

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No.

323

Press
~~Mis.~~

Dated

9. 10.

1861

Not to be folded or roughly handled

*Proceedings of the Madras Government, Marine Department,
9th October 1861.*

Read the following letters:—

No. 12. From J. J. FRANKLIN, Esq., Superintendent of Marine; to J. D. SIM, Esq., Secretary to Government, Marine Department, Fort Saint George, dated 3rd September 1861, No. 2,458.

I have the honor to submit the accompanying copy of an Urzee forwarded by an opulent merchant of Vizagapatam, Garooda Bavanarraidoo, to the Collector of that District, setting forth that Captain Meppen, the Master Attendant of the Port, had levied a fee of 23 Rupees for measuring his vessel, the brig "Parthasarady," although he had not been on board to survey her; and that in consequence of payment having at first been refused that officer had delayed his vessel in the river for three days.

2. The charge was one of so serious a nature, that I requested the Collector of Vizagapatam immediately to call on the Master Attendant to disprove it. A good deal of correspondence has taken place on the subject, as well as on a later levy on the same vessel in March last, the first having occurred in September 1860, when the vessel was leaving the port, but in no instance has the Master Attendant disproved the statement that he did not personally examine the vessel, although he admits that he levied the fee. He states that the only evidence he can produce is that of his Office peon, whom he sent the day before to request the people on board to have the decks cleared preparatory to the survey he was about to make. This however is no evidence of his having even gone on board, but his rough survey book ought to prove whether he did or did not measure the vessel at the time specified.

3. But irrespective of this question of actual survey, it appeared to me that the Master Attendant had exceeded his authority in surveying his vessel at all when leaving the port and when no port dues were chargeable. I therefore requested the Collector to require him to refund the amount to Garooda Bavanarraidoo, which after some hesitation was complied with. Captain Meppen's very unsatisfactory explanation on this point is that the Sea Custom Thanadar asked his writer for the tonnage of the vessel to enter it in the port clearance as she had no register; and this functionary in a letter forming part of the correspondence states as much, but adds, that he does not remember whether he inserted the tonnage from the information furnished him by the Master Attendant or from the records of his Office.

4. The second clause of Section 48 of Act XXII of 1855 empowers a Conservator to measure a vessel liable to port dues, if the owner or master fail to satisfy him as to her true tonnage. The Brig "Parthasarady" had entered the port some time previous, and having paid dues none were leviable on her leaving again. It is evident therefore that the survey on Government account, if it even took place, was illegal, and the exaction of the fee likewise so.

5. But besides this I noticed in the correspondence, discrepancies which it was difficult to reconcile. In a letter from the Master Attendant to the Collector the vessel is stated on the alleged survey to have measured for $207\frac{18}{50}$ tons, whereas in a subsequent letter to me explaining the nature of the fees exacted she is set down at 107 tons, and it appears she was charged accordingly. This same vessel was measured in 1857 by the Government Surveyor at Madras and certified to be 87 tons, but she was not then registered as the fees were left unpaid. There were moreover other discrepancies to be accounted for. In September 1860, when the vessel was leaving Vizagapatam the owner was charged 23 Rupees for survey fees. In March last when she returned he had to pay 26 Rupees on the same account. Captain Meppen explains that in each case 15 Rupees constituted the fee for measuring a vessel of 107 tons, and that in the first instance 8 Rupees, and in the second 11 Rupees were charged for the operation of hooking, a mode by which the draft of a vessel is ascertained, the fee being regulated in accordance with the draft. These are exactions which are entirely unauthorized. Section 47 in Act XXII of 1855 empowers a Conservator when a vessel has not the proper marks on her stem and stern post, to denote the draft, and when it is necessary it should be known, to cause it to be ascertained by means of hooking, the

W.D.

