

1126, + 1201.

G.O., No. 804-5 *luar*

DATED 21st November 1896

[Despatch Abstract.]

Native Passenger Ships Act X of 1887: Orders authorizing the Presidency Port Officer to take the requisite proceedings under the — against the master of the Barque "Carundadan Carry Vethivaloo" for his breach of the law.

Native Passenger Ships Act N^o X of 1887: Forwarding *Copy* in regard to the master of the Barque "Carundadan Carry Vethivaloo" carrying passengers to Moulmein contrary to the provisions of the — and requesting that such action as may be deemed necessary in regard to the omission of the Port Officer Moulmein to enforce the provisions of the law, may be taken.

[1896-1897-98]

1.6.21/11

INDEXED.

21/11

Forwarding copy of Proceedings in regard to the master of the barque "Carundadan Cany Vettivaloo" carrying passengers to Moulmein contrary to the provisions of the —, and requesting that such action as may be deemed necessary in regard to the omission of the Port officer, Moulmein, to enforce the provisions of the law may be taken.

MARINE DEPARTMENT.

LETTER—from

THE HON'BLE COLONEL D. McNEIL CAMPBELL, R.E.,
Secretary to the Government of Madras,
Marine Department,

To

THE SECRETARY TO THE CHIEF COMMISSIONER,
BRITISH BURMA.

SIR,

I am directed to forward, for the Chief Commissioner's information, the accompanying copy of Proceedings No. 804, Marine, dated 21st November 1896, in regard to the master of the barque "Carundadan Cany Vettivaloo" carrying passengers to Moulmein contrary to the provisions of the Native Passenger Ships Act X of 1887, and to request that the Chief Commissioner will be so good as to take such action as may be deemed necessary in regard to the omission of the Port officer, Moulmein, to enforce the provisions of the law.

I have the honour to be,
Sir,
Your most obedient servant,

Colonel, R.E.,
Secretary to Government.

FORT ST. GEORGE,
21st November 1896.

Erd. P. Seetharam.

Government { 1896 } of Madras.
MARINE.

Recd.

Regd.

1896.

Enclosures

Spare copies

G.O., No. 804, 21st November 1896.

NOVEMBER.

Native Passenger Ships Act X of 1887

Orders authorizing the Presidency Port Officer to take the requisite proceedings under the — against the master of the barque "Carundadan Cany Vettuvaloo" for his breach of the law.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—again the following paper:—

G.O., No. 658, Marine, dated 28th September 1896.

READ—also the following papers:—

From Commander H. A. STREET, R.I.M., Presidency Port Officer, Madras, to the Secretary to Government, Marine Department, dated 17th October 1896, No. 460/332 G.

With reference to G.O., No. 658, Marine, of 28th September 1896, I have the honour to acquaint you, for the information of Government, that it has been ascertained through the Port officer, Moulmein, that a list of the passengers who embarked at Karikal in the barque "Carundadan Cany Vettivaloo" seems to have been supplied by the French authorities to the British Consular Agent at that port (*vide* copy attached of letter from that official to the Port officer, Moulmein) and no action appears to have been taken by the Port officer, Moulmein, on the arrival of the vessel, as he seems to have been under the impression that the passengers were permitted to embark by the British Consular Agent—*vide* copy of letter from the Port officer, Moulmein, to the Port officer, Negapatam, attached.

2. I submit that a reference to the Chief Commissioner of Burma in the matter is necessary.

ENCLOSURES.

From Her Britannic Majesty's Consular Agent, Karikal, to the Port Officer, Moulmein, dated 4th September 1896, No. 539.

I have the honour to forward herewith in original the list supplied to me by the French authorities of Karikal of free passengers permitted to embark for your port yesterday evening from Karikal per barque "Carundadan Cany Vettivaloo," and to request you will be pleased to verify the same on the landing of passengers in Moulmein.

From Commander C. W. R. HOOPER, R.I.M., Port Officer, Moulmein, to the Port Officer, Negapatam, dated the 21st September 1896, No. 394/13, Financial.

