Govt. of {1896} Madras.

MARINE.

Dated March, 31st.

Recd. Encl.

G.O. No. 222, 31st Mar. 1896.

MARCH.

Boat Rules

Desiring that the opinion of the Advocate-General be obtained on the legal questions involved in the withdrawal by the Port officer, Mangalore, of a boat license for a breach of rule 16 of the —.

No. 131. Madras 12th March 1896.

From,
Ernest Barclay,
Government Solicitor,
Madras.

To
The Presidency Port Officer,
Madras.

Sir,

I beg to acknowledge receipt of your letter of 6th instant, No. $\frac{646}{211\ M}$, with its enclosures.

2. In my letter of 2nd August 1890, No. 364, I advised that the Registering Officer was the authority by whom licenses should be withdrawn under Rule+ 24 then in force but that the license could not be entirely withdrawn under that Rule, so as to be forfeited, unless the holder of the license had been convicted by a Magistrate under Section 54 of Act 10 of 1889 of disobedience of a Rule; I also pointed out that by Rule I, then in force, boatowners were to be subject to

+Vide G.O. No. 56-57 of 18-12-90

to the control of the Registering Officer and were bound to obey all orders issued by him in connection with the plying of their boats, and that no temporary withdrawal of a license therefore seemed necessary as the Registering Officer could, at any time, prohibit a boatowner from plying his boats and, if he disobeyed such order, he would be guilty of a breach of Rule I and liable to the penalty provided in Section 54 and to forfeit his license.

3. In your letter under reply you enquire whether the opinion expressed in my letter No 364 of 2d August 1890 as to the authority by whom a boat license should be withdrawn temporarily could be held as applying also to the Registering Officer under the Boat Rules, copy of which is enclosed in your letter, and you give as a reason for the enquiry, that the

Registering

Registering Officer, Mangalore, had recently withdrawn, temporarily, a license granted to the owner of a boat plying at that port because the owner had refused to obey certain instructions which had been issued by the Registering Officer regarding the plying of his boat. But I would point out that I did not advise in my letter No 364 that the Registering Officer could temporarily withdraw a boat license and I explained, as mentioned above, why any temporary withdrawal of a license would be unnecessary.

4. The Rules of which you have sent me a copy contain no provision for the temporary withdrawal of a boat license nor do such Rules contain any such provision as was contained in Rule I of the previous Rules, that boatowners were to be subject to the control of the Registering Officer and were bound to obey all orders issued by him in

connection with the plying of their boats.
I am of opinion therefore that neither a Registering Officer or any one else has power to temporarily withdraw a boat license or to take any action for disobedience of an order unless such disobedience amounts to a breach of one or more of the Rules now in force, in which case the offender will be liable to the penalty provided by Section 54 of Act 10 of 1889 and to forfeit his license under Rule 22.

5. I return the copy Rules enclosed in your letter and

I have &ca

(Sd.) Ernest Barclay
Government Solicitor.

True Copy
H. Atheet
Commander R. I. M.
Presidency Port Officer.

Enc No 2 / Mar 344/96

No 28/26

Port Office Mangalore
17th March 1896.

From
J. M. Simpson Esqr.
Port Officer.

To
The Presidency Port Officer,
Madras.

Sir,

I have the honor to submit for your information the following extracts of the Collector's decision in the matter of the appeal by Messrs. Shepherd & against my orders suspending license for violation of Boat Rules.

No evi[illegible] was taken on oath, as [illegible] Collector dee[illegible] desirable to prosec[illegible] in the full [illegible] of the Port.

[illegible] have &ca
[illegible] P. M. Simpson
[illegible] Officer

[illegible] Rules authorizing [illegible] Register-ing Officer to suspend the license of a boat and that his proper course would have been to have summoned the offending Party before a Magistrate.

2. The Port Officer has now sent me extracts

are required by Law to exercise.

2. × × It is established that necessity for the Port Officer's subordinates to requisition the Tindal to act under Boat Rule 17 had arisen × × × The Port Officer, being informed that his subordinates could not enforce obedience to the rules × × × and being held responsible by his superiors that no negligence on his part should contribute towards any accident to passengers, was, I presume justified under Section 8 Act X of 1889 sub section three, in suspending licenses until he had secured obedience to orders.

+ Vide G.O. 334 Mar d/18 Aug 94

3. This order cannot be cancelled, although it does not appear that suspension for a definite period of 14 days can be imposed as a penalty for breach of Rules.

t Rules

The

True Copy

Commander R.I.M.
Presidency Port Officer.

Endt No 2
Mar 34/96

---

reasonably be resorted to, even as force may be resorted to under section 8 Act X of 1889, but the License should be returned, the moment submission is obtained, and if the Port Authorities find further measures necessary, the Tindal should be prosecuted.

(Sd.) W. H. Welsh
Collector

(True Extracts)

(Sd.) J. M. Simpson
Port Officer.

Port Office
Mangalore
17th March 1896

True Copy

Commander R.I.M.
Presidency Port Officer

ly

the Boat Rules authorizing the Registering Officer to suspend the license of a boat — and that his proper course would have been to have summoned the offending Party before a Magistrate.