*Proceedings of the Madras Government, Marine Department,
9th October 1861.*

vessel being charged for the expenses of the operation. This was inserted for the purpose of enforcing proper marks on vessels entering or leaving Calcutta or Bombay, where the pilotage is charged on draft of water and a correct knowledge of the draft is essential to the safe navigation of the vessel. But put in operation in respect to a native craft lying in an open roadstead, it is an unwarrantable exaction, amounting with the unauthorized fee for measuring to about four times the sum leviable as port dues by law.

6. The Collector of Vizagapatam asks for instructions regarding Garooda Bavanaraidon's application for a formal inquiry into the matter on oath. I would recommend that this be ordered to take place forthwith, and that the two months' privilege leave of absence granted to the Master Attendant under date the 2nd ultimo, be cancelled until it has been concluded and the result reported, till which time the Government will probably wish to postpone any further orders on this communication.

TRANSLATION.

To E. G. R. FANE, Esquire, Sea Custom Collector of Vizagapatam.

Arzee presented by GARUDA BHAVANNARAI DU of Vizagapatam.

1. Regarding my Arzee stating that the Master Attendant detained my vessel called Brig "Stree Pardahsaradhee" for three days, and illegally exacted from me, first 15 Rupees, and again 8 Rupees at the time of issuing the Port clearance, your honor gave me an endorsement to the effect that "he (Master Attendant) gave you an answer that he did not detain the vessel from being taken out of the river, but that it was detained by rain and other causes, and that he received the Rupees 23-0-0 from me for measuring the vessel."

2. The tonnage duty for this vessel was paid on its entry into the Port, but I did not pay on its departure. The authorities have ruled that the vessel should be surveyed for the levy of tonnage dues, and not for the benefit of the Master Attendant, he did not go on board the vessel nor survey it. When it is not necessary to levy the tonnage duty on the departure of a vessel he had no business to measure it. I therefore beg you will cause him to re-fund Rupees 23 received from me.

3. I will prove by witnesses,

1st.—That the Master Attendant detained the vessel for three days from being taken out of the river.

2nd.—That there was no ostensible cause for the vessel's detention as stated by the Master Attendant, and

3rd.—That he did not give permission for boats to take the vessel from the river until he got the 15 Rupees from me, through the medium of his Writer.

I solicit you will be pleased to take solemn declarations from the Master Attendant and his Writer, hold an investigation and inform the Marine Board as regards his misconduct, and also guard me against the recurrence of such irregular proceedings in future.

(Signed) GARUDA BHAVANNARAI DU.

21st April 1861.

(True Translation.)

(Signed) E. G. R. FANE,

Collector.

(True Copy.)

(Signed) J. B. CROWTHER,

Asst. Supdt. of Marine.

No. 13. From R. W. MEPPEN, Esq., Master Attendant and Conservator of the Port of Vizagapatam; to the Chief Secretary to Government, Fort Saint George, dated Madras, 13th September 1861.

1. With reference to a letter from the Superintendent of Marine, dated 30th May 1861, No. 1,547 to the Collector of Vizagapatam, wherein the Superintendent requested that Officer to make certain enquiries regarding a charge preferred against me by one Garoodah Bava

*Proceedings of the Madras Government, Marine Department,
9th October 1861.*

Naraina, I beg to state that in an interview which I had the other day with Mr. Franklin, I was informed that he had submitted the whole correspondence to Government, with a recommendation that Mr. Fane the Collector of Vizagapatam, might be entrusted with the duty of making a formal investigation, and I therefore trust I may stand excused for offering a few words in explanation and submitting a few observations respecting the matter.

2. G. Bava Naraina, so far as I can understand, accuses me of exacting a fee for measuring his vessel the Brig Parthasareddy, when I had not measured her; and of detaining the vessel on frivolous pretexts, for the purpose of exacting the fee, to which I was not entitled, in consequence of not having performed the duty required.

3. On this complaint my veracity has been called in question, and at the instance of Mr. Fane, the Collector, Mr. Franklin the Superintendent has suggested a formal enquiry.

