M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1824

Press
~~Mis.~~

35-42

Dated 5 – 11 – ~~19~~ 1832

6/7

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 5th November 1862.

Read the following papers :—

No. 35. From B. BROOKS, Esq., Deputy Clerk of the Crown ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 25th August 1862.

I have the honor to forward by the direction of the Honorable Sir Colley Harman Scotland, Knight, Chief Justice, a duplicate of an Order and a copy thereof made by His Lordship upon the requisition of His Excellency Lieutenant General Sir James Hope Grant, G. C.B., Commander-in-Chief, for the intermediate custody of Private Peter Cummins of Her Majesty's 17th Lancers, to the Penitentiary at Madras, therein to remain until his sentence of Penal Servitude shall be carried into effect in due course of Law, and a Statement (in duplicate) containing the date of the trial of the abovenamed individual.

No. 36. From B. BROOKS, Esq., Deputy Clerk of the Crown ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 29th August 1862.

With reference to my letter of the 25th instant, I have the honor to forward a copy (in duplicate) of the Descriptive Register of Private Peter Cummins of Her Majesty's 17th Regiment of Lancers, who has been sentenced by a General Court Martial to Penal Servitude.

No. 37. From B. BROOKS, Esq., Deputy Clerk of the Crown ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 4th September 1862.

I have the honor to forward by the direction of the Honorable Sir Colley Harman Scotland, Knight, Chief Justice, a duplicate of an Order and a copy thereof made by His Lordship upon the requisition of His Excellency Lieutenant General Sir James Hope Grant, G.C.B., Commander-in-Chief, for the intermediate custody of Private John Dockerty of Her Majesty's 1st Battalion 18th Royal Irish Regiment, to the Penitentiary at Madras, therein to remain until his sentence of Penal Servitude shall be carried into effect in due course of Law, and a Statement (in duplicate) containing the date of the trial of the abovenamed individual.

No. 38. From B. BROOKS, Esq., Deputy Clerk of the Crown ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 20th September 1862.

With reference to my letter of the 4th instant, I have the honor to forward a copy (in duplicate) of the Descriptive Register of Private John Dockerty of Her Majesty's 1st Battalion 18th Royal Irish Regiment, who has been sentenced by a General Court Martial to Penal Servitude.

No. 39. From B. BROOKS, Esq., Deputy Clerk of the Crown ; to T PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 17th September 1862.

I have the honor to forward by the direction of the Honorable Sir Colley Harman Scotland, Knight, Chief Justice, a duplicate of an Order and a copy thereof made by His Lordship upon the requisition of His Excellency Lieutenant General Sir James Hope Grant, G. C. B., Commander-in-Chief, for the intermediate custody of Color Serjeant George Fraser of Her Majesty's 1st Battalion 1st Royals, to the Penitentiary at Madras, therein to remain until his sentence of Penal Servitude shall be carried into effect in due course of Law, and a Statement (in duplicate) containing the date of the trial of the abovenamed individual.

No. 40. From B. BROOKS, Esq., Deputy Clerk of the Crown ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 4th October 1862.

With reference to my letter of the 17th ultimo, I have the honor to forward a copy (in duplicate) of the Descriptive Register of Serjeant George Fraser of Her Majesty's 1st Battalion 1st Royal Regiment, who has been sentenced by a General Court Martial to Penal Servitude.

Proceedings of the Madras Government, Judicial Department, 5*th November* 1862.

No. 41. From Lieutenant Colonel W. J. WILSON, Commissioner of Police; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated 1st November 1862, No. 127.

Judicial Department, dated 15th June 1862, No. 785.

*1. Peter Cummins, Private H. M.'s 17th Lancers, 4 years.
2. John Dockerty, Private H. M.'s 18th R. I. Regiment, 10 years.
3. George Fraser, Serjeant, the Royal Regiment of Foot, 7 years.

With reference to the Extract from Minutes of Consultation noted in the margin, I have the honor to report, for the information of His Excellency the Governor in Council, the arrival of three* Military Convicts, two from Secunderabad and one from Trimulgherry, this day under sentence of Penal Servitude.

2. The original Commitments and Descriptive Rolls of the Prisoners are herewith forwarded.

No. 42. ORDER THEREON, 5th November 1862, No. 1,814.

