P. W. D. 6th CIRCLE.

FROM

THE SUPERINTENDING ENGINEER,
6TH CIRCLE.

TO

THE CHIEF ENGINEER,
Prov.

No. 180 T.W.

Dated 18
Received } February 1896

Enclosures. 1

Submitting for information a tracing of te Screw Pile Pier head t Tuticorin

~~P. W. CURRENT No. 1711~~

Marine current No: 245

I have the honour to be,
Sir,
Your most obedt. Servant

W. Hughes
Superintending Engineer
VI Circle

5. 3. 96
Recd: ~~20. 2. 96~~
Encls 1 plan.

17/2

No 1200 C d/ 3rd March 1896

Transferred to the Marine Department with reference to G.O. No. 752 W d/ 2nd March 1896.

28/2/96
W

C.W.H. 28.2.96

+ Cony 1890

Marine (1896) Department.

G.O., No. 170 Mar
DATED 14/3/96

[Despatch Abstract.]

Shipping Casualties — Instructions drawn up by the Presidency Port officer, regarding the investigating — approved and circulated to the officers concerned

M. S.
500—13-2-96.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

A

ovt. of {1896} Madras.

MARINE.

Dated March, 14th.

Recd. *Encl.*

G.O. No. 170, 14th March 1896.

MARCH.

Shipping Casualties

Approving the instructions drawn up by the Presidency Port Officer in regard to the investigation of —, and circulating them for the guidance of officers concerned.

BACK PAPERS.

Date.

No. 170, MARINE, 14TH MARCH 1896.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper :—

From Commander H. A STREET, R.I.M., Presidency Port Officer, Madras, to the Joint Secretary to Government, Marine Department, dated 24th February 1896, No. 64 G.

I beg to bring to notice that no instructions exist for the guidance of Port officers in this Presidency in connection with the report which is required from a Port officer under section 6 of Act V of 1883. As such instructions seem necessary, I have drawn up for approval the accompanying draft instructions which are similar to a great extent to those laid down by the Government of Bengal for the guidance of the Port Officer, Calcutta, in regard to the same matter.

2. At present, an out-port Port officer and the Deputy Conservator, Madras, merely report that a casualty has occurred and state whether they consider a formal enquiry necessary or not, but hold no informal preliminary enquiry as is the custom in Bengal; and thus the Presidency Port Officer has nothing to guide him in advising Government on the matter beyond the bare report of the Port officer or Deputy Conservator.

ENCLOSURE.

Investigations into shipping casualties.

When a report regarding a shipping casualty is received, or when it comes to a Port officer's knowledge that a casualty as described in section 6 (1) (*a*) to (*e*) of Act V of 1883 has occurred, he will hold, as soon as possible afterwards, an *informal preliminary investigation*, exercising, in doing so, the powers conferred on him by section 9 of Act VI of 1891, and will submit without delay the proceedings of such enquiry with a report on the matter to the Presidency Port Officer.

2. This investigation which is entirely *informal* and not bound by any laws of evidence or rules of procedure, is to be of such a searching character as to render the report to be thereon drawn up a full and sufficient a statement of the whole case as will enable the Government to determine whether it is requisite to direct a *formal* investigation under Act V of 1883 to be held.

3. The objects of an enquiry into a casualty to any vessel are—

(i) to determine whether the casualty or accident was caused by any previously unknown danger or by insufficiency of lights in view to the adoption of measures to prevent the recurrence of similar accidents ;

(ii) to determine whether the accident was due to the incompetency of the Master, Mates or Engineers or to default or negligence on their part, in view to dealing with their certificates of competency in accordance with the law ;

(iii) to determine whether any offence was committed under any law in force in British India in view to the offender being brought to trial before a proper court in accordance with the law ;

4. In conducting an informal enquiry a Port officer will bear in mind that—

(*a*) he may, if necessary, examine upon oath, but he will probably seldom find it necessary to do so ; and that the depositions taken on oath should be as nearly as possible *verbatim* and signed by the deponent.

(*b*) *The evidence is to be taken in writing* in all cases where there is any point which it is important to establish, or any question of fact in dispute, or doubt.

(*c*) All statements taken in writing, whether made on oath or not, are to be certified to by the Port officer as taken by him.

(*d*) In all cases of casualties arising from avoidable causes, the report and statement of the evidence bearing on the point should be full and complete.

5. The report will assume one of two forms—

(1) It will be to the effect that no blame attaches to any one and no further enquiry is needed; or

(2) It will state that a further formal enquiry appears necessary; that blame *primâ facie* attaches to some one—either Master, Mate or Engineer of the vessel, or Pilot or Harbour Master of the port—or that the circumstances attending the casualty point to some defect in the vessel.

