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MADRAS RECORD OFFICE.

Government of Madras.

Services DEPARTMENT.

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GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper :—

Extract from the Proceedings of the Government of India, in the Home Department (Medical), under date Simla, the 30th April 1886, No. 4/153—63.

Read—again the undermentioned papers on the subject of the deportation of lunatics from India to England :—

Despatch from Her Majesty's Secretary of State, to Government of India, No. 15 (Public), dated 8th February 1866, and endorsement thereon to Government of Bengal, No. 2943, dated 26th March 1866.

Despatch from Her Majesty's Secretary of State, to Government of India, No. 143 (Public), dated 9th September 1868, and endorsement thereon to Government of Bengal, No. 4176, dated 17th October 1868.

Despatch from Her Majesty's Secretary of State, to Government of India, No. 45 (Public), dated 29th May 1869, and endorsements thereon to Governments of Bengal, Madras and Bombay, Nos. 2933 to 2935, dated 28th June 1869.

Despatch from Her Majesty's Secretary of State, to Government of India, No. 102 (Public), dated 26th October 1870, and endorsement thereon to Government of Bengal, No. 5233, dated 30th November 1870.

Despatch from Her Majesty's Secretary of State, to Government of India, No. 12 (Public), dated 2nd March 1871, and endorsement thereon to Government of Bengal, No. 1963, dated 20th April 1871.

Despatch from Her Majesty's Secretary of State, to Government of India, No. 69 (Public), dated 12th June 1873, and orders thereon to the Governments of Bengal, Madras, and Bombay, Nos. 2535 to 2537, dated 2nd August 1873.

Despatch from Her Majesty's Secretary of State, to Government of Bombay, No. 2 (Public), dated 4th March 1875.

Despatch from Her Majesty's Secretary of State, to Government of India, No. 139 (Public), dated 11th November 1875.

Despatch from Her Majesty's Secretary of State, to Government of Bombay, No. 1 (Public), dated 11th January 1877, and orders thereon to the Governments of Madras, Bengal, the North-Western Provinces and Oudh, and the Punjab, and the Chief Commissioners of the Central Provinces, British Burma, Mysore and Coorg, and Assam, Nos. 5—225 to 31, dated 29th March 1877, with endorsement to the Government of Bombay, No. 232, of the same date.

Read—also the undermentioned correspondence relating to the deportation to England of an insane person named Charles Hax :—

Letter from the Government of Bengal, No. 1631, dated 22nd August 1885.

Despatch to Her Majesty's Secretary of State, No. 36 (Public—Medical), dated 5th September 1885.

Letter from the Government of Bengal, No. 1503, dated 1st September 1885.

Despatch to Her Majesty's Secretary of State, No. 38 (Public—Medical), dated 22nd September 1885.

Despatch from Her Majesty's Secretary of State, No. 109 (Public), dated 5th November 1885.

Resolution—

Her Majesty's Secretary of State for India has from time to time issued various instructions in regard to the deportation of insane persons from India to the United Kingdom. These instructions have been communicated by the Government of India either to the Local Government concerned, or, if the instructions were of general application, to all Local Governments and Administrations for information and guidance. In some instances, however, the Secretary of State's orders do not appear to have

been strictly followed, and the Governor-General in Council accordingly considers it desirable to circulate a brief *résumé* of the more important of these orders for the better information and guidance of the local authorities concerned.

2. In a despatch, dated 8th February 1866, No. 15, the Secretary of State remarked, with reference to certain lunatics who had been sent to England from the Lower Provinces of Bengal, and who appeared, with one exception, to have been natives of India, that the practice of sending persons of this class to England was altogether unauthorised by the Home authorities. On that occasion Sir Charles Wood observed :—

It is evident, on the one hand, that no benefit to the individuals can as a general rule arise from their transfer from the land of their birth to a country where the climate is so different from what they have been accustomed to, where they have no friends, and where all old associations must be wanting; and, on the other hand, that the expense to Government, including the cost of their passage and their maintenance in asylums in this country, must be considerably greater than if they were retained in asylums in India.

The Secretary of State accordingly requested that orders might be issued to the effect that insane persons, not being of European birth, should under no circumstances be thereafter sent to England, and that even lunatics of European birth should be deported only in cases where their transfer to Europe was likely to promote their recovery, or where there might be reason to believe that they had relatives in Europe who would be able and willing to bear the cost of their maintenance.

3. In a despatch, No. 143, dated 9th September 1868, the Secretary of State intimated the arrival in England of certain pauper insanes, concerning whom he had not received any advice or information from the Government of India. Particulars were accordingly asked for regarding the names and addresses of their relatives, and the parishes in which they individually might claim a settlement. At the same time the Secretary of State informed the Governor-General in Council that he had resolved to defray, from the revenues of India, the expense of maintaining in England all pauper lunatics sent by the Governments in India whose settlement in the United Kingdom could not be traced. He therefore again called attention to the despatch referred to in the preceding paragraph, and requested that the instructions therein conveyed might be carefully and strictly observed, as the cost to the Indian Government for the support in England of each insane pauper was about £1 per week.

4. In a despatch, No. 45, dated 20th May 1869, the Secretary of State remarked that he was glad to perceive that the Government of India had enjoined a more careful observance of the orders of Her Majesty's Government on the subject of the transmission to England of pauper insane patients, and desired that for the future their passages might be secured on as economical terms as possible. The case of distressed seamen should, it was intimated, be regulated by the rules contained in the "Supplementary Instructions to Officers in British Possessions Abroad" issued by the Board of Trade.

5. In a despatch, No. 102, dated the 26th October 1870, the Secretary of State, commenting upon the statement of the case of a particular lunatic, whose father was described as "a pensioned soldier supposed to be living in Dublin," remarked that this address might be insufficient to lead to the discovery of the person referred to, and added :—

It would be well, for the future, if directions are given to the officers concerned in drawing up these statements to obtain every information regarding the parishes of the European parents of any pauper insane patients who may hereafter be sent to this country from India.

6. In March 1871, the Secretary of State, in sending * to the Government of India a copy of a correspondence with the Board of Trade on the subject of the repayment by the Board of the amount expended on account of the passage to England of certain insane seamen, remarked :—

* Despatch, No. 12, dated 2nd March 1871.

Your Lordship in Council will observe that the Board state that the Masters of British vessels can be compelled, under the provisions of the Merchant Shipping Act, to provide passages to distressed seamen, whether in a state of insanity or not, from India to this country. The terms regulating the expense of such passages are prescribed by the Board of Trade, and

are contained in the accompanying "Instructions," copies of which were transmitted to your Government with my predecessor's despatch, in the Financial Department, No. 356, dated 26th August 1868.

The Secretary of State also expressed his regret that the orders contained in his despatch, No. 45, dated 20th May 1869, had been disregarded, and desired that the Government of India would enjoin a careful and rigid observance of the directions issued by Her Majesty's Government on the subject of the conveyance of pauper insane patients from India to England, and especially of distressed seamen. It was added :—

It would appear from the "Supplementary Instructions," already referred to, that "an immediate advice" should be sent direct to the Board of Trade of the despatch of all distressed and insane seamen, in order that that department may take the necessary measures for their reception and care in this country, and that all payments incurred in their behalf should be charged to the Board in the manner prescribed.

7. With a despatch, No. 69, dated 12th June 1873, the Secretary of State forwarded a copy of a correspondence which had taken place with the Board of Trade regarding the recovery of the cost of clothing supplied to certain distressed insane seamen sent from Calcutta. The Board considered that the articles of clothing supplied by the medical authorities in India to the insane seamen in question were more expensive and numerous than was necessary; and, with reference to a request made by the Government of India for the issue of more definite instructions for future guidance in the matter, the Board, while thinking that a rule could not be laid down which would be applicable to every case, were of opinion that such clothing should be supplied as the medical authorities and the shipping master might jointly recommend. The Secretary of State at the same time invited the Government of India to impress on the several authorities in India the great importance of collecting the fullest information regarding the settlement in the United Kingdom of all insane patients despatched from India to England, and of carefully observing the orders issued on the subject, especially in the cases of lunatic seamen, inasmuch as the cost of maintaining in England those patients whose settlements cannot be traced falls on the revenues of India.

8. In March 1875 the Secretary of State suggested * to the Government of Bombay that, in the event of the necessity arising for sending from India to England distressed insane persons who were not British subjects, application should be made to the Consuls or other representatives of Foreign Governments in India for the conveyance of such persons direct to their own country. It was added that, if no such assistance should be available, the Government of Bombay should, as a matter of course, extend to those people the same consideration as is given to British subjects.

9. In September 1875 arrangements were made † by the Government of India, at the instance of the Government of Bombay, for sending European civil insanes from Bengal to England *via* Bombay along with insanes from the Bombay presidency. The matter was duly reported to Her Majesty's Secretary of State, who, in his despatch, No. 139, dated 11th November 1875, expressed approval of the arrangements in question.

10. In a despatch to the Government of Bombay, No. 1, dated 11th January 1877, the Secretary of State remarked :—

As it has been decided to embark all civil lunatics at Bombay and send them to England in the spring of every year, I desire again to call the attention of your Government to the very great importance of collecting the most accurate information regarding the medical history and relations of every such patient. The responsibility of maintaining these persons in England rests on the Poor Law Guardians, and these authorities should be enabled, as far as possible, to discover the parishes of all those who may possess a settlement, original or derivative, in the United Kingdom.

11. In a despatch, No. 109, dated 5th November 1885, dealing with the case of an insane person named Charles Hax, the Secretary of State makes certain observa-

tions, to which attention is here requested. In the first place His Lordship explains that much inconvenience is caused by the despatch of insane persons from India under circumstances which allow of their reaching England before any intimation has been received in the India Office of their being on their way. In the next place, the Secretary of State remarks, with special reference to the case under His Lordship's notice, that, although in both of the despatches from the Government of India the man was described as the "insane prisoner named Charles Hax," yet no warrant or formal order of any kind accompanied or followed him, and nothing save the repeated use of the expression "insane prisoner" served to indicate whether the intention was to send him as a prisoner under the Statute 14 and 15 Vic., Cap. 81, or otherwise. The Secretary of State points out that insane prisoners or criminal lunatics removed from India under the special law applicable to them are in a very different position from persons deported from India *not* as prisoners or criminal lunatics, and that it is essential that it should be stated distinctly in what character each individual is sent.

12. The Secretary of State also observes that in the articles of agreement (undertaking charge of the lunatic, &c.) signed by the Master of the steamer which conveyed Charles Hax to England, the clauses relating to the remuneration of the Master for taking care of the insane passenger are couched in such language as to be practically meaningless. His Lordship observes:—

There are obvious reasons which make it desirable that the gratuity for personal care, &c., should be dependent on the treatment received by the lunatic; but if it has been found by experience to be necessary that the whole amount payable in respect of these insane passengers should be paid in advance in Calcutta, the articles of agreement ought to be so framed as to express distinctly that which is intended.

13. Lastly, the Secretary of State thinks it well to remind the Government of India of the difficulty which exists in England in dealing satisfactorily with pauper lunatics (not soldiers or seamen) deported from India. This difficulty, His Lordship observes, arises from the fact that he is unable to provide for the reception and maintenance of pauper lunatics, and it is therefore necessary to leave it to the Police and Poor Law authorities to deal with them on their reaching England. His Lordship adds:—

It is essential that the instructions which have been repeatedly given by my predecessors should be strictly acted upon, *viz.*, that no pauper lunatic shall be deported to the United Kingdom unless he is of European birth, and unless, also, he is a person as to whom a probability exists that he will recover if transferred to England. As to persons who, though of European parentage, have been born in India and spent their whole lives there, they ought not to be deported to England unless they have an unquestionable settlement somewhere in the United Kingdom.

14. The foregoing summary enumerates the principal orders which have recently been issued by the Secretary of State upon this subject, and the Governor-General in Council desires to impress upon Local Governments and Administrations the necessity of carefully observing the orders thus summarised. It is especially necessary that measures should be adopted with the view of giving the India Office timely intimation of the despatch of lunatics to England, so as to avoid the inconvenience mentioned by Her Majesty's Secretary of State in the despatch of 5th November 1885. His Excellency in Council also trusts that such action as may be necessary will be taken with reference to the remarks made in the same despatch as to the wording of the clauses in the articles of agreement signed by Masters of vessels who take charge of lunatics proceeding to England, in respect of the remuneration to which they will be entitled for such charge.

Order—

Ordered that a copy of this resolution and of the despatch from Her Majesty's Secretary of State, No. 109, dated 5th November 1885, be forwarded to the Government of Bengal (Medical Department) for information and guidance.

Ordered, also, that a copy of this resolution and of the "Instructions to Officers in British Possessions Abroad," issued by the Board of Trade, referred to in the despatch from Her Majesty's Secretary of State, No. 12, dated 2nd March 1871, be forwarded to the other Local Governments and Administrations for information and guidance.

(True Extract.)

(Signed) A. P. MacDONNELL,
Offg. Secretary to the Government of India.

To the Government of Madras.

ENCLOSURES.

From THOMAS GRAY, Esq., Marine Department, to the Officer, dated Board of Trade, Whitehall, the 1st January 1870.

The circulars have been arranged under different heads, following, as nearly as possible, the arrangement adopted in the original Instructions to Officers in the British Possessions Abroad.

In some cases portions only of the circulars have been printed, but it has not been thought worth while to particularise omissions and alterations, so that each circular, or part of a circular, as the case may be, is headed "Circular No."

The titles "Shipping Master" and "Shipping Office" have, in the United Kingdom, been superseded by the titles "Superintendent of a Mercantile Marine Office" and "Mercantile Marine Office," respectively.

When sections of an Act are referred to in the margin or the index, the Act indicated is "The Merchant Shipping Act, 1854," unless the section is followed by a year, as s. 5, 1862.

The attention of the officer is particularly requested to Circular 276 (p. 7), by which ship's papers should be sent to the Registrar-General of Seamen on termination of agreements abroad, which circular has been, by an oversight, omitted from former editions of the Supplementary Instructions.

This edition supersedes all issues of the Supplementary Instructions, and editions of the circulars issued previous to the 1st January 1870.

SUPPLEMENTARY INSTRUCTIONS TO OFFICERS IN THE BRITISH POSSESSIONS ABROAD.

ON TERMINATION OF AGREEMENT, SHIP'S PAPERS TO BE SENT TO THE REGISTRAR-GENERAL OF SEAMEN.

Circular No. 276, dated November 1867.

It frequently occurs that agreements with crews of British ships are terminated abroad. In such cases it is important that the articles of agreement whether made in the United Kingdom or not, and the official log book for the voyage then terminated, should be forwarded to the Registrar-General of Seamen, Adelaide Place, London Bridge, by the earliest mail after the completion of the discharge of the crew.

Officers in British possessions abroad are, therefore, requested to obtain from the Masters all such agreements and official log books, and to transmit them accordingly.

RELIEF OF DISTRESSED SEAMEN.

Circular No. 42.

Great and unforeseen inconvenience is occasioned to seamen, to ship owners, and to this office

Inconvenience of referring seamen to Board of Trade for settlement of wages. Paragraphs 21 and 22.

by the operation of those parts of the Instructions which require the Colonial Officer in certain cases to refer seamen to this Board for a settlement concerning the balance of wages due to them. It is most important that the settlement should, when practicable, be effected on the spot by the Colonial Officer, and with this view the following rules are to be observed in future:—

1. Where the cause of a seamen's distress is shipwreck, or hurt or injury received in the service of the ship, no deduction is to be made from his wages on account of expense incurred in relieving him, or in sending him home.

Seamen shipwrecked or injured in service of the ship, wages to be paid in full.

In such cases the Colonial Officer will, if he has received the wages, whether in cash or by bill, pay the cash or deliver the bill to the seaman himself, without any deduction, on his leaving the port or getting employment.

See also Circulars Nos. 72 and 241.

Exception to the above. Paragraph 27.

2. Where the cause of distress is not shipwreck, or hurt or injury received in the service of the ship, a deduction is to be made from the

Seamen distressed from other causes to pay cost of their subsistence, &c.

In such cases, if the wages are paid in cash,

If wages are paid in cash, the Colonial Officer to settle with the seaman.

and pay the balance to the seaman on his leaving the port or getting employment.

But if the wages are paid by bill, the bill

If wages are paid by bill, bill to be sent to Board of Trade immediately.

If, however, the bill is drawn on owners not

Exception to the above rule.

Colonial Officer not to pay balance of wages on security of bill.

4. The Colonial Officer will observe that the

Only case in which seamen are to be referred to Board of Trade.

wages having been paid by bill, the amount is greater than the amount of expenses incurred.

5. Whenever a seaman is referred to the

Form C C 7, and full particulars to be sent.

Seamen whilst engaged on a wreck are not to be treated as seamen in distress (see paragraph 27 of original instructions).

the ship, a deduction is to be made from the seamen's wages of the expenses incurred in relieving him, and, if he is sent home at the public expense, of his passage home.

the Colonial Officer will deduct the expenses incurred in relieving him, and, if he is sent home at the public expense, the expense of the passage, calculated at 1s. 6d. a day for the ordinary length of the passage, from the wages,

should be drawn payable at sight, and be sent to the Board of Trade, with the account on Form C C 6, by the very earliest opportunity. The seaman must be referred to the Board of Trade for a settlement.

not resident in the United Kingdom it must be given to the seaman, and not sent to the Board of Trade, unless the amount of expense incurred on account of the seaman exceeds the amount

3. Where wages have been paid by bill, the Board of Trade cannot sanction any advance out of public money by the Colonial Officer to the seaman of the balance of wages due to him on the security of the bill.

only case in which seamen will have to come to the Board of Trade for settlement is one in which their distress has arisen from some cause other than shipwreck, or hurt or injury received in the service of the ship, and in which, the

Board of Trade for settlement, all the particulars of the case, and the account on Form C C 7, must be sent so that they may reach the Board of Trade before the seaman. This is most important as any delay will cause very great inconvenience.

