M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1605 Press ~~Mis.~~

50-52.
Dated 5-11-19 1864

5/5

Not to be folded or roughly handled

Read the following papers:—

No. 50. From J. D. MAYNE, Esq., Clerk of the Crown; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 25th October 1864.

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 Driver John Edwards of the B. Battery, 20th Brigade Royal Artillery, to the Penitentiary at Madras, there 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.

2. I beg, also, to forward (in duplicate) a copy of the Descriptive Return of this individual, as forwarded to me by the Deputy Adjutant General, Her Majesty's British Forces.

No. 51. From Lieutenant Colonel W. J. WILSON, Commissioner of Police; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 2nd November 1864, No. 111.

With reference to the Extract from Judicial Department, 15th June 1858, No. 783. Minutes of Consultation noted in the margin, I have the honor to report, for the information of the Governor in Council, that a Military convict* under sentence of Penal servitude for four years was received into the Penitentiary yesterday.

* John Edwards, Driver, B. Battery, 20th Brigade Royal Artillery.

2. The original Commitment and a Descriptive Roll of the prisoner are herewith forwarded.

No. 52. ORDER THEREON, 5th November 1864, No. 1605.

The Superintendent of Marine is requested to provide passage to England for the Military Offender, John Edwards, arrived at the Penitentiary under sentence of Penal Servitude.

(True Extract.)

Chief Secretary.

To the Superintendent of Marine.
" Commissioner of Police.

Exd. T. Cartledge.

Whe

passed in the Twenty Fifth Yea
Victoria entitled an Act for pro
the better payment of the Arm
things enacted that whenever
hereto fore or hereafter passed u
Soldier in the East Indies or
Foreign Dominions or elsewh
execution for the Term specif
term, or whereon Sentence of
has been or shall as aforesaid
shall be notified by the Offic
the Presidency or Station w
absence by the Adjutant Gen
One of the Supreme Courts of Ju
Justice, or some other Judge, a
Majestys Foreign Dominion
Servitude or intermediate Cu
order being made it shall be d

E H Scotland

L.S.

Allowance to Witness and Interpreter attending Court.

Witness on the part of the Crown, Seventeen Shillings and Sixpence for having attended on the Sixth day of June One thousand Eight hundred and Sixty four, under a Summons or Subpœna to testify before the Court.

Interpreter, Five Shillings and Sixpence for attending with the Witness as aforesaid.

Allowance to Officers of the Court.

Clerk of the Court, Five Shillings for Summons and Attendance.

Bailiff, Five Shillings for Summons and Attendance.

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 Driver John Edwards in the 13. Battery Twentieth Brigade Royal Artillery was tried by a General Court Martial holden at Wallair on the Sixteenth Day of August Anno Thousand Eight hundred and Sixty four and found Guilty upon the following Charges: First For aggravated insubordination and Conduct to the prejudice of good order and military discipline in the following instance. First instance In having at Wallair on the Fifth July Anno Thousand Eight hundred and Sixty four when paraded to receive a Corporal punishment by sentence of a District Court martial made use of the following grossly insubordinate and disrespectful language to Captain John McKenzie Macartyre Commanding the same Battery namely I was ready to strip for it last night but you you lugger were too drunk to read the orders you were Commanding the Turks the Turkishmen you well You wear two Medals Somebody else ought to wear them whenever there was anything to be done you were always under the bush or words to that effect. Second instance In having at the same time and place and on the same occasion made use of the following grossly insubordinate and disrespectful language to Lieutenant Charles William Burston of the same Battery namely and you too you lugger you gave Fifteen Rupees to your Butler to bring Women to the

Charles Smith of the same Bat
to do so saying I have already ga
good as twenty or words to that
warned for work by Bombar
would not work. And Wher
was sentenced by the said Gen
servitude for four Years and
confirmed by His Excellenc
Hope Grant G.C.B. Com
army. And Whereas a notif
conviction and Sentence of the
His Excellency the said Lieute
been made to me The Hon
Knight Chief Justice of the
Madras aforesaid pursuant to
contained. It is therefore ord
John Edwards be removed
be to the Penitentiary at
Custody of and for the said
remain in Custody until du
Honorable the Governor in
and Signify for the said D
of the Term of his aforesa
at Madras in the East In
October ____ in the Year of
hundred and Sixty four

Proceedings of the Madras Govt.

Read the following letters—

From the Clerk of the Crown ——— Enter 25th Oct. 64 No. X.

" the Commr. of Police ——— 2nd Nov. 64 No. 111.

Order — 5th November 1864 No. 1605—

The Superintendent of Marine is requested to provide passage to England for the Military Offender, John Edwards, arrived at the Penitentiary undergoing sentence of Penal Servitude.

The Suptdt. of Marine. } Agreed
" Commr. of Police }

H.S. Chitty
No. 2227

J. D.