

## MADRAS RECORD OFFICE.

Government of Madras.

*Marine*

DEPARTMENT.

G.O. No.

*274*Press  
~~Mis.~~

Dated

*27-8*

1861.

Not to be folded or roughly handled

17

*Proceedings of the Madras Government, Marine Department,  
27th August 1861.*

Read the following papers:—

No. 49. From H. WOOD, Esq., Collector in charge of the Special Agent's Department ;  
to T. PYCROFT, Esq., Chief Secretary to Government, Madras, dated Cuddalore,  
5th August 1861, No. 140.

I have the honor to submit for the consideration and Orders of the Right Honorable the Governor in Council, the accompanying original letter received from His Excellency the Governor of Pondicherry, complaining generally of the conduct of Captain Quin of the Ship "Hastings," who lately touched at Karikal, and claiming specially a sum of Rupees 45-1-4 due by the said Captain on account of Tonnage duty.

PONDICHERRY, LE 7 Juillet 1861.

GOUVERNEMENT DES ETABLISSEMENTS  
FRANÇAIS DANS L'INDE.

*Service de l'Ordonnateur.*

No. 72.

MONSIEUR LE COLLECTEUR,

J'ai l'honneur de vous informer que je viens d'être saisi d'une plainte contre Mr. Quin, Capitaine du navire Anglais *Hastings*.

Mr. Quin, venant de Singapour et ayant à débarquer à Karikal des marchandises et des passagers, a mouillé sur cette rade, le 30 Juin dernier, vers 4 heures du soir, annonçant qu'il avait touché sur un banc auprès de Ceylan.

Malgré les observations de l'officier de port, et contrairement à nos réglemens, il a refusé de déposer ses papiers de mer.

Puis, trompant la vigilance du bureau du port, il a appareillé clandestinement, le 2 Juillet, à 4 heures du soir, se rendant à Madras, sans payer les droits de tonnage qu'il devait au Trésor et dont le montant s'élève 45 Rs. 16 P.

J'ose espérer que vous voudrez bien, en acheminant ma plainte à Mr. le Gouverneur de Madras, lui demander une punition sévère pour ce Capitaine qui s'est soustrait à tous nos réglemens d'une manière aussi scandaleuse.

Ma lettre devrait se borner à réclamer le remboursement des 45 Rs. 16 P. que Mr. Quin doit au Trésor, mais sa conduite est tellement exceptionnelle que je ne puis m'empêcher de vous signaler sa manière d'agir envers les négociants de Karikal.

Ce Capitaine avait à débarquer un grand nombre de Caisses ou ballots; il a déclaré qu'ayant éprouvé des avaries, il avait été obligé de jeter beaucoup de marchandises à la mer et que ce qu'il a pu sauver serait livré à Madras. Sur les instances des négociants, Mr. Quin se rendit à bord en promettant d'envoyer les marchandises à terre. Pendant ce temps là, les destinataires se disposaient, pour se mettre en règle vis à vis des assureurs, à notifier au Capitaine d'avoir à déposer ces papiers de bord pour qu'on pût vérifier s'il avait fait ou non des avaries. Mais le Capitaine ne se sentant probablement pas en règle, appareilla clandestinement malgré l'opposition formée à son départ.

Nos lois donnent sans doute à nos nationaux, les moyens de poursuivre les étrangers pour affaires commerciales soit devant les tribunaux de leur nation, soit devant les tribunaux français, et je n'ai pas à intervenir, à la rigueur, dans les débats entre les parties, mais cependant l'étrangeté de la conduite de Mr. Quin et la protection que je dois à mes administrés, m'ont dicté le devoir de porter ces faits à votre connaissance; et il est possible que Mr. le Gouverneur de Madras qu'une telle conduite ne manquera pas d'indigner, tout en prescrivant le remboursement des sommes qui nous sont dûes, juge convenable de prendre des mesures pour garantir les intérêts des négociants de Karikal.

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27th August 1861.*

C'est, je le suppose, l'intention qui a guidé le commerce de cette localité en m'adressant sa plainte, car, sachant que j'aurais à recouvrer une somme pour le compte de l'Etat, il a pu penser que l'attention du Gouvernement anglais éveillée sur la manière d'agir de Mr. Quin, ferait aussi justice de ce côté.

Veillez agréer, &c.

(Signed) D'UBRAYE.

*A Monsieur le Collecteur de Goudelour.*

TRANSLATION.

To the Collector of Cuddalore, dated Pondicherry, the 7th July 1861.

SIR,

I have the honor to inform you that a complaint has been preferred to me against Mr. Quin, Commander of the English Ship "Hastings."

Mr. Quin arriving from Singapore and having to discharge at Karikal Merchandize and Passengers, anchored in that Roadstead on the 30th June last, about 4 P. M., giving out that he had touched upon a bank near Ceylon.