4. I would particularly solicit attention to the fact that G. Bava Naraina is a resident of Vizagapatam, and to the best of my knowledge and belief has not left that town from the time of the alleged occurrences up to the date of the presentation of his complaint, embracing a period of six months. He is also one of those men who are constantly involved directly or indirectly in litigation, and as he is a wealthy and independent Merchant, in no way under my influence or subject to my authority, the delay tells *prima facie* against him, since there was nothing to prevent his making an immediate complaint, had he been subjected to any

Vide Enclosure F.

wrong; and as the complaint has only been preferred after Mr. Fane's Cutcherry servants were led to entertain apprehensions that I was endeavouring to prejudice them in the estimation of their superior, I submit that *prima facie* it bears a doubly suspicious appearance.

5. The late Sea Custom Tanahdar of Vizagapatam asked my Writer for the measurement of the Vessel, and according to custom* I measured her. The Tanahdar's letter is herewith submitted, and you will observe it is written from recollection, a circumstance which has been lost sight of by Mr. Fane in his comments upon it. He says (Vide Memorandum, dated 11th July 1861, No. 744) "from the explanation of the late Sea Custom Tanahdar, it does not appear that any survey was desired by him." Had the Tanahdar given his explanation at the time, instead of 10 months after, he might have been able to speak with greater certainty. That however is not the point. I may have mistaken the Tanahdar, and in consequence measured the Vessel and demanded the fee. The Tanahdar may have been in error in requiring the measurement. But with reference to the charge preferred by Bava Naraina, the point is "did I measure the Vessel?"

6. Having measured the Vessel whether erroneously or otherwise, I demanded the fee according to usage. The Native Merchants of Vizagapatam have frequently made attempts to get rid of all liability under Clause 2, Section XLVIII, Act XXII of 1855, and in consequence, several complaints have been made against me to the Collector for enforcing its provisions. In

Enclosure B.

one instance, the Principal Assistant decided against me, but on my laying the matter before Mr. Reade the late Collector, that Officer, in a letter dated 26th May 1859, No. 445, recognized the course which I had adopted, and upheld my proceedings in opposition to the view entertained by the Principal Assistant. You will therefore observe that I am considered entitled to the fee, and as Mr. Reade's construction was not set aside by any communication previous to the measurement in question, in demanding a fee, I submit there could have been no improper exaction. The same course is adopted by the Master Attendant at Cocanada, and all other ports, to the best of my belief.

Enclosure C.

With reference to Cocanada the practice which prevails was adopted in accordance with a letter from the late Marine Board dated 8th September 1858, No. 3,656. If there exists any doubt whether a fee is demandable or not, or whether the Conservator is the party to measure or not, that is a legitimate question which might be submitted for determination, by superior authority, but in the absence of an authoritative declaration to the contrary it is extremely painful to have my conduct impugned for acting in accordance with the views of Mr. Fane's predecessor.

*Proceedings of the Madras Government, Marine Department,
9th October 1861.*

7. With respect to the detention I can solemnly state that I did not in any manner detain the Vessel or offer any obstruction to its departure. A Merchant and Ship owner cannot submit to detention without incurring loss; and if loss had occurred or was likely to occur, through my act, there can be little doubt that an independent man like the complainant would have adopted the earliest steps either to avoid its occurrence by immediate complaint to the Collector, or to have obtained indemnification by action in the Civil Court. Owing to deficiency of water in the bar, or a boisterous surf, vessels at times cannot get out of the river whenever their owners wish, or immediately on receiving permission from me, and on such occasions the necessary precautions

must be adopted by the Pilots who place themselves in communication with me. The circumstance was explained in my letter to the Collector, dated 16th March 1861, No. 70, and with reference to that explanation the Superintendent of Marine in his letter of the 30th May 1861, No. 1,547, to the Collector, admits that it would be difficult "to decide on the merits of the case (as regards the detention) even on the spot;" but adds, on the bare *ipse dixit* of the complainant, thus prejudging the whole matter, which I submit is not just towards me, that, "coupled with other circumstances," (unproved and unsubstantiated) "I fear there must have been some grounds for the representations made." With reference to this remark I imagine no comment is required from me. Unless therefore the complainant is prepared to prove, that by some overt acts unconnected with, and in abuse of my authority, I wilfully and intentionally obstructed the *departure of the vessel from the river*, I submit this part of the accusation cannot stand. It therefore remains to be proved.

