

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.

581

Press

Mis.

Dated

16. 11. 1859

Not to be folded or roughly handled

*Proceedings of the Madras Government, Marine Department,
for the month of November 1859.*

Read the following letters.

No. 12. From P. GRANT Esq., Collector of Malabar; to T. PYCROFT Esq., Chief Secretary to Government, Fort Saint George, dated Calicut, 14th October 1859, No. 101.

On the receipt of the Order of Government, No. 392, dated 16th August 1859, I called upon the Cochin Chamber of Commerce, for information regarding the refusal by Captain Castor of the anchor boat.

2. The Chamber were pleased to refer me for the required information to Mr. T. Clarke, at Point de Galle.

3. I then addressed that Gentleman, and on perusal of his reply, I find that the anchor boat was not refused, but that prior to allowing it to cross the bar, Captain Castor, the Master Attendant, was anxious to obtain a guarantee that her value would be repaid in the event of her loss.

4. Captain Castor, in explanation, states that the "Aphrogeneia" was beyond the limits of the port on her way to another port Allepey, and that had she set sail from where she was anchored ere the anchor boat with cable, &c., had reached, the boat would,—from the wind which was then blowing, have been unable to reach the port and been driven ashore.

5. I cannot help thinking that the course pursued by Captain Castor was correct, and that in a case of danger similar to that in which the "Aphrogeneia" was placed, if the Agents of a ship hesitate to be responsible for any accident to the anchor boat, that the Master Attendant must be held excusable, if he refuses to take such responsibility on himself. On this point, I request the orders of Government for Captain Castor's future guidance.

* Dated 24th September 1859.

6. Copies of Mr. Clarke's* and Captain

† Dated 5th October 1859.

Castor's† letters are enclosed for reference.

From THOMAS CLARKE, Esq.; to P. GRANT, Esq. Collector, Calicut, dated 24th September 1859.

I have the honor to acknowledge receipt of your letter of the 9th instant this day.

Referring to the occasion of the wreck of the ship "Aphrogeneia" I beg to state that Captain Castor the Master Attendant although reluctant at first to allow the anchor boat to cross the bar without a guarantee for the amount of her value in the event of any accident; afterwards consented to send her out with anchor and cable if required, and as Captain Castor was leaving the shore to board the ship, signals were preconcerted between us for this purpose.

From JOHN CASTOR, Esq., Master Attendant; to P. GRANT, Esq., Collector of Malabar, Calicut, dated Cochin, 5th October 1859.

With reference to the alleged refusal of the anchor boat to a vessel in distress, brought forward by the Cochin Chamber of Commerce, I have the honor to subjoin extract of a letter addressed to me, by Mr. T. Clarke, who was Agent to the ship "Aphrogeneia," at the time this refusal was supposed to be given.

2. I deem it right that I should offer some explanation of the reason which led me to demand a guarantee for the value of the boat, had she been lost in the attempt, to put to sea in weather which was then prevailing, and of the circumstances under which her services were voluntarily tendered for the execution of a duty, which I submit was beyond my immediate sphere.

3. The "Aphrogeneia" at the time referred to, (in May 1857) slipped from these roads, and signalized to me that, she would proceed to Allepey, and sailed away, and when far beyond the limits of this port, a change of wind forced her to anchor, with her hull nearly invisible.

4. Seeing her at anchor, I believe, I tendered the services of the boat, and in doing so, I wished the Agent to give me a guarantee for her value, should she be lost in the attempt, as the vessel was not in port, and on her way to another, besides knowing full well, the danger and risk that would attend the undertaking. Farther, I did not feel myself at liberty, unnecessarily to risk Government property in so uncertain an errand, as to run after a vessel on her way to another port, and which did not demand any such assistance.

*Proceedings of the Madras Government, Marine Department,
for the month of November 1859.*

5. I was not certain of the vessel remaining at anchor for any period, to allow the assistance reaching her, and had she failed, she could not have returned to port from the direction of the then prevailing wind, nor could she have weathered it at anchor, and must have been blown on shore and lost. I would have then, voluntarily incurred the whole of this burden. I therefore felt I ought to move in some way to protect the interests of Government, and wished to do so in the manner correctly described in the subjoined extract.

6. It is obvious that I had not the power to enforce the fulfilment of any terms I might have imposed, unless approved of, and sanctioned by Government.

7. Had the vessel been in port, my duty would have been clear, and had I ventured upon any stipulations, I would have betrayed a deplorable want of judgment and decision.

