

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>18/18</i>	Press <u>Mis.</u>
<i>22-30</i>	
Dated <i>5.1.1861</i>	<i>19</i> .

8/9

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
5th January 1861.*

Read the following papers :—

No. 27. From J. D. MAYNE, Esq., Clerk of the Crown, T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 16th November 1860.

I have the honor to forward by the direction of the Honorable Mr. Justice Bittleston, a copy of an Order (in duplicate) which his Lordship has made upon the requisition of His Excellency the Commander-in-Chief for the Penal Servitude of Michael McGowan, late a Private in Her Majesty's Sixty-eighth Light Infantry, 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 above named individual.

No. 28. From Colonel J. C. BOULDERSON, Commissioner of Police, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 2nd January 1861, No. 2.

1. With reference to the Extract from
Judicial Department, dated 15th June 1858, Minutes of Consultation, I have the honor to
No. 785. report for the information of the Right Honor-
able the Governor in Council, the arrival of a
†Michael McGowan, Her Majesty's 68th Regi- European Convict† under sentence of trans-
ment. portation from Rangoon, on the 31st ultimo.

2. The original Commitment of the Prisoner is herewith forwarded.

No. 29. From JOHN D. MAYNE, Esq., Clerk of the Crown, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 4th January 1861.

With reference to my letter of the 16th November last, I have the honor to forward a copy (in duplicate) of the Descriptive Register of Private Michael McGowan of the 68th Light Infantry who has been sentenced by a General Court Martial to Penal Servitude.

No. 30. ORDER THEREON, 5th January 1861, No. 18.

The Superintendent of Marine is requested to provide a passage to England for the Military offender, Michael McGowan, a Private of Her Majesty's 68th Regiment, under sentence of Penal Servitude.

(Signed) T. PYCROFT,
Chief Secretary.

2.
Crown Office, Madras,
4th January 1861.

From
John D Mayne Esquire
Clerk of the Crown

To
J Pycroft Esquire
Chief Secretary to Government
Fort St. George

Sir,

With reference to my Letter of the
16th November last, I have the honor to forward a
copy (in Duplicate) of the Descriptive Register of
Private Michael McGowan of the 68th Light Infantry
who has been sentenced by a General Court Martial to
Penal Servitude.

G. J. P.

I have the honor to be,
Sir,

Your most Obedient Servant,

J D Mayne
Clerk of the Crown.

Hon^{ble} Magne
 Clerk of the Crown,

Crown Office,
Madras,
16th November 1860

Indle 2^o Aug 22
March 29^o 6 of 1861.

Proc of August
Industrial 1861 Sept 6

From
The Desk of the Governor

S.O. 18

St. 4th & 5th Sts. S. W. 1/4

End 2

22.21.

Towards a Copy in the
Library of the Secretary of the
Society of Private Friends
The Governor of the 6th Regt
Army who has been dis-
satisfied by a General Court
Martial to which he is

Order of the Court of Directors
22d of 1801

A Bittles

LS

Whereas in and by an Act of Parliament passed in the Twenty third 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 amongst 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 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 passed by any such Court-Martial has been or shall 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 come or be, or 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 make 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 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 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 come or be as aforesaid, 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

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 Michael McGowan Regimental Number Three Thousand Two hundred and Twenty one in the 60th or Captain Fitzgerald's Company of Her Majesty's Sixty Eighth Light Infantry was Tried by an European General Court-Martial holden at Rangoon on Thursday the Twenty Seventh Day of September one Thousand Eight hundred and Sixty and found guilty upon the following charges For having at Rangoon on or about the Thirteenth Day of September one Thousand Eight hundred and Sixty been drunk this being the fourth time of his having been drunk within twelve calendar months and thereby constituting the crime of Habitual Drunkenness the other instances being as follows namely Twenty fourth of May one Thousand Eight hundred and Sixty Drunk in Barracks at Thayetmyo and on the Twenty third of June of the same year Drunk in Barracks at the same Place and on the Fifth of August of the same year Drunk in Barracks at Rangoon And in having also at Rangoon on or about the fifteenth Day of September of the same year used violence to his Superior officer Lieutenant Colonel Green Commanding the same Regiment being in the execution of his office by violently kicking against him the table at which he was seated. And whereas the said Private Michael McGowan was sentenced by the said European General Court-Martial to suffer Penal servitude for a Term of Four years. And Whereas a notification in writing of the aforesaid conviction and sentence of the said Private Michael McGowan hath by His Excellency Lieutenant General Sir Patrick Grant the Commander-in-Chief in the said Presidency been made to me The Honorable Sir Edmund Bithelston Knight Puisne Justice of the Supreme Court of Judicature at Madras aforesaid pursuant to the directions in the said Act contained. It is therefore Ordered by me that the said Private Michael McGowan be removed and sent as soon as conveniently may be to the Penitentiary at Madras as the place of intermediate custody of and for the said Private Michael McGowan there to remain in custody until
duly

5.
duly removed to such place as The Honorable the Governor in Council may be pleased to appoint and signify for the said Private Michael McGowan for the residue of the Term of his aforesaid Sentence. Given under my hand at Madras in the East Indies this Third Day of November in the year of our Lord one Thousand Eight hundred and Sixty.

E. J. P.

John D. Mayne
Clerk of the Crown

(A True copy)

John D. Mayne
Clerk of the Crown

sent by air

Jud^g. L^y to Eng^d. 22^d.
March 22^d of 1861. with
2 Orig^{ls} Enclosures.

Judicial W^o Dispatch

From

The Clerk of the
Crown

8/16th }
2/19th } Nov-1860.

4 Enclosures

No 1920.

Feb 1861
w-372

Forwarded copy of
an order, in duplicate,
for the Penal Servitude
of Michael McGovern
late a Prisoner in H^{is} M^{aj}ty's
H^{is} M^{aj}ty, to the Penitentiary
at Madras, therein to
remain until his sentence
of Penal Servitude shall
be carried into effect
in due course of Law
With an Order.

Proceedings of the Madras Court.
 Read the following letters —
 From the Clerk of the Crown — Inter 16th Nov.
 the Commissioner of Police — Inter 2nd Jan. 1861. No. 2.

Order — 5th January 1861. No. 18.

The Superintendent of Marine is requested to provide a passage to England for the Military Offender, Michael Melowan, a Private of H. M. 68th Regt., under sentence of Penal Servitude.

The Supt. of Marine.
 Commr. of Police. } despatched

Crown Office, Madras,
 16th November 1860
 To, J. D. Wayne Esq.
 Clerk of the Crown,
 J. D. Percott Esq.
 Chief Secretary to Government.
 Sir,
 I have the honor to forward by the direction of the Honorable Mr. Justice Pitt Rivers, a copy of an Order (in Duplicate) which has been made in the execution of His Excellency the Governor-in-Chief's order. I am, Sir, Michael Melowan, a Private of the 68th Regt., under sentence of Penal Servitude.