The Superintendent of Marine will provide passage to England for the three Military offenders arrived at the Penitentiary.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

(Sigd) [illegible]

entitled [illegible] ing and desertion and [illegible]
[illegible] time and their [illegible]
[illegible] of Penal
hereafter [illegible] Offender by any Court Martial
in the East Indies [illegible] of Her Majesty's [illegible]
or elsewhere beyond the seas, is to be carried [illegible] for the
specified in [illegible]
Death passed by any [illegible] Court Martial has been
[illegible] to penal servitude [illegible] shall be notified
Officer Commanding [illegible] Forces at the Presidency or st[illegible]
[illegible] Offender [illegible] come or be, or in his absence
General [illegible] the time being, to some Judge of
[illegible] dicature in the East [illegible] of Just[illegible]
other [illegible] may be [illegible] Majesty's [illegible]
who shall make order for the Penal Servitude [illegible] intermediate Cust[illegible]
Offender; and upon any [illegible] shall be duly notified [illegible]
the Governor of the Presidency [illegible] East Indies, or to the Gover[illegible]
Colony if in any of Her Majesty's Colonies or to the person [illegible]
time being be exercising the Office of Governor of such Presidency [illegible]
[illegible] of such notification, shall cause such Offender to be
sent to [illegible] lony or place [illegible] undergo his [illegible]
[illegible] dency or Col[illegible] the Offender [illegible]
come or be as aforesaid [illegible] to the directions for the [illegible]
treatment of Convicts, which shall from time to [illegible]
[illegible]
such Presidency [illegible] Colony and [illegible] ~~[illegible]~~ shall
directions undergo

Sentenced [illegible]

sentenced, or in the Colony or place to which he [illegible]

[illegible] whilst such sentence shall remain in force [illegible] be liable to be Imprisoned, and kept to hard labour, and otherwise dealt with under such sentence in the same manner as if he had been sentenced to be Imprisoned with hard labour during the term of his Penal servitude, by the judgment of a Court of Competent [illegible] such Presidency [illegible] the Colony [illegible] which he has [illegible]

And Whereas Private [illegible] Cummins Regimental [illegible] One hundred and Eighty [illegible] the Eighty [illegible] Her Majesty's seventeenth [illegible] was [illegible] lowing [illegible] for having at [illegible] day of [illegible] One Thousand Eight hun[illegible] Henry [illegible] execution of [illegible] ing [illegible] the follow[illegible] ing at Secunderabad [illegible] about the [illegible] said [illegible] and Sixty Two, when brought before the Officer Commanding [illegible] at the Orderly Room, made use of the follow[illegible] subordinate [illegible] to him. I wish [illegible] give me four Years Penal Servitude [illegible] rid of me out of this Regiment or words to that effect. Second [illegible] in having at [illegible] and place when ordered to be [illegible] to the Guard Room [illegible] used the following threat[illegible] against Brevet Serjeant Henry Bennett of the same R[illegible] I wish [illegible] Serjeant Bennett I will do so if one [illegible]

[redacted] Martial holden at [illegible] General [illegible] [illegible]derabad

Secunderabad on the said Sixteenth day of July One Th[illegible] hundred and Sixty Two of the First Charge and of th[illegible] the first Instance and also of the Second Charge [illegible]

And Whereas the said Private Peter Cummins wa[illegible] said General Court Martial to penal servitude f[illegible] Whereas a notification in writing of the aforesaid [illegible] of the said Private Peter Cummins hath, by His [illegible] General Sir James Hope Grant G. C. B. Comma[illegible] said Presidency been made to me the Honorable [illegible] Scotland Knight Chief [illegible] the Supreme Co[illegible] at Madras aforesaid, pursuant to the directions [illegible] Conta[illegible] It is therefore Ordered by me that the [illegible] Cummins be removed and sent, as soon as Conve[illegible] to the Penitentiary at Madras, as the place of [illegible] and for the said Private Peter Cummins there [illegible] until duly [illegible] such place as the Hon[illegible] in Council may be pleased to appoint and Signi[illegible] Peter Cummins for the residue of the term of his [illegible]

Given under my hand at Madras in the [illegible] Day of August in the year of our Lord One [illegible] and Sixty Two.