2. The Port Officer has now sent me extracts

required by Law to

Enclo 1
Mar 341/96

Enclo 2
341/96

government

True Copy

H A Street

Commander R.I.M.

Presidency Port Officer.

No. 646/101 G

Heading.

Boat Rules.

PRESIDENCY PORT OFFICE,
Madras, 21st March 1896.

From

Commander H. A. Street, R.I.M.,
PRESIDENCY PORT OFFICER,
Madras,

To

THE ~~CHIEF~~ SECRETARY TO GOVERNMENT,
MARINE DEPARTMENT,
Chepauk.
~~Fort Saint George.~~

SIR,

In February last the Port Officer, Mangalore, reported to me that he had, in the absence of the Collector of the District, suspended the license of Messrs Shepherd & Co's launch which plies at that port, for committing a breach of Rule 16 of the Boat Rules — I thereupon pointed out to the Port Officer that he had acted illegally — there being nothing in the Boat Rules authorizing the Registering Officer to suspend the license of a boat — and that his proper course would have been to have summoned the offending Party before a Magistrate.

2. The Port Officer has now sent me

extracts — copy attached — from the decision of the Collector of the district in the matter of an appeal made by Messrs. Shepherd & Co. against the action of the Registering Officer in suspending the license of their launch.

3. As the view of the Collector as expressed in paras 2 and 4 of the copy of his decision seems to imply that the Port Officer was justified in suspending the license, and would even have been justified in using force to obtain obedience to the Boat Rules, I beg to be informed whether this view meets with the approval of Government.

4. I put up herewith copy of a letter I have received from the Solicitor to Government on the subject of the powers of the Registering Officer in regard to boats licenses.

I have the honor to be,
Sir,
Your Obedient Servant.

H. A. Street
Commander R. I. M.
Presidency Port Officer.

Marine (1896) DEPARTMENT.

From

THE PRESIDENCY PORT OFFICER,
Madras,

To

THE CHIEF SECY. TO GOVERNMENT,
MARINE DEPARTMENT,
Fort St. George.

No. 646/101 G

Dated 21st }
Received } March 1896.

No.

Subject.

Enquiring whether the view of the Collector of South Canara district in connection with the suspension of a boat license meets with the approval of Government.

Marine Current No: 341

Enclos 2

Recd: 23.3.96

The Indian Ports Act 1889 ✓
Nos. 456-7 d/ 18-12-90 marine ✓
" 503-4 " 16-11-91 " ✓
" 50 " 10-2-94 " ✓
" 223 " 14-6-94 " ✓
" 334 " 18-8-94 " ✓

"Abstracted

P. W. DEPARTMENT.
(Marine)

READ the following:—

From the Presidency Port Officer, Madras, No. 646/101 G dated 21st March 1896.

FOR ORDERS.

The Presidency Por Officer enquires * "whethe the view of the Collector in regard to the withdrawal of a boat license for a breach of rule 16 of the Boat Rules* meets with the approval of Government."

2. The question is a legal one, and the Government Solicitor seems to think that the Port officer has no power to withdraw a license, but that in case of the infraction of Boat Rules, the offender is liable to the penalty provided by Section 54 of Act X of 1889

* Vide G.O. 334 d/ 18th August 1894 Marine

* Vide his letter No. 131 d/ 12th March 1896.

889, and to forfeit his license under rule 22 of the Boat Rules[x] i.e. only by order of the Court. There is thus a direct conflict of opinion between the Collector as remitting officer, and the Government Solicitor, and it will perhaps be desirable that the opinion of the Advocate General hould be obtained for e future guidance of Port officers.

25/3/96

Boat Rules.

H.S.

FOR ORDERS.

[x] Vide R.O. 334 d/ 18 Aug 74.

R.S.H.
29.3.96

222
Marine

H.S. 25/3 R 30/3

Marine ~~Public Works~~ Department.

No. 222. Marine d/ 31st March/96.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Letter from the Govt. Solicitor H.E. No. 131 d/ 12 March/96.
" " " Port officer Mangalore } " " $\frac{28}{26}$ d/ 17 March/96.
" " " Presidency Port officer } " " $\frac{646}{101}$ G d/ 21 March/96.

The Government desires that the opinion of the Advocate General be obtained on the legal questions involved. The Government Solicitor will submit the required opinion.

30/3/96

DESPATCHED
21 APR. 96

To the Govt. Solicitor
" P. P. officer.

(40—4,000—2-11-95.)

EXTRACT of Order, dated 9th March 1896.

* * * Messrs. Shepherd & Co. practically constituted their men judges whether the orders of the Port authorities were correct or not, and nullified the control which the Port authorities are required by law to exercise.

2. * * * It is established that necessity for the Port officer's subordinates to requisition the tindal to act under boat rule 17 had arisen * * *. The Port officer, being informed that his subordinates could not enforce obedience to the rules * * * and being held responsible by his superiors that no negligence on his part should contribute towards any accident to passengers, was, I presume, justified under section 8, Act X of 1889, sub-section 3, in suspending licenses until he had secured obedience to orders.

3. This order cannot be cancelled, although it does not appear that suspension for a definite period of fourteen days can be imposed as a penalty for breach of rules.

