

G.O., No. 386 Marine

DATED 28th April 1877

1157

[Despatch Abstract.]

Survey of Vessels

Considering the proposal of the Presy Port Office
to detain vessels not known to have been docked
& examined by a competent surveyor within 5
years to be unnecessary as the existing arrange-
ments at the principal ports for the — are
adequate; and calling for particulars regarding
the inspection of the Barque "^{Elizabeth} Henrietta" at
Negapatam.

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Considering the proposal of the Presidency Port Officer to detain vessels not known to have been docked and examined by a competent Surveyor within five years to be unnecessary as the existing arrangements at the principal ports for the — are adequate; and calling for particulars regarding the inspection of the barque *Henrietta Elizabeth* at Negapatam.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper:—

From Commander H. A. STREET, R.I.M., Presidency Port Officer, Madras, to the Secretary to Government, Marine Department, dated 3rd April 1897, No. 1261/124 G.

With reference to paragraph 9 of G.O., No. 251, Marine, dated 16th March 1897, I have the honour to point out, for the information of Government, that section 7 of Act VII of 1880 has been extended to the ports marginally specified (see G.O.s., Marine, No. 216 of 22nd May 1880 and No. 405 of 3rd November 1892) also, that in accordance with G.O., No. 405 of 3rd November 1892, the Deputy Port Conservator of Madras and the Port Officer of each of the ports to which section 7 has been extended are "Detaining Officers" within the meaning of that section.

2. The survey contemplated in section 8 could be carried out by any competent person available at the port, and I think it may be taken for granted that it would not be difficult at any port to find some person competent enough to examine the class of vessel referred to in the order now under reference.

3. The Detaining Officer has certain powers under section 11 of Act VII of 1880 and under section 12 is required to report any order made by him. This report would be sent to the Local Government through the Presidency Port Officer, but there appears to be no objection to the Detaining Officer being required before taking action under section 12 to refer to the Presidency Port Officer for orders in all cases in which he has reason to think a vessel "unsafe."

4. There would be no more difficulty in forming a Court of Survey under section 13 of the Act than is experienced in forming the Special Court required under section 7 (1) of Act V of 1883.

5. The Surveyor referred to in Section 19 is any "competent person." As stated in paragraph 2 above, it would not be difficult to obtain the services of such a person in the case of sailing vessels, and should a steamer be in port the services of an Engineer could be obtained, probably, where an iron vessel is concerned.

6. Under G.O., No. 405 of 3rd November 1892, the Presidency Port Officer and the Deputy Port Conservator of Madras, for the time being, are *ex-officio* "Scientific Referees"—the former for all the coast ports of the Presidency and the latter for the port of Madras.

ORDER—No. 386, Marine, dated 28th April 1897.

In his letter recorded with G.O., No. 251, Marine, dated 16th March 1897, the Presidency Port Officer proposed to instruct, with the sanction of Government, the several coast Port Officers to refuse clearance to any native vessel of, or above, 100 tons which had not been docked and examined by a recognised Surveyor within the preceding five years.

2. Before adopting this recommendation, the Government desired to be furnished with certain information in regard to the application of the Indian Merchant Shipping Act VII of 1880, and as to the existence of the requisite machinery for giving effect to the provisions of the law.

3. The Presidency Port Officer now reports that section 7 has already been extended to the ports mentioned in paragraph 1 of his letter, that the "Detaining Officers" and "Scientific Referees" have been appointed, and that there will be no difficulty in finding "competent persons" as Surveyors, and forming "Courts of Inquiry" as required by the Act.

4. It thus seems that at the principal ports arrangements already exist by which "unsafe" vessels can be detained, surveyed, &c. His Excellency the Governor in Council does not, accordingly, consider it necessary to go further and to direct, as proposed by the Presidency Port Officer, all vessels above 100 tons to be detained which are not known to have been docked and examined by a competent Surveyor within five years.

5. His Excellency the Governor in Council desires to be informed why the Port Officer, Negapatam, did not inspect the *Henrietta Elizabeth* when he registered her? Whether he ever went on board the vessel? If not, why not? and if so, why he did not detain her? A full explanation should be submitted.

(True Extract.)

Under Secretary to Government.

To the Presidency Port Officer.

6. Under G.O., No. 405 of 3rd November 1892, the Presidency Port Officer and the Deputy Port Conservator of Madras, for the time being, are *ex-officio* "Scientific Referees"—the former for all the coast ports of the Presidency and the latter for the port of Madras.

Exd. C. M. Thumbusawmy.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

From the Presidency Port Officer, Madras, No. 1261/124 G., dated 3rd April 1897.

No. 386 Marine 28 April 1897

In his letter recorded with

G.O. 251 Marine dated 16th March 1897,

the Presidency Port Officer proposed to instruct, with the sanction of Government, the several coast Port Officers to refuse clearance to any native vessel of, or above, 100 tons which had not been docked and examined by a recognised Surveyor within the preceding five years.

2. Before adopting this recommendation, the Government desired to be furnished with certain information in regard to the application of the Indian Merchant Shipping Act VII of 1880, and as to the existence of the requisite machinery for giving effect to the provisions of the law.

3. The Presidency Port Officer now reports that Section 7 has already been extended to the ports mentioned in para 1 of his letter, that the "Detaining Officers" and "Scientific Referees" have been appointed, and that there will be no difficulty in

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finding "competent persons" as Surveyors, and forming "Courts of Inquiry" as required by the ~~Act~~ Act.

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5. His Excellency the Governor in Council desires to be informed why the Port Officer, Negapatam, did not inspect the "Henrietta Elizabeth" when he registered her? Whether he ever went on board the vessel? If not, why not?, and if so, why he did not detain her? A full explanation should be submitted.

