

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No. 501-2

Press
~~Mis~~

Dated 26th Nov. 1857

Not to be folded or roughly handled

Fort Saint George, Marine Consultation, 1st December 1857.

No. 1. From J. J. FRANKLIN, Esq., Secretary Marine Board; to E. MALTBY, Esq.,
Acting Chief Secretary to Government, Fort Saint George, dated 7th October 1857,
No. 3473.

SIR,

With reference to that part of the Extract Minutes Consultation of the 24th Ultimo, No. 393,
(received on the 3rd Instant) directing the Marine Board to submit the names of any other
minor Ports to be added to the list of those enumerated in Schedule B of the draft Act prepared
by Mr. Boyson, at which the Legislative Council of India
Vide Orders of Government published propose to introduce by separate Enactment certain
in the Fort Saint George Gazette of Sections of Act XXII of 1855, with a view to their pre-
13th September 1844, page 745; servation, I am desired to annex a list thereof, observing
4th July 1845, page 583. that with these additions which have been incorporated
with those in the Schedule, the list comprises all the
Ports at which merchandize can be shipped or landed under Section 24 of Act VI of 1844.

Vide letters from Marine Board.

17th May 1843, No. 772
9th October 1848, „ 1362
20th Novr. 1849, „ 1411
4th Decr. 1849, „ 1708½
22nd March 1851, „ 555
30th Jany. 1852, „ 181
11th Feb. 1853, „ 559
24th June 1856, „ 1560
9th Feb. 1857, „ 569
21st Feb. 1857, „ 796
4th March 1857, „ 967
5th June 1857, „ 2026

2. The Board have not ventured to
dictate the particular Sections which should
be applied to effect the object in question.
They are most desirous that no further time
should be lost in objections and references.
Their suggestions and views—notwithstand-
ing that it was on their repeated solicitations,
urged without success for a series of years,
that measures for the preservation of the Ports
were undertaken at all—appear to command
so little weight that they think it more advi-
sable to leave the selection to the experience
of the Legislative Council, and they hope by
so doing that they will the sooner have at
their command the means, so long required, of
preserving the Ports along the Madras Coast.

(Signed) J. J. FRANKLIN,
Secretary.

*sent to L. C. in his Minute on the draft Act.
L/29/6/57. Resolved to send following letter. D.S. 2/11/57*

Fort Saint George, Marine Consultation, 1st December 1857.

List of Ports not to be brought under the operation of Act XXII of 1854, but at which some of its provisions are to be introduced for their preservation.

Districts.	Ports.	Districts.	Ports.
Ganjam.....	Ganjam. Monsoorcottah. Sonnapore. Barwah. Poondy. Eauvanapaudoo. Calingapatam. Guddalapaudoo.	Chingleput.....	Pulicat. Covelong.
Vizagapatam.....	Conadah. Poodeermerkah. Watadah. Cotapatnam. Pentacottah. Polavaram.	South Arcot.....	Porto Novo. Markanum.
Rajahmundry.....	Woopadah. Nursapor. Bendamoorlunka. Nizampatam. Eapoorpollem. Cottapaulum. Putcha Moyale. Mootoopully. Ching Ganjam. Tholagam.	Tanjore.....	Nagore. Topetoray. Valangany. Trimulavassel. Codiarpalliam. Mootoopettah. Adrampatam. Ammalipatam. Cattoomavady. Gopaulpatam.
Guntoor.....	Cottapatam in the division of Pandurty. Etamookala. Paukala. Rameapatam. Toommalapentah. Joovaladinnah. Eskapully. Ponnapoody. Mypaud. Kistnapatam. Doogarauzepatam. Chenneapollem. Pauunijy. Toopelly. Poody. Rauzpatam. Pandurty. Goondamoola. Canoopurty. Davarumpaud. Elamoorkeela. Rauzpollem. Chaukecherla. Cazaidoo. Bingalapully. Vareney. Midda. Nalutoor. Codoor. Edoor. Wootcoor. Pumpuly. Cottapatam in the division of Cottapatam. Pauunijy.	Madura.....	Davepatam. Thiroopaulacoody. Movepunnay. Autenkurray. Keelakurray. Tondy. Karengaudoo. Poodoopal. Numbetali. Dhamoderapatam. Theethandathanum. Soonderapandiem. Arsanagherry. Cottapatnam. Ramasweram. Thungachemadam. Mundapam. Pellamadom. Vadabay. Mercaypatnam. Vypaur. Coilpatam. Coolasagarapatam.
Nellore.....		Tinnevelly.....	Cavay. Balleapatam. Egaar. Darmapatam. Calay near Mahé. Chombay. Baddagherry. Mootangnel. Kottah. Quilandy. Trecody. Cudaloor. Kapaat. Eletoor. Poodiangaddy. Molankadoo. Beypoor. Tanore. Parparangaddy. Parroney. Ponany.
		Malabar.....	