Circular No. 53, dated 20th February 1857.

Foreigners who have served in British ships, and who in the course of such service are, by

Foreigners on board British ships. Paragraphs 24 and 28.

at Ports situate in British possessions abroad, may be relieved, and sent back either to their own country or to the country in which they were shipped, whichever may be the cheapest or most convenient, in the same manner as British seamen, provided that they cannot obtain relief from their own Consuls, to whom application should always be made.

Circular No. 73, dated May 1858.

The latter portion of the 29th paragraph of Instructions fixes the subsistence in the case of

Relief of Masters. Paragraph 29. See also Circular 267.

purpose of marking the difference in rank. In future, therefore, the case of a Master who is shipwrecked, an allowance equal to twice as much as that given to a seaman may be granted.

The amount also allowed for conveyance home may be increased in a like proportion, provided additional accommodation is afforded, but the rate allowed, as double that of the seaman, must be specified in the order for conveyance.

It is expressly to be understood that, although this allowance is granted, it is only in cases of shipwreck, and in which the Masters are really destitute, that relief is to be afforded.

The Merchant Shipping Act, 1854, makes no provision for relief being afforded to Masters of British Merchant Vessels who may be in distress abroad.

Circular No. 42 directs that no deduction is to be made from the wages of seamen hurt or injured in the service of the ship, but that the wages, whether received in cash or by bill, are to be delivered to the seaman on his leaving the port or getting employment.

The 228th section of "The Merchant Shipping Act, 1854," however, appears to confine the liability of owners of vessels to expenses incurred in providing surgical and medical advice with attendance, medicines, and subsistence, until the seaman is cured or dies, or is brought back to the port of shipment, either in the United Kingdom or some British possession, and of his conveyance to such port and the expense (if any) of burial.

All expenses incurred in providing clothing not absolutely necessary for medical purposes must, therefore, in future be defrayed out of the balance of wages (if any) due to the seaman.

Circular No. 245, dated December 1866.

In the case of a vessel arriving with distressed British seamen on board who have been rescued or picked up at sea, the following course should be pursued:—

Vessels arriving with seamen picked up at sea. Paragraph 38, M 3132.

In the case of foreign vessels.

When the vessel in question is a foreign vessel the Master should be paid this claim for subsistence of the men on board his ship, if the claim appear fair and reasonable.

If no claim be made, or if the claim made appear unreasonable, the officer should tender the Master a sum calculated at the rate of 2s. a day for a Master and 1s. 6d. a day for each seaman subsisted on board, or in extraordinary cases other sum as may appear fair and reasonable under the circumstances, bearing in mind that the repayment of the actual expenses incurred by the foreign vessel is the object to be attained.

When the vessel in question is a British or Colonial vessel, and no claim is made by the Master, a sum calculated at the rate of 2s. a day for a Master and 1s. 6d. a day for each seaman subsisted on board should be tendered

In the case of British or Colonial vessels.

to the Master, and this rate is in no case to be exceeded.

Cases in which extraordinary expense has been incurred, either by a Foreign, a British, or a Colonial vessel, and all cases of dispute, should be referred to the Board of Trade for settlement.

In case of extraordinary expense or dispute.

Whenever a vessel with distressed British seamen on board, who have been rescued or picked up at sea, arrives at the port, the officer should report to the Board of Trade as soon as possible the whole circumstances of the case, especially as to—

Report to be made to Board of Trade.

- (1) The risk, if any, incurred in the rescue.
- (2) The number of men rescued, and the number of days they were subsisted on board the rescuing ship.
- (3) The treatment of the distressed seamen on board.
- (4) The amount paid to, or refused by, the Master of the rescuing ship.

Every sum paid for subsistence in cases of this nature should be charged in the Officer's Quarterly Account with the Board of Trade under the head of Travelling Expenses (Form C C 13), and vouched for by the receipt of the Master for the amount.

Payment how to be charged (Form C C 13).

This circular is not intended to supersede in any way paragraphs 38 and 39 of the original Instructions, to which it is an addition.

Circular No. 261, dated 25th June 1867.

It is found that doubts exist as to the construction which is to be placed on the term "hurt or injury in the service of the ship," as employed in the 228th section of the Merchant Shipping Act, 1854, paragraph 1, which provides that certain expenses, in respect of the

Master or any seaman or apprentice who receives such hurt or injury, are to be defrayed by the owner of the ship. The opinion of the Law Officers to the Crown was taken by the Board of Trade in 1860, and a copy is appended hereto for the information and guidance of the officers.

Opinion referred to.

"We are of opinion that the liability of the ship-owners for expenses, provided for in the first paragraph of section 228 of the Merchant Shipping Act, is confined to expenses incurred

in respect of 'hurts or injuries' occasioned by wounds, bruises, fractures, or other casualties to body, or limp, of a like character; such injuries, being received 'in the service of the ship;' that is, in the course of discharge by Master, seaman, or apprentice, of the duty assigned, or belonging, to him on board of the ship on which he is serving. Cases of 'illness' are provided for in the second paragraph of section 228; and there the liability of the owner depends on the happening of two events, in addition to the illness itself, namely, the removal of the sick man from the ship, for the convenience of the ship, and his subsequent return to his duty on board. Under the third paragraph the owner is bound to defray the expense of all medicines and medical advice, and attendance furnished or given, *on board*, whatever may be the nature or cause of the ailment requiring such medicines, &c.

"The 'service of the ship,' mentioned in paragraph 1 to section 228, is not, in our opinion, restricted to what is termed in the third * question submitted to us the 'ordinary course of a ship's service,' or the service of the ship on the voyage denoted in the articles as mentioned in the fourth † question, but includes the extraordinary occasions of service referred to in the third question, and, in fact extends to any service, of what nature soever, which under the circumstances, whatever they may be, are rendered in fulfilment of duty.

"The above is the only limit we can suggest by which to distinguish between the cases in which the ship-owner is, and those in which he is not, liable for 'hurts or injuries' received by a seaman in the service of the ship, under the first paragraph of the 228th section of the Merchant Shipping Act. We feel the less difficulty in arriving at this conclusion, seeing the large provision made for cases not within paragraph 1 by the two next succeeding paragraphs.

"LINCOLN'S INN;
The 29th February 1860.

"RICHARD BETHIELL.
"WM. ATHERTON."

Circular No. 318, dated 18th June 1868.

The Form C C 3 in the appendix contains a blank space wherein the officer is to state fully and specifically the grounds of the discharge or leaving behind of a seaman.

With a view to avoiding loss to the State and inconvenience to all parties concerned, it is most important that the grounds of a man's discharge should never be omitted from the endorsement.

Grounds of discharge not to be omitted.

In cases where seamen are discharged or left behind in consequence of injury received in the service of the ship, this fact should be stated on the articles in so many words, and the way in which the injury was received should also be stated, to save disputes and delay when the owners are applied to for the expenses.

Particularly in cases of injury in ship's service. Para-
graph 26, Circular No. 261.

The officer should also take care that a proper entry is made in the official log book to the same effect, and signed by the Master and one of the crew.

Entries in log books. Section 282.

Circular No. 267, dated 12th September 1867.

Relief to be afforded to Masters. Paragraphs 27, 29, 32. Circular No. 73.

The Board of Trade have no power under the Acts relating to Merchant Shipping to obtain repayment of expenses incurred in the relief of Masters.

Relief should, therefore, be extended to Masters in the following cases only:—

1. When Masters are absolutely destitute, i.e., without private property and unable to obtain credit or private assistance, or to give a reliable guarantee for the repayment of expenses to be incurred by the officer.

In such cases a subsistence allowance, equal to twice that made to seamen, may be given to the Master, and he may be sent home under the usual order (C C 14), at the rate of 2s. a day for the length of the passage, but no more expensive clothing is to be allowed to Masters than to seamen.

* The following is the third question referred to:—

(3) If the liability does not extend to all these cases, can any distinction be drawn between those cases in which the injury has been sustained in the ordinary course of a ship's service, and those cases in which extraordinary circumstances, e.g., danger of wreck, or of loss by fire, have called for extraordinary exertions, or have caused extraordinary exposure or suffering?

† The following is the fourth question referred to:—

(4) Can any distinction be drawn between those cases in which the hurt or injury which has caused the disease has been received in the service of the ship on the voyage denoted in the articles, and might have been foreseen as a natural result of the service, and those cases in which it has been caused by service which, in consequence of a change in the destination of the ship, or for any other reason, may be presumed not to have been contemplated when the articles were entered into?

The enactment which provides for the passage home of distressed seamen does not apply to the case of Masters. The officer must, therefore, make the best arrangement he can in the case of a distressed Master, but it is desirable that the rate of 2s. a day should not be exceeded.

2. When they are in a position to give a reliable guarantee for the repayment of the expenses to be incurred by the officer.

In cases of this kind it must be left to the judgment of the officer to render such assistance as may seem to him necessary: but, as a rule, the assistance should not differ from that given in cases where the Master is absolutely destitute.

The officer should also fully understand that expenses incurred under a guarantee given by a Master will be liable to disallowal if the guarantee be repudiated.

As difficulty sometimes arises in finding Masters willing to give passages under the usual order (C C 14) to distressed seamen suffering from mental derangement, the Officer is authorised in any such case that may arise to

Conveyance home of lunatic seamen.

make a special arrangement with a Master willing to take the seaman, agreeing to pay, if necessary, such sum for the passage in addition to the usual allowance of one shilling and six pence (1s. 6d.) a day as may appear fair and reasonable under the circumstances, and with the object of ensuring that requisite care and attendance shall be given to the passenger during the voyage.

A copy of the agreement so entered into should be forwarded to the Board of Trade as soon as possible in every case, and also, in any case where it is desirable to forward the seaman to a foreign port or a port in a British possession abroad, to the Consul or the Shipping Officer, as the case may be, at the port to which the seaman is to be conveyed.

In the case of a seaman arriving under such circumstances at his port, the officer may pay to the Master the amount of the passage-money, on production of such an agreement as described herein, purporting to be entered into between the Master and a Consul or Officer in a British possession abroad, and upon being satisfied that the seaman has received the extra care and attendance stipulated for.

An immediate advice of such a payment, together with the original agreement and the receipt of the Master for the passage-money, should be sent to the Board of Trade.

Such payments should be charged in the Quarterly Account with the Board of Trade.

Similar instructions have been sent to Her Majesty's Consuls.

RESERVE FORCE OF ROYAL NAVAL VOLUNTEERS.

Circular No. 122, dated 16th December 1859.

It has been determined to establish a Reserve Volunteer Force of Seamen trained to the use of arms, who may be called upon by Royal Proclamation to serve in the Navy when an emergency requires a sudden increase to the

Outline of the Reserve Scheme.

naval force of the country. Officers in the Colonies who act as Shipping Masters* will be required to perform certain duties with reference to the Reserve, and the following outline of the scheme is given for their guidance:—

1. The Naval Volunteers will be selected in the United Kingdom from merchant seamen, and will be allowed to proceed on their usual employment, the principal conditions being that they must undergo 28 days' drill during each

year, and present themselves once in every six months to some Shipping Master in the United Kingdom, unless special leave is given to them to be absent for a longer time. This special leave will, for the present, be given on certain specified conditions to all volunteers.

2. Each Naval Volunteer on his enrolment will receive a certificate (R V 2), in which is to be recorded the particulars of his attendance at drill, and of his engagement and discharges in the merchant service, &c. Each certificate

Volunteer's Certificate.

will be distinguished by a number, which the officer is to quote in the returns referred to below. Entries in this certificate are only to be made by the Registrar-General of Seamen, by a Consul, by a Naval Officer, or by a Shipping Master in the United Kingdom or British possessions abroad.

3. Each Naval Volunteer will, so long as he remains in the Reserve and abides by the conditions of his engagement, be entitled to an annual payment of 6l. a year, paid quarterly.

Retainer.

This retainer will only be paid by a Shipping Master in the United Kingdom, and only to the Naval Volunteer on his personal application.

* Now styled Superintendents of a Mercantile Marine Office.

4. In addition to this retainer, an annual sum will be set aside to form a Pension Fund, and out of this fund a pension of not less than 12*l*. per annum will be paid to each Naval Volunteer who may become entitled under the regulations to a pension.

Pensions.

In order to be able to call out the Reserve Force, the Government must know the whereabouts of the Naval Volunteers, and consequently will require to be advised of the engagements and discharges of seamen from British ships at Colonial ports. The following instructions are, therefore, issued for the guidance of officers in the Colonies or other British possessions abroad who act as Shipping Masters, and are to come into operation on the 1st January 1860, or as soon thereafter as the officer receives these instructions.

Whenever any seaman is engaged or discharged from any British ship before the officer, in pursuance of the *Merchant Shipping Act*, 1854, an entry of the particulars should be made in the Register C C 21. (See copy forwarded, herewith.) In the case of engagement the entries will be made in columns 1 to 20, and in the case of discharge in columns 1 to 13, and 21 to 31.

Seamen engaged for or discharged from any Colonial ship before the officer in pursuance of any rules or regulations made by the Colony, are not to be included in this return, unless the officer has reason to believe that the entries required by the above paragraph should be made.

Exceptions.

the seaman is a Naval Volunteer. In such case the entries required by the above paragraph should be made.

When a Naval Volunteer is engaged in the United Kingdom, the letters "R N V" will be written in red ink opposite the man's name in the agreement. The officer will consequently know that the seaman opposite whose name such an entry is made is a Naval Volunteer.

How Naval Volunteers may be known.

Whenever seamen are engaged or discharged before the officer, he should be careful to ascertain whether the seaman is possessed of a Master's or a Mate's Certificate, a Certificate of Discharge E 2, or a Naval Volunteer's Certificate R V 2, and, if so, the numbers of these documents should be noted in the appropriate column (6, 7, or 8) of the Form C C 21.

As previously explained in paragraph 79, section 1, every Naval Volunteer is required to present himself to some Shipping Master in the United Kingdom, once in every six months, except when special leave is given to the volunteer to absent himself for a longer time. This leave, when given, will always be given for a particular ship and a particular voyage, and it will be entered by the Shipping Master in the United Kingdom, before whom the man is engaged, upon the Volunteer's Certificate R V 2, and in the agreement of the ship. If the volunteer leaves that ship, except from circumstances of necessity, his leave will be considered as broken.

Consequently, whenever a volunteer is to be discharged, the officer should ascertain, by reference to his Certificate R V 2, whether the volunteer has special leave, and should warn him that if he voluntarily and without due cause quits the ship for which leave is given, he will be considered to have broken his leave, and to have forfeited the benefits of the reserve.

Officer to warn Volunteer of consequences of breaking conditions of reserve.

When a Naval Volunteer is discharged before the Officer, the particulars of the discharge, stating the grounds, &c., must be entered and signed by the officer in the Volunteer's Certificate R V 2, and in making the usual endorsement on the agreement, as directed by paragraphs 16 and 20 of the original Instructions, the officer should add the letters R N V and the No. of the Volunteer's Certificate R V 2.

If a volunteer, discharge to be entered in R V 2, &c.

Any Naval Volunteer discharged before the officer, will receive from the Master of the ship from which he is discharged the usual form of certificate of discharge and character given to other merchant seamen.

Usual certificate of discharge to be given.

Whenever a volunteer is to be engaged before the officer, or comes to the officer for relief or assistance, the officer should endeavour to procure him employment in a ship bound to the United Kingdom, or to send him home, so that he may arrive in the United Kingdom within the period of six months, or the period for which leave has been given, as the case may be, or as nearly within those periods as possible.

* See Appendix A.

In making the usual entry and endorsement on the ship's agreement, as directed by paragraph 10 of the original instructions, the officer should, in addition, enter against the seaman's name the letters R N V and the number of his certificate R V 2. An entry of the engagement should also be made and signed by the officer in the volunteer's certificate R V 2.

Entries to be made.

If the volunteer persists in engaging himself for a voyage that will cause him to break the conditions of the reserve, the officer should note the fact in column 37 of his register C C 21.

Officer to report if conditions of reserve are broken.

The officer should inquire of masters of ships when they deposit their agreements in pursuance of the *Merchant Shipping Act*, 1854, or before they leave the port, whether any of their crew have died or deserted since they left the United Kingdom. And, if the death or desertion has not already been reported to a Shipping Master or Consul, the officer will act as required by his original instructions, and will, in addition, enter the particulars in columns 1 to 13 and 32 to 36 of his register C C 21.

If the seaman who is reported as having died or deserted was possessed of a master's or a mate's certificate, or a certificate of discharge E 2, or a naval volunteer's certificate R V 2, the officer should obtain them from the master and transmit them to the Registrar-General of Seamen with copy of his register C C 21.

In cases where seamen apply to the officer for relief without having been regularly discharged before him, an entry of the fact should be made in columns 1 to 13 of his register C C 21, and further particulars stated in the column 37 of remarks.

Seamen who apply for relief to be reported.

As it is most important to have the earliest possible intimation of the changes that take place in the crews of British ships, in order to check desertions from the reserve force, &c., the officer should transmit to the Registrar-General of Seamen, Adelaide Place, London Bridge, in form C C 21, a copy of his register by the first mail after any entries are recorded. And in order to see that none of the lists have miscarried, the entries should be numbered consecutively, beginning on the 1st January in each year with No. 1, and the number should be continued throughout all the returns until the end of the year (e.g., if the last number in January list is 54, the first entry in the February list should commence with 55, and so on).

Returns to be made by officers.

With the copy of his register C C 21, the officer should transmit to the Registrar-General of Seamen all the certificates received by him. The return form C C 20 is to be discontinued.

