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1. Number of pages.
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3. Initials of the officer.

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MADRAS RECORD OFFICE.

Government of Madras.

Marine

DEPARTMENT.

G.O. No.

96-97

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22-26

Dated

8-4-

1862.

Not to be folded or roughly handled

T

*Proceedings of the Madras Government, Marine Department,
8th April 1862.*

No. 22. Read the following letter from J. MACPHERSON, Esq., Secretary to Government Straits Settlement; to the Chief Secretary to Government, Fort Saint George, dated Singapore, 12th February 1862, No 2.

With reference to your letter No. 429, dated the 20th December 1861, I have the honor by desire of His Honor the Governor to forward herewith, for submission to His Excellency the Governor in Council, copy of a communication of the 18th ultimo from Messrs. Fraser and Co., Agents Netherlands India Sea Insurance Society, relative to the state of the Barque "Alert" on her leaving Penang.

From Messrs. FRASER and Co., Agents Netherlands India Sea Insurance Company; to Lieutenant PROTHEROE, Secretary to the Honorable the Governor of Singapore, Prince of Wales' Island and Malacca, dated Penang 18th January 1862.

We have seen printed copy now in the hands of the Honorable the Resident Councillor, of the report made to the Madras Government by J. J. Franklin, Esq., Superintendent of Marine, dated Fort Saint George, 2nd December, 1861, No. 3,332 upon the loss of the late Barque "Alert," Captain Price.

2. We are at present defendants in a suit before the Court of Judicature here, in which we resist even the *issue of Policies* of Insurance upon cargo by that vessel from this port on her last voyage upon the grounds that she departed hence in an *unseaworthy state* and that too in the face of a protest by ourselves and the Agents of two other Insurance Offices here, who had engaged to underwrite on the cargo.

3. We request therefore that you will move His Honor the Governor to convey to the Madras Government on behalf of the Office we represent, our respectful acknowledgments for the prompt action taken by it in this matter in the interests of commerce, and our high sense of the discriminatory judgment of the Committee who conducted the Investigation.

4. We take the liberty of stating the following facts, and submitting the enclosures noted on the margin which we hope may be accepted as our apology for this communication, as they will, we believe, throw a new light on Captain Price's proceedings, deemed by them "most unaccountable," forbearing to offer any comment ourselves.

A. Copy Letter of Notice to Captain Price of the "Alert" dated Penang, 28th August 1861.
B. Copy deposition of Henry Lambert, dated Penang, 31st August 1861.
C. Extract Letter from Messrs. Fraser and Co., to Messrs. Gladstone Wyllie and Co., Calcutta, dated Penang, 25th September 1861.

5. On the 24th August last, Captain W. O. Shepherd, salaried Insurance Surveyor, at this port and who is also Surveyor for Lloyds, reported the "Alert" to us for Insurance as "A. 1." and "fit" to carry a dry and perishable cargo to any port or ports in India and to be a good Insurance "Risk." In consequence of this we on or about the 27th August engaged to underwrite on cargo by her to Nagore. On the 28th after the ship had cleared out, and moved from her anchorage "into the stream," ready to sail, we learned that she was leaking dangerously, and we accordingly served upon Captain Price the Notice or protest of which copy is enclosed marked A. He took no notice of that document, and in a few minutes proceeded on his voyage, but two days afterwards we learned that the ship anchored about five miles off and waited there about twenty-four hours, but without communicating with us, after which she proceeded on her voyage.

6. During next few days we collected sufficient evidence by depositions signed before the Master Attendant at this port to satisfy us that the ship was *totally unseaworthy*, of which we enclose a specimen (marked B) in the deposition of Henry Lambert, and learned that the Master Attendant had himself been requested by persons representing themselves as shippers to refuse her a port clearance on the ground of the unseaworthiness of the ship.

7. We also enclose copy of an extract of a letter (marked C.) addressed to our Calcutta Agents indicating our opinion of the state of the ship, and which was not acted upon only because they had no Agents in Nagore.

had engaged to underwrite on

*Proceedings of the Madras Government, Marine Department,
8th April 1862.*

A.

PENANG, 28th August 1861.

Captain PRICE,
Bark "Albert."
Penang Roads.

DEAR SIR,

We the undersigned underwriters on your ship beg to give you notice that we are informed the vessel is leaking before leaving her anchorage, and we therefore call upon you to have her surveyed, and that if you fail to have that done and the necessary steps taken to put her in order, we shall on behalf of ourselves and those others interested who may adhere to the terms of this notice hold you responsible personally, and also the owners for all claims that may arise in consequence.

(Signed) FRASER & Co.,

Agents Nethds. India Sea. Ins. Co.

" A. A. ANTHONY,

Agent Rel. Mar. Ins. Office.

