

MADRAS RECORD OFFICE.

Government of Madras.

Marine DEPARTMENT.

G.O. No. 157

Press
~~Mis.~~

Dated 20 - 4 - 18 58

Not to be folded or roughly handled

Fort Saint George, Marine Consultation, 20th April 1858.

No. 10. From J. T. MACLAGAN, Esq., Acting Secretary Marine Board ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 16th March 1858, No. 1179.

SIR,

I have the honor by desire of the Marine Board to forward the accompanying copy of a communication from Mr. Thomson, Master Attendant, Cocanada, enclosing a Statement of the Fees credited to Government since 1851, for the Registry of Cargo Boats at that Port, and requesting that his application to have them made over to him may be submitted to Government for their decision.

2. At Madras the Fees for the Survey, Registry and License of Boats, are carried to the credit of the Disabled Boatmen's Fund. The Fee for Survey, authorized under Section 3 of Act IV of 1842, is payable to the Master Attendant, while no mention is made as to the disposal of the License and Registry Fees, in that part of Section 2 (the conclusion) authorizing their levy. The Rules for the management of the Disabled Boatmen's Fund, which are subsidiary to that Act, provide, however, for the last named Fees being carried to its credit, but it has been the practice in fact to hand over the whole of the Fees to that account.

3. Some years back, in 1847, similar applications were made by the Collectors of Rajahmundry and Malabar, and the Board acting in accordance with the principle which they believed the Government wished to adopt as regarded salaries, namely, that no portion of them should be derivable from Fees, directed that those levied at Out-ports for the Survey of Cargo Boats should be carried to the credit of Government.

4. The Board do not think that any alteration is now needed, with the exception that on the introduction of Act XXII of 1855, at certain Out-ports, the Fees should be carried to the credit of the Port Fund in lieu of to Government.

From H. THOMSON, Esq., Master Attendant; to J. T. MACLAGAN, Esq., Acting Secretary Marine Board, dated Coconada, 14th February 1858, No. 30.

SIR,

I have the honor to enclose a Statement shewing the amount of Fees paid into this District Treasury for Registering Boats, Dhonies, &c., according to Section 2 of Rules and Regulations for the better management of Cargo Boats, Dhonies, &c., at Out-ports, as laid down at page 11 of the Blue Book for the guidance of Master Attendants at Out-ports.

From the wording of the last para.* of the above alluded to Section, it is clear that the Fee therein mentioned is for the Surveying Officer, and taking into consideration, the small salary that the Master Attendant at Out-ports receive and which at this Port is very arduous and increasing daily, I hope the Board will not deem me troublesome in now soliciting their aid and recommendation, in laying this my claim to a refund of the Fees as laid down in the accompanying Statement for the favorable consideration of Government, and which I consider a just claim and what I am entitled to by the above alluded to Section, as there is no Government order among the Records in my Office to pay this into the Public Treasury. I am sure the Board will agree with me in the justice of this claim if they will only take into consideration the wording of the para: above alluded to and the numerous duties I have to perform without either Fee, remuneration, or even Travelling Allowances.

* And to enable the Registering Officer to grant a correct License he shall Survey or cause to be surveyed any such Boat or Canoe in presence of the Owner or any person deputed by him the Fee for such Survey being as follows.

"to be credit of the Port Fund, in lieu

Fort Saint George, Marine Consultation, 20th April 1858.

Statement shewing the amount of Fees collected by Captain H. Thompson, Master Attendant, Cocanada, from 1st November 1851 to January 1858, as per Irsalnamahs.

Month.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	1858.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
January.....	0 0 0	4 8 0	0 0 0	0 0 0	0 0 0	5 0 0	23 8 0	19 8 0	
February.....	0 0 0	4 0 0	29 8 0	6 0 0	0 0 0	21 8 0	9 8 0	20 0 0	
March.....	0 0 0	0 0 0	13 0 0	3 0 0	0 0 0	0 0 0	0 0 0	0 0 0	
April.....	0 0 0	3 0 0	3 0 0	8 0 0	5 0 0	16 8 0	0 0 0	0 0 0	
May.....	0 0 0	0 0 0	10 0 0	0 0 0	0 0 0	0 0 0	16 0 0	0 0 0	
June.....	0 0 0	5 0 0	6 0 0	0 0 0	13 8 0	5 0 0	0 0 0	0 0 0	
July.....	0 0 0	7 0 0	0 0 0	16 8 0	0 0 0	19 8 0	0 0 0	0 0 0	
August.....	0 0 0	3 8 0	3 0 0	0 0 0	18 8 0	5 0 0	9 8 0	0 0 0	
September.....	0 0 0	10 8 0	5 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	
October.....	0 0 0	0 0 0	1 8 0	47 0 0	45 0 0	13 8 0	10 0 0	0 0 0	
November.....	0 0 0	11 0 0	12 0 0	0 0 0	0 0 0	5 0 0	0 0 0	0 0 0	
December.....	3 0 0	6 8 0	3 8 0	0 0 0	12 0 0	0 0 0	15 0 0	0 0 0	
Total.....	3 0 0	55 0 0	86 8 0	81 0 0	127 0 0	91 0 0	83 8 0	39 8 0	566 8 0

(Signed) H. THOMSON,
Master Attendant.

