M.R.O. 1—30,000—16-10-19.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 261 Press Mis-

163-166

Dated 26.2.1861 19 .

9/9

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 26th February 1861.

Read the following papers:—

No. 163. From JOHN D. MAYNE, Esq., Clerk of the Crown, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th February 1861.

I have the honor to forward by the directions of the Honorable Sir Adam Bittleston, Knight, Officiating Chief Justice, copies of Orders (in duplicates) which His Lordship has made upon the requisition of His Excellency the Commander-in-Chief of the 5 Military Convicts noted in the margin,* to the Penitentiary at Madras, therein to remain until their sentences of Penal Servitude shall be carried into effect in due course of Law, with five Statements (in duplicates) containing the dates of the trial of the above named individuals.

		Penal servitude.
* Her Majesty's 68th Regiment, Private	William McAreavey.....	4 years.
„ 43rd „ „	Patrick Bradley.....	14 do.
„ 3rd Battn. 60th Rifles „	Patrick Duffy.....	14 do.
„ 3rd „ „	George James Bryant..	for life
„ 1st Battn. 18th Regt. „	John Rankin.....	14 years.

No. 164. From JOHN D. MAYNE, Esq., Clerk of the Crown, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint-George, dated 19th February 1861.

With reference to my letter of the 18th instant, I have the honor to forward a copy (in duplicate) of the Descriptive Register of Private Patrick Bradley of Her Majesty's 43rd Regiment Light Infantry, who has been sentenced by a General Court Martial to Penal Servitude.

No. 165. From Major W. J. WILSON, Commissioner of Police, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 20th February 1861, No. 23.

Judicial Department, dated 15th June 1858, *No.* 785.

* *Patrick Bradley, Private, Her Majesty's 43rd Regiment L. I.*

1. With reference to the Extract from Minutes of Consultation, marginally noted, I have the honor to report for the information of His Excellency the Governor in Council, that I yesterday received a Military Convict* under sentence of Penal Servitude for 14 years.

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

3. I have also received the Commitments of the undermentioned other four Military offenders, sentenced to Penal Servitude, which shall be forwarded to Government, as soon as the prisoners arrive.

1. William McAreavey, Private, H. M. 68th L. I....	Sentenced to 4 years....	Expected from	Thyetmyoo.
2. George James Bryant, Private, H. M. 60th Rifles...	Life.....	Do. do.	Wellington.
3. Patrick Duffy, Private, H. M. 60th Rifles.....	14 years...	Do. do.	do.
4. John Rankin, Private, H. M. 18th Royal Irish.....	14 years...	Do. do.	Secunderabad.

No. 166. ORDER THEREON, 26th February 1861, No. 261.

The Superintendent of Marine will provide passage to England for the Convict, Patrick Bradley, Her Majesty's 43rd Regiment, sentenced to Penal Servitude.

2. The Commissioner of Police will report from time to time the arrival at the Penitentiary of the other Military offenders referred to.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Her Majesty's 43d. Light Infantry

Descriptive Register of Patrick Bradley. Private belonging to the 43d. Regiment Light Infantry. Sentenced to Penal Servitude by an Inspecm. General Court Martial assembled at Fort Saint George, Madras on the Eighth day of December 1860.—

Offence.	Sentence.	Whether he can read and write.	Whether single, married or widowed.	Trade or occupation previous to Enlistment.	Whether before convicted or Summoned and how often.	General Character and Behaviour.
1 Damaging Government Property. 2 Escaping from confinement before being properly relieved. 3 Breaking away with Necessaries. Additional Charge. Striking Sergeant and 2d Do Garland a Violent blow in the face in pursuance of a Br.d Court Martial assembled for his trial.	Seven years Penal Servitude and past under Close Escort.	Neither.	Single.	Nail Maker.	No.	Incorrigible.

Age and personal appearance of the above named individual.

