MRO 1—77,006—8-6-37.

(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. 371 (W) Press ~~Mis.~~

Dated 7-7- 1877.

Not to be folded or roughly handled

19 It is on this bill that I ask for instructions I cannot see how I could have acted otherwise than I did in hiring this launch, nor can I lay any blame on any one for either of the mishaps that occurred In taking her from the water on the first occasion, I did so with the idea of saving the craft; and the breaking from the *Hobart* in April was an accident that may happen at any time in a strong ground swell. The launch was moored with a good line, but the constant pitching snapped it in two, and now the question of damage is unfortunately too clear

20 The amount charged seems to me to be very large, although I believe £600 is the actual cost of such a launch in England Yet I think it was clear that although the boat was only one year old when I hired her, she was not then worth her full value.

21. Another point I would respectfully ask to be instructed on, is whether the price of this claim (if allowed) shall be borne totally by the Harbour Works, or whether the Marine Survey of India will not share the cost

---

No 1,733

REFERRED to the Government Solicitor for opinion.

(Signed) E. A. FOORD, Colonel, R E,
Secretary to Govt, P.W.D

23rd June 1877

No 85-A. From E BARCLAY, Esq, Government Solicitor, to the Secretary to Government, Public Works Department, dated Madras, 27th June 1877, No 296

I HAVE the honor to acknowledge receipt of your docket, dated 23rd June 1877, No 1,733, upon a letter from the Superintendent, Madras Harbour Works, to your address, and dated 16th June 1877, No 22 W.

2 The original contract for the hire of the steam launch seems to have been that Government should pay Rupees 200 a month for its use and return it to the owners in as good condition as when it was received from them During the time of hiring the steam launch met with an accident through which it sustained certain damages, in consequence of which the owners refused to receive back the craft

3. On the second occasion of hiring in January 1877, the owners expressly stipulated that, if Government took the launch, it was to be without prejudice to the owner's claim for the value, or in other words they still adhered to their determination not to take back the launch In April 1877 the launch was wrecked, and, though the Superintendent of the Harbour Works does not say so, I apprehend that she has not been returned to the owners.

4. Under these circumstances, it seems to me that it was for the owners of the steam launch to elect which they would take, the hire of the launch amounting to Rupees 400, and the launch in its damaged state, or the value of the vessel I do not see how they could have both. I think the meaning of the original contract was that Government should either pay Rupees 200 a month for the use of the boat and return it in as good a condition as when hired, or should pay the owners the value of the boat if it could not be returned to them in such good condition I think further that the owners by their refusal to receive back the boat in November 1876 elected to take its value in preference to the hire and the (as they say) damaged launch, and that in January 1877 they expressed their intention to adhere to that election I think, therefore, the Rupees 1,000 claimed for the hire of the boat must be disallowed

5 Whether Rupees 6,000 is a proper sum to allow for the value of the launch, I am hardly in a position to say Mr Thorowgood says he believes £600 is the actual cost of such a launch in England, but he throws some doubt upon her value when he hired her. I think if the launch cost the owners £600 or anywhere near

that sum in England, Rupees 6,000 would not be an unreasonable amount to allow for her here when only one year old, but there is really no evidence before me as to what the actual value of the launch was when first hired

6 With regard to the last item claimed, viz, Rupees 89-2-9 for carrying the boat from Cochrane's Canal to the sea, I can hardly express an opinion, as there is nothing to show me when or under what circumstances the charge was incurred, but, if Government agreed to pay it and the charge was actually incurred by the owners, I suppose it must be paid

7. I return the letter of the Superintendent of the Madras Harbour Works

---

No 86 ORDER THEREON, 7th July 1877, No 371 W.

