

✓ G.O., No. 456 Mar

DATED 29th May 1899

[Despatch Abstract.]

Survey of private cargoes

Withdrawing, with remarks, the prohibition
against Port officers undertaking the — at
smaller ports where other competent European
agency is not available.

Withdrawing, with remarks, the prohibition against Port officers undertaking the — at smaller ports where other competent European agency is not available.

2

No. 456, MARINE, 29TH MAY 1899.

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 20th March 1899, No. 474/109 G.

The Port officer, Mangalore, has brought to my notice that frequent applications are made to him by native merchants and Insurance Agents to survey cargoes arriving at Mangalore, and he requests that the matter may be laid before Government in view of that part of G.O., No. 507, Marine, dated 6th November 1888, which prohibits survey of cargo, being cancelled.

2. The last occasion on which the question was submitted to Government, was in 1890, when Mr. Arundel (who was then the Collector of Kistna) addressed the Board of Revenue on the subject (see his letter No. 9383, dated 17th December 1890, copy attached), but Government remained firm to its original decision, and in G.O., No. 64, Marine, of 19th February 1891, finally declined to reconsider the decision contained in G.O., No. 507, of 6th November 1888.

3. In paragraph 2 of G.O., No. 228, Marine, dated 31st May 1888, Government decided that no private surveys of cargo should be made by Marine officers of Government without special sanction, and in G.O., No. 424, Marine, dated 3rd December 1890, further stated that "G.O., No. 507, dated 6th November 1888, prohibits Port officers from surveying cargo which usually consists of country produce about which these officers know nothing."

4. I am not aware of the grounds on which the decision of Government on the subject was based, but presume that it may have been due to the idea that Port officers know nothing about country produce.

5. The fact that at certain ports applications are still made for a Port officer's service to survey damaged goods, shows, I think, that the mercantile community believe that a Port officer is capable of passing an opinion on damaged goods and produce. I venture to ask that the question may be again placed before Government as it seems to me that at ports where it is impossible to obtain, for the survey of cargo, the services of a professional surveyor, the services of the Port officer would be much appreciated by the persons concerned with damaged cargo. The survey of course should be made out of office hours and the whole fees should go to the surveyor.

ENCLOSURES.

From A. T. ARUNDEL, Esq., Collector of Kistna, to the Secretary to the Board of Revenue, dated Masulipatam, 17th December 1890, No. 9383.

With reference to G.O., No. 507, Marine, dated 6th November 1888, I have the honour to request that private surveys, including surveys of cargo when necessary, may be undertaken by the Port officer of Masulipatam as a special case. There are no private surveyors and in case of a difference between, say, the Agent of the British India Steam Navigation Company and a consignee, much inconvenience and loss may be and has been experienced.

2. I enclose copies of a letter from the Port officer on the subject and of a petition put in by all the merchants of Masulipatam begging for a relaxation of the rule in question.

No. 456, MARINE, 29TH MAY 1899.

3

From J. M. SIMPSON, Esq., Port Officer, Masulipatam, to the Collector of Kistna, dated 4th December 1890, No. 3/821.

With reference to my correspondence ending with my No. 629, dated 13th August 1890, and my No. 648, dated 25th August 1890, I have the honour to report the following case as a typical instance of the loss and inconvenience to this port generally, owing to the prohibitive orders concerning surveys of cargo by Port officers.

2. A large amount of castor-seed was awaiting shipment to Calcutta at the beginning of November, and in consequence the British India Steam Navigation Company sent a special extra steamer, the "Puttiala", to receive it.

3. The castor-seed was sent from Jaghurpett and the interior, and on arrival here it was found that the bags contained more or less sweepings of dirt and other foreign matter, such as tamarind stones, coriander, turmeric and such like. Messrs. Maiden & Co. who are Agents for the steamer as well as Agents to the Insurance Company would not insure the cargo, and the shippers would not ship it. Application was therefore made to me to survey a percentage of the bags, which I refused to do under the prohibition already quoted.