To send certificates of men who have died or deserted.

Return C C 20 may be discontinued.

NAVAL VOLUNTEERS CALLED OUT FOR ACTUAL SERVICE.

In the event of the naval volunteers being called out for actual service, the officer's attention is directed to the following paragraphs:—

When called out, all volunteers liable to serve. It is intended that the naval volunteer reserve force shall be called out only when an emergency requires a sudden increase in the naval force of the country. In such a case the naval volunteers will be called out by royal proclamation, and all naval volunteers for the time being belonging to the force are liable to serve in the navy.

Any naval volunteer who may be serving at any place abroad will be liable to serve in the Royal Navy if called upon by the officer commanding any of Her Majesty's ships there stationed, unless such naval volunteer can show, by his certificate R V 2, that he has obtained leave to go to sea on a long voyage without liability to serve abroad.

Exceptions.

Naval officers commanding Her Majesty's ships in the neighbourhood of the colonial ports will apply to the officers who act as shipping masters to examine the agreements of British merchant ships, and to call for any documents relating to the crew, in order to ascertain whether any naval volunteers are on board. If any such naval volunteers (not being exempt from liability to serve) are found, the naval officer will call on them to join the navy, and the colonial officer will in all cases give all the assistance in his power.

Officers to co-operate with naval officers.

The officer should report specially any volunteers who fail to serve when called on to do so; also any case in which he has reason to believe any naval volunteer is endeavouring to evade his liability to serve, or in which he refuses or neglects to return to the United Kingdom within the time allowed.

Defaulters to be reported.

WAGES AND EFFECTS OF DECEASED SEAMEN.

Circular No. 73, dated May 1858.

In all cases in which the effects of deceased seamen are sent to the United Kingdom, the receipt of the master of the vessel by which the effects are conveyed should be obtained on the form C C 16, and an endorsement of the fact of their being on board should be made on the articles of the vessel conveying them.

Effects sent home.

Circular No. 145, dated May 1861.

Frequent complaints have been made to the Board of Trade by the relatives of deceased seamen of the smallness of the sums realized by the sale of their effects, and, on referring to the account sales, it has been found in many instances that the complaints are well founded, and that the articles have realized very trifling sums.

Sale, &c., of effects.
Paragraphs 49—58.

With a view of remedying the evil, and of protecting more satisfactorily the interests of the relatives of deceased seamen, the following instructions have been prepared for the guidance of the officers of customs and shipping masters, as the case may be, in connexion with paragraphs 49 to 58 of the printed instructions already issued by the Board of Trade—

- (1) If a vessel arrives in port having the effects of a deceased seaman on board, or if a seaman dies in port before the departure of his vessel, and such vessel is bound direct to the United Kingdom, the effect should be examined; and if it is found that they are of such a nature as not to deteriorate in value by being kept, they should be left on board for conveyance to this country.
- (2) In other cases where the effects of deceased seamen come into the possession of the officer, and are found, on examination, not likely to deteriorate in value by being kept, the officer should endeavour to send them home (free of expense if possible) by the first vessel bound direct to this country, addressed to a shipping master at the port of the vessel's destination, and accompanied by a form C C 16.
- (3) When it is found, on examination, that only a portion of the effects would deteriorate in value by being kept, only such portion should be sold, and the remainder should be forwarded to this country, as directed above.
- (4) When it is found necessary, either on account of probable deterioration or on account of difficulty in obtaining carriage, to sell the effects, the officer should endorse on the form C C 15 his reasons for doing so, to enable the Board of Trade to satisfy the inquiries of the relatives of deceased seamen.

MERCHANT SHIPPING ACTS, &c., AMENDMENT ACT, 1862.

25 & 26 Vic., c. 63.

Circular No. 162, dated 25th September 1862.

The attention of officers in H. M.'s possessions abroad is directed to the following provisions of the above Act, a copy of which is sent with this circular.

Section 19 provides that seamen's wages paid abroad shall, if possible, be paid in money and not by bill. It also gives facilities for recovering on bills drawn for payment of wages. Special care should be taken that such an endorsement as is required by section 209 of the Merchant Shipping Act, 1854, is made upon the bill by the officer duly appointed in that behalf.

Payment of seamen's wages.

Section 20 provides that the wages and effects of seamen who have belonged to a British ship within six months of the time of their death shall, if their death happens abroad, be treated in the same manner as the wages and effects of seamen dying on board.

Seamen dying abroad.

This would not, however, apply to the case of a seaman dying in the colony or possession to which he belongs, or in which his relations reside.

Section 21 affords facilities for the recovery of wages due to men who are lost with their ship.

Section 22 enacts that the claim of seamen to be relieved abroad or sent home in pursuance of sections 211 and 212 of the Merchant Shipping Act, 1854, shall be subject to such regulations and dependent on such conditions

Distressed seamen.

as the Board of Trade may from time to time make or impose.

Section 23 gives to courts of inquiry duly instituted in any British possession to investigate the cause of wreck, or the conduct of masters, mates and engineers in the British merchant service, the power (hitherto exclusively exercised

Naval courts.

by the Board of Trade) of cancelling or suspending certificates of competency or service. Section 24 gives such courts the power which they did not previously possess, of demanding the delivery to them of a certificate pending the trial of the offender.

My Lords desire particularly to impress upon all officers and functionaries in the colonies and possessions abroad concerned in the conduct of the inquiries above referred to, the necessity of a rigid compliance with the requirements in paragraph 6 of the 23rd section above referred to, and to point out that, unless it is in future shown, upon the face of the report of a court of inquiry, that these requirements have been strictly observed, it will not be in the power of this Board to withhold a certificate that may have been cancelled or suspended abroad, and the intention of the Act will be frustrated, as incompetent officers may escape just punishment if there be any informality in the proceedings of such courts.

Referring to the proviso in section 242 of the Merchant Shipping Act, 1854 (paragraph 5), it is important that in every case the report of a court of inquiry should be confirmed by the Governor or person administering the Government of the colony or possession in which the inquiry is held.

Reports and evidence should in future, if possible, be sent in original, or, if copies, they must be certified.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

Circular No. 165, dated the 12th January 1863.

The pamphlet* and the placard marked form Stm. 9, forwarded herewith, contain the regulations for preventing collisions at sea agreed to by the Governments of France and England. These regulations are issued in pursuance of the Merchant Shipping Act Amendment Act, 1862, and of an order in Council, dated 9th January 1863.

Rule of the road.

They take effect from the 1st June 1863, and apply to all vessels, whatever their nationality, when within the limits of British jurisdiction, and to British and French vessels whether within British jurisdiction or not.

The pamphlet should be distributed amongst masters of ships whose crews are engaged or discharged before a shipping master or officer of customs, and shall be supplied free of charge to any other person applying for a copy. The placard should be kept posted in a conspicuous place at the shipping office. These forms will hereafter be supplied as required, when demanded by officers in British possessions abroad, in the same manner as the other mercantile marine forms used by them.

NEW REGULATIONS.

The officer is requested to make known as widely as possible the alterations made in the regulations by the order in Council of the 30th July 1868, a copy of which will be found in appendix.†

New regulations.

COMMERCIAL CODE SIGNALS.

Circular No. 190, dated 1st November 1864.

In consequence of the recent adoption by the French Government of the Commercial Code of Signals for the use of the Imperial and Mercantile Navies of France, the Board of Trade has had under consideration the necessity of causing to be published in a cheap and handy

New system of allotting signals to ships.
Paragraph 10.

form a "Code List," to contain the names and particulars of those ships only which make their names by and use the Commercial Code signals.

It has been found that under the present system of coupling the signals with the official numbers, and thus appropriating a distinguishing signal to every registered vessel, a large number of

* See Appendix (B).

† See Appendix (C).

signals has not only been wasted, but the bulk and the cost of the present signal-book have been greatly increased in consequence of thousands of vessels having had distinguishing signal letters allotted to them which are not and cannot be used.

The Board of Trade have therefore considered it advisable—

- (1) at once to separate the signals from the official numbers;
- (2) to recall all signals which are not actually in use; and
- (3) in future to issue signals only to those vessels which require them.

By this plan a number of the signals will be utilized which are now comparatively useless from the causes above stated, and the publishers of the Commercial Code Signal-book will be able to produce a code list at small charge.

In future, registrars of shipping in the British possessions abroad are to discontinue issuing, as a matter of course, the signal letters with the official numbers, and they are only to give the distinguishing signal letters in cases where it has been ascertained by them that the owner desires to have a signal for his ship, and intends to use the Commercial Code flags.

It will be seen from what has been stated above that the distinguishing signal letters will not necessarily accompany the official numbers, but will henceforth be disconnected. The registrar will therefore issue them *seriatim*, without reference to the official numbers, giving the first unappropriated signal letters on his list to the first ship for which signal letters are required.

Whenever a signal is issued by a registrar, he is to enter the signal letters appropriated in the ship's certificate of registry, and is to forward a notice by the next mail to the Registrar-General of Seamen, London, according to the form of which a specimen is annexed.*

For the purpose of informing the Registrar-General of Seamen, when the new principle of allotting signals is commenced by the registrars of shipping in the British possessions abroad, each registrar will, upon receipt of these instructions, at once forward to the Registrar-General of Seamen, 6, Adelaide Place, London Bridge, a statement of all the signal letters on his list which remain to be appropriated under these regulations.

Whenever a registrar requires additional signal letters for ships registered at his port, he should apply to the Registrar-General of Seamen in London for a further list, and this application should be made in sufficient time.

ANNUAL RETURNS OF SHIPPING.

Circular No. 252, dated March 1867.

M. 1355.

In consequence of the numerous inaccuracies discovered in the annual returns of shipping received from the registrars of shipping at home and in the colonies, which appear to have arisen principally in consequence of the registrars of shipping having retained improperly on their books—

- 1st.—The names of ships which have been transferred to other ports.
- 2nd.—The names of ships which have been lost, broken up, or sold to foreigners.
2. The Board of Trade request the registrar of shipping to observe that on the transfer of a ship to another port, the entry in the register books at the previous port of registry should be at once closed, so soon as the particulars of the transfer have been transmitted to the new port, which then becomes the port of registry of the ship, as provided by the 90th section of the Merchant Shipping Act.
3. The closing of the registry should not be postponed until the certificate of registry has been delivered up, inasmuch as ships are frequently at sea when the transfer is made. In such a case the certificate of registry cannot be delivered up at the time of transfer, and under the Merchant Shipping Amendment Act 18 and 19 Vict., c. 91, section 12, it is provided that the certificate may be delivered up at the port of original registry, or at the port of transfer.
4. The new certificate made out at the port to which the ship is transferred is not to be issued until the old one is delivered up.
5. The Board of Trade further request the registrars to observe that registries of all ships lost, broken up, or sold to foreigners are also to be immediately closed, and the certificate of registry demanded for transmission to the Chief Registrar of Shipping, Custom House, London; the date and cause of closing the registry should be noted on this certificate; if the ship was lost, the date and place of loss, if known, should also be noted thereon. In all cases where the certificate of registry is lost, form 20, recording the date and particulars of the closing of the registry and of the loss of the certificate, is to be forwarded to the Chief Registrar of Shipping.
6. In all cases in which ships are transferred from the port, or are lost, broken up, or sold to foreigners, the date and particulars should be noted in red ink on the annual returns opposite the names of such ships, and the particulars respecting the tonnage and number of men and boys should be omitted. As these returns are the foundation of certain statistical information laid before Parliament, too much care cannot be exercised by the registrars in ensuring their accuracy.

* See Appendix (D).

At the end of each annual list the following statement should be given:—

Abstract for the year ended 31st December 186

	Vessels.	Tons.
Total amount of last year's account		
STRUCK OFF—	Vessels.	Tons.
Vessels lost, burnt at sea, or missing		
„ broken up		
„ sold to foreigners		
„ registered anew at this port		
„ transferred to other ports		
Difference in tonnage on re-measurements		
ADDED—		
New vessels		
Vessels registered anew at this port		
„ transferred from other ports		
Difference in tonnage on re-measurements		
Total on 31st December 186		

ACCOUNTS.

Circular No. 256, dated May 1867.

In consequence of the passing of an Act of Parliament requiring that all accounts of expenditure for the financial year ending 31st March shall be closed by the 30th November following, preparatory to their being presented to Parliament, the Board of Trade desire to

urge upon the officers in the British possessions abroad the extreme importance of closing and sending home their accounts immediately after the termination of every quarter, in conformity with the printed instructions.

Delay in forwarding the accounts (especially from a distant port) may now be attended with serious inconvenience.

CORRESPONDENCE.

Circular No. 265, dated 25th August 1867.

As some inconvenience has occurred in connection with the payment of postage charged on official letters and packets addressed by officers abroad to the Superintendents of Mercantile Marine Officers in the United Kingdom, officers are requested in future to forward all such letters, packets, &c., for the superintendents under flying seal to the Registrar-General of Seamen, 6, Adelaide Place, London Bridge, E.C.

The following instructions relating to correspondence were issued in December 1867.

For the purpose of greater despatch in the business of this office, particular attention to the following rules is requested:—

New rules.

All replies written to the Board of Trade should commence with a reference to the initial letter, and number of the letter from the Board of Trade.

And this initial letter and number should also be written legibly on the outside of the envelope.

Letters should be written on foolscap paper.

All letters sent to the Board on any of the subjects named in the following lists should be addressed as shown at the foot of each list, care being taken, first, that the title of the officer is properly given, e.g., "The Assistant Secretary," "The Accountant," &c., &c., as the case may be; secondly, that the department is properly described, e.g., "ARBOUR Department," "COMMERCIAL Department," &c., &c.; and thirdly, that the letter is, R., H., M., F., or S., as the case may be as well as the number of the paper (if any) be stated in the bottom left-hand corner of the OUTSIDE of the envelope, as mentioned above.

COMMERCIAL DEPARTMENT.

Subjects.

Tariffs and customs duties at home and abroad.
Treaties of commerce and navigation.
Colonial acts affecting trade.
Quarantine.
Copyright and trade marks.
Registry of designs.
Art unions.
Industrial exhibitions act.
Alkali act.
Weights and measures.
Library.

Letters on any of these subjects to be addressed as follows :—

O. H. M. S.

The Assistant Secretary,
Commercial Department,
Board of Trade,
London,
S. W.

C.

RAILWAY DEPARTMENT.

Subjects.

Railways.
Telegraphs.
Water companies.
Gas companies.
Joint stock companies.
Charters.
Partnerships.

Letters on any of these subjects to be addressed as follows :—

O. H. M. S.

The Assistant Secretary,
Railway Department,
Board of Trade,
London,
S. W.

R.

HARBOUR DEPARTMENT.

Subjects.

Harbours.
Light-houses.
Pilotage.
Protection of navigable channels, ports, &c.
Foreshores.
Fisheries.
Local charges on shipping.

Letters on any of these subjects to be addressed as follows :—

O. H. M. S.

The Assistant Secretary,
Harbour Department,
Board of Trade,
London,
S. W.

H.

MARINE DEPARTMENT.

Subjects.

Measurement of tonnage.
Registration of ships.
Survey of passenger ships and boats.
Berthing of crews.
Lime and lemon-juice, and anti-scorbutics.
Scales of medicine for merchant ships.
Chain Cables and Anchors Act.
Training ships.
Examinations of masters, mates, and engineers.
Mercantile marine offices and local marine boards.
Registrar of Seamen's office.
Storm warnings and weather forecasts.
Naval reserve.
Discipline.
Inquiries into misconduct.
Inquiries into wrecks and casualties.
Wreck and salvage.
The wreck registers.
Rockets and life-boats.
The Albert medal.
Rewards for saving life.
Relief of distressed seamen (rules and principles) and claims upon owners.
Commercial code of signals.
Admiralty courts.
International questions concerning shipping.
All other questions affecting a ship or her crew.

Letters on any of these subjects to be addressed as follows :—

O. H. M. S.

The Assistant Secretary,
Marine Department,
Board of Trade,
London,
S. W.

M.

FINANCIAL DEPARTMENT.

Subjects.

Estimates and accounts of all the other departments of the Board of Trade.
Accounts of light-house boards.
Accounts of mercantile marine officers.
Accounts of consuls and colonial shipping masters, including accounts of relief of distressed seamen.
Wages and effects of deceased seamen.
Money orders.
Seamen's savings banks.
Seamen's temporary deposit bank (Liverpool).
Pensions.
Merchant seamen's fund.

Letters on any of these subjects to be addressed as follows :—

O. H. M. S.

The Accountant,
Board of Trade,
London,
S. W.

F.

STATISTICAL DEPARTMENT.

Subjects.

Statistics generally.

Letters on these subjects to be addressed as follows:—

O. H. M. S.
The Chief of the Statistical Department,
Board of Trade,
London,
S. W.

MERCHANT SHIPPING ACT, 1876.

Circular No. 271, dated October 1867.

This Act* will come into operation on the 1st day of January 1868. A copy is appended for the information and guidance of officers in the British possessions abroad.

Copy of Act.

Further copies will be forwarded on application.

Circular No. 325, dated 10th July 1868.

The annexed† of medicines and medical stores for merchant ships has been issued and caused to be published by the Board of Trade. It appeared in the *London Gazette* of the 7th July 1868, and came into operation on that day, when it superseded the scale then in force.

Medical scale for merchant ships.
Circular No. 286.

