

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1213	Press ~~His~~
268-269	
Dated 2 nd 7. 1863	10

8/8

Not to be folded or roughly handled

No. 268. Read the following letter from H. D. E. DALRYMPLE, Esq., Master Attendant, in charge of the Marine Superintendent's Office; to the Secretary to Government, Judicial Department, Fort Saint George, dated Madras, 27th July 1863, No. 1,921.

I have the honor to forward Charter Party, in triplicate, on account of Convicts George Brown, Denis Kelly, Thomas Peck, Christopher Farrel, Thomas Jones and John Johnson, proceeding to England on the ship "Barham" 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 the Secretary of State for India.

* Original and Triplicate.

No. 269. ORDER THEREON, 28th July 1863, No. 1,213.

The triplicate of the Charter Party will be signed by the Chief Secretary, and returned for delivery to the Commander of the "Barham."

2. The original, also duly executed, will be forwarded to the Secretary of State with the other documents relating to the Convicts.

3. The sum of Rupees 1,800, being two-thirds the passage money for the six Convicts to be embarked, at the rate of Rupees 450 for each, is sanctioned for payment.

6 Orders of Penal Servitude.

6 Dates of Trial.

6 Descriptive Registers.

1 Order of Government, 24th July 1863, No. 1,189, Judicial Department.

19 papers.

4. The documents noted in the margin will be forwarded to the Military Department in reference to paragraphs 3 and 4 of the Order of the 24th December 1861, No. 1,592, in this Department.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

End. T. McMootry.

22.
Machras 27th July 1863

In consideration of the payment to us as Agents for the Commander of the "Barham" by the Government of Fort Saint George of the sum of Rupees One thousand and eight hundred (1800) 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 Machras to England of six European convicts. We do hereby guarantee the performance by the said Commander of all covenants stipulations and agreements contained in the amended 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 or more of the said Covenants stipulations and agreements so contained in the said Charter Party. dated this twenty seventh day of July 1863.

George Brown
Denis Kelly
Thomas Jones
Thomas Peck
Christopher Farnell
John Johnson.

Witness
Attest
J. J. Rembert

Abulhasan

Articles of Agreement

made and entered into this

Twenty second day of

July in the year of our Lord One thousand Eight hundred and sixty

Between *George May* Master and Commander of the *Ship* or Vessel

called the *Barbican* of the Burthen of *1911* Tons register measurement or

hundred and ninety one thereabouts belonging to the Port of *London* and now lying 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 *George May* has offered and proposed to the Government of Fort

Saint George to convey *six* European Convicts now in the custody of the Commission 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 *George Brown, David*

Thomas, John, Robert, William, Thomas

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 *Barbican* at the rate of *450* *rupees*

hundred and fifty 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

George May 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 *George May*

shall and will within *three* days from the date of these presents erect and

make on board the said *Ship* or Vessel in the *stowage* *stowage* part

thereof a prison of such size dimensions strength and construction as will be proper and fit to accommodate

and secure the said *six* 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 *George May*

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 *six* Convicts

respectively named or known by the names of *George Brown, David*

Thomas, John, Robert, William, Thomas

and *Robert Robinson*

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 *George May* 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 *the place* and the said Convicts being taken charge of there as aforesaid he the said *George May* 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 necessities 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 *George May* 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 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* will when the said Convicts are in the said prison place and keep a proper guard of not less than *ten* men over the said Convicts and not less than men when they are on deck to prevent their escape and these presents further witness that in consideration of the covenants and the agreements herein before entered into as aforesaid by and on the part of the said *George May*

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 *George May* 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 *George May* his Executors or Administrators the sum of *£1000* (one thousand pounds)

(being *one* third of the amount so agreed to be paid to the said *George May* by the said Governor in Council of Fort Saint George acting as aforesaid at and after the rate of *14 50* for the passage of each Convict to *the place* and shall and will on the said Secretary of State being satisfied that the said Convicts have been duly transferred by the said *George May* to the custody of such Officer or Officers duly authorized to receive them as aforesaid, that they have been properly treated by the said *George May* 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 *George May* his Executors or Administrators in London the further sum of) *(900) nine hundred* 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 *George May* and the *Honorable the Secy* Secretary on behalf of the Government of Fort Saint George acting for and behalf of the said Secretary of State have set their *hand and seal* to the part of these presents to remain with the said Secretary of State and the said *George May* 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 *George May* the said *George May* 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 *George May* at Madras (where Stamps are not in use) in the presence of

J. W. Penkman

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

Table A to which the foregoing Dead Roll refers.

