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Public (1895) Department.

ORDINARY MS.

G.O., No. 1293

Dated 9-2-96

INDEXED.

[Despatch Abstract.]

Comm. to the British Consular Agent, Pondicherry
Kankhal, with remarks, Marine dept pros.
relative to the breach of the law committed
by the Master of the "Laguer" Carriacou
Carriacou "Laguer" by bringing passengers
on board of the "Laguer" without

O.	N.	Department	Date	G.O.	N.

No.	Department.	Date	GO	No.
4329	(23.6 A. Re-Entry)			
4329	17			

RECEIVED
SECRETARY
DEC. 1896
DEPARTMENT OF MARITIME

Reed. 1896.
Regd. 1896.

Enclosure

Spare copies

G.O., No. 804, 21st November 1896.

NOVEMBER.

NOVEMBER.

Order No 12937 9-12-95
mis

Communicated to the British Consular
Agent, Pondicherry and Karikal, ^{where} for attention.

cc. 4-571-96 will be directed to the provisions of Act X
1887, the Native Passenger Ships Act.

3 ca. Pondicherry 4-571-96

3. Co. Puzhakkal (a) 52B
Native Passenger Ships Act X of 1887
Orders authorizing the Presidency Port Co.
under the

Orders authorizing the Presidency Port Officer to take the requisite proceedings under the — against the master of the barque "Carundadan Cany Vettivaloo" for his breach of the law.

HA
8.12.86

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—again the following paper:—

G.O., No. 658, Marine, dated 28th September 1896.

READ—also the following papers:—

From Commander H. A. STREET, R.I.M., Presidency Port Officer, Madras, to the Secretary to Government, Marine Department, dated 17th October 1896, No. 460/332 G.

With reference to G.O., No. 658, Marine, of 28th September 1896, I have the honour to acquaint you, for the information of Government, that it has been ascertained through the Port officer, Moulmein, that a list of the passengers who embarked at Karikal in the barque "Carundadan Cany Vettivaloo" seems to have been supplied by the French authorities to the British Consular Agent at that port (*vide* copy attached of letter from that official to the Port officer, Moulmein) and no action appears to have been taken by the Port officer, Moulmein, on the arrival of the vessel, as he seems to have been under the impression that the passengers were permitted to embark by the British Consular Agent—*vide* copy of letter from the Port officer, Moulmein, to the Port officer, Negapatam, attached.

2. I submit that a reference to the Chief Commissioner of Burma in the matter is necessary.

ENCLOSURES.

From Her Britannic Majesty's Consular Agent, Karikal, to the Port Officer, Moulmein, dated 4th September 1896, No. 539.

I have the honour to forward herewith in original the list supplied to me by the French authorities of Karikal of free passengers permitted to embark for your port yesterday evening from Karikal per barque "Carundadan Cany Vettivaloo," and to request you will be pleased to verify the same on the landing of passengers in Moulmein.

From Commander C. W. B. HOOPER, R.I.M., Port Officer, Moulmein, to the Port Officer, Negapatam, dated the 21st September 1896, No. 394/13, Financial.

With reference to your letter No. 15/799 of the 9th instant, I have the honour to state that the barque "Carundadan Cany Vettivaloo" arrived at this port on the 18th instant a day prior to the receipt of your letter, with 138 adults and 3 minors as passengers, who were permitted to embark at the port of Karikal by Her Britannic Majesty's Consular Agent as per copy of letter herewith attached to my address.

From Commander H. A. STREET, R.I.M., Presidency Port Officer, Madras, to the Secretary to Government, Marine Department, dated 5th November 1896, No. 460/357.

With reference to the instructions contained in Marine Department memo. No. 530 E., dated 2nd November 1896, I have the honour to state as follows, viz:—

(a) The circumstances connected with the departure of the barque "Carundadan Cany Vettivaloo" from Negapatam and Karikal are detailed in this office letter No. 460/318 G., dated 19th September 1896.

(b) The Native Passenger Ships Act applies to sailing vessels carrying as passengers more than 30 Natives of Asia, and as 141 Native passengers were conveyed by the "Carundadan Cany Vettivaloo" from Karikal—a port not in British India—to Moulmein, a port in Burma, the master and owners of the vessel have committed a breach of section 58 of the Native Passenger Ships Act and rendered themselves liable to the penalty specified therein for bringing passengers from a foreign port in excess of the authorized number.

(c) In taking on board, at Karikal, passengers in excess of 30, the master and owners of the vessel in question apparently were under the impression that the provisions of the Native Passenger Ships Act could be evaded by taking passengers from a foreign port, and therefore I consider that the penalty specified in section 58 of the Act should be enforced, in order to check similar attempts to evade the Act in future, and that on the return of the vessel to Negapatam steps should be taken to enforce the penalty.

(d) Action, I submit, should have been taken in this matter by the Port officer, Moulmein, but that officer appears to have been under the impression that the passengers had been permitted to embark at Karikal under the authority of the British Consular Agent at that port; I would observe, however, that all the British Consular Agent did was to send the Port officer, Moulmein, a copy of the information supplied to him by the French authorities, and, on the receipt of this information, the Port officer could have taken action; the British Consular Agent does not appear to have authorized the carrying of excess passengers; his attention, however, might be drawn to the provisions of the Native Passenger Ships Act as specified in section 58.

ORDER—No. 804, Marine, dated 21st November 1896.

The Presidency Port officer is authorized to take the requisite proceedings under the Native Passenger Ships Act against the master of the barque "Carundadan Cany Vettivaloo" for his breach of the law. The attention of the British Consular Agent at Karikal will be called in the Public Department to the provisions of the Act in view to evasions of the law being prevented or brought to notice in future.

2. The correspondence will also be forwarded to the Chief Commissioner, British Burma, for information, and such further action as he may consider necessary in regard to the omission of the Port officer, Moulmein, to enforce the provisions of the Act. The owner of the vessel is said to have sailed without the certificates required by section 9 (1) of the Act.

[Here enter No. 805, Marine, dated 21st November 1896.]

(True Extract.)

Under Secretary to Government.

To the Presidency Port Officer.

Public Department, with copy of G.O., No. 658, Marine, dated 28th September 1896.

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 19th September 1896, No. 460/318 G.

The Port officer, Negapatam, has reported that the barque "Carundadan Cany Vettivaloo" of 289½ tons, registered at Negapatam and owned by Cusi alias Avitchy Chetty and Ramanaden Chetty of Karukudy, Madura, after obtaining clearance at Negapatam, proceeded to Karikal and embarked at that port on the 4th instant 141 Native passengers.

2. He states that, prior to the vessel being granted clearance at Negapatam, she was measured by him, but not at the request of the owners, and found to have space only for 110 adults, and was not properly equipped for carrying Native passengers according to the requirements of the Native Passenger Ships Act. No certificate was granted as the owners had not applied for one but, on hearing that the vessel had taken passengers at Karikal, he, in accordance with section 51 (1) of the Native Passenger Ships Act, informed the Port officer, Moulmein, in view of action being taken if possible under section 38 of the Act on the arrival of the vessel at that port against the Master for carrying more passengers than would have been permitted to embark at a British port.

3. The action of the owners of the vessel seems to me to be a clear attempt on their part to evade the requirements of the Native Passenger Ships Act.

ORDER—No. 658, Marine, dated 28th September 1896.

Recorded.

The result of the action taken should be reported.

(True Extract.)

(Signed) D. McNEIL CAMPBELL, Colonel, R.E.,
Secretary to Government.

To the Presidency Port Officer.