M.R.O. 1—88/50—16-10-20.

MADRAS RECORD OFFICE:

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 315 Press ~~Mis.~~

65-67

Dated 8-3-1861/12 .

10/10

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 8th March 1861.

Read the following papers:—

No. 65. From JOHN D. MAYNE, Esq., Clerk of the Crown, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 2nd March 1861.

With reference to my letter of the 18th ultimo, I have the honor to forward a copy (in duplicate) of the descriptive Register of Privates George James Bryant, and Patrick Duffy, of Her Majesty's 3rd Battalion 60th Rifles, who have been sentenced by General Courts Martial to Penal servitude.

No. 66. From J. J. FRANKLIN, Esq., Superintendent of Marine, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 6th March 1861, No. 716.

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 "Trafalgar," 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.

Michael McGowan,
Patrick Bradley,
George James Bryant,
Patrick Duffy.

**Original and Triplicate:*

No. 67. ORDER THEREON, 8th March 1861, No. 315.

The Charter Party having been duly executed by the Chief Secretary, ordered that one copy be returned to the Superintendent of Marine for delivery to the Commander of the "Trafalgar."

2. The original Charter Party with the other documents relating to these Convicts, will be forwarded to the Secretary of State.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.

Roll of two Soldiers of the 3rd Battalion 60th Royal Rifles who have been Sentenced to Penal Servitude

Wellington 14th February 1861.

Number	Rank Name and Number.	Crime.	Sentence	When and where tried	Whether they can read and write	Whether they can read only	Whether they can neither read nor write	Whether they have been in confinement before	Character and behaviour	Age Years	Age Months	Height Feet	Height Inches	Complexion	Colour of Eyes.	Whether they have any particular marks.
2	Private Geo. James Bryant No 309.	Violence to his superior Officer Corp. Sergt. W.T. Kettle.	Penal Servitude for the term of his Life	10th January 1861. Wellington	Yes	No.	Labourer.	No.	Bad	24	2	5.	5 6/8	Fair	Blue.	None
6	Private Patrick Duffy No 1592.	Striking & Violence to Capt Slaughter & Threatening him & striking him with his fist.	Penal Servitude for fourteen Years.	22nd January 1861. Wellington.	Yes	No.	Groom.	No.	Bad.	21	6	5.	5.	Dark.	Blue.	Pock pitted.

Examined
(signed) J. Forbes Lt
Adjt 3rd Bn. Roy. Rifles.
A.T.J.P.

(signed) W Brigham
Lt Col
Comdg 3rd Batt 60th Roy. Rifles

(A true Copy)

Wm D Magee
Clerk of the Crown.

Madras 5th March 1861

In Consideration of the payment to me as Agent for the Commander of the "Trafalgar" by the Government of Fort Saint George of the sum of Company's Rupees (1353-5-4) one thousand three hundred and fifty 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 Michael McGowan Patrick Bradley, George James Bryant and Patrick Duffy We do hereby guarantee the performance by the said Commander of all the Covenants Stipulations and agreements contained in the annexed agreement or Charter 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 or more of the said

said Covenants stipulations and agreements as
contained in the said Charter Party dated
this Fifth day of March 1861

Arbuthnot & Co

Witness
D. Reinhardt

Articles of Agreement made and entered into this fifth day of March in the year of our Lord One thousand Eight hundred and Sixty one Between John Henry Taylor Master and Commander of the ship or Vessel called the "Trafalgar" of th eBurthen of 1179 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 John Henry Taylor has offered and proposed to the Government of Fort Saint George to convey four European Convicts now in the custody of the Sheriff of Madras and who have been legally sentenced to be transported to England and who are severally named or known by the names of Michael Mc. Gowan, Patrick Bradley George James Bryant, and Patrick Duffy.

