M.R.O. 1—30,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1399 Press Mis.—

176-177 Dated 23 - 9 - 19 1864

8/9 (3 sheets)

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

23rd September 1864.

No. 176. Read the following letter from J. B. CROWTHER, Esq., Deputy Master Attendant in charge; to J. D. SIM, Esq., for Chief Secretary to Government, Judicial Department, Fort Saint George, dated Madras, 23rd September 1864, No. 3284.

I have the honor to forward the Charter Party (in triplicate) relating to the Military convict proceeding to England in the Steamer *Calcutta*, 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. 177. ORDER THEREON, 23rd September 1864, No. 1399.

The triplicate of the Charter Party will be signed by the Secretary to Government, and returned for delivery to the Commander of the Steamer *Calcutta*.

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

1 Order of Penal Servitude.
1 Date of Trial.
1 Descriptive Register.
1 Order of Removal.

4 Papers.

3. Ordered that the papers enumerated in the margin, relating to this convict, be forwarded to the Military Department, with reference to paragraphs 3 and 4 of the Order of the 24th December 1861, No. 1592.

(True Extract.)

J. D. SIM,
Secretary to Government.

To the Deputy Master Attendant in charge of the Office of Superintendent of Marine, with triplicate Charter Party.
„ Military Department, with four papers.

Exd. J. Tulloch.

good

Madras 23rd September 180

In consideration of the paymen
to us, as Agents for the Commander of
the Steam Ship "Calcutta" by the
Government of Fort Saint George, of
the sum of Government Rupees (300) Th
Hundred being two Thirds of the passag
money, agreed to be paid by the said
Government to the said Commander, for
the conveyance on the said Vessel from
William Quinn Madras to England of a European Com
we do hereby guarantee the performanc
by the said Commander of all covenant
stipulations, and agreements contained in
the annexed agreement or Charter Party,
and do hereby hold, and make ourselves
responsible to repay or refund, and mak

good

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 Third day of September 1864

Witness
J. M. Lenhardt

Alexander & Co

Duplicate

Articles of Agreement made and entered into this twenty third day
September in the year of our Lord One thousand Eight hundred and sixty four
Between Samuel Henry Wright Master and Commander of the ~~Steam Ship~~ or Ves
called the "Calcutta" of the Burthen of (2261) Two thousand
two hundred and sixty one Tons register measurement
thereabouts belonging to the Port of London and now riding at anchor in the Madras Ro
of the one part and The Right Honorable the Secretary of State for India in Council of the other p
Whereas the said Samuel Henry Wright has offered and proposed to the Government of F
Saint George to convey one European Convict now in the custody of the Commission
Police at Madras and who ~~have~~ has been legally sentenced to be transported to England
and who ~~are severally~~ is named or known by the name of William Quinn

and the descriptions of whose ~~respective~~ person ~~are~~ is set forth and specified in the Table marked with the let
A hereunto annexed from Madras to England on board the sa
Steam Ship or Vessel called the Calcutta at the rate of (450) Fo
Hundred and fifty Rupees for ~~each~~ the said Convict and has offered to enter into t
covenants and agreements in these presents on his part contained which offer and proposal has been accepted
the Governor in Council of Fort Saint George acting on the behalf of the said Secretary of State in Counc
Now these presents witness that in consideration of the covenants and agreements hereinafter enter
into by and on the part of the said Secretary of State in Council his Successors and Assigns he the sa
Samuel Henry Wright for himself his Heirs Executors and Administrators d
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 Samuel Henry Wright
shall and will within Three days from the date of these presents erect a
make on board the said Steam Ship or Vessel in the troop deck starboard side forward p
thereof a prison of such size dimensions strength and construction as will be proper and fit to accommoda
and secure the said One Convicts and on the same being completed he will report the same
the Superintendent of Marine at Fort Saint George and permit any person or persons authorized for
purpose by the said Superintendent of Marine to go on board the said Steam Ship and inspect and sur
the prison as constructed and shall and will make any such reasonable alterations or additions to the said pr

with safety and care on board the said ~~Steamer~~ 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 *Samuel Henry Wright* and that he will deliver the said Convicts in custody to such Officer or Officers who shall so demand ~~them~~ *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 ~~Steam~~ *Ship* at *London* and the said Convicts being taken charge of there as aforesaid he the said *Samuel Henry Wright* 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~~ *him* 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 *Samuel Henry Wright* will report to the said Secretary of State on his arrival the cause of the death of ~~such~~ *the said* Convict ~~or Convicts~~ and the nature of the illness of which ~~such~~ *the said* Convict or Convicts may have died with a detail of the medical aid and treatment which ~~such~~ *the said* Convict ~~or Convicts~~ experienced during any such illness and also shall and will keep and detain the said Convicts until ~~they~~ *he* 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 ~~Steam~~ *Ship*) to walk upon the deck of the said ~~Ship~~ *Steam* 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 ~~are~~ *is* in the said prison place and keep a proper guard of not less than *One* man over the said Convicts and not less than *One* man when ~~they are~~ *he is* on deck to prevent ~~their~~ *his* 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 *Samuel Henry Wright*

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 *Samuel Henry Wright* his Executors and Administrators that the said Convicts shall be embarked on board the said *Steam 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 *Samuel Henry Wright* his Executors or Administrators the sum of (300) *Three hundred Rupees* being two-thirds of the amount so agreed to be paid to the said *Samuel Henry Wright* by the said Governor in Council of Fort Saint George acting as aforesaid at and after the rate of (450) *Four hundred and fifty Rupees* for the passage of ~~each~~ *the said* Convict to *London* and shall and will on the said Secretary of State being satisfied that the said Convicts ~~have~~ *has* been duly transferred by the said *Samuel Henry Wright* to the custody of such Officer or Officers duly authorized to receive ~~them~~ *him* as aforesaid, that ~~they have~~ *he has* been properly treated by the said *Samuel Henry Wright* 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 *Samuel Henry Wright* his Executors or Administrators in London the further sum of (150) *one hundred and fifty 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 *Samuel Henry Wright* and the *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 *Samuel Henry Wright* 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 *Samuel Henry Wright* the said *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 *Samuel Henry Wright* *at Madras* *(where Stamps are not in use) in the presence of*

A H Wright

A H Blenkins

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

L D Line
Lieut & Pd

A Upsdow
Registrar

Judicial Department.

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PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Deputy Master Attendant in charge of the Office of the Superintendent of Marine

(Here enter 23d Septr pa No 3261)

Order thereon 23d September 1841.

The Duplicate of the Charter Party will be signed by the Secretary to Government, and returned for delivery to the Commander of the Steamer "Calcutta".

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

3 Ordered that the papers enumerated in the margin

Duplicate
Dated 23d September 1841.

Letter from Government
Charter party for the conveyance of
a European Convict to England
on the Steam Ship "Calcutta."

Recd 23d Sept
Read 24th Sept
Regd
Co Copy

marg in, relating to this Convict, be forwarded to the Military Department, with reference to paragraphs 3 and 4 of the Order of the 24th December 1861 No 1592

1 Order of Penal Servitude
1 Date of trial
1 Descriptive Register
1 Order of Removal
4 Papers

Dictated

To the Dy Master Attendants on charge of the Officers of Sd Vessel with Duplicate C. Pass } despd 24/9

" Emly Digby with 4 Papers despd 23/9

Judicial 1864. Department.

No. 1599

PROCEEDINGS of GOVERNMENT.

Dated 25th September 1864

Judl A Dec 1864

176.77