M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT**

G.O. No. 1678 Press
~~Mis.~~

146-148

Dated 19 — 12 — 19 1860

05/8

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 19th December 1860.

Read the following papers:—

No. 146. From JOHN D. MAYNE, Esq., Clerk of the Crown, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 29th November 1860.

With reference to my letters of the 13th and 16th instant, I have the honor to forward a copy (in duplicate) of the Descriptive Register of Privates Edward Hall and Joseph Barrett, of Her Majesty's 3rd Battalion 60th Royal Rifles, who have been sentenced by a General Court Martial to penal servitude.

No. 147. From J. J. FRANKLIN, Esq., Superintendent of Marine, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th December 1860, No. 5,896.

Joseph Parkinson.	*Joseph Barrett.*
James Haslin.	*Edward Hall.*

* *Original and triplicate.*

I have the honor to forward herewith Charter Party in triplicate on account of 4 European Convicts named in the margin, proceeding to England on the Ship "Coldstream," in order that your signature may be fixed to two* parts, and the triplicate returned for delivery to the Commander, the original being transmitted to the Honorable Secretary of State for India.

No. 148. ORDER THEREON, 19th December 1860, No. 1,678.

1. The Chief Secretary is authorized to execute the Charter Party submitted with this letter.

2. Ordered that the original with the Guarantee of the Agents of the vessel attached to it, be retained in the Government Office, and that the triplicate be forwarded to the Superintendent of Marine for delivery to the Commander.

3. The duplicate, with the other documents relating to these four Military offenders, will be forwarded to the Secretary of State.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

620

Madras 10th December 1860

In consideration of the payment to us as Agents for the Commander of the "Coldstream" by the Government of Fort Saint George, of the sum of Company's Rupees (1333-5-4) One thousand three hundred and thirty three, Annas five, and Pice four, 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 four European Convicts, Joseph Parkenson, James Haslin, Joseph Barrett, and Edward Hall, 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 in consequence of the said Commander neglecting or omitting to fulfil or perform, all or any one ore more of the said Covenants, stipulations, and agreements, so contained in the said Charter Party dated this 18 day of December 1860.

Witnesses

W Kembrad

Gales

Arbuthnot & Co

Articles of Agreement made and entered into this Tenth day of December in the year of our Lord One thousand Eight hundred and Sixty — Between William Quin Kennedy Master and Commander of the Ship or Vessel called the Coldstream — of th eBurthen of 756 Seven hundred and fifty six — 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 William Quin Kennedy has offered and proposed to the Government of Fort Saint George to convey Four European Convicts now in the custody of the ~~Sheriff~~ Commissioner of Police of Madras and who have been legally sentenced to be transported to England — and who are severally named or known by the names of James Haslin Joseph Parkinson Joseph Barrett and Edward Hall —

and the descriptions of whose respective persons are 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 Coldstream — at the rate of 500 Five 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 Governor in Council of Fort Saint George acting on the behalf of the said Secretary of State in Council. Now these presents witness that in consideration of the covenants and agreements hereinafter entered into by and on the part of the said Secretary of State in Council his Successors and Assigns he the said William Quin Kennedy — for himself his Heirs Executors and Administrators does hereby covenant promise and agree to and with the said Secretary of State in Council his Successors and Assigns in manner following (that is to say) that he the said William Quin Kennedy — shall and will within Ten — days from the date of these presents erect and make on board the said Ship or Vessel in the Fore — part thereof a prison of such size dimensions strength and construction as will be proper and fit to accommodate and secure the said Four Convicts and on the same being completed he will report the same to the Superintendent of Marine at Fort St. George and permit any person or persons authorized for the 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 alterations or additions to the said prison as the said Superintendent of Marine or such person or persons so authorized shall on any such inspections and survey think necessary and also shall and will at his own expense provide and store on board the said Ship — all such food water and other necessaries for the sad Convicts during the said voyage as shall be approved of by the said Superintendent of Marine or the person or persons to be authorized as aforesaid And that he the said William Quin Kennedy — shall and will within Three — days after such prison shall be constructed and completed as aforesaid receive on board the said Ship the said Four Convicts respectively named or known by the names of James Haslin Joseph Parkinson Joseph Barrett and Edward Hall and that be will convey and transport them from Madras direct to Blackwall

_____ 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 William Quin Kennedy and that he will deliver the said Convicts in custody to such Officer or Officers who shall so demand the m on having a receipt for them 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 William Quin Kennedy 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 William Quin Kennedy 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 properly and securely guarded and that he as well when the said Convicts are in the said prison place and keep a proper guard of not less than one men over the said convicts and not less than two — men when they are on deck to prevent 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 William Quin Kennedy

