

*Print
as sent*

G.O., No. 424 *mar*

DATED 25 *mar* 1898

W. G. Yeall

30/5/98

[Despatch Abstract.]

Claim to Compensation, *Declining* ^{with remark} to
admit any — referred by *charters* *But*
to account of the detention of the
Steamers "Caithness" and "Jupiter" under
the Quarantine Regulations

98/4

W. G. Yeall

30/5/98

[500-13-5-96.]

[500-14-5-97.]

Fr. No. 27/3/98

Declining, with remark, to admit any — preferred by Messrs. Best & Co. on account of the detention of the Steamers *Caithness* and *Jupiter* under the quarantine regulations.

No. 424, MARINE, 25TH MAY 1898.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper:—

From Messrs. BEST & Co., Agents, Burrakur Coal Company (Limited), to the Chief Secretary to Government, dated Madras, 18th May 1898, No. G.L.B. 1/53.

We have the honour to acknowledge the receipt of "Madras Marine" telegram dated the 16th instant informing us, in reply to our telegram of same date, that orders had been issued to the Port Health Officer at Cuddalore regarding the detention in quarantine of the S.S. *Caithness*.

A signed copy of G.O., No. 382, Marine, dated the 13th instant, extending to outports the provisions of G.O., No. 367, Marine, dated 11th instant, was received by us in Madras on the morning of the 15th instant, but apparently no intimation of the extension of the provisions of G.O., No. 367, to outports was communicated to Cuddalore until we telegraphed you on the 16th instant.

Owing to this omission the discharge of the S.S. *Caithness* was unnecessarily delayed two days, and under the direction of our principals we have to request payment of Rs. 2,000 for demurrage incurred.

We have also to request payment of Rs. 5,000 for demurrage incurred in the case of the S.S. *Jupiter*, this vessel also being unnecessarily delayed at the port of Madras, and we shall be obliged by your directing early payment of this and the preceding amount.

We cannot too forcibly bring to the attention of Government the extreme inconvenience caused by the absence of the Health Officer at such a critical time, and we trust that steps will be taken to prevent a similar occurrence.

ORDER—No. 424, Marine, dated 25th May 1898.

The Government cannot admit any claim to compensation on account of detention of the steamers in question under the quarantine regulations.

2. The last paragraph of Messrs. Best & Co.'s letter will be noted.

(True Extract.)

(Signed) W. B. DEWINTON,
Secretary to Government.

To the Presidency Port Officer.
" the Surgeon-General with Government.
" Messrs. Best & Co.
" the Public Department.

Exd. Shaik Karim.

Marine (1898) Department.

CURRENT No. 8683

Order 424 Marine d/25th May 1898

The Government
cannot admit any claim
to compensation on account
of detention of the Steamers
in question under the quaran-
tine Regulations.

From

Messrs Best & Co

No. G.L.B. 1/53

The last paragraph
of Messrs Best & Co's letter
will be noted.

Dated 18. 5 - 98.

Received 20. 5 - 98

Enclosures -

Spare copies -

R.B.

The S.P.O.

- Surgeon General with Govt.

Messrs Best & Co

- Public Dept.

SUBJECT.

S.S. "Jupiter" & S.S. "Caithness"

Requesting that Rs 7,000
may be paid to them for
damage incurred in con-
nection with the quarantining
of the — at Madras
& Cuddalore.

BACK PAPERS.

FURTHER PAPERS.

Marine DEPARTMENT.

424m

No.	Date.
345	6-5-91
276-276	15-V-98
A.B.	16-V-98
274-274	16-V-98
30382	13-V-98
30367	11-V-98
745	23-8-91

No.	Date.
-----	-------

C. No. 663.

HIS EXCELLENCY THE GOVERNOR.
THE HON'BLE SIR HENRY BLISS, K.C.I.E.
THE HON'BLE MR. GROSE, C.I.E.

SUBJECT.

Claim for compensation by
Messrs. Best & Co.
on account of the detention of
their steamers.

FOR ORDERS.

In the letter read above, ---
Messrs. Best & Co. claim compensation
for delay of two of the steamers under
the quarantine regulations, viz, Rs. 5000
in the case of the steam ship Jupiter
at Madras and Rs. 2,000 on account of
the steamship Caithness at Cuddalore.

The circumstances connected --
with steam ship Jupiter are given in
G.O. 348 Marine dated 6th May 1898.

On the 5th May, Messrs. Best & Co
wired to this office as follows:-

"We protest against action of
Health Officer quarantining steamer
"Jupiter" on ground Calcutta not in-
fected at date departure. Request
immediate orders".

