

MADRAS RECORD OFFICE.

Government of Madras.

Justice DEPARTMENT.

G.O. No. 763	Press ~~Mis~~
1-2	
Dated 6-6-	1859

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
from 1st to 10th June 1859.*

No. 1. Read the following letter from Lieutenant Colonel W. G. WOODS, Adjutant General of the Army; to the Chief Secretary to Government, Fort St. George, dated 23rd May, 1859, No. 529.

A petition from Patrick McDonald, a prisoner in Her Majesty's Gaol of Madras, praying for mitigation of the 2 years' imprisonment, awarded him by a Court Martial in March 1857, having been referred in Minutes of Consultation of Government, dated 28th April last for the remarks of the Commander-in-Chief, I have the honor by His Excellency's order to communicate as follows.

2. Petitioner was tried on the 21st January 1857, for fraudulently and feloniously making away with 1,110 Rupees, 11 Annas and 3 Pice, public money, entrusted to his charge as an Assistant Overseer in the Public Works Department. His pay and allowances at the time were about 20 Rupees a month, and it is in evidence on the Proceedings of the Court Martial that he kept 12 servants and expended upon amusements alone one Rupee daily; and that besides this he gave matches and Native theatrical performances and had fireworks and also frequently employed people to search for hidden treasure, and borrowed money to a considerable extent. To cover all these expenses, he indented on the public money, placed under his charge. The petitioner was fully convicted, and an Extract from the Proceedings of his Court Martial is herewith submitted, showing his offence, the finding of the Court and its sentence which was duly confirmed. Under these circumstances Sir Patrick Grant cannot recommend any mitigation of the just sentence passed upon petitioner.

No. 2. ORDER THEREON, 1st June 1859, No. 763.

The Sheriff of Madras is requested, in advertence to Extract Minutes Consultation, 28th April last, No. 568, to intimate to the prisoner Patrick McDonald, that his sentence cannot be mitigated.

(Signed) T. PYCROFT,
Chief Secretary.

Wm. to be present

At a European General Court Martial, held at Bellary on Wednesday the 27th day of January 1857 Patrick Mac Donald General N^o 5386, Gunner in the B Company of the 1st Battalion Artillery and Assistant Overseer in the Department of Public Works, was arraigned on the following Charge Vizt.

Charge

That the said Patrick Mac Donald on the 12th day of June 1856, at Auspary, he being then and there a Soldier serving in the Territories of the East India Company at a distance of upwards of one hundred and twenty miles from the Presidency of Fort Saint George, and being then and there employed in the Public Service as an Assistant Overseer in the Department of Public Works and entrusted by reason of such employment with the receipt, Custody, and Control of money the property of the said East India Company, did, by virtue of such employment and whilst he was so employed, as aforesaid, receive and have in his possession and was entrusted with money the property of the said East India Company, to the Amount of Rupees One thousand, one hundred and ten, Annas Eleven and Pice Three, for and on account of

of

of the Public Service of the said East India Company, and did fraudulently and feloniously apply, use, and dispose of the said money to his own benefit, and did thereby feloniously steal, take and carry away the said money.

Revised Finding. The Court having most maturely weighed and reconsidered the evidence before it and what has been stated in defence is of opinion that the Prisoner Patrick Mac Donald, General N^o 3384, Gunner in the B. Company of the 1st Battalion of Artillery and Assistant Overseer in the Department of Public Works is

Guilty of the Charge

Revised Sentence. The Court sentences the said Patrick Mac Donald, General N^o 3384, Gunner in the B. Company of the 1st Battalion of Artillery and Assistant overseer in the Department of Public Works, to imprisonment without hard labor in the Common Jail of Madras for Three years.

Dellay the 9th day
of March 1857

Madras
13th March
1857

Approved and Confirmed
Signed Pat. Grant Lieutenant General
Commander in Chief

True

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True Extract
Signed P. Macquessen Major
Adj. Ad. Advocate General
of the Army
True Copy of an Extract
M. J. St. Colonel
Adjutant General
of the Army

Pat. M.

No. 7/13.

The Sheriff of Madras is
requested, in advertence to
Ex: Mins: Cons: 28 April last
No. 588, to intimate to
the prisoner, Patrick McDo-
nald, that his sentence can-
not be mitigated.

The Sheriff of Madras, }
Adjutant General. }
10/10/05