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Govt. of Madras.

PUBLIC WORKS.

Charter 329
11-11-95

11/4/11

12/1/11

Dated

Recd.

Encl.

G.O. 11. Nov 1895 No. 329.

Pierak Suticorin.

directing the publication
Re Subbhoage & Simeon
Gazettes of a Notifi-
cation sanctioning
Rain by law relating
the new iron screw
tile.

5-6-00 ✓
24. 8/03

9/9/00

4-6-08 ✓

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Back paper
No 279 of 20.9.95

CURRENT No. 859

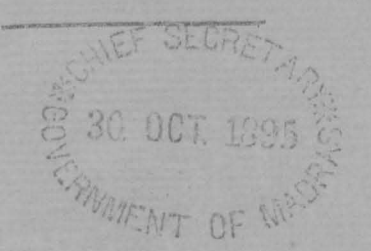
Marine (1895) DEPARTMENT.

From
THE PRESIDENCY PORT OFFICER,
Madras,
To
THE CHIEF SECY. TO GOVERNMENT,
MARINE DEPARTMENT,
Fort St. George.

No. 614
302 4

Dated 29 } October 1895.
Received 30 }
Enclosures 3

No.



Subject.

Forwarding a revised
draft notification relating
to the new iron screw pile
pier at Tuticorin

WITH ORDER

Mar. 279 of 20-9-95.
259 of 23-8-95
219 of 20-7-95

No 329 Marine of 11 Nov 1895
H.E. the Governor

Order
A done per the opinion. to 6 Nov
The Notification as
revised is approved and
will be published in the
Fort St. George and Tinnevely
District Gazettes.

7013.
11/11/95
5/11/95
C.W.
1.11.95

To
The P.P.O.
Gazette.

an up for
sent to 12/11/95
To be
sent to
12/11/95
7/11

Heading.

No. 614
302 G.

CURRENT No. 859

Tuticorin Pier.

PRESIDENCY PORT OFFICE,

Madras, 29th October 1895.

From

Commander C. W. Hemmett, R. I. M.,

PRESIDENCY PORT OFFICER,

Madras,

To

THE CHIEF SECRETARY TO GOVERNMENT,

MARINE DEPARTMENT,

Fort Saint George.

Sir,

I have the honor to return the
enclosures received with G. O. M.
No. 279 of 20th September 1894
and to forward herewith a
notification revised in acc^{mce}
with the Advocate General
ber-
vations.

I have the honor to be,

Sir,
Your most Obedient servant,

Charles W. Hemmett.

Commander R. I. M.

Acting Presidency Port Officer.

liable to a penalty not exceeding twenty
-five Rupees, and in default of pay-
ment to imprisonment for a period
not exceeding one calendar month.]

Charles & Stewart.

Commander R.S.M.

By. Presidency Port Officer.

4000 329 Marine
of 11th - 200/25

Ch. D. Burlew.

Col. R.S.

Under

Secretary to Government

Marine Dept.

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Marine
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7. So long as boats and rafts are lying alongside or are made fast to the pier, their respective crews shall remain on board.

8. All boats and rafts which are afloat and unemployed shall be made fast to moorings or be anchored at a distance of not less than 100 yards from the pier.

9. Boats and rafts lying alongside the pier shall be made fast in single tier, and shall be loaded or unloaded according to the priority of their arrival. All disputes concerning such priority shall be settled by the Port Officer whose decision shall be final and shall be carried out forthwith.

10. Smoking, the use of fire or naked lights and commission of nuisance on the pier are strictly prohibited.

[Note: - Madras Act V of 1863 section 14 declares that any person infringing these bye-laws shall on conviction by a Magistrate be liable

from the pier on any Sunday or any public holiday or after working hours.

5. All coolies employed on the Pier upon going to work thereon shall be supplied by the Port Officer with a badge which shall be a brass shield with a numeral and the letters T.P.S. (the latter signifying "Tinticorin Pier and Shed") engraved thereon. They shall wear the said badge while so employed, shall produce it whenever called upon to do so by the Port Officer and shall at the end of day deliver it up to the Port Officer. No person shall be allowed to work as a coolie on the pier without such badge.

