M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 423 Press ~~Mis.~~

106-107

Dated 13. 3. 1862 ~~19~~ .

8/8

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
13th March 1862.

No. 106. Read the following letter from J. J. FRANKLIN, Esq., Superintendent of Marine; to the Honorable T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated 13th March 1862, No. 828.

I have the honor to forward Charter Party in Triplicate on account of Convicts, W. Crawford, J. Gleeson and S. Lees, proceeding to England in 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.

* Original and Triplicate.

No. 107. ORDER THEREON, 13th March 1862, No. 423.

The Triplicate of the Charter Party duly executed, will be returned to the Superintendent of Marine for delivery to the Commander of the "Trafalgar."

2. Another copy also executed will be forwarded to the Secretary of State, with the other papers relating to the Convicts.

3. Mr. Franklin names the Original as the Charter Party to be forwarded to the Secretary of State. The guarantee of the Madras Agents of the vessel has been attached to the Original. Mr. Franklin will state whether it is intended that the guarantee should be sent to the Home Government or be retained at Madras.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F Cartledge.

Madras 12th March 1862

In consideration of the payment to us as Agents for the Commander of the "Trafal-gar" by the Government of Fort Saint George of the sum of Company's Rupees eight hundred (800) being two thirds of the passage money a-greed to be paid by the said Government to the said Commander for the conveyance on the said vessel from Madras to England of three Euro-pean Convicts William Crawford James Gleeson and Samuel Lees, 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 over 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 conse-quence 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—

Charter Party dated this twelfth day of
March 1862.

Witness.
A. H. Rambert

Articles of Agreement made and entered into this Twelfth day of
March in the year of our Lord One thousand Eight hundred and sixty two
Between John Henry Taylor Master and Commander of the Ship or Vessel
called the "Trafalgar" of the Burthen of (1178) one thousand
one hundred and seventy eight Tons register measurement or
thereabouts belonging to the Port of London and now riding at anchor in the Madras 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 three European Convicts now in the custody of the Commissioner of
Police at Madras and who have been legally sentenced to be transported to England
and who are severally named or known by the names of William Crawford, James
Gleeson and Samuel Lees
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 (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 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 three 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 three Convicts and on the same being completed he will report the same to
the Superintendent of Marine at Fort Saint 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 said 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 one days after such prison shall be con-
structed and completed as aforesaid receive on board the said Ship the said three Convicts
respectively named or known by the names of William Crawford, James
Gleeson and Samuel Lees
and that he will convey and transport them from Madras direct to London

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 *London* 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 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 and keep a proper guard of not less than *one* men over the said Convicts and not less than *two* place when they are on deck to prevent their escape and these presents further witness that in consideration of the men covenants and the agreements herein before 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 *one* 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 *one* 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 unto the said *John Henry Taylor* his Executors or Administrators the sum of (800) *eight hundred* Rupees 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 (400) *Four hundred* Rupees for the passage of each Convict to *London* 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 (400) *Four hundred* Rupees 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 *Honorable 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 hand 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 *Honorable the Chief Secretary* on behalf of the said Secretary of State has set his hand and Seal the day and the 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*

A. H. Rembardt
Wm Millard

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

R. Tipkoe
Manaswamy

John H Taylor

Byrne

Table A to which the foregoing Deed Poll refers.

Descriptive Roll of the undermentioned Convicts.

Name	Rank	Regiment	Age	Height	Color of Hair	Color of Eyes	Particular Marks
William Crawford	*Private*	*1st Battalion H Mt 18th Royal Irish Regt*	*30*	*11 5 6*	*Fresh*	*Grey*	*Long Scar on right temple*
James Gleeson	*Do*	*H Mt 43d Regiment Light Infantry.*	*28*	*5 7⅛*	*Do*	*Hazle*	*A scar on out side of right eye. 3 Scars on back of right hand. 2 in right groin.*
Samuel Lees	*Do*	*H Mt 102d Regiment Royal Madras Fusiliers*	*22*	*6 5 4⅝*	*Do*	*Grey*	*A male with hair in front of left ear.*

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.	gals.
Sunday	[illegible]	[illegible]	[illegible]	1	0	2	[illegible]			[illegible]	0	4	1
Monday	[illegible]	[illegible]	[illegible]	1	0	2	[illegible]			[illegible]	0	4	1
Tuesday	[illegible]	[illegible]	[illegible]	0	[illegible]	2	[illegible]			0	[illegible]	4	1
Wednesday	[illegible]	[illegible]	[illegible]	1	0	2	[illegible]			[illegible]	0	4	1
Thursday	[illegible]	[illegible]	[illegible]	0	[illegible]	2	[illegible]			0	[illegible]	4	1
Friday	[illegible]	[illegible]	[illegible]	1	0	2	[illegible]			[illegible]	0	4	1
Saturday	[illegible]	[illegible]	[illegible]	0	[illegible]	2	[illegible]			0	[illegible]	4	1
	4⅔	3½	1⅓	4	⅔	14	1⅔			2½	12	28	7

4 pints a week. ½ ozs. a week.

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

Dated 12th March 1862

Articles of Agreement
or Charter Party for the convey-
-ance of three European Convicts
to England on the Ship "Trafalgar"

Rec'd March 1862
Dispatch

No. 4-23. 13 Enclosures.

The Triplicate of the Charter Party duly executed, will be returned to the Superintt. of Convicts for delivery to the Commanders of the "Trafalgar".

2. Another copy also executed will be forwarded to the Secretary of State, with the other Triplicate for Lisbon.

3. Mr. Frankli warmer the Orig: Seal as the Charter Party is to be forwarded to the Secy. of State.

3 Rec'd Superintt. of Marine with Triplicate Charter Party.

* Guarantee should be sent to the Home Govt. or be retained at Madras.

No. 423. 13 March 1862.

The Triplicate of the Charter Party duly executed, will be returned to the Supt.dt. of Marine for delivery to the Commander of the "Trafalgar".

2. Another copy also executed will be forwarded to the Secretary of State, with the other papers relating to the Convicts.

3. Mr. Franklin names the Original as the Charter Party to be forwarded to the Secy. of State. The guarantee of the Madras Agents of the Vessel has been attached to the Original. Mr. Franklyn will state whether it is intended that the

"Guarantee should be sent to the Home Govt. or be retained at Madras."

The Supt.dt. of Marine -
With Triplicate Charter Party. } Desp.d 13/3/62

Pros of Marsh

Inv^{d} 11 1862 Dep^{t}

60

From
the Superintendent of
Marine

To
The Chief Secretary to Govt
Judicial Dep^{t}
Fort Saint George

No 1423

dated 15th March 1862

Rec^{d} " "

No 509

No 828

Forwards the convict Charter
Party of the "Trafalgar" bound to
Port Blair the triplicate
and Quadruplicate the original
to the Secy of State for India

106 & 107

With an Order.

dat^{d} 27th March

Inv^{d} Ltr to Engr
27th March 2^{d} 6 of
1862. with the
Duplicate Charter
Party.—