The following portions of section 4, and section 5, of "The Merchant Shipping Act, 1867," refer to the scale of medicines and medical stores, viz.:—

By section 4, paragraph 1, it is provided that "The Board of Trade shall from time to time issue and cause to be published, scales of medicines and medical stores suitable for different ships and voyages." By paragraph 2 of the same section it is further provided that "the owner of every ship navigating between the United Kingdom and any place out of the same shall provide and cause to be kept on board such ship a supply of medicines and medical stores in accordance with the scale appropriate to the said ship." The concluding portion of the same section sets forth that "if in any ship as aforesaid such medicines [and] medical stores" "as are hereinbefore required, are not provided, packed, and kept on board as hereinbefore required, the owner or master shall be deemed to be in fault, and shall for each default incur a penalty not exceeding twenty pounds, unless he can prove that the non-compliance with the above provisions, or any of them, was not caused through any inattention, neglect, or wilful default on his part;" and further, that "if in any case it is proved that some person other than the master or owner is in default" "then such other person shall be liable to a penalty not exceeding twenty pounds."

By section 5 of the Act it is provided that "any person who manufactures, sells, or keeps or offers for sale, any such medicines or medical stores as aforesaid which are of bad quality, shall for each such offence incur a penalty not exceeding twenty pounds."

Circular No. 308, dated February 1868.

By section 4, paragraph 1, of "The Merchant Shipping Act, 1867, it is provided that the

Medicines and medical stores.
M. 472.

Board of Trade shall "prepare or sanction a book or books containing instructions for dispensing" the medicines and medical stores, to be carried on board ships, in accordance with the scale issued and published by them under the Act in question.

By paragraph 2 of the same section it is also provided "that the owners of every ship navigating between the United Kingdom and any place out of the same shall provide and cause to be kept on board such ship" "a copy of the said book or of one of the said books containing instructions."

* For copy of Act see Appendix E.

† See Appendix F.

In pursuance of the powers vested in them by the above-named section 4 of the Act, the Board of Trade have accordingly caused to be prepared and have sanctioned the book bearing the title of the "Ship Captain's Medical Guide," which has been compiled by Harry Leach, Esquire, of 41, Great Tower Street Buildings, London, E.C., the medical officer appointed by them for the port of London.

The work is published by A. M. Walker, of 75, Fleet Street, London, E.C., and can be procured of the publisher through all booksellers and stationers. The price of each copy is one shilling.

Her Majesty's officers in British possessions abroad are accordingly requested to make known the title, price, and manner of procuring the medical guide to all persons who may wish for information on the subject.

SALVAGE OF LIFE.

Circular No 334, dated October 1868.

By the 458th and 459th sections of "The Merchant Shipping Act, 1854," it is enacted as follows:—

458. "In the following cases (that is to say), whenever any ship or boat is stranded, or otherwise in distress on the shore of any sea or tidal water situate within the limits of the United Kingdom, and services are rendered by any person—

- "(1) In assisting such ship or boat,
- "(2) In saving the lives of the persons belonging to such ship or boat,
- "(3) In saving the cargo or apparel of such ship or boat or any portion thereof,
- "And whenever any wreck is saved by any person other than a receiver within the United Kingdom,

"There shall be payable by the owners of such ship or boat, cargo, apparel, or wreck, to the person by whom such services or any of them are rendered or by whom such wreck is saved a reasonable amount of salvage, together with all expenses properly incurred by him in the performance of such services, or the saving of such wreck, the amount of such salvage and expenses (which expenses hereinafter included under the term 'Salvage') to be determined in case of dispute in manner hereinafter mentioned.

459. "Salvage in respect of the preservation of the life or lives of any person or persons belonging to any such ship or boat as aforesaid shall be payable by the owners of the ship or boat in priority to all other claims for salvage; and in cases where such ship or boat is destroyed or where the value thereof is insufficient, after payment of the actual expenses incurred, to pay the amount of salvage due in respect of any life or lives, the Board of Trade may in its discretion award to the salvors of such life or lives out of the Mercantile Marine Fund such sum or sums as it deems fit, in whole or part satisfaction of any amount of salvage so left unpaid in respect of such life or lives.

"By the 9th section of the 'Admiralty Court Act, 1861.'

"All the provisions of the 'Merchant Shipping Act, 1854,' in regard to salvage of life from any ship or boat within the limits of the United Kingdom shall be extended to the salvage of life from any British ship or boat wheresoever the services may have been rendered, and from any foreign ship or boat where the services have been rendered either wholly or in part in British waters."

The principle that claims in respect of salvage of life take priority of all salvage claims against wrecked property saved is thus extended to British ship wrecked abroad, and it will be the duty of the officer, as far as possible, to see that this principle is fully carried out in all cases in which property or life is saved within the limits of his district.

Claims for salvage of life to take priority.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Current Number.	Date of entry of particulars by officer.	Surname.	Christian Name.	Age.	If a mate, number of his certificate of competency or service.	If naval volunteer, number of his certificate	If possessed of a certificate E 2, state the number.	Here state whether the seaman is "engaged," "discharged," "left behind," reported as "dead," or "deserted," or applies for "relief" without having been discharged before officer.	Name of ship.	Official number or port of registry.	Description of voyage or port to which bound.	Surname of master.	Date of engagement.	Rate per month, share, or voyage.	Advance on entry.	Date of seaman's expected arrival in United Kingdom.	Name of ship.	Date of discharge therefrom.	Port of discharge.

[illegible]

and apprentices duly indentured and registered) employed or engaged in any capacity on board any ship.

* The term seaman includes *every* (except masters, pilots, and apprentices only.)

† The officer should obtain from the master of the ship the certificate (mates, R V 2, or E 2,) belonging to any seaman who has died or deserted, and forward the same to the Registrar-General.

Scamen with this return. Should the master have died, his certificate of competency or service should also be obtained, and sent by each mail to the Registrar-General of Seamen, Adolaiide Place, London Bridge.

APPENDIX (B).

Regulations for preventing collisions at sea issued in pursuance of the Merchant Shipping Act Amendment Act, 1862, and of an order in Council, dated 9th January 1863.

NOTICE.

By virtue of the "Merchant Shipping Act Amendment Act, 1862," and of an order in Council, dated 9th January 1863, the following regulations, containing certain verbal amendments, are substituted for the regulations contained in the schedule to the Act.

2. The following regulations apply to all ships belonging to the following countries and places, whether within British jurisdiction or not :—

Country or Place.	Date of Gazette containing Order in Council.	Country or Place.	Date of Gazette containing Order in Council.
Austria	1st May 1863.	Morocco	28th July 1863.
Argentine Republic ...	15th Sept. "	Netherlands	15th Sept. "
Belgium	1st May "	Norway	15th " "
Brazil	28th July "	Oldenburg... ..	1st May "
Bremen	28th " "	Peru	28th July "
Chili	20th Nov. "	Portugal	1st May "
Denmark Proper	5th Feb. 1864.	Prussia	1st " "
Equator (Republic of the)	28th July 1863.	Roman States	20th Nov. "
France	13th Jan. "	Russia	28th July "
Great Britain	13th " "	Schleswig	5th Feb. 1864.
Greece	6th Feb. 1866.	Spain	28th July 1863.
Hamburg	28th July 1863.	Sweden	28th " "
Hanover	1st May "	Turkey	20th Nov. "
Hawaiian Islands	30th June 1865.	United States, sea-going	30th Aug. 1864.
Hayti	1st May 1863.	ships	
Italy	1st " "	United States, inland	2nd Dec. "
Lubeck	28th July "	waters	
Mecklenburg-Schwerin ...	1st May "	Uruguay	28th July 1863.

3. The French copy of the regulations in the following pages is reprinted from the French version, as published in France under the authority of the French Government.

BOARD OF TRADE,
October 1867.

(Signed) **THOMAS GRAY,**
Assistant Secretary, Marine Department.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA, APPENDED
TO THE ORDER IN COUNCIL, DATED 9TH JANUARY 1863.

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REGULATIONS FOR PREVENTING COLLISIONS AT SEA, &c.

Preliminary.

Art. 1. In the following rules every steam ship which is under sail and not under steam is to be considered a sailing ship; and every steam ship which is under steam, whether under sail or not, is to be considered a ship under steam.

Rules concerning Lights.

Art. 2. The lights mentioned in the following articles numbered 3, 4, 5, 6, 7, 8, and 9, and no others, shall be carried in all weathers, from sunset to sunrise.

Lights.

Lights from steam ships.

- (a) At the foremast head, a bright white light, so fixed as to show an uniform and unbroken light over an arc of the horizon of 20 points of the compass; so fixed as to throw the light 10 points on each side of the ship, viz., from right ahead to 2 points abaft the beam on either side; and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least five miles.
- (b) On the starboard side, a green light so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass; so fixed as to throw the light from right ahead to 2 points abaft the beam on the starboard side; and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.
- (c) On the port side, a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of 10 points of the compass; so fixed as to throw the light from right ahead to 2 points abaft the beam on the port side; and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.
- (d) The said green and red side lights shall be fitted with thin board screens, projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

Art. 4. Steam ships, when towing other ships, shall carry two bright white mast-head lights vertically, in addition to their side lights, so as to distinguish them from other steam ships. Each of these mast-head lights shall be of the same construction and character as the mast-head lights which other steam ships are required to carry.

Lights for steam tugs.

Art. 5. Sailing ships under weigh, or being towed, shall carry the same lights as steam ships under weigh, with the exception of the white mast-head lights, which they shall never carry.

Lights for sailing ships.

Art. 6. Whenever, as in the case of small vessels during bad weather, the green and red lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for instant exhibition; and shall, to make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the light they respectively contain, and shall be provided with suitable screens.

Exceptional lights for small sailing vessels.

Art. 7. Ships, whether steam ships or sailing ships, when at anchor in roadsteads or fairways, shall exhibit, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light, in a globular lantern of eight inches in diameter, and so constructed as to show a clear uniform and unbroken light visible all round the horizon, and at a distance of at least one mile.

Lights for ships at anchor.

Art. 8. Sailing pilot vessels shall not carry the lights required for other sailing vessels but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flare-up light, every fifteen minutes.

Lights for pilot vessels.

Art. 9. Open fishing boats and other open boats shall not be required to carry the side lights required for other vessels; but shall, if they do not carry such lights, carry a lantern having a green slide on the one side and a red slide on the other side; and on the approach of or to other vessels, such lantern shall be exhibited in sufficient time to prevent collision so that the green light shall not be seen out the port side nor the red light on the starboard side.

Lights for fishing vessels and boats.

Fishing vessels and open boats when at anchor, or attached to their nets and stationary, shall exhibit a bright white light.

Fishing vessels and open boats shall, however, not be prevented from using a flare-up in addition, if considered expedient.

Rules concerning Fog Signals.

Art. 10. Whenever there is fog, whether by day or night, the fog signals described below shall be carried and used, and shall be sounded at least every five minutes; viz.:—

Fog signals.

- (a) Steam ships under weigh shall use a steam whistle placed before the funnel, not less than eight feet from the deck:
 (b) Sailing ships under weigh shall use a fog horn:
 (c) Steam ships and sailing ships when not under weigh shall use a bell.

Steering and Sailing Rules.

Art. 11. If two sailing ships are meeting end on or nearly end on so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other.

Two sailing ships meeting.

Art. 12. When two sailing ships are crossing so as to involve risk of collision, then, if they have the wind on different sides, the ship with the wind on the port side shall keep out of the way of the ship with the wind on the starboard side: except in the case in which the ship with the wind on the port side is close hauled and the other ship free, in which case the latter ship shall keep out of the way: but if they have the wind in the same side, or if one of them has the wind aft, the ship which is to windward shall keep out of the way of the ship which is to leeward.

Two sailing ships crossing.

Art. 13. If two ships under steam are meeting end on or nearly end on so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other.

Two ships under steam meeting.

Art. 14. If two ships under steam are crossing so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other.

Two ships under steam crossing.

Art. 15. If two ships, one of which is a sailing ship, and the other a steam ship, are proceeding in such directions as to involve risk of collision, the steam ship shall keep out of the way of the sailing ship.

Sailing ship and ship under steam.

Art. 16. Every steam ship, when approaching another ship so as to involve risk of collision, shall slacken her speed, or, if necessary, stop and reverse; and every steam ship shall, when in a fog, go at a moderate speed.

Ships under steam to slacken speed.

Vessels overtaking other vessels.

Art. 17. Every vessel overtaking any other vessel shall keep out of the way of the said last-mentioned vessel.

Art. 18. Where, by the above rules, one of two ships is to keep out of the way, the other shall keep her course, subject to the qualifications contained in the following article.

Construction of articles 12, 14, 15, and 17.

Art. 19. In obeying and construing these rules, due regard must be had to all dangers of navigation; and due regard must also be had to any special circumstances which may exist in any particular case rendering a departure from the above rules necessary in order to avoid immediate danger.

Proviso to save special cases.

Art. 20. Nothing in these rules shall exonerate any ship, or the owner or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

No ship, under any circumstances, to neglect proper precaution.

APPENDIX (C).

REGULATIONS FOR PREVENTING COLLISIONS AT SEA.

Order in Council respecting the application of Articles 11 and 13 of the Regulations as to two ships meeting each other end on or nearly end on.

This order appears in the London Gazette of the 4th August 1868.

At the Court at Osborne House, Isle of Wight, the 30th day of July 1868.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Merchant Shipping Act Amendment Act, 1862," it was enacted, that

Section 25.

in council, the regulations contained in the table marked C in the schedule to the said Act should come into operation and be of the same force as if they were enacted in the body of the said Act; but that Her Majesty might, from time to time, on the joint recommendation of the Admiralty and the Board of Trade, by order in council annul or modify any of the said regulations, or make new regulations in addition thereto or in substitution therefor, and that any alterations in or additions to such regulations made in manner aforesaid should be of the same force as the regulations in the said schedule:

And whereas by the same Act it was further provided that whenever it should be made to

Section 58.

table C. in the schedule to the said Act, or such other regulations for preventing collision as are for the time being in force under the said Act, should apply to the ships of such country when beyond the limits of British jurisdiction, Her Majesty might by order in council direct that

Section 61.

provided by the said Act that whenever an order in council had been issued applying any regulation made by or in pursuance of the said Act to the ships of any foreign country such ships should in all cases arising in any British court be deemed to be subject to such regulation, and should for the purpose of such regulation be treated as if they were British ships:

And whereas by an order in council made in pursuance of the said recited Act, and dated the 9th day of January one thousand eight hundred and sixty-three, Her Majesty was pleased to direct:

First, that the regulations contained in the schedule to the said Act should be modified by the substitution for such regulations of certain regulations appended to the said order:

Secondly, that the said regulations appended to the said order should on and after the first day of June one thousand eight hundred and sixty-three apply to French ships whether within British jurisdiction or not:

And whereas by several orders in council subsequently made Her Majesty has been pleased to direct that the regulations appended to the said order of the 9th of January one thousand eight hundred and sixty-three shall apply to ships of the following countries, whether within British jurisdiction or not; that is to say—

Austria.
Argentine Republic.
Belgium.
Brazil.
Bremen.
Chili.
Denmark Proper.
Equator (Republic of the).
France.
Great Britain.
Greece.
Hamburg.
Hanover.
Hawaiian Islands.
Hayti.
Italy.
Lubeck.

Mecklenburg-Schwerin.
Morocco.
Netherlands.
Norway.
Oldenburg.
Peru.
Portugal.
Prussia.
Roman States.
Russia.
Schleswig.
Spain.
Sweden.
Turkey.
United States, sea-going ships.
United States, inland waters.
Uruguay.

And whereas articles 11 and 13 of the said regulations appended to the said recited order of the 9th of January one thousand eight hundred and sixty-three are as follows; that is to say—

Article 11.—"If two sailing ships are meeting end on or nearly end on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other."

Article 13.—"If two ships under steam are meeting end on or nearly end on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other."

And whereas there has been doubt or misapprehension concerning the effect of the said two articles:

And whereas the Admiralty and the Board of Trade have jointly recommended to Her Majesty to make the following additions to the said regulations for the purpose of explaining the said recited articles, and of removing the said doubt and misapprehension:

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said recited Act, and by and with the advice of Her Privy Council, is pleased to make the following additions to the said regulations by way of explanation of the said two recited articles; that is to say—

The said two articles, numbered 11 and 13, respectively, only apply to cases where ships are meeting end on or nearly end on in such a manner as to involve risk of collision. They consequently do not apply to two ships which must, if both keep on their respective courses, pass clear of each other.

The only cases in which the said two articles apply are when each of the two ships is end on or nearly end on to the other; in other words, to cases in which *by day* each ship sees the masts of the other in a line or nearly in a line with her own; and *by night* to cases in which each ship is in such a position as to see both the side lights of the other.

The said two articles do not apply *by day* to cases in which a ship sees another *ahead* crossing her own course; or *by night* to cases where the red light of one ship is opposed to the red light of the other; or where the green light of one ship is opposed to the green light of the other; or where a red light without a green light, or a green light without a red light, is seen ahead; or where both green and red lights are seen any where but ahead.

APPENDIX (D).

COMMERCIAL CODE SIGNALS FOR USE OF ALL NATIONS.

(Colonial Vessels.)

Port of _____ day of _____ 186 ____

SIR, I beg to acquaint you that the following Commercial Code signals have, since the despatch of the last mail to England, been appropriated to the under-mentioned British registered ships.

(Note.—The particulars entered in the various columns must, as far as practicable, agree with the entries in the certificate of registry).

Date of appropriation.	Signal letters.	Name of ship and port of registry.	Rig.	Registered tonnage.	Horse-power.	Official No.	Name and address of sole registered owner, or of managing owner when there are more owners than one.
1	2	3	4	5	6	7	8

I am,
Sir,
Your obedient Servant,

Registrar of Shipping.

To
The Registrar-General of Seamen,
6, Adelaide Place, London Bridge,
London, E.C.

APPENDIX (E).

MERCHANT SHIPPING ACT, 1867.

CAP. CXXIV.

An Act to amend the Merchant Shipping Act, 1854. [20th August 1867].