HIS GRACE the Governor in Council is of opinion that the owner cannot justly claim the hire of the launch as well as the value of the vessel. The Superintendent of the Harbour Works reports that a similar launch can be purchased in England for £600, and as the owner of the launch in question valued her at Rupees 6,000 before she was damaged, Mr Thorowgood is at liberty to enter into negotiations for the purchase of the launch for this amount, offering also to liquidate the cost of conveyance from Cochrane's Canal to the sea, viz, Rupees 89-2-9 The transaction should be settled through the Government Solicitor.

2. The whole cost must be borne by the Harbour Works.

3 The Superintendent will report the present condition of the vessel.

(True Extract)

Colonel, R E,
Secretary to Government, P.W D

To the Superintendent, Madras Harbour Works.
" Government Solicitor
" Marine Department
" Examiner of Public Works Accounts

Exd E C Shunker

Spare Copies

2

GOVERNMENT OF MADRAS

PUBLIC WORKS DEPARTMENT.

7th July 1877, No. 371 W

Buildings and Roads
Civil Works

Read the following papers —

No 85 From F^r N THOROWGOOD, Esq, Superintendent, Madras Harbour Works, to Colonel E A FOORD, R E, Secretary to Government, Public Works Department, dated Madras, 16th June 1877, No. 22 W

I HAVE the honor to lay before Government the following statement of the position in which I am placed with regard to the cost of hiring a steam launch used for the purpose of surveying the Madras Roadstead.

2 In order that I may make the whole case clear, it will be better that I refer back to a letter from Mr C J Lyall, Under Secretary to the Government of India, Department of Revenue, (No. 703, dated 23rd August 1876,) to Major-General Walker, R E, Secretary to the Government of Madras, Public Works Department, stating that Lieutenant Jarrad, R N, and Mr Falle were ordered to Madras for the purpose of surveying the roadstead.

3 Mr. Falle arrived here on August 30th, and told me what he required for his work, namely, a steam launch, a tide gauge, a Land Surveyor, and office accommodation. These requirements I reported to Government in a letter No 69 W, dated 6th September 1876, and stated that I had found a steam launch which could be hired for Rupees 200 a month. G O, No. 2,445, dated 13th September 1876, gave me permission to hire this launch, which I accordingly did.

4. This steam launch was built by Messrs. Yarrow and Hedley in 1875, and was therefore nearly new. In July 1876 she was inspected by the then Officiating Superintendent of these works, with a view to purchasing her for surveying purposes. The price asked by the owner, Hajee Mahomed Abdulla Badsha Sahib, was Rupees 6,000.

5 On September 6th I commenced negotiations for the hire of the launch for the two Marine Surveyors, having previously been informed that a rate of hire of Rupees 200 per mensem had been quoted to the Marine Department for the proposed use of the vessel on a former occasion.

6. After a great deal of correspondence between the Agents of the owner of the launch and this office, during which time the Marine Surveyors constantly reminded me that each day's delay was of great importance, an agreement was at length entered into that I should hire the vessel for Rupees 200 a month and be responsible for her safety; moreover that excepting reasonable wear and tear I should deliver the vessel back to the owners in as good condition as when received by me

7. On October the 2nd the launch was lowered into the water and placed under my care. The boilers had been tested at the Presidency workshops three days previously up to 120 lbs. on the square inch I examined the vessel before giving the owners receipt for her, and then stated in the receipt that "as far as I am able to judge of her without trying her engines she appears to be in good order."

8 The launch was used by the Marine Surveyors with satisfaction until the 7th October, when the sea became so heavy that I deemed it prudent to take the

launch out of the water, and she was accordingly lifted up at the end of the pier by one of the cranes.

9. In the act of raising her a heavy sea struck her and caused one of the slings to give way, whereby the boat got some slight injuries, which were repaired as quickly as possible Amongst other injuries the smoke funnel was lost and this was replaced by a new one In places where the boat was damaged and strained, it now became apparent that she was not in very good condition and that the iron work was much rusted

10. On the 14th October she was again in working order, and was lowered into the water once more Lieutenant Jarrad told me that she worked quite as well and was more water-tight than on the former occasion. The launch was used until the 20th, when she was taken out of the water for the second time, the Marine Surveyors having done with her.

