M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1609 Press
~~Mis.~~

51-52

Dated 26-11- 1859

3/4.

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, for the month of November 1859.

No. 51. Read the following letter from G. F. FULLERTON, Esq., Officiating Register to the Court of Foujadaree Udalut; to T. PYCROFT, Esq., Chief Secretray to Government, dated 24th November 1859, No. 29.

1. I am directed by the Judges of the Foujdaree Udalut to submit for the consideration of Government the case of Sevanandy and ten others convicted, in Calendar No. 43 of 1859, on the file of the Session Court of Tinnevelly, of *escape*, while undergoing sentence of imprisonment for Gang-robbery, and sentenced, under the provisions of Act V of 1858, to transportation; which sentence admits of no modification by this Court.

2. The prisoners, it appears, on one of the doors of the Jail being opened, made a rush and effected their egress; they were afterwards again apprehended, but no violence is alleged to have been committed by them either in effecting their escape, or in resisting their subsequent re-capture.

3. The Session Judge has declined to recommend any mitigation of sentence, unless accompanied by an award of 100 lashes to each prisoner. As the Judges are of opinion that such an alteration in the nature of the punishment would be illegal, they cannot advise its adoption; but as the circumstances attending the *escape* do not appear to them to call for the severe penalty imposed under the Act, they would recommend that Government be pleased to reduce the sentence to one of three years' imprisonment, to take effect from the date of the expiry of the original sentence.

No. 52. ORDER THEREON, 26th November 1859, No. 1609.

Under the provisions of Act XVIII, 1855, the Honorable the Governor in Council, is pleased to commute the sentence of transportation passed against the eleven prisoners in question, into one of imprisonment for three years, to take effect from the date of expiry of the original sentence.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 1609. 26th Novr. 59.

Under the provisions of Act XVIII – 1855, the Honble the Governor in Council is pleased to commute the sentence of transportation passed against the eleven prisoners in question, into one of imprisonment for three years to take effect from the date of expiry of the original sentence.

The Fouzdari Adalat.
" Inspector General of Jails.

Dispd 29th

24th November, 1859.

Your most obed.t serv.t,

George F. Tillotson
Offg. Regist.

Enclosed
E. Sandlauer.