

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 143/	Press ~~Mis~~
49-51	Dated 5-9-19 1867

2/9

Not to be folded or roughly handled

12

*Proceedings of the Madras Government, Judicial Department,
5th September 1867.*

Read the following papers :—

No. 49. From the Deputy Clerk of the Crown, to the Acting Chief Secretary to Government, Fort Saint George; dated Madras, 29th August 1867.

I have the honor to forward, by the direction of the Honorable G. H. Ellis, Acting Judge of the High Court, duplicate of an order, and copy thereof, made by His Lordship upon the requisition of His Excellency Lieutenant General Sir John Gaspard LeMarchant, G. C. M. G., Commander-in-Chief, for the intermediate custody of Privates Patrick Quinn and Richard Ruth of the 2nd Battalion, 10th Foot, and Driver Francis McEvoy of the 14th Brigade, Royal Artillery, to the Penitentiary at Madras, there to remain until their sentence of Penal Servitude shall be carried into effect in due course of law, and statements (in duplicate) containing the date of the trial of the above-named individuals.

2. I beg also to forward (in duplicate) copies of the Descriptive Return of these individuals, as forwarded to me by the Officiating Assistant Adjutant General.

No. 50. From the Acting Commissioner of Police, to the Acting Chief Secretary to Government, Fort Saint George; dated Madras, 3rd September 1867, No. 105.

With reference to the Minutes of Consultation noted in the margin, I have the honor to report, for the information of His Excellency the Governor in Council, that three Military convicts,* under sentence of Penal Servitude for five years each, were received into the Penitentiary on the 31st ultimo.

2. The original commitment and other documents of the prisoners are herewith forwarded.

3 Descriptive Rolls.

1 Proceedings of Court Martial.

1 Extract, G. O. C. C.

1 Division Order.

No. 51. ORDER THEREON, 5th September 1867, No. 1431.

The Superintendent of Marine is requested to provide passage to England for the three Military offenders referred to in the foregoing letters.

(True Extract).

Acting Chief Secretary.

To the Superintendent of Marine.
,, Commissioner of Police.

Esd. J. Talloch.

LS

George Ellis

Whereas, in and by an act of Parliament
the Twenty Ninth year of the Reign of Her Majesty
entitled, "An act for punishing Mutiny and desertion, and
of the army, and their Quarters" It is amongst other things
whenever any sentence of Penal servitude heretofore passed
upon any Offender by any Court Martial holden in any
part of Her Majesty's Foreign Dominions, or elsewhere
to be carried into execution for the Term specified in such
shorter term, or when sentence of Death passed by any such
Court, or shall as aforesaid be committed to ^{Penal} servitude the same
by the Officer commanding Her Majesty's Forces at the place
where the Offender may come or be, or in his absence by
for the time being to some Judge of one of the Supreme Courts
India or the Chief Justice or some other Judge, as the Case
of Her Majesty's Foreign Dominions, who shall make order for
servitude or intermediate custody of such Offender, and upon
made it shall be duly notified to the Governor of the Presidency
the Governor of the colony if in any of Her Majesty's colonies
who shall for the time being be exercising the office of Governor
or colony, who on receipt of such notification shall cause such
removed or sent to some other colony, or place or to undergo his
Presidency or colony where the Offender was so sentenced, or
or be as aforesaid in obedience to the directions for the removal
convicts which shall from time to time be transmitted from
one of Her Principal Secretaries of State to such Presidency

colony in which he has been sentenced or in the colony or place to which he has been 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 removed or sent respectively.