6. No boats or rafts shall lie alongside or be made fast to the Pier except when loading or unloading cargo or baggage and taking off or landing passengers and then only so long as they are so employed. The Port Officer may remove any boat or raft lying alongside the pier contrary to the provisions of this bye-law if such boat or raft be not removed when ordered.

Marine Dept.
Notification.

Under the provisions of Madras Act V of 1863 extended by Notification dated 27th July 1885 under Section 7 of Madras Act VII of 1871, His Excellency the Governor in Council sanctions the following bye-laws relating to the new iron screw pile pier at Tuticorin.

1. Toll shall be levied on all passengers who use the pier ladders, but not on the public who use the pier for recreation when no traffic or work is going on.

2. No goods shall be removed from the pier until the toll leviable thereon has been paid.

3. The working hours on the pier shall be from 6 A.M. to 6 P.M. every day (Sundays and Public holidays excepted). During those working hours no person shall be admitted on to the pier except passengers embarking therefrom or landing thereat, or persons having business to transact thereon.

4. Except with the written permission of the Port Officer no goods other than passengers' baggage shall be received on or removed from

CURRENT No. 700

Opinion.

I have the following remarks to make upon the Draft bye-laws submitted to me.

The Preamble should I think read thus

"Under the provisions of Madras Act V of 1863 extended by Notification dated 27th July 1885 under Section 7 of Act VII of 1871, H.E. the Governor in Council sanctions the following bye-laws relating to the new Iron Screw Pile Pier at Tuticorin".

I think that "shall" should be substituted throughout for "Will".

Are persons on duty and boatmen who pass through the gates at the top of the pier ladders to pay toll under bye-law 1?

As that bye law now stands they are liable.

What is meant by "&c" in bye-law 2?

This bye-law should be recast.

Who are included in the term "idlers" in bye law 3?

Bye laws 3 and 4 may be combined into one bye-law with advantage.

Bye law 5 is rather indefinite. It does not state by whom the "written requisition" is to be made or to whom it is to be presented.

The Legislature did not consider such "written requisition" necessary when they passed "The Sea Customs Act 1878" Section 72. That Section seems to make this proposed bye-law unnecessary. At any rate I think that the words "except on written requisition" should be struck out and words more in keeping with Section 72 of Act VIII of 1878 should be substituted.

Bye law 6. Bye-law 6 does not state what the badge is or by whom it is to be supplied or provide for its supply on demand or its production or return.

Bye laws 7 & 8. Bye laws 7 & 8 should form but one bye-law.

Bye law 9. I confess that I do not understand bye-law 9, as it stands.

As the bye law now stands boats' Crews are never to leave their boats. Such a bye-law is unreasonable. Probably the meaning is -

expressed

expressed in my draft Bye-law No.7 post.

Bye-law 10. Bye-law 10 must be recast "Any fire whatsoever" would include lamps. Is it intended to prohibit their use on the pier. ?

2. I think that the following notification and bye-laws may be substituted for those submitted to me for scrutiny and remarks.

The numbers within brackets in the margin refer to the bye laws made by the Madras Harbour Trust Board sanctioned by Government 23rd May 1888, and published in the Fort Saint George Gazette 12th June 1888 Part I p.393.

DRAFT NOTIFICATION.

Under the provisions of Madras Act V of 1863 extended by Notification dated 27th July 1885 under Section 7 of Madras Act VII of 1871, His Excellency the Governor in Council sanctions the following bye-laws relating to the new iron screw pile Pier at Tuticorin.

1. Toll shall be levied on all passengers who use the pier ladders, but not on the public who use the pier for recreation when no traffic or work is going on.

2. No goods shall be removed from the pier until the toll leviable thereon has been paid.

3. The working hours on the Pier shall be from 6 A M to 6 P M every day (Sundays and Public holidays excepted). During those working hours no person shall be admitted on to the pier except passengers embarking therefrom or landing thereat, or persons having business to transact thereon.