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:—

1. This Act may be cited as the Merchant Shipping Act, 1867, and shall be construed with and as part of the Merchant Shipping Act, 1854, hereinafter termed the Principal Act.
Short title.
2. The Act shall come into operation on the first day of January one thousand eight hundred and sixty eight, but shall not apply to any ship which belongs to the United Kingdom and is absent therefrom at the time when this Act comes into operation until such ship has returned to the United Kingdom.
Commencement of Act.
3. The two hundred and twenty-fourth, two hundred and twenty-seventh, and two hundred and thirty-first sections of the Principal Act are hereby repealed.
Sections 224, 227, and 231 of 17 and 18 Vic. 104, repealed.

Lime or lemon juice and other anti-scorbutics to be provided and kept on board certain ships.

4. The following rules shall be observed with respect to medicines, medical stores, and anti-scorbutics (that is to say)—

- (1) The Board of Trade shall from time to time issue and cause to be published scales of medicines and medical stores suitable for different ships and voyages, and shall also prepare or sanction a book or books containing instructions for dispensing the same:
- (2) The owners of every ship navigating between the United Kingdom and any place out of the same shall provide and cause to be kept on board such ship a supply of medicines and medical stores in accordance with the scale appropriate to the said ship, and also a copy of the said book or one of the said books containing instructions:
- (3) No lime or lemon juice shall be deemed fit and proper to be taken on board any such ship, for the use of the crew or passengers thereof, unless the same has been obtained from a bonded warehouse for and to be shipped as stores; and no lime or lemon juice shall be so obtained or delivered from any warehouse as aforesaid unless the same is shown, by a certificate under the hand of an inspector appointed by the Board of Trade, to be proper for use on board ship, such certificate to be given upon inspection of a sample after deposit of the said lime or lemon juice in the warehouse; nor unless the same contains fifteen percentum of proper and palatable proof spirits, to be proved by such inspector, or by the proper officer of customs, and to be added before or immediately after the inspection thereof; nor unless the same is packed in such bottles, at such time and in such manner, and is labelled in such manner as the commissioners of customs may direct; provided that when any such lime or lemon juice is deposited in any bonded warehouse and has been approved as aforesaid by the said inspector, the said spirits, or so much of the said spirits as it is necessary to make up fifteen percentum, may be added in such warehouse, without payment of any duty thereon; and when any spirit has been added to any lime or lemon juice, and the same has been labelled as aforesaid, it shall be deposited in the warehouse for delivery as ship's stores only, upon such terms and subject to such regulations of the commissioners of customs as are applicable to the delivery of ship's stores from the warehouse:
- (4) The master or owner of every such foreign-going ship (except those bound to European ports or to ports in the Mediterranean Sea, and also except such ships, or classes of ships bound to ports on the eastern coast of America north of the thirty-fifth degree of North Latitude, and to any islands or places in the Atlantic Ocean north of the same limit, as the Board of Trade may from time to time exempt from this enactment), shall provide and cause to be kept on board such ship a sufficient quantity of lime or lemon juice from the warehouse duly labelled as aforesaid, such labels to remain intact until twenty-four hours at least after such ship shall have left her port of departure on her foreign voyage, or a sufficient quantity of such other

anti-scorbutics if any, such quality, and composed of such materials, and packed and kept in such manner, as Her Majesty by order in council may from time to time, direct:

- (5) The master of every such ship as last aforesaid shall serve or cause to be served out the lime or lemon juice with sugar (such sugar to be in addition to any sugar required by the articles) or other such anti-scorbutics as aforesaid to the crew so soon as they have been at sea for ten days, and during the remainder of the voyage, except during such time as they are in harbour and are there supplied with fresh provisions, the lime or lemon juice and sugar to be served out daily at the rate of an ounce each per day to each member of the crew, and to be mixed with a due proportion of water before being served out, or the other anti-scorbutics, if any, at such times and in such quantities as Her Majesty by order in council may from time to time direct:

- (6) If at any time when such lime or lemon juice or anti-scorbutics is or are so served out as aforesaid any seaman or apprentice refuses or neglects to take the same, such neglect or refusal shall be entered in the official log-book in the manner provided by the two hundred and eighty-first section of the Principal Act, and shall be signed by the master and by the mate or some other of the crew, and also by the surgeon or medical practitioner on board, if any.

And if in any such ship as aforesaid such medicines, medical stores, book of instructions, lime or lemon juice, sugar, or anti-scorbutics as are hereinbefore required or not provided, packed, and kept on board as hereinbefore required, the owner or master shall be deemed to be in fault, and shall for each default incur a penalty not exceeding twenty pounds, unless he can prove that the non-compliance with the above provisions, or any of them, was not caused through any inattention, neglect, or wilful default on his part; and if the lime or lemon juice and sugar or other anti-scorbutics are not served out in the case and manner hereinbefore directed, or if entry is not made in the official log in the case and manner hereinbefore required, the master shall be deemed to be in fault, and shall for each default incur a penalty not exceeding five pounds, unless he can prove that the non-compliance with the above provisions, or any of them, did not arise through any neglect, omission, or wilful default on his part; and if in any case it is proved that some person other than the master or owner is in default in any case under this section, then such other person shall be liable to a penalty not exceeding twenty pounds.

5. Any person who manufactures, sells, or keeps or offers for sale any such medicines or medical stores as aforesaid which are of bad quality, shall for each such offence incur a penalty not exceeding twenty pounds.
Penalty for selling, &c., medicines, &c., of bad quality.

6. In any British possession out of the United Kingdom the Governor or officer administering the Government for the time being shall, subject to the laws of such possession, have power to make regulations concerning the supply within such possession of lime or lemon juice and anti-scorbutics for the use of ships; and any lime or lemon juice or anti-scorbutics duly supplied in accordance with any such regulations shall be deemed to be fit and proper for the use of ships.
Power to Governors, &c., to make regulations as to supply of lime or lemon juice, &c.

7. Whenever it is shown that any seaman or apprentice who is ill has, through the neglect of the master or owner, not been provided with proper food and water according to his agreement or with such accommodation, medicines, medical stores, or anti-scorbutics as are required by the Principal Act or by this Act, then, unless it can be shown that the illness has been produced by other causes, the owner or master shall be liable to pay all expenses properly and necessarily incurred by reason of such illness (not exceeding in the whole three months' wages), either by such seaman himself, or by Her Majesty's Government, or any officer of Her Majesty's Government, or by any parochial or other local authority on his behalf, and such expenses may be recovered in the same way as if they were wages duly earned: Provided that this enactment shall not operate so as to affect any further liability of any such owner or master for such neglect, or any remedy which any seaman already possesses.
Seaman's expenses in case of illness through neglect of owner or master to be paid by them.

8. Where a seaman is by reason of illness incapable of performing his duty, and it is proved that such illness has been caused by his own wilful act or default, he shall not be entitled to wages for the time during which he is by reason of such illness incapable of performing his duty.
Forfeiture of wages, &c., of seaman when illness caused by his own default.

Place appropriated to seamen to have a certain space for each man, and to be properly constructed and kept clean.

9. The following rules shall be observed with respect to accommodation on board British ships; (that is to say)—

- (1) Every place in any ship occupied by seamen or apprentices, and appropriated to their use, shall have for every such seaman or apprentice a space of not less than seventy-two cubic feet, and of not less than twelve superficial feet, measured on the deck or floor of such place:
- (2) Every such place shall be such as to make the space aforesaid available for the proper accommodation of the men who are to occupy it, shall be sure constructed, properly lighted and ventilated, properly protected from weather and sea, and as far as practicable properly shut off and protected from effluvia which may be caused by cargo or bilge water:
- (3) No such place as aforesaid shall be deemed to be such as to authorize a deduction from registered tonnage, under the provisions hereinafter contained, unless there is or are in the ship one or more properly constructed privy or privies for the use of the crew; such privy or privies to be of such number and of such construction as may be approved by the surveyor hereinafter mentioned:
- (4) Every such place shall, whenever the ship is registered or re-registered, be inspected by one of the surveyors appointed by the Board of Trade under part IV of the Principal Act, who shall, if satisfied that the same is in all respects such as is required by this Act, give to the Collector of Customs a certificate to that effect, and thereupon such space shall be deducted from the register tonnage:
- (5) No such deduction from tonnage as aforesaid shall be authorized unless there is permanently cut in a beam, and cut in or painted on or over the doorway or hatchway of every such place, the number of men which it is constructed to accommodate, with the words "certified to accommodate seamen."
- (6) Every such place shall be kept free from stores or goods of any kind, not being the personal property of the crew in use during the voyage.
- (7) Upon any complaint concerning any such place as aforesaid, one of the surveyors appointed by the Board of Trade may inspect such place, and if he finds that any of the provisions of this Act with respect to the same are not complied with, he shall report the same to the Collector of Customs at the port where the ship is registered, and thereupon the registered tonnage shall be altered, and the deduction aforesaid in respect of space disallowed, unless and until it shall be certified by such surveyor, or by some other surveyor appointed by the Board of Trade, that the provisions of the Act in respect of such place are fully complied with:
- (8) If any such place in any ship is not kept free from goods and stores as aforesaid, the master shall be deemed to be in fault, and shall for every such failure to comply with the provisions of this section, forfeit and pay to each seaman lodged in such place the sum of one shilling a day for each day after complaint made to him by any two or more of such seamen during which any goods or stores not being the personal property of the crew, are stored or kept therein.
- (9) If in any other respect the provisions of this section are not observed with respect to any such place in any ship, the owner shall be deemed to be in fault, and shall for every failure to comply with the provisions of this section incur a penalty not exceeding twenty pounds.

Rules for medical inspection of seamen.

10. The following rules shall be observed with respect to the medical inspection of seamen; that is to say—

- (1) At any port where there is a Local Marine Board the Local Marine Board, and at other ports in the United Kingdom the Board of Trade, may appoint a medical inspector of seamen:
- (2) Such medical inspector of seamen shall, on application by the owner or master of any ship, examine any seaman applying for employment in such ship, and shall give to the Superintendent of the Mercantile Marine office a report under his hand stating whether such seaman is in a fit state for duty at sea, and a copy of such report shall be given to the master or owner of the ship:
- (3) The master or owner applying for such inspection shall pay to the superintendent such fees as the Board of Trade direct, and such fees shall be paid into and form part of the Mercantile Marine Fund:
- (4) The said medical inspectors shall be remunerated for their services as the Board of Trade may direct, and such remuneration shall be paid out of the Mercantile Marine Fund:
- (5) In British possessions out of the United Kingdom the Governor or other officer administering the Government for the time being shall have the power of appointing medical inspectors of seamen, of charging fees for inspections, when applied for, and of determining the remuneration to be paid to such inspectors.

11. If any British subject commits any crime or offence on board any British ship, or on board any foreign ship to which he does not belong, any Court of Justice in Her Majesty's dominions, which would have had cognizance of such crime or offence if committed on board a British ship within the limits of the ordinary jurisdiction of such Court, shall have jurisdiction to hear and determine the case as if the said crime or offence had been committed as last aforesaid.

12. The Harbour Master for the time being of the Harbour of Holyhead, in the event of its seeming meet to Her Majesty to assign to him Her Majesty's Commission to act as a Justice of the Peace within the limits within which he is empowered to act as Harbour Master, shall, during the continuance of such assignment and of his tenure of the office of Harbour Master, execute within such limits the duties of a Justice of the Peace, notwithstanding he may not be qualified by estate to be a Justice of the Peace for a county and shall have within such limits the same power and jurisdiction as a Stipendiary Magistrate has by Act of Parliament when sitting at a Police Court or other place appointed in that behalf.

APPENDIX (F).

Scale of medicines and medical stores issued and caused to be published by the Board of Trade in pursuance of the Merchant Shipping Act, 1867.

Preparation from British Pharmacopœia, 1867.	Names of medicines, medicaments, &c.	Proportion for ships carrying the undermentioned number of men and boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
Copaiba * Mist. Sennæ Co. Lotio Hydrarg. Nigra	Alum	1 oz.	2 oz.	3 oz.
	Balsam of copaiba	4 "	8 "	12 "
	Bicarb. of soda	8 "	12 "	16 "
	Black draught	1 pint	2 pints	3 pints
	Black wash	1 "	2 "	2 "
Potassæ Tartras Acida Ess. Menth. Pip. Tr. Zingib. Fortior Liq. Plumbi Subacet. dil. Tr. Opii Argenti Nitras Ung. Resinæ " Hydrargyri " Simplex Lin. Opii Tr. Camph. Co.	† Carbolic acid, liquid or crystal. A mixture containing in each 100 parts not less than 80 parts of carbolic (or phenic) and cresylic acids and their homologues, and not more than 20 parts of water.	½ gal.	1 gal.	2 gals.
	Castor-oil	1 lb.	2 lb.	3 lb.
	Cream of tartar	2 oz.	4 oz.	8 oz.
	‡ Cond's crimson fluid	½ pint	1 pint	1 pint
	Epsom salts	3 lb.	6 lb.	12 lb.
	Essence of peppermint	1 oz.	1 oz.	2 oz.
	" ginger	1 "	2 "	4 "
	Goulard's extract	1 oz.	2 "	4 "
	Iodide of potassium	2 oz.	4 "	8 "
	Laudanum	14 lb.	28 lb.	28 lb.
	Linseed meal	1 oz.	1 oz.	1 oz.
	Lunar caustic	4 "	4 "	8 "
	Nitrate of potash	2 "	6 "	10 "
	Ointment, basilicon	3 "	2 "	4 "
	" mercurial	1 "	12 "	16 "
	" simple	6 "	8 "	12 "
	Olive oil	3 oz.	6 "	10 "
	Opodeldoc	4 "	6 "	8 "
	Paregoric	4 "	6 "	8 "

* Omit extract of liquorice, and substitute aromatic spirit of ammonia, 1 oz. to 1 pint of the mixture.
† As an antiseptic and deodorizing agent for common use.
‡ For purifying drinking water when necessary.

Scale of medicines and medical stores issued and caused to be published by the Board of Trade in pursuance of the Merchant Shipping Act, 1867—continued.

Preparation from British Pharmacopœia, 1867. This column is added for the use of druggists supplying the medicines indicated.	Names of medicines, medicaments, &c.	Proportion for ships carrying the undermentioned number of men and boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
Pil. Hydrarg. ... 5 gr.	Pills, blue ...	1 doz.	2 doz.	3 doz.
" Ipecac. c. Scilla ... 5 "	" cough ...	2 "	4 "	6 "
" Sapon. Co. ... 5 "	" opium ...	1 "	2 "	3 "
" Coloc. c. Hyosc. ... 5 "	" purging ...	3 "	6 "	8 "
" Rhei Co. ... 5 "	" mild ...	3 "	6 "	8 "
Pulv. Rhei Co. ...	Powder, comp. rhubarb ...	2 oz.	4 oz.	8 oz.
" Catechu Co. } equal }	" diarrhoea ...	1 "	2 "	3 "
" Cret. Arom. } parts }	" Dover's ...	1 "	2 "	3 "
" Ipecac. Co. ...	" ipecacuan ...	1 "	2 "	3 "
	* Quinine ...	1 "	2 "	3 "
Sp. Ætheris Nitrosi ...	Spirits of nitric Æther ...	1 "	2 "	3 "
	Sulphate of zinc ...	1 oz.	2 "	3 "
	Sulphur (sublimed) ...	4 "	6 "	8 "
Tr. Hyoseyami ...	Tincture of henbane ...	1 "	2 "	3 "
" Rhei ...	" of rhubarb ...	4 "	10 "	12 "
Lin. Terebinthinæ ...	Turpentine liniment ...	2 "	4 "	6 "
	The solution of chloride of zinc ...	4 pints	16 pints	8 pints

* Double the quantity above indicated to be taken to all tropical ports.

Particulars.	Scales of medical stores and necessaries.	Proportion for ships carrying the undermentioned number of men and boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
	Adhesive plaster on unbleached calico in tin case.	1 yard	2 yards	3 yards
	Lint ...	½ lb.	¾ lb.	1 lb.
Marked in English figures ...	Scales and weights ...	1 set	1 set	1 set
Do. in drops ...	Graduated drop measure ...	1	1	1
Do. in spoonfuls ...	Graduated 2-oz. measure ...	1	1	1
	6-oz. bottles ...	½ doz.	½ doz.	1 doz.
	Corks for bottles ...	1 "	1½ "	2 "
	Scissors ...	1 pair	1 pair	1 pair
	Syringes ...	2	2	4
	Lancet ...	1	1	1
	Absoess do. ...	1	1	1
Leg and arm size ...	Bandages ...	1	6	6
	Calico ...	3 yards	4 yards	6 yards
	Flannel ...	2 "	3 "	6 "
	Needles, pins, thread, and tape ...	1 paper	1 paper	1 paper
	Splints, common ...	1 set	1 set	1 set
36-in. single reversible ...	Trusses ...	1	1	1
Printed directions for use ...	Enema syringe ...	1	1	1
	Pewter cup ...	1	1	1
	Teaspoon (pewter) ...	1	1	1
	Bougies ...	1 set	1 set	1 set
No. 8 ...	Catheter ...	1	1	1
	Bed-pan ...	1	1	1
	Arrowroot ...	2 lb.	4 lb.	8 lb.
	Pearl barley ...	4 "	8 "	16 "
	Rice ...	4 "	8 "	16 "
	Corn flour ...	4 "	8 "	16 "

Particulars.	Scales of medical stores and necessaries.	Proportion for ships carrying the undermentioned number of men and boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
	Sago ...	4 lb.	8 lb.	16 lb.
	Sugar ...	14 "	28 "	56 "
	Soup and bouilli ...	6 "	12 "	24 "
	Boiled mutton ...	6 "	12 "	24 "
	Essence of beef ...	6 tins (½ pint).	12 tins	24 tins
Preserved ...	Compressed vegetables (mixed) ...	4 lb.	8 lb.	16 lb.
	Potato (if not in scale of provisions).	14 "	28 "	56 "
	Wine (Port) ...	3 bottles	6 bottles	12 bottles
	Brandy ...	2 "	4 "	6 "

F. 9689 of 1869—M. 2846 of 1870.

Circular No. 404, dated Board of Trade, the 21st March 1870.

