

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	755	Press
		~~MIS.~~
Dated	9-5-	19 1867

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
9th May 1867.*

No. 105. Read the following Proceedings of Government in the Military Department.

Read the following papers :—

From the Adjutant General, to the Secretary to Government, Military Department, Fort Saint George; dated 2nd February 1867, No. 94.

With reference to the petition from Drummer Thomas Bobily, No. 33, late of the 2nd Regiment Native Infantry, referred to the Commander-in-Chief on the 25th ultimo, I have the honor, by order

Praying to be restored to the Service.

to state, for the information of the Right Honorable the Governor in Council, that the petitioner, in December last, submitted a petition to this Department, appealing against his discharge, and praying that he might, in consideration of his service of seventeen years and six months, be either restored to the Service, or granted a pension, which was referred to the Officer Commanding 2nd Regiment Native Infantry, an extract from whose reply is herewith subjoined, from which it will be observed that, for the offence committed and sentence inflicted on the petitioner by the Civil Power, he was, by the Regimental Authorities, dealt with under the regulations of the Service, which terminated in his discharge :—

“ Drummer Bobily, late of the Regiment under my command, was discharged under the provisions of paragraph IV, Section X, page 89, General Regulations, having been convicted in the Vepery Police, on the 25th September last, of an aggravated assault on a Police Peon, and sentenced to two months' hard labor, which sentence was inflicted in full.”

“ When the individual is convicted of disgraceful conduct involving discharge, or is sentenced to imprisonment with hard labor by a Civil or Military Court, should such sentence be duly confirmed, or by other competent authority.”

2. On the receipt of the above report, the petitioner was granted an endorsement, on the 14th December 1866, to the above effect, and further informed that nothing could be done for him.

3. Should Government consider the punishment of dismissal of the Petitioner, after a service of seventeen years and six months, too severe for the offence committed, Sir Gaspard LeMarchant has no objection to authorize his restoration, with the benefit of former service, should Government be pleased to sanction it, and the Drummer enlisted in his room borne as a supernumerary until absorbed.

Referred, with petition No. 225 of 1867, to the Judicial Department, in view to a copy of the record of the Vepery Police Court in petitioner's case, and a summary of the evidence, being obtained, for consideration in the Military Department.

12th February 1867.

Proceedings of the Madras Government, Judicial Department.

Furnishing the Military Department with }
a copy of the minutes of evidence taken }
by the Magistrate at Vepery, in the } (Here enter 2nd March 1867, No. 337.)
case of Drummer Bobily, who was con- }
victed of assaulting a Police Peon while }
in the execution of his duty. }

*Proceedings of the Madras Government, Judicial Department,
9th May 1867.*

Order, No. 1450, 24th April 1867.

The Right Honorable the Governor in Council has no objection to the restoration of Drummer Bobily to the Army, with benefit of former service, as recommended by His Excellency the Commander-in-Chief; the Drummer enlisted in his room being borne as a supernumerary until absorbed.

2. Resolved that the Judicial Department be requested to draw the attention of the Magistracy to the provisions of Article 91 of the Articles* of War for Native Troops, there being reason to

* Act XXIX of 1861.

believe that the serious consequences to a soldier of a sentence of hard labor are not generally known.

(True Extract).

(Signed) H. MARSHALL, Major General,
Secretary to Government.

No. 106. ORDER THEREON, 9th May 1867, No. 755.

Communicated to all Session Judges and Magistrates, for information.

(True Extract).

A. J. ARBUTHNOT,
Chief Secretary.

To the Civil and Session Judge of
,, Magistrate of

Exd. J. H. Burns.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

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From the Adjutant General, Fort Saint George, 2nd February 1867, No. 94; to the Secretary to Government, Military Department.

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* *Act XXIX of 1861.*

(True Extract.)

Secretary to Government.

To the Adjutant General.

to the Adjutant General.
Judicial Department.

Controller of Military Accounts.

18. *Petition Department*

Nov 27th March 1809

Lucie 1809, 1810

= count of Druggs' Roll

Exd. J. E. Cashart.