

67
Marine (1897) Department.

G.O., No. 72 Mar

DATED 26 January

Immediate

27/1/97

[Despatch Abstract.]

Licensed Boats. Requesting that the opinion of the Advocate General be obtained as to whether registration can be enforced in the case of — which ply beyond port limits and if there is any limit as to the tonnage of boats thus liable to registration //

25/6

T.C. 26/1

READ the following

Telegram from Messrs. Adamson MacTaggart & Co., dated
15th January 1897.
Letter from — do — of No. 16/605 dated 15th January 1897.
— do — the Presidency Port Officer, Madras, No. 646/139.
dated 16th January 1897.
— do — Messrs. Harney & Co., dated 16th January 1897.
— do — the Presidency Port Officer, Madras, No. 646/169.
dated 19th January 1897.

His Excellency the Governor
in Council requests that the
opinion of the Advocate
General be obtained as to
whether registration can be
enforced in the case of
licensed boats which ply
beyond port limits and if
there is any limit ^{as} to the tonnage
of boats thus liable to regis-
tration

The Government Solicitor
" Presy. Post Officer.
Messrs. Adamson MacTaggart
[P. W. 40.
1,000-11-11-26] Harvey & Co.

25/4/89

P. W. 40.
1,000-11-11-36

P. W. 40.
2,000-6-6-30

HL

Please act on the
H. H. H. instruction in regard
to a bound copy of the
act & return file.

H. H.

25 Jan 97.

C. A. W.

Chief Secretariat has
been telephoned to for a
copy of the act bound &
required by H. H. R. H.

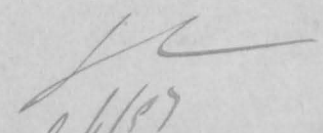
25/1/87

Arrive the
particular
the

Telephone

From the Secretary Marine Dept
To the Presidency Suboffice

Your letter of the sixteenth
regarding paucity of Cargo
boats at Interoceanic. Please
state whether vessels not
duly registered according
to law are allowed to trade
from Port to Port. It is
assumed that Cargo boats
are not registered. Is this
correct?


20/1/97
me

RS

Despatched
No 2-10 PM
20/1/97

Arrive the
further with
the 8

From Telephone
Presidency Post Office
Co

The Secy to Govt. of India

Act X of 1841 does not
say that Vessels not
duly registered according
to law are not allowed
to trade from port
to port, but unless
they are so registered
they shall not be deemed
to be British ships.

See section 1 of
Proclamation annexed
to Act. cargo boats
are licensed not
registered. In this
connection please
see a further letter
I am sending you to
day on the same
subject.

Await the
further letter from
the S.P.O.
20/1/97
3 P.M.
20/1/97.
M
Done

The Hon Mr. Bliss C I E ✓

Boat Rules at Indiam

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Telegram from Messrs. Adamson Mactaggart & Co., dated 15th

January 1897.

Letter from -do- -do-G.No.16/605, dated 15th

January 1897.

Letter from the Presidency Port Officer, Madras, No.646/13 G.,
dated 16th January 1897.

What the P.P.O. means by his
refer in his para 3 to the H.C. judgment,
I don't know. The question is not
of licensing ~~at all~~ - Licensing
is for boats plying within a port. But
the case here is of boats plying from
port to port - For this, registry under the
Act of 1841 ^{seems} requisite. But,
how can port dues be levied? Besides,
vessels built at other than a registering
port are only allowed to make one voyage
before registering, and that to a registering
port, under penalty which may amount to Rs
5000 - ^{no} ~~any~~ Tonnage is a regt port, however.
If so, that provision wd. not apply - In its
Messrs. Adamson Mactaggart & Co.

His Excellency the Governor in
Council is advised that the boat
rules framed under Act X of 1889, the
Indian Ports Act, give the Register-
ing Officer no power to prevent ----
boats proceeding to other ports, and
that it is optional for a boat owner
to ply his boat or not as he may ---
choose.

M.

The Presidency Port Officer.

abusee; I can't find any provision of law
regarding ships to be regd., except S.14 of
the Merchant Shipping Act, 1854 (17 &
18 Vic. Cap 104), which applies to India.
That however exempt ^{coasting} vessels not exceeding
15 tons, so that most, if not all, of these
boats would be exempt. I imagine the
Capt. of the Adv. Genl. (when we have
opinion of the Adv. Genl. as to the extent to which registration is
compulsory - If it can be enforced, I
think it should be.

Note for the Hon.Mr.Bliss., C.I.E.

This order is drafted in accord
ance with the Hon.Member's note ----
dated 19th January 1897, but since
then, a further letter has been re-
ceived from Messrs. Harvey & Co. (C.No
78) and one from the Presidency Port
Officer (C.No.82) linked file.

With refer to the last sentence
of para 3 of the P.P.O.'s letter,
[P.W. 40,
2,000-6-0-00]

+ Why put in linked file? Want It
measured H.S.

