

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No.	3	Press
		Mis.
Dated	4 /	1864.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Marine Department,
4th January 1861.*

No. 6. 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, 30th November 1860, No. 31.

1. Herewith is transmitted a copy of a letter from the Secretary to Lloyd's and of its enclosure, and of the reply which I have directed to be communicated to him on the subject of the course stated to have been pursued by Mr. Thomson, Master Attendant, and Receiver of Admiralty Droits at the Port of Cocanada in your Presidency in regard to the Ship "Mary Axley" abandoned at sea in December 1859.

2. I have to request that you will, without delay, put me in possession of the facts of this case, and that you will inform me by what authority Mr. Thomson was appointed Receiver of Admiralty Droits at Cocanada; it has been ascertained that he was not so appointed by the Board of Trade under the provisions of the Merchant Shipping Act of 1854; you will also direct your Officers to extend to the person concerned for the owners of the "Mary Axley" and in all cases which may arise of a similar nature such assistance in their difficulties as the law and the due requirements of the public service will admit of.

From T. G. BARING, Esq., to G. A. HALSTED, Esq., Secretary, Lloyd's, dated India Office, 17th November 1860.

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 5th instant, transmitting by direction of the Committee for managing the affairs of Lloyd's, the copy of a letter from their Agent at Cocanada complaining of certain proceedings of the Master Attendant at that Port with reference to the Vessel "Mary Axley," which was found derelict, and stating that the Committee are desirous of being informed whether the course pursued under the circumstances by that Officer was warranted by law; and in reply I am to inform you that in the absence of all information upon the facts of the case from the Madras Government, Sir Charles Wood must decline to express any opinion upon it, particularly as it appears from Mr. Towle's letter that the attention of the Authorities at Madras has already been directed to the matter. At the same time he will cause an immediate communication to be made to that Government requesting an explanation of the Master Attendant's conduct and desiring that in this and similar cases, every facility should be afforded by the Officers of Government, consistent with the due discharge of their duties and the requirements of the public service.

From GEORGE A. HALSTED, Esq., Secretary, to the Right Honorable Sir C. WOOD, Bart., Her Majesty's Principal Secretary of State for India, dated Lloyd's E. C., 5th October 1860.

I have the honor to transmit, by direction of the Committee for Managing the Affairs of Lloyd's, the accompanying copy of a letter from Mr. R. H. D. Towle, the Agent for this Establishment at Cocanada, complaining of the proceedings of Mr. Thomson, the Master Attendant at that Port in the case of the "Mary Axley," taken in there derelict, and I am directed to state that the Committee will feel obliged by your informing them whether the course pursued by Mr. Thomson is sanctioned by law, as it has been attended by serious loss to the parties interested in the Vessel in question.

From R. H. D. TOWLE, Esq., Agent for Lloyd's, to Captain G. A. HALSTED, R.N., Secretary of Lloyd's, London, dated Cocanada, 11th August 1860.

I have the honor to acquaint you that Captain Flannery, late in command of the Barque "Mary Axley," had to leave this place, after remaining several months without being able to obtain and carry out the object for which he came. I may bring to your recollection that Captain Flannery abandoned the "Mary Axley" at sea, after the hurricane in December last in the Bay of Bengal which totally dismasted her and carried away the rudder, and when he heard at Madras that the vessel had been picked up and towed into these Roads, he pursued the only

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course that seemed open to him, according to his own judgment, and at the advice of experienced men at Madras, by coming here and endeavouring to take again charge of the Ship for the good of all concerned, but as this was refused to him by Mr. Thomson the Master Attendant, who had charge of the vessel as the Receiver of Admiralty Droits, I advised Captain Flannery to try and obtain permission to have a true and complete list of the stores taken, and a survey held on the vessel, the report of which he might send to you himself or through me. Every application personally, and in writing, for this purpose was refused by Mr. Thomson, and after much loss of time it was given up altogether. I then considered it my duty as Lloyd's Agent, to endeavour to obtain a survey report of the Ship, and accordingly applied to Mr. Thomson for that purpose, informing him at the same time, that my object for so doing was to facilitate any arrangement that the salvors and all other parties concerned might feel disposed to come to in the settlement of the affairs of the Vessel, and that it was my opinion that such a settlement could not be made without a true and faithful account of the Ship, her losses in the hurricane, the probable cost of fitting her out, and the actual value of her as she stood, and that a document containing those particulars I would immediately forward to you. I was not permitted to do so as I before informed you.

My most immediate object in addressing you again in the matter of the "Mary Axley," is to bring to your knowledge that I believe Captain Flannery to have done all that was in his power in the predicament in which he was placed, to obtain a survey, and true statement of the state of the Ship, and was ultimately obliged to leave the place empty-handed. The poor man was much to be pitied, without means of supporting himself, his misfortune by the loss of the Ship was much aggravated by the long and unnecessary detention at this place. The European community rendered him such assistance that enabled him to proceed to England Overland.

If my interference in the matter alluded to may be considered correct and proper as Agent for Lloyd's, I think the subject of this report should not be overlooked, and some good might be effected, if a requisition was made to the Authorities at Madras requesting them to cause enquiry to be made as to the real cause of the Master Attendant's proceedings. The only reason given by him is that he holds the Ship as Receiver of Admiralty Droits, and on account also of the salvors, and would allow no one to have anything to do with or at the Ship until he received instructions from England. A satisfactory explanation from an ignorant man could not be expected, but it is more than probable that an enquiry would lead to measures being taken to instruct the Master Attendant how he should act in time to come, and to prevent a recurrence of the same.

Captain Flannery brought the case before the Superintendent of Marine at Madras who has the regulating and supervision of Master Attendants and their Departments at the Outports, and although he disapproved of Mr. Thomson's proceedings and censured him, I have heard nothing further about it. I hope I may be informed of the result of the Superintendent's explanation, which he will certainly render, if called for.

The "Mary Axley" will be much depreciated in value after lying so many months exposed to the weather, whereas, if a timely report of the Ship had been sent to England, matters might probably have been arranged long ago.

No. 7.

ORDER THEREON, 4th January 1861, No. 3.
Referred to the Superintendent of Marine for report.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Marine.
Proceedings of the Madras Govt.
Read Despatch from
the Secretary of State - Inter 30th Nov. '60. No. 31.
Enclosed also -

Order. 4 January 1861. No. 3.

Referred to the Superintendent of Marine for report.

J.P.

The Suptt. of Marine. No. 7.

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