Age	Height. Feet	Height. Inches.	Complexion	Color of Hair	Color of Eyes.	Particular mark or Marks by which he may easily be identified.
26 & 7/12 years.	Five	Six.	Fair.	Brown.	Brown.	Marks of Corporal Punishment.

Fort Saint George
Madras, Eighth February 1861.
E. J. C.

(signed) J. R. Pennefather Lt. Col.
Comdg 43d Light Infantry

(A true Copy)

Thos. D. Bagnell
Clerk of the Crown.

Duplicate

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The Date of the Trial of Private William McAreavey,
of Her Majesty's 68th Light Infantry.

Private William McAreavey - Tried at Thyetmyo
by an European General Court
Martial held on the 17th October 186

Crown Office,
Madras.
18th February 1861.

E.J.P.

John D Magee
Clerk of the Crown

Judl. Letter Dept. 22d March
No 6 of 1861

Judl. No. 5
No. 278.

Duplicate

IK

The Date of the Trial of Private John Rankin,

of the 1st Battalion 18th Royal Irish Regiment-

Private John Rankin, Tried at Secunderabad

by an European General Court

Martial held on the 18th January

1861-

Crown Office,-
Madras,
18th February 1861-
G.T.P.

John Dwyer
Clerk of the Crown-

Ind. Mutiny Papers 1857-59

R. Harrison
No. 274

Duplicate

A. Billes Law

(L.S.)

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 to 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 sail 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

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 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 John Rankin Regimental Number Four Thousand Four hundred and thirty four of the Eighth or Captain Charles Jasper L Smesley's Company of the First Battalion Eighteenth Royal Irish Regiment, was Tried by an European General Court Martial holden at Secunderabad on Friday the Eighteenth of January One Thousand Eight hundred and Sixty One and found Guilty upon the following Charge For having at Secunderabad on or about the Seventeenth of December One Thousand Eight hundred and Sixty when a prisoner on his Trial before a District Court Martial, used violence against his superior officer in the execution of his Office by seizing a Bible from the table and throwing it at Major Joseph Godby of the Royal Artillery, President of the Court Martial thereby striking him on the shoulder And Whereas the said Private John Rankin was Sentenced by the said European General Court Martial to suffer Penal servitude for a Term of Fourteen Years. And Whereas a notification in writing of the aforesaid conviction and Sentence of the said Private John Rankin hath by His Excellency Lieutenant General Sir Patrick Grant the Commander in Chief in the said Presidency been made to me

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me The Honorable Sir Adam Billiston Knight Officiating Chief 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 John Rankin 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 John Rankin there to remain in Custody until duly removed to such place as the Honorable the Governor in Council may be pleased to appoint and signify for the said Private John Rankin for the residue of the term of his aforesaid Sentence. Given under my hand at Madras in the East Indies this Fifteenth Day of February in the Year of our Lord One Thousand Eight hundred and Sixty One.

G. T. P.

John D. Mayne
Clerk of the Crown

(A true Copy)

John D. Mayne
Clerk of the Crown

Judicial Office Sydney 8th May 1861

Read the following letters—
From the Clerk of the Crown — Enter 18 & 19 Febry 61 No. X
" the Commr of Police — " 20 " do — " 23.

No. 261 — 26 February 1861 —

The Superintendent of Marine will provide passage to England for the Convict Patrick Bradley, 7 E. M. 43rd Regt, sentenced to Penal Servitude.

2. The Commissioner of Police will report from time to time the arrival at the Penitentiary of the other Military Offenders ~~named~~ referred to.

The Superintt of Marine & Commr of Police } Wp 26-2-61

Judicial 1861 Depts

From

The Clerk of the Court

Dated 18th Feby 1861

Recd 19th " "

5 Orders & Statements in Duplicates.

No 274

Letter

Forwarding Orders and Statements for Deputy regarding the 5 Military Convicts under Sentence in the Penitentiary.

Dist of Col Maude.

Pub. Let. Engd 22d March No 6 of 1861 with five Orig. Enclosures

No to No 27 May 1861

No 11 with Four Orig. Encls.

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Withdrawn Order