

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No.	309	Press Mis.
Dated	6. 9.	1860 .

Not to be folded or roughly handled

*Proceedings of the Madras Government, Marine Department,
6th September 1860.*

No. 3. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated London, 31st July 1860, No. 17.

Herewith are transmitted for your information and guidance copies of a communication made to this Office by order of the Lords of the Committee of Privy Council for Trade, relative to the carrying into effect of certain provisions of the Merchant Shipping Act, 1854; and of a Despatch I have in consequence addressed this day to the Government of Bombay on the subject.

From the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Honorable the Governor in Council, Bombay, dated London, 31st July 1860, No. 53.

The Report of the Committee appointed by you to investigate the circumstances connected with the loss of the ship "Lord Raglan" on the coast of Kattywar in March last, and transmitted with your Marine letter, dated the 11th May, No. 21, was forwarded according to your request to the Lords of the Committee of Privy Council for Trade.

2. Herewith is transmitted for your information and guidance, copy of a letter from Mr. Booth on the subject, and I have to direct your special attention to the remark that the omission on the part of your Government to confirm the finding of the Committee as required by Section 242nd of the Merchant Shipping Act of 1854, renders their Lordships unable to act on the Report by punishing the Master of the Vessel by the withdrawal of his Certificate.

3. Your attention is further directed to the concluding paragraph of Mr. Booth's letter, which contains suggestions as to the wording which should be used, as far as the circumstances of each case may admit in the findings of Committees of investigation appointed under Act 1 of 1859.

From JAMES BOOTH, Esq., to the Under Secretary of State for India, dated Whitehall, 19th June 1860, No. 6,828.

I am directed by the Lords of the Committee of Privy Council for Trade, to acknowledge the receipt of your letter of the 8th instant, transmitting Report and Proceedings of a Court of Enquiry held at Bombay, under the provisions of the 100th Section of the Act of India, No. 1 of 1859, concerning the loss of the Ship "Lord Raglan."

I am to acquaint you for the information of the Secretary of State for India in Council, that my Lords concur in the finding of the Court which appears to have been very carefully framed, but their Lordships regret that through an omission on the part of the Government of Bombay they are unable to act upon the Report by punishing the Master by the withdrawal of his Certificate.

The 242nd Section of the Merchant Shipping Act, 1854, provides that the Board of Trade may suspend or cancel a Master's or Mate's Certificate, if (amongst other provisions) upon any investigation made by any Court or Tribunal authorized by the Legislative authority in any British possession to make inquiry as to shipwrecks, a Report is made by such Court or Tribunal that the loss of any Ship has been caused by the wrongful act or default of the Master or Mate "and such Report is confirmed by the Governor or person administering the Government of such possession."

The 82nd Section of the Act of India No. 1 of 1859, has a similar provision with regard to the cancelling or suspending of Masters' and Mates' Certificates granted under that Act.

In the case of the inquiry now under consideration the act of confirmation is wanting and my Lords have consequently no power to cancel or suspend Captain Brown's Certificate.

My Lords desire me to suggest for Sir Charles Wood's consideration that the special attention of the several Governments in India should be directed to the necessity of strictly observing

Collector of ———— " — 13th — 012

Proceedings of the Madras Government, Marine Department,
6th September 1860.

the provision in the Merchant Shipping Act above mentioned, and it should be further pointed out that in all reports of investigations under the Act of India, No. 1 of 1859, the finding should be expressed so far as the circumstances admit, in the precise words of paragraphs 1, 2 and 3 of the 82nd Section of that Act.

No. 4. ORDER THEREON, 6th September 1860, No. 309.

Copy of the above Despatch and of the papers received with it, will be furnished to the Superintendent of Marine for his information, and for communication to all Masters Attendant and Shipping Masters. Copies will also be furnished to all Collectors of Maritime Districts.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Marine.
Proceedings of the Madras Govt.
Read Despatch
from the Secretary
of State — Inter 31st July '60 H^o 17.

Order - 6 September 1860. No. 309.

Copy of the above
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of Maritime Districts
" Collector of — " — 13th J.P.

10/14/1860

Marine 1860 Department

Vol 309

Proceedings of Court
6th September 1860

I direct that a copy of the
Doctrinal from the State
of State and of the
papers received with it
be taken to the copying
into press of certain
provisions of the
Merchant Shipping
Act 1854, be forwarded
to the High Court
of Admiralty for his
information and for
communication to
all the other Admirals
and Shipping Masters.

343