4. Except with the written permission of the Customs Collector [Act VIII of 1878 S 72] (?) no goods other than passengers' baggage shall be received on or removed from the pier on any Sunday or on any Public holiday or after working hours. [2]

5. All coolies employed on the Pier upon going to work thereon shall be supplied by (here enter the officer) with a badge consisting of (here enter description such as a Zinc disk perforated with a numeral &c) They shall wear the said badge while so employed, shall produce it whenever called upon to do so by (here enter officer) and shall at the end of day deliver it up to (here enter officer) [5]

No person shall be allowed to work as a cooly on the pier without such badge.

6. No boats or rafts shall lie alongside or be made fast to the pier except when loading or unloading Cargo or baggage and taking off or landing passengers and then only so long as they are so employed.

The Port Officer may remove any boat or raft lying alongside the pier contrary to the provisions of this bye-law if such boat or raft be not removed when ordered.

7. So long as boats and rafts are lying alongside ^{or} are made fast to the pier, their respective crews shall remain on board.

8. All boats and rafts which are afloat and unemployed shall be made fast to moorings or be anchored at a distance of not less than 100 yards from the pier.

9. Boats and rafts lying alongside the pier shall be made fast in single tier, and shall be loaded or unloaded according to the priority of their arrival. All disputes concerning such priority shall be settled by the Port Officer whose decision shall be final and shall be carried out forthwith.

10. Smoking, the use of fire or naked lights and commission of nuisance on the pier are strictly prohibited

(Here add the following "NOTE")

[NOTE. Madras Act V of 1863 section 14 declares that any person infringing these bye-laws shall on conviction by a Magistrate be liable to a penalty not exceeding twenty five Rupees, and in default of payment to imprisonment for a period not exceeding one calendar month]"

MADRAS.
3rd September 1895.

J H Spring Branson.
Advocate General.

(True Copy)
Eusebio
Government Solicitor.

1895

Notification

Under the provisions of Section 14 of Madras Act V of 1863 the Right Honorable the ^{H.E.H.} Governor in Council is pleased to sanction the following bye-laws for observance on the new Iron Screw pile Pier at Tuticorin

1. No toll ^{shall} will be levied on persons using the Pier for recreation, but no one ^{shall} will be allowed to pass through the gates at the top of the ladders, either up or down without paying toll.

2. The toll ^{on all} on goods ^{removable} is payable before removal. ^{shall be paid}

3. No idlers ^{shall} will be allowed on the pier between ^{7?} 6 A.M. and ^{5?} 6 P.M. on week days; at other times the pier will be open to visitors.

4. The working hours of the Pier shall be from 6 A.M. to 6 P.M. on week days.

Not the intended

329 M. W. 1895

not even on duty such as boardmen

* The toll what is here referred to? What are included under "goods"? "etc." must be. The bye-law must be more specific.

* This might exclude cargo at Gopalpore the hours were 7 to 5 which seem more reasonable.

Tuticorin is much busier port

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No

5. No goods will be permitted to pass over the pier on Sundays and holidays except on written requisition.

6. All coolies employed on the Pier shall wear a distinctive badge and all others will be turned off during working hours.

7. All boats and rafts shall be made fast to moorings or anchored off the pier and none shall be allowed to lie alongside the pier except when loading or unloading.

8. The Port Officer is empowered to remove from alongside the pier all boats or rafts by cutting or casting off their painters, if not removed when ordered.

9. Boats' crews must remain in their boats.

10. All smoking, the use of any fire whatsoever and nuisance is strictly forbidden on the pier.

11. Boats shall only lie alongside the

the pier in single tiers and shall take their turn at loading or unloading according to priority of arrival, all disputes concerning such arrival to be referred immediately to the Port Officer.

Any infringement of the foregoing byelaws is punishable by fine of (Rs 5) Twenty five Rupees and in default of payment to imprisonment for one month.

Walter B. B. B.

Commander R. L. B.

Presidency Port Officer.

mmf.

on receipt of report

12 November 1895

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FIG

In Rec of 20/9/95
No 279 Marine

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in receipt of replies from