11. On October 24th I wrote to the Agents to say that I had done with the launch and that I would return it to the owner on his reporting in what order he received her.

12 In reply to this the owner refused to receive the craft back at all, but demanded the full value instead This demand I refused to comply with, but, as the owner complained of the serious damage done, I had the boat most thoroughly overhauled and examined, and I came to the conclusion that she was as good as when received by me first

13 On November 20th I again reminded the owner that I had done with the launch, and that although I had only had her a little over six weeks I would pay him the hire for two months, at the same time I informed the Agents of the owner that I did not hold myself liable for the vessel after November 25th, 1876 The claim, however, was persisted in

14 In January 1877 I was asked whether I could hire the steam launch again for the use of Lieutenants Hammond and Pascoe, RN, and on my applying to the Agents, was informed that I could have the craft again, provided it did not prejudice the owner's claim against me for the value of the vessel.

15. This steam launch being the only craft available and Lieutenants Hammond and Pascoe being in a great hurry to start, again lowered her into the water on February 24th, and she was used for extending the survey of the roadstead north and south

16 After she had been at work for some time, the boiler tubes began to show signs of failure, and Lieutenant Hammond reported her as not being safe to work with However, the matter of renewing the tubes was never gone into; for on the night of April 9th in a rather heavy sea the launch broke her mooring line, which fastened her to the S S *Hobart* and before the men on the *Hobart* could stop her she had drifted out of sight northward She was wrecked at Cassemode on the sand, and very much damaged, but I firmly believe she can be made serviceable for surveying still.

17. The above is in detail the full account of this steam launch's connection with these works, and I am sorry that I cannot compress it into a smaller space Now I have to refer to the claim itself.

18 On April 17th the Agents for the owner of the launch sent in a bill as under—

	RS	A	P
For hire of steam launch for October and November 1876, at Rupees 200	400	0	0
Do do. 19th January to 14th April ..	600	0	0
To value of launch ..	6,000	0	0
To cost of conveying from Cockrane's Canal to sea (agreed to be paid by the Harbour Works) .. .	89	2	9
Total ...	7,089	2	9

3

Letter from the Supt. Madras Harbour Works No. 22 W dated 16th June 1877.
Letter from the Govt. Secretary to Govt. No. 296 d/27 June 1877.

FOR ORDERS

I see no reason why Govt. should pay Mr. Lucy £. 2 charges & that the Harbour Works should bear the charges but I see before the title of the Govt. Solr. for Simcox was to be long link & put it take I think

