

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 304

Press
~~Mis.~~

-202-

Dated

24-2-1918

6/7

Not to be folded or roughly handled

24/2/18

*Proceedings of the Madras Government, Judicial Department,
24th February 1862.*

No. 202. Proceedings of Government, dated 24th February 1862, No. 304.

Martin Murphy was convicted at the October Sessions of 1855 of shooting with intent to murder, and was sentenced to death, but the sentence was commuted by Mr. Justice Burton into transportation for life.

2. On the passing of Act XXIV of 1855, or an Act to substitute Penal Servitude for the punishment of transportation in respect of European and American Convicts and to amend the Law relating to the removal of such convicts—Martin Murphy's punishment was, according to Section 5 of that Act, changed by the Madras Government into that of Penal Servitude for life, and a Warrant to that effect signed by the President and Members of Council was lodged with the Clerk of the Crown.

3. The Government would wish for the opinion of the Advocate General whether the previous sentence of transportation can now be legally reverted to, and whether the Madras Government can therefore forward Martin Murphy to England to undergo his punishment there, or in any of the Colonies to which transported Convicts are usually sent.

(Signed) T. PYCROFT,
Chief Secretary.

Case of Martin Murphy.

Letter, 20th Oct. '55.

The Clerk of the Crown submitted the Calendar of Sentences passed by the Supreme Court at the 3rd Session of '55. Martin Murphy was found guilty of the charge of shooting with intent to murder, & was sentenced to be hanged. The sentence was, however, commuted to transportation for life.

2. No orders were passed by Court.

3. Act XXIV-55 came in to operation on the 1st Nov. '55.

Endorsement,
11th April '56 N^o: 475.

4. The Govt. of India communicated to this Govt. their letter to the Govt. of Bengal, calling attention to the 5th section of the Act, in reference to Europeans or Americans under sentence of transportation passed before the enactment of Act ~~XXIV~~ - '55, & requesting that the necessary orders might be issued for keeping such prisoners in penal servitude.

E. M. C. 15th May '56 N^o: 526.

Letter from Sheriff,
17th May '56 N^o: 29.

5. The Sheriff having reported that there was

E. M. C. 29th May '56.
N^o: 574.

Letter to Clerk.
23rd June '56 N^o: 605.

E. M. C. 22nd Feb. '58
N^o: 226.

was but one European prisoner under sentence of transportation, the Govt. requested the Advocate Genl. thro' their Solicitor, to prepare a formal order for the signature of the Governor

6. The Order directing that Martin Murphy should be kept in penal servitude for life, was forwarded to the Clerk of the Crown.

7. On 3rd Feb. '58, the Sheriff submitted a petition from Martin Murphy, praying that his sentence of transportation might be carried out. The Govt. directed the Sheriff to inform him that his application

application could
not be granted.

8. In May '59, Martin
Murphy prayed the
Govt. to grant him a
conditional pardon.
His prayer was not
granted.

Pros: 13 May '59 N^o 667.

Individual

Proceedings of
Govt 24 Feb 1862
No 304.

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To the Right Solicitor Desp. 24th

JF

ditto of 9 March

87 of 1864

Judicial 1862 Sept

No 304

Proceedings of the
Marine Government

Dated 24th Oct 1862.
Page 103.

W. G. G. G.

Regarding the opinion
of the Executive Government
the previous sentence of trans-
-position of the Marine Government
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and whether the Marine Government
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