

(1) Number of pages 6
 (2) Date of repair 14.3.1970
 (3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	2491	Press
B.P. No.		Mis. ☒
Dated	30.10.1876	197

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PROCEEDINGS OF THE MADRAS GOVERNMENT.

MARINE DEPARTMENT.

7th October 1876. No. 404.

DECEASED SEAMEN.

No. 17. Read the following despatch from the Right Honorable the Secretary of State for India:—

Financial.
No. 34.

INDIA OFFICE, LONDON,
6th April 1876.

My Lord Duke,—I forward, herewith, for your consideration and for the adoption of the necessary measures, copy of a letter from the Board of Trade, dated the 17th February 1876, relative to the present mode of receiving and rendering accounts of British mercantile seamen at Madras, and suggesting the extension to all ports in India of the plan in force at Calcutta and the appointment of one officer only to deal with the accounts at Madras.

2. I also enclose, for your information, extract of a despatch, with its enclosure, which I have this day forwarded to the Government of Bombay on the subject.

Paragraph 1.

I have, &c.,

SALISBURY.

His Excellency the Right Honorable
The Governor in Council, Fort St. George.

From R. G. C. HAMILTON, Esq., to the Under Secretary of State, India Office, dated Whitehall Gardens, 17th February 1876, No. 444-F.

With reference to previous correspondence respecting the different modes adopted at Indian ports in rendering accounts to this department of the relief of distressed British seamen and wages of sick and deceased seamen, I am directed by the Board of Trade to point out to you, for the information of the Secretary of State, that at the present time two separate accounts are received in this department from Madras—one, relating to the relief of distressed seamen, being rendered by the Master Attendant, the other, relating to the wages, &c., of deceased seamen, being rendered by the Collector of Sea Customs; whereas the accounts rendered to this department by the Shipping Master at Calcutta embrace all receipts and payments relating to the different subjects above mentioned.

For the reasons stated in their letter to you of to-day's date respecting the accounts from Bombay, the Board of Trade request that you will have the goodness to submit, for the consideration of the Secretary of State, the desirability of the extension of the mode in force at Calcutta to Madras and to all the other Indian ports.

EXTRACT, Financial Despatch, to Bombay, No. 44, dated 6th April 1876.

With reference to paragraph 1 of your Marine letter, dated the 11th December last, No. 66, I forward, herewith, for your consideration and for the adoption of the necessary measures, copy of a further letter from the Board of Trade, dated the 17th February 1876, pointing out the great inconvenience which arises in making the quarterly adjustments with this office on account of wages and effects of British mercantile seamen in consequence of the rule, at present in force at Bombay, by which both the Commissioner of Customs and the Shipping Master have divided responsibilities in respect of these accounts, and suggesting, with reference to the various clauses of the Merchant Shipping Act of 1854 relating thereto, the extension to all ports in India of the plan in force at Calcutta and the appointment of one officer only to deal with these accounts in Bombay.

Report by the Commissioner of Customs, No. 1961, dated 6th September 1875.

Under Section 197 of the Merchant Shipping Act (1854) the Chief Officer of Customs is explicitly entrusted with the charge of collecting the money and effects of any British seamen dying abroad, and as the law so stands the present practice must continue.

(Signed) L. REID,
Commissioner of Customs.

FRANCIS G. C. HAMILTON, Esq., to the Under Secretary of State for India, dated Whitehall Gardens, 17th February 1876, No. 656-K.

I am directed by the Board of Trade to acknowledge the receipt of Mr. Secomb's letter of the 10th ultimo respecting the manner in which the accounts of the Shipping Master at Bombay are rendered to this department, and forwarding an extract of a letter (with enclosures) upon the subject from the Government of Bombay, from which it appears that, as regards the wages of sick seamen and relief of distressed British seamen, these accounts will in future be made out in the manner desired by the Board, as expressed in the letter written to you from this department on the 7th August last (7229-P), but that with respect to the wages, &c., of deceased seamen it is proposed by the Government of Bombay to continue the practice of allowing the Shipping Master to receive the accounts and to send them over to the Commissioner of Customs at the same time entering particulars of the transaction in his account with this department, although he is supposed to be precluded by the provisions of Section 197 of the Merchant Shipping Act, 1854, from collecting and accounting for the money—which duties, it seems to be assumed, can only be performed by the Commissioner of Customs.

