M.R.O. 1—32,400—23-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No. 418 Press ~~Mis.~~

Dated 13 . 10 . 1855

Not to be folded or roughly handled

Fort Saint George, Marine Consultation, 19th October 1858.

No. 5. EXTRACT FROM THE MINUTES OF CONSULTATION in the Military Department, under date the 27th September 1858, No. 3479.

(*Vide* Diary, Military Consultation, 28th September 1858, Nos. 122 to 224.)

(*Regarding the flotsams and jetsams being taken charge of by the Military Authorities and handed over to the Local Civil Authorities.*)

No. 6. ORDER THEREON, No. 418; dated 13th October 1858.

To be Recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. J. A. Wilson.

MILITARY DEPARTMENT.

No. 3479.

Extract from the Minutes of Consultation, 27th September 1858.

Read letter from the Superintendent of Marine, 2nd September 1858, No. 3525; to the Secretary to Government, Military Department.

1. I have the honor to inform you that, some short time since the Collector of Malabar applied for information as to the power possessed by Officers in Command of Stations, relative to the appropriation of flotsams and jetsams thrown upon the beach within their jurisdiction. A piece of timber had been washed on shore at Cannanore, and was taken charge of by Captain MacKellar, the Superintendent of Police, on the ground of its having been stranded within Military jurisdiction. It was disposed of without difference to the Civil Authorities, who have always been the receivers of such property, and hence the Collector's reference to this Department. Before replying, endeavours were made to ascertain precisely what authority was vested in Officers Commanding a Station which bordered on the sea shore, so far at least as regarded the point in question, but without success.

2. The particular case at issue has been settled by Captain MacKellar's paying the proceeds of the sale of the timber to the Collector; but as the question may again arise, either there or elsewhere, I would solicit the Government would be pleased to inform me, if their are any powers possessed by Military Officers which warrant their taking possession of property stranded on the beach, adjoining the Station which they Command.

3. The limits of the ports, fixed under the authority of Act XXII of 1855, include the sea beach to within 50 yards of high water mark, spring tides. I should therefore consider that all warfs thrown up were undoubtedly to be disposed of by the Civil Authority having control over the Conservator in charge of the port; but as there may be some powers vested in the Military Authority at variance with this, I am induced to seek information in order that the question may be definitely settled.

Referred to the Commander-in-Chief for report.

3rd September 1858.

From the Adjutant General of the Army, Head Quarters Ootacamund, 15th September 1858, No. 1818; to the Secretary to Government, Military Department.

Bringing to notice that some short time since the Collector of Malabar applied for information as to the power possessed by Officers in Command of Stations, relative to the appropriation of flotsams and jetsams thrown up on the beach within their jurisdiction, and soliciting information on the point in order that the question may be definitely settled.

I have the honor, by order of the Commander-in-Chief, to acknowledge the receipt of the letter from the Superintendent of Marine, dated 2nd instant, No. 3525, referred for report by memo. of the 3rd idem.

The Commander-in-Chief considers that all stray warfs of this description which may be accidently stranded within the limits of a Military Cantonment should be taken charge of by the Military Authorities on account of Government, and immediately handed over to the Chief Civil Local Authority.

The Governor in Council directs that flotsams and jetsams thrown upon the beach within the limits of a Military Cantonment be taken charge of by the Military Authorities on account of Government, and immediately handed over to the Local Civil Authority.

(True Extract & Copies.)

W. Marshall Sr. Col.

Dy. Secretary to Government.

To the Superintendent of Marine.
„ Adjutant General.
„ Public Department. With 3 Spare Copies. Recd. 4th Oct. J.J.
„ Revenue Department.

Exd. J. E. Cashart.

Marine
~~Public~~ 1868. Deptt.

Diary to Cons. 19th Oct.

Extract Minutes Consul-
-tation in the Military
Departt. 3479.

D/27 Sep
R/4 Oct/68.

No 394.

3 spare copies.

Directing, with reference
to the Enquiry of the Supt.
of Marine, that flot-
-sams and jetsams thrown
upon the beach within
the limits of a Military
Cantonment be taken
charge of by the Military
authorities on account
of Govt, and imme-
-diately handed over
to the Local Civil
authority.

To be Recorded TP

No 418

C 8 Oct 5 & 6
R 12