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 Trafalgar 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 John Henry Taylor 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 John Henry Taylor shall and will within Two 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 John Henry Taylor shall and will within two 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 Michael McGowan, Patrick Bradley, George James Bryant, and Patrick Duffy and that he 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 John Henry Taylor and that he will deliver the said Convicts in custody to such Officer or Officers who shall so demand them 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 John Henry Taylor 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 John Henry Taylor 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 prisons 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 two men over the said convicts and not less than four 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 John Henry Taylor

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 John Henry Taylor his Executors and Administrators that the said Convicts shall be embarked on board the said ship within two days after the prisons 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 two 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 John Henry Taylor his Executors or Administrators the sum of Rupees (333-5-4.) one thousand three hundred thirty three, annas five and pice four (being two thirds of the amount so agreed to be paid to the said John Henry Taylor by the said Governor in Council of Fort Saint George acting as aforesaid at and after the rate of (500) five hundred Rupees 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 John Henry Taylor to the custody of such Officer or Officers duly authorized to receive them as aforesaid, that they have been properly treated by the said John Henry Taylor 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 John Henry Taylor his Executors or Administrators in London the further sum of (Rs 666-10-8.) six hundred and sixty six annas ten and pice eight 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 John Henry Taylor 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 John Henry Taylor 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 John Henry Taylor 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 John Henry Taylor *at Madras (where Stamps are not in use) in the presence of*

John Henry Taylor

A. H. Plankett

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

Table A to which the foregoing Deed Poll refers.

Descriptive Roll of the undermentioned Convicts

Names	Age Years	Age Months	Height Feet	Height Inches	Color of Hair	Color of Eyes	Color of Complexion	Particular marks
Michael McEowan	23	6	5	9 1/2	Dark Brown	Dark Blue	Dark	None
Patrick Bradley	26	7	5	6	Brown	Brown	Fair	Marks of Corporal Punishment
George James Bryant	24	2	5	5 6/8	"	Blue	Fair	None
Patrick Duffy	21	6	5	5	"	Blue	Fresh	Pock pitted

B.

TABLE of RATIONS to be issued to EUROPEAN CONVICTS proceeding to England

	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	3/4	1/4	1/3	1	0	2	1/6			3/4	0	4	1
Monday	3/4	1/4	1/3	1	0	2	1/6			1/4	0	4	1
Tuesday	3/4	1/4	0	0	3/4	2	1/6			0	3/4	4	1
Wednesday	3/4	1/4	1/3	1	0	2	1/6			3/4	0	4	1
Thursday	3/4	1/4	0	0	3/4	2	1/6			0	3/4	4	1
Friday	3/4	1/4	1/3	1	0	2	1/6			1/4	0	4	1
Saturday	3/4	1/4	0	0	3/4	2	1/6			0	3/4	4	1
	4 3/4	3 1/2	1 1/3	4	3/4	14	1 1/6	¾ pints a week.	½ ozs. a week.	2 1/2	2	28	7

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

Endd. & Entd. 23rd March
Pt. 6 of 1861.

Dated 5th March 1861

Articles of Agreement
& Charter Party for the con-
= veyance of 280 European
Convicts to England on the
Ship 'Trafalgar.'

Endd.

No. 315 dated 8 March 1861
From the Clerk of the Crown 23rd March 61
Read 27 March 61

The Charter Party having been duly executed by the Chief Secretary, ordered that one copy be returned to the Supt.dt. of Marine for delivery to the Commander of the "Trafalgar."

2. The original Charter Party with the other documents relating to these Convicts, will be forwarded to the Secretary of State.

The Supt.dt. of Marine.
With Charter Party. } dispd 8 Mar.

Laws of Marine

Judicial

Bengal 1861 Departt

9

List of 15 March

Judl. Letr to Engd.
22d March No. 6 of 1861
with Origl Charter
Party

From

The Superintendent of
Marine

To

The Chief Secretary
to Government
Fort St. George

Dated 6th
Recd 8th March 1861
No 716

No. 78

Soliciting to affix
his signature to two parts
of the accompanying Charter
Party on account of Convicts
Convicts proceeding to England
on the Travancore and to
return the Triplicate for
delivery to the Commander
the Original being transmitted
to the Honorable Secretary
of State for India

With an Order.

63@6f