(Signed) B Brooks

Exd
A

sentenced, or in the Colony or place to which he has been so removed or sen
and whilst such Sentence shall remain in force shall be liable to be Imprisoned, and kept to hard labour, and otherwise dealt with under such sentence in the same manner as if he had been sentenced to Imprisonment with hard labour during the term of his Penal servitude by the Judgment of a Court of Competent Jurisdiction in such Presidency in the Colony or place to which [illegible]

And Whereas Private Peter C[illegible] Regimental Number One hundred and Eighteen in the Eighth [illegible] Troop of Her Majesty's seventeenth [illegible] of Lancers, was [illegible] Court [illegible] Secunderabad [illegible] sixteenth day of July One Thousand [illegible] on the following Charges. First For having at [illegible] the ninth day of June [illegible] thousand Eight hundred [illegible] with a drawn sword [illegible] Provost [illegible] Bennett of the [illegible] Regiment [illegible] his Officer [illegible] Second For [illegible] and Military discip[illegible] the following [illegible] instance for having at Secunderabad on or about the [illegible] thousand Eight hundred and Sixty two, when brought before the [illegible] Regiment at the Orderly Room made use of the following insubordinate language to him. I wish you [illegible] me four Years Penal Servitude and get rid of me out of this Regiment [illegible] words to that effect. Second instance in having at the same time [illegible] place when ordered to be marched to the Guard Room [illegible] the escort [illegible] the following threats of violence against Provost Serjeant [illegible] Bennett of the same R[illegible] saying I wish I [illegible] killed Serjeant Bennett I will do so it [illegible]

Secunderabad on the said Sixteenth day of July [illegible] hundred and Sixty two of [illegible] Charge [illegible] the first Instance and also of the Second Charge And Whereas the said [illegible] said General Court Martial to Penal Servitude Whereas a notification in writing of the aforesaid C[illegible] of the said Private Pete[illegible] General Sir James Hope Grant K.C.B. [illegible] said Presidency been made [illegible] Honorable [redacted] Scotland Knight Chief Justice of the Sup[illegible] at Madras aforesaid, pursuant [illegible] Contained. It is therefore Ordered by me [illegible] the Cummins be removed and sent, as soon as [illegible] to the Penitentiary at Madras, as the place [redacted] and for the said Private Peter Cummins, there [illegible] duly [illegible] to such place as the [illegible] in Council may be pleased to appoint [illegible] Peter Cummins for the residue of [illegible]

Given under my hand at Madras in the [illegible] Day of August in the year [illegible] Lord [illegible] and Sixty Two.

(Signed) [illegible]

Exd
A.

[illegible] Clerk of the C[illegible]

3

sand Eight
Charge in
the Second instance
Sentenced by the
four Years. And
viction and Sentence
Excellency Lieutenant
Chief in the
Sir Colley Harman
of Indicature
the said Act
said Private Peter
ently may be
mediate Custody of
remain in Custody
the Governor
ly for the said Private
foresaid Sentence
Indies this 23rd
thousand Eight hundred
A True Copy.

No. 6 Letter to Eng d/13th January
331 of 1863

(Sd.) C. H. Scotland

L.S.

by fifth Year Reign Her Majesty Victoria ishing Mutiny and Army and the Marines ...

raymen Army and the Marines

Sentence of Penal Servitude

or hereafter passed upon any Offender by any Court Martial

East Indies, or in any other part of Her Majesty's Foreign Possessions beyond the Seas is to be carried into execution for the term specified in such Sentence or any Shorter Sentence of

passed by any such Court Martial

be commuted to Penal the same shall be notified by the

Commanding Her Majesty's Forces at the Presidency Station where the Offender may come. Absence by the Adjutant General Judge of

Judicature in the East Indies, the Chief Justice

may be, in any part of Her Majesty's Foreign Dominions, who shall

Penal Servitude immediate Custody of

and upon any such Order being made it shall be duly notified to the Governor of the Presidency in the East Indies to the of the Colony if in any of Her Majesty's Colonies, or to the person for the time being be exercising the Office of Governor of such Presidency or Colony who on receipt notification shall cause such Offender to

other Colony or place, to undergo his Sentence within the Presidency or Colony where the Offender

Obedience to the directions

transmitted from Her Majesty

Presidency

Colony such Offender shall according to such di [redacted]

