

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No.	<i>93</i>	Press Mis.
Dated	<i>16. 3. 1859</i>	

Not to be folded or roughly handled

No. 1. From J. J. FRANKLIN, Esq., Superintendent of Marine; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 3rd March 1859, No. 935.

SIR,

In my letter of the 28th Ultimo, No. 867, I recommended the immediate appointment of a Shipping Master at Madras under Act 1 of 1859, as the first Clause of that Act had repealed Act XXVII of 1850, and consequently, the Office of Registrar of Seamen, who conducted the duties henceforth to be performed by the Shipping Master. I have now the honor to submit further observations on such of the Sections as require notice.

2. Section 2 provides that there shall be established Shipping Offices at Calcutta, Madras and Bombay, and at such other Ports as the Governor General of India in Council shall deem necessary. The only other Ports in this Presidency requiring an Office of this description are Vizagapatam, Cocanada and Cochin, these being the only Ports at which Vessels described in Section 21 as bound to enter into agreements with Seamen, usually fit out, and I would suggest that the Masters Attendant at those Ports should be the Shipping Masters. Whether they should be remunerated by allowing them a fixed salary with a small Establishment paid by Government, or whether the fees should be given up to them to cover all expenses, must be a subject of after consideration. Application has been made with the view of ascertaining the probable annual amount of the fees that would be leviable at each of these Ports under Table A. of the Act, and the mode of remuneration can be settled on receipt of the replies.

3. Section 3 provides that Shipping Masters shall be subject to the control of the Local Government, or of any intermediate authority which it may appoint. That authority would be, I presume, the Superintendent of Marine as at present.

4. Section 5. The fees to be levied under the Act should be, I would suggest, those laid down in Table A.

5. Section 8. Should it hereafter appear that inconvenience is experienced at any other Port from there being no Shipping Office, the Local Government have the power of directing that the duties shall be performed at the Sea Custom House or at the Office of the Master Attendant or other Officer, who, where there is no Master Attendant, would be the Conservator of the Port.

6. Section 10 empowers the Local Government to make rules regarding the examination of Masters and Mates, subject to the sanction of the Governor General in Council. This provision therefore, as well as all others requiring the confirmation of superior authority, cannot be put in operation immediately; and as a reference has to be made, I would suggest an application to the Supreme Government for the rules and forms about to be, or which have been, sanctioned for the Bengal Presidency, as it would be preferable that an uniform system be established throughout India.

7. The nomination of examiners should, I think, be made by Government: the Master Attendant should be Ex-officio President; and their report should be submitted to the Superintendent of Marine.

8. Sections 11 and 12. The Certificates of competency and service should be in the form sanctioned for Bengal.

9. Sections 15 and 16 provide for the registry of Certificates as the Local Government may direct, and the granting copies to parties producing satisfactory proof of their having lost the originals without fault on their parts. I would suggest that the Certificates be registered in the Office of the Marine Superintendent, who should be the authority to grant a copy in the case contemplated.

Fort Saint George, Marine Consultation, 22nd March 1859.

10. Section 18 authorizes the Local Government to empower some Officer to grant licenses to persons to engage Seamen for Ships. The Master Attendant is the authority in whom this power should be vested; but at Madras this provision is not likely to be acted upon, as all Seamen engaging in Ships, regarding which agreements are necessary, would do so through the Medium of the Shipping Master.

11. Section 21 requires that the agreement to be entered into by Seamen shall be in a form sanctioned by the Governor General in Council. To save time in reference, and for the reason mentioned in the concluding part of para: 6, of this letter, I would solicit that application be made to the Government of India on the subject.

12. Section 29. Similar reference should be made regarding this Section as to the form to be used in reporting changes among the Crew.

13. Section 67 provides for the due supply of Medicines and Medical appliances, according to a scale to be issued by the Local Government, with the sanction of the Governor General in Council. The Madras scale should likewise be similar to that to be introduced in Bengal, and reference on the subject will be needed accordingly.

14. Section 103 authorizes the Local Government to establish a form for official Logs. The same remark applies to this as to the last noticed Section, for there can be no doubt that much confusion would ensue if different Rules and Forms obtained at each of the Presidencies.

15. The following are the forms requiring to be introduced, and accompanying are those hitherto in use regarding agreements, discharges and allotments.

- Section 11 Certificate of Competency.
- " 12 do. Service.
- " 21 Agreement with Seamen.
- " 29 Statement of changes in Crew.
- " 38 Allotment Notes.
- " 42 Statement of Wages.
- " 43 Certificates of discharge.
- " 46 Clause 1, Mutual release.
- " 67 Scale of Medicines and appliances.
- " 103 Official Log Books.

