

Marine (189) Department.

G.O., No. 493 Mar

DATED 28-5-97

[Despatch Abstract.]

Quarantine Rules. ^{Observing} ~~Enforcing~~ that the rules printed with E. 344. ^{28 April 1897} ~~relating~~ inspection compulsory in the case of all vessels leaving for any port "out of India" and para 2 of the Notice printed with E. 323. ^{28 April 1897} directing Health Officers to exercise their powers of inspection on all outward vessels for "whatever destination such vessels may be declared" are not inconsistent and should be acted on.

<i>Recd.</i>	} 1897.	<i>Enclosures</i>
<i>Regd.</i>		<i>Spare copies</i>

G.O., No. 493, 28th May 1897.

MAY.

Observing that the rules printed with G.O., No. 344, Marine, dated 8th April 1897, rendering inspection compulsory in the case of all vessels leaving for any port "out of India" and paragraph 2 of the notification printed with G.O., No. 323, Marine, dated 1st April 1897, directing Health officers to exercise their powers of inspection on all outward vessels for "whatever destination such vessels may be declared" are not inconsistent and should be acted on.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper :—

From A. E. CASTLESTUART STUART, Esq., Collector of South Arcot, to the Secretary to Government, Marine Department, dated Vriddhachalam, 19th May 1897, No. 1862.

I have the honour to request the favour of an authoritative ruling by Government on the following point :—

Is a vessel calling at the port of Cuddalore and bound thence for Bombay *via* Negapatam and Colombo liable to be inspected by the Port Health officer for the purposes of Act III of 1897 (the Epidemic Diseases Act)?

2. Under paragraph 2 of the notification ordered to be published by Government in G.O., No. 323, Marine, dated 1st April 1897, "all other officers appointed Health officers under the said Act or otherwise will exercise their powers in the case of all vessels leaving the ports for which they have been appointed, *for whatever destination such vessels may be declared.*"

3. In obedience to the terms of this notification which are printed in italics, the Health officer at the port of Cuddalore inspected the British India Steam Navigation Company's S.S. *Chanda* on 5th May 1897 before she left the port bound for Bombay *via* Negapatam and Colombo. The Commander took exception to this inspection, urging that as his vessel was not bound for "any port out of India" from Cuddalore, but directly for Negapatam—another port in India—no such inspection was necessary.

4. The notification ordered to be published by Government in G.O., No. 344, Marine, dated 8th April 1897, apparently lends support to the Commander's objection, though it would seem to be contradictory to the notification referred to in paragraph 2 *supra*. By the later notification—the former being also in force—His Excellency the Governor in Council was pleased "to declare that all vessels and persons leaving" certain ports in the Madras Presidency, of which Cuddalore is one, "*for ports out of India*" shall be subjected to the regulations therein formulated. Paragraph 2 of these regulations runs: "No vessel shall leave any such port *for any port out of India* until she has been inspected by the Health officer of the port," &c. The words which are printed in italics might be taken to mean that a vessel leaving Cuddalore directly for Negapatam—which is *not* "a port out of India"—need not be inspected by the Health officer, whereas the former notification makes it clear that Health officers are to exercise their powers "in the case of all vessels leaving the ports for which they have been appointed, *for whatever destination such vessels may be declared.*"

5. I venture to submit that, during the continuance of the plague epidemic, it is desirable that all vessels should be inspected at each of the ports specified in the later notification before leaving such ports for whatever declared destination.

ORDER—No. 493, Marine, dated 28th May 1897.

His Excellency the Governor in Council observes that the rules printed with G.O., No. 344, Marine, dated 8th April 1897, render inspection compulsory in the case of all vessels leaving for any port "out of India," and paragraph 2 of the notification printed with G.O., No. 323, Marine, dated 1st April 1897, directs Health officers to exercise their powers of inspection on all outward vessels for "whatever destination such vessels may be declared." There is nothing inconsistent in the rules as they stand, and as one rule is not declared to have superseded the other, both are in force, and should be acted on. The intention is to extend the power of inspection prescribed in the rules printed with G.O., No. 344, Marine, dated 8th April 1897. The order of dates of the two notifications was accidental.

(True Extract.)

(Signed) D. McNEIL CAMPBELL, Colonel, R.E.,
Secretary to Government.

To the Presidency Port Officer.

" Collectors of Maritime Districts.

" the Surgeon-General.

" the Local and Municipal Department.

" the Public Department.

" the Government of India, Home Department, } with C.L.

" other Governments,

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

From the Collector of South Arcot, No. 1862 dated 19th May 1897.