Fort Saint George, Marine Consultation, 1st December 1857.

Districts.	Ports.	Districts.	Ports.
	Koottay. Veliangode. Audatode. Manalaukoona. Choughat. Altakoooye. Koorkoooye. Maddawye. Attepoorum.	Canara.....	Yermal. Barcoor. Cundapoor. Naikunkutta. Byndoor. Seevoor. Butkul. Sheerully. Moordeshher. Munky. Coompta. Honaver. Tuddry. Sedashegur. Cungavally. Aukola. Belekerry. Chendiyeh. Binnagah. Oodipy.
	Moolky. Munjashwer. Cassergode. Coombalah. Bekul. Cautencherry. Oodiaiver. Pudbidry. Caup. Oachill.		

(Signed) J. J. FRANKLIN,

Secretary.

No. 2. ORDER THEREON, No. 501; dated 26th November 1857.

The Board in replying to Extract Minutes Consultation, No. 393, dated 24th September, forward a list of the Ports (besides those forty Ports contained in Schedule B of the Bill transmitted by this Government to the Legislative Council) they would wish to see preserved,—quoad the Anchorage they afford—from deterioration owing to the improper discharge of Ballast.

2. These Ports, the Government observe, are no less than 155 in number, comprising all those at which merchandize can be shipped or landed under Section XXIV of Act No. VI of 1844. The list will be forwarded to the Legislative Member for Madras, with reference to the letter* of this Government to the Clerk of the Council. There is one error in the list. Pulicat now belongs to Chingleput, not to North Arcot, which has no Sea Board at all.

3. The Board remark they will not suggest what Clauses of the Harbour Act should be made applicable to these Ports, but will leave the question to the Council. The Government observe that this is the precise course suggested by the Honorable Mr. Currie, in his Minute† on the draft Act.

check to L. C. in his Minute on the draft act.
15/29/57. Resolved to send following letter. D.S. 2/11/57

Fort Saint George, Marine Consultation, 1st December 1857.

No. 3. From T. PYCROFT, Esq., Chief Secretary to Government of Fort Saint George; to DANIEL ELIOTT, Esq., Member of the Legislative Council for the Madras Presidency, Calcutta, dated 26th November 1857, No. 502.

Fort Saint George, Marine Consultation, 21st July 1857, Nos. 12 to 15, and 29th September 1857, Nos. 14 to 18.

SIR,

I am directed to forward for your information copies of the Consultations of Government, as per margin, having reference to the Bill "for the levy of Port dues and Fees at Ports within the Presidency of Fort St. George, and to provide against the discharge of Ballast in certain Ports within the said Presidency," and to call your particular attention to the present position of that Bill.

2. In your absence from India, the Hon'ble Mr. Currie, you are aware, has corresponded with this Government in your stead. The last letter from yourself on the subject is dated 26th March last, requesting the Government to supply as early as possible certain information respecting the Ports it was proposed to bring under Act XXII of 1855. The Schedules containing the details required were forwarded to the Government of India by whom they had been called for, under date 6th December 1855, in original, in my letter, No. 139, dated the 8th April. They referred to the (15) fifteen Ports noted in Schedule A. of the Bill transmitted by the Honorable Company's Solicitor, "and which alone" it was intimated "this Government would for the present wish to have declared subject to the Provisions of Act XXII of 1855."

