

# MADRAS RECORD OFFICE.

Government of Madras.

*Marine* DEPARTMENT.

G.O. No. 194

Press  
Mis.

Dated

14. 5

1859

Not to be folded or roughly handled

*Proceedings of the Madras Government, Marine Department,  
from 11th to 17th May 1859.*

No. 16. Read the following letter from J. J. FRANKLIN, Esq., Superintendent of Marine ;  
to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 28th  
April 1859, No. 1719.

I have the honor to inform you that in January last it was noticed that the fees levied on  
Surveys made by the Conservator of the port at Negapatam had been carried to the credit of the  
Port Fund account, namely 962 Rupees in October, which was probably the accumulation of the  
previous months of the year, and 27 Rupees in November. The Government decided in Extract  
Minutes Consultation of the 20th April 1858, No. 157, that the Survey fees on boats should be  
considered as the perquisite of the Master Attendant who examined them, from which it is in-  
ferred that the Conservator of a Port who, where there is no Master Attendant, performs that  
duty, is entitled to a similar privilege: and as the fees leviable under Section 5 of Act VII and  
Section 8 of XXI of 1858, were expressly introduced as a remuneration to those who undertook  
the duty, the Collector of Tanjore was requested to expunge the items from the accounts, and pay  
the amounts to the Conservator of the Port. The first he has done, but as the sums have been  
credited in the Public accounts, he can make no refund without the sanction of Government,  
which I now respectfully solicit.

2. Mr. Jensen, who so justly incurred the displeasure of Government in the matter of the  
overcrowding of the "Ady Lutchmee," was Conservator of the Port during the time the fees  
were levied.

No. 17. ORDER THEREON, 14th May 1859, No. 194.

It is observed that in Extract Minutes of Consultation 20th April 1858, No. 157, the Go-  
vernment have ruled that the fees for surveying and registering boats at Madras and the out-ports  
under Act IV of 1842, Section 2, 3, and IX of 1846, respectively are the legitimate perquisite of  
the Master Attendant and that when there is no Master Attendant the amount is to be carried to  
the credit of Government.

2. The fees at Negapatam referred to in the above letter do not appear to be only such as  
have been charged for Surveys of boats made under Act IX 1845, but those levied on the Survey  
of Vessels under Act VII 1858, Section 5, that is to determine their tonnage for the calculation of  
Port dues, and under Act XXI 1858, Section 8, that is on the Survey of Native Passenger Ships.

3. The Government have authorized Survey fees levied under the two last named Acts being  
received by the Conservators of the Ports at which the Surveys were made, as a remunera-  
tion for the trouble undergone, and they would not object to the same course being followed  
under ordinary circumstances as regards fees for the Survey of boats under Acts IX 1842, and IX  
1846, such concessions must however be regarded as matter of indulgence not of right, inasmuch  
as Acts VII and IX of 1858, make no provision for the appropriation of the Survey fees espe-  
cially if the Survey be executed by a person already in the service of Government, while the fees  
for the Survey of boats are by Section 3 Act IX 1842, payable to the Master Attendant.

4. Such being the case, the Government are certainly not prepared to shew any indulgence  
to Mr. Jensen whose culpable conduct in conniving at the overcrowding of the Barque "Ady  
Lutchmee" in August last led to such tragical results, and has occasioned his own dismissal and  
permanent exclusion from the public service.

5. It seems not improbable indeed that this very Vessel may have been one of those Sur-  
veyed at Negapatam last year under Act XXI 1858, and that the fee on the Survey may be  
among those whose refund is now applied for.

6. Under these circumstances the amount in question (Rupees 989) will continue to the  
credit of Government.

(Signed) T. PYCROFT,  
Chief Secretary.

Exd. A. P. W. Begbie.

*such as have been charged  
for*

Proceedings of the Madras Government.

Read the following letter from  
the Superintendent of Ma-

rine

/ Here enter 28<sup>th</sup> April 1859 No 1719/

Order thereon 14<sup>th</sup> May 1859. No 194

It is observed that in Ex-  
tract Minutes of Consultation  
20<sup>th</sup> April 1858. No 157, the Go-  
vernment have ruled that  
the fees for surveying and  
registering boats at Madras  
and the outports under  
Acts IV of 1843. Sect 2.3 and  
IX of 1846 respectively are  
the legitimate perquisites  
of the Master Attendant  
and that when there is  
no Master Attendant the  
amount is to be carried to  
the credit of Government.  
2. The fees at Negapatam  
referred to in the above let-  
ter do not appear to be only  
such as have been charged  
for

for surveys of boats made under Act IX - 1846 but those levied on the survey of vessels under Act VII. 1858 Sec: 5. that is to determine their tonnage for the calculation of port dues. and under Act XXI - 1858 - sec: 8 that is on the survey of Native Passenger ships.

E. M. C. 12<sup>th</sup> March 1859, Mr. 87 3. The Gov<sup>t</sup> have authorized survey fees levied under the two last named Acts being received by the Conservators of the Ports at which the surveys were made, as a remuneration for the trouble undergone. and they would not object to the same course being followed under ordinary circumstances as regards fees for the survey of boats under Acts IX - 1842 and IX - 1846. Such concessions must however be regarded as matter of indulgence not of right inasmuch

inasmuch as Acts VII & IX of 1858 make no provision for the appropriation of the survey fees especially if the survey be executed by a person already in the service of Government, while the fees for the survey of boats are by Sec: 3 Act IX. 1842 payable to the Master Attendant.

4. Such being the case, the Gov<sup>t</sup> are certainly not prepared to show any indulgence to Mr. Jensen whose culpable conduct in surviving at the overboarding of the Barque "Ady Satchin" led to such tragical results, and his own dismissal and permanent exclusion from the public service.

5. It seems not improbable indeed that this very vessel

1/2  
A vessel may be one  
of those surveyed at the  
gapotam last year un-  
der Act XXI. 1858. and that  
the fee on the survey may  
be among those whose re-  
fund is now applied for.  
Under these circum-  
stances the amount in  
question (Rs 989) will con-  
tinue to the credit of Go-  
vernment.

*[Signature]*

To the Dept of Marine  
- Sect General  
Civil Auditor }  
Dated 19<sup>th</sup>

106. 240

Pro of Govt 17 Nov 57  
Marine. 1859. Sept 26

No 194.

Pro: of Government

29/14: May, 1859.

26/15+  
The reason why  
one not prepared to grant  
to Mr. Jensen certain  
pecuniary at the  
hospitality amounting  
to \$20,000 - and since  
the amount to continue  
to the credit of Lyman  
-ment-

184/17