No 493 Marine 8 28 May 1897
His Excellency the Governor in

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Council observes that the rules printed with G.O. 344 Marine dated 8th April 1897 render inspection compulsory in the case of all vessels leaving for any port "out of India", and para 2 of the notification printed with G.O. 323 Marine dated 1st April 1897 directs health officers to exercise their powers of inspection on all outward vessels for "whatever destination such vessels may be declared". There is nothing inconsistent in the rules as they stand, and as one rule is not declared to have superseded the other, both are in force, and should be acted on. The intention is to extend the powers of inspection prescribed in the rules printed with

To
The P.P.O.
,, Collectors of Marine
,, Surgeon General.
,, L & M Dept.
,, Public Dept.
,, Govt. of India, Home Dept.
Other Govts.
Dts. 19/5/97
The order of dates of the two notifications was accidental.
with
C.L.
18/5/97

Quarantine Rules.

READ the following:—

Letter from the Collector of South Arcot No. 1862 dated 19th May 1897.

in Am No. 1862. J.E.

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FOR ORDERS.

The rules printed with G.O. 344 Marine dated 8th April 1897 render inspection compulsory in the case of all vessels leaving for any port "out of India", and para 2 of the notification printed with G.O. 323 Marine dated 1st April 1897 directs health officers to exercise their powers of inspection on all outward vessels for "whatever destination such vessels may be declared". There is nothing inconsistent in the rules as they stand, and as one rule is not declared to have cancelled the other, both are in force. The intention was to extend the power of inspection, and the order of dates of the notifications was accidental.

W
27/5/97

R.L.

26/5/97
M.

FOR ORDERS

^{urgent}
Marine (1897) Department.

CURRENT No. 746

Order

From the Collector

of
South Africa

Refer on
No. 1862 of 1897.
Aut

Dated 19th } May 1897
Received 25 }

Enclosures

Spare copies

DESPATCHED
21 MAY, 97

SUBJECT.

Requesting authoritative
ruling in the matter
of inspection of vessels
by the Port Health
officer under the
Epidemic Diseases
Act, III of 1897.

BACK PAPERS.

FURTHER PAPERS.

South Arch Collector's Office.
Camp, Tridhakhalam
19th May 1897.

Lyndon

A. E. Leastle Stuart-Stuart Esq^r

Collector of South Arch.



The Honorable Col. D. McKel Campbell
R. E.

Secretary to Government,
(Marine Department)

Ostacumund.

Sir,

I have the honour to request the
favour of an authoritative ruling by Govern-
ment on the following point:—

Is a vessel calling at the port of
Londaloe and bound thence for Bombay
via Negapatam and Colombo liable to be
inspected by the Port Health Officer for
the purposes of Act III of 1897, the Epidemic
Diseases Act?

2. Under para 2 of the notification ordered to be published by Government in G. O. No. 323, Marine dated 1st April 1897

"all other officers appointed Health officers under the said act or otherwise will exercise their powers in the case of all vessels leaving the ports for which they have been appointed, for whatever destination such vessels may be declared."

3. In obedience to the terms of this notification which I have underlined, the Health officer at the port of Cuddalore inspected the British India Steam Navigation Company's S.S. "Chanda" on 5.5.97 before she left the port bound for Bombay via Negapatam and Colombo. The Commander took exception to this inspection, urging that as his vessel was not bound for "any port out of India" from Cuddalore, but directly for Negapatam - another port in India, no such inspection was necessary.

4. The notification ordered to be published by Government in G. O. No. 344, Marine dated 8th April 1897 apparently lends support to the Commander's objection, though it would seem to be contradictory to the notification referred to in para 2 supra. By the later notification - the former being also in force - His Excellency the Governor in Council was pleased "to declare that all vessels and persons leaving" certain ports in the Madras Presidency, of which Cuddalore is one, "for ports out of India shall be subjected to the regulations therein formulated. - Para 2 of these regulations runs: - "No vessel shall leave any such port for "any port out of India until she has "been inspected by the Health officer of the port" &c. The words which I have underlined might be taken to mean that a vessel leaving Cuddalore directly for

for Negapatam - which is not "a port
out of India" need not be inspected by the
Health Officer, whereas the former noti-
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Officers are to exercise their powers
"in the case of all vessels leaving
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the continuance of the plague epidemic,
it is desirable that all vessels -
should be inspected at each of the
ports specified in the later notification
before leaving such ports for whatever
declared destinations.

I have the honour to be,

Sir,

Yours most obedient servant.

Usakanyanayyar

For Collector

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