8. This part of the accusation is however but subsidiary and dependant on the only real accusation brought against me, namely, "falsehood," in having corruptly exacted a fee for work stated to have been performed which I did not perform. This is the real substantial charge, and to it therefore I shall now address myself.

9. The complainant avers that I had never been on board at all, I declare I did proceed on board and measure the vessel, on my return from visiting the Dalhousie, having sent my Peon in advance to have preparations made for the survey. The Collector in his Memorandum of the 11th July 1861, No. 744 objects, that I adduced no evidence. In addition to my word there is my Peon whom the Collector did not examine. I have no boat attached to my Office, and at this distance of time it is impossible that I can charge my memory with the number of the boat or the names of the boatmen whom I employed on the occasion. This part of the charge therefore rests on the statement of the complainant opposed to my denial and I am happy that the matter has been laid before Government and that Mr. Fane has adopted the course pursued, seeing the bare imputation of such a charge, if left unsifted, is calculated to cast a slur on any man's character.

10. I cannot but feel deeply grieved after having so lately received a flattering recognition of my services at the hands of Government, after having served Government so long and after the many encomiums passed on my official conduct by Mr. Fane and his predecessors, that my veracity should be doubted respecting a paltry sum of 23 Rupees on the bare accusation of a litigious native, who pretends that he quietly slumbered under the wrong to which he had been subjected for so long a period as 6 months. The accompanying receipt E in the autograph of Mr. Robertson, late Collector of Vizagapatam, will show that if I had any wish to resort to undue means for the purpose of acquiring money, I could easily do so without in any way resorting to exaction.

11. I waited on Mr. Franklin with an intention of requesting him to hand up the matter to Government, and am happy to find that he has forestalled my wish, and as my reputation is at stake, I earnestly entreat that you will be pleased to lay this letter before the Right Honorable the Governor in Council, with my request, that a Commission may be appointed under Act XXXVII of 1850, to investigate into the matter, and with reference to Section III, I respectfully submit that Mr. Fane, who has already half expressed his opinion on the case, may not be appointed Commissioner.

12. If the Government do not think proper of its own accord to prosecute the enquiry under Section V, and should resolve to leave the prosecution in the hands of the complainant with

*Proceedings of the Madras Government, Marine Department,
9th October 1861.*

reference to Section VI, I beg that large and substantial security may be demanded of him, in order that I may be secure of the means of indemnification, should he fail to substantiate the grave imputation he has cast upon my character.

A.
From G. VENKATAPUTTY, Acting Tanahdar of Sea Customs; to R. W. MEPPEN, Esq.,
Master Attendant Vizagapatam, dated Bimlipatam, 25th June 1861.

I beg to acknowledge the receipt of your letter dated 22nd instant and inform you that an old Brig called Sree Pardasarady being void of a register, I requested your Writer for an official Memo. of measurement as I may be able to enter her tons in the Port clearance when the owner G. Bavan Narraidoor proposed for it. The said owner prayed me that I should enter her tons in the clearance by seeing an old records in the Office, but I do not now remember whether I have put her tons in the Port clearance either by the aid of an Office records or by an official Memo. produced to me in the Custom House from your Office.

P. S.—The bearers who brought your letters have gone away without taking answer from me, while I was telling to take it.

B.
From C. W. READE, Esq., Collector of Vizagapatam; to Captain R. W. MEPPEN, Master
Attendant, Vizagapatam, dated 26th May 1859, No. 445.