8. As I am not aware how soon I may be called upon to act, under similar circumstances, I respectfully solicit the favor of your submitting this letter for the decision of Government, on my proceedings in question, and for my future guidance.

Extract of a letter from Mr. T. CLARKE, dated Galle, 24th September 1859.

"I received your letter a few days ago, and I was very glad to hear from you. I gather from its contents that some complaint has been made as to the usefulness, or service of the anchor boat of Cochin.—I remember very well that on the morning of your going off to the 'Aphrogeneia' we had preconcerted signals about sending off an anchor and cable, should it (they) be required. You certainly did not refuse the assistance of the boat, though you at first wished to stipulate such terms as would provide payment for the value of the boat, should accident befall her on so dangerous a service.

"This question, I believe, you agreed to waive and it was arranged to send the boat off in (if) required, but the 'Aphrogeneia' was beached and thus the matter ended."

(True Extract.)

(Signed) JOHN CASTOR,
Master Attendant.

(True Copies.)
(Signed) P. GRANT,
Collector.

Referred for the remarks of the Superintendent of Marine.

FORT SAINT GEORGE, }
26th October 1859. }

(Signed) T. PYCROFT,
Chief Secretary.

No. 13. From J. J. FRANKLIN, Esq., Superintendent of Marine; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 31st October 1859, No. 4421.

I have the honor to acknowledge receipt of the Order of Government of the 26th instant, forwarding for remark, letter from the Collector of Malabar with enclosures from the Master Attendant at Cochin, and Mr. T. Clarke of Galle on the subject of the anchor boat at the former port.

2. The Chairman of the Cochin Chamber of Commerce in his letter to Government of the 11th June last, stated distinctly that this boat "when most wanted to render assistance in taking off an anchor to a ship in distress has not been available and been refused." It appears by the correspondence under acknowledgement, that the boat never was refused but was available and would have been sent out, had she been required; and as this information afforded by the Gentleman to whom the Chamber referred Mr. Grant, and who was the Agent of the vessel which they alluded to as having been refused this assistance, it is evident that their statement was made without sufficient previous enquiry.

3. With regard to Captain Castor's proceedings on the occasion, I conceive that he acted perfectly right. The vessel was at a considerable distance from the port, it was not ascertained that she required the assistance of the anchor boat; and her stay there was uncertain as she was

*Proceedings of the Madras Government, Marine Department,
for the month of November 1859.*

bound to another port. It is difficult to lay down any precise instructions for the guidance of a local officer on such occasions, but I think that whenever it is manifest that imminent risk of loss is incurred by sending the boat to a vessel without the limits of the port, her Agents ought to be required to guarantee the port against loss.

No. 14. ORDER THEREON, 16th November 1859, No. 581.

Resolved that the above letters, together with the previous correspondence* as per margin, be communicated to the Cochin Chamber of

* From Collector of Malabar, 14th June and 5th July 1859, with enclosures.

Order of Government, 16th August 1859.

Commerce, through the Collector of Malabar, in reference to their letter of the 11th June last, and that it be intimated to them that the Government are satisfied with the explanation afforded

by Captain Castor, in the matter of the alleged refusal of the anchor boat.

2. Adverting to the concluding sentence of paragraph 5, of Mr. Grant's letter recorded above, he will refer Captain Castor to the remarks in paragraph 3, of the letter from the Superintendent of Marine.

(Signed) T. PYCROFT,
Chief Secretary.

Marine Department

Proceedings of the Madras Government

Read the following letters

From the Collector of Malabar Here enter 14th October 1859 N^o 101

From the Superintendent of Marine Here enter 31st d^e d^e .. 4421.

Order thereon 16th November 1859 N^o 581.

Resolved that the above

letters, together with the previous correspondence as per margin, be communicated to the Cochin Chamber of Commerce, through the Collector of Malabar, in reference to their letter of the 11th June last - & that it be intimated to them that the Government are satisfied with the explanation afforded by Captain Castor in the matter of the alleged refusal of the anchor-boat. Adverting to the concluding sentence of Para 5 of Mr Grant's letter recorded above, he will refer Captain Castor to

From Collector of Malabar
14th June & 5th July 1859 with
enclosures

Order of Government 16th August 1859.

LL

1/4

WU

to the remarks in para 3 of
the letter from the Superin-
tendent of Marine -

JP

To the Coll of Malabar - with copy of the
Supt of Marine } Dep. 21st

L. V. ...

Proceedings of 1857

F. N. 340 of 62

1204

3. Vac.
215 "