NO. 2.

ORDER THEREON, No. 93; dated 16th March 1859.

In the foregoing letter, the Superintendent of Marine requests the Orders of Government on certain Sections of Act I of 1859, amending the Law relating to Merchant Seamen. His observations will be noticed *seriatim*.

2. With reference to Section II of the Act, enacting the Establishment of Shipping Offices at the Presidency Ports, and such other Ports as the Governor General of India in Council shall deem necessary, it is observed that, in Extract Minutes of Consultation, No. 71, dated 3rd Instant, a Shipping Master with a suitable Establishment has been provided for Madras. Mr. Franklin represents that the only other Ports in this Presidency at present requiring to be similarly provided for, are those of Vizagapatam, Cocanada and Cochin, and suggests the appointment of the Masters Attendant there as Shipping Masters. The Governor in Council resolves to appoint the Masters Attendant at those Ports to be Shipping Masters and to report the same for the confirmation of the Supreme Government.

3. The question as to the mode in which Shipping Masters are to be remunerated—whether by a fixed Salary with an Allowance, for an establishment, or by the Fees leviable under this Act—will be settled hereafter. At Madras, where the Shipping Master will continue to receive the Salary of Rupees (250) Two hundred and Fifty, hitherto drawn by him as Registrar of Merchant Seamen, the Fees will be carried to the credit of Government.

Fort Saint George, Marine Consultation, 22nd March 1859.

4. Section III provides that Shipping Masters shall be subject to the control of the local Government, or of any intermediate authority appointed by them. The Superintendent of Marine will, as heretofore, exercise such control on behalf of Government.

5. As suggested by the Superintendent, the rates of Fees, given in Table A, appended to the Act, will be the rates leviable in the Madras Presidency.

6. With reference to the provision made in Section VIII for transacting the business of a Shipping Master in places where no Shipping Office has been established, it will rest with the Superintendent of Marine to bring to the notice of Government, from time to time, any Ports at which it may become necessary to establish Shipping Offices.

7. Mr. Franklin observes that as a reference will have to be made to the Supreme Government for their confirmation of the Rules, which the local Authorities may frame, under Section X, or the examination of Masters and Mates, and as it appears desirable to establish, as far as practicable, uniformity with the other Presidencies, it would be the best course to ask the Supreme Government to furnish a copy of such Rules and Forms, as may be sanctioned for Bengal, as well on this point as on all others, subject, under the Act, to their confirmation. The Government have already expressed their intention to refer to Bengal for such Forms and Regulations as may be adopted there in connection with the Act. The Government will now apply direct to the Government of India for all Forms and Regulations which they may sanction under the Act, for use in the Bengal Presidency. These papers will comprise Rules for the examinations of Masters and Mates, under Section X—and Forms for Certificates of competency and service, under Sections XI and XII—Agreements with Seamen, under Section XXI—Statement of changes in Crew, under Section XXIX—Allotment Notes, under Section XXXVIII—Statement of Wages, under Section XLII—Certificate of discharge, under Section XLIII—Mutual Release, under Section XLVI—and Official Log Books, under Section CIII.

For conducting the examination of Masters and Mates for the purposes of the Act, Government will reserve to themselves the nomination of competent Examiners. The Master Attendant will on every occasion act as President *ex-officio*, and submit reports to Government, through the Superintendent of Marine.

9. Certificates of competency and service granted to Masters and Mates will be registered in the Office of the Superintendent of Marine, where also will be lodged the Duplicates of such Certificates for Record. That Officer will also be authorised to grant copy of any Certificate on record in accordance with Section XVI.

10. The Act provides in Section XVIII for the issue of Licenses for the supply of Seamen for Merchant Ships. It seems unnecessary for the present to grant these Licenses at Madras. If it should ever be necessary to do so here, or at the Out-Ports, the Superintendent of Marine may advise Government accordingly.

11. In Section LXVII, it is enacted that a certain amount of Medicine and Medical appliances shall be stored in Sea-going Vessels. The Medical Stores are to be regulated by a Scale, to be prescribed by this Government with the approval of the Governor General in Council, and published in the Official Gazette. In accordance with the suggestions of the Superintendent of Marine, the Supreme Government will be requested to furnish the regulated amount of Medical Stores which they may sanction for the Bengal Presidency, and also to intimate for guidance any alterations in the Scale which may hereafter be made.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. J. A. Wilson.

