

Recd
+ I 24/3. 28-6-06

ORDINARY, MS.

Public DEPARTMENT.
G.O., DATED 21-3-90
No. 222.

When given for copying

[Despatch Abstract.]

In forming the fact of the
that in the opinion of the
Madras fact effect should
be given to the suggestion
of the Bengal fact regarding
the journey of the goods
referred.

FURTHER PAPER, No. 2425 OF 1890

READ AGAIN ORDER OF GOVERNMENT, DATED
188 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

A A

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.

Public
~~Home~~ Dept.
Letter 21st March 90. No. 222-
C. No. 493, 660 & 717.

To The Secy to the G. of India
Rev. & Agri: Dept (Emigⁿ).

Sir, With reference to ^{with papers quoted} your
office letter No. 235.C. of
10th Feb: 90, I am directed
to forward copies of the
letters marginally noted,
and to say that in the
opinion ^{of the Govt} of Madras effect
should be given to the
suggestion of the Govt: of
Bengal that discretionary
power should be given
to the marine surveyor
to extend his examⁿ: of Emi:
grant vessels to such
points only as the circum-
stances of each case
may demand before
granting his certificate
under act xxi of 1883.

2. I am to invite
attention to para: 9 of the
letter from the Agent for
Govt: Consignments, copy of
which is herewith forwarded

From the P. P. O. No. 968
of 10th March: 1890.
From the Protector of Emigrants,
No. 141 of 6. March 1890 -
with encls - From the
Agri: for Govt: Cont: 8 3.3.90.

Wms
15 Mar

Sub. C. No. 717

Public (1890) Department,
(EMIGRATION.)

From
THE PROTECTOR OF EMIGRANTS,
Madras,
To
THE CHIEF SECRETARY TO GOVERNMENT,
PUBLIC DEPARTMENT,
Fort St. George.

No.

Dated 6
Despatched 7
Received 8th March 1890

No. 222 of 21-3-90

ENCLOSURES. 1

No. 111
Subject.

Stating that the re: survey
of Hull and Machinery
of Emigrant Vessels calling
at Madras is not necessary
and that the proposed
addition to Rule No 104
of the Emigration Rules
may be made.

$\frac{6}{10}$

Survey of Passenger Ships the
Cubic Contents thus obtained
are multiplicabile by $\cdot 6$, this
is nowhere prescribed by the
Emigration Act and Con-
sequently the least measurement
seems to unduly favour the vessel.

I have the honor to be
Sir
Your most obedt Servant
(sd) H D Baddeley
Government Surveyor

(True Copy)

Collector's Office
Madras 6 March 1890

Surveyor
Collector of Emigrants

delayed by petty restrictions.

The really important points
of survey such as, the heat fire,
vent, and ventilation, have received
the most careful attention

In Conclusion I beg to call
attention to an error in the Rules
for Survey of Ships which
requires amending.

Under the scale of boats ^{at page} _{82 of the Rules.}
for various ships a note is
added which prescribes
how the Cubic Contents are
to be ascertained. In this
note the word "plus" should
be struck out and the words
"multiplied by" inserted.

Under the Rules of the
Board of Trade for the
Survey

Office of Agent for Govt Emigration
Madras 3rd March 1890.

Y
From

H. D. Baddeley Esq
Agent for Government Emigration Govt
Surveyor.

Y
To The Protector of Emigrants.
Madras.
S
is

In reply to your No 133 dated
27 February 1890, I have the honor to
state that, the addition to Rule 104,
of the Colonial Emigration Rules
framed under Act XXI of 1883
as proposed by the Bengal
Government, seems in every way
a most suitable one.

2. I would however remark
that at this Port it is impossible
to

to carry out any survey of a
Vessel's hull, as there are no dry
docks; and as regards the interior
of the hull, Vessels which now
carry immigrants always arrive
at the Port loaded.

3 I would also respectfully
suggest that a less elaborate
form of Survey report be adopted
for this port and others similarly
situated.

11 To fill in Form 25 in its
integrity would involve several
inspections of the Vessel, and
it would be necessary to detain
her for some days, which to
the class of Ships now employed
in the trade would mean serious
loss.

