M.R.O. 1—30,000—16-10-20

MADRAS RECORD OFFICE.

Government of Madras.

Medical DEPARTMENT.

G.O. No. 854 Press Mis=

200-203

Dated 30-5-1862

6/6

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
30th May 1862.

Read the following papers:—

No. 200. From J. B. NORTON, Esq., Clerk of the Crown; to A. J. ARBUTHNOT, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 7th May 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 Martin Quigley, Regimental Number 215 in the 6th or Captain Alfred Macdonald's Company 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. 201. From J. B. NORTON, Esq., Clerk of the Crown; to A. J. ARBUTHNOT, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 20th May 1862.

With reference to my letter of the 7th instant, I have the honor to forward a copy (in duplicate) of the Descriptive Register of Private Martin Quigley of Her Majesty's 1st Battalion 18th Royal Irish Regiment, who has been sentenced by a General Court Martial to Penal Servitude.

No. 202. From Major W. J. WILSON, Commissioner of Police; to A. J. ARBUTHNOT, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 26th May 1862, No. 54.

Judicial Department, dated 15th June 1858, No. 786.

* Martin Quigley, Private H. M.'s 18th Royal Irish Regiment.

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 a Military Convict* from Secunderabad on the 24th instant, under sentence of Penal Servitude for four years.

2. The triplicate copy of Descriptive Roll of the Prisoner, and Commitment are herewith forwarded.

No. 203. ORDER THEREON, 30th May 1862, No. 854.

The Superintendent of Marine is requested to engage a passage to England for Private Martin Quigley, 1st Battalion H. M.'s 18th Royal Irish Regiment, sentenced to Penal Servitude.

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

Exd. F. Cartledge.

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 is 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 Establishments 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 be 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 be or be 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 thereupon 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 in the East Indies
or to the Governor of the Colony in any of Her
Majesty's Colonies, or to the Person who shall
for the Time being be Executing 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 be or be as aforesaid,

and

(signed) C. A. Scotland

L.S.

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; 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 so 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 Martin Quigley Regimental Number Two Hundred and fifteen of the Eighth or Captain Alfred Macdonald's Company of Her Majesty Irish Battalion Eighteenth Royal Irish Regiment was Tried by a General Court Martial holden at Secundrabad on Tuesday the Fifteenth day of April One Thousand Eight Hundred and Fifty Two and found Guilty upon the following Charge. First For having at Trimulgherry on or about the Twentieth day of March One thousand Eight Hundred and Fifty two When a Prisoner undergoing the Sentence of District Court Martial disobeyed the lawful Command of his Superior Officer Sergeant Thomas Ble of the Said Battalion of the Royal Regiment of Foot in the following Instance. First Instance When ordered by him to take his Knapsack out of his Cart, refused to do so, saying "I will not take them on myself" or words to that effect. Second Instance When ordered by him to pipeclay his Belts refused to do so, saying I

I will not or hinder to that effect. And Whereas the said Private Martin Quigley was sentenced by the said General Court Martial to Penal Servitude for four Years to Commence at the Expiration of Imprisonment awarded him by a former Court Martial. And Whereas a Notification in writing of the aforesaid Conviction and Sentence of the said Private Martin Quigley hath by His Excellency Lieutenant General Sir James Hope Grant G.C.B. Commander in Chief of the said Presidency been made to me The Honorable Sir Colley Hammond Scotland Knight Chief Justice of the Supreme Court of Judicature at Madras aforesaid Pursuant to the directions of the said Act Contained. Now therefore Ordered by me that the said Private Martin Quigley be removed and Sent as soon conveniently may be to the Penitentiary at Madras as the place of intermediate Custody and for the said Private Martin Quigley to remain in Custody until duly Assigned to such Place as may be Thereafter Directed by the Honorable the Governor in Council may be pleased to appoint and Signify for the said Private Martin Quigley for the Residue of the Term of his aforesaid Sentence. Given under my hand at Madras in the East Indies this Seventh Day of May in the year of Our Lord One Thousand Eight Hundred and Sixty Four.

Et

John Mercer Martin

Clerk of the Crown.

the Lawful Command of his

Proceedings of the Madras Govt.

Read the following papers—

From the Clerk of the Crown — Entered 20 May 62.
" the Commr. of Police — 26 do No 54.

Order — 30 May 1862 No 854.

The Suptdt. of Marine is requested to engage a passage to England for Private Martin Quigley 1st Battalion, St. Mks. 18th Royal Irish Regt, sentenced to Penal Servitude.

The Suptdt. of Marine. } Dispd 2 June.
" Commr. of Police. }

Read Order of Govt. 30 May 1862 No 854.

The Suptdt. of Marine is requested to engage a passage to England for Private Martin Quigley 1st Battalion, St. Mks. 18th Royal Irish Regt, sentenced to Penal Servitude.

The Suptdt. of Marine. } Dispd 2 June.
" Commr. of Police. }

Judicial Letter to England d/ 22nd Oct. No. 16 of 1862 with Copy Encls.

Jud. 1862 Dept.

From
Major W. F. Williams
Commissioner of Police

To
A. J. Arbuthnot Esqre
Actg Chief Secretary to Govt.
Fort St. George

Dated 26th May 1862.
Rec'd 27th May 1862.
No. 1045 Encls. two.

Reports the arrival of a Military Convict from Secunderabad and forwards the triplicate copy of descriptive Roll of the prisoner and Consignment.

200 to 202

With an Order.