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MADRAS RECORD OFFICE

Government of Madras

Marine

DEPARTMENT

G.O. No.
B.P. No.*266*Press
Mis.

Dated

*17. 7.**1890*
195Not to be folded or roughly handled

Marine DEPARTMENT.

Bombay Castle, 10 July 1890.

FROM
THE SECRETARY TO GOVERNMENT,

To
THE Secretary to the Government of Madras,
Marine Department,
Potacamund.

SIR,

With reference to the correspondence ending with my docket No. 151, dated 10th ultimo, I am directed to forward herewith 100 copies of the Notice to Owners, Masters and Pilots of British registered Native Vessels and Boats, regarding the hoisting of unlawful colours.

I have the honor to be,
Sir,

Your most obedient servant,

B. H. Pettigrew
Major General,
Secretary to Government.

By Docket
Recd
15/7

msd
19/7/90

Marine Quo: 624

From

The Govt of Bombay

No 169 9

Dated 10 July 90.
Recd 14

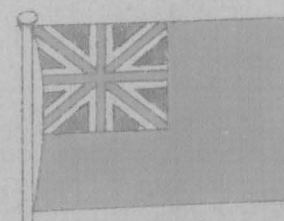
Enc: 100 S.C.

in English

Advising despatch of 100 copies
of the notice to mariners & hoisting
of unlawful colours.

3
NOTICE.

OWNERS, MASTERS and TINDALS OF BRITISH REGISTERED



Red Ensign.

NATIVE VESSELS and BOATS are hereby warned that it is *illegal* to hoist any COLOURS USUALLY WORN by HER MAJESTY'S SHIPS, or any colours *resembling them*, or any distinctive national colours except the Red Ensign usually worn by Merchant ships, a sketch of which is shown in the margin.

Under Section 105 of the Merchant Shipping Act of 1854 it is enacted that the Master of any ship or boat, or the owner thereof, if on board the same, and every other person hoisting or assisting in hoisting the same, shall for every such offence incur a penalty not exceeding Five Hundred Pounds, and further, under Section 62 of the Indian Ports Act (X) of 1889, the Master is liable in addition to the above fine to a further fine of Rupees Fifty.

Issued by order of the Government of Bombay,
HENRY MORLAND, Knight, Captain, I. M.,
Port Officer of Bombay.

SECRET
29 MAY 90
MARINE DEPT.

Marine Department.
No. 140

Merchant Shipping. -
Hoisting of unlawful colours.

Bombay Castle,
23rd May 1890.

Letter from His Excellency the Naval Commander-in-Chief, dated 10th April 1890.

"I have the honour to inform you, for the information of the officials concerned, that a dhow flying a white ensign was seen entering this port at 5-30 P.M. yesterday.

"She was boarded by an officer from Her Majesty's Ship *Boadicea* by order of the Commanding Officer and the Ensign, which had been hauled down, was seized and forfeited under Section 105 of the Merchant Shipping Act, 1854. I would point out that the owner is liable further to a penalty of £500.

"The name of the dhow is the *Mahmoody* of Cochin, her Captain being Goolam Ally and the owner Hadjee Hassom Hadjee Essa."

Report by the Port Officer, Bombay, No. A-47, dated 2nd May 1890.

"Owing to the number of the vessel's register not having been given, it was only after protracted unsuccessful enquiries regarding the Pattimar *Mahmoody* at the several anchorages in this port that it was eventually ascertained that she had proceeded to Uran to load salt.

"2. The Tindal Kalia Antone and the Agent for the vessel, Doongersee Laljee, were examined at this office.

(a.)—The Tindal admits having hoisted a white ensign, but pleads ignorance of the law, and states he has often done so before on entering this and other West Coast harbours.

(b.)—The Agent states he is the present owner's uncle, and that he bought some two years ago and distributed amongst his nephews and his own vessels several second-hand flags from one Allibhoy Esmaljee, a dealer in Marine stores in Dongree Koli Street, Mandvi, Bombay; that he was not aware of any law against flying any kind of flag, or he would not have bought them.

He has delivered up to me the following flags:—viz.: 1 white ensign, 1 Indian Marine ensign, and 1 blue ensign altered or repaired by having two pieces of yellow bunting (probably other old flags) each 8' x 3' inserted in the body of the flag. He has further promised never to supply any prohibited flags but only the authorized red ensign to his vessels.

(c.)—Allibhoy Esmaljee, a Marine store-dealer, asserts that he and his father before him have been in the habit of attending half-yearly auction-sales at the Government Dockyard and purchasing old stores (including flags) for the last sixty years. He admits having sold Doongersee Laljee some ten or eleven flags about two years ago. There were white ensigns amongst them, but how many he does not remember. He saw no harm in selling the flags, as he knew of no law to the contrary. He sold hundreds of flags every year, and many other merchants also sold flags.

"3. It is undoubted that the action of the Tindal in hoisting a white ensign was an offence under Section 105 of the Merchant Shipping Act of 1854, and additionally so under Section 62 of the Indian Ports Act (X) of 1889. But at the same time I would beg to point out that the flag was bought and hoisted in ignorance of its import. I have warned the men against again infringing the law, and would suggest that no further action need be taken in this case.