5 In the case of the four
Steamers of the B. I. S. N.
which have been placed on
this duty, I have accepted
many of the details of equipment
without personal inspection
to avoid delay to the Vessel.
6 In this connection the
remark of the Secretary to
the Government of Bengal
in the concluding portion of
his letter to H. O. dated 20th
December 1889 applies with
particular force, and I am
of opinion that it would be
a very great pity if such
Vessels should find that
the carriage of immigrants was
unremunerative through being
delayed.

delayed by petty restrictions.

7 The really important parts of Survey such as, the boats fire, gear, and Ventilation, have received the most careful attention.

8 In Conclusion I beg to call attention to an error in the Rules for Survey of Ships which requires amending.

9 Under the scale of boats ^{at page 82 of the Rules.}

for various ships a note is added which prescribes how the Cubic Contents are to be ascertained. In this note the word "plus" should be struck out and the words "multiplied by" inserted.

10 Under the Rules of the Board of Trade for the Survey

bring no dry dock and to Steamers arriving here more or less fully loaded, it is impossible to properly survey the Hull as pointed out by the Marine Surveyor in his report Copy of which is forwarded for Government information.

I have the honor to be
Sir
Your most obedt Servant

Edw. W. L.
Protector of Emigrants

No. 111

C. No. 717
OFFICE OF THE PROTECTOR OF EMIGRANTS,
Madras, 6 March 1890.

From

G. J. Watters Esq.

PROTECTOR OF EMIGRANTS,
Madras,

To

The Honourable Sir

CHIEF SECRETARY TO GOVERNMENT,
PUBLIC DEPARTMENT,
Fort St. George.

SIR,

In reply to Government Reference
one to 493 of the 25th Ill. I have
the honor to state that in my opinion
Section 56 of Indian Emigration Act
XXI of 1883, should be amended as
pointed out by the Government of
India so as to render the re-survey
of the Hull and Machinery of
Vessels carrying Emigrants un-
necessary - in the circumstances
stated by the Government of
Bengal in the proposed addition
to rule 104 of Colonial Emigration
Rules. In Madras owing to the

C. No. 200 660
Memoria (1890) DEPARTMENT.

From

THE PRESIDENCY PORT OFFICER,
Madras,

To

THE CHIEF SECY. TO GOVERNMENT,
MARINE DEPARTMENT,
Fort St. George.

No. 268/9

Dated 1st March 1890.

Received 4:

C. No. 493 of 1883

No.

C. No. 222 of 21-3-80

CHIEF SECRETARY
GOVERNMENT
Subject.

S^t. A. King that he fully
concurs in the views express-
ed by the Secretary to the
Government of Bengal on
the subject of the Survey
of Steam Vessels chartered
for the conveyance of
Emigrants from India to
the Colonies.

Indian Emigration Act of 1883
revised.

I have the honor to be,

Sir,

Your Obedient Servant,

J. A. Street

Captain H. L. S. I. M.
Presidency Port Officer.

a port as Bombay and causing much
delay. There is also no Marine Engineer
Surveyor at the port, and it might
not always be possible to secure the
services of a person competent to
report on the state of the engines. The
practice at Bombay is, for the Surveyor
to examine the Engineer's log, and to
satisfy himself as far as practicable
that the engines and boilers have not
sustained any injury or have
otherwise become inefficient since
the date on which the last Survey
Certificate was granted.

I submit that as the vessels
which are now generally taken up
to carry emigrants are, as a rule, well
found and equipped to meet the
requirements of an ordinary voyage,
it would be advantageous to have
the different schedules attached to
appendix to the Rules under the
Indian

re-examined so far as her hull is concerned.

2. The internal examination only requires the vessel to be opened out to the extent required by the Surveyor to enable him to ascertain whether the hull inside is in good order, and at Madras this examination is impossible for the steam vessels which now take emigrants from that port have invariably cargo on board which would have to be discharged to enable such examination to be made. The Surveyor at Madras has therefore, after satisfying himself respecting the Survey Certificate,

simply confined his inspection to the examination of the space to be set apart for the emigrants and of the ships equipment and condensing apparatus.