(True Copy.)
(Signed) J. T. MACLAGAN, Acting Secretary.

Fort Saint George, Marine Consultation, 20th April 1858.

No. 11. ORDER THEREON, No. 157; dated 20th April 1858.

In the enclosure to the foregoing letter, Mr. Thomson, the Master Attendant at Cocanada, states that he has levied from 1851 to 1858, or during his incumbency of that Office, the sum of Rupees 566-8-0, in Fees for Registering Boats at that Port. This amount has been paid into the Collector's Treasury, but he contends that it should be refunded to him, it being clearly the intention of the Rules* for Out-ports that the Fee in such cases should be the perquisite of the Master Attendant. The Marine Board, on the other hand, think that no refund should be made, being clear that the sum has been properly credited to Government. "The Board do not think that any alteration is now needed, except, that, on the introduction of "Act, No. XXII of 1854, at certain Out-ports, the Fees should be carried to the credit of the "Port Fund, in lieu of to Government."

2. The Rules referred to, the Government observe, were promulgated under the sanction of Act, No. IX of 1846; and, as required by that Act, they are similar in principle to the provisions contained in Act, No. IV of 1842, commonly known as the "Madras Roads Boat Regulation Act."

3. By Sections II and III of the last mentioned Act certain Fees are leviable for the survey, admeasurement and registration of Boats. These Fees, the Board intimate, have always in Madras been carried to the credit of the "Disabled Boatmen's Fund." It is, however, quite evident to Government that they are the legitimate perquisite of the Master Attendant of the Port; and in waving his claim to them, the late Captain Biden made a handsome yearly subscription on behalf of a very deserving charity. As the rules for Out-ports are avowedly taken from the Rules provided by the "Madras Roads Boat Regulation Act," it follows that Master Attendants at Out-ports should be considered in a similar position, in respect to these Fees, as the Master Attendant at Madras. Where there is no Master Attendant, the Government are of opinion that the amount collected should be carried to the public credit. Mr. Thomson's Account will therefore be adjusted, as he requests, with liberty to carry to his own credit all future Fees on this head.

4. In regard to the Board's remark, that, on the introduction into any Port of the "Harbour Act," the said Fees should be carried to the Port Fund, it does not appear that this will be necessary. Section II of that Act enumerates certain Laws the operation of which is to cease in Ports declared subject to that Act. In this list neither Act, No. IV of 1842, nor Act, No. IX of 1846, is mentioned. A Fee for the survey and registration of a Massulah Boat is obviously not considered by the Legislative Council a Port Due.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. J. A. Wilson.

"to be credit of the Port Fund, in lieu
"of to be Govt"
2.57

Memo: for orders. Marine Sept

Letter from Marine Bd, No 1179 of the 16th inst,
enclosing one from Master Attendant, Cocanada

Mr. Thomson, the Cocanada Master Attendant, states that he has levied from 1851 to 1858, the sum of Rs 568.8, in fees for Registering Boats at that Port. This sum has been paid into the Collector's Contingency, but he contends that it should be refunded to him, it being clearly the intention of the Rules laid down for Out Ports that the fee in such cases is the perquisite of the Master Attendant. The Marine Bd, on the other hand, think no refund should be made, being of opinion that the sum has been rightly credited to Govt.

"The Bd do not think that any alteration is now needed, except that on the introduction of Act ~~XII~~ of 1855 at certain out ports, the fees should be carried to the credit of the Port Fund, in lieu of to the Govt."

2. J. T.

* the benefit of his
incumbency *.

* the "Harbour Act"

2. It appears here that nothing
after the passing of the Madras Roads -
Boat Regulations Act (No IV of 1842)

it was thought desirable to pass some-
-what similar regulations for other
ports. After some correspondence
with the Sup. Govt, Act No IX of 1846
was enacted, by which the Govt was
empowered, with the sanction of the
Govt of India, to make such rules
for outports as they might deem
expedient.

3. The Marine Bd drew up sundry
rules accordingly, & they were published
in the Gazette for 1847 of the 30th
April. Mutatis mutandis, they
are identical with the provisions
of the first mentioned Act, which
was applicable to Madras alone.

4. In Section II of these Rules for
outports, certain fees, ^{are to be paid} for registering
of Boats after survey & admeasurement
-ment by the Master Attendant
or Collector of Sea Customs or Deputy,
as the case may be. They range from
Rs 5 to Rs 8; and the question

now is, whether, in the absence
of any express declaration either
way, they shall be carried to the
credit of Govt or the local officer.