And Whereas Privates Patrick Quinn, Regimental Number one hundred and sixty five and Richard Ruth, Regimental Number one Thousand and seventy five in the E or Captain George Churchill Bartholomew's Company of the Second Battalion Tenth Foot and Driver Francis McEvoy, Regimental Number one hundred and sixty seven in the A Battery Fourteenth Brigade Royal Artillery, were tried by a General Court Martial held at Bangalore on Monday the Fifteenth July, one Thousand Eight hundred and sixty seven and found guilty upon the following charge: That they, Patrick Quinn, Richard Ruth, and Francis McEvoy, on or about the Eighth March one Thousand Eight hundred and sixty seven, at Bangalore being then and there soldiers serving in India, in the Territories of His Highness the Rajah of Mysore, did, on the highway leading from the Race course Barracks to the Barracks of the A Battery 23rd Brigade Royal Artillery, and between sun-set and sun-rise together rob one Thos. learn of a bag containing about Rupees thirteen hundred. And Whereas the said Privates Patrick Quinn and Richard Ruth and Driver Francis McEvoy were sentenced by the said General Court Martial each an

Gaspard Le Marchant, Esq. C. M. G. Commander in Chief of Madras and whereas a notification in writing of the aforesaid sentence of the said Privates Patrick Quinn and Richard Ruth and Driver Francis McEvoy hath by his Excellency the said Sir John Gaspard Le Marchant been made to me. I, Col. by Harman Scotland Knight Chief Justice of the Court of Judicature at Madras aforesaid pursuant to the direction contained in the said notification do hereby order that the said Privates Patrick Quinn and Richard Ruth and Driver Francis McEvoy be removed and sent as soon as conveniently may be to the place of intermediate custody of and to remain in custody until duly removed to such place as the Honorable the Governor in Council may be pleased to signify for the said Privates Patrick Quinn and Richard Ruth and Driver Francis McEvoy for the residue of the term of their respective sentences of Penal Servitude given under the said notification at Madras in the East Indies this 29th Day of August one Thousand Eight hundred and sixty seven.

(sigd) E. W. Thos.
By Clerk of the Court
A True Copy

Debit

Wilmington. 19th August 1867

Wilmington. 19th August 1867

Examined—
Signed J. M. Little

Dated 29th Dec
H. O. No 8-3 Bar 10-6 H. O. No 10-7

It true truly
Beaumont
Signed C. B. Andrews Esq.
Commanding H. O. No 2

Nov. 5 - Sept. 1882 \$1.50
 Dec. 1882 - 1883 \$1.00

Indl. Dr. to Am. Nat. at
March 27 of 1868.

Samoa 19th Aug 1867

Troop or Company		Rank, Name and Number	Age	Height	Complexion	Color of Eyes	Whether he has any particular Marks
Rank & Name							
Crime		Sentence		When and where tried		Whether he can read and write	
Single		Former occupation or trade		Whether before convicted or transported and how often		Character and behaviour	
Highway Robbery		5 Years penal servitude		15 July 1867 at Bangalore		Both	
Miner		No		Good		26	
No		Good		26		11	
Good		26		11		5	
26		11		5		6	
Fair (freckled)		Grey		The letter P. P. on the back of right forearm and an anchor on the point of right forearm			

Examined

Lieut & Capt

at Newbury

Decr 1860

Signed J. L. Parsons

Attest

of the Court of the County

of Middlesex

Nov 10 1860

Coming at No 2.

Rev. S. - Sept. 1/67 L 200
An. Ind. 2. 80. 1882/67

Quell. Dr. to Engst 27.22
August 1868 22.7.

Ind. L. to Eng. 27th
March 22-1868 22nd 7

Ind. 5th Sept 1/4 L. L. 50

Ind. 2nd Dec 1862/67

Read 1884 & 1904

5th September 1867 A.D. 1431.

The Superintendent of Marine is so
gratified to provide passage to England
for the three military offenders referred
to in the foregoing letters.

MR

Sept 17 1867

Superintendent
of Marine.

Commisary of Police } despatch

49 & 57.

Sub. to the
March 1868 21/29

Sept 1867 Sept

1868 5 Sept

By Clerk of the Court

1867 30 Aug

6 Aug

1867.

Feb 1904

Handed as order for
the in the inside and by
in the District of the
Comd. P. Quinn, Lt. R. H.
O. H. H. H. H.

With answer