I am in receipt of your letter of the 21st instant, No. 167, appealing against the Principal Assistant's decision repudiating your rights to the fee for measuring the Native Schooner "Dolphin" under the provisions of Act XXII of 1855.

2. Section XLVIII of the said Act provides that in the case of refusal to produce a register of Tonnage or in case of failure on the part of the Owner, Master, or other person, to satisfy the Conservator of the port as to what is the true tonnage of a vessel on entering a port, it shall be lawful for the Conservator to cause such vessel to be measured and the tonnage thereof to be ascertained, and I presume it was on failure to satisfy you on the point in question, which was necessary to you in view of the port dues payable by the vessel, that you undertook the troublesome task of measuring.

3. Mr. Knox it seems subsequently ascertained that the "Dolphin" had already been measured by the Master Attendant at Cocanada, and that the customary fee had been paid, and on the ground that you would necessarily be satisfied with Captain Thompson's measurement, Mr. Knox considered you were not entitled to the fee.

4. Under the Act it devolves on the Master or Owner, &c., to satisfy you at once on the vessel entering the port, the object being to enable you as Conservator to determine the port dues payable, hence failure on the Master's part empowered you immediately to go on board his vessel, and determine for yourself, and the fees for that duty became due from the moment of its performance, and the explanation since offered by the man, however, it may prove the fact of previous measurement, cannot thereby relieve him of a 2nd payment for a 2nd measurement.

5. As observed by the Superintendent of Marine it is to be regretted that the Act does not make registry obligatory, but it is clear when a register is not taken out there must be some sinister object and it was to guard against this that vessels were made liable to remeasurement on entering every port at the will of the Conservator if he were not satisfied as to the tonnage given and if the owners of Native crafts prefer to incur this annoyance which they can so easily obviate it by taking out a certificate of registry, they must of course bear the consequences, and I am of opinion that no previous measurement unless supported by an authenticated certificate can relieve the Master or Owner from the payment of the prescribed fee for remeasurement at every fresh port which he may enter and of which the Conservator may think proper to question the tonnage for want of proper verification.

6. Under this view the Master of the "Dolphin" will be called upon to pay you the fee, and copy of this letter will be sent to the Principal Assistant Mr. Knox, for his information, and in view to its immediate collection.

7. The enclosures with your letter are returned.

*Proceedings of the Madras Government, Marine Department,
9th October 1861.*

C.

From J. J. FRANKLIN, Esq., Superintendent of Marine, Madras; to the Collector of Rajahmundry, dated 8th September 1858, No. 3,656.

I have the honor to acknowledge receipt of your letter of the 31st August last No. 56, enquiring if it be compulsory on the owners of Native crafts to have them registered under Acts X of 1841 or XI of 1850, and to inform you that although it is not so, the advantage in having a regular registry of such property is so manifest that every inducement has been resorted to at Madras to oblige owners to have their vessels registered. A great many are consequently sailing with registers which a short time back navigated with no other papers than a port clearance; and the disputes and investigations which have arisen in deciding on the many claims to ownership, have fully proved, how necessary it was to have such points settled by a formal document recognized by legal enactment.

2. In Bengal the registry of vessels appears to have been more attended to than in this Presidency, and in January 1857, the Government of India forwarded to that of Madras a letter from the Commissioner of the Tennesseim Provinces pointing out that it was the practice for Madras vessels to navigate without register or pass. The late Marine Board observed that the Registry Acts did not specially require vessels to be registered, but that if the 2nd Clause of Section 48 of Act 22 of 1855 was carefully enforced at the different ports, there would shortly be few vessels not possessing such documents.

3. The Clause in question empowers the Conservator of a port to cause a vessel to be measured and the tonnage ascertained when the owner or master shall fail to satisfy him as to the true tonnage according to the mode of measurement prescribed by law.