Despite the objections of the Master Attendant, and in contravention of our Regulations, he has refused to submit his papers.

And then, eluding the vigilance of the Master Attendant's Office, he clandestinely set sail on the 2nd July at 4 P. M., and proceeded to Madras, without paying the tonnage dues he was indebted to the State, amounting to 45 Rupees 16 Pice.

I venture to hope that you will be pleased, in forwarding this my complaint to the Governor of Madras, to request him to impose a severe punishment upon the Captain in question, who has evaded all our Regulations in so scandalous a manner.

My present letter ought to confine itself to demanding the disbursement of the 45 Rupees 16 Pice which Mr. Quin is indebted to the State, but his conduct is so reprehensible that I cannot refrain specially bringing to your notice his behaviour to the Merchants of Karikal.

He had to unload a great number of cases or bales; and he declared that having sustained damage thereof, he was obliged to cast overboard a large quantity of Merchandize, and that what he was able to save would be delivered at Madras. At the solicitation of the Merchants, Mr. Quin went on board, promising to land the Merchandize. Meanwhile the consignees were preparing, with a view to settle matters, with the underwriters, to notify to the Captain that he should submit his papers in order to ascertain whether he had or not sustained damages. But the Captain, probably aware that he was not acting according to rule, clandestinely set sail notwithstanding the opposition made to his departure.

Our Laws doubtless grant to our countrymen the power of prosecuting foreigners in commercial matters, whether before the tribunals of their nation, or before French tribunals, and I have not, in strictness, to interfere in the disputes between the parties; but nevertheless the strange conduct of Mr. Quin, and the protection I owe to the subjects of my Government, have dictated to me the duty of bringing these facts to your knowledge; and it is possible that the Governor of Madras, whom such conduct cannot but render indignant, while in ordering the disbursement of the sums due to us, may deem it expedient to adopt measures for the protection of the interests of the Merchants of Karikal.

This is, I suppose, the object of the Merchants of that locality in addressing to me their complaint, for, knowing that I would have to recover a sum on account of the State, they may have thought that the attention of the English Government being directed to the conduct of Mr. Quin, would also render justice on their side.

Accept, &c.

(Signed) D'UBRAYE,  
Governor.

(True Translation.)

(Signed) W. KOMARECK.

*Proceedings of the Madras Government, Marine Department,  
27th August 1861.*

The Board of Revenue will ascertain from the Collector of Sea Customs whether the Ship "Hastings," is still in the Roads, and what light her papers throw on this complaint.

FORT SAINT GEORGE,  
10th August 1861.

(Signed) J. D. SIM,  
Secretary to Government.

REVENUE DEPARTMENT.

Proceedings of the Board of Revenue, dated 12th August 1861, No. 4,378.

No. 50. Read letter from C. COLLETT, Esq., Acting Collector Sea Customs; to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated 12th August 1861, No. 401.

I have the honor to acknowledge\* Proceedings of the Board of Revenue, dated 10th instant No. 4,338, and to state that the Ship "Hastings" is in the Madras Roads. Her Manifest and Port Clearance from Singapore shew that she had cargo for Madras and Karikal. That part of the cargo was thrown overboard there is I believe no doubt whatever, and the ship's Agents Messrs. Parry and Co. in consequence took possession of the cargo in order to enforce their claims to general average. There was nothing in the ship's papers to shew that she had been to Karikal, but the Captain verbally mentioned to me when he entered the ship that he had been at Karikal and had a difficulty with the Merchants there. His papers regarding the cargo for Madras were in due order, and as the Captain undertook to account for what had been thrown overboard, his ship was entered accordingly.

Ordered to be submitted to Government with reference to their Proceedings dated 10th August 1861.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,  
Secretary.

To J. D. SIM, Esq., Secretary to Government, R. D.,  
with a French letter and translation.

No. 51. ORDER THEREON, 27th August 1861, No. 274.

Referred, with letter 5th instant, No. 140, from the Collector of South Arcot, to the Government Solicitor, for the opinion of the Advocate General. Meanwhile the Special Agent will acknowledge His Excellency's letter and state that the matter will meet with the immediate attention of the Government.

(Signed) J. D. SIM,  
Secretary to Government.

Exd. F. Cartledge.

From Coll. in charge of Dept. Sept. 5 Aug 1861  
" Board of Revenue 12 do  
order thereon, 27th August 1861 No. 274.

Referred, with letter  
5<sup>th</sup> Inst. No. 140 from the  
Collector of South Arcot,  
to the Govt. Solicitor, for  
the opinion of the Advo-  
cate General.

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Special Agent will acknowledge His Excellency's letter  
and state that the matter will meet with the  
immediate attention of the Govt.

Fort St. George.  
27<sup>th</sup> Augt. 1861.

Secretary to Govt.

The Acting Govt. Solicitor.  
Coll. in charge of Dept. Sept. 28/81  
With letter & 2 Enclosures