In case (2) the Port officer will order the detention of such witnesses as are necessary for the proper elucidation of the facts.

6. Each deponent should be examined as soon after the casualty as possible, and separately:

(*a*) No one is to be in the room during the examination except the deponent and the Port officer or officer authorized to conduct the examination, but a representative of the vessel concerned may be also admitted at the Port officer's discretion. The interpreter (if any) is to be appointed by the Port officer, and must be independent of, and in no way connected with, the owners, master, agents, under-writers, &c, of the ship or cargo. If necessary, an oath is to be administered to the interpreter to interpret according to the best of his skill and ability.

(*b*) If a deponent shows a disinclination to answer questions of which he may reasonably be expected to have knowledge, a note should be made to that effect.

7. In the case of a casualty to a foreign vessel, the representative of the State under whose flag the vessel sailed should be asked whether he has any objection to an enquiry being held, and, should he object, the matter is to be at once reported to the Presidency Port Officer in view of it being placed before Government.

Order—No. 170, Marine, dated 14th March 1896.

His Excellency the Governor in Council approves the instructions drawn up by the Presidency Port Officer. They will be circulated for the guidance of officers whose duty it is to investigate shipping casualties in this Presidency.

(True Extract.)

Under Secy. to Government.

To the Presidency Port Officer, with file of papers returned.
„ Chairman, Harbour Trust Board.

Exd. T. K. Narayana Aiyangar.
Spare Copies

Marine
~~Public Works~~ Department.

No 170 Marine of 14th March 1896.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

6 P

Read the following

From the Presy. Port Officer, Madras, No. 64 G., dated 24th February 1896.

Print with order

His Excellency the Governor in Council approves the instructions drawn up by the Presidency Port Officer. They will be circulated for the guidance of Officers whose duty it is to investigate shipping casualties in this Presidency.

W
11 Mar

13/3/96

10/3/96

9.3.96

DESPATCHED
23 MAR 96

To

The Presy. Port Officer with file of papers returned.

„ Chairman, Harbour Trust Board.

(40—4,000—2-11-95.)

19s Telephone

From the Jt Secy. Marine Dept
To the Presidency Port officer

Your letter No. [illegible] dated 14 February 1896 regarding investigations into Shipping Casualties. Can you supply for reference a copy of the Bengal instructions referred to by you?

+ C No 248/96 - 4/3/96

R.S.
4 Mar 96.

Despd
5/3 pm

F.O. till the regulations received from the P.P.O.
5/3/96

K.E.
Km (6)

Instructions in regard to the investigation of Shipping Casualties

Print

3 S.P.

Investigations into Shipping Casualt

When a report regarding a Shipping casualty is received or when it comes to a Port Office knowledge that a casualty as described in section 6 (1) (a) to (e) of Act V of 1883 has occurred, he will hold, as soon as possible afterwards, an informal preliminary investigation, exercising, in doing so, the powers conferred on him by section 9 of Act VII of 1891, and will submit without delay the proceedings of such enquiry with a report on the matter to the Presidency Port Officer.

2. This investigation which is entirely informal and not bound by any laws of evidence or rules of procedure, is to be of such a searching character as to render the report to be thereon drawn up so full and sufficient a statement

of

the whole case as will enable Government to determine whether is requisite to direct a formal investigation under Act V of 1883 to be held.

3. The objects of an enquiry into casualty to any vessel are:—

I. to determine whether the casualty or accident was caused by any previously unknown danger or by insufficiency of lights, in view to the adoption of measures to prevent the recurrence of similar accidents;

II. to determine whether the accident was due to the incompetency of the Master, Mates or Engineers to default or negligence on their part, in view to dealing with their certificates of competency in accordance with the law;

III. to determine whether any offence was committed under any law in force in British India in view to the offender being brought to trial before a proper Court in accordance with the law;

4. In conducting an informal enquiry a Port officer will bear in mind that:—

(a) he may, if necessary, examine upon oath, but he will probably seldom find it necessary to do so and that the depositions taken on oath, should be as nearly as possible *verbatim* and signed by the deponent.

(b) The evidence is to be taken in writing in all cases where there is any point which it is important to establish, or any question of fact in dispute, or doubt;

(c) All statements,
writing whether made on oath or not are to be certified to by the Port officer as taken by him;

(d) In all cases of casualties arising from avoidable causes, the report and statement of the evidence bearing on the point should be full and complete.