3. No opening out of the engines could take place without risk at such

granted on the last occasion of a vessel being in dry dock, as sufficient evidence of her hull being, in all respects, in seaworthy state, provided that such certificate had been issued within the period specified in the instructions under the heading — Examination in "Dry Dock" of Schedule A of the Appendix to the Rules under the Indian — Emigration Act XXI of 1883, and that the vessel had not been — stranded since such Certificate had been granted; and I submit that according to the instructions above quoted a vessel which has been examined "in dry dock, or in slip way" within twelve months of the date on which she is to sail, and which has not been stranded after such examination has taken place, need not be re-examined.

No. 968
117 9

6. No. 200 660

PRESIDENCY PORT OFFICE,
Madras, 1 March 1890.

493

Rule DEPARTMENT.

8/25th February 1890

Heading.

Survey of Steam
Vessels

From

THE PRESIDENCY PORT OFFICER,

MADRAS.

To

THE CHIEF SECRETARY TO GOVERNMENT,

MARINE DEPARTMENT,

FORT ST. GEORGE.

SIR,

In compliance with the instructions contained in Marine Department ⁺ Reference on ⁺ No. 493 of 1890 dated 25th February 1890, I have the honor to report that, I fully concur in the views expressed by the Secretary to the Government of Bengal, General Department, in his letter No. 527-S dated 1st July 1889, on the subject of the survey of steam vessels chartered for the conveyance of emigrants from India to the Colonies. In fact, at Madras, owing to there being no docking accommodation, the Surveyor has no other course open to him but to accept the survey certificate,

From

The Govt of India
Rev. & A. Dept.

Referred to the Presy.
Port Officer and
the Protector of
Emigrants for
report.

11/2

GO 21-390 No 222

251
502

No. 235-C

Dated 10th } Feb 90
Received 16th }

Enclosures 3. (with S. C. enclosures)

SUBJECT.

Relating to a question
connected with the Survey
of Steam vessels chartered
for the conveyance of
emigrants to the Colonies.

To the P. & O. Officer
with the P. & O. Officer
"Not 5 of Emigrants"

No. 229, dated Calcutta, the 19th November 1889.

From—R. BUSHBY, Esq., *Marine Surveyor, Calcutta,*
To—The Protector of Emigrants, Calcutta.

IN reply to your letter No. 3716 of the 6th instant, regarding the question of double survey of emigrant ships, I have the honour to report, having carefully considered the points set forth in the letter of the Government of India, dated the 13th October, and am of opinion that unless the rules under Act XXI of 1883 can be modified under section 80 (1) of that Act, the Government should legislate on the subject in the terms of section 18 of the Imperial Merchant Shipping Act of 1876 for the following reasons :—

- (1) A steam-ship, the hull and machinery of which has been declared to be in a sound and seaworthy condition by a competent surveyor for twelve months, should not require to be surveyed again during that time as regards the strength of her hull and the condition of her boiler and machinery, no matter upon what service she is to be engaged, unless, since the granting of such certificate, she has received damage affecting her seaworthiness.
- (2) There are now some vessels in the emigrant trade which the restriction as regards docking would shut out on account of their being too large for any dry dock in this port.
- (3) Any and all extra expense which the extra surveys involve in detention, &c., will fall not upon the owners who will protect themselves by increased rates, but upon the colony requiring the emigrant coolie labour.

The certificate of survey, Form No. 25, under Act XXI of 1883, is more detailed as regards the equipments of the vessel; but as regards the hull and machinery it is identical with the declaration under the Board of Trade Merchant Shipping Act of 1854 and Act VII of 1884, and it seems to me unnecessary that a vessel surveyed say at Bombay a month ago should have to open up her boiler and machinery during the currency of that certificate under which she may sail on the same voyage with 50 per cent. more passengers.

As I said in my letter of the 4th May last, the Board of Trade Surveyors do not survey the hull and machinery *de novo* at each voyage when a vessel is to carry emigrants. The equipments, passenger spaces, stores, and distilling apparatus only being inspected at each voyage. The hull and machinery being surveyed once a year or half-yearly as may be convenient.