"4. The primary cause to this offence having been committed appears to be due to flags possibly unfit for use in Her Majesty's ships, but still serviceable for the less opulently owned Native trading craft on this Coast, having been sold at the Dockyard sales of old stores to dealers in the Bazaar, and there is no doubt that many tindals are ignorant of the law regarding the hoisting of white and blue ensigns.

"5. To prevent, if possible, the recurrence of cases of this kind and to let the law be as widely known as possible, I would suggest that notices printed in the various vernacular languages be posted at the Customs and Port or other offices connected with the trade and distributed to the Native tindals at all the ports in this Presidency, and also at the Malabar Coast ports of the Madras Presidency, notifying that any British vessel using any other than the red ensign is liable to prosecution and a heavy penalty; such distribution, I think, could best be effected by the Customs officials at each port.

Marine DEPARTMENT.

From

The Govt of Bombay

No. 140

Dated 23 May 90.

Received 27 May 90.

Enclosures 3 sp. copies

SUBJECT.

Marine Circular & hoisting of
unlawful Colours.Merchant Shipping.—
Hoisting of unlawful colours.
Notice regarding —.Marine Department.
No. 151Bombay Castle,
10th June 1890.

Letter from the Port Officer, Bombay, No. A.—60, dated 5th June 1890.

With reference to Government Resolution No. 140 of the 23rd May 1890, Marine Department, I have the honour to forward the accompanying notice prohibiting or making known the penalty for hoisting colours usually worn by Her Majesty's Ships, for the approval of Government; and in the latter event, in view that it may be translated and printed in the following languages with the number of copies specified against each:—

For.	Languages.	Copies.
Madras Presidency...	English...	100
	Tamil ...	100
	Malayalam ...	100
	Kanarese ...	100
Bombay Presidency ...	Marathi ...	1,000
	Gujarati ...	500
	Urdu ...	100
Aden and Persian Gulf Ports ...	Arabic...	300

RESOLUTION.—The draft notice submitted by the Port Officer, Bombay, is approved.

2. The Oriental Translator to Government to be requested to cause the notice to be translated into the languages named in the margin, and to forward the translations, when ready to the Superintendent, Government Central Press, in view to the same being printed and the requisite number of copies supplied to the Port Officer, Bombay, for distribution.

3. One hundred copies of the Notice in English should be forwarded to this Department for transmission to the Government of Madras, who will be requested to arrange for the translation of the Notice into such vernacular languages as may be deemed desirable.

B. H. POTTINGER, Major-General,
Secretary to Government.

To

The Port Officer, Bombay,
The Director of the Indian Marine,
The Chief Secretary to Government, Revenue Department,
The Commissioner in Sind,
The Political Resident, Aden,
(With copy of Government Resolution No. 140, dated 23rd May 1890.)
The Oriental Translator to Government,
(With the draft Notice. To be returned when done with.)
The Superintendent, Government Central Press.
(With a copy of the Notice.)

No. 151.

Forwarded to the Government of Madras with reference to para. 3 of the foregoing Resolution, and in continuation of undersigned's docket No. 140, dated 23rd May last.

B. H. Pottinger
Major-General,
Secretary to Government.

To

The Secretary to the Government of Madras,
Marine Department,
Ootacamund.

Ans 544

Marine Department

From the Government of Bombay

1915

Dated 10th June 90
Revised 11th

One spare copies

Marine Circular

Re-Hoisting of unlawful colours

Ch-495/90.

7/17

C. Nos. 495/2540/50

40.17 July 1900 No 266.

Communicated to the
Presidency Post Office.
The Translators to
Gent. for Hindustani,
Tamil, Telugu &
Malayalam, will
translate the notice
& Capt. Street will
arrange for its publication
& distribution.

1577 P.P.O. note 79/90
Translators concerned
2 to 2 copies each and
then Dep't. to the
Copy to Resident in
J & C
into 2 copies each
2 AUG 1900
IN M.S.

READ AGAIN ORDER OF GOVERNMENT, DATED
18, No. MISCELLANEOUS.

ENCLOSURE.

RENT No. 495
544
634

SENT WITH DUTY

to all
Copies
2/18
SC
S.C.
a

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

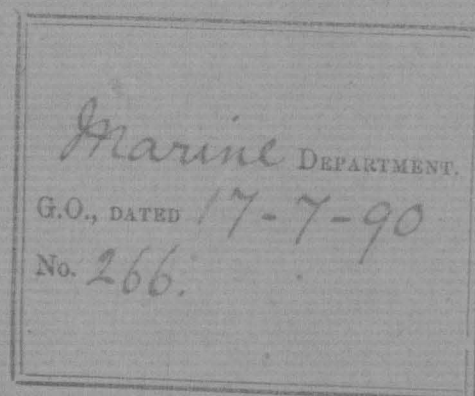
with 79 copies of Notice
each addressed

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

Despatcher

Send 2 copies of the Notice
to each of the Translators
& the Resident
& copies to the Res. Dep't.
& the remaining copies to
the P.R.O.

ORDINARY, MS.



2-10-00 ✓
 22-1-12 ✓
 14-3-16 B.T.
 18-3-16 B.T.
 17-4-26 H ✓
 3-3-52/6

When given for copying 22/7

[Despatch Abstract.]

Coming to the P. P. O.
 letter from the Bombay
 Marine Circular re hoisting
 of unlawful colours and
 directing its translation
 into the vernacular