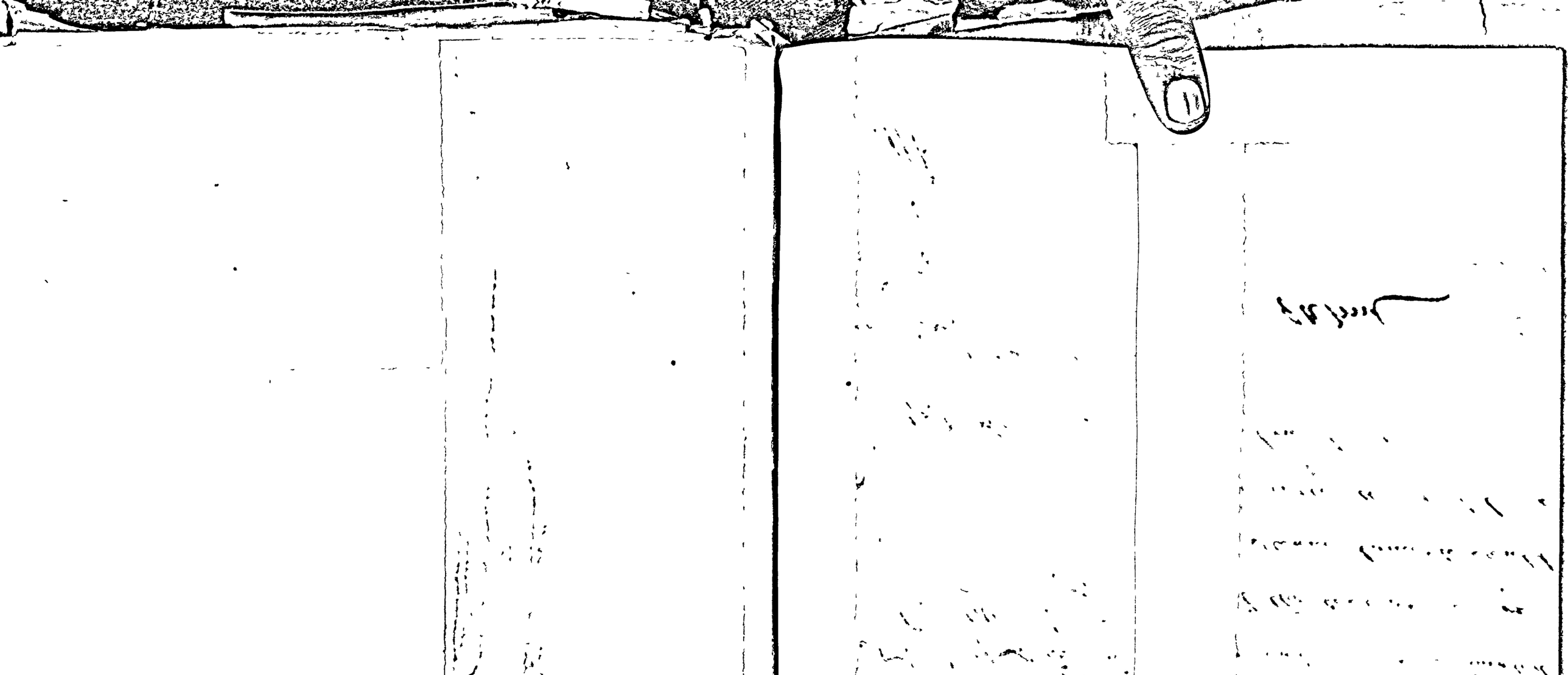
The Government of India in a letter now in circulation have intimated that the cost of hire of the Steam launch should be wholly debited to the Harbour Works.

Lt. Col.

N. The Govt. Solr's letter is in pencil in my view. He must pay the R. Dues & ? R. Rs. 2. 9. & debit to Harbour Works. Mr. Thornycroft had better be informed & settle the claim thro' Govt. Solicitor.

Lt. Col.

Edwd Colonel R.E.
Secy: to Govt. P.W.D.



FOR ORDERS

Recirculated with the opinion of the Government Solicitor

E A Smyth Capt R E
Secy to Govt

Thos Fraser Esq
&c &c &c

635-5-

Harbours

G.G. 7th July/77 No. 371 R

Recd 2-7-77.
R-C 28-6-77 Recd 2-7-77
e. 20-h. 77 23 b 77

No 22 W.

From

THE SUPERINTENDENT,
MADRAS HARBOUR WORKS,

To Colonel C. A. Foord, R. E.,
Secretary to Government, P. W. D.,
Fort St. George.

MADRAS, 16th June 1877.

SIR,

I have the honor to lay before Government the following statement of the position in which I am placed with regard to the cost of hiring a steam launch used for the purpose of surveying the Madras Roadstead.

2. In order that I may make the whole case clear, it will be better that I refer back to a letter from C. J. Lyall, Esq., Under Secretary to the Government of India, Department of Revenue, No. 703, dated 23rd August 1876, to Major General Walker, R. E., Secretary to Government of Madras, Public Works Department stating that Lieutenant Jarrad, R. N. and Mr. Falle were ordered to Madras for the purpose of surveying the Roadstead.