Extract from an Extract Minutes of Consultation of 17th April 1857, No. 145.

The Government agree with the Marine Board that when the 2nd Clause of the 48th Section of Act 22 of 1855, is properly enforced as it should be in all ports that may be brought under the Act, few native Vessels will navigate without a Register.

The expense of this proceeding is to be borne by the owner and as no Certificate is required to be granted unless on application for registry, it may have to be incurred several times during a year.

4. It would have been much more satisfactory if the Acts rendered the registry of vessels obligatory, but as they do not, and the absence of registration leads to much confusion and fraud in the ownership of vessels, it is well to take advantage of such indirect means as are available for attaining so desirable an end as a correct record of the proprietorship in native crafts.

D.

From R. W. MEPPEN, Esq., Master Attendant and Conservator; to E. G. R. FANE, Esq., Collector of Vizagapatam

* Returned.
† Measured 3rd September 1860,
107 18-130 Tons.

‡ Casarpoo, Vyditelli, Cris-
temmah, Casarpoo.

I have the honor to acknowledge receipt of the Gentoo petition* against me from one Garooda Bava Nariadoo, said to be owner of the Brig "Paradasardy."† In reply I beg to state that the said owner presented to me at my house a requisition to have his vessel taken out from the river to the roadstead, accordingly the Pilots‡ were ordered to do so on the 4th September last, the wind was light, there was heavy rain on the 6th of the same month, although there was rain, the Pilots took the vessel out with a great deal of difficulty. It is a rule at every time a ship is to be taken out of the river, that the bar must be first sounded and the depths ascertained to prevent accidents, this was done on the 5th September and the vessel as above stated was taken out on the 6th or following day from which you will perceive that there was no wilful detention and the accusation against me perfectly false.

2. With reference to the sum of Rupees 23 having been received by me, it was on account of fees for measuring the vessel in accordance to the Act No. 7 of 1855, Section 5, and also Minutes of Consultation of 17th April 1857 No. 145, copy of which is herein annexed.

XX 11

*Proceedings of the Madras Government, Marine Department,
9th October 1861.*

3. I am not aware of the Port clearance having been stopped, but if it was, it must have been for the purpose of recovering the remainder of the fees as stated by petitioner, as he is of a very litigious character and not to be trusted.

4. I trust this explanation will at once show that I have only done my duty and not as petitioner states wilfully extracting money, detaining his ship and giving him unnecessary annoyance.

E.

WALTAIR, 25th February 1853.

Received from the Master Attendant the sum of Rupees eighty (Rs. 80) found a few days ago in the window of his Office, for which no owner has yet been found.

A. ROBERTSON, Magistrate.

F.

Office, February 6, 1861.

SIR,

When leaving my Office the other day you told me you had something to say to me which much concerned myself. I was sorry I could not then stop to hear what you had to say, but if you will call at my Office to-morrow, I shall then be very glad to hear all.

My Manager Vencata Row and Mr. McMurray say you told a third party that what you had to say was regarding their evil deeds and corruption.

If such is the case I hope you will to-morrow be able to prove your statement. If you cannot I advise you to be silent, as if not I have advised Mr. McMurray when he again hears of your talking about him to others to sue you in the Sub Court here for defamation of character.

Yours Faithfully,

(Signed) E. FANE,

Collector.

Capt. MEPPEN, Master Attendant.

All the above are true copies.

(Signed) R. W. MEPPEN,

Master Attendant.

No. 14. ORDER THEREON, 9th October 1861, No. 323.

The Government authorize a formal and public inquiry being made into the conduct of Captain R. W. Meppen, Master Attendant and Conservator of the Port of Vizagapatam, in reference to the charges against him in Garudah Bhava-narraidu's Urzi to the Collector.

2. They resolve to appoint M. Juggah Row, Principal Sudder Ameen of Chicacole, a Commissioner to inquire into the matter under Section III, Act XXXVII, 1850. The Commissioner is instructed to hold the investigation under Section VI.