4. Meanwhile the S.S. "Puttiala" arrived on the 10th of November and was detained for this cargo.

5. At length at the earnest entreaty of the shippers, Siram Bhimiah and Tammana Ramabraham, I thought it was a matter of urgency, and on early mornings and in the evenings out of office hours, I was personally present to see some of the bags sifted and the dirt weighed: and made out two certificates accordingly, for which I charged a nominal fee of Rs. 5 each, and, as much of my ex-officio time was taken up for three days, I venture to hope I may be allowed to retain this sum of Rs. 10.

6. The steamer was here for three days, whereas the whole of the cargo might easily have been shipped in 24 hours.

7. Although I have not seen it, I understand that the merchants have addressed the Government on the subject, but I have again to point out that at this port there are only native merchants except Mr. Maiden himself, and consequently considerable loss is frequently entailed for want of an unbiassed referee in disputes or accidents which must necessarily arise in all shipping transactions.

No. 197.

Forwarded to the Board of Revenue, in continuation of this office No. 9383, dated 17th December 1890. It is evident that the trade of the port is hampered by the existing rule. I think the Port officer should be permitted to make the surveys and charge the usual fee for them.

MASULIPATAM,
10th January 1891.

(Signed) SYED ABBAS HOSSAIN,
for Collector.

ORDER—No. 456, Marine, dated 29th May 1899.

On reconsideration, His Excellency the Governor in Council is pleased to withdraw the prohibition against Port officers undertaking the survey of private cargoes. They will, in future, be allowed to take up such work when required to do so by merchants or Insurance Agents; but only at the smaller ports where other competent European agency is not available. The Presidency Port Officer will submit a list of such ports for the approval of Government. The surveys should, as proposed by the Presidency Port Officer, be made out of office hours, and the fees which will, it is presumed, be fixed by mutual consent, may be retained in full by the Port officer.

(True Extract.)

Under Secretary to Government.

To the Presidency Port Officer.
" Revenue Department.
" Accountant-General.

Exd. A. F. Eccleston.

Marine DEPARTMENT.

Read the following:—

Letter from the Presidency Port Officer, Madras, No. 474/109 G, dated

20th March 1899.

No. 456 Madras. 29 May 99

Circulated to

48

ORDER.

On reconsideration, His Excellency the Governor in Council is pleased to withdraw the prohibition against Port Officers undertaking the Survey of private cargoes. They will, in future be allowed to take up such work when required to do so by merchants or Insurance Agents; but only at the smaller ports where other competent European Agency is not available. The Surveys should, as proposed to the Presidency Port Officer, be made out of office hours, and the fees which, it is presumed, he fixed by mutual consent, may be retained in full by the Port Officer.

Presidency Port Officer
will submit a list of
ports in the approval
is Govt

Rev. sign at
initial

CS

1. Bell

Read the following:-

Letter from the Presidency Port Officer, Madras, No. 474 G, dated 20th March 1899

456 m

Survey of private cargo by Port officers.

Circulated to

FOR ORDERS

The Hon. W. Arnold C. S. J.

I feel a little doubtful as to the propriety of this proposal. Perhaps the Hon. Mr. Arnold would give his opinion upon it.

A. 24
30.4.99

Flag T.
Flag M.
Flag T.
Flag V.

The Government has repeatedly refused permission to Port Officers to survey cargo, as will be seen on reference to the undermentioned orders:
G.O. 507 Madras 6th November 1898
" 227 Madras 23rd June 1890
" 424 Madras 3rd December
" 64 Madras 19th February 1891.

I have read through the file and must say I remain of the same opinion I formed when I was Collector of Kistna.

Flag M. (vide G.O. 227 Madras 23rd June 1890)

An impartial intelligent European is occasionally required by shippers and agents to survey cargo, and the Port Officer is the only man available. It tends to further and facilitate business if surveys of this

2. The Presidency Port Officer, notwithstanding, requests that the question may be again placed before Government.

3. In one of his notes on this matter the Honourable Sir Henry Stokes records the following observations:-

" I would maintain the orders of November 1888 prohibiting cargo surveys. There is good sense and reason in allowing the Special Knowledge

Marine (1899) Department.