The *Warora* is the only case where a complete survey has not been made. The *Nuddia* which sailed on the 6th instant had to be opened up for examination, although she has a certificate in force under Act VII of 1884 which does not expire till April next.

The *Chilka* now under survey has a certificate in force granted at Bombay, but I have had her opened up for re-survey.

I note that the Government of India in quoting section 56 of Act XXI of 1883 emphasize that the Surveyor *himself* shall, &c. In this respect there is a point which I must bring to the notice of Government. The rule as regards examination of the vessel's bottoms in dry dock does not necessarily require the Surveyor who grants the certificate, Form No. 25, to see the ship in dry-dock himself, as if it did serious inconvenience might arise.

If you refer to my letter No. 78 of 6th February 1888 regarding the acceptance of Bureau Veritas' classification as well as Lloyd's, you will see that on account of my having to accept Lloyd's certificate as regards dry-dock examination, I declined to recommend any modification of the rules as regards classification.

Of course in the case of a ship having just discharged a cargo likely to leave foul bilges, she must be cleaned out and the bilges' cement washed and disinfected in the usual way. But that comes under the head of inspection of passenger accommodation, and requires no special mention in the rules, as foul bilges affect the passenger accommodation of any ship.

I think I am safe in saying that opening a ship and her machinery up for a complete survey involves at least a week's delay, and in the case of steamers going to Mauritius and Natal making frequent voyages, it means a good deal of expense; while comparing the efficiency of the steamers engaged with that of some of the old and nearly obsolete sailing ships, the extra restriction would appear quite unnecessary.

I therefore, as above stated, recommend that the Act or rules be modified so as to bring the practice in accord with that for emigrant steam-ships in the United Kingdom.

No. 400, dated Calcutta, the 20th December 1889.

From—P. NOLAN, Esq., *Secretary to the Government of Bengal, General Dept.*,
To—The Secretary to the Government of India.

WITH reference to your letter No. 165—41-9 E., dated the 13th October 1889, I am directed to say that, after consulting the Protector of Emigrants and the Marine Surveyor (a copy of whose replies* is enclosed for the information of the Government of India), the Lieutenant-Governor is of opinion that discretionary power should be conferred on the Surveyor, in the manner suggested in my letter No. 52 T.G., dated the 1st July, to exempt steamers, chartered for the conveyance of emigrants to the colonies, from further survey as to hull and machinery while the certificate of a previous survey is in force. The resurvey would involve the exclusion, as in the case of the S. S. *Warora*, of some of the best and largest class of steamers which would otherwise be utilised for the emigration service; and this, His Honour considers, would be matter for regret.

No. 4127, dated Calcutta, the 25th November 1889.

From—SURGEON-MAJOR D. W. D. COMINS, *Protector of Emigrants, Calcutta*,
To—The Secretary to the Government of Bengal, General Department.

I HAVE the honour to acknowledge the receipt of your letter No. 82 T.G., dated the 23rd October last, forwarding a communication from the Government of India, and requesting a report, after consulting the Marine Surveyor, as to whether I would recommend the adoption of legislative measures for the exemption from further survey of hull and machinery under Act XXI of 1883 of vessels holding Board of Trade's certificates or certificates under the Indian Steam Ship's Act VII of 1884.

In compliance, I have the honour to submit, for the information of Government, the accompanying copy of a letter* received on the subject from the Marine Surveyor, in which he adheres to the views held by him in his previous report that no fresh survey of the hull and machinery of a steamer should be required during the term of the certificate granted by a competent surveyor, unless damage was received subsequent to the date of grant of such certificate.

As it is pointed out by Mr. Bushby that the details of survey of hull and machinery under the Indian Emigration Act are precisely the same as those under the Board of Trade Merchant Shipping Act of 1854 and Act VII of 1884, I concur in his opinion that a repetition of surveys, entailing extra expense, inconveniences, if not insurmountable difficulties, and detentions involving pecuniary losses, is quite unnecessary, and would therefore recommend the proposed exemption from survey of hull and machinery by an amendment of section 56 of the Indian Emigration Act XXI of 1883 and of Rule 104 of the rules under that Act.