2. As it is most desirable that one uniform plan of rendering accounts to this department should be adopted at all Indian ports, and as the present arrangement, under which two separate accounts are received from the Shipping Master and the Commissioner of Customs at Bombay, respectively, causes great inconvenience when making the quarterly adjustments of the balance with the Secretary of State for India, I am to make the following observations for the information of the Marquis of Salisbury.

Only enclosed.

concerning the report of the Commissioner of Customs, No. 1961, dated 6th September 1875, upon which the Government Resolution, No. 1968, of 11th September 1875, was founded, viz.—

(1) Wages and effects of deceased seamen are divisible into two different categories, viz., (a), those belonging to seamen dying on the voyage,

and (b), those of seamen dying on shore at any place abroad. The disposal of the first is dealt with in Section 195 of the Merchant Shipping Act, 1854, whilst Section 197 relates to the wages, &c., of seamen dying on shore only. The Commissioner of Customs in the report refers to Section 197 only and to the money and effects of seamen "dying abroad," but it would appear that it was understood to apply to wages and effects of all deceased seamen, as the Shipping Master has reported to this department that he has "no control over the moneys received on account of the estates of deceased seamen, and that he has only to collect and hand them over to the Commissioner of Customs," and he accordingly pays amounts due to estates of all deceased seamen to the Commissioner of Customs although the greater portion is received from Masters of ships under Section 195 of the Merchant Shipping Act, 1854, and not collected on shore.

(3.) It seems to the Board of Trade quite clear from paragraph 2 of Section 195 that the "officer of Customs" to whom the wages, &c., are payable is the officer who should give receipts for the same to shipmasters, and who should endorse and certify particulars upon the Articles of Agreement; but at the port of Bombay these formalities appear always to be performed by the Shipping Master.

The Board of Trade think it would be better that the rule now obtaining at Calcutta should be followed at all Indian ports, viz., that some one officer (whether an officer of Customs or not) should be appointed to receive wages of all seamen, whether sick (Section 209, Merchant Shipping Act, 1854) or dead (Section 195), and to collect amounts due to estates of seamen dying on shore (Section 197) and that the same officer should be authorized to account for the same direct to this department.

In conclusion, I am to add that a separate letter will be written to you from this department respecting the Madras accounts.

No. 724.

Referred to the Master Attendant, Madras, for report in communication with the Board of Revenue and Accountant-General.

Ootacamund,
5th May 1876.

(Signed) W. HUDLESTON,
Chief Secretary.

No. 18. From the Master Attendant, Madras, to the Chief Secretary to Government, dated Madras, 24th July 1876, No. 4872.

Administrative Department.

I have the honor to return the correspondence marginally noted from the Secretary of State for India relative to the present mode of rendering accounts to the Board of Trade in regard to the relief of distressed seamen and the wages and effects of deceased seamen, and to report that, in compliance with your endorsement thereon, I duly placed myself in communication with the Accountant-General and the Board of Revenue, whose opinions on the subject are herewith submitted in original.

2. I need hardly observe that I concur entirely with both in thinking that the rule now obtaining in Calcutta should be followed at all Indian ports, viz., that one official only should deal with the accounts of British mercantile seamen under the Merchant Shipping Act of 1854, and, moreover, that these duties should devolve upon the Shipping Master, who at Madras is the Deputy Master Attendant. But, though this plan is perfectly feasible and extremely convenient, it is, I am afraid, barred by the provisions of Section 197 of the Merchant Shipping Act. It is observed

that in accordance with the law that at all the Presidency towns the Collector of Customs receives the wages and effects of deceased seamen and renders accounts to the Board of Trade. But at Calcutta alone does the same officer deal also with the accounts for the relief of distressed seamen, and this for the simple reason that he is appointed Shipping Master with two Deputies under him who perform all the executive portion of the work. Hence the apparent difference between the system prevailing at Calcutta and those at Bombay and Madras.

