

Communicating to the Presidency Port Officer the decision of the Government of India that officers of the Royal Navy and of the Royal Indian Marine should not, in future, be nominated to act as — at Courts of inquiry into cases involving the cancellation or suspension of the certificate of a master, mate or engineer, under section 13 (1) of the Indian Merchant Shipping Act, 1883, and requesting that the order be communicated to the Presidency and District Magistrates by the Judicial Department.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper :—

From J. E. O'CONOR, Esq., Assistant Secretary to the Government of India, Finance and Commerce Department (Statistics and Commerce—Commerce and Trade—Merchant Shipping), to the Secretary to the Government of Madras, Marine Department, dated Simla, 3rd June 1899, No. 2538 S.R.

The Government of India have received from Her Majesty's Secretary of State certain correspondence, from which it appears that the Board of Trade took objection to the constitution of the Marine Court held at Aden to enquire into the wreck of the P. and O. S.S. *China* in March 1898, on the ground that an officer of the Royal Navy was appointed as one of the two assessors in that inquiry. The Board of Trade stated that this appointment was not in accordance with the provisions of either the Imperial or the Indian Merchant Shipping Law, which require the appointment of two assessors having experience in the merchant service in any case in which an investigation involves, or appears likely to involve, any question as to the cancelling or suspension of the certificate of a master, mate or engineer. The Board of Trade also entertained some doubt whether the same objection did not apply to the appointment of an officer of the Royal Indian Marine as the second assessor.

2. In view of the objections taken by the Board of Trade and of the fact that, as the consequence of those objections, the Board directed a new enquiry to be held in England on the wreck of the *China*, the Governor-General in Council has decided that officers of the Royal Navy and of the Royal Indian Marine shall not in future be nominated to act as assessors in any courts held under section 13 (1) of the Indian Merchant Shipping Act of 1883.

3. I am to request that, under the orders of His Excellency the Governor in Council, this decision may be carried into effect for the future.

Copy forwarded to the Military (Marine) Department for information and communication to the Director of the Royal Indian Marine.

ORDER—No. 555, Marine, dated 21st June 1899.

Communicated to the Presidency Port Officer.

2. The order will be communicated to the Presidency and District Magistrates by the Judicial Department.

(True Extract.)

Under Secretary to Government.

To the Presidency Port Officer,
Judicial Department.

Exd. T. K. Narayana Aiyangar.

Dr. ... DEPARTMENT.

READ the following :—

Letter from the Government of India, Finance and Commerce Department, No. 2538 S.R., dated 3rd June 1899.

No 555 Mar of 21-6-99

Circulated to

ORDER.

The Jnd. Dep. for C. i.

Communicated to the Presidency Port Officer. 2. The order will be communicated to the Presidency and District Magistrates by the Judicial Department.

R.S. 16.6.99

To the Jnd. Dep. 17/7/99

Marine (1897) Department.

CURRENT No. 782

Order

Communicated to the
Principal Officer.

From The Govt of India

No. 2538 S R

Dated 3 June 98

Received 15

Enclosures

Spare copies 7

SUBJECT.

Requesting that the decision,
that officers of the Royal Navy
and of the Royal Indian Marine
shall not in future be
deputed to act as assistant
in any Comd. held under Section 13.
(1) of the Indian Merchant Shipping
Act may be carried into effect
for the future.

FURTHER PAPERS.

GOVERNMENT OF INDIA.
FINANCE AND COMMERCE DEPARTMENT.

STATISTICS AND COMMERCE.
Commerce and Trade.
Merchant Shipping.

THE SECRETARY TO THE GOVERNMENT OF *Madras*,
MARINE DEPARTMENT.

Simla, the 3rd June 1899.

THE Government of India have received from Her Majesty's Secretary of State certain correspondence, from which it appears that the Board of Trade took objection to the constitution of the Marine Court held at Aden to enquire into the wreck of the P. and O. S.S. *China* in March 1898, on the ground that an officer of the Royal Navy was appointed as one of the two assessors in that inquiry. The Board of Trade stated that this appointment was not in accordance with the provisions of either the Imperial or the Indian Merchant Shipping Law, which require the appointment of two assessors having experience in the merchant service in any case in which an investigation involves, or appears likely to involve, any question as to the cancelling or suspension of the certificate of a master, mate, or engineer. The Board of Trade also entertained some doubt whether the same objection did not apply to the appointment of an officer of the Royal Indian Marine as the second assessor.

2. In view of the objections taken by the Board of Trade and of the fact that, as the consequence of those objections, the Board directed a new enquiry to be held in England on the wreck of the *China*, the Governor-General in Council has decided that officers of the Royal Navy and of the Royal Indian Marine shall not in future be nominated to act as assessors in any Courts held under section 13 (1) of the Indian Merchant Shipping Act of 1883.

3. I am to request that, under the orders of *His Excellency*
the Governor in Council _____
this decision may be carried into effect for the future.

I have the honour to be,

SIR,

Your most obedient Servant,

Asst. Secy. to the Govt. of India.

COPY forwarded to the Military (Marine) Department for information and communication to the Director of the Royal Indian Marine.

GOVERNMENT OF INDIA.
FINANCE AND COMMERCE
DEPARTMENT.

STATISTICS AND COMMERCE.
Commerce and Trade.
Merchant Shipping.

To

THE SECY. TO THE GOVT. OF
MARINE DEPARTMENT.
THE MILITARY (MARINE) DEPARTMENT.

No. 2538S.R.

Dated Simla, the 3rd June 1899.

Officers of the Royal Navy and of the Royal
Indian Marine not to be nominated to act as
assessors at Courts of inquiry into cases in-
volving the cancellation or suspension of the
certificate of a master, mate, or engineer under
section 13 (1) of the Indian Merchant Shipping
Act, 1883.

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