4. The remedy provided by the rules (G O., No. 334, Marine, dated 18th August 1894), is prosecution, whereby the Port officer might have tested the correctness of his information.

* * * If no other way of securing obedience is available, suspension may reasonably be resorted to, even as force may be resorted to under section 8, Act X of 1889, but the license should be returned the moment submission is obtained, and if the Port authorities find further measures necessary, the tindal should be prosecuted.

(Signed) W. H. WELSH,
Collector.

From Commander H. A. STREET, R.I.M., Presidency Port Officer, to the Joint Secretary to Government, Marine Department, dated Madras, 21st March 1896, No. 646—101 G.

In February last the Port officer, Mangalore, reported to me that he had, in the absence of the Collector of the district, suspended the license of Messrs. Shepherd & Co.'s launch, which plies at that port, for committing a breach of rule 16 of the Boat Rules. I thereupon pointed out to the Port officer that he had acted illegally—there being nothing in the Boat Rules authorising the Registering officer to suspend the license of a boat—and that his proper course would have been to have summoned the offending party before a Magistrate.

2. The Port officer has now sent me extracts—copy attached—from the decision of the Collector of the district in the matter of an appeal made by Messrs. Shepherd & Co. against the action of the Registering officer in suspending the license of their launch.

3. As the view of the Collector, as expressed in paragraphs 2 and 4 of the copy of his decision, seems to imply that the Port officer was justified in suspending the license, and would even have been justified in using force to obtain obedience to the Boat Rules, I beg to be informed whether this view meets with the approval of Government.

4. I put up herewith copy of a letter I have received from the Solicitor to Government on the subject of the powers of the Registering officer in regard to boats licenses.

ORDER—No. 222, Marine, dated 31st March 1896.

The Government desires that the opinion of the Advocate-General be obtained on the legal questions involved. The Government Solicitor will submit the required opinion.

(True Extract.)

Under Secy. to Government.

To the Government Solicitor.
„ Presidency Port Officer.

Exd. C. M. Thumbuswamy Pillay.
Spare Copies

No. 222, Marine, 31st March 1896.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

Read—the following papers :—

From ERNEST BARCLAY, Esq., Government Solicitor, to the Presidency Port Officer, dated Madras, 12th March 1896, No. 131.

I beg to acknowledge receipt of your letter of 6th instant, No. 646—211 M., with its enclosures.

2. In my letter of 2nd August 1890, No. 364, I advised that the Registering officer was the authority by whom licenses should be withdrawn under rule 24 then in force, but that the license could not be entirely withdrawn under that rule, so as to be forfeited, unless the holder of the license had been convicted by a Magistrate, under section 54 of Act X of 1889, of disobedience of a rule; I also pointed out that by rule I then in force boat owners were to be subject to the control of the Registering officer and were bound to obey all orders issued by him in connection with the plying of their boats; and that no temporary withdrawal of a license therefore seemed necessary, as the Registering officer could, at any time, prohibit a boat owner from plying his boats, and, if he disobeyed such order, he would be guilty of a breach of rule 1 and liable to the penalty provided in section 54 and to forfeit his license.

vide revised rule 22 -

3. In your letter under reply you inquire whether the opinion expressed in my letter, No. 364 of 2nd August 1890, as to the authority by whom a boat license should be withdrawn temporarily could be held as applying also to the Registering officer under the boat rules, copy of which is enclosed in your letter, and you give, as a reason for the inquiry, that the Registering officer, Mangalore, had recently withdrawn, temporarily, a license granted to the owner of a boat plying at that port, because the owner had refused to obey certain instructions which had been issued by the Registering officer regarding the plying of his boat. But I would point out that I did not advise in my letter, No. 364, that the Registering officer could temporarily withdraw a boat license, and I explained, as mentioned above, why any temporary withdrawal of a license would be unnecessary.

4. The rules of which you have sent me a copy contain no provision for the temporary withdrawal of a boat license, nor do such rules contain any such provision, as was contained in rule I of the previous rules, that boat owners were to be subject to the control of the Registering officer and were bound to obey all orders issued by him in connection with the plying of their boats. I am of opinion, therefore, that neither a Registering officer nor any one else has power to temporarily withdraw a boat license or to take any action for disobedience of an order unless such disobedience amounts to a breach of one or more of the rules now in force, in which case the offender will be liable to the penalty provided by section 54 of Act X of 1889 and to forfeit his license under rule 22.

5. I return the copy rules enclosed in your letter.

From J. M. SIMPSON, Esq., Port Officer, to the Presidency Port Officer, dated Mangalore, 17th March 1896, No. 28—26.

I have the honour to submit, for your information, the following extracts of the Collector's decision in the matter of the appeal by Messrs. Shepherd & Co. against my orders suspending licenses for violation of boat rules.

No evidence was taken on oath, as the Collector deemed it undesirable to prosecute in the full busy season of the port.

EXTRACT of Order, dated 9th March 1896.

* * * Messrs. Shepherd & Co. practically constituted their men judges whether the orders of the Port authorities were correct or not, and nullified the control which the Port authorities are required by law to exercise.

