

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No.	2506	Press
B.P. No.		Mis.
Dated	19-9-	4876 195

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department,
19th September 1876 No. 2,506

No 318 Read the following endorsement of the Officiating District Engineer, Presidency, dated 28th August 1876, No. 2,891 —

From J. N. GRAINGER, Esq, General Superintendent of Public Works Workshops and Stores, to Major P. MONTGOMERIE, R E, Officiating District Engineer, Presidency, dated Chepauk, 24th August 1876, No 736

In continuation of my letter, No. 686, dated 16th instant, I have the honor to forward, for submission to Government, copy of letter from the Master Attendant, Administrative Department, regarding the iron rails short delivered by the SS *Merkara*, stating that he is unable to make a claim for more than two rails, as in the matter of short delivery of cargo the owners of a vessel are only bound by the Bill of Lading and by no other documents, and as by the Bill of Lading the ship landed 1,532 rails out of 1,535 shipped, one rail having fallen overboard alongside the pier, the owners can only be held liable for two rails short delivered

2 With reference to the above, I beg to state that, according to the Packing Account returned for transmission to Government with my letter above quoted, five rails 7 feet 6 inches each are noted as short delivered, and two rails of 24 and 21 feet each as received in excess of the number entered as shipped in the duplicate Packing Account. I therefore requested the Master Attendant to recover from the Agents the cost of five rails 7 feet 6 inches each, leaving the matter of the two rails received in excess to be adjusted by the Home Government with the suppliers. From the subjoined extract from Packing Account per *Merkara*, it will be seen that the aggregate number of rails given in the Bill of Lading agrees with the total number in the Packing Account as debited below —

Loose 1,430		Iron rails 50 lbs per yard		Tons 250
		Shipped.	Received	Surplus
Viz, 24 feet	..	1,238	1,239	1
21 "	..	149	150	1
18 "	..	43	43	.
Total		1,430	1,432	2
		Additional rails.		Deficiency
15 feet	..	20	20	.
12 "	..	20	20	.
7 feet 6 inches	...	54	49	5
6 " 9 "	..	11	11	.
Total		105	100	5
Grand Total		1,535	1,532	.

I submit that the numbers as above detailed should be delivered by the ship, but I leave the matter for the decision of Government

From J H TAYLOR, Esq, Lieut, R N R, Master Attendant, Madras, to J N GRAINGER, Esq, General Superintendent, of Public Works Workshops and Stores, dated Madras, 17th August 1876, No 5,501

I HAVE the honor to acknowledge receipt of your letter No 682, dated 16th instant, regarding the iron rails short delivered ex *Merkara* on account of the Harbour Works, and to point out that the owners of a vessel in the matter of short delivery of cargo are only bound by

Proceedings of the Madras Government, Public Works Department,
19th September 1876. No 2,506

the Bill of Lading and by no other documents In the Bill of Lading there are two items of 105 and 1,430 iron rails, in all 1,535 to be delivered The books of this office clearly show that 1,532 iron rails have been actually landed and taken delivery of by your department, there remain, therefore, only three rails to be accounted for One of these fell overboard along-side of the pier, and the ship can only be made responsible for two iron rails short delivered

2 I would also point out to you that all excess cargo must be acknowledged at the port of delivery, and receipts granted for the same at Madras, where the adjustment of balance of freight due has to be made in accordance with the terms of the Charter party.

3 Under these circumstances, I have no alternative but to inform you that I must decline to make a claim for more than two rails short delivered as against the owners of the vessel I forward herewith Rupees 6, being the value of one lost overboard alongside of the pier, and for which amount an acknowledgment is requested.

SUBMITTED to the Chief Engineer and Secretary to Government, Public Works Department, in continuation of District Engineer's No 2,675, dated 17th August 1876
(Signed) P MONTGOMERIE, Major, R E,
Offg District Engineer, Presidency

No 319 ORDER THEREON, 19th September 1876, No 2,506

ACCOUNT, No 18-A

HIS GRACE the Governor in Council is unable to acquiesce in the view taken by the Master Attendant The two rails of 24 feet and 21 feet respectively delivered in excess by the ship cannot be taken as a set off against the four rails of 7 feet 6 inches which were found deficient

(True Extract)

Colonel,
Offg Under Secy to Govt, P W.D.

Administrative Department. - Madras
Maurice P. Sec
No 5501 17th August 1876
From, The Master Attendant
Administrative Department
Madras.

To, The General Superintendent
P W Stores

Sir, I have the honor to acknowledge receipt of your letter No 5501, dated 16th instant, regarding the iron rails short delivered ex "Merhana", on account of the Harbor Works, and to point out that the owners of a vessel in the matter of short delivery of cargo are only bound by the Bill of Lading and by no other documents In the Bill of Lading there are two items of 105 and 1,430 iron rails in all 1,535 to be delivered The books of this Office clearly show that 1,532 iron rails have been actually landed and taken delivery of by your Department, there remain therefore only 3 rails to be accounted for One of these fell overboard alongside of the pier, and the ship can only be made responsible for 2 iron rails short delivered

2 I would also point out to you that all excess cargo must be acknowledged at the port of delivery, and receipts granted for the same at Madras, where the adjustment of balance of freight due has to be made in accordance with the terms of the Charter party.