3. On the Commissioner intimating that the provisions of the Section have been complied with by the accuser, Garudah Bhava-narraidu, the Superintendent of Marine will direct Captain Meppen to return to Vizagapatam.

(Signed) J. D. SIM,

Secretary to Government.

Exd. F. Cartledge.

Maine Letter to Eng 7th May 17th 1866.

It will be about
the same as
I went, I think.
of the P. S. is
a bit a low-
er measure to
uniquely with the
nature under
sect 111 Act XXXVIII
of 56 - He showed
the instructions
to hold the vessel
in place under
the provision of

Maine 1861 Sept 25

From
Do. No. 323.

The Master Attendant
Conservator of the Port
of Vizagapatam.

Of 13th &
of 25th Sept 1861.

See the Enc. No. 309

Regarding a charge
preferred against him by one
Garodah Bawa Naraina of
having measured his vessel
the "Brig Parthasareddy" & of
detaining her on frivolous
pretences for the purpose of
exacting a fee to which he
was not entitled, offers a few
words in explanation thereof
& submits a few observations.

Circular
to
H. H. H.

W
h. H.

25.24
12.27

11.7.20

For orders -
reference of
Mepkin's
from Lane
Com?
J. H.

Marine Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from
the Suptt. of
Marine

Inter 3rd Sept. '61 No 279.

Order - 1861 No 1

The Govt. authorise
a formal & public
inquiry being made
into the conduct
of Captain R. W.
Moffen, Master
Attendant at Vi-
ragapatam, in
reference to the char-
ges against him
in Garudah Bha-
va

H. W.
The

vanaraidus Vozji
to the collector of
Viragapatam.

2 They appoint Mr. L.
R. Fane sole Com-
missioner for the
purpose under Act
XXXVII - 50; but, be-

fore taking any
steps in the case,
the ^{Ganda Narayanaidoo} accuser should
first comply with the
requirements in
Section VI of the
Act.

3. The leave granted
to

Capt. Meppen on
the 2nd ulto. will be
Cancelled. The
Suptt. of Marine
will ^{also} instruct him
to remain at Vir-
gapatam until
the result of the in-
quiry is known.

The Collr. of Viragapatam.
" Superintendent of Marine.

Isazette.

Memor.

9

Act X-1841-Section VII- In order to enable the registering officer to grant a certificate accurately describing the vessel — also to enable all other officers of customs, on due examination to discover whether the vessel is the same as that for that which a certificate is alleged to have been granted, it is enacted that previous to registering or granting certificate of registry, some person appointed by Govt., shall go on board & shall strictly & accurately examine & measure the vessel, as to all & every particular in the form of Certificate, in the presence of the master or other person appointed on behalf of the owners, & shall deliver a true & just acct. in writing of all such particulars, to the registrar, & the Master

No.

186 Department.

PROCEEDINGS OF GOVERNMENT.

Dated

8

Captain R. W. Heffer

Master, or person attending on behalf of the owners, shall sign the certificate of the surveying or examining officer in testimony of the truth thereof.

§ XII —

Registered tonnage to be deeply cut or carved in figures not less than 3 inches in length on the main ~~deck~~ beam of the vessel.

§ XIII —

Country craft not exceeding the burthen of 200 tons to be registered & the tonnage marked under rules prescribed by the local Govt.

§ XIV —

Tonnage once ascertained to be repeated in every subsequent registry, unless the ship had been altered,

the tonnage had been erroneously computed.

§ XXI —

Registration de novo imperative on alteration being made in the build, or a change of owner or part owner taking place.

§ XXV —

Fees to be fixed by the Governor Genl. in Council.

Act XI - '50 - § III —
(Amendment.)

Vessels of whatever rig or tonnage ~~travelling~~ ^{coasting} about India & Ceylon, may be registered & the tonnage marked by rules made by the local Govt. —

§ IV —

Fees for such registry to be as per scale in the Act.