CURRENT No. 422

From

The Presy Port Officer,
Madras

No. $\frac{474}{109}$ G.

Dated 20th March 1899

Received 23-3-99

Enclosures 1

Spare copies

SUBJECT.

Requesting that the question for the survey of cargo by Port officers may be again placed before Government for consideration.

Order

Kind can be done. The Port Officer no doubt is not an expert. Sir H. Stokes wrote "their opinion on such matters (myrabolams or produce of any kind) is no better—probably worse—than that of the first man in the street." But the desire of shippers & agents to employ the P.O.s on such surveys shows they are of a different opinion, and it is they who for their own purposes wish to employ the P.O.s. If other trustworthy agency were available it would of course be a different thing. In Masulipatam—apart from the Port Officer—there was no European who could be found for such a job, for it was not in the Missionaries' line. Moreover as most of the P.O.s have been in merchant service in the tropics they must have acquired some general knowledge about ordinary cargoes. But what is wanted is an intelligent honest man—not an expert. Perhaps enquiry might be made of the Bombay Govt. as to whether they permit their P.O.s to undertake cargo surveys under what conditions. If it were not for Sir H. Stokes's repeated veto I should accept the proposal without hesitation.

Thank the Hon. Secy.

MA 5.5.99. President's conclusion.

But, I think it is only in the matter

Port officers being availed of for marine or shipping surveys in the absence of other qualified persons. But what can they know about myrabolams or produce of any kind? Their opinion on such matters is no better—probably worse—than that of the first man in the street. There is a further objection to allowing them to undertake such surveys, viz. that in the event of dispute arising in litigation they will be called upon to give evidence and detained perhaps for days to the great prejudice of their public duties."

Am 22/4/99

Admission for this Secretary's order is to whether the Bombay Govt. should be addressed in the matter. It seems no need to point out the concessions for the larger part of the 'Other trustworthy agency' is not always available, but it is like Masulipatam, Bombaim where the concessions will be a boon to the mercantile community. I might, I think, be granted for proper safeguard which

BACK PAPERS.

FURTHER PAPERS.

No.	Date.
64 &	15. 2. 91
424 &	3. 12. 90
227 &	23. 6. 90
507 &	1. 11. 90

No.	Date.
Mem 74-4	27. 8. 8. 99

No. 9383

Kistna District Collector's
Office, Masulipatam,
17th December 1890.

From

A.T. Arundel Esquire.,
Collector,
Kistna District,

To

The Secretary
to the Board of Revenue
Madras.

Sir,

With reference to G.O., Marine, dated 6th No-
vember 1888, No. 507, I have the honor to request that
private surveys including surveys of cargo when necessary
may be undertaken by the Port Officer of Masulipatam as
a special case. There are no private surveyors and in
case of a difference between, say, the Agent of the Bri-
tish India Steam Company and a Consignee, much inconve-
nience and loss may be and has been experienced.

2. I enclose copies of a letter from the Port Of-
ficer on the subject and of a petition put in by all the
merchants of Masulipatam begging for a relaxation of the
rule in question.

I have &c.

(s/d)

for Collector.

Port Office, Masulipatam
December 4th 1890.

No. 3/321

From

J.M. Simpson Esqr., Port Officer,

To

The Collector, Kistna.

Sir,

1. With reference to my correspondence ending with
my

and my No 648 dated August, 25th, 1890,
my No. 629 dated August 13th 1890, I have the honor to
report the following case as typical instance of the
loss and inconvenience to this Port generally, owing to
the prohibitive orders concerning surveys of cargo by
Port Officers.

2. A large amount of castor seed was awaiting
shipment to Calcutta at the beginning of November, and
in consequence the B.I.S.N.Co. sent a special extra
steamer the "Puttiala" to receive it.

3. The castor seed was sent from Jaghurpett & the
interior, and on arrival here, it was found that the bags
contained more or less sweepings of dirt and other foreign
matter such as tamarind stones, coriander, turmeric and
such like. Messrs. Maiden & Co. who are Agents for the
steamer as well as Agents to the Insurance Company would
not insure the cargo, and the shippers would not ship it.
Application was therefore made to me to survey a percentage
of the Bags, which I refused to do under the prohibition
already quoted.