2. * * * It is established that necessity for the Port officer's subordinates to requisition the tindal to act under boat rule 17 had arisen * * *. The Port officer, being informed that his subordinates could not enforce obedience to the rules * * * and being held responsible by his superiors that no negligence on his part should contribute towards any accident to passengers, was, I presume, justified under section 8, Act X of 1889, sub-section 3, in suspending licenses until he had secured obedience to orders.

3. This order cannot be cancelled, although it does not appear that suspension for a definite period of fourteen days can be imposed as a penalty for breach of rules.

4. The remedy provided by the rules (G O., No. 334, Marine, dated 18th August 1894), is prosecution, whereby the Port officer might have tested the correctness of his information.

* * * If no other way of securing obedience is available, suspension may reasonably be resorted to, even as force may be resorted to under section 8, Act X of 1889, but the license should be returned the moment submission is obtained, and if the Port authorities find further measures necessary, the tindal should be prosecuted.

(Signed) W. H. WELSH,
Collector.

From Commander H. A. STREET, R.I.M., Presidency Port Officer, to the Joint Secretary to Government, Marine Department, dated Madras, 21st March 1896, No. 646—101 G.

In February last the Port officer, Mangalore, reported to me that he had, in the absence of the Collector of the district, suspended the license of Messrs. Shepherd & Co.'s launch, which plies at that port, for committing a breach of rule 16 of the Boat Rules. I thereupon pointed out to the Port officer that he had acted illegally —there being nothing in the Boat Rules authorising the Registering officer to suspend the license of a boat—and that his proper course would have been to have summoned the offending party before a Magistrate.

2. The Port officer has now sent me extracts—copy attached—from the decision of the Collector of the district in the matter of an appeal made by Messrs. Shepherd & Co. against the action of the Registering officer in suspending the license of their launch.

3. As the view of the Collector, as expressed in paragraphs 2 and 4 of the copy of his decision, seems to imply that the Port officer was justified in suspending the license, and would even have been justified in using force to obtain obedience to the Boat Rules, I beg to be informed whether this view meets with the approval of Government.

4. I put up herewith copy of a letter I have received from the Solicitor to Government on the subject of the powers of the Registering officer in regard to boats licenses.

ORDER—No. 222, Marine, dated 31st March 1896.

The Government desires that the opinion of the Advocate-General be obtained on the legal questions involved. The Government Solicitor will submit the required opinion.

(True Extract.)

Under Secy. to Government.

To the Government Solicitor.
„ Presidency Port Officer.

Exd. C. M. Thumbuswamy Pillay.
Spare Copies

Marine (1896) Department.

G.O., No. 223 Mar

DATED 31/3/96

[Despatch Abstract.]

Land orders for the acquisition of Certain — belonging to the Zemindar of Venkatagiri and lying within the limits of Itamukkala Port.

M. 5.
500—18-6-96.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Govt. of {1896} Madras.

MARINE.

Dated March, 31*st*.

Recd. *Encl.*

G.O. No. 223, 31st Mar. 1896.

MARCH.

Lands

Ordered that a notification for the acquisition of certain — belonging to the Zemindar of Venkatagiri and lying within the limits of the Itamukkala port, be published in the Fort St. George and Nellore District Gazettes.

No. 223, MARINE, 31ST MARCH 1896.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following papers :—

Proceedings of the Board of Revenue (Separate Revenue), Mis. No. 957, dated 9th March 1896.

Read—again the following Board's Proceedings, Mis. No. 5394, Separate Revenue, dated 8th December 1894 :—

Read—the following letter from the Collector of Nellore, Ref. No. 3277/Ver., dated 28th November 1894 :—

I have the honour to forward a khat from the zemindar of Venkatagiri. The limits of the port Itamukkala were notified in the *Fort St. George Gazette*, dated 28th June 1881, Part I, page 302. The said limits include zemindari land. The land was not acquired. The zemindar now claims the right of giving out land for planting of casuarina trees. The Sea Custom's Superintendent reports that the occupation of the land will be detrimental to the ports as interfering with the view of the shipping, &c. A copy of his arzi is enclosed. I request orders.

Resolution—Mis. No. 5394, dated 8th December 1894.

The western limit of the port is given in the notification as 50 yards from high water mark. If this will encroach on private lands the Collector should report the cost of acquiring them. The utilization of private lands outside the port limits cannot be interfered with.

Read—also the following letter from the Collector of Nellore, Ref. No. 3277—5009/Ver., dated 21st November 1895 :—

With reference to Board's Proceedings, Mis. No. 5394, Separate Revenue, dated 8th December 1894, regarding the cost of acquiring lands within the limits of the port of Itamukkala, I have the honour to report as follows.

2. The extent of lands proposed to be taken up is given below along with their estimated assessment :—

Village.	Extent.		Rental as calculated with reference to paragraph 5 (III) of Standing Order No. 11.		
	ACS.		RS.	A.	P.
1. Madanur	27·1 or 8·64	gorrus*	46	10	6
2. Itamukkala	30·20 or 9·66	„	52	2	7
3. Razupalem	16·46 or 5·27	„	23	11	6
Total ...	73·67 or 23·57	„	122	8	7

* 3⅛ acres.

3. The land to be taken up for the working of the port is sandy soil, and will not at present fetch any value. It is only fit for casuarina plantation, but has not yet been rented out by the zemindar. The neighbouring lands in these villages contain casuarina plantations and they are rented out by the zemindar at an annual rental of Rs. 6 per gorru in the first two villages and Rs. 5 per gorru in the last village.

