

G.O., No. 617 *mar*

DATED 12 July 1897

[Despatch Abstract.]

British Indian Berque "*Italia*". Directing that the
must go to Madras for registry and stating that
in any case the Govt is not inclined to declare
to declare Porto Novo a registry port with the
Registrar at Negapatam merely for the ac-
commodation of a single vessel.

1724
n/2/97

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

Proceedings of the Madras Government

Read the following:-
From the Presy. Post Office, Madras no. $\frac{337}{252}$ G. O. 7 July 1897

The general question of appointing Registrars of Shipping and ports of registry under the Statute of 1894 is under consideration. Meanwhile this vessel must go to Madras for registry as soon as she can collect a crew, and, during the present monsoon, it would be easier to do this than to run down to Kogalatam. The Govt is not inclined in any case to declare Porto Novo a registry port, in the the Registrar at Kogalatam merely for the accommodation of a single vessel.

RS.

12/7/97

In LPO 2 17/9/11

Marine (1897) Department.

CURRENT No.

947

The Hon. Mr. Henry D. S. E.

For Order S.

It will be seen from the "opinion" of the Advocate General in the enclosed file C. No. 877. that the sanction of the Governor-General is required for the appointment of Registrars and places of registry under the English Merchant Shipping Act 1874. A letter applying for the requisite sanction has been drafted for some time, but has been held over pending return by His Excellency the Governor of the only copy of the Act available. The present reference however, seems urgent and the Secretary is now obliged to submit the papers without the Act.

From

The Presidency Port Officer

No. 337 / 252 G

Dated

7th July 1897

Received

Enclosures

Spare copies

SUBJECT.

It is proposed in the draft letter mentioned above to make Negapatam a registry port, and the port officer there a Registrar, and this ship might go there for registration without much inconvenience. She cannot move from Port. Koro without a crew, but when she does get a crew, she can go to Negapatam for registry before proceeding on a voyage.

Submitting for orders the case of a vessel of over 60 tons lying at Port. Koro requiring registration on account of change of ownership.

It may perhaps be advisable to write to India for the appointment of a Registrar to the Port Officer there.

I don't see what can be done at present, nor as the vessel has

BACK PAPERS.

FURTHER PAP

G.O.	No.	Department.	Date.
G.O.	532	Marine	14.6.97
Memo	49	E d	26.1.97
G.O.	72	Marine	26.1.97
"	369	Marine	23.5.96
"	310	do	5.5.96
"	222	do	31.3.96
"	334	do	18.8.94
"	223	do	14.6.94
"	50	do	10.2.94
"	299	do	19.8.93
"	188	do	7.6.93
"	478	do	18.5
"	503-4	do	16.11.91
"	456-57	do	18.12.90
"	406	do	24.7.89

No crew, does there seem to be any inquiry - When the vessel gets a crew, she can obviously, in this monsoon, run up to Madras more easily than down the coast. I should not in any case be disposed to let Porto have declared a registry port, & make the Port Office of Regon look the registry there, merely for the sake of a single ship. If the owner is unwilling to send the vessel to Madras, the question of her registry must stand over until we can get a decision from India on the general question of registration under the Statute of 1894.

AS
6/7/97

No. 337
252

Reading.

PRESIDENCY PORT OFFICE,

Madras, 7 July 1897.

From

Commander R. A. Stuart, R.N.
PRESIDENCY PORT OFFICER,
Madras,

To

THE SECRETARY TO GOVERNMENT,

MARINE DEPARTMENT,

Chepak.

SIR,

I have received an application from one Mahomed Morad Marcar, the owner of the British Indian barque "Italia" of Porto Novo of 538 tons burthen to have the vessel re-registered in consequence of a change of ownership.

2. As the Acting Advocate General has pointed out in the concluding portion of para 7 of the enclosure printed with G.O. Marine, C.O. 532, dated 14th July 1897, that "Registration of ships exceeding 60 tons burthen will have to be made only in the manner and according to the rules prescribed by the Merchant Shipping Act 1894 until the Indian Merchant Shipping

ing Act is passed into Law, it appears necessary for the new register to be granted under section 20 of the Merchant Shipping Act 1894. Madras, however, is the only port in this Presidency which appears to have been declared a port of registry under that Act, and the Presidency Port Officer under section 4 (d) of the same Act is the only Registrar appointed under the Act. The vessel is stated to be lying in Porto Novo river without a crew, and the owner points out that to bring the vessel to Madras would put him to a great deal of expense, but this he will have to incur unless the Government should be pleased to meet the case by declaring, under section 4 (e) of the Merchant Shipping Act 1894, Porto Novo to be a port of registry, and the Port Officer, Negapatam, to be the Registrar of Shipping at Porto Novo in the absence of any other qualified official at that port. Porto Novo, I may add, is nearer to Negapatam than it is to Madras.

3. Under these circumstances I submit the case for the orders of Government.

I have the honor to be,
your ^{Sir,} obedt. servant,
H. A. Street
Commander, R. N. M.,
Presy Port Officer.

The Governor-General? note
C No 877 - enclosed
file - RS

Chm 947

Why should there be
any inequality in the
Chm, the ship was in
Date Nov 1887 can not
be the ship her name is
the for years past, & the
struction of the ship is
Chm L. 1887 is now
in the hands of the

9/4/89

W

For years past the
law has been misunder-
stood, and I fear that
all the Registrations
effected at Newport
are ultra vires. We
now know the law. &
are bound to act accor-
dingly. Hence this
ship cannot be registered
unless she comes to
Newport, and without
registration she is
subject to serious disa-
bilities. Kindly see the

CR

9 July 97

sum

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9/7/97

[Handwritten signature]