Sentence of Penal Servitude shall have been

in the Colony

[illegible] place to which he has been so removed or sent and whilst such Sentence
shall remain in force will be liable to be Imprisoned and kept to hard
labour and otherwise dealt with under such Sentence [illegible] the same manner
as if he had been Sentenced to be Imprisoned with hard labour during
the term of his Penal Servitude, by the Judgment of a Court of Competent
Jurisdiction in such Residency or Colony or in the Colony or place to which
[illegible] removed or sent respectively. And Whereas [illegible]
Sergeant George Fraser Regimental Number Two Thousand Eight hundred
and Eighty Nine, in Number Nine, C. or Captain James Creagh's Company
of Her Majesty's First Battalion First Royal [illegible] a General
Martial [illegible]
Thousand Eight hundred and Sixty [illegible] found Guilty upon
following Charges [illegible] Charge that he George Fraser at Secunderabad
during the [illegible] of July One Thousand Eight hundred and Sixty One, being
[illegible] Soldier serving in the Territories of His Highness the [illegible]
Hyderabad [illegible] feloniously did [illegible] Murthie King, Private
Number Nine or C Company of the same Battalion as an acquittance
for the sum of Rupees ten in the Savings Bank Ledger and Savings Bank
Form Number Two of that Company with intent thereby to defraud,
by which means he, as Pay Sergeant of the said Company, withdrew from
the Savings Bank and appropriated to his own use the sum of Rupees
ten belonging to the said Murthie King. Second Charge [illegible]
George Fraser [illegible] during the month of November One
Thousand Eight hundred and Sixty One being then and there a Soldier
serving in the Territories of His Highness the Nizam of Hyderabad,
feloniously did forge the signature of Richard Snelling, Lance Sergeant
of Number Nine or C Company of the same Battalion as an acquittance
for the sum of Rupees Sixty in the Savings Bank Ledger and Savings Bank
[illegible]
[illegible] Bank and appropriated [illegible] own use
[illegible] belonging

belonging to the said Richard Snelling Third Charge That he [illegible]
at Secunderabad during the month of January
[illegible] Sixty two [illegible] there
Territories of His Highness the [illegible] Hyderabad, feloniously [illegible]
forge the signature [illegible] Dawson [illegible]
Company of the [illegible] Battalion [illegible] acquittance [illegible]
[illegible]
Bank Form Number two [illegible] Company with intent thereby to
defraud; [illegible] Pay Sergeant of the said Company with
drew from the Savings Bank and appropriated to his own use
of Rupees eleven Annas two, Pice six belonging to the said Dawson
[illegible] And Whereas the said Color Sergeant George Fraser was
Sentenced by the General Court Martial to be reduced to the
Ranks and to penal Servitude for Seven Years. And Whereas
the said Sentence was revised by the said General Court Martial
and the said Color Sergeant George Fraser was Sentenced by the
said General Court Martial to penal Servitude for Seven Years
and which said revised Sentence was confirmed by the Governor
in Council And Whereas a notification in writing of the aforesaid
[illegible] Sentence of the said Color Sergeant George Fraser
[illegible] Excellency [illegible] General Sir James H. Grant
[illegible] K.C.B. Commander [illegible]
The Honorable [illegible] Collett [illegible] Knight [illegible]
of the High Court of Judicature at Madras aforesaid pursuant
to the provisions [illegible] Act Contained [illegible] therefore [illegible]
[illegible] George [illegible]
[illegible] lly made [illegible] tiary [illegible] Madras.
as the [illegible]
[illegible] Custody [illegible] removed to such
[illegible] Honorable [illegible] Governor in Council [illegible] caused
appoint and [illegible] Color Sergeant George Fraser
[illegible] sidue

residue of the term of the aforesaid Sentence. Given under my hand at Madras in the East Indies this Fifteenth day of October in the Year of our Lord One Thousand Eight hundred and Sixty two.

Exd
C.A.

B. Brooks

A true Copy

B Brooks
Deputy Clerk of the Crown

List. Judicial.

Proceedings of the Madras Govt.

Read the following letters—

~~From the clerk~~
of the Crown—Inter—
25th & 29th Augt. '62,
4th & 20th Sep. —, 8
17th Sep. & 4th Oct. —.

" the Commr. of Police —— 1st Novr. '62 No. 127.

Order— No. 1814 d/ 5th November 1862.

The Suptdt. of Marine will provide passage to England for the three Military Offenders arrived at the Penitentiary.

The Commr. of Police.
" Suptdt. of Marine. } despd 6th

etter to Engd/13th Jany. 1

[illegible] Govr.

Judl. 1862 Department.

No. 1814.

PROCEEDINGS OF GOVERNMENT,

Dated 5th Novr. 1862

Fe No. 2550.

Directing the Supt. of Marine to provide passage to England for the 3 Insf Offenders P. Cummins, J. Dockerty & George Fraser.

Madras—Printed at the Government Press

35(a) 42