28/4/97

To

The Presy. Port Officer.

Marine **M. W. DEPARTMENT.**

38/4/97
Ship Surveys

READ the following:—

From the Presidency Port Officer, Madras, No. 1261/124 G., dated 3rd April 1897.

The Hon. Mr. P. S. C. J. E.

FOR ORDERS.

It seems that at the principal ports arrangements already exist by which "unsafe" vessels can be detained, surveyed, &c. I do not think it necessary to go further & to direct all vessels above 100 tons which have not been docked & examined by a recognised Surveyor within 5 years. I may add that if the Port Officer at Negapatam had done his duty properly the "Henrietta Elizabeth" would not have been lost & numbered with her. Why did this officer not inspect this vessel when he registered her? Did he ever go on board her? If not, why not? If so, why did he not detain her? A full explanation should be called for.

26/4/97

In his letter recorded with G.O. 251 Marine dated 16th March 1897, the Presidency Port Officer proposed to instruct, with the sanction of Government, the several coast Port Officers to refuse clearance to any native vessel of, or above, 100 tons which had not been docked and examined by a recognised Surveyor within the preceding five years.

2. Before adopting this recommendation, the Government desired to be furnished with certain information in regard to the application of the Indian Merchant Shipping Act VII of 1880, and as to the existence of the requisite machinery for giving effect to the provisions of the law.

3. The Presidency Port Officer now reports that Section 7 has already been extended to certain ports of

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Marine (1897) Department.

CURRENT No. 524

this Presidency, that ~~was~~ "Detaining Officers" and "Scientific Referees" have been appointed, and that there will be no difficulty in finding "competent persons" ^{as Surveyors} and forming "Courts of Inquiry" as required by the Act.

4. There would thus seem to be no difficulty in giving effect to the Presidency Port Officer's recommendation at the ports specified by him in para 1 of his present letter, subject to the restriction on the action of the "Detaining Officer" proposed in para 3.

[Signature]
23/4/97
M.

Order

From,

The Presidency Port Officer,
Madras

No. $\frac{1261}{124}$ 4

Dated 3rd April 1897.

Received 5-4-97

Registered —

Enclosures "

Spare copies

SUBJECT.

1897
u5"
Replying to para 9 of G.O. Marine No 251 d/16 March 96 regarding the extension of Section 7 of Act VII of 1880 and the appointment of Surveyors, Detaining Officers &c to test the seaworthiness of native Vessels of our ports.

BACK PAPERS.

No.	Date.
~~1272~~	~~4-1-97~~
272 E	14-4-97
194 E	16-3-97
251-52 mar	16-3-97
252 mar	
65 E	29-1-97
736 mar	28-10-96
705 mar	14-10-96
690 mar	7-10-96
506 E	2-10-96
795 mar	18-11-96
599-600 mar	4-5-96
392 E	6-8-96
436 mar	10-11-94
311 mar	7-8-94
471 mar	22-12-92
464 mar	16-12-92
453 mar	9-12-92
405 mar	3-11-92
6 mar	8-1-92
280 mar	26-6-91
273 mar	24-1-91
283-84 mar	29-7-90
255-256 mar	9-7-90
333 mar	13-1-90
32 mar	3-2-88
216 mar	22-5-80

FURTHER PAPERS.

No.	Date.
Ma: 298	29-4-97

No.1261/124 g

Presidency Port Office,
Madras, 3rd April, 1897.

From

Commander H. A. Street, R.I.M.,

Presidency Port Officer,

Madras,

To

The Secretary to Government,

Marine Department,

Chepak.

Sir,

With reference to para 9 of G. O., Marine, No. 251 dated 16th March 1897, I have the honour to point out, for the information of Government, that Section (7) of Act VII of 1880 has been extended to the ports marginally specified—see G.O.'s, Marine, No. 216 of 22nd May 1880, and No. 405 of 3rd November 1892—also, that in

Gopalpur, Bimlipatam, Vizagapatam, Coconada, Masuli -
patam, Madras, Negapatam, Pan-
ban, Tuticorin, Cochin, Calicut, Mangalore.

accordance with G.O. No. 405 of 3rd November 1892 the Deputy Port Conservator of Madras and the Port Officer of each of the ports to which Section 7 has been extended

are "Detaining Officers" within the meaning of that Section.

2. The survey contemplated in Section 8 could be carried out by any competent person available at the port, and I think it may be taken for granted that it would not be difficult at any port to find some person competent enough to examine the class of vessel referred to in the Order now under reference.

3. The Detaining Officer has certain powers under Section 11 of Act VII of 1880 and under Section 12 is required

required to report any order made by him. This report would be sent to the Local Government through the Presidency Port Officer, but there appears to be no objection to the Detaining Officer being required before taking action under Section 13 to refer to the Presidency Port Officer for orders in all cases in which he has reason to think a vessel "unsafe".

4. There would be no more difficulty in forming a Court of Survey under Section 13 of the Act than is experienced in forming the Special Court required under Section 7(1) of Act V of 1895.

5. The Surveyor referred to in Section 19 is any competent person. As stated in para 2 above, it would not be difficult to obtain the services of such a person in the case of sailing vessels, and should a steamer be in port the services of an Engineer could be obtained, probably, where an iron vessel is concerned.

6. Under G.O. No. 405 of 3rd November 1892, the Presidency Port Officer and the Deputy Port Conservator of Madras for the time being are ex officio "Scientific Referees" the former for all the coast-ports of the Presidency and the latter for the port of Madras.

I have the honour to be,

Sir,

Your Obedient Servant,

H. H. Theet

Comdr., R.I.M.,

Presidency Port Officer.

x (para 1 (d))