3. If, however, the Board of Trade are prepared to waive the legality of the arrangement, the Deputy Master Attendant and Shipping Master at Madras can easily perform both duties whenever so decided, while, on the other hand, it would be manifestly inconvenient to transfer any portion of the duties now performed by the Shipping Master to the Collector of Sea Customs.

No. 3296.

MEMORANDUM.

Rock Department.

Vide your office letter, No. 4353, dated 30th June 1876, with two enclosures returned.

The undersigned has the honor to state that the Calcutta system appears far the best, and that, as far as this department is concerned, there is no objection to the accounts of distressed and deceased seamen being submitted by one officer, who should, it is considered, be the Master Attendant.

For Sd. General.

(Signed)

R. W. LODWICK,

1st July 1876.

Accountant-General.

To the Master Attendant, Madras.

Proceedings of the Board of Revenue, dated 8th July 1876, No. 1743.

Read the following letter from the Acting Collector of Sea Customs, to the Acting Secretary to the Board of Revenue, dated Madras, 19th June 1876, No. 1035 :—

With reference to Board's Proceedings, dated 5th June 1876, No. 1467, I have the honor to submit the following observations.

2. The wages and effects of deceased seamen, whether dying on the voyage or in hospital on shore, are at present collected by this office and accounted for to the Board of Trade. All accounts relating to distressed seamen are disposed of by the Master Attendant.

3. The Board of Trade desire that the accounts under all heads should be under the control of one officer, who should be authorized to account for the same direct to them, and I beg to point out that the Custom-house cannot undertake to perform any portion of the duties now performed by the Master Attendant.

4. The relief of distressed seamen and other details connected therewith come properly within the cognizance of the Master Attendant as Shipping Master, and the transfer of those duties to the Custom-house would entail considerable inconvenience.

5. I would therefore suggest, in view to carrying out the wishes of the Board of Trade, that the settlement of accounts of deceased seamen may be made over to the Master Attendant.

6. The number of accounts of deceased seamen settled at the Custom-house during the last three years is twenty-nine, and the work in connexion with them is not heavy.

Communicated to the Master Attendant with reference to his memorandum, dated 12th May 1876, No. 3324.

2. The Board concur with the Collector of Sea Customs.

(A true Copy and Extract.)

(Signed)

C. A. GAITON,

Acting Secretary.

No. 19.

ORDER.—Ordered to be forwarded for the information of the Secretary of State with reference to despatch, dated 6th April 1876, No. 34, Financial.

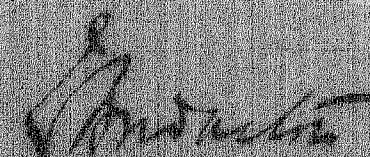
2. The Board of Trade complain that the accounts, &c., relating to sick and deceased seamen are furnished from Calcutta by one officer only, viz., the Collector of Customs, while in the cases of Madras and Bombay accounts are furnished separately for sick seamen and for deceased seamen by the Master Attendant and the Chief Customs Officer, respectively.

3. The difference arises from the fact that at Calcutta the Chief Customs Officer is also Shipping Master, while at Madras the latter office is held by the Deputy Master Attendant.

4. The law requires that the Chief Customs Officer shall deal with the effects of deceased seamen so that it is not practicable to transfer this duty to the Master Attendant's Department. On the other hand, it is certainly inadvisable to transfer to the Collector of Sea Customs at Madras, who is also Collector of the Madras District, the duty of dealing with the cases of sick seamen now managed by the Master Attendant's Department. Under these circumstances, it does not appear

desirable to make any portion of the duties of the Board of Trade

(True Extract.)


Chief Secretary.

To the Master Attendant, Madras.

Board of Revenue.

Revenue Department. ✓

Edw. A. S. Rogers.

Received of *Mr. J. H. Smith*
the sum of *40.00*

for *rent of house*

MANUEL

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RECEIVED
NOV 17 1894

Wm. H. Smith
Wm. H. Smith