

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No.

395

Press

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Dated

16-8-

1859

Not to be folded or roughly handled

*Proceedings of the Madras Government, Marine Department,
from 13th to 19th August 1859.*

No. 18. Read the following letter from W. GREY, Esq., Secretary to the Government of India; to Captain W. F. MARRIOTT, Acting Secretary to the Government of Bombay, dated Fort William, the 13th July 1859, No. 1390.

Home Department, (Marine.)

I am directed to acknowledge the receipt of your letter, No. 697, dated the 13th of May last, forwarding a communication from the Commander-in-Chief of the Indian Navy, relative to the employment of the "*Dalhousie*" and the "*Coromandel*" in maintaining a periodical communication between Madras and Rangoon.

2. It is remarked by the Commander-in-Chief, with regard to the representations of the Officers Commanding those Vessels on the subject of their employment on this duty, and their being required to obey the orders of the Superintendent of Marine, that the Supreme Government having issued orders to that effect, they must of course be obeyed, and His Excellency will doubt-

* No. 849, dated the 29th April.

less have issued plain instructions upon the point to the Officers concerned, in reply to their representations. In a further letter* from this

Government, which would seem to have crossed that under acknowledgment, the Government of Bombay was furnished with an Extract of a

† To the Government of Fort Saint George, No. 5, dated the 19th January 1859,

recent Despatch† from the Right Honorable the Secretary of State, signifying the views of the Home Government in regard to the employment

of Vessels of the Indian Navy on the transport service of the Madras Government; and as it may be reasonably hoped that a communication of those orders to His Excellency the Commander-in-Chief of the Indian Navy, and through him to the Officers holding commands in the Indian Navy, will ensure the due discharge, on all occasions, of the duties which the latter may be required to perform, the Governor General in Council does not consider it necessary to remark further upon the general questions which have arisen out of the employment of these Vessels in the manner directed by this Government.

3. With respect to the specific points which have been brought forward by Commander Hopkins, of the "*Dalhousie*," namely the responsibility of the Commander for the freight put on board his Vessel, and the right of the Commander to a per-centage on treasure, I am directed to observe that, whether for Government goods, or for goods the property of private persons, the Commander is responsible to Government in the sense and in the degree in which every public Officer entrusted with property by Government is held responsible by Government; but that as regards responsibility to the owners of private goods, that belongs of course to the Government, when its Vessels are employed in carrying private freight for hire.

4. The above remarks will apply equally to treasure as to any other freight. When treasure is taken on board a Vessel of War, it is taken on the responsibility of the Captain, who, for that responsibility, is allowed to claim a per-centage on the amount carried. But if treasure is taken on board a Government Transport Ship, and freight is paid to Government for its conveyance, the responsibility to the owners of course lies with the Government, and the Captain can have no claim to a per-centage.

No. 1391.

Copy forwarded to the Government of Fort Saint George, for information.

(Signed) W. GREY,
Secy. to the Govt. of India.

No. 19. ORDER THEREON, 16th August 1859, No. 395.

Communicated to the Superintendent of Marine.

Referring to the principles laid down in para: 4, of the above letter, it is to be remarked that, as under the orders of Government, 30th May last, No. 230, para: 4, freight on private treasure, is appropriated by the Commanders of Government Steamers, the responsibility to the owners will be entirely with the Commanders. This should be distinctly explained to them.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Can 8th March 1892

1877

Continued to the

Mrs. J. H. A. M. C. W.
March 1839

Heaven

The Secretary Office
Dept. of Justice
1891.

Oct. 19th Aug. 1859

Deane's Palace
2/10 3855.

[illegible]

With our Orders.