With reference to your letter No. 15/709 of the 9th instant, I have the honour to state that the barque "Carundadan Cany Vettivaloo" arrived at this port on the 18th instant a day prior to the receipt of your letter, with 138 adults and 3 minors as passengers, who were permitted to embark at the port of Karikal by Her Britannic Majesty's Consular Agent as per copy of letter herewith attached to my address.

From Commander H. A. STREET, R.I.M., Presidency Port Officer, Madras, to the Secretary to Government, Marine Department, dated 5th November 1896, No. 460/357.

With reference to the instructions contained in Marine Department memo. No. 530 E., dated 2nd November 1896, I have the honour to state as follows, viz.:—

(a) The circumstances connected with the departure of the barque "Carundadan Cany Vettivaloo" from Negapatam and Karikal are detailed in this office letter No. 460/318 G., dated 19th September 1896.

(b) The Native Passenger Ships Act applies to sailing vessels carrying as passengers more than 30 Natives of Asia, and as 141 Native passengers were conveyed by the "Carundadan Cany Vettivaloo" from Karikal—a port not in British India—to Moulmein, a port in Burma, the master and owners of the vessel have committed a breach of section 38 of the Native Passenger Ships Act and rendered themselves liable to the penalty specified therein for bringing passengers from a foreign port in excess of the authorized number.

(c) In taking on board, at Karikal, passengers in excess of 30, the master and owners of the vessel in question apparently were under the impression that the provisions of the Native Passenger Ships Act could be evaded by taking passengers from a foreign port, and therefore I consider that the penalty specified in section 38 of the Act should be enforced, in order to check similar attempts to evade the Act in future, and that on the return of the vessel to Negapatam steps should be taken to enforce the penalty.

(d) Action, I submit, should have been taken in this matter by the Port officer, Moulmein, but that officer appears to have been under the impression that the passengers had been permitted to embark at Karikal under the authority of the British Consular Agent at that port; I would observe, however, that all the British Consular Agent did was to send the Port officer, Moulmein, a copy of the information supplied to him by the French authorities, and, on the receipt of this information, the Port officer could have taken action; the British Consular Agent does not appear to have authorized the carrying of excess passengers; his attention, however, might be drawn to the provisions of the Native Passenger Ships Act as specified in section 38.

ORDER—No. 804, Marine, dated 21st November 1896.

The Presidency Port officer is authorized to take the requisite proceedings under the Native Passenger Ships Act against the master of the barque "Carundadan Cany Vettivaloo" for his breach of the law. The attention of the British Consular Agent at Karikal will be called in the Public Department to the provisions of the Act in view to evasions of the law being prevented or brought to notice in future.

2. The correspondence will also be forwarded to the Chief Commissioner, British Burma, for information, and such further action as he may consider necessary in regard to the omission of the Port officer, Moulmein, to enforce the provisions of the Act. The owner of the vessel is said to have sailed without the certificates required by section 9 (1) of the Act.

[Here enter No. 805, Marine, dated 21st November 1896.]

(True Extract.)

Under Secretary to Government.

To the Presidency Port Officer.

Public Department, with copy of G.O., No. 658, Marine, dated 28th September 1896.

Exd. P. Soetharam

The Am for C. J. E. ✓
His Excellency the Governor ✓

Evading of Native Passengers Ships Act

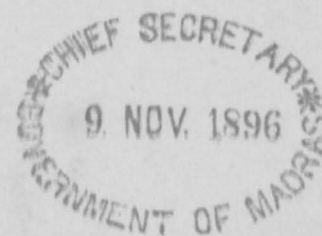
PROCEEDINGS OF THE MADRAS GOVERNMENT.

No 804 Marine of 21st November 1896.

Read the following

18th G. O. No. 658 Marine dated 28th September 1896.

Letter from the Presidency Port officer, No. $\frac{460}{332}$ & dated 17th Oct 1896.
" " " " " $\frac{460}{357}$ & dated 5th Nov. 1896.