4. The value of the lands has been estimated with reference to the above rental as per instructions contained in paragraph 5 (III) of Standing Order No. 11.

5. Under paragraph 5 (II) of Standing Order No. 11, the zemindar would be entitled to Rs. 1,838 in cash or a permanent deduction of Rs. 122-8-7 from the peishcush.

Read—Board's Reference on the above, dated 28th November 1895.

ABSTRACT.—Requesting the Collector of Nellore to submit a draft declaration for the acquisition of private lands of the estimated value of Rs. 1,838 within the limits of the port of Itamukkala.

Read—letter from the Collector of Nellore, dated 18th Dec. 1895, Mis. No. 3306/Ver.

ABSTRACT.—Submitting a draft declaration for the acquisition of certain lands for transmission to Government.

Read—Board's Reference on the above, dated 22nd January 1896.

ABSTRACT.—Requesting the Collector of Nellore to state whether the mention of certain villages as ports in his letter is not a mistake, and whether all the lands proposed to be acquired do not lie within the limits of the Itamukkala port.

Read—letter from the Collector of Nellore, dated 22nd February 1896, No. 711/Ver.

ABSTRACT.—Reporting that the mention of Madanur and Rajupolliem as Sea Customs ports was a mistake, and that all the lands in question lie within the limits of Itamukkala port.

Resolution—Mis. No. 957, dated 9th March 1896.

A draft notification for the acquisition of certain lands belonging to the Zemindar of Venkatagiri lying within the limits of the Itamukkala port in the Nellore district is submitted to Government for approval and publication in the *Fort St. George Gazette.*

2. The lands lie within the limits of the port as defined in the notification published on pages 823 to 829 of the *Fort St. George Gazette*, dated 11th December 1883, and their value is estimated at Rs. 1,838. The lands were not acquired and the zemindar now claims the right of giving them out for planting casuarina trees. It is considered necessary to acquire them, as the plantations would interfere with the view of the shipping.

(True Copies and Extract.)

(Signed) EDMUND MILLETT,
Assistant Secretary.

No. 653, Revenue.

Transferred to the Marine Department.

FORT ST. GEORGE,
23rd March 1896.

(Signed) A. T. ARUNDEL,
Ag. Secretary to Government.

ORDER—No. 223, Marine, dated 31st March 1896.

Ordered that the notification, as amended by Government, be published in the Fort St. George and Nellore District Gazettes.

(True Extract.)

Under Secy. to Government.

To the Presidency Port Officer.
" Collector of Nellore.
" Revenue Department.
" Superintendent, Government Press, with notification.

Exd. Shaik Karim.
Spare Copies

6P

PUBLIC WORKS DEPARTMENT.

No. 223. Marine d/ 31st March/96. (Marine)

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Proceedings of the Board of Revenue (Separate Revenue) } H. E. Mis No. 957 d/ 9 Mar '96

Endt. thereon in the Revenue department. } " No. 653 Rev d/ 23d — " —

Ordered that the notification, as amended by Government, be published in the Fort St. George and Nellore District Gazettes.

25/3/96

Appd.
ASH
29. 3. 96

DESPATCHED
21 APR. 96

To
The Presy. Port officer.
" Collector of Nellore.
" Revenue Department.
" Supt. Govt. Press with notification.

(40—4,000—2-11-95.)

H.E / S

Land to increase port limits in the Nellore district.

H.E. 25/3. R 30/3.

Proceedings of the Board of Revenue

(Separate Revenue),

Dated 9th March, 1896.

Mis No. 957

Read again the following Board's Proceedings, - Mis No 5394 (S.R) dated 8th December 1894

Read the following letter from the Collector of Nellore Ref No $\frac{3277}{\text{Rev}}$ dated 28th November 1894.

I have the honor to forward a Khat from the Zamindar of Venkatagiri. The limits of the port Itamukkala were notified in the Fort Saint George Gazette dated 28th June 1881, part I page 302. The said limits include Zamindary land. The land was not acquired. The Zamindar now claims the right of giving out land for planting of Casuarina trees. The Sea Customs Superintendent reports that the occupation of the land will be detrimental to the Ports as interfering with the view of the shipping &c. A copy of his arzi is enclosed. I request orders:—

Resolution:—

The western limit of the port is given in the Notification as 50 yards from high water mark. If this will encroach on private lands the Collector should report the cost of acquiring them. The utilization of private lands outside the port limits cannot be interfered with.