In reply, the Government stated
that it could not interfere with the
action of the Port Health Officer who
was acting in accordance with the --
quarantine rules. It further pointed
out that under Section 3, Chapter II

of

* Flagged B

* Flagged C

30382 23-8-91

of the Venice Convention, persons and goods from an infected area are not free from restrictive measures -- unless they left such infected area at least 5 days before the occurrence of ^{the first case of} plague, ~~that~~ the vessel in question had left Calcutta on or about the 1st instant by which time plague had been officially declared at ~~that~~ place. It thus appeared that the action of the Port Health Officer in putting the vessel in quarantine was in accordance with the authorised Sanitary Regulations.

On the 11th May, the Government issued ^{*} certain instructions to the Port Health Officer, Madras, which authorised him to admit into the Madras Harbour --- healthy vessels from Calcutta, and to allow the working of cargo under -- certain precautions as to inspection and disinfection.

In G.O. 382 Marine dated 13th May 1898, ^{*} these provisions were extended to certain outports including Cuddalore. This order issued from the Ootacamund -- Secretariat on the ^{night of the} 14th, and must have reached the Presidency Port Officer and Messrs. Best & Co. on the morning of the 16th, and not the 15th, as stated by Messrs. Best & Co. in their present communication.

It is presumed that on receipt of this order the Presidency Port Officer

^{*} G.O. 367 Marine of 11 May '98
Flagged D

^{*} Flagged E

Flag H

Say that Sub. cont'd.
with any claim - ^{the claim is} ~~more bluff~~
both the last para
of this letter with refer
to D. Allison's absence
R.S.
2/5/98

^{*} Flag C

Officer took immediate steps to --- bring it into force at the outports in question. It was also communicated direct to Collectors of all --- Maritime Districts.

On the 16th instant after receipt, apparently, of this order, Messrs. Best & Co. ~~wired~~ ^{wired to} direct to Ootacamund in regard to the steamer "Caithness" quarantined at Cuddalore. The Secretary immediately ~~authorised~~ ^{authorised} the Health Officer at that port to admit the "Caithness" under the authorised precautions, and apprised Messrs. Best & Co. that orders had been --- issued accordingly.

It would appear from the foregoing statement that there has been no avoidable delay in the issue of orders. In any case, there seems no legal claim to compensation, as the officers of Government were within their rights in putting into quarantine both vessels under the provisions of Regulation 17 of G.O. No. ^{*} 745 Marine dated 23rd August 1897.

R.S.

M. ^{2/5/98}

BEST & CO.

WHEN RECEIVING PLEASE QUOTE
SERIAL No. *Cat. B. 50.*

18 May 1898
Madras, 18 May 1898
RECEIVED
CHIEF SECRETARY
GOVERNMENT OF MADRAS

To,
The Chief Secretary,
Government of Madras,
Ootacamund,

Sir,

We have the honor to acknowledge the receipt of 'Madras Marine' telegram dated the 16th instant informing us in reply to our telegram of same date that orders had been issued to the Port Health officer at Cuddalore regarding the detention in quarantine of the ss. 'Caithness'.

A signed copy of G.O. No. 382 Marine dated the 13th instant extending to outports the provisions of G.O. No. 387 Marine dated 11th instant was received by us in Madras on the morning of the 15th instant, but apparently no intimation of the extension of the provisions of G.O. No. 387 to outports was communicated to Cuddalore until we telegraphed you on the 16th instant.

Owing to this omission, the discharge of the ss. 'Caithness' was unnecessarily delayed two days, and under the direction of our principals we have to request payment of Rs. 2000/- for demurrage incurred.

We have also to request payment of Rs. 5000/- for demurrage

+ This is impossible -
The order was made in
an Ootacamund for dispatch
late in the night of the
14th - and could only
therefore have left the
Post Office before the
morning of the 15th or
15th or 16th morning.
The P.P.O. got the
order only on the
16th morning - and he
probably telegraphed it
on the 16th morning -
The Secretary issued orders
to the Cuddalore on the
16th morning of the 16th -
CS

demurrage incurred in the case of the s.s. "Jupiter" this vessel also being unnecessarily delayed at the port of Madras, and we shall be obliged by your directing early payment of this & the preceding amount.

We cannot too forcibly bring to the attention of Government the extreme inconvenience caused by the absence of the Health Officer at such a critical time, and we trust that steps will be taken to prevent a similar recurrence.

We have the honor to be,
Sir,

Your obedient servant.
J. H. K.

Agent to Bunker Coal Co. Ltd.

686