28
14/11/96

A.S.K.
15.11.96

10. The Chief Secretary for forwarding of counterintals -

The Presidency Port Officer is authorised to take the requisite proceedings under the Native Passengers Ships Act against the master of the Barque "Barundadan Ganu Vettivaloo" for his breach of the law. The attention of the British Consular Agent at Karikal will be called in the Public Department to the provisions of the Act in view to evasions of the law being prevented or brought to notice in future.

2. The Correspondence will also be forwarded to the Chief Commissioner, British Burma, for information and such further action as he may consider necessary.

necessary in regard to the omission
of the Port Officer, Maulmain, to
enforce the provisions of the act.

The owner of the vessel is said
to have sailed without the certi-
ficates required by Section 9(1)
of the Act.

RS

7/11/96

MA
9.9.11.96

The Presidency Port Officer.
" Public Department
with copy of 80.
658 Mar
9.28.9.96.

No. 805 marine

Government of Madras.

Marine
PUBLIC WORKS DEPARTMENT.

To

The Secretary to

The Chief Commissioner
British Burma.

21st November 1896.

SIR,

RS
14/11/96

ASH
18.11.96

Defetuli

send also
copy of 80. 658 Mar
8.28.9.96.

Le W
1/12/96

I am directed to forward
for the Chief Commissioner's
information the accompanying
Copy of Proceedings No. 804
dated 21st November 1896 in regard
to the master of the Barque
"Carundadan Bany Vettivaloo"
carrying passengers to Maulmain
Contrary to the provisions of the
Native Passenger Ships Act
No. 5 of 1887, and to request
that the Chief Commissioner
will be so good as to take such
action as may be deemed nec-
essary in regard to the omission
of the Port Officer, Maulmain
to

to enforce the provisions of the law

I have etc.

7/11/86
No. 9.1.96

ES

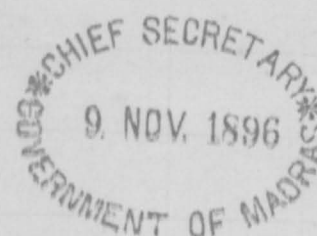
Marine (1896) Department.

CURRENT No. 1126

Order

From,

The Presidency Court Office,
Madras



No. 460
332 9

Dated 17 October 1896.

Received 20.10.96

Enclosures one.

Spare copies

SUBJECT.

Reporting further in connection with a Barque carrying more passengers than would have been permitted to embark at a British Port.

Read in this condition on the 12-11-96.

5-7/11-1896

BACK PAPERS.

FURTHER PAPERS.

G.O.	No.	Department.	Date.
5308	87	2-11-96	
658		name 289-96	✓
		Habers	
300		Passim	12-8-90 ✓
301			
318		- - -	17-7-89

G.O.	No.	Department.	Date.
		7-12-01	96
		31 Mar 97	11-1-97

No. 460/332 G

Presidency Port Office,
Madras, 17 October, 1896.

From

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

To

The Secretary to Government,
Marine Department,
Chepak.

Sir,

With reference to G.O., Marine, No. 658 of 28th September 1896, I have the honor to acquaint you, for the information of Government, that it has been ascertained through the Port Officer, Maulmain, that a list of the passengers who embarked at Karikal in the Barque "Carundadan Cany Vettiavaloo" seems to have been supplied by the French Authorities to the British Consular Agent at that Port vide copy attached of letter from that Official to the Port Officer, Maulmain and no action appears to have been taken by the Port Officer, Maulmain, on the arrival of the vessel, as he seems to have been under the impression that the passengers were permitted to embark by the British Consular Agent vide copy of letter from the Port Officer, Maulmain, to the Port Officer, Negapatam, attached.

2. I submit that a reference to the Chief Commissioner of Burmah in the matter is necessary.

I have the honor to be,

Sir,

Your Obedient Servant,

H. A. Street

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

mmv

on the 12-11-96

H. B. M's Consulate
Karikal 4th September, 1896.

No. 539

From

H. B. M's Consular Agent,
Karikal,

To

The Port Officer,
Moulmein,

Sir,

I have the honor to forward herewith in original the list supplied to me by the French Authorities of Karikal of free passengers permitted to embark for your Port yesterday evening from Karikal per Barque "Carundaden Cany Vettivaloo" and to request you will be pleased to verify the same on the landing of passengers in Moulmein.