3. Mr. Falle arrived here on August 30th and told me what he required for his work, namely a steam launch, a tide gauge,

a land surveyor, and office accommodation.
These requirements I reported to Government
in a letter No 697 dated 6th September 1876,
and stated that I had found a steam launch
which could be hired for Rs. 200 a month.
G.O. No 2465, dated 13th September 1876, gave
me permission to hire this launch which
I accordingly did.

4. This steam launch was built by
Messrs Yarrow & Hedley in 1875, and was
therefore nearly new: In July 1876 she was
inspected by the then Officiating Superinten-
dent of these works, with a view to purchas-
ing her for surveying purposes. The price
asked by the owner Hajee Mahomed Abdulla
Badsha Sahib was Rs. 6000.

5. On September 5th I commenced
negotiations for the hire of the launch for the
two Marine Surveyors, having previously
been informed that a rate of hire of Rs 200
per mensem had been quoted to the Marine
Department for the proposed use of the vessel
on a former occasion.

6. After a great deal of correspondence
between

between the Agents of the owner of the launch,
and this Office during which time the
Marine Surveyors constantly reminded me
that each days delay was of great impor-
tance, an agreement was at length entered
into that I should hire the vessel for Rs 200
a month, and be responsible for her safety,
moreover that excepting reasonable wear and
tear I should deliver the vessel back to the
owners in as good condition as when re-
ceived by me.

7. On October the 2nd the launch was
lowered into the water and placed under
my care. The boilers had been tested at the
Presidency workshops, three days previously
up to 120 lbs on the square inch. I examin-
ed the vessel before giving the owners a
receipt for her, and then stated in the
receipt that as far as I am able to
judge of her, without trying her engines
she appears to be in good order.

8. The launch was used by the Marine
Surveyors with satisfaction until the 7th
October, when the sea became so heavy that
I deemed it imprudent to take the launch out
of

of the water, and she was accordingly hoisted up at the end of the pier by one of the cranes.

9. In the act of raising her a heavy sea struck her and caused one of the slings to give way, whereby the boat got some slight injuries, which were repaired as quickly as possible. Amongst other injuries the smoke funnel was lost and this was replaced by a new one. In places where the boat was damaged and strained it now became apparent that she was not in very good condition and that the iron work was much rusted.—

10. On the 14th October she was again in working order and was lowered into the water once more. Lieutenant Jarrad told me that she worked quite as well and was more water tight than on the former occasion. The launch was used until the 20th when she was taken out of the water for the second time, the Marine Surveyors having done with her.—

11. On October 24th I wrote to the A[gents] to say that I had done with the laun[ch]

[7]

and that I would return it to the owners on his reporting in what order he received her.—

12. In reply to this the owner refused to receive the craft back at all, but demanded the full value instead. This demand I refused to comply with, but as the owner complained of the serious damage done, I had the boat most thoroughly overhauled and examined, and I came to the conclusion that she was as good as when received by me first.

13. On November 20th I again reminded the owner that I had done with the launch and that although I had only had her a little over six weeks, I would pay him the hire for two months, at the same time I informed the Agents of the owner that I did not hold myself liable for the vessel after November 25th 1876. The claim however was persisted in.—

14. In January 1877, I was asked whether I could hire the steam launch again for the use of Lieutenants Hammond and Pascoe, R.N. and on my applying to the Agents, I was told that I could have the craft again, as I did not prejudice the owner's claim.

claim against me for the value of the vessel.—

15. This steam launch being the only craft available and Lieutenants Hammond and Pascoe being in a great hurry to start, I again lowered her into the water on February 9th and she was used for extending the survey of the roadstead North and South.—

16. After she had been at work for some time, the boiler tubes began to show signs of failure and Lieutenant Hammond reported her as not being safe to work with. However the matter of renewing the tubes was never gone into, for on the night of April 9th in a rather heavy sea, the launch broke her mooring line which fastened her to the S.S. "Hobart" and before the men on the "Hobart" could stop her she had drifted out of sight northward. She was wrecked at Cassamode on the sand and very much damaged, but I firmly believe she can be made serviceable for surveying still.—

