M.R.O. 1—89,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1009 Press ~~Mis.~~

79-80

Dated 10 — 8 — ~~19~~ 1880

7/8

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
10th August 1860.

No. 79. Read the following letter from J. J. FRANKLIN, Esq., Superintendent of Marine, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 10th August 1860, No. 3,658.

I have the honor to forward herewith Charter Party in triplicate on account of a European Convict proceeding to England on the "Earl of Hardwicke" in order that your signature may be affixed to two parts and the triplicate returned for delivery to the Commander, the original being transmitted to the Honorable Secretary of State for India.

Original and triplicate

No. 80. ORDER THEREON, 10th August 1860, No. 1,009.

The Charter Party having been executed—Ordered that the triplicate be returned to the Superintendent of Marine for delivery to the Commander of the "Earl of Hardwicke." The first part will be forwarded to the Secretary of State, together with other papers connected with the Convict, Edward Molloy.

2. Two thirds of the passage money to England, amounting to (Rupees 266-10-8) two hundred and sixty-six Rupees, ten Annas and eight Pies will be paid at Madras.

3. The Commissary General will provide a suitable prison and the necessary bedding &c., for the Convict.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

store on board the said ... all such food water and other necessaries for the said

Madras 7th August 1860

In Consideration of the payment to us as Agents for the Commander of the "Earl of Hardwicke" by the Government of Fort Saint George of the sum of Company's Rupees (266-10-8) Two hundred and sixty six annas ten and pice eight being two thirds of the passage money agreed to be paid by the said Government to the said Commander for the conveyance on the said vessel from Madras to England of one European Convict Edward Molloy. We do hereby guarantee the performance by the said Commander of all the Covenants stipulations and agreements contained in the annexed agreement or Charter Party and do hereby hold and make ourselves responsible to repay or refund and make good to the said Government all loss damages and expenses which the said Government may sustain or be put to by reason or inconsequence of the said Commander neglecting or omitting to fulfil or perform all or any one or more of the said Covenants stipulations and agreements so contained in the said Charter Party dated this Seventh day of August 1860

Witness. D. Kerr [illegible]

T.H.

Articles of Agreement made and entered into this Seventh day of August in the year of our Lord One thousand Eight hundred and Sixty

Between Edward Noaks Master and Commander of the Ship or Vesse called the Earl of Hardwicke of th eBurthen of 961 Nine hundred and Sixty One Tons register measurement or thereabouts belonging to the Port of London and now riding at anchor in the Madra Roads of the one part and The Right Honorable the Secretary of State for India in Council of the other part

Whereas the said Edwark Noaks has offered and proposed to the Government of Fort Saint George to convey One European Convict now in the custody of the ~~Sheriff of~~ Commissioner of Police at Madras and who ~~have~~ is been legally sentenced to be transported to England and who ~~are severally~~ named or known by the name of Edward Molley

and the description of whose ~~respective~~ person ~~are~~ is set forth and specified in the Table marked with the letter A hereunto annexed from Madras to England on board the said Ship or Vessel called the Earl of Hardwicke at the rate of 400 four hundred Rupees ~~for each Convict~~ and has offered to enter into the covenants and agreements in these presents on his part contained which offer and proposal has been accepted by the Governo in Council of Fort Saint George acting on the behalf of the said Secretary of State in Council. Now thes presents witness that in consideration of the covenants and agreements hereinafter entered into by and o the part of the said Secretary of State in Council his Successors and Assigns he the said Edward Noaks for himself his Heirs Executors and Administrators do hereby covenant promise and agree to and with the said Secretary of State in Council his Successors a Assigns in manner following (that is to say) that he the said Edward Noaks shall and will within three days from the date of these presents erect a make on board the said Ship or Vessel in the lower decks p thereof a prison of such size dimensions strength and construction as will be proper and fit to accommoda and secure the said one Convict and on the same being completed he will report the same the Superintendent of Marine at Fort St. George and permit any person or persons authorized for t purpose by the said Superintendent of Marine to go on board the said Ship and inspect and survey the prison as constructed and shall and will make any such reasonable alteratio or additions to the said prison as the said Superintendent of Marine or such person or persons so authoriz shall on any such inspections and survey think necessary and also shall and will at his own expense p stores on board the said Ship all such food water and other necessaries for the sad C