Description Roll of the undischarged convicts

Name	Rank	Regiment	Age						Particulars
			Year	Month	Day	Height	Weight	Complexion	
George St. John	Private	1st Regt. Foot	25	7	5	5 1/2	140	Dark	Light marks of smallpox on face and arms.
James H. Kelly	Private	1st Regt. Foot	25	4	5	5	130	Dark	Smallpox on face and arms.
Thomas P. Smith	Private	1st Regt. Foot	27	8	5	5	140	Dark	Smallpox on face and arms.
Christopher Turner	Private	1st Regt. Foot	25	7	5	5	130	Dark	Smallpox on face and arms.
Thomas Jones	Private	1st Regt. Foot	25	9	5	5 1/2	140	Dark	Smallpox on face and arms.
John Johnson	Private	1st Regt. Foot	27	11	5	5 1/2	140	Dark	Smallpox on face and arms.

B.

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

	Bread.	Rice.	Flour.	Ghee or Suet.	Pease or Dried.	Sugar.	Tea.	Vinegar.	Mustard seeds.	Salt Beef.	Salt Pork.	Firewood.	Water.
	lbs.	lbs.	lbs.	ozs.	pts.	ozs.	ozs.			lbs.	lbs.	lbs.	gals.
Sunday.....	1 1/2	1/2	1/2	1	0	2	1/2			1/2	0	4	1
Monday.....	1 1/2	1/2	1/2	1	0	2	1/2			1/2	0	4	1
Tuesday.....	1 1/2	1/2	1/2	1	0	2	1/2			1/2	0	4	1
Wednesday.....	1 1/2	1/2	1/2	1	0	2	1/2			1/2	0	4	1
Thursday.....	1 1/2	1/2	1/2	1	0	2	1/2			1/2	0	4	1
Friday.....	1 1/2	1/2	1/2	1	0	2	1/2			1/2	0	4	1
Saturday.....	1 1/2	1/2	1/2	1	0	2	1/2			1/2	0	4	1
	4 1/2	3 1/2	1 1/2	4	0	14	1 1/2			2 1/2	0	28	7

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.

6.1 Sub. to Ldg. 17th Aug^r 1863.

N^o 1213 - 28 July 1863. 6c

The triplicate of the Charter Party will be signed by the Chief Secretary & returned for delivery to the Commanders of the "Barham".

2. The Original, also duly executed, will be forwarded to the Secretary of State with the other documents relating to the Convicts.

3. The usual guarantee from the Agents of the vessel, for the due fulfilment of the terms of the Charter Party, has not been received. It should be obtained from them.

4. The sum of Rs 1,800, ^{being} two thirds the passage money for the six Convicts to be embarked, at the rate of Rs 450 for each, is sanctioned for payment.

5. The documents noted in the margin

4507542

Subscribed

Dated 27th July 1863.

Articles of agreement
or Charter Party for the conveyance of the European Convicts to England on the ship "Barham".

No: 205 July 1863

28 July 1863
1863

[illegible][illegible]

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 ۸. در این کتاب که در این کتاب
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1. The number of the document is 0081.
 2. The name of the person is [illegible].
 3. The date of the document is [illegible].
 4. The name of the person is [illegible].
 5. The name of the person is [illegible].

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of agreement
at it for the par-
ticular European
England on the
m.

warded to the Liby. Sept.,
in reference to para 8 & 4
of the Order of the 24 Decr.
281 N^o 1592 in this Sept.

6 Orders of Small Scripturae.
by Bates & Trial.
26 Descriptives Registers.
1 Order of Court. 24 July, '63.
No. 1189. Lunde. 34th.

19 chapters.

3rd Master Attendant in charge of the 3 sup^{rs}
 Offices of Supts of Baltimore - with the 3
 Officers of Charly-Party.
 4th Sup^{rs} - with 10 h^{rs} 3rd Civil Engineer

Individual 863 Sept 7

Secretary to the
Judicial Dept
for C. S. George

Ante 27 July 1863
Case 28th —————
July 1863

No 1146 12-1921
Toward is the entire ^{man} the
Party of the "Burmans" who
succeeded frequently to rob
the triplicate

With an Order.