

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No.	632	Press ~~Mis.~~
Dated	14. 3. 1859.	

Not to be folded or roughly handled

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

No. 12. Read the following letter from J. J. FRANKLIN, Esq., Superintendent of Marine, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 3rd December 1859, No. 4794.

No. 483, dated 27th September 1859.

„ 557, „ 2nd November „

With reference to the Proceedings of Government, marginally noted, on the subject of certain deductions made in adjusting the payments for coals supplied on contract by Mr.

James Burness in 1857 and 1858, I have the honor to offer the following remarks.

	Deduction.			
	T. Cwt.	Qs.	Lbs.	
“ Sarah Kay,”	15	5	2	15
“ Jane Ewing,”	14	6	0	20
“ Eunomia,”	17	5	3	19
	46	17	2	26
	at 39s. 8d. per ton.			

2. Mr. Burness first claims £92-19-10, for a deduction of 3 per cent made on the coals delivered from the ships whose names appear in the margin in lieu of screening, supporting his position by denying the right of the Government officers to make an arbitrary deduction in lieu of exercising their power to screen.

3. It is to be regretted that no written authority or permission from the Madras Agents of Mr. Burness on that occasion can be discovered, agreeing to this deduction in lieu of screening, in fact from the statement of Messrs. Stephen Clarke and Co., that no such arrangement had been entered into, there is no doubt in my mind that nothing passed on the subject between them and the late Captain Biden. But in expressing this opinion, I must explain that it had become a matter of such ordinary occurrence to deduct 3 per cent instead of screening when the quality of the coal was such as to render it advisable for the interests of Government, that it might very readily have been supposed unnecessary to enter into a formal agreement in each case, and this having been omitted in the instances brought forward by Mr. Burness, it appears that his claim must be allowed.

4. With reference to the 45 tons supposed to have been landed from the “ Birchgrove,” in addition to the quantity for which receipt was granted, the Master Attendant informs me that on the issue of the coals landed from that vessel it was found there was no surplus, and further that on comparing the weighing accounts kept by the person deputed on the part of the contractor to watch the delivery, it was found that they agreed with those of the Government Kannikappillay. An impression was entertained at the time that the delivery had been correctly acknowledged, and the condition as to the crediting to the ship any surplus was only inserted in the certificate to satisfy the Commander.

5. The cargoes of the “ Moses Taylor,” “ City of Durham” and “ Birchgrove” were received without screening, as the coal was particularly good, but in each case the dust was rejected.

6. Mr. Burness’ second claim is for £204-1-1, being the value of 81 tons, 12 cwts., 2 qs., 12 lbs. of coals short delivered from the “ Cleadon” in May 1858. He states that he is prepared to prove that the “ Cleadon” took on board in England 1,155 tons, and that the Captain is ready to make an Affidavit that none was used or thrown overboard on the voyage. On delivering and weighing the coal on shore at Madras, the out-turn was only 1,073 tons, 7 cwts., 16 lbs, leaving a deficiency as above mentioned, for which payment is demanded on the plea that as the agreement provided for the delivery of the coal alongside the ship, the loss should fall on the buyer.

7. It is difficult to account for so heavy a loss as this (about 7 per cent) if no misappropriation of the coal took place on the passage. It is, however, clear from the examination of the store accounts that no more than the quantity for which a receipt was granted was received,

and as the accompanying copy of a letter,* from Messrs. Parry and Co., the Agents of Mr. Burness in 1858, shews that they permitted the delivery and weight of the coal being taken on shore in consideration of the right of screening being waived, the claim on this account cannot be admitted.

* Dated 26th May 1858.

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for the month of December 1859.*

From Messrs. PARRY AND Co.; to the Master Attendant, Madras, dated 26th May 1858.

In reply to your letter of to-day's date, we have the honor to state that we shall be happy to agree to the same arrangements for the ships "Cleadow" and "G. B. Carr," as those entered into for the "Maggie Miller," viz., the coal to be weighed on shore, in consideration of which you waive the right of screening.

MASTER ATTENDANT'S OFFICE,
Madras,
1st December 1859.

(True Copy.)

(Signed) H. D. E. DALRYMPLE,
Master Attendant.

(True Copy.)

(Signed) J. B. CROWTHER,
Assistant Superintendent of Marine.

No. 13. ORDER THEREON, 14th December 1859, No. 632.

Ordered that the foregoing report of the Superintendent of Marine, be communicated to the Secretary of State, in reply to the Right Honorable Sir Charles Wood's Despatches, 19th August and 23rd September last, Nos. 22 and 24.

(Signed) T. PYCROFT,
Chief Secretary.

No. 632-14 Decr 1859

Ordered that the foregoing report of the Superintendent of Marine be communicated to the Secretary of State in reply to the Rt. Honble Sir Charles Wood's Despatches, 19th Augt. & 23rd Sept. last, Nos. 22 & 24.

The Superintendent of Marine.