INSTRUCTIONS TO OFFICERS IN THE BRITISH POSSESSIONS ABROAD.

WAGES AND EFFECTS OF DECEASED MERCHANT SEAMEN.

The British Government have agreed with the Governments of France, Denmark, Sweden and Norway, and the North German Confederation, to deliver to their respective Consuls-General in London the wages and effects received by the Board of Trade under the provisions of the Merchant Shipping Act, 1854, of seamen belonging to those countries who have died on board British merchant vessels, and these Governments have on their part agreed to deliver to the nearest British Consul the property of British seamen dying on board their merchant vessels, or on shore in their territories.

The officers are, therefore, requested to report to the Board of Trade the particulars of the deaths of such British seamen.

(Signed) T. H. FARRER,
Secretary.

M. 2414.

Circular No. 409, dated Board of Trade, the 14th March 1870.

INSTRUCTIONS TO OFFICERS IN THE BRITISH POSSESSIONS ABROAD.

(Substituted for Cancelled Circulars Nos. 285 and 325).

Merchant Shipping Act, 1867.

MEDICAL SCALE FOR MERCHANT SHIPS.

The annexed scale of medicines and medical stores for merchant ships has been issued and caused to be published by the Board of Trade.

The following portions of section 4 and section 5 of "The Merchant Shipping Act, 1867," refer to the scale of medicines and medical stores, viz. :—

By section 4, paragraph 1, it is provided that "The Board of Trade shall from time to time issue and cause to be published scales of medicines and medical stores suitable for different ships and voyages." By paragraph 2 of the same section it is further provided that "The owners of every ship navigating between the United Kingdom and any place out of the same shall provide and cause to be kept on board such ship a supply of medicines and medical stores in accordance with the scale appropriate to the said ship." The concluding portion of the same section sets forth that "if in any ship as aforesaid such medicines [and] medical stores ... as are hereinbefore required are not provided, packed, and kept on board as hereinbefore required, the owner or master shall be deemed to be in fault, and shall for each default incur a penalty not exceeding twenty pounds, unless he can prove that the non-compliance with the above provisions, or any of them, was not caused through any inattention, neglect, or wilful default on his part; and further, that "if in any case it is proved that some person other than the master or owner is in default.....then such other person shall be liable to a penalty not exceeding twenty pounds."

By section 5 of the Act it is provided that "Any person who manufactures, sells, or keeps or offers for sale, any such medicines or medical stores as aforesaid which are of bad quality shall for each such offence incur a penalty not exceeding twenty pounds."

THOMAS GRAY.

Scale of medicines and medical stores issued and caused to be published by the Board of Trade in pursuance of the Merchant Shipping Act, 1867.

Preparations from British Pharmacopœia 1867.	Names of medicines, medicaments, &c.	Proportion for ships carrying the undermentioned number of men and boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
Copaiba	Alum	1 oz.	2 oz.	3 oz.
	Balsam of copaiba	4 "	8 "	12 "
	Bicarb. of soda	8 "	12 "	16 "
	Black draught	1 pint	2 pints	3 pints
* Mist. Sennæ Co.	Black wash	1 "	2 "	2 "
Lotio Hydrarg. Nigra	† Carbolic acid, liquid or crystal.	½ gal.	1 gal.	2 gals.
	A mixture containing in each 100 parts not less than 80 parts of carbolic (or phenic) and cresylic acids, and their homologues, and not more than 20 parts of water.			
	Castor oil	1 lb.	2 lb.	3 lb.
	Cream of tartar	2 oz.	4 oz.	8 oz.
Potassæ Tartras Acida	† Cordy's crimson fluid	½ pint	1 pint	1 pint
	Epsom salts	3 lb.	6 lb.	12 lb.
Ess. Ment. Pip.	Essence of peppermint		1 oz.	2 oz.
Tr. Zingib. Fortior	" of ginger		1 "	2 "
Liq. Plumbi Subacet. dil	Goulard's extract	1 oz.	2 "	4 "
	Iodide of potassium		2 "	4 "
Tr. Opii	Laudanum	2 oz.	4 "	8 "
Argenti Nitras	Linseed meal		14 lb.	28 lb.
	Lunar caustic	½ oz.	1 oz.	1 oz.
Ung. Resinæ	Nitrate of potash	2 "	4 "	8 "
" Hydrargyri	Ointment, basilicon	3 "	6 "	10 "
" Simplex	" mercurial	1 "	2 "	4 "
	" simple	6 "	12 "	16 "
Lin. Opii	Olive oil		8 "	12 "
Tr. Camph. Co.	Opodeldoc	3 oz.	6 "	10 "
Pil. Hydrarg. ... 5 grs.	Paregoric	4 "	6 "	8 "
" Ipecac. c. Scilla ... 5 "	Pills, blue	1 doz.	2 doz.	3 doz.
" Sapon. Co. ... 5 "	" cough	2 "	4 "	6 "
" Coloc. c. Hyosc. ... 5 "	" opium	1 "	2 "	3 "
" Rhei Co. ... 5 "	" purging	3 "	6 "	8 "
Pulv. Rhei Co.	" mild	3 "	6 "	8 "
" Catechu Co.	Powder, comp. rhubarb	2 oz.	4 oz.	8 oz.
" Cret. Arom.	" diarrhoea	1 "	2 "	3 "
" c. Opio	" Dover's	1 "	2 "	3 "
" Ipecac. Co.	" ipecacuan	1 "	2 "	3 "
	§ Quinine	1 "	2 "	3 "
Sp. Ætheris Nitrosi	Spirits of nitric Æther		2 "	3 "
	Sulphate of zinc	1 oz.	2 "	3 "
	Sulphur (sublimed)	4 "	6 "	8 "
Tr. Hyoscyami	Tincture of henbane	1 "	2 "	3 "
" Rhei	" of rhubarb	4 "	10 "	12 "
Lin. Terebinthinæ	Turpentine liniment	2 "	4 "	6 "
	Solution of chloride of zinc	4 pints	8 pints	16 pints

- * Omit extract of liquorice, and substitute aromatic spirit of ammonia, 1 oz. to 1 pint of the mixture.
† As an antiseptic and deodorizing agent for common use.
‡ For purifying drinking water when necessary.
§ Double the quantity above indicated to be taken to all tropical ports.

Particulars.	Scales of medical stores and necessaries.	Proportion for ships carrying the undermentioned number of men and boys (for 12 months).		
		10 and under.	11 to 20 inclusive.	21 and upwards.
Marked in English figures ...	Adhesive plaster on unbleached calico in tin case	1 yard	2 yards	3 yards
	Lint	½ lb.	1 lb.	1 lb.
	Scales and weights	1 set	1 set	1 set
	Graduated drop measure	1 "	1 "	1 "
Do. in drops	Do. 2-oz. do.	1 "	1 "	1 "
Do. in spoonful	6-oz. bottles	½ doz.	1 doz.	1 doz.
	Corks for bottles	1 "	1 pair	1 pair
	Scissors	2 "	2 "	4 "
	Syringes	1 "	1 "	1 "
	Lancet	1 "	1 "	1 "
	Absecess do.	1 "	6 "	6 "
Leg and arm size	Bandages	3 yards	4 yards	6 yards
	Calico	2 "	3 "	6 "
	Flannel		1 paper	1 paper
	Needles, pins, thread, and tape	1 set	1 set	1 set
36 in. single reversible	Splints, common	1 "	1 "	1 "
Printed directions for use	Trusses	1 "	1 "	1 "
	Enema syringe	1 "	1 "	1 "
	Pewter cup		1 "	1 "
	Tea-spoon (pewter)	1 set	1 set	1 set
No. 8	Bongies	1 "	1 "	1 "
	Catheter	1 "	1 "	1 "
	Bed-pan		4 lb.	8 lb.
	Arrowroot	4 "	8 "	16 "
	Pearl barley	4 "	8 "	16 "
	Rice	4 "	8 "	16 "
	Corn flour	4 "	8 "	16 "
	Sago	4 "	8 "	16 "
	Sugar	14 "	28 "	56 "
	Soup and bouilli	6 "	12 "	24 "
	Boiled mutton	6 "	12 "	24 "
Preserved	Essence of meat	6 tins	12 tins	24 tins
	Compressed vegetables (mixed)	4 lb.	8 lb.	16 lb.
	Potato (if not in scale of provision).	14 "	28 "	56 "
	Wine (Port)	3 bottles	6 bottles	12 bottles
	Brandy	2 "	4 "	6 "

M. 1959.

Circular No. 420, dated Board of Trade, the June 1870.

INSTRUCTIONS TO OFFICERS IN THE BRITISH POSSESSIONS ABROAD.

SENDING DISTRESSED SEAMEN HOME.—BALANCE OF WAGES OF DISTRESSED BRITISH SEAMEN.—

LIABILITY OF SHIP-OWNERS.—DISTRESSED SEAMEN SENT HOME.

A new form, C C 14, has been prepared for the use of the officers in the British possessions abroad in sending home distressed seamen.

New form (C C 14), section 212, paragraph 42.

Copies of the new form are enclosed.

The new form should in future be used exclusively.

All old forms, C C 14, should be destroyed.

The new form affects the instructions to officers in the British possessions abroad upon two points:—

1. Sending distressed seamen home.
2. Balance of wages of distressed seamen.

With regard to the actual conveyance home of distressed seamen it is only necessary for the officer to note that the rate of conveyance for ordinary seamen is raised from 1s. a day to 1s. 6d.; but that the rate for masters will remain at 2s. a day.

With regard, however, to the settlement of the cash balances of wages due to seamen who are sent home by the officer, the new form introduces an entirely new arrangement.

Hitherto when a seaman was sent home, the balance of wages due to him has, after deducting 1s. a day for the average length of the passage, been paid to him by the officer.

Circular 42.

This system has led practically to much inconvenience. Where the sum deducted was less than the actual amount paid for the passage, the Board of Trade have not been able to recover the balance from the seamen, and where it has been less, they have not been able to pay the balance to the seaman.

In future, therefore, the balance is not to be paid to the seamen, but is to be kept by the officer, and credited in his account to the Board of Trade.

In order, however, that no delay may occur in settling with seamen who have balances due to them, and to prevent any doubt as to the claims of seamen to such balances, columns are provided in the new form, in which the officer should give all the information necessary to enable the Superintendent of the Mercantile Marine office at the port at which a man is landed, to decide at once the balance (if any) due to him, and to settle with him on the spot.

When the wages are paid by bill, the instructions contained in circular 42 should still be observed; but when seamen, whose wages have been paid by bill are sent home under a

When paid by bill.

Colonial order, the same particulars should be given on form C C 14, as in cases where the wages are paid in cash.

The information required and the deductions to be made will of course vary according to the circumstances under which the seaman became distressed.

Shipwreck.
Circular 42.

When the case of the seaman's distress is shipwreck, no amount is to be entered on form C 16 as chargeable to his wages.

When the owners are not liable to repay the expenses, or any of them incurred in respect of the seaman, and the cause of the seaman's distress is not shipwreck, his wages are chargeable with all expenses.

When owners are not liable.

When the owners are liable to repay his expenses or any of them, the wages are only chargeable with such expenses as are not payable by owners, viz. :—

When owners are liable.

1. When left behind illegally, with medical expenses.
 2. When injured in the service of the ship, with clothing expenses.
 3. When both left behind illegally and injured in the service of the ship, with no expenses.
- In this third case, therefore, a seaman is to be treated precisely as though he were shipwrecked.

LIABILITY OF SHIPOWNERS.

It may be convenient here to state in a few words the instructions and law on the subject of liability of shipowners to repay expenses incurred abroad in respect of distressed British seamen.

Owners are liable to repay expenses :—

Owners are liable when men are left behind illegally, section 213.

1. When a seaman is discharged or left behind without compliance by the master with all the provisions of the Act.

The provisions of the Merchant Shipping Act, 1854, with which a master should comply when leaving men in H.M.'s dominions abroad are contained in the 206th, the 207th and the 209th sections.

Under these sections, and the 213th section, owners are liable to repay expenses of a seaman—

Section 206, paragraph 13.

1. When forced on shore and wilfully left behind;

Sections 207 and 208, paragraphs 13, 14, 15, and 16.

2. When discharged without official sanction, or left behind without an official certificate;

Section 209, paragraphs 20 and 21.

3. When left behind on ground of inability to proceed, but without payment of wages.

It is to be specially noted, however, that the Board of Trade have no power to recover medical expenses (unless such expenses may properly be described as expenses for subsistence) incurred in respect of a seaman left behind without due compliance with the law, but not injured

in the service of the ship, and therefore the medical expenses of a seaman who is left behind illegally should be deducted from his wages, unless he has also been injured in the service of the ship, and should not be included in the form C C 9.

Section 228, paragraph 26, circulars 261 and 318.

Circular No. 73.

Therefore expenses for clothing supplied to a seaman injured in the service of the ship should be deducted from his wages, and should not be included in form C C 9.

DISTRESSED SEAMEN SENT TO THE OFFICER'S PORT.

If a vessel arrives at the officer's port with distressed seamen on board who have been sent there under order by a Consul or a Colonial Officer, the officer will require the master to attend with the seamen and to make the declaration on the second page of the form C C 14 or C 16, as the case may be.

The officer will examine the claim, and pay it if correct, and will also pay to the seamen any balances which may be described as remaining to their credit at the port where they were put on board the vessel for conveyance to the officer's port, after deducting the sum paid to the master for their conveyance in cases where the cause of the men's distress was neither shipwreck, leaving behind illegally, or injury in the service of the ship.

The form should be properly filled up, the receipts of the master and men taken, and the payments charged in the officer's next quarterly account with the Board of Trade, with which the form C C 14 should be sent as a voucher.

If any serious dispute arises either with the master or the seamen as to facts, or as to the amount to be paid, or if the officer is not satisfied with the correctness of the claim, the officer should refuse to pay and refer the matter to the Board of Trade.

THOMAS GRAY.

M. 1967, 3567, 4231, 4342.

July 1870.

Circular No. 427, dated Board of Trade, the

INSTRUCTIONS TO OFFICERS IN BRITISH POSSESSIONS ABROAD.

SEAMEN DISCHARGED OR LEFT ABROAD, AND THEIR WAGES AND RELIEF.

Instances occur in which masters render incorrect accounts of wages of seamen left behind at ports in the British possessions abroad, and the errors are not corrected by discharging officers, but are discovered when the forms C C 6 are examined at the Board of Trade. The consequent loss sometimes falls upon the seamen, but when the wages of a seaman are chargeable with his expenses, it falls on Her Majesty's Government.

Inaccuracy in forms C C 6, paragraph 21, section 209.

There is little excuse for these errors.

The attention of the officers is particularly called to the point in paragraph 21, and they have to certify in precise terms to the correctness of each form C C 6.

It is necessary therefore that they should satisfy themselves, by a comparison of the form C C 6 with the list of crews and the official log-book, that the dates, rate of pay, deductions, and balances are in each case correct.

A form C C 6 should be sent with regard to every seaman in respect of whom expenses are incurred, whether any balance of wages is due to the seaman or not.

In future whenever any loss results to the Government through an error in an account of wages certified as correct by an officer, the officer will be debited with the amount of such loss.

No deductions should be allowed from a seaman's wages for time during which a seaman is off duty from illness, unless it is proved that such illness has been caused by his own wilful act and default. See Merchant Shipping Act, 1867.

Reasonable medical expenses, however, may be deducted. The Board of Trade are advised that a seaman left behind at a port abroad has a right to wages down to and inclusive of the date of the certificate of the officer as to his being left behind.

Right to wages. (Sections 185, 209.)

Officers should, therefore, refuse to give such certificate until wages down to and inclusive of such date have been paid.

Thus when a seaman has been sent to hospital but not discharged, wages should be calculated to the date of the official certificate, not to the date of entry into the hospital.

Seamen in hospital.

In such a case as the foregoing, the officer should ascertain that the master has paid all expenses, medical or other, for the seaman down to the date of the official certificate, and should refuse to give it until they are paid or provided for.

Hospital expenses.

Discharge of sick seamen.

As long as there is a reasonable prospect of such a seaman recovering in time to continue the voyage, the officer should refuse to discharge him.

HOSPITALS.

In order that there may be no misunderstanding as to whether seamen in hospital are or are not at the charge of the Government, the officer should request the hospital authorities to inform him of all British seamen admitted into the hospital within twenty-four hours of their admittance.

The officer on his part should inform the hospital authorities as soon as possible whenever any seaman in hospital is discharged, and should make them clearly understand that until such discharges have been notified by him to them, seamen remain in the hospital at the charge of their ships and not of the Board of Trade.

ACCOUNTS.

With reference to paragraph 59 of the printed instructions which directs that the accounts of officers are to be kept in currency, officers are informed that all money received and paid by them in sterling on account of the Board of

Exchange.

Trade should be converted into currency at the rates of exchange in force on the dates of each such receipt and payment, the rates of exchange being stated on each voucher, and the whole of the receipts and payments embraced in their accounts should be converted into sterling at the end of the quarter as shown in the form CC 18. The rate of such conversion should be stated in the blank space left for that purpose in the account current and should be the same as that at which the bill for the balance is drawn. Officers will find the keeping of their accounts facilitated by making their payments as far as possible in currency.

FORMS.

All certificates required by the forms of account of the Board of Trade should be given on such forms, and all blanks should be filled in.

RELIEF OF MASTERS.

