations, be at once executed, and the sums required to the Department Public Works, for that purpose.

No 751. 22nd April 1858.
William Orde

No 751.

Ordered to be communicated to the Chief Engineer in view to the necessary instructions being issued to the District Engineers of Masulipatam and Guntoor to proceed at once with the works intended for the security of the Jails at those Stations, forwarding in the meanwhile Estimates for sanction.

Fort St George
22d Apl 1858

J. Cosserat to the Chief Engr Dept

No 1846

c 31 Much