500-14-3-98.

5. The Report will assume
e of two forms:—

(1). It will be to the effect that
o blame attaches to anyone
nd no further enquiry is needed;
or

(2) It will state that a further
formal enquiry appears necessary;
that blame "prima facie" attaches
to some one, either Master, Mate
or Engineer of the vessel, or Pilot or
Harbour Master of the Port, or
that the circumstances attending
the casualty point to some
defect in the vessel.

In case (2) the Port officer will
order the detention of such witnesses
as are necessary for the proper
elucidation of the facts.

6. Each deponent should be
examined as soon after the
casualty as possible, and separately.

(a) No one is to be in the room
during the examination except
the deponent and the Port officer
or Officer authorized to conduct the
examination

examination, but a representative of
the vessel concerned may be also admitted
at the Port Officer's discretion.
The interpreter (if any) is to be appointed
by the Port Officer, and
must be independent of, and in
no way connected with the owners,
Master, Agents, Under-writers &c
of the Ship or Cargo. If necessary,
an oath is to be administered
to the interpreter to interpret
according to the best of his
skill and ability.

(b) If a deponent shews a
disinclination to answer
questions of which he may reasonably
be expected to have knowledge,
a note should be made to that
effect.

7. In the case of a casualty
to a Foreign vessel, the representative
of the State under whose flag
the vessel sailed should be
asked whether he has any
objection to an enquiry being
held,

held, and should he object, the matter is to be at once reported to the Presidency Port Officer in view of it being placed before Government.

H A Street
Commander, R.I.M.
Presidency Port Officer

Encls 1
Mar 155/96

No. 64 G

Heading.

Print

PRESIDENCY PORT OFFICE,
Madras, 24 February 1896.

From

Commander H A Street, R.I.M.,
PRESIDENCY PORT OFFICER,
Madras,

1 Para

To

THE ~~CHIEF~~ SECRETARY TO GOVERNMENT,
MARINE DEPARTMENT,
~~*Fort Saint George*.~~
Chepauk.

SIR,

I beg to bring to notice that no instructions exist for the guidance of Port Officers in this Presidency in connection with the report which is required from a Port Officer under section 6 of Act V of 1883. As such instructions seem necessary, I have drawn up for approval the accompanying draft instructions which are similar to a great extent to those laid down by the Government of Bengal for the guidance of the Port Officer Calcutta in regard to the same matter.

2

2. At present an outport Port Officer and the Deputy Conservator, Madras, merely report that a casualty has occurred and state whether they consider a formal enquiry necessary or not, but hold no informal preliminary enquiry as is the custom in Bengal, and thus the Presidency Port Officer has nothing to guide him in advising Government on the matter beyond the bare report of the Port Officer or Deputy Conservator.

I have the honor to be,
Sir,
Your obedient Servant,

H. Holbert
Commander, R.I.M.,
Presidency Port Officer

Marine Current No:

Encls/
Recd: 25.

Marine (1896) DEPARTMENT.

From

THE PRESIDENCY PORT OFFICER,
Madras,

To

THE SECRETARY TO GOVERNMENT,
~~PUBLIC WORKS~~ (MARINE) DEPARTMENT,
~~Madras~~
Chepak

No. 64 G.

Dated 24th } February 1896.
Received

No.

Subject.

Forwarding for approval draft instructions in connection with the investigations into shipping Casualties.

Heading

No. $\frac{1265}{81}$ G

Presidency Port Office,
Madras, 5th March 1896.

From

The Presidency Port Officer, Madras.

× File of Bengal Government Order &c regarding Investigations into Shipping Casualties.

Forwarded to the Secretary to Government, Marine Department, with reference to his telephonic message of 4th March 1896. (return requested when done with.)

H A Street

Commander R.I.M.
Presidency Port Officer.

Marine Current No: 248

Encls 1

Recd: 6.3.96

Marine (1896) DEPARTMENT.

From

THE PRESIDENCY PORT OFFICER,
Madras,

To

THE SECRETARY TO GOVERNMENT,
~~PUBLIC WORKS~~ (MARINE) DEPARTMENT,
~~Madras.~~
Chepak

No. 1265/81 G

Dated 5th } March 1896.
Received }

The Indian Merchant Shipping Act 1883 ✓
Act No VI of 1891 ✓

No.

Subject.

Forwarding File of Bengal Government order &c. regarding Investigations into Shipping Casualties.

Mr. Walch's letter dated 16th Janu
received with the endorsement under reply

P. W. 40.

10-10-05
2-5-06
16.10.26

17/4/07

13,

DEPARTMENT.

aper taken out of the Records from the charge of the Referencer.