" S. A. ANTHONY,

Agent Sun Ins. Office.

B.

Prince of Wales' Island to wit,

I, Henry Lambert, lately second Mate and Gunner on board the British Barque "Alert," Captain Price, declare and state as follows to wit,

I joined the ship in Calcutta last year about September. In coming down the river in charge of the Pilot the ship struck, and afterwards leaked so much, that the pumps brought up mud.

On the ship's last voyage from Singapore to Penang before she proceeded to Rangoon for the cargo just landed here, the ship struck in the Straits of Malacca, and bumped for about three hours. This was after passing the Light ship, and on the voyage from Penang to Rangoon she was pumped frequently every day; I saw the water rushing in like a stream about the cutwater and therefore put no rice close to that place. We then had some caulking done about the place where the leak was, and some of the copper removed and replaced, but the place leaked nearly as much as before. This was done in Rangoon. In Penang a plank was taken out in the bows and another substituted, and some sheathing copper removed and replaced, which was finished ere I left the ship, but the leaking was as much as before apparently.

The ship was pumped at gunfire or shortly after for about three-quarters of an hour, again at 11 to 12 o'clock noon for about half an hour, again at $\frac{1}{2}$ past 5 to 6 for about half an hour, and even then the pumps often never sucked. She was pumped again at eight o'clock at night for about half an hour, and next morning about gunfire there was generally from two feet to two feet eight inches water in the ship, sometimes she was pumped about midnight also, and sometimes pumpings took place between the other times mentioned above.

I left the ship on Monday the 19th instant. The pumping was always by double pumps.

The ship has not been in dock nor has she been hove down since she left Calcutta.

I, Henry Lambert, do solemnly, &c., declare, &c., 31st August 1861.

C.

Extract from letter from Messrs. Fraser and Co., to Messrs. Gladstone Wyllie and Co., Calcutta, dated Penang, 25th September 1861.

We have no correspondents in Nagore, but if you have any there that we could ask you to request to take that trouble, we would feel much obliged if you would make this request to them, viz.

*Proceedings of the Madras Government, Marine Department,
8th April 1862.*

"To write a few lines to Fraser and Co., Penang, who are underwriters on cargo from Penang to Nagore by the British Barque "Alert," Captain Price, sailed on 29th August, and give them any information which may be useful to underwriters who do not insure against particular average, and have now reason to believe that the ship was unseaworthy when she sailed from Penang."

(True Copies.)

(Signed) FRASER & Co.

(True Copies.)

(Signed) J. MACPHERSON,

Secretary to Government, Straits Settlement.

No. 23.

ORDER THEREON, 8th April 1862, No. 96.

Communicated to the Superintendent of Marine.

2. Copies of these papers will also be forwarded to the Governments of Bengal and Bombay.

(Signed) T. PYCROFT,

Chief Secretary.

No. 24. To the Secretary to the Government of Bengal, dated Fort Saint George, 8th April 1862, No. 97.

With reference to my letter, 20th December last, No. 429, I am directed to forward a copy of a communication, 12th February last, No. 2, from the Government, Straits Settlements, together with a copy of the enclosure received with it.

(Signed) T. PYCROFT,

Chief Secretary.

The same to the Government of Bombay.

Exd. F. Cartledge.

Singapore 10th January 1862

Sir,

Lieutenant Rossiter
Secretary to the Honorable
The Governor of Singapore,
Island of Wales Island
and Malacca.

Sir,

We have seen printed copy now
in the hands of the Honorable the Resident
Councillor, of the Report made to
the Madras Government by J. J.
Franklin Esquire, Superintendent
of Marine, dated Fort Saint
George, 2nd December, 1861 No 3332
upon the loss of the late barque
"Alert" Captain Dince.

2 We are at present defendants
in a suit before the Court of
Judicature here, in which we
resist even the issue of policies
of Insurance upon cargo by that
vessel from this port on her last
voyage upon the grounds that
she departed hence in an
unseaworthy state and that too
in the face of a protest by
ourselves and the Agents of two
other Insurance Offices here, who
had engaged to underwrite on
the

the cargo?

3 We request therefore that you will move His Honor the Governor to convey to the Madras Government on behalf of the office we represent, our respectful acknowledgments for the prompt action taken by it in this matter in the interests of commerce, and our high sense of the discriminatory judgement of the Committee who conducted the investigation.

4 We take the liberty of stating the following facts, and submitting the enclosures noted on the margin which we hope may be accepted as an apology for this communication as they will, we believe, throw a new light on Captain Price's proceedings, - deemed by them "most unaccountable for bearing to offer any comment ourselves."

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and learned that the Master &
Attendant had himself been
requested by persons representing
themselves as shippers to refuse her
a port clearance on the ground
of the Unseaworthiness of the ship.

