M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 219 Press ~~His.~~

87-89

Dated 12. 2. 1862 ~~19~~ .

6/6

Not to be folded or roughly handled

Ons

Proceedings of the Madras Government, Judicial Department,
12th February 1862.

Read the following papers :—

No. 87. From J. B. NORTON, Esq., Clerk of the Crown; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 5th February 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 James Gleeson, Regimental Number 2,766 in the C. or Captain (Brevet Major) Cockburn's Company of Her Majesty's 43rd Regiment Light Infantry, 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.

I have also to forward (in duplicate) a copy of the Descriptive Register of the abovenamed offender, forwarded to me by the Deputy Adjutant General Her Majesty's British Forces.

No. 88. From Major W. J. WILSON, Commissioner of Police; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 5th February 1862, No. 12.

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, that I have this day received a Military Convict* under sentence of Penal Servitude for 4 years.

Judicial Department, dated 15th June 1858, No. 785.

* James Gleeson, Private Her Majesty's 43rd Regiment Light Infantry.

2. The original Descriptive Roll of the Prisoner and commitment are herewith forwarded.

No. 89. ORDER THEREON, 12th February 1862, No. 219.

The Superintendent of Marine will provide passage to England for the Military offender, Private James Gleeson, Her Majesty's 43rd Regiment under sentence of Penal Servitude.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

H. Scotland

L.S.

Whereas in and by an Act of Parliament passed in the Twenty fourth Year of the Reign of Her Majesty Queen Victoria entitled an Act for punishing Mutiny and desertion and for the better payment of the Army and their Quarters It was among other things enacted that whenever any sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court Martial holden in the East Indies, or in any other part of Her Majesty's Foreign Dominions or elsewhere beyond the seas is to be carried into execution for the Term specified in such sentence or for any shorter term, or when sentence of Death passed by any such Court Martial has been or shall as aforesaid be commuted to penal servitude the same shall be notified by the Officer Commanding Her Majesty's Forces at the Presidency or station where the Offender may come or be, or in his Absence by the Adjutant General for the time being to some Judge of one of the Supreme Courts of Judicature in the East Indies or the Chief Justice or some other Judge as the case may be in any part of Her Majesty's Foreign Dominions who shall make order for the penal servitude or intermediate custody of such offender and upon any such order being made it shall be duly notified to the Governor of the Presidency if in the East Indies, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the person who shall for the time being be exercising the Office of Governor of such Presidency or Colony, who on receipt of such notification shall cause such Offender to be removed or sent to some other Colony or place or to undergo his sentence within the Presidency or Colony where the Offender was so sentenced, or where he may come or be as aforesaid in obedience to the directions for the removal and treatment of Convicts, which shall from time to time be transmitted from Her Majesty through one of Her Principal Secretaries of state to such Presidency or

Colony

Colony and such Offender shall according to such directions undergo the sentence of Penal servitude which shall have been passed upon him either in the Presidency or Colony in which he has been sentenced or in the Colony or place to which he has been so removed or sent 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 be Imprisoned with hard labour during the term of his penal servitude by the Judgment of a Court of Competent Jurisdiction in such Presidency or Colony or in the Colony or place to which he has been so removed or sent respectively. And Whereas Private James Gleeson Regimental Number Two Thousand Seven hundred and Sixty Six in the C, or Captain (Brevet Major) Cockburn's Company of Her Majesty's Forty Third Regiment Light Infantry was tried by General Court Martial holden at Fort Saint George, in the Tenth day of January One Thousand Eight hundred and Sixty Two and found Guilty upon the following Charges "For Conduct to the prejudice of good order and Military discipline in the following instances. First instance In having at Fort Saint George, Madras, on the Tenth day of December One Thousand Eight hundred and Sixty one, unauthorizedly taken his Rifle from the Arm-rack in which it was lodged, and made use of the following highly insubordinate and threatening language, namely "I'll shoot Major Booth and Adjutant Garland" or words to that effect "Second instance In having at the same time and place unauthorizedly taken from the possession of [illegible] another Rifle from the store room of his Company and on being deprived of it made use of the following highly insubordinate obscene and threatening language, namely I'll soldier no more, I'm buggered

If

If I wont shoot the Major and the Adjutant, the same as that man did at home I'll make another Prestow job of it" or words to that effect "Third instance" In having, at the same place, and on the ninth day of December One Thousand Eight hundred and Sixty one when brought before his Commanding Officer Major Henry Jackson Parkin Booth, for the Offences set forth in the first and Second instances of the Charge, on being remanded for trial by Court Martial, addressed the following Insulting and obscene language to the said Major Booth, namely "I dont care a bugger whether you do or not, you black looking sod. To Hell with you and your Court Martial, you black looking son" or words to that effect. The above being in breach of the articles of War. And was also tried and found Guilty upon an additional Charge "For having at Fort Saint George, Madras, on the Twenty sixth day of December One Thousand Eight hundred and Sixty One, when a prisoner confined in the Barrack Guard of his Regiment for the Offences set forth in the foregoing charge, disobeyed the lawful Command of his superior Officer Color Sergeant Frederick Egan, Her Majesty's Forty Third Light Infantry, when ordered to turn out for exercise, in forthwith refusing to do so" The above being in breach of the articles of War. And Whereas the said Private James Gleeson was sentenced by the said General Court Martial to Penal Servitude for four Years. And Whereas a notification in writing of the aforesaid conviction and sentence of the said Private James Gleeson hath by His Excellency Lieutenant General Sir James Hope Grant G. C. B. Commander in Chief in the said Presidency been made to me The Honorable Sir Colley Harman Scotland, Knight Chief Justice of the Supreme Court of Judicature at Madras aforesaid pursuant to the directions in the said Act contained. It is therefore ordered by me that the said Private James Gleeson be removed and sent as soon as conveniently may be to the Penitentiary at Madras as the place of intermediate custody of and for the said Private James Gleeson there to remain in custody until duly

duly removed to such place as the Honorable the Governor in Council may be pleased to appoint and signify for the said Private James Gleeson for the residue of the Term of his aforesaid Sentence). Given under my hand at Madras in the East Indies this First — day of February in the year of our Lord One Thousand Eight hundred and Sixty Two.

Ex.d

(Signed) B. Brooks

Dy. Clerk of the Crown

A True Copy

Illegible.

Dy. Clerk of the Crown

Proceedings of the Madras Govt.

Read the following letters —

From the Clerk of the Crown — Enter 5th Feb.y 62.

" the Commr. of Police — 5 do — No. 12.

Order — 219 — 9/12 Feby/62.

The Supdt. of Marine will provide passage to England for the Mily. offenders, Private James Gleeson, H. Ms. 43rd Regt., under sentence of Penal Servitude.

The Supdt. of Marine, } Desp. 12th
" Commr. of Police. }

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" Commr. of Police. }

Rec'd 6th Feby

Ind L 1862 Depth 5

From
Major Genl. H. Jn. W. Cotton
Commissioner of Police
To
T. Pycroft Esqre
Chief Secretary to Government
Fort St. George

Dated 5th Feby
Rec'd 6th } ~~January~~ 1862

No. 12

Encls. Two

No. 257

Reports he has received a Military Convict under sentence of penal Servitude & forwards the original descriptive Roll of the prisoner and Commitment.

87@89

With an Order.

Govt

Govt Ld to Engd
27th March 2e 6 of
1862.

dis. 1st Feby