As regards the enquiry whether in practice any portion of the survey is ever omitted on the ground that a certificate granted at the time of a previous survey is in force, it will be observed that the Marine Surveyor has reported to the contrary, excepting in the special case of the Steamer *Warora*.

The statement made by Messrs. Anderson, Wright & Co. to the effect that the Marine Surveyor would require the vessel and her machinery to be opened up three months after having granted a certificate under Act VII of 1884 for twelve months, appears to have been based on some misunderstanding. Such a position could not possibly have been taken under the provisions of the one and same Act, and the probability is that it had reference to the necessity for a fresh survey under Act XXI of 1883 even three months after the grant of a certificate under Act VII of 1884 that was to continue in force for twelve months. This conclusion is supported by the remarks of Messrs. Anderson, Wright & Co. in their letter to Government, dated the 24th April last (paragraph 2), and the reply of the Marine Surveyor thereto in his letter No. 149 of the 4th May last (paragraph 2) to the Protector of Emigrants, a copy of which was submitted to Government with my letter No. 1168, dated the 6th May 1889.

2. I am now instructed to reply that the Government of India considers that the rule would conflict with the provisions of Section 56 of Act XXI of 1883, which require each emigrant vessel to be surveyed by a competent person * * with a view to ascertain her seaworthiness before a license to carry emigrants is granted; and is also of opinion that as the provisions of Section 56 require the Surveyor *himself* to ascertain by regular survey the seaworthiness of the vessel, he would not be justified in foregoing any portion of the survey on the ground that the vessel had already been surveyed and that the certificate granted at the time of such survey was still in force.

3. On the above grounds I am to say that if it is decided to provide for exemption from survey of hull and machinery under the Indian Emigration Act, as proposed by the Bengal Government in the case of vessels holding certificates under the Indian Steamships Act or Passenger certificates granted by the Board of Trade, this exemption must be effected by an amendment of Section 56 of the Indian Emigration Act XXI of 1883, by enacting some such provision as that contained in Section 13 of the Native Passenger Ships Act X of 1887. At the same time I am to draw attention to the elaborately detailed nature of the certificate of survey prescribed by the rules under the Emigration Act of 1883, as compared with that given under the Steamships Act of 1884, and to point out that the conclusion cannot be avoided that special and additional precautions were considered necessary in Emigration surveys. I am accordingly to request that His Honour the Lieutenant-Governor may be pleased to reconsider the proposed exemption in the light of the above facts. If still of opinion that legislation should be undertaken, he will be so good as to formulate and submit for the orders of the Government of India any further proposals he has to make.

4. I am finally to take this opportunity to refer to your telegrams of the 30th August and 3rd and 4th ultimo regarding the case of the *Warora*, and to intimate that although owing to the circumstances represented by the Government of Bengal in the matter of this vessel, the Government of India was pleased to exempt it from a further survey of its hull and machinery, yet that unless the law on the subject as contained in the Indian Emigration Act XXI of 1883 is amended, no such exemption as that permitted under very special circumstances in the *Warora* case, can again be allowed.

I have the honour to be,

SIR,

Your most obedient servant,

E. C. BUCK,

Secretary to the Government of India.

1889.

FILE NO. 41.

GOVERNMENT OF INDIA

SERIAL NO. 9.

REVENUE AND AGRICULTURAL DEPARTMENT.

EMIGRATION.

To

THE SECRETARY TO THE GOVERNMENT OF BENGAL.

No. $\frac{165}{41-9}$ E.

Dated Simla, the 13th October 1889.

SUBJECT.

Exemption of Emigrant vessels from certain surveys.

[R. S. W.]

G. C. Press, Simla.—No. 488 R. & A. D.—11-10-89.—100.

No. 52 T.—S., dated Darjeeling, the 1st July 1889.

From—P. NOLAN, Esq., Secretary to the Government of Bengal, General Dept.,

To—The Secretary to the Government of India.

