

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	136/	Press
		~~Mis~~
	29-41	
Dated	1-20-1948	

Not to be folded or roughly handled

Me

Fort St. George, Judicial Consultation, 5th October 1858.

Read the following letters.

No. 39. From J. J. FRANKLIN, Esq., Sheriff of Madras; to THOMAS PYCROFT, Esq.,
Chief Secretary to Government, Fort Saint George, dated 25th September 1858, No. 69.

SIR,

I have the honor to report for the information of Government, that a Military Convict named John Coleman, late a Private in Her Majesty's 3rd Battalion 60th Royal Rifles, under sentence of transportation, was received into my custody on the 24th Instant.

No. 40. From FREDK. ORME, Esq., Deputy Clerk of the Crown; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 28th September 1858.

SIR,

I have the honor to forward by the direction of the Chief Justice, a copy of an order (in duplicate) which His Lordship has made upon the requisition of His Excellency the Commander-in-Chief, for the transportation of Private John Coleman, of Her Majesty's 3rd Battalion 60th Royal Rifles, to such place or Colony as Her Majesty through one of Her principal Secretaries of State shall or may have directed or shall or may direct, and a statement (in duplicate) containing the date of the trial of the abovenamed individual.

I beg also to forward (in duplicate) a copy of the Descriptive Register of the abovenamed offender, as forwarded to me, by the Deputy Adjutant General Her Majesty's Forces.

No. 41. ORDER THEREON, No. 1361; dated 1st October 1858.

John Coleman, late a Private
of Her Majesty's 3rd Bat-
talion Royal Rifles.

Resolved, that the Superintendent of Marine be instructed to provide a passage to England for the Military Convict referred to in the above communications, under sentence of transportation.

(Signed) T. PYCROFT,
Chief Secretary.

A. Billleston,



Whereas in and by an Act of Parliament passed
in the Seventeenth Year of the Reign of Her Majesty Queen Anne
entitled "An Act for punishing Mutiny and desertion, and for the
better payment of the Army and their Quarters": It is amongst other
things enacted "that whenever any Sentence of penal servitude or
Transportation heretofore or hereafter passed upon any offender by
Court Martial holden in the East Indies, or in any part of Her
Majesty's Foreign Dominions, or elsewhere 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 has been or shall be
aforesaid be commuted to penal servitude or to Transportation,
same shall be notified by the officer commanding Her Majesty's Ship
at the Presidency or station where the offender may come, or be or be
in absence by the Adjutant General for the time being, to some Judge
of the Supreme Courts of Judicature in the East Indies, or Chief
Justice or some other Judge, as the case may be, in any part of
Her Majesty's Foreign Dominions, who shall make order for the penal
servitude or Transportation or intermediate custody of such offender;— in like
manner as for the penal servitude or Transportation or intermediate custody
of any other convict, and upon any such order being made, it shall be

notified to the Governor of the Presidency if in the East Indies, or to the Governor of the Colony, if in any of Her Majesty's Colonies, or to the person who shall for the time being be exercising the office of Governor of such Presidency or Colony, who, on receipt of such notification, shall cause such offender to be removed to some Colony or place, in obedience to the directions for the removal 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 on being so removed shall undergo the Sentence of penal servitude or of Transportation, which has been passed upon him 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 there 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 or of his Transportation by the Judgment of a Court of competent Jurisdiction in the Colony or place to which he has been removed or sent." And Whereas John Coleman, late a Private in Her Majesty's Third Battalion Sixtieth Royal Rifles, was Tried by a General Court Martial holden at Bangalore, on Friday the Twenty Seventh Day of August, One Thousand Eight hundred and Fifty Eight, and Continued by Adjournment to Saturday the Twenty Eighth Day of the same Month, for and found guilty of being in the Fort at Bangalore on the Seventeenth of August in the same year,

struck

3
"Struck with his first Captain Charles David Cunningham Ellis, of the Third Battalion Her Majesty's Sixtieth Rifles, his Superior Officer, then and there in the execution of his office." And Sentenced by the said General Court Martial to be Transported as a Felon for Fourteen years, and a notification in writing of the aforesaid Conviction and Sentence of the said John Coleman hath by His Excellency Lieutenant General Sir Patrick Grant, the officer now Commanding Her Majesty's Forces in the said Presidency been made to me the said Justice as aforesaid pursuant to the directions in the said act contained.

It is therefore ordered by me The Honorable Sir Adam Bittleson, Knight, one of Her Majesty's Justices of the Supreme Court of Judicature at Madras that the said John Coleman be removed and sent as soon as conveniently may be to Her Majesty's gaol at Madras as the place of intermediate custody of and for the said John Coleman there to remain in custody until duly removed to such place as Her Majesty may be pleased to appoint and signify for the said John Coleman for the residue of the term of his aforesaid Sentence.

Given under my hand at Madras in the East Indies this Twenty fourth Day of September in the Year of our Lord One Thousand Eight hundred and Fifty Eight.

E. J. P.

John Bruce Norton,
Clerk of the Crown,

(A True Copy)
John Bruce Norton

1859/8.
in No 291.

Descriptive Return of Private John Coleman belonging to H.M. 3^d Battalion 60th Rifles sentenced to Transportation by an European General Court. Martial assembled at Bangalore on the 29th Day of August 1858.

Offence,	Sentence,	Whether he can read and write,	Whether single married or unwed	Trade or occupation previous to enlistment	Whether before convicted or transported and how often	General Character and behaviour
Insubordination,	To be Transported as a felon for the term of 14 years.	No,	Single,	Sailor,	Nil.	Bad,

Age and personal appearance of the above named individual.

Age	Height.		Complexion,	Color of.		Particular mark or markings which he may easily be identified.
	Feet	Inches,		Hair,	Eyes,	
20 $\frac{1}{2}$ Years,	5	5 $\frac{1}{2}$.	Fair,	Sandy,	Grey,	None

Bangalore,
13th September 1858.

(A true copy,
Edw. M. Bruce

H. H. Kennedy - Major,

Commandant H. M. 3^d Battalion 60th Rifles,

Judicial Department

12/361

Extract from the Minutes of Consultation
dated 1st October 1858.

Read the following letters:-

From the Sheriff of Madras.

(Here enter 25 Sept/58 No 69.)

From the Secy Clerk of the Crown

(Here enter 28 Sept/58 No.)

Resolved that the Secy. of
Marine be instructed to provide
a passage to England for the
Military Council referred to in
the above communications,
under sentence of transportation.

[Signature]

John Coleman late a
Private of 4th. 3rd Bat.
Royal Rifles.

Copied to the Secy of Marine - (Sept 2nd 1858)

460/10.
sic No 1762.

dist. 5th Oct/7/58.
Judicial 1858 & 1859.
Oct 1858. 1858 of 1859.

39 @ 41.

He 1858 to 1859. 5th October.
Judicial 1858 & 1859.

No 1361

Abstract 1858: 1859.

Oct 1858 & 1859.

Regarding the 1858.
Under 1858. 1859 to 1859.
Under 1858 to 1859.
Under 1858 to 1859.
Under 1858 to 1859.