

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1520	Press ~~Mis.~~
	39-40	
Dated	25/10/58	

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 29th October 1858.

No. 39. Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to T. PYCROFT, Esq., Chief Secretary to the Government of Fort St. George, dated Ootacamund, 11th October 1858, No. 416.

SIR,

I have the honor to forward a recommendation received from the Sessions Judge of Cuddalore for a remission of 2 years of the unexpired portion of the sentence passed on Iyahthooray, who is stated by the Sessions Judge to have materially assisted in the capture of a prisoner, who, through the gross and culpable negligence of his guards, was allowed to escape while at work. I have since ascertained from the sentence that he was the captor of the escaped Convict and from the bad character of the latter and his repeated escapes and eluding of the Police, I am induced to second the recommendation of the Sessions Judge.

2. In reference to the 3rd para. of Mr. Ellis' letter, I have desired that the Peon be placed on his trial for culpable negligence under Clause first, Section XI, Regulation XIII of 1832.

From GEORGE ELLIS, Esq., Acting Session Judge of Cuddalore; to J. ROHDE, Esq., Inspector of Prisons, dated 23rd June 1858, No. 143.

SIR,

I have the honor to report for your information, the escape on the 27th May last, of a Convict belonging to the Jail under my charge, while at work near the Flag-staff at old Town Cuddalore; and his recapture almost immediately.

2. On the day in question the Convict was one of a gang employed near the Flag-staff. He with another Convict was placed under charge of a Jail Peon, and detached to a work at a little distance from the main body. In the course of the day he would appear to have obtained permission of his guard and retired a little out of sight, for, it is alleged, necessary purposes. When alone and unperceived, he managed to free himself of his manacles and to divide the chain fastened to his legs; at the bar a very short distance from the Flag-staff, he found a canoe in which he crossed. By this time his escape was discovered by the Peon in charge of him, the alarm was given, and a pursuit taking place, his capture immediately ensued, at which it has to be stated that a Convict named Iyahthooray materially assisted.

3. That there has been any connivance on the part of the Peon, does not appear likely, at least no evidence of the fact is forthcoming, so as to justify his being put on trial, but that there has been gross neglect of his duty, admits not of the slightest doubt. I therefore directed his dismissal from the service.

4. In regard to the conduct of the Convict to whom I have alluded, I think it not only due to him, but also with the view that it may stimulate others to a like course, in similar contingencies, that he should receive some recognition for the service he has rendered.

5. This Convict is now undergoing a sentence of 14 years' imprisonment, of which 8 years and 6 months have expired. His conduct in Jail has not been irregular, and the charge against him was gang robbery.

6. I would under such circumstance propose that a recommendation be submitted to the proper authority on his behalf for the remission of 2 years of his sentence.

7. The runaway I beg to add was since tried and sentenced under Act V of 1858, to transportation for life.

8. In explanation of the delay in making this report, I have to state that I was waiting the conclusion of the trial of the Convict in order to ascertain whether any fact might have been elicited in the course of it rendering it necessary to put the Peon on his trial for connivance at the escape.

No. 40. ORDER THEREON, No. 1500; dated 25th October 1858.

Under the circumstances represented in the foregoing communication, the Governor in Council is pleased to remit two years of the unexpired portion of the sentence passed on the Convict Iyahthoray, now a prisoner in the Jail at Cuddalore:

2. The Government approve of the proceedings of the Inspector of Prisons as reported in para. 2.

(Signed) T. PYCROFT,
Chief Secretary.

Mr 1500.

Under the circumstances represented
in the foregoing communication, the
Governor in Council is pleased to remit
two years of the unexpired portion of
the sentence passed on the Council
Syahthoray, now a prisoner in the
Gaol at Cuddalore.

The Govt. approve of the proceed-
ings of the Inspector of Prisons as
reported in para 2.

For G. George }
25 October 1858. }

J. P.

Copy to Inspector of Prisons }
" Fongdam Udakul. } Sep 28th