Articles of Agreement made and entered into this Seventh day of August in the year of our Lord One thousand Eight hundred and Sixty

Between Edward Noaks Master and Commander of the Ship or Vessel called the Earl of Hardwicke of th eBurthen of 961 Nine hundred and Sixty One Tons register measurement or thereabouts belonging to the Port of London and now riding at anchor in the Madra Roads of the one part and The Right Honorable the Secretary of State for India in Council of the other part Whereas the said Edwark Noaks has offered and proposed to the Government of Fort Saint George to convey One European Convict now in the custody of the ~~Sheriff of~~ Commissioner of Police at Madras and who ~~have~~ is been legally sentenced to be transported to England and who ~~are severally~~ named or known by the names of Edward Molley

and the descriptions of whose ~~respective~~ persons ~~are~~ is set forth and specified in the Table marked with the letter A hereunto annexed from Madras to England on board the said Ship or Vessel called the Earl of Hardwicke at the rate of 400 four hundred Rupees ~~for each Convict~~ and has offered to enter into the covenants and agreements in these presents on his part contained which offer and proposal has been accepted by the Governo in Council of Fort Saint George acting on the behalf of the said Secretary of State in Council. Now thes presents witness that in consideration of the covenants and agreements hereinafter entered into by and o the part of the said Secretary of State in Council his Successors and Assigns he the said Edward Noaks for himself his Heirs Executors and Administrators do hereby covenant promise and agree to and with the said Secretary of State in Council his Successors a Assigns in manner following (that is to say) that he the said Edward Noaks shall and will within three days from the date of these presents erect a make on board the said Ship or Vessel in the Lower decks p thereof a prison of such size dimensions strength and construction as will be proper and fit to accommoda and secure the said One Convict and on the same being completed he will report the same the Superintendent of Marine at Fort St. George and permit any person or persons authorized for t purpose by the said Superintendent of Marine to go on board the said Ship and inspect and survey the prison as constructed and shall and will make any such reasonable alteratio or additions to the said prison as the said Superintendent of Marine or such person or persons so authoriz shall on any such inspections and survey think necessary and also shall and will at his own expense p store on board the said Ship all such food water and other necessaries for the said C victs during the said voyage as shall be approved of by the said Superintendent of Marine or the per or persons to be authorized as aforesaid And that he the said Edward Noa shall and will within three days after such prison shall be c structed and completed as aforesaid receive on board the said Ship the said One Convi ~~respectively~~ named or known by the names of Edward Molloy

and that he will convey and transport ~~them~~ him from Madras direct to Blackwal

with safety and care on board the said Ship unless prevented by the act of God and on arriving there will report to the said Secretary of State _____ the arrival of the said Convicts and keep and detain the said Convicts in safety until an Officer or Officers duly authorized by the said Secretary of State _____ shall demand and take charge of the said Convicts from the said Edward Noaks and that he will deliver the said Convicts in custody to such Officer or Officers who shall so demand ~~him~~ him on having a receipt for ~~them~~ him signed by such Officer or Officers and also that from the time of the embarkation of the said Convicts in the Madras Roads until the arrival of the said Ship at Blackwall and the said Convicts being taken charge of there as aforesaid he the said Edward Noaks shall and will at his own expense maintain and support or otherwise supply the said Convicts daily with good and wholesome food water and other necessaries according to the rate and scale hereunto annexed marked with letter B (except in case of unavoidable necessity happening during the said voyage not permitting) and will also afford and allow them such medical aid assistance and medicine as may be necessary and that in case ~~any of~~ the said Convicts shall die during the said voyage he the said Edward Noaks will report to the said Secretary of State _____ on his arrival the cause of the death of such Convict ~~or Convicts~~ and the nature of the illness of which such Convict ~~or convicts~~ may have died with a detail of the medical aid and treatment which such Convict ~~or Convicts~~ experienced during any such illness and also shall and will keep and detain the said Convicts until they shall be so demanded and taken charge of as aforesaid in the prison so to be prepared as aforesaid except during illness and during four hours _____ in each day or on such days as the state of the weather will allow during which he will allow the said Convicts (subject to all lawful exceptions rendered necessary for the preservation of requisite discipline on board the said Ship) to walk upon the deck of the said Ship for air and exercise and will during such time keep ~~them~~ him properly and securely guarded and that he as well when the said Convicts is in the said prison place and keep a proper guard of not less than one man ~~men~~ over the said convicts and not less than one man ~~men~~ when he is ~~they are~~ on deck to prevent his ~~their~~ escape and these presents further witness that in consideration of the covenants and agreements hereinbefore entered into as aforesaid by and on the part of the said Edward Noaks