It will be seen that Commander Street suggests that it be made compulsory on all boats leaving a port for the purpose of plying elsewhere, to take out a registry certificate under Act X of 1841 and Act XI of 1850. If this be done, there would be some restriction on boats leaving a port.

An amended copy of Act X of 1841 is put up for the Hon. Member's use.

Please get a copy from the C.S.'s office
bound to match the other amended
edition of Acts which are supplied
true R

22/1/97
M.

LS I don't see why a vessel reg'd under X of 1841 should also be licensed under the Boat rules. I might bear with & maintain for whether Pat does or landed on these unregistered trading vessels and if so, how, in the absence of registry, they get at their baggage
RS
23/1/97

The Hon. Mr. P. H. C. S. E. / urgent

Boat Rules at Inticormi

W. Marine
P. W. DEPARTMENT.

Read the following:—

Telegram from Messrs. Adamson MacTaggart & Co.
dated 15 Jan'y 1897.

Letter from — do — L^{ts} 16/5 of 15 Jan'y 1897

Letter from the Pres. Put Off. 646 L of 16/13

FOR ORDERS.

The telegram and Messrs. Adamson, MacTaggart letter quoted above from C. may be replied to the local agents of the B.I.S.N. in accordance with the order of 1893 with which I agree. But after doing this, please find out whether vessels not duly registered according to law are allowed to trade from port to port. I should say ports in the same manner as, but I haven't a copy of as registered vessels, and the Act of 1841 connected to that serious detention to date — one might be procured from the Pres. & sent me, by the way — (Submitted) shipping results. Inquiry into the matter is accordingly

I assume, please, in the above solicited. that these cargo boats are not reg'd vessels. But perhaps they are. The Presidency Put Off. who has been referred to, reports that the boat rules give the registering officers

+ Flag B

19/1/97
Ther and the
with reg. in terms
of the

L.S.

H.M. 19/1229/1.

Complaining of the
detention of certain Steamers,
owing to licensed boats
trading to other ports
like registered vessels.

R.S. ~~Whe~~ P.P.O. has
 minor expenses
 minor charges
 18/1/97
 W
 18 Jan 97
 Already communicated
 to the P.P.O. by telephone on
 the 15th Jan'y 97.

BACK PAPERS.

G.O.	No.	Department.	Date.
369		Marine	23-5-96
222		"	31-3-96
334		"	18-8-94
223		"	14-6-94
50		"	10-2-94
299		"	19-8-93
5034		"	16-11-91
504		"	18-12-90
4564		"	24-9-89
457		"	
406		"	

FURTHER PAPERS.

G.O.	No.	Department.	To.
------	-----	-------------	-----

INDIAN TELEGRAPHS. Month's Number.

Code Class.

Copies

Words

To

(Person)

32 Word Form.

Recd. from

At

Hrs.

Mts. by

LX.

Send to

LX.

At

Hrs.

Mts. by

Telegraph Master.

C. G. P. No. 70 T-25-4 94-4,000

From

(Office)

Official Instructions.

From

(Person)

CHIEF SECRETARY
GOVERNMENT OF MADRAS
15 JAN. 1897

Local Trade stagnated steam
seriously detained owing licen
boats trading to other ports
like registered vessels

Alphabetic

19/1/97

Marine

MADRAS FORT 15-1-97

PAGE 1

urgent

From Telephone

Marine
The (Chief) Secretariat,

To P.P.O.

The (Chief assistant
Marine Dept)

Adams & Co telegraph as
follows from Tuticorin.

"Local trade stagnated
steamer seriously
detained owing
licensed boats
trading to other ports
like registered
vessels".

(The telegram is
being sent to you)

15/1/97

#C

Re fresh by Telephone

P.P.O. and add.

"The telegram will follow"

(1) Issue

(2) W

15/1/97

C.S.

15 Jan 96

Department.

No. 73

filled

on,

tea

^{Urgent}
Marine (1897) Department.

CURRENT No. 73

W-20 linked
+78

Order

From

Messrs Adamson,
Inverclyde.

No. 4 $\frac{16}{605}$

Dated 15.1.97

Received 18.1.97

Enclosures .

Spare copies .

SUBJECT.

Complaining of the
detention of the Steamer
"Bavaria" owing to the
scarcity of boats.

BRITISH INDIA STEAM NAVIGATION COMPANY, Limited.

Euticorin, 15 1/2

The Chief Secretary to Government
Madras

Li,

Sir,
 We have the honour to confirm our
 telegram to you of this date reading:-
 "9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839

Local trade stagnated steamers seriously detained
owing licenced boats trading to other ports like
"registered vessels".

We beg to bring to your notice that the licensed cargo boats at this port are leaving the port in large numbers & on our requesting the Port Officer to prevent this he informs us he has no power to do so. The steamer "Bancoora" arrived here with about 1000 tons of coal to land but owing to the scarcity of boats this vessel is being most seriously detained here. The licensed cargo boats are now trading from here to other local ports in exactly the same way as registered vessels. We have the honour to request that you will enquire into the matter:-

We have the honour to be
Sir,

Your most obedient servant

Germania

The Malabar Coast and pointing out that the Boat Rules in force do not give the Registering officer power to prevent a boat from proceeding to another port.

urgent

urgent
Marine (1897) Department.