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 William Quin Kennedy 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 three 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 William Quin Kennedy _____ his Executors or Administrators the sum of 1333. 5. 4 One Thousand three Hundred and thirty three Rupees five Annas and four Pice (being two thirds of the amount so agreed to be paid to the said _____ William Quin Kennedy by the said Governor in Council of Fort Saint George acting as aforesaid at and after the rate of _____ for the passage of each 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 William Quin Kennedy to the custody of such Officer or Officers duly authorized to receive them as aforesaid, that they have been properly treated by the said William Quin Kennedy 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 William Quin Kennedy his Executors or Administrators in London the further sum of (666. 10. 8) Six Hundred and ~~being the re~~ Sixty six Rupees ten Annas and eight 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 William Quin Kennedy 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 William Quin Kennedy 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 William Quin Kennedy 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 William Quin Kennedy *at Madras (where Stamps are not in use) in the presence of*

W Reinhardt
J Foster

William Q.n Kennedy

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

R. Lyall Lowe

Table A to which the foregoing Deed Poll refers.

Descriptive Roll of the undermentioned Convicts

Names	Age	Height		Color of			Particular Marks
	Years	Months	Feet	Inches	Hair	Eyes	Complexion
James Haslin	23	1	5	6	Light Brown	Light Blue	Fair
Joseph Parkinson	26	3	5	7	Dark Brown	Grey	Fresh
Joseph Barrett	23	"	5	3	Dark Brown	Hazel	Fresh	Scar on the forehead and one on the left cheek bone
Edward Hall	22	"	5	6	Dark Brown	Hazel	Fresh	Four moles on the right arm and a scar on the right eyebrow.

B.

TABLE 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.
Sunday	3/8	1/2	1/3	1	0	2	1/6	5/7 pints a week.	1/7 ozs. a week.	5/8	0	4	1
Monday	3/8	1/2	1/3	1	0	2	1/6			1/2	0	4	1
Tuesday	5/8	1/2	0	0	7/8	2	1/6			0	5/8	4	1
Wednesday	5/8	1/2	1/3	1	0	2	1/6			5/8	0	4	1
Thursday	5/8	1/2	0	0	7/8	2	1/6			0	5/8	4	1
Friday	5/8	1/2	1/3	1	0	2	1/6			1/2	0	4	1
Saturday	5/8	1/2	0	0	7/8	2	1/6			0	5/8	4	1
	4 5/8	3 1/2	1 1/3	4	6/7	14	1 1/6			2 1/3	2	28	7

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

3rd Batt.n 60th Royal Rifles.

Roll of Two Soldiers of the 3rd Batt.n 60th Royal Rifles who have been Sentenced to Penal Servitude.

Melling Lan.r 10th. November 1860.

No.	Name and Number.	Crime.	Sentence.	When tried.	Where tried.	Ages.	Height.	Trade.	Where born.	Whether they have any particular marks
						Years. Months.	Feet. Inches.			
8.	Private Edward Hall, No 1573.	1st Insubordinate Conduct. 2d Striking Lieut Wood & Forbes 3/60 3d. Striking away with Clothing &c 4th Disposing of watches &c Entrusted to him for repair.	To suffer Penal Servitude for the term of Seven years in the Penitentiary at Madras.	3rd October 1860	Melling	22. 10.	5. 3 6/8	Labourer	Melling	None.
8.	Private Joseph Barrett, No 1750.	Committing a Rape. (2 days)	To suffer Penal Servitude for the term of Seven years in the Penitentiary at Madras.	3rd October 1860	Melling	22. 4.	5. 5 7/8	Labourer	Melling	None.

(A True Copy)

H. Brigham - Lieut.t Col.

Commanding 3rd Batt.n 60th Rifles.

Ex. E.P.

Stuart Mackenzie

Clerk of the Crown.

No 1078 — 19th December 1860.

Proceedings of the Madras Govermt.

Read the following letters —
From the Clerk of the Crown — Inter 29th Nov. '60.
" the Supt Genl. of Marine ——— 18th Decr. — No 5896

The Chief Secretary is authorised to execute the Charter Party submitted with this letter.

2. Ordered that the Original with the Guarantee of the Agents of the Vessel attached to it, be retained in the Govt. Office — & that the triplicate be forwarded to the Superintendent of Marine for delivery to the the Commander.

3. The duplicate, with the other documents relating to these four Military Officers, will be forwarded to the Secretary of State.

To the Supt Genl. of Marine.
with Triplicate Charter Party.