The last paragraph of circular No. 267, p. 12, of supplementary instructions should read thus:—

"The officer should also fully understand that the *excess* of expenses (incurred under a guarantee given by a master) *over and above the allowance authorized in the case of a destitute master* will be liable to disallowal, if the guarantee be repudiated."

THOMAS GRAY,
Assistant Secretary.

M. 8497 of 1869.

Circular No. 439, dated Board of Trade, September 1870.

INSTRUCTIONS TO OFFICERS IN THE BRITISH POSSESSIONS ABROAD.

Agreements opened and terminated abroad.

AGREEMENTS OPENED.

1. The practice of opening the agreements for British ships, *i.e.*, entering into fresh articles, at distant ports is now so frequent as to make it important that the following instructions should be carefully followed by shipping officers in the British possessions abroad, with a view to compliance with "The Merchant Shipping Act, 1854," which provides (s. 159)

17 & 18 Vict., c. 104.

"that the same rules, qualifications, and penalties as are hereinbefore specified with respect to the engagement of seamen before shipping masters in the United Kingdom shall apply to such engagements in a British possession."

The following instructions have reference only to the cases of crews engaged in a British possession for ships registered in the United Kingdom or in some other British possession. (See s. 159).

2. Section 149 of the Act requires that "the master of every ship, except ships of less than eighty tons registered tonnage, exclusively employed in trading between different ports on the coast of the United Kingdom, shall enter into an agreement with every seaman whom he carries to sea from any port in the United Kingdom as one of his crew in the manner hereinafter mentioned; and every such agreement shall be in a form sanctioned by the Board of Trade, and shall be dated at the time of the first signature thereof, and shall be signed by the master before any seaman signs the same, and shall contain the following particulars as terms thereof; (that is to say)—

Rules in United Kingdom.

- (1) The nature and, as far as practicable, the duration of the intended voyage or engagement;
- (2) The number and description of the crew, specifying how many are engaged as sailors;
- (3) The time at which each seaman is to be on board or to begin work;
- (4) The capacity in which each seaman is to serve;
- (5) The amount of wages which each seaman is to receive;
- (6) A scale of the provisions which are to be furnished to each seaman;
- (7) Any regulations as to conduct on board, and as to fines, short allowance of provisions, or other lawful punishments for misconduct, which have been sanctioned by the Board of Trade as regulations proper to be adopted, and which the parties agree to adopt.

And every such agreement shall be so framed as to admit of stipulations, to be adopted at the will of the master and seaman in each case, as to advance an allotment of wages, and may contain any other stipulations which are not contrary to law."

3. Agreements in respect of British ships to which this circular refers should be on the form (Eng. 1) in use in the United Kingdom. The form Eng. 1 is a new form of agreement intended to supersede the form A, A C, and M in the United Kingdom and abroad. The form (4) is printed in six sizes, adapted to crews of not exceeding 20, 40, 80, 120, 180, and 240 men, respectively. A copy of each is sent herewith.

Form of agreement.

4. The master and crew being in attendance, the officer should see that the provisions of the Act (ss. 40 and 46) as to the master's name being on the ship's register are complied with. The provisions of the Merchant Shipping Acts, which require that masters, mates, or engineers shall possess certificates of competency or service, relate to cases in which ships go to sea from ports in the United Kingdom. Whenever a master, mate, or engineer holds a certificate of competency or service, it should be produced to the officer, and the number of it should be inserted opposite the name of the possessor in any form in which his name appears; and whenever he does not hold one he should be reminded of the provisions of s. 136 of "The Merchant Shipping Act, 1854," and s. 5 of "The Merchant Shipping Act Amendment Act, 1862," which would be enforced if the ship at any time in the course of the voyage should go to sea from the United Kingdom.

Master and officers.

5. Any apprentices destined for the voyage must be in attendance; their indentures must be produced to the officer, and the apprentice's name, with the date of his indenture, and the name of the port where it is registered, must be entered on the agreement.

Attendance of apprentices. S. 145.

6. In settling the agreement, it will be the officer's duty to object to the insertion of any stipulation which he considers contrary to the Act of Parliament; but he has no legal power to prevent the insertion of any stipulation which the master and crew voluntarily and knowingly choose to adopt, so long as it is not contrary to law.

Stipulations in agreement. S. 149.

Difficulties arising from vaguely worded agreements.

7. One matter of very great importance to the parties themselves is a proper description of the limits and nature of the intended voyage. Difficulties have been found frequently to arise between masters and crews of British merchant vessels owing to the indefiniteness of the wording of their agreements.

The following is quoted as an example:—

"From Cork to Shields and from thence to Constantinople or any other port or ports in the Mediterranean Sea, Sea of Azoph or Black Sea, or wherever freight may offer for the ship and back to a port of call for orders if required; from thence to a port of final discharge in the United Kingdom, or , expected term of service not to exceed 18 months."

It is obvious that all articles of agreement ought to be as explicit and as free from doubt as possible. When this is not so the intention of the 149th clause of the Merchant Shipping Act,

1854, is defeated, and both owners, masters, and crews are exposed to inconvenience, delay, and litigation. Officers should therefore point out to masters of vessels the inconvenience and delay to which they may possibly be subjected if they insert in their agreements general words such as "*wherever freight may offer for the ship*," or if they in any other manner fail to come to a clear understanding concerning the nature of the engagement, or fail to make that understanding obvious upon the face of the agreement.

8. A stipulation is sometimes inserted in agreements to the effect that the crew may be discharged at some port on the Continent of Europe, and some misunderstanding has prevailed as to the effect of such agreements. Masters should be made to understand that no stipulation will enable them to discharge their crews in a foreign port without the sanction of the Consul, or relieve them from the necessity of providing the men with employment or a passage home after discharge there. And seamen should be made to understand that in the event of their being discharged at a foreign port under such a stipulation, they are entitled to a passage home at the expense of the ship, but that they will in all probability not be held entitled to wages for any time subsequent to their discharge.

9. The officer must see that the agreement is properly settled in duplicate, that the description of the crew (*specifying how many are sailors*) is properly entered, that the successive folios, if more than one, are properly numbered, that the blanks are properly filled up, and that the reference, if any, to the sanctioned regulations as to fines, is properly made.

When the agreement is settled, and before it is signed, the officer must read it over to the crew, or cause it to be read over to them in his presence, and explain it if necessary: and he should, if necessary, apprise the men that a false statement of their own names, or the name of their last ship, will subject them to a forfeiture of 5*l.*, to be deducted from their wages. It is desirable that the officer should at this time ask each seaman to produce the certificate of discharge from his last ship. He cannot insist upon it, but the production has become a general practice, and acts as a salutary check on men who have misconducted themselves.

10. The master must then sign the agreement and the duplicate *in the presence* of the officer, and afterwards each member of the crew must do the same. When the seaman cannot write, he is to make his mark, but in no case is any other person to be allowed to sign or make his mark for him. The officer must attest each signature and mark, and should then make the endorsement upon the agreement of his sanction thereof, after which he will see that the copy of the agreement (form U, copy herewith), which is to be made accessible to the crew, is made to correspond with the agreement. This form, as well as the agreement, will be taken away by the master; the officer must retain the duplicate or office copy of the agreement, and forward it to the Registrar-General of Seamen, London, if the ship is registered in the United Kingdom, or if she belongs to a British possession and is proceeding to the United Kingdom. If the ship belongs to a British possession, and is returning to such possession without touching at a port in the United Kingdom, the other duplicate should be sent to the shipping master at the port in such possession to which she is bound, and full particulars respecting the crew should be sent to the Registrar-General of Seamen on form C C 21.

In cases when duplicates of the agreement are forwarded to the Registrar-General of Seamen, it will not be necessary to enter any particulars in the form C C 21, beyond the name of the ship, a list of the seamen, and the date when the duplicate agreement was sent to the Registrar-General of Seamen.

Advance of wages, s. 149.

12. On the other hand, as power is given to sue summarily upon allotment notes, which are required to be in the sanctioned form, if the master has a proper authority for giving allotment notes to the crew (see form V annexed),

* As some doubt has arisen as to the necessity for the officer to attest the seaman's signature to the articles, as well as to endorse thereon a certificate of the engagement, attention is specially called to paragraph 10 of the instructions to officers in the British possessions abroad, and sections 150 and 159 of "The Merchant Shipping Act, 1854," from which it is clear that both the attestation and endorsement are necessary. In a recent case a signal failure of justice resulted from the omission on the part of a Consul to attest, as required by law, the signatures of certain seamen engaged before him.

the officer will see that the allotment notes are properly filled up, that the counterfoils are made to correspond, and that the particulars are entered in the agreement. The allotment notes may be delivered to the crew at once. A form of allotment note is annexed.

13. Every erasure, interlineation, or alteration in any agreement with seamen (except additions so made as directed by the Act for shipping substitutes or persons engaged subsequently to the first departure of the ship) will be wholly inoperative, unless certified to have been made with the consent of all the persons interested in such erasure, interlineation, or alteration, by the written attestation of some Consul, Shipping Master, Superintendent of a Mercantile Marine office, Justice of the Peace, Officer of Customs, or other public functionary.

Alterations in agreement are void unless attested to have been made with the consent of all parties.

S. 163.

14. The officer should furnish the master with an official log-book (specimen herewith), calculated to serve for the intended voyage, which is to be delivered up at the end thereof to the officer before whom the crew are discharged.

Official log-book, ss. 280, 286.

AGREEMENTS TERMINATED.

15. When the agreements in respect of British ships, with the exceptions mentioned in the following paragraph, are terminated abroad, it is important that the articles of agreement whether made in the United Kingdom or not, and the official log-book for the voyage then terminated, with the memorandum annexed to the form of receipt (Dis. 2) hereinafter mentioned, should be forwarded to the Registrar-General of Seamen, London, by the earliest mail after the completion of the discharge of the crew.

Agreements, &c., to be at once sent home.
Cir. 276.

16. The exceptions are—

- (1) Ships belonging to the possession in which the agreement is terminated, and
- (2) Such other ships registered in a British possession abroad as have not opened their agreements in the United Kingdom, or touched at a port in the United Kingdom since the agreement was opened.

In the latter of these two classes of exceptional cases, the ship's papers should be sent to the shipping master at the port to which the ship belongs, but full particulars respecting the crew should be entered in the form C C 21, and forwarded to the Registrar-General of Seamen.

17. In all other cases of agreements terminated in a British possession abroad, the officer is requested to obtain from the master all agreements and official log-books, and to transmit them to the Registrar-General of Seamen by first post, and a receipt for them in the form (Dis. 2), of which a copy is annexed, should be given by the officer to the master.

Receipt to be given to master.

18. As the receipt so given will, upon the ship's arrival in the United Kingdom, be exchangeable for a clearance certificate, care must be taken—

(a) That every seaman or apprentice who has been on the articles at any time in the course of the voyage, *i.e.*, since the commencement of the agreement, is properly discharged, or is or has been properly accounted for:

(b) that the wages and the effects of all the seamen who have died in the course of the voyage are or have been legally accounted for, and that any money due to their estates and not already paid over to an officer entitled to receive it, also any effects remaining unsold, are delivered into the officer's charge. The provisions of circular No. 145 are, however, still in force, and paragraph 1 should be complied with whenever practicable, that is, whenever a fresh agreement is entered into at once, and the ship is bound direct to the United Kingdom:

(c) that the entries in the official log-book are properly made and signed, and if any of them are imperfect, the master's attention is called thereto with a view to his future guidance:

(d) that the provisions of the Merchant Shipping Acts, and the instructions to officers in the British possessions abroad, in all other respects are duly complied with, especially those which relate to the wages of seamen and the certificates of mates. (See 172.)

19. In cases in which the ship's papers are forwarded to the Registrar-General of Seamen, it will not be necessary to enter any particulars in the form C C 21, beyond the name of the ship, a list of all the men who have been on the articles, indicating any of them who may have died, and the date on which the ship's papers were sent to the Registrar-General of Seamen.

Particulars in C C 21.

20. If a seaman is discharged before the officer desires to have a certificate of his character of the voyage, the form of certificate of discharge and character, of which a specimen is sent herewith, marked (Dis. 1), is to be used for
- Certificates of discharge of character.

the purpose instead of the form C C 5.

The intention of the design (Dis. 1) is that the record of character shall be inserted in a space appropriated specially to receive it, according to the nature of the character given and in the appropriated space only. Thus a "good" character must be recorded in the space marked "good" and a "very good" character in the space marked "very good" and so on. By these means it is expected that security for preserving intact the record of character as given by the master will be obtained. Inability to erase the manuscript without removing the ornamented filling of the space or to affix in front of the character "good" the word "very" or the letter "v" without immediate detection, will add to the security. As an additional safeguard, these forms have, as will be noticed, been printed on paper bearing the water-mark of the Board of Trade.

Steps to be taken.

21. In using the form (Dis. 1), special care should be taken—

- (a) That the entries on the back of the form correspond with the entries relating to the seaman made by the master in the articles of agreement or in his official log-book:
- (b) That the directions noted on the back of the form (Dis. 1) for filling up and scoring through the spaces before the certificate is given out of the officer's possession are strictly complied with:
- (c) That the signature of the master is affixed in the officer's presence:
- (d) That blank forms (Dis. 1) are on no account to be issued or signed in blank; and that a certificate (Dis. 1) is never to be parted with unless and until all the circular spaces set apart for the record of character and conduct have been either filled in or defaced in the manner indicated on the back of the form. *This is most important.*

Counterfoil to be filled up.

22. Care must be taken to fill up the counterfoil of each certificate at the time, and to preserve the counterfoils in case of any question arising.

FORMS.

23. The agreements (Eng. 1) are in six sizes to provide for crews of 20, 40, 80, 120, 180, and 240 men, respectively:—

The allotment notes (L) are bound up in books of 100 each;
The certificates of discharge and character (Dis. 1) are bound up in books of 200 each;
The receipts for ship's papers (Dis. 2) are bound up in books of 50 each;
Supplies of these and the several other forms will be forwarded when application for them is sent to the Board of Trade in the usual manner.

NAVAL RESERVE.

24. Whenever the officer has occasion to refer in his official documents to a seaman belonging to the Naval Reserve, the number of the man's certificate (R. V. 2) should be noted against his name.

No. of R. V. 2 to be noted.

THOMAS GRAY,
Assistant Secretary.

Receipt to be given to Master.

Dis. 2. FOREIGN-GOING SHIP.

RECEIPT BY CONSUL OR OFFICER ABROAD FOR SHIP'S PAPERS ON DISCHARGE OF CREW.

SANCTIONED BY
THE BOARD OF
TRADE,
October 1869.

Name of Ship.	Official No.
---------------	--------------

No. _____

Name of Master.	Commencement of Voyage.	
	Port.	Date.

I CERTIFY that the above-named Master has this day deposited with me his Agreement and Official Log-book, and all other Documents required by Law; also all the wages and effects of deceased Seamen remaining in his possession in respect of the Voyage above referred to (*with the exceptions noted on the back hereof).

DATED at _____
this _____ day of _____ 18____

Signature of Consul or Superintendent of Mercantile Marine.

NOTE—This receipt will be exchanged by the Superintendent of the Port in the United Kingdom at which the ship arrives for a Certificate B.B.

Memoandum to be sent to Registrar-General of Seamen.

Dis. 2. _____ No. _____

Name of Ship _____

Official No. _____

The accompanying (_____) Documents, and the wages and effects of the deceased Seamen (_____ in number) having been delivered to me, a receipt for them (Dis. 2.) has been given by me to the Master.

The Ship is bound hence to the port of _____

DATED at _____
this _____ day of _____ 18____

Signature of Consul or Shipping Officer.

To the Registrar-General of Seamen, Adelaide Place, London Bridge, LONDON, E.C.

Counterfoil to be retained in book.

Dis. 2. _____ No. _____

RECEIPT ON DISCHARGE.

Name of Master, _____

No. of his Certificate _____

Name of Ship, _____

" _____

Official No. _____

Voyage commenced at _____
on the _____ day of _____ 18____

Ship arrived from _____
bound hence to _____

DATED this _____ day of _____ 18____

RECEIVED (_____) Documents,

Wages and Effects of (_____) Deceased Seamen.

M: 8203.

Circular No. 443, dated Board of Trade, the September 1870.

INSTRUCTIONS TO OFFICERS IN BRITISH POSSESSIONS ABROAD IN RESPECT OF WRECKS
AND CASUALTIES.*Casualty Report, Wr. 1.*

To enable the Board of Trade to comply more completely with the orders of the House of Commons for returns of wrecks and casualties, the form Wr. 1. has been entirely remodelled and divided into the following nine classes, viz. :—

- Wr. 1 a. Collisions on the coasts of the United Kingdom.
- Wr. 1 b. Ditto abroad.
- Wr. 1 c. Foundering after leaving a port in the United Kingdom.
- Wr. 1 d. Ditto ditto British possession abroad.
- Wr. 1 e. Ditto ditto foreign port.
- Wr. 1 f. Strandings on the coasts of the United Kingdom.
- Wr. 1 g. Ditto abroad.
- Wr. 1 h. Miscellaneous, on the coasts of the United Kingdom.
- Wr. 1 i. Ditto abroad.

The nature, place, &c., of the wreck or casualty must be the guide to the officer for the form to be used.

After the receipt of the supply that accompanies this circular, the old forms, Wr. 1., on hand should be destroyed.

Careful attention is requested to the rules and notes which will be found upon the forms.

The necessary particulars should, as far as possible, be procured, and a report upon one of the forms above described forwarded in every case where, whether from the landing of either a shipwrecked crew or seaman, or in any other way, the officer learns that a casualty has occurred in either of the two following classes of cases, viz. :—

- (a) British ships sustaining or causing any loss, abandonment, damage, or casualty, wherever it may be sustained or caused :
- (b) Foreign ships sustaining or causing loss, abandonment, damage, or casualty within British territorial jurisdiction, i.e., within three miles of the shore of a British possession, or within the headlands of a bay, or within any estuary or frith of such possession.