May 13/53

My dear Mr. Gault

I will send you

the functions that

may be necessary.

The notes should
mention the fees
as those inserted in

Table A.

Yours very truly

Wm. Brewster

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of Consultat

6. 16th March 18

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Kings are for) with a known entrance
in State. A annexed copy
to the T. E. Croft & Co.
Ad. J. P. Croft & Co.

Marine Department.

Nº 93

Extract from the Minutes of Consultation.
Dated - 16th March 1859.

Read the following letter from
the Superintendent of Marine -

Here enter Nº 93 & d/ 3rd instant

[Signature]
[Signature]
[Signature]

In the foregoing letter, the
Superintendent of Marine
requests the orders of Govt.
on certain sections of Act I.
of 1859, amending the law
relating to Merchant Seamen.
His observations will be noticed
separately.

2. With reference to Section II of
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ment of Shipping Offices at the
Presidency Ports, & such other
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of India in Council shall deem necessary, it is observed that, in Re: Min: Cons: No. 71 dated 3rd Instant, a Shipping Master with a suitable establishment ^{for Madras} has been provided. Mr. Franklin ^{of pre-ferry} shows that the only other ports in this presidency at present requiring to be similarly provided for, are those of Vinagapatam, Cochinada, & Cochin, & suggests the appointment of the Masters Attendant there as Shipping Masters. The Governor in Council resolves to appoint the Masters Attendant at those ports to be Shipping Masters, & to report the same for the confirmation of the Supreme Government.

3. The question as to the mode ⁱⁿ

in which Shipping Masters are to be remunerated — whether by a fixed salary with an allowance for an establishment, or by the fees leviable under this Act — will be settled hereafter. At Madras, where the Shipping Master will continue to receive the salary of Rupees 250, Two Hundred & Fifty, hitherto drawn by him as Registrar of Merchant-Sea-men, the fees will be carried to the credit of Government.

4. Section III provides that Shipping Masters shall be subject to the control of the local Government, or of any intermediate authority appointed by them. The Superintendent of Marine will, as heretofore

heretofore, exercise such control on behalf of Government.

5. As suggested by the Superintendent, the rates of fees, given in Table A appended to the Act, will be the ~~Madras~~ ^{Madras} rates leviable in the Madras Presidency.

6. With reference to the provision made in Section VIII for transacting the business of a Shipping Master in places where no Shipping Office has been established, it will rest with the Superintendent of Marine to bring to the notice of Government, from time to time, any ports at which it may become necessary to establish Shipping offices.

7. Mr. Franklin observes that

as a reference will have to be made to the Supreme Government for their confirmation of the rules, which the local authorities may frame, under Section X, for the examination of Masters & Mates, & as it appeared desirable to establish, as far as practicable, uniformity with the other presidencies, it would be the ^{best} ~~shortest~~ course to ask the Supreme Govt. to furnish a copy of such rules, & forms, as may be sanctioned for Bengal, as well on this point as on all other subjects, under the Act; to their confirmation. The Government have already expressed their intention to refer to Bengal for such forms & regulations as may be adopted there in connection with the Act.

The Govt will now act on
the suggestion of Mr. Franklin
& apply direct to the Govern-
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These papers will comprise
Rules for the examinations
of Masters & Mates under
Section X - ^{Forms for} Certificates of
Competency & Service, under
Sections XI & XII - Agreements
with Seamen, under Section
XXI - Statement of Changes
in Crew under Section XXIX -
Allotment Notes under Section
XXXVIII - Statement of Wages
under Section XLII - Certificate
of Discharge, under Section
XLIII - Mutual Release under
Section XLVI - & Official
Log Books under Section
CIII.

8. For conducting the exami-
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mination of competent
Examiners. The Master
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officio, & submit reports to
Govt., thro' the Superinten-
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9. Certificates of Competency
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in the office of the Super-
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of Marine, the Supreme Government will be requested to furnish the regulated amount of Medical Stores which they may sanction for the Bengal Presidency, & also to intimate for guidance any alterations in the Scale which may hereafter be made.

J.P.

To the Sup of Marine - with 3
Acct General
Genl Auditor

Supd 23^d

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Sept 22 Tuesday
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No 23.

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Feb 11 1857

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the act for the purpose in this
Bengal Presidency - and
will request that you to
furnish the regulations
concerning the medical
stores which they may
have drawn for the Bengal
Presidency

C7 March

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

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