The said Secretary of State in Council for himself and his Successors and Assigns doth hereby covenant promise and agree to and with the said Edward Noaks his Executors and Administrators that the said Convicts shall be embarked on board the said Ship within three days ~~after the prison for their reception shall have been completed as aforesaid if the state of the weather will permit or as soon after the expiration of such days as the weather will allow and shall and will as soon as may be possible after the said convicts shall have been so embarked as aforesaid well and truly pay or cause to be paid to the said Edward Noaks~~ _____ his Executors or Administrators the sum of 266-10-8 Two Hundred and Sixty six Rupees Ten annas and Eight Pice (being two thirds of the amount so agreed to be paid to the said Edward Noaks by the said Governor in Council of Fort Saint George acting as aforesaid at and after the rate of 400 Four Hundred Rupees for the passage of ~~each~~ the Convict to Blackwall and shall and will on the said Secretary of State being satisfied _____ that the said Convicts have been duly transferred by the said Edward Noaks to the custody of such Officer or Officers duly authorized to receive ~~them~~ him as aforesaid, that they have been properly treated by the said Edward Noaks during the Voyage and that the covenants and stipulations in these Articles of Agreement or Charter Party contained have been duly and satisfactorily fulfilled well and truly pay or cause to be paid unto the said Edward Noaks his Executors or Administrators in London the further sum of (133-5-4) One Hundred and ~~being the re~~ thirty three Rupees Five Annas and Four Pice being the remaining third of the amount so agreed to be paid by the said Governor in Council of Fort Saint George, acting as aforesaid by way of passage money for the conveyance of the said Convicts as aforesaid. In witness whereof the said Edward Noaks and the Chief Secretary on behalf of the Government of Fort Saint George acting for and behalf of the said Secretary of State have set their respective hands and seals, to one part of these presents to remain with the said Secretary of State and the said Edward Noaks has also to another part of these presents also to remain with the said Secretary of State set his hand and Seal and to another part of these presents to remain with the said

the said Chief Secretary on behalf of the said Secretary of State has set his hand and Seal the day and year first above written.

SIGNED Sealed and Delivered by the above named Edward Noaks *at Madras (where Stamps are not in use) in the presence of*

E Noaks
Commander

SIGNED Sealed and delivered by the above named Chief Secretary *at Madras (where Stamps are not in use) in the presence of*

Chief Secretary

Table A to which the foregoing Deed Poll refers.

ll of the undermentioned Convict

— Height		Colour of			Particular Marks
Feet	Inches	Hair	Eyes	Complexion	
5	8½	Light Brown	Grey	Fair	marked with letter D on left side

B.

ABLE of RATIONS to be issued to EUROPEAN CONVICTS proceeding to Blackwall

	Bread.	Rice.	Flour.	Ghee or Suet.	Pease or Dholl.	Sugar.	Tea.	Vinegar.	Mustard seeds.	Salt Beef.	Salt Pork	Firewood	Water.
	lbs.	lbs.	lbs.	ozs.	pts.	ozs.	ozs.			lbs.	lbs.	lbs.	galf.
nday.....	⅜	½	⅓	1	0	2	⅙			½	0	4	1
nday	⅜	½	⅓	1	0	2	⅙			½	0	4	1
esday.....	½	½	0	0	½	2	⅙			0	½	4	1
dnesday.....	½	½	⅓	1	0	2	⅙			½	0	4	1
rsday	½	½	0	0	½	2	⅙			0	½	4	1
ay	½	½	⅓	1	0	2	⅙			½	0	4	1
rday.....	½	½	0	0	½	2	⅙			0	½	4	1

⅝ pints a week. ⅛ ozs. a week.