Officers in British possessions abroad should be careful to keep such of their subordinates as are charged with the duty of making reports of wrecks and casualties well supplied with the above forms, for which purpose a sufficient number should be kept on hand. and application made to this Board for a fresh supply before the stock becomes too low.

Copies of these instructions can be obtained in the same manner

THOMAS GRAY,
Assistant Secretary.

NOTICE.—Governors, Consular officers, and other officers of Her Majesty in foreign countries, and in places where there are no such Governors or Officers, any two President British merchants have power, under the 211th section of the Merchant Shipping Act, to order a passage home for British seamen and apprentices who are in distress in any place abroad in British ships bound to any port in the United Kingdom or the British possessions to which they belong, and masters of British ships, upon such order, are by the 212th section bound under a penalty of £100 to receive and to afford a passage and subsistence to such seamen and apprentices not exceeding one seaman or apprentice for every 50 tons register, thus ordered to be conveyed, and to provide them with proper berth or sleeping places effectually protected against sea and weather. For every such seaman or apprentice exceeding the number (if any) required to make up the complement of his crew, the master is to receive such sum per diem as the Board of Trade directs.

ORDER
OF A BRITISH CONSULAR OFFICER OR OTHER OFFICER
OF HER MAJESTY AT A FOREIGN PORT, OR OF A
GOVERNOR OR OTHER OFFICER IN A BRITISH
POSSESSION ABROAD.
FOR THE CONVEYANCE OF DISTRESSED BRITISH
SEAMEN.

C 16.
Consul's instructions.
C C 14.
Colonial Offr's. instns.
U U.
Superintendent's. instns.

SANCTIONED BY THE
BOARD OF TRADE,
MARCH 1870.

Cause of distress. If left behind illegally, state section of the Act with which the master did not comply; if sick, state whether sickness was the result of injury in the service of the ship.	• If wages were received by the Consul or officer, state		Total—pounds —shillings and —pence.
	Amount expended by officer and chargeable to wages.	+ Amount (if any) remaining to the seaman's credit.	
Names of persons to be conveyed.			
State whether master, seaman, apprentice, &c.			
Names of ships from which landed, and official numbers.			
Date when landed.			

* If no wages were received, state the amount (if any) due, and by whom payable.
† It is important that these amounts should be entered very distinctly, and the total should be given in words.

To _____
Master of }
the Ship }
Official No. _____

Pursuant to the Act 17 & 18 Vic., Cap. 104, Sec. 212, you are hereby required to receive on board your vessel and convey to _____ the _____ British seaman named in the margin.

For the subsistence of such as are supernumeraries over and above the number of the crew, with which the vessel last left the United Kingdom, you will be paid at the rate of one shilling and six pence per man per diem, on satisfying the Board of Trade of the justice of your claim in manner pointed out below.

Date at _____
this _____ day of _____ 18 _____

Seal. _____ Signature. _____
_____ Title. _____

If the men are transferred to any other ship, the particulars, with the date of the transfer and the ship's name, must be entered at the time of the transfer in the official log-books of both vessels.

On arrival at the port to which the seamen are ordered to be conveyed, the master should take them to the Superintendent of Mercantile Marine (if in the United Kingdom) or to the corresponding officer, if in a British possession abroad; unless this is done the Board of Trade will not be responsible for the payment of the claim.

When the master appears before the Superintendent or other officer together with the seamen, he must make the following declaration,

ORDER—dated 15th May 1886, No. 1284, Judicial.

Communicated to the Military Department, the Master Attendant, and to the Surgeon-General with Government for information and guidance.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To the Military Department,
„ Master Attendant,
„ Surgeon-General with

Read in following papers—

No. 153-03.

Extract from the Proceedings of the Government of India in the Home Department (Medical),
—under date Simla, the 30 April 1886.

Read again the undermentioned papers on the subject of the deportation of lunatics from India to England:—

- Despatch from Her Majesty's Secretary of State, to Government of India, No. 15 (Public), dated 8th February 1866, and endorsement thereon to Government of Bengal, No. 2943, dated 26th March 1866.
- Despatch from Her Majesty's Secretary of State, to Government of India, No. 143 (Public), dated 9th September 1868, and endorsement thereon to Government of Bengal, No. 4176, dated 17th October 1868.
- Despatch from Her Majesty's Secretary of State, to Government of India, No. 45 (Public), dated 20th May 1869, and endorsements thereon to Governments of Bengal, Madras, and Bombay, Nos. 2933 to 2935, dated 28th June 1869.
- Despatch from Her Majesty's Secretary of State, to Government of India, No. 102 (Public), dated 26th October 1870, and endorsement thereon to Government of Bengal, No. 5283, dated 30th November 1870.
- Despatch from Her Majesty's Secretary of State, to Government of India, No. 12 (Public), dated 2nd March 1871, and endorsement thereon to Government of Bengal, No. 1963, dated 20th April 1871.
- Despatch from Her Majesty's Secretary of State, to Government of India, No. 69 (Public), dated 12th June 1873, and orders thereon to the Governments of Bengal, Madras, and Bombay, Nos. 2535 to 2537, dated 2nd August 1873.
- Despatch from Her Majesty's Secretary of State, to Government of Bombay, No. 2 (Public), dated 4th March 1875.
- Despatch from Her Majesty's Secretary of State, to Government of India, No. 139 (Public), dated 11th November 1875.
- Despatch from Her Majesty's Secretary of State, to Government of Bombay, No. 1 (Public), dated 11th January 1877, and orders thereon to the Governments of Madras, Bengal, the North-Western Provinces and Oudh, and the Punjab, and the Chief Commissioners of the Central Provinces, British Burma, Mysore and Coorg, and Assam, Nos. 5—225 to 31, dated 29th March 1877, with endorsement to the Government of Bombay, No. 232 of the same date.

Read also the undermentioned correspondence relating to the deportation to England of an insane person named Charles Hax:—

- Letter from the Government of Bengal, No. 631, dated 22nd August 1885.
- Despatch to Her Majesty's Secretary of State, No. 36 (Public—Medical), dated 5th September 1885.
- Letter from the Government of Bengal, No. 503, dated 1st September 1885.
- Despatch to Her Majesty's Secretary of State, No. 38 (Public—Medical), dated 22nd September 1885.
- Despatch from Her Majesty's Secretary of State, No. 109 (Public), dated 5th November 1885.

RESOLUTION—

Her Majesty's Secretary of State for India has from time to time issued various instructions in regard to the deportation of insane persons from India to the United Kingdom. These instructions have been communicated by the Government of India either to the Local Government concerned, or, if the instructions were of general application, to all Local Governments and Administrations for information and guidance. In some instances, however, the Secretary of State's orders do not appear to have been strictly

followed, and the Governor General in Council accordingly considers it desirable to circulate a brief *resumé* of the more important of these orders for the better information and guidance of the local authorities concerned.

2. In a Despatch, dated 8th February 1866, No. 15, the Secretary of State remarked, with reference to certain lunatics who had been sent to England from the Lower Provinces of Bengal, and who appeared, with one exception, to have been natives of India, that the practice of sending persons of this class to England was altogether unauthorised by the Home authorities. On that occasion Sir Charles Wood observed:—

It is evident, on the one hand, that no benefit to the individuals can as a general rule arise from their transfer from the land of their birth to a country where the climate is so different from what they have been accustomed to, where they have no friends, and where all old associations must be wanting; and, on the other hand, that the expense to Government, including the cost of their passage and their maintenance in asylums in this country, must be considerably greater than if they were retained in asylums in India.

The Secretary of State accordingly requested that orders might be issued to the effect that insane persons, not being of European birth, should under no circumstances be thereafter sent to England, and that even lunatics of European birth should be deported only in cases where their transfer to Europe was likely to promote their recovery, or where there might be reason to believe that they had relatives in Europe who would be able and willing to bear the cost of their maintenance.

3. In a Despatch No. 143, dated 9th September 1868, the Secretary of State intimated the arrival in England of certain pauper insanes, concerning whom he had not received any advice or information from the Government of India. Particulars were accordingly asked for regarding the names and addresses of their relatives, and the parishes in which they individually might claim a settlement. At the same time the Secretary of State informed the Governor General in Council that he had resolved to defray, from the revenues of India, the expense of maintaining in England all pauper lunatics sent by the Governments in India whose settlement in the United Kingdom could not be traced. He therefore again called attention to the Despatch referred to in the preceding paragraph, and requested that the instructions therein conveyed might be carefully and strictly observed, as the cost to the Indian Government for the support in England of each insane pauper was about £1 per week.

4. In a Despatch No. 45, dated 20th May 1869, the Secretary of State remarked that he was glad to perceive that the Government of India had enjoined a more careful observance of the orders of Her Majesty's Government on the subject of the transmission to England of pauper insane patients, and desired that for the future their passages might be secured on as economical terms as possible. The case of distressed seamen should, it was intimated, be regulated by the rules contained in the "Supplementary Instructions to Officers in British possessions abroad" issued by the Board of Trade.

5. In a Despatch No. 102, dated the 26th October 1870, the Secretary of State, commenting upon the statement of the case of a particular lunatic, whose father was described as "a pensioned soldier supposed to be living in Dublin," remarked that this address might be insufficient to lead to the discovery of the person referred to, and added:—

It would be well, for the future, if directions are given to the officers concerned in drawing up these statements to obtain every information regarding the parishes of the European parents of any pauper insane patients who may hereafter be sent to this country from India.

6. In March 1871, the Secretary of State, in sending* to the Government of India a copy of a correspondence with the Board of Trade on the subject of the repayment by the Board of the amount expended on account of the passage to England of certain insane seamen, remarked:—

* Despatch No. 12, dated 2nd March 1871.

Your Lordship in Council will observe that the Board state that the Masters of British vessels can be compelled, under the provisions of the Merchant Shipping Act, to provide passages to distressed seamen, whether in a state of insanity or not, from India to this country. The terms regulating the expense of such passages are prescribed by the Board of Trade, and

are contained in the accompanying "Instructions," copies of which were transmitted to your Government with my predecessor's Despatch in the Financial Department, No. 356, dated 26th August 1863.

The Secretary of State also expressed his regret that the orders contained in his Despatch No. 45, dated 20th May 1869, had been disregarded, and desired that the Government of India would enjoin a careful and rigid observance of the directions issued by Her Majesty's Government on the subject of the conveyance of pauper insane patients from India to England, and especially of distressed seamen. It was added:—

It would appear from the "Supplementary Instructions," already referred to, that "an immediate advice" should be sent direct to the Board of Trade of the despatch of all distressed and insane seamen, in order that that Department may take the necessary measures for their reception and care in this country, and that all payments incurred in their behalf should be charged to the Board in the manner prescribed.

7. With a Despatch No. 69, dated 12th June 1873, the Secretary of State forwarded a copy of a correspondence which had taken place with the Board of Trade regarding the recovery of the cost of clothing supplied to certain distressed insane seamen sent from Calcutta. The Board considered that the articles of clothing supplied by the medical authorities in India to the insane seamen in question were more expensive and numerous than was necessary; and, with reference to a request made by the Government of India for the issue of more definite instructions for future guidance in the matter, the Board, while thinking that a rule could not be laid down which would be applicable to every case, were of opinion that such clothing should be supplied as the medical authorities and the Shipping Master might jointly recommend. The Secretary of State at the same time invited the Government of India to impress on the several authorities in India the great importance of collecting the fullest information regarding the settlement in the United Kingdom of all insane patients despatched from India to England, and of carefully observing the orders issued on the subject, especially in the cases of lunatic seamen, inasmuch as the cost of maintaining in England those patients whose settlements cannot be traced falls on the revenues of India.

8. In March 1875 the Secretary of State suggested* to the Government of Bombay that, in the event of the necessity arising for sending from India to England distressed insane persons who were not British subjects, application should be made to the Consuls or other Representatives of Foreign Governments in India for the conveyance of such persons direct to their own country. It was added that, if no such assistance should be available, the Government of Bombay should, as a matter of course, extend to those people the same consideration as is given to British subjects.

9. In September 1875 arrangements were made† by the Government of India, at the instance of the Government of Bombay, for sending European civil insanes from Bengal to England *via* Bombay along with insanes from the Bombay Presidency. The matter was duly reported to Her Majesty's Secretary of State, who in his Despatch No. 139, dated 11th November 1875, expressed approval of the arrangements in question.

10. In a Despatch to the Government of Bombay, No. 1, dated 11th January 1877, the Secretary of State remarked:—

As it has been decided to embark all civil lunatics at Bombay and send them to England in the spring of every year, I desire again to call the attention of your Government to the very great importance of collecting the most accurate information regarding the medical history and relations of every such patient. The responsibility of maintaining these persons in England rests on the Poor Law Guardians, and these authorities should be enabled, as far as possible, to discover the parishes of all those who may possess a settlement, original or derivative, in the United Kingdom.

11. In a Despatch No. 109, dated 5th November 1885, dealing with the case of an insane person named Charles Hax, the Secretary of State makes certain observations, to which attention is here requested. In the first place

His Lordship explains that much inconvenience is caused by the despatch of insane persons from India under circumstances which allow of their reaching England before any intimation has been received in the India Office of their being on their way. In the next place, the Secretary of State remarks, with special reference to the case under His Lordship's notice, that, although in both of the Despatches from the Government of India the man was described as the "insane prisoner named Charles Hax," yet no warrant or formal order of any kind accompanied or followed him, and nothing save the repeated use of the expression "insane prisoner" served to indicate whether the intention was to send him as a prisoner under the Statute 14 & 15 Vic., Cap. 81, or otherwise. The Secretary of State points out that insane prisoners or criminal lunatics removed from India under the special law applicable to them are in a very different position from persons deported from India not as prisoners or criminal lunatics, and that it is essential that it should be stated distinctly in what character each individual is sent.

12. The Secretary of State also observes that in the articles of agreement (undertaking charge of the lunatic, &c.) signed by the Master of the steamer which conveyed Charles Hax to England, the clauses relating to the remuneration of the Master for taking care of the insane passenger are couched in such language as to be practically meaningless. His Lordship observes:—

There are obvious reasons which make it desirable that the gratuity for personal care, &c., should be dependent on the treatment received by the lunatic; but if it has been found by experience to be necessary that the whole amount payable in respect of these insane passengers should be paid in advance in Calcutta, the articles of agreement ought to be so framed as to express distinctly that which is intended.

13. Lastly, the Secretary of State thinks it well to remind the Government of India of the difficulty which exists in England in dealing satisfactorily with pauper lunatics (not soldiers or seamen) deported from India. This difficulty, His Lordship observes, arises from the fact that he is unable to provide for the reception and maintenance of pauper lunatics, and it is therefore necessary to leave it to the Police and Poor Law authorities to deal with them on their reaching England. His Lordship adds:—

It is essential that the instructions which have been repeatedly given by my predecessors should be strictly acted upon, viz., that no pauper lunatic shall be deported to the United Kingdom unless he is of European birth, and unless, also, he is a person as to whom a probability exists that he will recover if transferred to England. As to persons who, though of European parentage, have been born in India and spent their whole lives there, they ought not to be deported to England unless they have an unquestionable settlement somewhere in the United Kingdom.

14. The foregoing summary enumerates the principal orders which have recently been issued by the Secretary of State upon this subject, and the Governor General in Council desires to impress upon Local Governments and Administrations the necessity of carefully observing the orders thus summarised. It is especially necessary that measures should be adopted with the view of giving the India Office timely intimation of the despatch of lunatics to England, so as to avoid the inconvenience mentioned by Her Majesty's Secretary of State in the Despatch of 5th November 1885. His Excellency in Council also trusts that such action as may be necessary will be taken with reference to the remarks made in the same Despatch as to the wording of the clauses in the articles of agreement signed by Masters of vessels who take charge of lunatics proceeding to England, in respect of the remuneration to which they will be entitled for such charge.

ORDER.—Ordered, that a copy of this Resolution and of the Despatch from Her Majesty's Secretary of State, No. 109, dated 5th November 1885, be forwarded to the Government of Bengal (Medical Department) for information and guidance.

Ordered also, that a copy of this Resolution and of the "Instructions to Officers in British possessions abroad," issued by the Board of Trade, referred to in the Despatch from Her Majesty's Secretary of State, No. 12, dated 2nd March 1871, be forwarded to the other Local Governments and Administrations for information and guidance.

(True Extract.)

A. P. MacDonnell
Offg. Secretary to the Government of India.

To The Government of Madras.

10 145/63 11-9-7

ORIGINAL NO.
Judicial

27
27
Jud. Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

From
G.O. Home Dept
No 4
153/63

30.4.86

Recd

Encl: one

13/5

From the Govt. of India
Home Dept. dated 30th
April 1886. No. 4/153.
Order. 15 May 1886. 1252.
Forwarded to the milly.
Dept. the master atten-
dant, and to the milly.
Sent with Govt. for
information and guidance

27/7
27/7

Calling attention
to orders of the Secretary
of State regarding depot
of arms of carriage from India
to England

The milly Dept. 6
Master attendant
in Ld. with Govt. 6
with copy of instructions to
officer in British house
Despd 8/6

11/7.

C. 12/6.

T. 18/5

C. 12/5
R 13/5

Original

Govt. of (1886) Madras.

JUDICIAL.

Issued

Recd.

Encl.

G.O., 15th May 1886, No. 1234.

MAY.

Insane Patients.

Communicating for information and guidance a resolution of the Government of India summarizing the principal orders issued by the Secretary of State for India on the subject of the deportation of insane persons from India to the United Kingdom and enjoining careful observance of those orders.