CURRENT No. 70

CP 73 linked

Order

From,

5

*The Presidency Port Office
Madras*

No. *646*
13 *6*

Dated *16 January 1897*

Received *18. 1. 97*

Enclosures *"*

Spare copies

SUBJECT.

*Informing that out of 52
licensed boats at Tuticorin
26 are out of the port trading
to neighbouring ports and
the Malabar Coast and pointing
out that the Boat Rules in
force do not give the Registering
officer power to prevent
a boat from proceeding
to another port.*

*Link with PP's
with sub. to Govt
18 Jan 97*

No. 646
13 *Gr*

PRESIDENCY PORT OFFICE,
Madras, 16th January 1897.

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

THE SECRETARY TO GOVERNMENT,
MARINE DEPARTMENT,
Chepak.

SIR,
With reference to your telephone message of the 15th Instant regarding a paucity of cargo boats at Tuticorin and consequent stagnation in the trade of that port, I have the honor to acquaint you, for the information of Government, that I have ascertained from the local Port Officer that out of 52 licensed boats 26 are out of the port trading to neighbouring ports and the Malabar Coast. This is much to be regretted, but the Boat Rules in force (G.O. Marine, 334 of 18th August 1894) do not give the Registering Officer the power to prevent a boat from proceeding

proceeding to another port. It is optional under the Rules for a boat owner to ply or not to ply his boat, and in G. O. Marine, No. 299 dated 7th August 1893, it was ruled by Government that owners who obtain a license to ply in a particular port are not thereby bound to it.

I have the honor to be,
Sir,
Your dist. servant.
H. H. H. H.
Commander, R. I. M.,
Fresno Port Office.

Marine (1897) Department.

CURRENT No. 78

vide nos 67, 70 & 73
within

Order

From

Messrs A & J Harvey
Agents, Nippon Yusen
Kaisha.
No. . Outisoku

Dated 16. 1. 97

Received 20. 1. 97

Enclosures .

Spare copies .

SUBJECT.

Bringing to notice the
serious detention of
Steamers owing to
the scarcity of boats.

SECRET
JAN 1891
COURT FEE
287
107. George of the 1st
— 1 — 97
TWO RUPEES

Government of Madras

Sir,

We have therefore the honor to request that Government restore the condition of affairs which until recently existed in this Port, by giving back to the Port Officer the powers above enumerated.

CRE
An early reply will much oblige

We have the honor to be,

Sir, *g P*

Your most obedient servants,

A. F. Harvey.

Agents,

Nippon Yusen Kaisha.

Marine (1837) Department.

CURRENT No. 82

Order

From,

*The Presidency Office
Madras*

No. $\frac{646}{16}$ 4

Dated 19 January 1897

Received 22.1.97

Enclosures "

Spare copies

SUBJECT.

*Forwarding further
report respecting the
paucity of boats at
the port of Tuticorin.*

Presidency Port Office,
Madras, 19th January, 1897.

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

The Secretary to Government,
Marine Department,

In continuation of this office letter No. 646/13,G, dated 16 th January 1897, I have the honor to acquaint you, for the information of Government, that Messrs A. & F. Harvey of Tuticorin have sent me a copy of their letter of 16th idem addressed to you, respecting the paucity of boats at that port. With reference thereto, I would observe that it seems to me that if the Consignees of the Coal Steamer had taken measures to make it known to the boat-owners that the vessel was shortly expected, the boat-owners would probably, in their own interests, have had a sufficient number of boats in readiness.

2. The Port Officer, Tuticorin, in a letter received from him today remarks that "in a great measure the mercantile community themselves are to blame regarding boats seeking employment outside the Port; they leave the supply in the hands of Contractors, paying much below the authorized rates of hire, and a great^{deal} of family favoritism goes on, leaving boats outside the circle, out of employ, except on emergent occasions"; and I am inclined to think that the practice of the Mercantile Community as pointed out by the Port Officer is one of the causes of the present inconvenience.

3. The boat-owners have apparently taken advantage of the ruling of the High Court that a license is required for boats plying from port to port (G.O. No. 188, Marine, dated 7th June 1893) as they thus escape the fee

that would be leviable if the boats had to be registered under Acts X of 1841 and XI of 1850, and are able to change Tindals as often as they like without expense. A boat, if registered under the above mentioned Acts, could not ply for hire in a port.

4. I submit for consideration whether it would not be advisable to require, in future, all boats, prior to leaving a port for the purpose of plying elsewhere, to take out a registry certificate under the Acts above quoted.

I have the honor to be,

Sir,

Your Obedient Servant,

Kathert

Commander, R.I.M.,

Presidency Port Officer.

13