Read also the following letter from the Collector of Nellore Ref № $\frac{3277,\ 5009}{\text{Ver}}$ dated 21st November 1895

With reference to Boards Proceedings Mis № 5394 (S.R) dated 8th December 1894 regarding the cost of acquiring lands within the

limits

limits of the Port of Itamukkala, I have the honor to report as follows:—

2. The extent of lands proposed to be taken up is given below along with their estimated assessment

× $3\frac{1}{8}$ acres

	Village	Extent	Rental as calculated with reference to paras III of Standing Order № 11
1.	Madamur	acres 27.1 or 8.64 × gorrus	Rs 46.10.6
2.	Itamukkala	" 30.20 or 9.66 "	" 52-2-7
3	Razupalem	" 16.46 or 5.27 "	" 23-11-6
		Total 73.67 or 23.57 "	" 122-8-7

3. The land to be taken up for the working of the Port is sandy soil, and will not at present fetch any value. It is only fit for Casuarina plantation but has not yet been rented out by the Zamindar. The neighbouring lands in these Villages contain Casuarina plantations and they are rented out by the Zamindar at an annual rental of Rs 6 per gorru in the first two

Villages and Rs 5 per gorru in the last village

4. The value of the lands has been estimated with reference to the above rental as per instructions contained in para 5 (III) of Standing order No 11

5. Under para 5 II of Standing Order No 11 the zemindar would be entitled to Rs 1,838 in cash or a permanent deduction of Rs 122. 8. 7 from the peishcush

---

Board's Reference thereon dated 28th November 1895 requesting the Collector of Nellore to submit a draft declaration for the acquisition of private lands of the estimated value of Rs 1838, within the limits of the port of Itamukkala.

Read also letter from the Collector of Nellore No. M $\frac{3306}{\text{Ver}}$ dated 18th December 1895 submitting a draft declaration for the acquisition of certain lands, for transmission to Government.

Board's Reference thereon dated 22nd January 1896 requesting the Collector of Nellore to state whether the mention of certain villages as ports in his letter is not a mistake, and whether all the lands proposed to be acquired do not lie within the limits of the Itamukkala Port.

Read also letter from the Collector of Nellore No $\frac{711}{\text{Ver}}$ dated 22nd February 1896. reporting that the mention of Madanur and Rajupollium as Sea Customs ports was a mistake and that all the lands in question lie within the limits of Itamukkala Port.

Resolution:-

A draft notification for the acquisition of certain lands belonging to the zemindar of Venkatagiri lying within the limits of the Itamukkala Port in the Nellore District is submitted to Government for approval and publication in the Fort Saint George Gazette.

2. The lands lie within the limits of the port as defined in the Notification published on pages 823 to 829 of the Fort Saint George Gazette dated 11th December 1883 and their value is estimated at Rs 1,838. The lands were not acquired and the Zamindar now claims the right of giving them out for planting Casuarina trees. It is considered necessary to acquire them, as the plantations would interfere with the

View

view of the shipping.

(True copy and Extract)

Edmund Mellett
Assistant Secretary

To
The Secretary to Government
with draft Notification

Copy to
" Collector of Nellore

14/3

Revenue (1896) Dept

Board of Revenue

(Separate Revenue),

MADRAS.

~~Current Number 2055~~

To

The Secretary to Government

Dr. 23/3 Revenue Department

SECY. GOVT. MADRAS 17 MAR 96 REV. DEPT.

Encl—1.

Rec 17/3

Proceedings, dated 9th March 1896,

Mis No. 957

Subject.

Submitting to Government for approval and publication in the Fort Saint George Gazette, draft notification for the acquisition of certain lands within the limits of the Namukkala Port

P.T.O.

Rets 18/3.

Marine Current No: 352

8,000
15-8-95.

Enclo 1

Recd: 24.3.96

SP

Endt- No 653 R

Transferred to the Marine Department.

A. S. Arundel.

Ag: Secretary to Govt.

Fort St. George
23d March 1896.

20 Mar 96.

[Ref. / 4]

[Ref. / 4]
-13-2-06

Govt. of {1896} Madras.
MARINE.

Dated April, 1st.

Encl.

Recd.

G.O. No. 225, 1st April 1896.

APRIL.

and Marine Funds
ountant-General and
to submit a

Book DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
21st January 1896.

No. IB7/10

From
F. C. Harrison Esqr.,
Offg: ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To
THE Chief Secretary to Government,
Financial Department.

G.O. No 8 marine
8.1.89

SIR,

1 – With reference to Government Order Financial No. 1037, dated the 20 December '95, I have the honour to state that it is not clear what adjustments Govt. wish[illegible] me to report and on what lines the correct balances of the funds should be deduced. A statement showing these has been annually submitted by the Presidency Port Officer throug this Office under Government Order No. 28 Ma dated 30th January 1890; but he now reports tha the Statement for 1894-95 is delayed pendin the orders of Government referred to in para

of Government Order No. 334 Mar; dated 14th November 1895.

2. I request therefore that further instructions on the subject may be issued either to this Office or to the Presidency Port Officer and beg also to enquire whether Government at present propose to defer the question of re-organising Port Fund accounts and if so what investments they desire from surplus balances.

I have the honour to be,

Sir,

Your most obedt. Servant,

J H Marrion

Offg: Accountt General.

Oh
20/1

~~CURRENT No. 174~~ ~~Fin~~ Fin

(189) DEPARTMENT.

From

~~B 332 261 Acts~~
~~B. for Taken to statement~~

THE ACCOUNTANT-GENERAL,

~~of Light [illegible]~~
30/6/96

MADRAS,

To

THE Chief Secretary to Govt.
Financial Dept.

No. 287/10

Dated 21. } January / 96

Received 22 }

Regd 23 }

CHIEF SECRETARY
No.
JAN. 1896
GOVERNMENT OF MADRAS

Subject.