Press / Miscellaneous / Routine No. 177, dated 14—3—190 1896

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
10-10-05	Marin	1246	05	Cf	24-10-06	
17 4 07	—	428	07		1-7-07	
16/10/26	marine	6156	26	B11	7.12.26	

[P.W. 40]

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

Form No. 33.

No. 3[illegible]

Office of Agent for Government Consignments,

No. 8-6-96
408
837. 12-2-96

25/3/96

E.P.-171 Mar d/ 14-3-96

Financial ~~Public Works~~ Department

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Letter from Mr. G. J. Walch dated 16th January 1896:—

With reference to my letter of 11th October 1894 to the Chief Secretary and G.O. 419 Marine d/1st November 1894, I have the honour to apply for the Rs 1500 to be paid to me as professional fee in connection with the Mangalore Harbour Work, final report about which was forwarded with my letter of 14th November.

Letter from the Accountant General No. 326 dated 4th February 1896:—

With reference to your Endorsement No. 33 Marine dated the 24th of January 1896 enquiring whether funds are available under Mangalore Landing & Shipping dues to meet the claim of Mr. Walch viz Rs 1500 on account of his Professional fee in connection with the Mangalore Harbour Works and calling for a report of details of expenditure up to date, I have the honour to report that on the 31st December 1895 a balance of Rs 16,030 was available and that on the 31st March next it may be somewhat larger as according to the Port Fund Budget for the current official year the total charges on other accounts are not expected to exceed receipts. It would however be well for Government to refer the matter to the Presidency Port Officer.

As regards the expenditure, I find that up to date a sum of Rs 3010-11-0 as per details in the margin has been incurred under Government Orders No. 1983 Fin'l d/ 10th October 1894, " 285 " d/ 2nd April 1895, " 577 " d/ 2nd July 1895 in connection with Mr. Walch's deputation.

Travelling Expenses etc once in 1894-95	Rs 205-10-0
Fee at 50 per diem	1150-0-0
Travelling Expenses etc on 2 occasions in 1895-96	Rs 355-1-0
Fee at Rs 50 per diem	1300-0-0
Total	3010-11-0

I herewith return Mr. Walch's letter dated 16th January 1896 received with the Endorsement under reply

P. W. 40.
500-14-3-98.

FOR WHAT PURPOSE.

Endorsement thereon No. 58 E of 12th February 1896:—

Referred to the Presidency Port Officer for report as to whether funds are available under the Mangalore Landing and Shipping Dues to meet the claim preferred by Mr. Walch.

Letter from the Presidency Port Officer Madras No. 1412/82 G d/18th February 1896:—

In reply to End. No. 58 E d/12th February 1896 on Marine Current No. 101 herewith returned I have the honour to state that funds are available, the balance at credit of the Mangalore Landing & Shipping Dues Fund on 31st March 1896 being Rs 15928-10-10.

Endorsement thereon No. 105 E d/28th February 1896:—

Transferred to the Financial Deptt with the remark that Mr. Walch has submitted his final report on the Mangalore Harbour.

Order No. 149 Finl d/7th March 1896

The Acct. General is authorised to disburse from Landing & Shipping Dues the remuneration of Rs 1500 sanctioned in G.O. No. 419 Marine dated 1st November 1894.

(True Extract)
(Sd) G. S. Forbes
Ag Chief Secretary.

Order thereon No. 171 Mar d/14th March 1896.

Communicated to Mr. Walch

---

n No. 33.

No. 300

OFFICE OF AGENT FOR GOVERNMENT CONSIGNMENTS,

[G./15]

Govt. of {1896} Madras.

To

The Marine Dept

Proceedings, dated 7th March 1896,
No. 149.

Subject.

Authorising the Acct Genl to disburse from Landing & Shipping dues the remuneration of Rs: 1500 to Mr. Walch on account of his professional fee in connection with the Mangalore Harbour Works—

Marine Current No: 299
3-3-96 No 111 E
28-2-96 No 105 E
27-1-96 .. 33 (memo)
6-11-95 .. 317 Mar
G.O. 225 Mar. d/1-4-96
Recd: 12.3.96
7617 of 96

No. 171 Marine of 14th March 18

Communicated to Mr. Walch with reference to his letter No: - dated 16 January 1896.

Comd
12.3.96

To G. J. Walch Esq:
Ootacamund

R.S.

DESPATCHED
14 MAR 96

No. 33.