4. Meanwhile the S.S. "Puttiala" arrived on the 10th
of November and was detained for this cargo.

5. At length at the earnest entreaty of the shippers,
Siram Bhimiah and Tammana Ramabraham, I thought it was a
matter of urgency, and on early mornings and in the evenings
out of office hours, I was personally present to see some
of the bags sifted and the dirt weighed: and made out two
certificates accordingly, for which I charged a nominal
fee of Rupees Five each and as much of my ex-officio time
was taken up for three days. I venture to hope I may be
allowed to retain this sum of Rupees ten.

6. The steamer was here for three days whereas the
whole of the cargo might easily have been shipped in twenty
four hours.

7. Although I have not seen it, I understand that
the Merchants have addressed the Government on the subject,
but

but I have again to point out that at this Port there
are only Native Merchants except Mr. Maiden himself, and
consequently considerable loss is frequently entailed
for want of an unbiassed referee in disputes or acci-
dents which must necessarily arise in all shipping trans-
actions.

I have &c.,
(s/d) J.M. Simpson
Port Officer.

(True Copy)

No. 197

Forwarded to the Board of Revenue in continua-
tion of this office No. 9533 dated 17th December 1890. It
is evident that the trade of the Port is hampered by the
existing rule. I think the Port Officer should be per-
mitted to make the surveys and charge the usual fee for
them.

Kistna Collectorate
Masulipatam
Dated 10th January '91

(s/d) Syed Abbas Hossain
For Collector

(True Copies)

W.B. Fernandez

Manager,
Presidency Port Officer.

and my No 648 dated August, 25th, 1890,

my
ref
lo
th
F
August 15th 1890. I have the honor to

No. 474/1299

Presidency Port Office,

Madras, 20 March, 1890.

Heading

From

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

Presidency Port Officer,

Madras,

To

THE SECRETARY TO GOVERNMENT,

MARINE DEPARTMENT,

CHEPAK.

Sir,

The Port Officer, Mangalore, has brought to my notice, that frequent applications are made to him by native merchants, and Insurance Agents, to survey cargoes arriving at Mangalore, and he requests that the matter may be laid before Government in view of that part of G.O.No. 507, Marine, dated 6th November 1888, which prohibits survey of cargo, being cancelled.

2. The last occasion on which the question was submitted to Government, was in 1890, when Mr. Arundel who was then the Collector of Kistna addressed the Board of Revenue on the subject (see his letter No. 9335 dated 17th December, 1890-copy attached) but Government remained firm to its original decision, and in G.O.No. 64, Marine, of 19th February 1891 finally declined to reconsider the decision contained in G.O.No. 507 of 6th November 1888.

3. In para 2 of G.O. No. 223, Marine, dated 31st May 1888 Government decided that no private surveys of cargo should be made by Marine Officers of Government without special sanction, and in G.O. No. 424, Marine, dated 3rd December '90

further

and my No 648 dated August, 25th, 1890,

further stated that G.O. No. 507 dated 6th November 1888 prohibits Port Officers from surveying cargo which usually consists of country produce about which these officers know nothing.

4. I am not aware of the grounds on which the decision of Government on the subject was based, but presume that it may have been due to the idea that Port Officers know nothing about country produce.

5. The fact that at certain ports applications are still made for a Port Officer's service to survey damaged goods, shows, I think, that the mercantile community believe that a Port Officer is capable of passing an opinion on damaged goods and produce. I venture to ask that the question may be again placed before Government as it seems to me that at ports where it is impossible to obtain, for the survey of cargo, the services of a professional surveyor, the services of the Port Officer would be much appreciated by the persons concerned with damaged cargo. The survey of course should be made out of office hours and the whole fees should go to the Surveyor.

I have the honour to be,

Sir,

Your Obedient Servant,

A. A. Theet

Commander, R.I.M.,

Presidency Port Officer.