Requesting with remarks further instructions on the subject of adjustments of certain Port Fund Balances and enquiring whether Govt. at present propose to defer the question of reorganizing Port Fund Accounts

R.C.

1037 : 20 : 12 . 95
12 : 9 . 1 . 95
1067 : 5 . 12 . 94 . sc
236 : 13 . 3 . 95 sc

Marine Current No. 56
L O No. 25

Recd L No. 189.

~~Transferred to the~~
~~Marine department~~

W. W. Phillips
Ag Assistant Secy

C.S. / 23. 1. 96.

Fort St. George
24th January 1896 }

Rec: 27. 1. 96

Await the issue of orders on the Marine Budget 1896-97 now under disposal

28 Jany 96

~~CURRENT No. 636~~ Fin 58

Book DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
11th March 1896.

No. 767

From

F. C. Harrison Esquire,
Offg. ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,
Financial Department.

SIR,

In reply to Government Order No. 163 A Financial dated the 18th February 1896, I have the honour to request reference to my letter No. 287/10 dated 21st January 1896 and to state that until Government passes orders as usual fixing the financial position of the different Port funds on 31st March last, the correct amount to be made over to the Harbour Trust Board under Government Order No. 340 A Financial dated 1st April 1893 cannot be stated. The

sum

G.O. 122 Marine
~~d/ 26th Feby 1896~~

Cur 174. Transfd
to Marine Dept.
Marine C. No. 63

G.O. 64 Mar.
26-4-93.

sum of Rs 44288 mentioned in paragraph 9 of the Marine Department Order of 3rd February 1896 represents the balances of both the Port and Pilotage funds of Madras on 31st March 1895 as deduced in Appendix C of the Presidency Port Officer's Administration Report recorded in Marine Order No. 334 of 14th November 1895. But I must point out that the appendix in question shows that the Pilotage funds, as a whole, close with a debit balance and that the Port Funds of Kistna and Madura also close with debit balances. It seems ~~thereof~~ therefore necessary that the Financial Department should settle what transfers are to be made and how the financial position of the various funds is to be fixed before deciding on the amount to be paid over to the Harbour Trust Board.

No: 67 Marine

yes

x
1037
20-12-95 Fin

I have the honour to be,
Sir,
Your most obedt Servt,

J. Manison
Offg Accountant General

Fr Marine to settle

Do

Do

~~URRENT No. 636~~

~~Finl~~

(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,
MADRAS,

To

THE Chief Secy to Govt
Financial Depth

No. 767

Dated 12 } march 96
Received 12 }

Regd 13

CHIEF SECRETARIAT
No. 13 MAR 1896

Subject.

stating that Fl. Dept. should settle what transfers are to be made and how the Fl. position of the various Port Fds. is to be fixed before deciding on the sum to be paid over to Harbour Trust Bd.

F/
BC
13/3

Cor.— Cor.—4,000—18-5-9

Marine Current No: 330
103A: 18-2-96.
1037: 20.12.95.
340A: 1. 4-93.

Endt. No. 619.

Transferred to the Marine Dept in continuation of Endorsement No 189 of 24th January 1896, and the undermentioned Proceedings

No. 103 A Finl of 18th Feby 1896
147 " of 7th March 1896

Ch 63 1/96
D. 122 marine 26-2-96.
D. 167 marine 13 3 96

Frederick Price
Chief Secretary

C.S.
16.3.96

Recd. 20. 3. 96

Fort St. George
19th March 1896

AB

Marine
~~PUBLIC WORKS~~ DEPARTMENT.

Sent with the A. G's letters

No. 225 marine d/ 1st April/96.

5 P

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Endorsement from the Financial Department, on letter from the Acct. General, No. 13 A/10, d/ 21-1-96 } H.E. No. 189 d/ 24. i. 96.

Endorsement from the Financial Department, on letter from the Acct General, No. 767 d/ 12. iii-96 } H. E. No. 619. d/ 19th march 1896

In para 8 of G.O. No. 334 marine, dated 14th November 1895, the Financial Department was requested to take the necessary action for the transfer of funds and adjustment of account appertaining to the year 1894-95, referred to by the Presidency Port officer in his Administration Report for

(40—1,000—21-4-94.)

for that year. Whereupon the Accountant General was called on ~~(vide G.O. 1037* Finl. d/20th December 1895)~~ by the Financial Department to submit the usual statement showing the correct balances of Port and Marine Funds. To enable this to be done the Accountant General will be furnished by the Presidency Port officer with the statement prescribed in G.O. No. 28 Marine dated 30th January 1890. This statement will, after verification by the Accountant General, be submitted to Government through the Presidency Port officer who will transmit it with his recommendations as to the

(Vide G.O. 1037* Finl d/20th December 1895)

* G.O. 8. Marine, d/8th Jan. 1896

the requisite transfers and adjustments.

2. With reference to the Accountant General's inquiry in para 2 of his letter No. $\frac{IBF}{10}$, dated 21st January 1896, his attention is called to G.O. 147 Financial dated 7th March 1896 from which it will be seen that the question of investments is to lie over for the present.