I AM directed to submit the following matter for the consideration and orders of the Government of India.

2. At present steam-vessels chartered for the conveyance of emigrants from India to the Colonies are subjected to two surveys under the Indian Steam Ships Act, VII of 1884 (sections 4 and 7), and the Indian Emigration Act, XXI of 1883 (section 56). These surveys are *identical* as regards the hull, machinery, and equipments, and the two certificates granted thereafter correspond with the two required by the Board of Trade under the Merchant Shipping Act, 1854, and the Passengers Act, 1855.

3. As some inconvenience results from repeated surveys, Messrs. Anderson, Wright and Company, the agents for the Natal direct line of steamers, two of which have recently been chartered for the conveyance of emigrants between India and Natal, urge that the Indian Emigration regulations as to surveys might be brought into conformity with the Imperial Act of 1876, section 18 of which exempts steam-vessels holding Board of Trade certificates granted under the Merchant Shipping Act, 1854, from further survey of their hulls, machinery, and equipments, if employed, within the period for which the certificates have been granted, as passenger vessels under the Passengers Act, 1855. The Lieutenant-Governor, after consulting the Protector of Emigrants and the Marine Surveyor, considers that it would be well to issue an order in the terms of section 18 of the Imperial Merchant Shipping Act of 1876, conferring discretionary power on the surveyor to extend his examination of emigrant vessels in future to such points only as the circumstances of each case may demand before granting the required certificate (Form No. 25) under the Indian Emigration Act. This, His Honour thinks, could best be done by making the following addition to rule 104 of the Colonial Emigration Rules which lays down the nature of the survey to be held:—

"In the case of steamers, however, if a certificate of survey granted under the provisions of Act VII of 1884 or a passenger certificate granted by the Board of Trade under the Merchant Shipping Act, 1854, is in force at the time, the survey of the hull and of the machinery may be dispensed with at the discretion of the surveyor, should he find that the vessel has not during her last voyage sustained any damage affecting her seaworthiness, and the efficiency of her machinery. Such steamers are not exempted from the rest of the survey of equipments, stores, and passenger spaces which must be made before a license can be granted for any voyage."

C. No. 493

V. 235 C



FROM

J. W. P. MUIR-MACKENZIE, Esq., C.S.,

Under-Secretary to the Government of India,

TO

The Secretary to the Government of

Madras

16th February 90.

Revenue and Agricultural
Department.

(Emigration)

SIR,

I am directed to forward for information a copy of the accompanying correspondence relative to a question connected with the survey of steam vessels chartered for the conveyance of emigrants to the Colonies and to say that before considering the matter further the Government of India will be glad to be favoured with the opinion of His Excellency the Governor in Council on the proposal made by the Government of Bengal.

I have the honour to be
Sir,

Your most obedient servant

Date taken out.	FOR WHAT PURPOSE.			Date returned	Initials of clerk taking the paper or of attender.	Initials of attender.
	Department.	C. No.	Year.			

Letter from Govt. of Bengal,
No. 165 E. Dated 19th July
1889.

Letter to Govt. of Bengal,
No. 165 E. Dated 16th
October 1889.

Letter from Govt. of Bengal,
No. 400 Dated 20th
December 1889.

DEPARTMENT.

DEPARTMENT.

$\frac{5}{4}$

$$g_{\alpha}(t) = 2\sqrt{2} \sin \frac{\pi}{4} t$$

Paper taken out of the Records from the charge of the Referencer.

Miscellaneous No.
~~Routine~~

b. 218/19, dated 08/03/1900

FOR WHAT PURPOSE.

Date taken out

Department.

C. No.

✓
526

Initials of
clerk taking
the paper or
of attender.

Date returned.

Initials of
attender

16 1 00 Feb 1521/00 ~~14~~

Paper taken out of the Records from the charge of the Referencer.

Press
Miscellaneous
Routine

No. ...

, dated

190

FOR WHAT PURPOSE

Date taken out.

Department.

C. N.

Year:

Initials of
clerk taking
the paper or
of attender

Date returned.

Initials of
attender.

3,6

[illegible]