

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No. 328

Press
~~Mis.~~

Dated 24. 8.

18 57

Not to be folded or roughly handled

No. 9. From W. E. UNDERWOOD, Esq., Collector Sea Customs; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 12th August 1857.

SIR,

1. I have the honor to acknowledge the receipt of Extract Minutes of Consultation of Government, No. 313, dated 11th Instant, directing the Revolver Pistols to be forwarded to the Inspector General of Ordnance and Magazines, and to report that they have been forwarded to that Officer.

2. I have respectfully to recommend that they be charged to the Ordnance Department at Rupees 85 each, and that if sold on Indent that Officer be directed to make that charge. This would give a profit of Rupees 440 on taking over the Pistols on account of Government. I respectfully solicit Government will allow this charge to be made, otherwise it will appear in the accounts of the Customs that the Pistols sold for a sum merely equivalent to the purchase money. This would not justify the Act of the Collector in taking over the articles as "Undervalued."

3. You will perceive the object I have in view in making this suggestion is that the Pistols shall be charged to the Ordnance Department at Rupees 85 each and I permitted to debit the Ordnance Department with that amount in my accounts.

(Signed) W. E. UNDERWOOD,
Collector Sea Customs.

No. 10. From HENRY FOX; to the Chief Secretary to Government, Fort Saint George, dated 14th August 1857.

SIR,

I beg the favor of your bringing the following circumstances to the Notice of Government.

A Document enclosed, No. 1. I received the enclosed letter A. from the Collector of Sea Customs, by this I am wronged; to prove which, I beg to say, that I began in December 1856, to deal in Colt's Revolvers, and cleared on *Invoice (B.) Prices*, In May 1857, I again cleared on *Invoice (C.) Prices*. In the same month seeing the disturbed State of the Country, I wrote for more which are those now under reference (D.) These Invoices show the *Exact Cost* to me and what profit I get upon such goes to support my Establishment together with a large Family.

B. do. No. 2.
C. do. No. 3.
D. do. No. 4.
E. do. No. 5. In June and July finding the State of the Country worse and worse, I wrote for about eighty more, to come 2nd this, and 1st and 2nd Steamers next month. Six of the present Pistols were bespoke by gentlemen in the Service, and mounted Volunteer Guards, as the enclosed List E. will show. The disappointment is great to all parties.

The Collector of Sea Customs would not let me clear these Pistols as he has hitherto done, saying that he did not like to take the responsibility of doing so and referred it to Government, but did not say any thing about their being undervalued.

I cleared Pistols *twice* before in the *very same way* as I applied to do so this time, so that the Collector must have known that no fraud was intended. If I have undervalued the Pistols I have only done as I did in the two former instances, and the Collector might have allowed me to amend my Application. He has done so without consulting me twice in this very month; once in 5000 Cigars for China, I put 6 Rs. 1000 as value, he altered it to 5 Rs. The other was Flannel by the "Queen of the Wave," I put Invoice rate, he altered to Tarif rate.

The Act VI of 1844, I never saw, but whatever it says it could never be framed to injure an honest man. I sent £52 (F.) home, and the Collector has given me Rs. 464, and charged Duty 24 Rs. for Pistols not delivered to me, besides £3-2-6 Freight has been withheld in all about 56 Rs. a dead loss.

F. Document enclosed No. 6.

Fort Saint George, Marine Consultation, 25th August 1857.

Under these circumstances, I trust Government will take a correct view of the Matter, and order the delivery of the Pistols for distribution to the Parties booked as per. No. 5 Document enclosed. I submit in conclusion, in justice to myself and constituents, how hard a matter it is that they should be deprived of their Arms, especially at a time like the present, when so much required for self protection, and that for no wilful fault committed by any one. One is bespoke by Dr. Keess, ordered on Service to Bengal, to whom a 6 Shot Revolver would be of inestimable value.

(Signed) HENRY FOX.

No. 11.

ORDER THEREON, No. 328; dated 24th August 1857.

The Government observe that the Collector's Acts are supported by Sec. 21 to 23, Act VI of 1844, which declare that the Market value is to be given for ad valorem Goods, and that when Government sees fit to take Goods at the price named by the Importer, the amount of Import duty leviable on the Goods is to be deducted from the price paid. Mr. Fox also, as an Established Trader of the place, has no right to plead ignorance of Act VI. of 1844, which forms the main Mercantile Law.

2. But, under the circumstances of the case, the Government will allow the Pistols to be made over by the Inspector General of Ordnance to the Gentlemen for whom they were Imported, at a fair valuation, and enough of the proceeds handed over to Mr. Fox, to save him from the actual loss of Rupees 56 or thereabouts, which he otherwise sustains.

Exd. A. P. W. Begbie.

And again from Mr. Underwood -

- For Orders -

The Collector's Acts are supported by Sec. 21 to 23 Act VI of 1844 which declare that the Market value is to be given for ad valorem goods, & that when Govt sees fit to take goods at the price named by the Importer, the amount of Import duty leviable on the goods is to be deducted from the price paid.

Mr. Fox also as an established trader of the place has no right to plead ignorance of Act VI of 1844, which forms the main Mercantile Law.

Para - But under the circumstances of the case Govt will allow the Pistols to be made over by Col. Balfour to the Gentlemen for whom they were imported.

that the Collector's Acts are supported by Sec 21 to 23 Act VI of 1844 which declare that the Market value is to be given for ad val. goods, and that when Government sees fit

- Jented at a fair valuation, & every
of the proceeds handed over to the Fox
to save him from the actual loss of Rs 50
or thereabouts which he otherwise
sustains. - There is thus no loss
from that he entered the goods for
duty at their full Invoice value

Mr.

Supposed

It

indeed Mr Fox the sufferer in
the

Marine Dept

No 328
Extract from Minutes of Consultation
Dated 24th August 1837

Read ~~again~~
Letter from the Collector of
Sea Customs, Madras
dated 12th August 1837
No 272.

Read also the
following letter from Mr
A. V. -

A
P
W

Where entered 14th Aug 1837. No 302
The Government observed
that the Collector
Acts are supported by
Sec 21 to 23 Act VI of
1844 which declare that
the Market value is
to be given for ad valo.
rem goods, and that
when Government sees
fit

fit to take goods at the price named by the Inspecter, the amount of Import duty liable on the goods is to be deducted from the price paid. Mr. Fox also as an established trader of the place has no right to plead ignorance of Act of 18th which forms the main mercantile law.

2. But under the circumstances of the case the Government will allow the pistols to be made over by the Inspector General of Ordnance to the Gentlemen for whom they were imported, at a fair valuation

valuation and enough of the proceeds handed over to Mr. Fox to save him from the actual loss of Rupees 50 or thereabouts which he otherwise sustains. There is thus no Mr. Fox's favor that he entered the pistols for duty at their full known value.

Yr

Copy to the Coll^y of Sea Customs
" Insp. Gen. of Port & Reg.
" Mr. J. Fox M.A.
with 5 orig^l Enclosures

Dispd. 24th

Accountant Genl. Dispd. 9th Sept 40

Under Stone. 25th Aug 42
Manire 1857 de part 11

No 328

Extra to Moin of Court.

28/31 Aug 1857

Postals
In Ld to Ld 24/26 Dec
No 132 of 1853
24/26/13

9-11