3. It was objected, you will learn from Mr. Currie's Minute, at the second reading of the Bill, that, while a uniform maximum rate for the levy of Port dues at these fifteen Ports is provided by the Bill, *no data are furnished* to show what rates may be actually necessary. After calling for a further report from the Marine Board, the Government were led to the conclusion that the Schedules above adverted to, had not been placed before the Legislative Council by the Government of India. This was intimated to the Clerk of the Council in Mr. Maltby's letter, No. 394 of the 24th September. As no answer has been received to that letter, the Government infer that their surmise in regard to the Schedules is correct. At the same time they would wish to know whether it is so, and whether the Schedules are approved. Act No. XVI of 1856, has been extended for six months only. That term expires on the 13th February next and the Select Committee on the Bill have strongly recommended that it be on no account prolonged. The aggregate amount of Port dues collected at the fifteen greater Ports above referred to was in 1855, Rupees 47,799-13-0.

4. The Bill transmitted by this Government provided, *secondly*, for the levy of subsisting, Dues and Fees at forty minor Ports, until such Ports respectively shall be made subject to Act XXII of 1855, or the 'Harbour Act'; and, *thirdly*, against the improper discharge of Ballast in any of these forty Ports or any other minor Ports which shall at any time hereafter be declared subject to the Provisions contained in certain Sections (8 to 21 inclusive) of the Bill.

5. The Government regret to find that the Council are of opinion that no Dues should be levied at Ports where the 'Harbour Act' is not introduced. The amount of Marine Revenue at stake is not large, Rupees 8,464-15-8 only, a sum altogether insufficient to work the machinery of so comprehensive an Enactment, though available as a small Fund for local improvements at the several Ports.

6. The third Provision of the Bill was not objected to: *viz.*, the protection of the Anchorage at minor Ports by the prohibition of improper discharges of Ballast. But this, Mr. Currie suggested, should be effected by a separate Enactment for the extension of certain Clauses of the Harbour Act to those Ports. His offer to prepare such a Bill the Government accepted with thanks. They requested that the forty minor Ports before alluded to might be brought under the Enactment, and the Marine Board now suggest the addition of several others. Copy of their letter and the Extract Minutes of Consultation thereon accompanies.

To the Clerk of the Legislative Council,
No. 394, dated 24th September 1857.

(Signed) T. PYCROFT,
Chief Secretary.

Evd. J. A. Wilson.

Marine Sept

No 501

Em. 5/26 November 1857.

*Read the following taken from the Marine Board } here entered No 3473
of 7 Sept 57 - recd 16/11*

The Bd, replying to E.M. No 393 of 26th September forward a list of the Ports (besides those for by Ports contained in Schedule B of the Bill transmitted by his Govt to the Legislative Council) they wish to see preserved - quid the anchorage they afford - from deterioration owing to the improper discharge of Ballast.

2. These Ports, the Govt observe, are no less than 155 in number, comprising all those at which merchandize can be shipped or landed under Sect XXIV of Act No VI of 1844. The list will be forwarded to the Legislative Assembly for Madras, with reference to the letter of his Govt to the Clerk of the Council. There is one error in the list - Pulicat now belongs to Chingliput not to N. Arcot, which has ~~no~~ no sea board at all.

3. The Bd remark they will not suggest what clauses of the Harbour Act should be made applicable to these Ports, but will leave the question to the Council. The Govt observe that this is the precise course suggested by the Hon'ble Mr Currie in his Minute on the draft Act.

+ From Clerk to L.C. No 91 of 29/10/57. Resolved to send following letter. D. 2/11/57

Copy to the Marine Bd. Sept 1857.

Dispt for Steamers 20th

Marine Dept
No 502
From the Chief Secretary

To the Legislative Member
for Madras

Sir,

Forth George
Marine Consultn

21st July / 57. 11th 12 to 15.
and 29th Sept / 57. 11th 14 to 18.