One Rupee up to 4 Tons	
Five do —————	20 do.
Seven —————	80 do.
Two Annas & 1/2 pice	from 80 Tons.

— & to be carried to
credit of Govt.

Act XXXVII - 1850.

§§ II & III.

Govt. declared com-
petent to make in-
quiry (formal & public)
thro' the Court, Board,
or authority at the
head of the Dept., into
the truth of any in-
putation of misbeha-
viour by any person
in the service of the
East India Compa-
ny, not removable
from his office with-
out the sanction of
the same Govt. — &

also finally to
pass such orders
as may be just
& consistent with
its powers in such
cases.

§ XXV -

The Act does not af-
fect the authority of
Govt., for suspending
or

Act XXII - '55.

§ XLVII -

+ without proper
marks on the
stem & stern
posts, denoting
her draught,

or removing any pub-
lic servant for any
cause without any in-
quiry under the Act.

Conservator may in
any case in which it
shall be necessary to
ascertain the draught
of a vessel by the opera-
tion of hookings — &
the Master shall be
liable for the expenses.

§ XLVIII - Cl: II.

Cl. I. A fine
imposed, if
vessel is re-
gistered.

If owner or Master of
an unregistered vessel
fail to satisfy the Con-
servator as to what is
the true tonnage of a
vessel liable to Port-dues,
Conservator shall cause
the vessel to be mea-
sured & the tonnage
ascertained — the own-
er or Master being lia-
ble

liable for the expenses.

§4 -

Port clearance not to be granted unless all Port dues, fees, and charges have been paid.

It seems to me most advisable - that the matter should be settled as suggested by Mr. Franklin. The conduct of Capt. Melcher - seems to have been very bad - & it is probable that this is not his first act of this kind - I would advise him not to have on the case opened him, until the enquiry is finished.

For order. I do not see any necessity for a formal enquiry in this case. The Master attendant might be required to explain his conduct and for. Pass orders thereon. The Port has his remedy by a suit for damages - if he seeks more than a refund of the fees unduly levied.

Wm. F. M.
J. D. S.

Memo

(17)

Captain Meppens
case

C. M. Sept 25
R 19
C 21

13

9
Marine
Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letters—

From the Supt. of
Marine — Inter 3rd Sept. '61 N^o 2,458.
the Master At-
tendant, Vi-
ragapataw — 13th do — " X.

Order — 7th October 1861 No 323.

W. W.

W. W.

The Govt. autho-
rise a formal and
public inquiry
being made into
the conduct of
Captain R. W.
Meppens, Master
Attendant and
Conservator

Conservator of the
Port of Viragapata-
tam, in reference
to the charges a-
gainst him in
Garudah Bhava-
narraide's Uryi
to the Collector.

2. They resolve to ap-
point M. Suggah
Row, Principal
Sudder Ameen of
Chica cole, a
Commissioner to
inquire into the
matter under Sec-

tion III - Act XXXVII

50. The Commis-
sioner is instructed
to hold the investi-
gation under Sec-
tion VI.

3. On the Commis-
sioner intimating
that the provisions
of the Section have
been complied with
by the accuser, as
Garudah Bhava-
narraide, the
Suptt. of Marine
will direct Capt.
Meppen to return
to Viragapataam.

The Suptt. of Marine.
" Collr. of Viragapataam.
" Mr. M. S. Suggah Row, Principal
Sudder Ameen of Viragapataam.
" Capt. R. W. Meppen, Suptt. of Marine at Viragapataam & Madras.

Manuel Vella to Eng. 7th Aug
1713 of 1866

Revised draft

Manuel 1861. Department.

No. 223.

PROCEEDINGS OF GOVERNMENT.

11/10/67

42031/67

Dated 9th October 1861

At a meeting of the

General Board of Directors

and Council of the

Commissioners of the

Public Works of the

Colonial Government of the

Colonial