5. The rules being avowedly taken
from those enacted in Act No V of 1842,
that Act may be consulted on the
point.

Section II provides for the new registra-
-tion of every Boat & Catamaran:
and "for every such made by the Master
"Attendant as aforesaid, he shall be en-
"titled to charge by way of fee the sum
"of one rupee, & for every new license
"he shall, the sum of one rupee."

Section III provides for the survey &
admeasurement of every boat previous
to issue of license, and for every such
survey &c "a fee of three rupees shall
"be paid by the Owner of the Boat to the
"said Master Attendant"

6. It is submitted that both Sections
give therein respective fees as a perquisite
of office to the Madras Master Attendant,
but the Board think that such is the
force of the latter Section alone - The
principle however, to the detriment of poor

* Twelve are enu-
-merated: Coringa
being one.

Capt. Biden, has been to make over
every fee collected to be Disabled
Boatmen's Fund!

Capt. Biden's salary was 1250 per
month - & he was one or two other things
besides. Mr. Thomson gets 200 Rs only,
without extras of any kind.

Of course if it is given back to Mr. Thomson,
it will have to be given back to other Master
abundantly as well. The whole way is the
very much - Cornwall being as flourishing
a port as any.

7. In regard to the Bd's remark that
on the introduction into any Port of Act
XXII of 1855, he said fees &c. he carried
to the Port Fund, it does not appear
that this will be necessary - Sect II
of that act enumerates certain acts
the operation of which is to cease in Ports
declared subject to that Act. But
act No VI of 1842 is not mentioned.
nor is Act No IX of 1846 (cited in
Para 2 supra). A fee for the survey
& registration of a Catamaran is
strongly not considered a "Port Due"
by the legislative Council.

D.S.C.

27/3-58

Marine Sept

No 157

E.M.G. 20 April 1858

Read letter from the
Marine Board

Here enter No 1179

2/18 March 58

In the enclosure to the foregoing
letter, Mr. Thomson, the Master
Attend^t at Cocanada, states that
he has levied from 1851 to 1858, or
during his incumbency of that office,
he sum of Rs 566.8, in fees for
registering Boats at that Port. This
amount has been paid into the Collec-
tor's Treasury, but he contends that
it should be refunded to him, it being
clearly the intention of the Rules for
Out Ports that the fee in such cases is
the perquisite of the Master Attend^t.
The Marine Bd, on the other hand,
think that no refund should be made,
being clear that the sum has been pro-
perly credited to Govt. "The Bd doubt
whether any alteration is now
needed, except, that, on the intro-
duction of Act No XXII of 1855
"at certain outports, the fees should be
"carried to the credit of the Port Fund,
"in lieu of to Govt."
2. The rules referred to, the Govt. observe,

+ Vide Gazette
2/30 April 57

were promulged under the sanction of Act No IX of 1846; and, as required by that Act, they are similar in principle to the provisions contained in Act No IV of 1842, commonly known as the "Madras Roads Boat Regulation Act."

3. By Sections II and III of the last mentioned Act certain fees are leviable for the survey, admeasurement & registration of Boats. These fees, the Board intimate, have always ^{in Madras} been carried to the credit of the "Disabled Boatmen's Fund". It is however quite evident to Govt that they are the legitimate perquisite of the Master Attendant of the Port; and in waving his claim to them, the late Capt. Baden made a handsome yearly subscription on behalf of a very deserving Charity. As the Rules for Outports are avowedly taken from the Rules provided by the "Madras Roads Boat Regulation Act", it follows that Master Attendants at Outports sh^d be considered in a similar position, in respect to these fees, as the Master Attendant at Madras. Where there is no Master Attendant, the Govt are of opinion that the

amount collected sh^d be carried to the public credit. Mr. Thomson acc^t will herefore be adjusted, as he requests, with liberty to carry to his own credit all future fees on his head.

4. In regard to the Board's remark that, on the introduction into any Port of the "Harbour Act", the said fees sh^d be carried to the Port Funds, it does not appear that this will be necessary. Sect II of that Act enumerates certain Laws the operation of w^{ch} is to cease in Ports declared subject to that Act. In his list neither Act No IV of 1842 nor Act No IX of 1846 is mentioned. A fee for the survey & registration of a Malabar boat is obviously not considered by the Legislative Council a 'Port Due' -

BB

S.H. - 12/4/58

To the Marine Board

" Col^l of Rajahmundry
" Acct General
" Civil Auditor

Disps. 24th

Maurice Seltzer to Eng 26 July
1724 of 1858

Page 2

Replied to from the
way of state for which
date 29 July 1859
10 of 1859

Ans 28th April
Maurice 1858 to Eng 26

No 157

Extract from the

10 of 1859

7 No 176 of 1859

10-11

C 13th 1859
1819