I am directed to forward
for your information copies of
the Consultations of Govt, as per
margin. Having reference to the
Bill "for the levy of Port dues
" & Fees at Ports within the Presi-
" dency of Fort St George, and to pro-
" vide against the discharge of
" Ballast in certain Ports within
" the said Presidency," and to
call your particular attention to
the present position of that Bill.
2. In your absence from India,
the Honble Mr Currie, you are aware,
has corresponded with his Govt in
your stead. The last letter from
yourself on the subject is dated
26th March last, requesting the
Govt to supply as early as possible
certain information respecting the
Ports it was proposed to bring under
Act LXXII of 1855. The Schedules
containing the details required were

A

LL

W

Will

No 501

Office of the Minister of Marine

Letter to the Minister of Marine
Marine Dept
20th July 1857

20th July 1857

by whom they had been
called ^{for} under date 6
Dec: 1855—

forwarded to the Govt of India
in original, in my letter No 139,
dated the 8th April. They referred
to the (15) Fifteen ports noted
in Schedule A of the Bill trans-
mitted by the H.C. Solicitor, and
"which alone" it was intimated
"his Govt was for the present wish
"to have declared subject to the provis-
"on of Act ~~XVI~~ of 1855"

3. It was objected, you will learn
from Mr Currie's minute, at
the second reading of the Bill,
that, while an uniform maximum
rate for the levy of Port dues at
these fifteen Ports is provided by
the Bill — no data are furnished
to show what rates may be actu-
ally necessary. After calling for
a further report from the Marine
Board, the Govt were ^{led} to the
conclusion that the Schedules above
adverted to had not, from some
~~oversight~~, been placed before the
Legislative Council by the Govt of India.
This was intimated to the Clerk of
the Council in Mr Malby's letter
No 394 of the 24th September. As

no answer has been received
to that letter, the Govt ^{infer} ~~are left to~~
~~suppose~~ that their committee as
to the ^{in regard to} ~~mistake~~ of the Schedules
is correct. At the same time
they ^{wish} ~~would be taken~~ ^{whether} ~~to~~ ^{whether} ~~know~~ ^{that} it is so, and that the
Schedules are approved. Act
No ~~XVI~~ of 1856 has been exten-
ded for six months only. That
term expires on the 13th Feb-
-ruary next and the Select Com-
-mittee on the Bill have strongly
recommended that it be now no
account prolonged. The aggre-
-gate amount of Port-dues col-
-lected at the fifteen greater
Ports above referred to was in 1855,
Rs 47,799-13-0.

4. The Bill transmitted by his Govt
provided secondly for the levy of
subsisting Dues & Fees at forty
minor ports until such Ports re-
spectively shall be made subject to
Act ~~XVII~~ /55 or the Harbour Act,
and thirdly against the improper
discharge of Ballast in any of these
forty ports or any other minor ports
which shall at any time hereafter be

declared subject to the provisions
contained in certain sections (8 to 21
inclusive) of the Bill.

5. The Govt regret to find that the Council
are of opinion that no dues sh^d be levied
at Ports where the 'Harbour Act' is not
introduced. The amount of Marine
Revenue at stake is not large - Rs 8,464.

15-8- only - a sum also been insuffi-
-cient to work the machinery of the compre-
-hensive an enactment, though available
as a small fund for local improvements,
at the several Ports.

6. The kind provision of the Bill was not
objected to: viz. the protection of the
anchorage at major ports by the prohibi-
-tion of improper discharge of ballast.
But Sir, Mr Currie suggested, sh^d be
effected by a separate enactment for
the extension of certain clauses of the
Harbour Act to these Ports. This offer to
prepare such a Bill the Govt accepted,
with thanks. They requested that the
major minor ports before alluded to
might be brought under the enactment,
and the Marine Bd now suggest
the addition of ^{several} ~~some~~ others. Copy of
their letter to the E. M. Council is ac-
companied.

To the Clerk of the L.C.
No 394. 2/24/9-57.

D.R. 21-11-57.

