

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	882	Press ~~Mis~~
Dated	29. 5. -	1867

305-306

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
29th May 1867.*

No. 305. Read the following letter from the Inspector General of Jails, to the Chief Secretary to Government, Fort Saint George; dated Madras, 14th May 1867, No. 26.

On the night of the 17th July 1866, two Hill Convicts of the Sowrah tribe made their escape from the temporary Jail at Vizagapatam, by getting through the brushwood fence by which it was enclosed. The alarm having been given, the guard immediately went in pursuit, but, the night being dark, one man succeeded in getting clear off; the other, paying no attention to the calls to stop, was shot by the Police, and died in a few minutes. The Superintendent of the Jail, in reporting the circumstance, stated that he believed the sentries had failed in their duty, and that both prisoners would have escaped had not the alarm been given by a convict, named Pydeegadoo, then employed as a Hospital Orderly, and whom he recommended as deserving of some reward on that account.

2. From the report of the Deputy Inspector General of Police which was sent to me for perusal, it appeared that the two men had been taken out of the Hospital shed, about 11 p. m., by a Constable, for the purposes of nature, and that, as the night was dark, and the Constable not very watchful, the Convicts escaped by creeping through the fence, but were instantly pursued by the Police. The Police authorities did not consider it necessary under the circumstances to prosecute the Constable, but he was dismissed.

3. When I visited the Jail in February last, the convict in question, who was sentenced, on the 20th November 1854, to fourteen years' imprisonment with hard labor, for gang robbery, requested that he might be granted a remission of his sentence, as a reward for services rendered by him as a Hospital Orderly in July and August 1866, when the Jail was visited by Cholera. The Superintendent then informed me that the convict had rendered great assistance at the time in question, and that the same would have then been brought to notice had it not been that the man did not wish to leave the Jail, probably owing to the scarcity which at that time prevailed. I have, therefore, the honor to submit, for favorable consideration, either that the whole, or such part, of the remaining 18 months of his sentence, as is thought fit, may be remitted. The reports of the Superintendent are herewith forwarded.

4. I did not forward the first report of the Superintendent at the time, as I did not think it sufficiently clear that the convict was entitled to any remission for service at the time of escape, and it will be observed that the fact of his having been the first to give the alarm has been disputed by the Police, but I see that I ought to have submitted the matter at once for the orders of Government, and regret the omission.

From Assistant Surgeon C. A. ANDREWS, Superintendent of Jail, Vizagapatam, to the Inspector General of Jails, Ootacamund; dated Vizagapatam, 24th July 1866, No. 28.

I have the honor to inform you that, on the night of the 17th instant, two prisoners made their escape, who were under sentence of imprisonment for seven years, by scaling the hedge which surrounds the temporary Jail. A Hospital Orderly gave the alarm to the sentry, which was taken up by the guard, who immediately went in pursuit with a lighted torch, which enabled them to see the prisoners running across the field. They were ordered to stop, but, paying no attention, a Constable fired and brought one of them down, the ball having pierced his thigh and severed the main artery; he died in a few minutes. The pursuit of the other man was continued, but he eluded the pursuers, and has not since been heard of.

2. I have requested the Deputy Inspector General of Police to have a strict inquiry made into this affair, as I think the sentries failed in their duty. These prisoners would have got clear

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away if the Hospital Orderly had not heard the clink of their chains, when they dropped on the outside of the hedge, and given notice. He is under sentence of 14 years for highway robbery, of which 12 have expired; he has always behaved himself well, and is deserving of some reward.

From Assistant Surgeon C. A. ANDREWS, Superintendent of Jail, Vizagapatam, to the Inspector General of Jails, Madras; dated Vizagapatam, 12th March 1867, No. 6.

With reference to your memorandum of observations during your recent inspection of this Jail, I have the honor to inform you that the prisoner P. Pydeegadoo, Register No. 56, referred to therein, rendered great assistance during the epidemic of Cholera last July and August, in nursing the sick, and I think the fearless and unwearied attention which he gave to the sufferers entitles him to some reward. In addition to this, he gave notice of the escape of two prisoners on the night of the 17th July 1866 (as mentioned in my letter, No. 28, of the 24th idem), who would otherwise have got off unobserved.

2. He was sentenced to 14 years' hard labor for gang robbery in 1854, and has now 20 months more to remain. During the last 6 years his conduct has been invariably good.

3. Should you, under these circumstances, feel disposed to recommend a remission of a portion of his sentence, I consider it would be an act of clemency well deserved.

From Assistant Surgeon C. A. ANDREWS, Superintendent of Jail, Vizagapatam, to the Inspector General of Jails, Madras; dated Vizagapatam, 3rd May 1867, No. 11.

With reference to your letters, Nos. 78 and 99, I have the honor to inform you that the convict Pydeegadoo was sentenced to 14 years' rigorous imprisonment on the 20th of November 1854.

2. The Police naturally dispute the fact of this man having given the first alarm, but the testimony of the Dresser and several patients in Hospital, given at the time, quite convince me that he gave the alarm, and that the sentry on duty in that quarter was unconscious of what had taken place until thus informed.

3. I carefully examined the body of the man who was shot, and immediately reported the result to the Magistrate and the District Superintendent of Police.

4. The cause of death was hemorrhage from laceration of the femoral artery, produced by a bullet passing through the thigh. I enclose the proceedings of the inquiry instituted by the Magistrate in this matter. The Police authorities, I am informed, have no record of any proceedings taken by them.

From D. F. CARMICHAEL, Esq., Magistrate of Vizagapatam, to the Superintendent of Jail, Vizagapatam; dated Vizagapatam, 24th April 1867, No. 84.

I beg to acknowledge your No. 38 of 20th April instant, asking for "a copy of the verdict given at the Inquest" in the case of the Sowrah prisoner who was shot by the Police guard, while endeavouring to escape, on the night of the 17th July last.

2. In reply, I have the honor to state that, immediately on receiving your report of the occurrence, I desired the Assistant Magistrate to visit the Jail and hold an inquiry, reporting the result.

3. Mr. Horsburgh did so. After describing the facts of the case, he came to the conclusion that the "Police were justified in having made use of their muskets," and in that opinion I concurred.

No. 306. ORDER THEREON, 29th May 1867, No. 882.

Under the circumstances represented in the foregoing letter, His Excellency the Governor in Council is pleased, under Section 54 of the Code of Criminal Procedure, to remit the unexpired portion of the sentence passed upon the convict P. Pydeegadoo, now in confinement in the Jail at Vizagapatam.

(True Extract).

Chief Secretary.

To the Inspector General of Jails, with enclosures, returned.
Edw. J. H. Burns.

Judicial DEPARTMENT.

No. 1102.

From The Inspector General of Jails

Dated 11th May 1867.

FOR ORDERS.

I think that we may let him off
a year of his time

I should be disposed to remit
the full unexpired period of sentence.
We need some one who will
willingly afford aid to cholera patients.

W.D.
I submit the opinion of Mr. Phillips
N.

29 May 1867 No. 882. 130
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To the Inspector General
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 with enclosure

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