

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	86	Press ~~Mis.~~
¹³²⁻¹³⁶ Dated	14-1-	19-1865

13/14

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
14th January 1865.*

Read the following papers:—

No. 132. From J. ROHDE, Esq., Inspector General of Jails, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Ootacamund, 5th December 1864, No. 371.

I have the honor to submit, for the orders of Government, the request of Summers (a prisoner in the European Jail, to be released on the 18th December), for a free passage to Melbourne, which I trust he may receive.

2. This prisoner was sentenced by a General Court Martial to four years' Penal Servitude on the 19th December 1860, and is to be released on the 18th instant.

3. The sum of Rupees 106-6-4 is to this prisoner's credit in the Jail books, for which sum I trust the Government will grant a bill on the Government of Melbourne.

Referred, through the Military Department, to His Excellency the Commander-in-Chief.

FORT SAINT GEORGE,
17th December 1864.

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

Referred to the Commander-in-Chief, Adjutant General's Department.
FORT SAINT GEORGE,
17th December 1864.

(Signed) H. MARSHALL, Colonel,
Secretary to Government, M. D.

No. 133. From Colonel J. M. PRIMROSE, Adjutant General, to Colonel H. MARSHALL, Secretary to Government, Military Department, Fort Saint George; dated 21st December 1864, No. 718.

With reference to the letter* as per margin, referred to this Department with

* From Inspector General of Jails, dated Ootacamund, 5th December 1864, relative to prisoner S. Summers being granted a passage to Melbourne, and Rupees 106-6-4 due to him being sent to the Government of Melbourne.

your Memorandum of the 17th instant, I have the honor, by order, to state, for the information of His Excellency the Governor in Council, that the Com-

mander-in-Chief has no objection to offer to a passage being provided to Melbourne for Samuel Summers, Private in the late 1st Madras Fusiliers.

2. Summers was enlisted at Westminster on 10th August 1859.

3. A copy of the crime, for which he was sentenced to four years' Penal Servitude, is enclosed.

Extract from G. O. C. C., dated Head Quarters, Choultry Plain, 28th December 1860.

That he Samuel Summers, at Bangalore, on the 12th of November 1860, he being then and there a Soldier serving in the Territories of His Highness the Rajah of Mysore, at a distance of upwards of one hundred and twenty miles from the Presidency of Fort Saint George, did feloniously steal, take, and carry away, from the person of Modee Shroff, Silver and Copper coins, amounting to Company's Rupees sixty-eight, the property of the said Modee.—

(A true Extract).

(Signed) J. M. PRIMROSE, Colonel,
Adjutant General.

*Proceedings of the Madras Government, Judicial Department,
14th January 1865.*

No. 134. *Order in the Military Department, dated 22nd December 1864, No. 4623.*
Ordered that the letter from the Adjutant General above recorded, be communicated to the Judicial Department.

(Signed) H. MARSHALL, Colonel,
Secretary to Government.

No. 135. From J. ROHDE, Esq., Inspector General of Jails, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Ootacamund, 6th January 1865, No. 461.

I have the honor to inform you, in reference to my letter of the 5th December, that I have a note from Summers, who was released on the 18th, and who states he has applied to the Commissioner of Police without any favourable result.

No 136. ORDER THEREON, 14th January 1865, No. 86.

It has been ascertained that passages cannot be secured from Madras to Melbourne, and the Governor in Council is, therefore, unable to adopt the recommendation made by the Inspector General of Jails, that a passage should be provided for the released convict Summers to the latter place. The Government, however, will be prepared to provide Summers with a passage to England, if he is willing to go there. The Commissioner of Police will ascertain this, and, if Summers is willing to go to England, will arrange with the Superintendent of Marine for procuring a passage for him, making the usual provision for his maintenance until the departure of the vessel, and furnishing the Commander with an order for the equivalent of the sum at Summers' credit to be delivered to him on landing.

2. Should Summers not desire to go to England, Colonel Wilson will pay him the amount in question at once.

(True Extract).

Chief Secretary.

To the Inspector General of Jails.

- " Commissioner of Police.
- " Superintendent of Marine.
- " Accountant General.
- " Civil Paymaster.

Exd. J. H. Burns.

8.2.65
9.2.65

Handwritten signatures and notes in the center of the page, including "Judge" and "23".

Handwritten note on the right side of the page, dated December 1864, mentioning "Summers" and "what to do I take this great liberty of writing to you to inform you how I am situated in Madras I am now under and with a challenge I was released on the 18th of this month and they gave me 2 Rupees to him".

for three days Ration and
I have not received any money
or cheques since I have been
down here but I went to
the Governor's House and they
told me that they had now
to receive me, so what am I
to do. I have been to the
Postmaster twice and he
tells me that he can't do any
thing for me until he receives
order from you

I remain yours
Humbert L. L. L.
Humbert L. L. L.

Peninsular and Oriental Steam Navigation Company,

Madras,

6th May 1864

My dear Franklin,

Let me grant a
second class ticket to Calcutta,
from whence he must take
his chance of getting on.
He then he goes, by paying
the difference in the full fare
money.

Yours sincerely
A. L. L.

My dear Mr. Antislavery

This is not me.