17. The above is in detail the full account of this steam launch's connection with these

these works, and I am sorry that I cannot compress it into a smaller space. Now I have to refer to the claim itself.—

18. On April 17th the Agents for the owner of the launch sent in a bill as under:—

	£ s p
For hire of Steam launch for	
October & November 1878 @ £5 20 —	400. 0. 0
— Ditto 19th January to 14th April —	600. 0. 0
To value of launch —	6000. 0. 0
To cost of conveying from Leechlands Canal to sea (agreed to be paid by the Harbour Works) —	89. 2. 9
	£ 7089. 2. 9

19. It is on this bill that I ask for instructions. I cannot see how I could have acted otherwise than I did in hiring this launch, nor can I lay any blame on any one for either of the mishaps that occurred. In taking her from the water on the first occasion, I did so with the idea of saving the craft; and the breaking from the "Hobart" in April was an accident that may happen at any time in a strong ground swell. The launch was moored with a good line, but the constant pitching snapped it in two, and now the question

of

damage is unfortunately too clear.

2d. The amount charged seems to me to be very large although I believe £600 is the actual cost of such a launch in England. Yet I think it was clear that although the boat was only one year old when Hired, her she was not then worth her full value.

21. Another point I would respectfully ask to be instructed on, is, whether the price of this claim (if allowed) shall be borne totally by the Harbour Works, or whether the Marine Survey of India will not share the cost.

I have the honor to be
Sir
Your most Obed. Servant
F. Burrowood.
Superintendent
H. M. Works

G.G. 8 June/76 No 1428
" 26. Augt/76 No 2262
" 31st Augt/76 No 2330
" 13. Septr/76 No 2445

P.W.D.
13 JUN 77
5080

Roads & Buildings

From The Superintendent
Madras Harbour Works

Note by the Solicitor
to be kept in
the office
A.G.P.
23/6

No 224 W
Dated 16th June 1877
No 348 No 1733
Referred to the Government
Solicitor for opinion

By Order
Colonel &c
Secy to Govt
P.W.D.

23d June 1877

Steam Launch

Submits a claim for Rs
7089. 2-9 for a Steam
Launch hired for the
Marine Surveyors.—

G 6 7th July/77 SB No 85

R2.7.77
R-C28-6-77 R2.777
e. 20.6.77 Rs 167

Buildings & Roads

No 371 W

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 7th July 1877.

Read the following :—

to from the Supt Madras Harbour Works } (H.C. No 224 W dd 16th June 1877)

from the Govt Solicitor. (H.C. No 296 dd 27th June 1877)

His Grace the Governor in Council is of opinion that the owner cannot justly claim the hire of the Launch as well as the value of the Vessel. The Superintendent of the Harbour Works reports that a similar launch can be purchased in England for £600, and as the owner of the launch in question valued her at Rs 6000 before she was damaged, Mr Thorowgood is at liberty to enter into negotiations for the purchase of the launch for that amount, offering also to liquidate the cost of conveyance from

Cochrane's

Cochrane's Canal to the Sea,
vrs Rs 89. 2. 9. The transaction
should be settled through
the Government Solicitor.

2. The whole cost must be
borne by the Harbour Works

3. The Superintendent
will report the present
condition of the vessel.

GHF

To The Supt Madras Harbour
Works V
Government Solicitor V
Marine Department V
Examiner P W Accounts V

DwsCB: 17.7.77

Jt Sec V 286. Cir 4777

Govt. of {1877} Madras.

PUBLIC WORKS.

To

Dated

Issued

Recd *Encl*

G O. 7 July 1877, No 371 W

Nos. 85 86.

Steam Launch Issuing instructions to the Superintendent Madras Harbour Works for the purchase of the ___ hired for the Iname Surveyors