Convicts

5=

No. 1009. dated 10th August 1860

List

The Charter Party having been executed – Ordered that the triplicate be returned to the Superintendent of Marine for delivery to the Commander of the "Earl of Hardwicke". The first part will be forwarded to the Secretary of State, together with other papers connected with the Convict, Edward Molloy.

2. Two-thirds of the passage money to England, amounting to ₹ 286-10-8, Two Hundred & Sixty Six Rupees Ten Annas & Eight pies will be paid at Madras.

3. The Commissary General will provide

Judicial 1860 Depart.
From Pro of August
The Superintendent
of Marine
To
The Chief Secretary
to Government
Fort St. George

Dated 10 Aug 1860
Read 13 "

No 3658.

P. 1305

Forwards Charter Party in triplicate on account of a European Convict proceeding to England on the "Earl of Hardwicke" in order that his signature may be affixed to two parts and the triplicate returned for delivery to the Commander.

Jud. Dr. to Engd. 17th August
P. 29 of 1860 with the
Original Charter Party.

79 & 80.

With an Order.

Forwards a duplicate & triplicate
Shipping for the Convict.

Re Shipboll. of Marines -
With Triplicate Charter Party
Communipany Lund.
With Order No. 955.
Condition of Commissariat Accts
Cert. Lund.

Dispd. in Original
" Duplicate
" Triplicate

a European Convict proceeding to
the "Earl of Hardwicke" in order
Original and Duplicate signature may be affixed to two parts and returned for delivery to the Commander

Your Most Obedient Humble Servant
[illegible]
Superintendent of Marine

B.

ABLE of RATIONS to be issued to EUROPEAN CONVICTS proceeding to Blackwa

	Bread.	Rice.	Flour.	Ghee or Suet.	Pease or Dholl.	Sugar.	Tea.	Vinegar.	Mustard seeds.	Salt Beef.	Salt Pork	Firewood	Water.
	lbs.	lbs,	lbs.	ozs.	pts.	ozs.	ozs.			lbs.	lbs.	lbs.	galf.
nday.....	5/8	1/2	1/3	1	0	2	1/6			5/8	0	4	1
nday	5/8	1/2	1/3	1	C	2	1/6			1/2	0	4	1
esday.....	5/8	1/2	0	0	5/8	2	1/6			0	5/8	4	1
dnesday.....	5/8	1/2	1/3	1	0	2	1/6			5/8	0	4	1
ursday	5/8	1/2	0	0	5/8	2	1/6			0	5/8	4	1
day	5/8	1/2	1/3	1	0	2	1/6			1/2	0	4	1
urday....	5/8	1/2	0	0	5/7	2	1/6			0	5/8	4	1
	4 2/3	3 1/2	1 1/3	4	6/7	14	1 1/6	5/7 pints a week.	4/7 ozs. a week.	2 1/3	2	28	7

B.—Spirits should be issued only at the discretion of the Medical Officer when they may consider it necessary

B.

ABLE of RATIONS to be issued to EUROPEAN CONVICTS proceeding to Blac

	Bread.	Rice.	Flour.	Ghee or Suet.	Pease or Dholl.	Sugar.	Tea.	Vinegar.	Mustard seeds.	Salt Beef.	Salt Pork	Firewood	Water.
	lbs.	lbs,	lbs.	ozs.	pts.	ozs.	ozs.			lbs.	lbs.	lbs.	galf.
nday.....	3/5	1/2	1/3	1	0	2	1/6			3/5	0	4	1
nday	3/5	1/2	1/3	1	0	2	1/6			1/2	0	4	1
esday.....	3/5	1/2	0	0	3/7	2	1/6			0	3/5	4	1
dnesday.....	3/5	1/2	1/3	1	0	2	1/6			3/5	0	4	1
ursday	3/5	1/2	0	0	3/7	2	1/6	3/7 pints a week.	4/7 ozs. a week.	0	3/5	4	1
day	3/5	1/2	1/3	1	0	2	1/6			1/2	0	4	1
urday....	3/5	1/2	0	0	3/7	2	1/6			0	3/5	4	1
	4 2/5	3 1/2	1 1/3	4	6/7	14	1 1/6			2 1/3	2	28	7

B.—Spirits should be issued only at the discretion of the Medical Officer when they may consider it necessary