Conceiving the best
way therefore would be
to engage his passage to
fall in and I would wish
to the same steamer to
be able then to forward
him on at the expense
of his fare. He may
have to remain a
month if there is no
room in the steamer, but

this is much risk I
wishes to go.

James

~~Malcolm~~

Macdonald I have with

me back to

Sunday

5 January 1865

My dear Mr. Hunt Before
asking Sumner whether he is
still desirous of being sent to
Australia I think it as well
to mention one or two points
for your consideration in the
first place -

It has always been very
difficult to obtain passages
from this to Australia - This
man Sumner came to the
penitentiary about the beginning
of 1861, and on the 28th Jan

of that year for details the
Supt. of Marine & provisions
to Western Australia.
In reply for him - On the 24th
Jan^y 1862 (nearly a year afterwards)
Ad-Branklin reports to Jpts
that there was no chance of
procuring a passage under
suspense that a reference
should be made to Jalcath
which was done; but there
was no satisfactory reply, and
Sumner together with four
others were similarly situated.

6-
were ultimately transferred to the
Jail at Botennum under
the order of Jpts. 10 June/62
/ No 897 - The Proceedings of
Jpts: Jpts. mentioned are
dated 6 Feb^y - I am
given to understand that it
is just as difficult as ever
to get passages to Australia
from this, and therefore
take the liberty of suggesting
that Branklin is Delaysed

Department.

be spoken to on the subject
before the order is finally
passed, as to build
into it to be saddled with
the subsistence of Summers
for an indefinite period.

The second point is this.

Summers has a wife, and
at least one child who
are now with him -

When the order is
passed kindly put in

a clause authorizing me to
provide for the maintenance
of Summers until his son -
Franklin - If what
you hear from Franklin is
unfavorable Summers might
be opposed a proper home,
if he does not wish to
go, his earnings could be
given to him at once.

Yours very truly
J. M. W.

Jan 5. 1850

8.

My dear Mr. G. B. Howard

There is some little diff.
iculty in providing pas-
sage to Australia, in the
agent here has express
instructions not to grant
passage. In the case of
larger than most of the former
bills. I induced him
to allow the rule. The
case is that there
may not be room in
the Australian steamer

You must therefore
to engage passage papers
and have obtained pas-
sage to Australia if
it can be granted.

The best way with
respect to Saunders
would be to send him
to father and request
the Master Attendant
there to obtain him
leave; but there if this

19.
Gail he would be
left there on his own
resources.

How about the
wife and child? Can
they go?

Yours affectionately
Matthew Dim

Jan^y 6.

I wrote this last night
on my return home sup-
posing that your paper was

waiting. I will see what
can be done to day with
the Agent & to J. J. J. J.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers—

Letter from the Inspector
Cent. of Sails — Inter 5 Decr. 64 N^o 371.
Pres. in the Nily. Dept. — 22 do — 4623.

Order—

The Governor in Council
is pleased to sanction the
grant of a free passage to
Melbourne to discharged
prisoner, Samuel Summers.

2. If the sum referred to in the
last para of Mr. Rolles's letter
is not disbursed at Cota-
cannund, the Commissioner
of Police will apply to the Govt
for an order for the equiva-
lent payable at Melbourne.

The Inspector Cent. of
Sails. 3
" Sessions Judge of Cota-
cannund. 3
" Commr. of Police with a Treasury
order 3
" Subdt. of Marine. 3
" Civil Paymaster. 3
" Acctt. Cent. 3

by R

28. 2 371
C 718 2 2nd
Ind. order
Ind. order

Discharged prisoner
Samuel Summers

(1)

Dated

PROCEEDINGS OF GOVERNMENT

186 . Department.

No.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers;

From the Inspector General of Sails — (Here enter 6th December 1864 A. 371)

" Adjutant General — (" 24th " " " 718.)

Pros: Govt. in the Military Department — (" 22nd " " " 461)

From the Inspector of Sails — 6 January 65 — " 461

Order thereon 14th January 1865 A. 86.

It has been ascertained that passages cannot be secured from Madras to Melbourne and the Governor in Council is therefore unable to adopt the recommendation made by the Inspector General of Sails that a passage should be provided for the released convict Summers to the latter place. The Government however will be prepared to provide Summers with a passage to England if he is willing to

W. M. J. M.

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of Police will ascertain this
and if Summers is willing to
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with the Superintendent of
Marine for procuring a pas-
sage for him, making the
usual provision for his main-
tenance until the departure
of the vessel and furnishing
the Commander with an order
for the equivalent of the sum
at Summers' credit to be
delivered to him on landing.

2 Should Summers not
desire to go to England Colonel
Wilson will pay him the
amount in question at once.

To the Chief of Staff despd 21/1
" Comd of Police despd 14/1 in S.A.
" Supt of Marine } despd 24/1
" Asst General }
" Civil Commission } to the S.

in print copy 21/1

by Dep^{ty} 20/1

*Disputed Business
David Harrison*

132 @ 130.

Judicial 1865. Department.

No. 85

PROCEEDINGS OF GOVERNMENT.

Feb. 202.

Dated 14 January 1868.

*at 100
1112*

2 original papers sent - see 2