We also enclose copy of an
extract of a letter (marked C.)
addressed to our Calcutta agents
indicating our opinion of the
state of the Ship, and which
was not acted upon only
because they had no Agents in
Nagore.

We have recd

Sd J. Fraser & Co.

Agents Nesh India Sea Ins. Co.

A. Copy

Captain Price

Amang 20th August 1861

Barque "Alert"

Amang Road.

Dear Sir,

We the undersigned
underwriters on your ship beg to
give you notice that we are informed
the vessel is leaving before leaving
her

her anchorage, and we therefore call
upon you to have her surveyed
and that if you fail to have that
done and the necessary steps taken
to put her in order we shall on
behalf of ourselves, and share others
interested who may adhere to the
terms of this Notice hold you
responsible personally, and also
the owners for all claims that
may arise in consequence.

We are, Dear Sir,

Your most obedt servts

J. Fraser & Co.

Agents Nesh India Sea Ins. Co.

Sd J. A. Anthony

Agent Nesh Mar. Ins. Office

Sd J. A. Anthony

Agent Nesh Mar. Ins. Office

B. Copy

James of Hales
Island to wit

I Henry Lambert, lately second
Mate & Gunner on board the British
Barque "Alert" Captain Price, declare
and state as follows to wit,

I joined the ship in Calcutta
last year about September. In
coming down the River in charge
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the

the pumps brought up mud.

On the ship's last voyage from Singapore to Penang before she proceeded to Rangoon for the cargo just landed here, the ship struck in the Straits of Malacca, and pumped for about three hours. This was after passing the Light Ship, and on the voyage from Penang to Rangoon she was pumped frequently every day. I saw the water rushing in like a stream about the cutwater and therefore put no rice close to that place we then had some caulking done about the place where the leak was, and some of the copper removed and replaced, but the place leaked nearly as much as before. This was done in Rangoon. In Penang a plank was taken out in the bows and another substituted, and some sheathing copper removed and replaced, which was finished ere I left the ship, but the leaking was as much as before apparently. The ship was pumped at Sunfire or shortly after for about three

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I left the ship on Monday the 19th instant. The pumping was always by double pumps.

The ship has not been in dock nor has she been holed down since she left Calcutta.

I Henry Lambert do solemnly
Declared 1st 31st Aug 1861

C.

Extract from letter from Messrs Messrs
C. to Messrs Gladstone Wyllie & Co
Calcutta, dated Penang, 25th Sept 1861.

We have no correspondents
in

in Nagore, but if you have any
there that we could ask you
to request to take that trouble
we would feel much obliged
if you would make this request
to them viz^d

"To write a few lines to Fraser
" & Co., Senang, who are underwriters
" on Cargo from Senang to Nagore
" by the British Barque "Alert"
" Captain Price sailed on 29th August
" and give them any information
" which may be useful to Underwriters
" who do not insure against
" Particular Average, and have
" no reason to believe that the
" ship was unseaworthy when
" she sailed from Senang."

True copies
Signed Fraser & Co.

True copies

Macpherson
Secretary to Government
Straits Settlement

General No.

No. 2.

112 of 1862

From

The Secretary to Government
Straits Settlement.

To

The Chief Secretary to the Government of
Port Saint George.

Dated Singapore 12th February 1862.

Sir,

With reference to your letter No: 479 Dated the
20th December 1861, I have the honor by desire
of His Honor the Governor to forward herewith
for submission to His Excellency the Governor
in Council copy of a communication of the 18th
Ultimo from Mess^{rs} Fraser & Co. Agents
Netherlands India Sea Insurance Society relative
to the state of the Barque "Alert" on her
leaving Penang.

I have the honor to be,

Sir,

Your Most Obedient Servant.

Thos. Hudson

Secretary to Government
Straits Settlement.

Mar 16 28
No 97.

Order - 8th April 1862 No 95.

Communicated to the Superintendent of Marine.

MD

2 Copies of these papers will also be forwarded to the Govts. of Bengal

and Bombay.

The report of the Court of Inquiry was sent to the Board of Admiralty.

JJ

The Supt of Marine.

20th April 1862
12

Recd 8th
Juk

Marine.

10

N^o: 97.

The Secretary to the Govt. of Bengal.

As below

12 Copies

~~N^o: 97.~~
The Secretary to the Govt. of Bombay.

Sir-

With reference to my
letter, 20th Decr. last N^o:
429, I am directed to
forward a copy of a
communication, 12th
Feb. last N^o: 2 from the
Govt., Strail Settlements,
together with a copy of
the enclosure received
with it.

12 Copies

For St George,
8th April 1802.

JJ

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Inspection of the

Marine 1802

1807

The Decedary to the

Port of Bengal.

of 1802

The Decedary to the

Port of Bombay

of 1802