I have &c.

(S/d) P. Ganapati Ayer
British Pro-Consul at Karikal.

Financial Department.

No. 394/13

From:

Commander C. W. R. Hooper, R.I.M.,
Port Officer,

Moulmein,

To

The Port Officer,

Negapatam.

Dated Moulmein the 21st of September 1896.

Sir,

With reference to your letter No. 15/709 of the 9th instant, I have the honor to state that the Barque "C. C. Vettivaloo" arrived at this Port on the 18th instant a day prior to the receipt of your letter, with 138

on the 12-11-96

adults and 3 minors as passengers who were permitted to
embark at the Port of Marikal by Her Britannic Majesty's
Consular Agent as per copy of letter herewith attached
to my address.

I have &c.

(s/d) C. W. R. Hooper

Comdr., R.I.M.,

Port Officer.

(True Copies)

H. A. Theet

Commander, R.I.M.,

Presidency Port Officer.

Marine (1896) Department.

CURRENT No. 1201

Order

From

The Presidency Port Office,
Madras

No. $\frac{460}{357}$ G.

Dated 5 November 1896

Received 5. 11. 96

Enclosures "

Spare copies

SUBJECT.

Reporting further in connection
with the barque "Carundadan
Cany Vettivaloo" for carrying
more passengers than
would have been permitted
to embark at a British
port.

on the 12-11-96.

BACK PAPERS.

G.O.	No.	Department.	Date.
Act	x of 1887	✓	
Rules	notification	to	
under	native	passenger	
Act	x of 1887.	Blue Book	
5308	mar	2-11-86	
658	oil	- 28-9-86	
300-1	Colony	- 12-8-80	
318	Colony	- 17-7-89	

FURTHER PAPERS.

No. 460/357

Presidency Port Office,
Madras, 5th November, 1896.

From

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

To

The Secretary to Government,
Marine Department,

Sir,

With reference to the instructions contained in Marine Department Memorandum, No. 530, E, dated 2d November 1896, I have the honour to state as follows, viz-

(a) The circumstances connected with the departure of the Barque "Garundadan Cany Vettivaloo" from Negapatam and Karikal are detailed in this office letter No. 460/318,G, dated 19th September 1896;

(b) The Native Passenger Ships Act applies to sailing vessels carrying as passengers more than thirty natives of Asia, and as 141 native passengers were conveyed by the "Carundaden Cany Vettivaloo" from Karikal___ a port not in British India___ to Maulmain, a port in Burmah, the Master and Owners of the vessel have committed a breach of Section 38 of the Native Passenger Ships Act and rendered themselves liable to the penalty specified therein for bringing passengers from a foreign port in excess of the authorized number;

(c) In taking on board, at Karikal, passengers in excess of thirty, the Master and Owners of the vessel in question apparently were under the impression that the provisions of the Native Passenger Ships Act could be evaded by taking passengers from a foreign port, & there-

* 90658 hier
28.9.96

May 9

fore I consider that the penalty specified in Section 38 of the Act should be enforced, in order to check similar attempts to evade the Act in future, and that on the return of the vessel to Negapatam steps should be taken to enforce the penalty;

(d) Action, I submit, should have been taken in this matter by the Port Officer, Maulmain, but that Officer appears to have been under the impression that the passengers had been permitted to embark at Karikal under the authority of the British Consular Agent at that port; I would observe, however, that all the British Consular Agent did was, ^{to send} ~~that he sent~~ the Port Officer, Maulmain, a copy of the information supplied to him by the French Authorities, and on the receipt of this information the Port Officer could have taken action; the British Consular Agent does not appear to have authorized the carrying of excess passengers; his attention, however, might be drawn to the provisions of the Native Passenger Ships Act as specified in Section 38.

I have the honor to be,

Sir,

Your Obedient Servant,

H. A. Theet

Commdr.: R. I. M.,

Presidency Port Officer.

mmf