Maurice L. to Eng. 16th July:
N^o 4 of 1858 = Para 4

1-3

Replied to 8th December
1857 of 519

8/10/1858

Office Member of the
Legislative Council
for Madras

N^o 519

Madras to Eng. 1st Aug
Maurice 1857 & para 4

Memo.
Port dues & fees

6th / 12 / 55 - Govt of India enclose a
copy of a letter dated 3rd
idem from the Clerk of the
Legislative Council, & desire
that the information herein
called for may be furnished.
It appears that on the passing
of the "Harbour Act" No ~~XXII~~
1855 on the 13th August in that year,
provision was made for all points
connected with the subject except the
Rate of Port dues. As this required
separate consideration for each port,
it was declared (See ~~Act~~) that the
existing rates should be levied for another
year, by which time it was hoped
another act declaring the fees leviable
at each particular port - the calcu-
lation of which was to be made on certain
data - might be ready to be passed.

These data were

- A. Schedule of 3 years collections, with
specification of all fees, dues &c - collec-
ted on British, foreign, & country vessels.
- B. Annual expenses for ^{the} same period, in-
cluding establishment & cost of maintaining works
benefiting the Port. &c &c.
- C. Annual tonnage. B. & C. for ^{the} same period
- D. an estimate of dues necessary for

^a British
^b Foreign
^c Country

the maintenance of the Port, &
of improvements ^{were} contemplated,
an estimate of their cost and of the
increase to be said dues necessary
to cover ~~the same~~ ^{it}.

20/12/55. The above was referred to the
Marine Board.

12/3/56 The Board in about four months
furnished sundry returns, which

4/4/56 the Govt. replied, as furnishing
rules of tonnage &c for each main-
tenance district, in lieu of each
district port. It is due to Mr.
Franklin to say that he was
absent at the time, Mr. H.
Thomson resigning in his stead.

27/8-56. The next step in the matter
was the submission by the Board
to Govt. for their approval, cer-
tain forms of schedules which
they intended to distribute
to Collectors of Maritime Dis-
tricts.

5/9-56. Govt. approved these forms
with one emendation, & de-
clared the Bd. to instruct the Collec-
tors that Govt. was not view with
displeasure any want of
promptness on their part in
giving the information.

27-9-57.

The Bd. next, in consequence
of a serious accident at Vingaya-
patam, requested the Govt. to
obtain the sanction of the Govt.
of India for placing that port
& certain others under the
special clause XII of Act XVI
of 1855.

11-10-56. To the Govt. showed that applying
a special clause to a port was
in the authority of the local Govt.,
provided the sanction of the
Superior Govt. had been obtained
to bringing such port within
the general provisions of the
Harbour Act, and such
sanction would only be ac-
corded, when the application
was
accompanied by a defini-
tion of the Port limits, & a
draft of the Port rules.

As to Port dues, the dues in
force ^{were} ~~are~~ leviable by Act XVI
of 1856, till the 13th August/57,
only, but a Port might at
any time be brought under
the Harbour Act, the dues
to be revised hereafter.

18-10-57. Shortly after this, Govt. on a
reminder from Calcutta, called
on the Bd. to expedite the trans-
mission of the Schedule of
rules.

Relieved to in E. M. G. 20/12/55
No 280 and "repeatedly since".
in other orders.

31-10-56. In reply to a letter of the 13th
stating, among other things, that
the Port dues for Madras shall
be 3d per ton, & for outports
one third less, Gt. pointed out
that nothing whatever ^{could} be
done until the data so often
asked for ^{were} supplied.

2-12-56. Gt. were obliged to return
to the Board - so carelessly
was it drawn up - a Draft
of some rules for Cocanada
& Cochin.

19-1-57. The 13th ^{were} called upon to report
immediately on the delay
showable in their proceedings.

6-2-57. Gt., in reply to the Board, ^{data}
stating they ^{would} not object
to the Schedules for each port
being submitted separately,
if that ^{would} facilitate the
13th's duties.

21/2/57. Gt. - in reply to a further
suggestion of the 13th, viz. that
knowing the circumstances of
certain minor ports render ^{it} the
application to them of the Harbour
Act not expedient.

2/3-57. Gt. in a letter to the Gt. of
India, pointing out that they
concur with the 13th that the
Harbour Act shall not be ap-
plied to be more insignifi-
cant ports.

18-3-57. Gt. refer^d for the R. C.
Solicitor's opinion the limits
proposed for the port of Madras
by the Board.

