MGR.—S. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 801-801A Press
~~Mis.~~

206-208

Dated 26.5.1863 ~~19~~ .

6/7

Not to be folded or roughly handled

2-8-30

Proceedings of the Madras Government, Judicial Department,
26th May 1863.

No. 206. Read the following letter from JAMES SWAN, Esq., Colonial Secretary, Colombo; to the Chief Secretary to Government, Fort Saint George, dated Colombo, 6th May 1863, No. 12.

I am directed by the Governor to refer to you, for the consideration of the Honorable the Governor of Madras in Council, an original petition from Raman, Sittamblan, and Waytalingam, Tindals, and its enclosures, together with a copy of the Report made thereon by the Collector of Customs at Jaffna.

REPORT REFERRED TO.

It must needs be confessed that there was an omission in the ports of this Province to act up to the letter of the law, but its spirit was observed by the systematic affording of information in the vessel's papers of the number of passengers, and until the occurrence of these cases this had been tacitly accepted by the authorities on the Continent without question.

The following is a copy of a reply afforded by me to one of the petitioners.

"Petitioner should be recommended to petition His Excellency the Governor stating that "he acted from ignorance, and that the Customs Officers ought not to have allowed him to sail "with passengers with a license," and in the spirit of that reply, I beg leave to recommend that the prayer of the petitioner, that this Government should interpose with that of Madras and endeavour to procure a remission of the fines, which have been imposed, should be complied with.

In further explanation of the oversight here, I beg leave to submit that it is with reference to the Cooly Immigration that the passenger's law has engaged so much attention, that very few coolies ever come to the ports of the Jaffna District, and that the passengers, between them and the ports of India, are mostly persons of respectability visiting the temples on the Continent or in pursuit of mercantile affairs.

(Signed) P. A. DYKE,
Collector.

CUSTOMS' JAFFNA,
12*th April* 1863.

ORDER THEREON, 26th May 1863, No. 801.

Ordered that a copy of the foregoing letter, with its original enclosures, be forwarded to the Magistrate of Madura for his report.

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

No. 208. To the Colonial Secretary, Colombo, dated Fort Saint George, 26th May 1863, No. 801A.

I have the honor to acknowledge the receipt of your letter of the 6th instant, referring for the consideration of the Madras Government, a petition from the Tindals of certain Dhonies, praying for the remission of the fines imposed on them for carrying passengers in excess of the number allowed by Act No. XXV of 1859 as amended by Act No. II of 1862.

2. In reply, I am directed by His Excellency the Governor in Council to inform you, that the petition and its enclosures have been referred to the Magistrate of Madura, and that its prayer will be considered and disposed of on the receipt of that Officer's report. In the meantime, I am desired to call the attention of the Ceylon Government to the lax manner in which the Ceylon Immigration Ordinances are carried out in the Ports of the Jaffna Agency, where practically the law seems a dead letter, and to the abuses likely to ensue therefrom. It will be observed that in one of the cases under reference, a Dhony of 19 tons carried 30 passengers, besides her crew, and that she was out five days.

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

Exd T. McMootry.

Judicial Department

№ 1054

From the Colonial Secretary - Columbo

Dated 6th May 1863.

For Orders.

I would upon this & the Governor's dispatch in the first instance perhaps report. It might with propriety one way or the other.

But I would at once direct the letter from the Lord Chief Justice that we have referred to His Majesty that we would dispose of the petition on receipt of this report - and meanwhile that we would beg to call their attention to the law as amended by Act № II of 1862.

2. In reply, I am directed by His Excellency the Governor in Council to inform you, that the Petition and its enclosures have been

the Ceylon Municipal Ordinances
to be carried out in the ports of the
Jaffna Agency [illegible] particularly
the law relating to a Dead Body
and to the Cabooses likely to be
licensed. I observe that in one
of the cases a Sloop of 19
tons carried 30 passengers
besides her crew — it does not
appear whether the men in
the hold were part of her
ballast — and was not for
days.

[illegible]

Sudeena

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From
The Colonial Secy
Colombo 12

Rd 16th May 1863
Ry 15th

No. 1054

Returning for consideration & Instructions the enclosure, together with a Report from the Collector of Customs at Jaffna, from Ramanr, Chilaw, Galle and Trincomalee, relative to the Regulations for Native Craft trading between Ceylon & the Continent of India.

Ceylon 7th March 1863

Registered & Received

Sir

I have the honor to transmit herewith for your consideration, a letter from the Collector of Customs at Jaffna, with its original enclosure, relative to the Regulations for Native Craft trading between Ceylon & the Continent of India.

2. I am also to transmit a copy of the foregoing letter, with its original enclosure, for the information of the Registrar of Seaborne Craft at this Port.

I have the honor to be
Sir
Your most obedient
humble Servant
[illegible]
Colonial Secretary

Jaffna 26th February 1863 No. 801.

Sir

Adverting to the Ordinance No. 4 of 1862 "for the Registry of Seaborne Craft" I have the honor to request that you will be pleased to move the Government to take into consideration the propriety of extending the provisions of the Ordinance to the Native Craft trading between Ceylon & the Continent of India.

2. The Ordinance in question was framed with a view to the Registry of Vessels of a certain size, and the Native Craft trading between Ceylon & the Continent of India, are not required to be registered, but they are required to be licensed, and to have their Tonnage ascertained, and marked on their Sterns, before they can obtain a Clearance.

3. The Tonnage of these Vessels is ascertained by the Officers of Customs, by measurement, and the Tonnage is marked on the Stern, in the same manner as the Tonnage of Vessels registered under the Ordinance No. 4 of 1862.

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H.P

Judicial Department.

No. 801 A.

To The Colonial Secretary
Colombo.

Sir,

I have the honor to acknowledge the receipt of your letter of the 6th Instant, referring for the consideration of the Madras Government a Petition from the Pandalo of certain Dhonies, praying for the remission of the fines imposed on them for carrying passengers in excess of the number allowed by Act No XXV of 1859 as amended by Act No II of 1862.

2. In reply, I am directed by His Excellency the Governor in Council to inform you, that the Petition and its enclosures have

Ptlw

been referred to the Magistrate of Madura, and that the prayer will be considered and disposed of on the receipt of that Officer's report. In the meantime, I am desired to call the attention of the Ceylon Government to the lax manner in which the Ceylon Immigration Ordinance are carried out in the Ports of the Jaffna Agency, where practically the law seems a dead letter, and to the abuses likely to ensue. It will be observed that in one of the cases under reference, a Dhony of 19 Tons carried 30 Passengers, besides her Crew, and that she was out five days.

G/A

Fort St George
26th May 1863

Dist of Pd. Jaffna

Jud. 1863 Dept.

No. 807 A.

Colonial Secretary
Colombo.

Ft. 1326.
" 2626.
Kg 26th Dray 1863

Referring for the report of the Magistrate of Madura the Petition from certain Tindals of Jaffna praying for the remission of the fines imposed on them for carrying an excessive number of passengers. -

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