M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 226	Press Mis.
14-15	
Dated 22-2-~~15~~ 1858	

Not to be folded or roughly handled

No. 14. Read the following letter from JOHN JAMES FRANKLIN, Esq., Sheriff of Madras; to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 12th February 1858, No. 11.

SIR,

I have the honor to submit for the consideration of the Right Honorable the Governor in Council, the accompanying Petition from Martin Murphy, who was on the 8th October 1855 sentenced by Her Majesty's Supreme Court at Madras to transportation for life.

The prisoner prays that his sentence may be carried into effect.

To the Right Honorable GEORGE FRANCIS ROBERT LORD HARRIS, Governor in Council, Fort St. George.

The humble Petition of Martin Murphy, a prisoner in Her Majesty's Criminal Goal, under sentence of transportation for life.

SHEWETH,

That he is a prisoner in the Goal aforesaid, committed by Her Majesty's Supreme Court on the 8th October 1855, under 9, George the 4th, Chapter 14th, Section 29th, for transportation beyond seas to such place as Her Majesty may appoint for the term of his life; he was tried, found guilty and sentenced for having shot, one Patrick Neil, with intent to murder. He submits to Government's consideration, *that the Act of Penal Servitude, was published and came into operation in India in November* 1855, *that is, 22 days after his sentence of transportation by Her Majesty's Supreme Court, and thereby he is considered out and not within the said Act,* he is a prisoner in the Goal aforesaid, for the last 28 months, without the appointment of any place for transportation, and it is supposed that no such appointment will be expected but that he is to end his days in the Goal aforesaid.

That if he was under the sentence of the said Supreme Court, been transported by this period of time, *he would have obtained his liberty under the Ticket Relief,* and the imprisonment is a restriction to him, his general conduct was always good, and during his service for the last 9 years in the Regiment, he was only once subject to a Court Martial. He has been within the last twelve (12) months repeatedly in hospital under treatment for spitting of blood and is greatly impaired in his health, so a removal and change of air would be necessary, for which the Goal Surgeon is ready to furnish a certificate, to that effect if requisite, and for further satisfaction of Government, he submits the undermentioned from gentlemen who know him, and safely testifies as to his conduct, he is willing and desirous to volunteer in any of the Regiments, and proceed on foreign or field service.

Wherefore your petitioner under the restriction he endures, begs the Government will take his lamentable case into consideration and do something, so as to alleviate his present distressed condition, and your petitioner as in duty bound shall ever pray.

(Signed) MARTIN MURPHY.

No. 15. ORDER THEREON, No. 226; dated 22nd February 1858.

The Sheriff will inform Martin Murphy that his application cannot be granted.

He will be removed to another Prison, in a climate more congenial to the European constitution, when arrangements can be made for the purpose.

(Signed) T. PYCROFT,
Chief Secretary.

Ed. J. Cartledge.

No 22b

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He will be removed to another prison in a climate more congenial to the European Constitution when arrangements can be made for that purpose.

Fort St George 2 March 1858

Sheriff 1 Disp. 24

Madras

Jyc