3. Under these circumstances
I

I have no alternative but to inform you that I must decline to make a claim for more than two rails short delivered as against the owners of the vessel I forward herewith. Rupees (6---) six being the value of one lost overboard alongside of the Pier and for which amount an acknowledgement is requested.

I have the honor to be
Sir

Your most Obedt Servt
(Signed) J H Taylor
Master Attendant
Administrative Dept.

(True Copy)

J H Mairer
Genl Supt P & M Stores

91
PRESIDENCY WORKSHOPS, D. P. W.,
Chennai, Madras, 24 August 1876.

No. 736

From

THE GENERAL SUPERINTENDENT,
PUBLIC WORKS WORKSHOPS AND STORES,

To

THE

District Engineer

SIR,

Presidency, Fort St George.

Enclosure 1

In continuation of my letter No 666 dated 16th instandy, I have the honor to forward for submission to Government, copy of letter from the Master Attendant, Administrative Department regarding the iron rails short delivered by the S.S. "Blenhar", stating that he is unable to make a claim for more than two rails, as on the matter of short delivery of cargo the owners of a vessel are only bound by the Bill of Lading and by no other documents, and as by the Bill of Lading, the ship landed 1532 rails out of 1535 shipped, one rail having fallen overboard alongside the Pier, the owners can only be held liable for two rails short delivered.

2 With reference to the above, I beg to state that according to the Packing Account, returned for transmission to Government with my letter above quoted, five rails 7'-6" each are noted as short delivered, and two rails of 8' and 21 feet each; as

received

received in excess of the number entered as shipped in the Duplicate Packing Account & therefore requested the collector to recover from the agents the cost of 5 rails 7' 6" each, leaving the matter of the two rails received in excess, to be adjusted by the home Government with the suppliers. From the subjoined Extracts from Packing Account for Gibraltar it will be seen that the aggregate number of rails given in the Bill of Lading agrees with the total number in the Packing Account as detailed below:

Less 1430 Iron rails 5' 6" per yard	Tons 250		
by 24 feet	shipped 1238	received 1239	surplus 1
21 "	149	150	1
15 "	43	42	
Total	1430	1432	2
15 feet	Additional rails 20	deficiency 20	
12 "	20	20	
7' 6"	54	49	5
6' 9"	11	11	
Total	105	100	5
Grand Total	1535	1532	

I submit that the numbers as above detailed should be delivered by the ship, but I leave the matter for the decision of Government.

I have the honor to be

Yours most Obedt Servt

J. H. Mairinger
 Chief Clerk

1000 3 1/2 tons 1/2 cts

1000 3 1/2 tons 1/2 cts

1000 3 1/2 tons 1/2 cts

1000 3 1/2 tons 1/2 cts

1000 3 1/2 tons 1/2 cts

4823-8-76 2222 2222

P.W.D.
No. 1276
No. 5

From
The District Eng^r Presidency

Dated 28th August 1876.

Encls: one
No. 2891

Recd - 12-9-76
Ca. 7-9-76
Despd to Oct 1-9-76.

28 August 1876
Blaise Nouri
To the District Engineer
and Secretary to Govt. Engineering
Establishment No. 2675 of 14 Aug 76
No. 2891

8/12/76

From
The General Superintendent,
P.W. Workshops,
T. C. Road,
Trichy.
To
The District Eng^r,
Presidency
Trichy.
Dated 24th August 76
Despatched
Received
29/8/76
Enclosures
1
For the Secretary to Govt. Engineering
Establishment
Trichy.
For the District Engineer
Trichy.
For the District Engineer
Trichy.

W2

W2

No. 2506

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 19th Sept 1876.
Read the following -

Endorsement of the District
Eng^r Presidency on letter from
the Genl. Supt. P.W. Workshops
No. 736 of 24th August 1876
(No. 2891 of 28th Aug 1876)

His Grace the
Governor in Council is
unable to acquiesce in
the view taken by the
Master Attendants. The
two rails of 24' and 21'
respectively delivered in
excess by the ship cannot
be taken as a set off
against the 4 rails of
7'-6" which were found
deficient.

D.C. Presidency
Marine Dept.
No. 2891

Desd 3/10/76

6
Govt. of 1876 Madras.

PUBLIC WORKS.

To The N. C. Presidency

Dated

Issued

Recd

Encl

G O. 19th Sept 1876, No 2506

Nos. 318/19

Left no reply
4-10-76

Short delivery of Harbour
works stores per S.S.

"Merkara" seeing orders
in letters from the Master
attended submitted through
the Deputy Commissioner
bringing to notice the —
and requesting decision whether
the cost of the same might
be recovered from the Prop.
owners.