26/3/57. Gt. ask^d the sanction of Gt.
of India to bringing under the
Harbour Act the ports margin-
ally specified.

26/3/57. Gt. communicate to the
13th a reminder from the Honk
D. Elie, who at the same
time suggests that here it is (as
regards future port dues) to one
bill for Madras, and separate
bills for ~~these~~ ports ~~where~~ ^{where} ~~circumstances~~
~~were~~ ^{were} identical.

31/3/57. Gt. forwarded copy of the "Bill
(with annexes)" for the levy of
Port dues at Calcutta" to the 13th
& R. C. Solicitor, to guide them
in preparing a Draft Act for
the port of Madras.

4/4/57. Gt. forward^d to Gt. of India schedules
for other ports - and observed
that Cocanada, Pannan, 8/4/57.
Mazulipatam, Mangalore,
Rajapattam, Mangalore,
and Mangalore.

but here is added to be
Ports, for whose sanction was
requested under date 4th 21st
March ulto Nos 90 & 99,
make a total of 15, & but
to these 15 larger ports alone
do His Govt wish to have the
Harbour Act extended.

15/5/57. Govt of India approve of the
draft Notification (a subsidiary rule),
declaring Madras a Port to which
the Harbour Act is applicable.

6/5/57. Govt forward to the Clerk of
the Legislative Council two
Bills prepared by Mr Boyson
in communication with the
Board - viz.

Bill A. to provide by one act
for the levy of port dues and
fees at all ports where such
dues are now exacted; both
ports which are to be at once
subjected to the "Harbour Act"
(that is the fifteen chief ports
alluded to supra) and those
which are not at present
subjected to that Act.

+ which included
Bill A, & further

Bill B. & enacted that any other
ports of his Presidency (and here

are many such) at which port
dues are not levied may yet
be preserved from deterioration
owing to the improper dis-
charge of ballast etc.

From Clerk of the
Legislative Council
29/8-57.
No 91.

on his reaching the Council,
it was objected

First. that while, in the case of
these ports (15) to which the
Harbour Act is to be extended,
an uniform maximum rate
for the levy of Port dues is provi-
ded, no data are furnished with
the Bill to show what rates are
actually necessary.

Secondly. That, while the Bill
proposes to continue the levy of
dues (rates not being specified)
at a number of small ports
to which it does not propose
to extend the Harbour Act -
the deliberate feeling of the Council
is - "no Harbour Act, no port
dues", though here will be no
objection to extend by a separate
enactment to such ports certain
clauses of the Harbour Act,
namely the prevention of injury
to the anchorage.

The Honble Member in charge
of the Bill (E. Currie) concluded

his minute by advising that, for
the present Bill, two separate
bills be introduced

One to apply to the smaller ports
in the manner suggested.

The other fixing rates of Port dues
for the Ports to be subjected to the
Harbour Act, and to his end
it is necessary that the Council
sh^d have before them the data
so long called for.

Meanwhile an Act was passed
extending the power of collecting
port dues at existing rates for
six months - to, i.e. the 13th
February/57.

28/7/57.

The 13th, to whom the above was communicated,
remarks that such data have been submitted by
him for the 15th ports to be brought under the Har-
bour Act & cite his letters. & it does appear
further that these 15 schedules were transmitted
to the Govt of India on the 8th April last. Mr
Currie therefore must be told this. If the data
are insufficient, that is another thing, but his at-
tention here are none at all is not correct.

In regard to the second point, long of dues at ports
where the Harbour Act is not to apply, the 13th remarks,
that to work the Act at these lesser ports sh^d be done only
at an expense to the State; the dues collected at such
ports may suffice for occasional works of improve-
ment, but will not cover the cost of the agency required
to carry out the Act.

It appears from the enclosure to the 13th dated 16/3/57.
that he has paid dues for 56 ports = 57,264.22 a fraction, while
there remain at the 15th chief ones = 47,799.18 - 0 - 0 so that there is
132,064.40 (being an average of 40205 for the remaining 40 ports) at 3
to be lost.

vile

E. G. 11/3-57.

62302

12247

27/1/57.

vile