No. 300 OFFICE OF AGENT FOR GOVERNMENT CONSIGNMENTS,

Financial Department

PROCEEDINGS OF THE MADRAS GOVERNMENT

Read the following paper:-

Endorsement of the Marine Department, dated 28th. February 1896, No.105 E, on letter from the Presidency Port Officer, Madras, dated 18th. February 1896, No. 1412 G, ~~stat~~ stating that funds are available under the Mangalore Landing and Shipping Dues to meet the claims of Mr.Walch.

-----------0-----------

ORDER, No. 149, dated 7th. March 1896.

The Accountant General is authorised to disburse from Landing and Shipping dues the remuneration of Rs.1,500 sanctioned in G.O.No.419 Marine dated 1st. November 1894.

(True extract)

W W Phillips
Ag. Asstt: Secretary
for Chief Secretary.

"-- To-The Accountant General.
"-- " Marine Dept: ~~(with Spare Copy)~~
"-- " Public Works Department.

No. 33.

No. 300

OFFICE OF AGENT FOR GOVERNMENT CONSIGNMENTS,
Madras, 6th March 1896.

From

H. D. BADDELEY, ESQ.,

AGENT FOR GOVERNMENT CONSIGNMENTS, & Personal
Assistant to the Presidency Port officer
Madras.

To

The Secretary to Government
Marine Department

~~SIR,~~

Heading.

Thro' the Presidency Port officer & the
Accountant General, Madras

Sir,

I have the honor to request permission to proceed on furlough (Private affairs) for 6 months on or after April 1st 1896.

I have the honor to be,
Sir,
Your most obedient Servant,

H. D. Baddeley

Agent for Government Consignments &
Personal Asst to the Pre...

Encls 2
Mar 308/96

Thro' the Accountant General.

Heading.

No. 1217/9
86

Leave.

ACCOUNTANT GENERAL'S OFFICE
9 MAR 96
MADRAS

Presidency Port Office,

Madras, 7th March 1896.

From

Commander H. A. Street, R.I.M.,
Presidency Port Officer,
Madras,

To

The ~~Chief~~ Secretary to Government,
Marine Department,
~~Fort Saint George.~~ Chepauk

Sir,

I have the honor to forward 447/ in original an application from Mr. H. D. Baddeley, Agent for Government Consignments and Personal Assistant to the Presidency Port Officer for six months' furlough from or after the 1st April 1896 and to recommend the same for sanction.

2. The Reserve Port Officer's services are likely to be available for the performance of Mr. Baddeley's duties during the

latter's absence.

I have the honor to be,

Sir,

Your obdt. Servant,

H Street

Commander, R. I. M.,

Presidency Port Officer

mm d

Enclo 1
mar 305/86

To the Accountant General

Marine (1896) DEPARTMENT.

From

THE PRESIDENCY PORT OFFICER,

Madras,

To

THE SECRETARY TO GOVERNMENT,

~~PUBLIC WORKS~~ (MARINE) DEPARTMENT,

~~Madras~~
Chepak

No. 1217/86 G

Dated 7th
Received } March 1896.

No.

Subject.

Forwarding with recommendation an application from Mr. H. D. Baddeley for six months furlough.

A. D. H.
168

Mr Baddeley is eligible for leave on private affairs for 6 months under article 370 of the Civil Service Regulations, not for furlough under article 371.

Fort Saint George
Acctt. Genl's office
11 March 1896 } H. Marsh
Acctt. Genl

To

16 MAR. 96

Marine Current No: 208

Encls 2

Ordrs: 13.3.96

~~7 1106~~ 6.96
G.O. 334 Mar d/ 13-5-96

No. 146 d/25-4-94 ✓
" 212 " 7-6-94 ✓
" 153R " 24-8-94 ✓

Government of Madras.

Marine ~~PUBLIC WORK~~S DEPARTMENT.

Madras,

NOTIFICATION.

No. 172. Marine d/ 16th March 1896.

~~To C,~~

~~For publication.~~

Leave.

Under Article 370 of the C.S. Regulations Mr. H. D. Baddeley, Agent for Government Consignments and Personal Assistant to the Presidency Port Officer, is granted leave on private affairs for six months ~~from~~ after 1st April 1896.

14/3/96

14/3/96

14.3.96

DESPATCHED
16 MAR. 96

M. 6.
500—13-6-95.

-9-1-94.

The ~~Hon Mr Bliss~~ C.I.E.

~~7~~ 1106/96

6 months leave to

Mr Baddeley, Marine Dept

Urgent

No 172. Marine dept 16-3-96.

2/

9/