1/4/96

DESPATCHED
21 APR. 96

The Presidency Port Officer,
" Financial Deptt
" Accountant General
" Chairman, Harbour Trust Bd.

13.3.96 r-167.
26.2.96 - 122.
8.1.96 - 8.
3.2.96 - 67.

BCm

330

Govt. of 1896 Madras.

PUBLIC WORKS

Dated

Recd.

Encl.

G.O. 1/4/ 1896 No. 225 Mr.

Port and Marine Funds.

=

recting the Accountant

the Pres: Port Officer to Sub-

t a Statement showing

correct balances of —

view to the necessary

nsfer of funds and ad-

stment of accounts ap-

taining to the year 1894-95

ng carried out.

=

Removed from G.O.
425 Mr. dt 13-6-96

2/4

T.C. 2/4

20-7-06

334 mar. d/14-11-95

534 mar. d/4-8-96

60/5

G.

Harbour Trust
Debentures

Encls to
Mar 324/96

		Lakhs	
Amt	1st yr	1.0353	1.035
	2nd yr	2.1072	2.107
	3rd yr	3.2169	3.217
	4th yr	4.3658	4.366
	5th yr	5.5552	5.55
	6th yr	6.7867	6.78
	7th yr	8.0616	8.06
	8th yr	9.3816	9.382
	9th yr	10.7481	10.7
	10th yr	12.1629	12.1
	11th yr	13.6276	13.6
	12th yr	15.1441	15.
	13th yr	16.7141	16
	14th yr	18.3395	18
	15th yr	20.0223	20
	16th yr	21.7646	21
	17th yr	23.5683	2
	18th yr	25.4357	2
	19th yr	27.3691	27
	20th yr	29.3707	29
	21st yr	31.4429	3
	22nd yr	33.5884	3
	23rd yr	35.8096	
	24th yr	38.1092	
	25th yr	40.4900	
	26th yr	42.9549	
	27th yr	45.5068	
	28th yr	48.1487	
	29th yr	50.8840	
	30th yr	53.7159	

-05.

of the Referencer

log ... = $\bar{1}.5629230$
$\bar{2}.5473485$
0.0150745
$.0015496$

= 1.0..38
2.1097
7.2

Amt.

1st half of the numerator

				Corr
of the 1st yr.	$\log(1.0175)^{2\times2}$	$= 4\log 1.0175 = 4\times.0075\,3442 = .0301\,3768$	$2\log 1.0175 = .01506884$	1.0718 1.0 0.0865
2nd yr	$\log(1.0175)^{2\times3}$	$= 6\log 1.0175 =$	.04520652 .01506884	1.109702 1.035306 0.074396
3rd yr	$\log(1.0175)^{2\times4}$	$= 8\log 1.0175 =$	.06027536 .01506884	1.148882 1.035306 0.113576
4th yr	$\log(1.0175)^{2\times5}$	$= 10\log 1.0175 =$	.07534420 .01506884	1.189444 1.035306 0.154138
5th yr	$\log(1.0175)^{2\times6}$	$= 12\log 1.0175 =$	.09041304 .01506884	1.231439 1.035306 0.196133
6th yr	$\log(1.0175)^{2\times7}$	$= 14\log 1.0175 =$	.10548188 .01506884	1.274917 1.035306 0.239611
7th yr	$\log(1.0175)^{2\times8}$	$= 16\log 1.0175 =$	.12055072 .01506884	1.319929 1.035306 0.284623
8th yr	$\log(1.0175)^{2\times9}$	$= 18\log 1.0175 =$	.13561956 .01506884	1.366531 1.035306 0.331225
9th yr	$\log(1.0175)^{2\times10}$	$= 20\log 1.0175 =$	.15068840 .01506884	1.414778 1.035306 0.379472
10th yr	$\log(1.0175)^{2\times11}$	$= 22\log 1.0175 =$	.16575724 .01506884	1.464729 1.035306 0.429423
11th yr	$\log(1.0175)^{2\times12}$	$= 24\log 1.0175 =$	.18082608 .01506884	1.516443 1.035306 0.481137
12th yr	$\log(1.0175)^{2\times13}$	$= 26\log 1.0175 =$	.19589492 .01506884	1.569983 1.035306 0.534677
13th yr	$\log(1.0175)^{2\times14}$	$= 28\log 1.0175 =$	.21096376 .01506884	1.625413 1.035306 0.590107
14th yr	$\log(1.0175)^{2\times15}$	$= 30\log 1.0175 =$	.22603260 .01506884	1.682800 1.035306 0.647494
5	$\log(1.0175)^{2\times16}$	$= 32\log 1.0175 =$	.24110144 .01506884	1.742214 1.035306 0.706908
16th	$\log(1.0175)^{2\times17}$	$= 34\log 1.0175 =$	.25617028 .01506884	1.803725 1.035306 0.768419
7th	$\log(1.0175)^{2\times18}$	$= 36\log 1.0175 =$	.27123912 .01506884	1.867407 1.035306 0.832101
18th	$\log(1.0175)^{2\times19}$	$= 38\log 1.0175 =$	.28630796 .01506884	1.933338 1.035306 0.898032
9th	$\log(1.0175)^{2\times20}$	$= 40\log 1.0175 =$	.30137680 .01506884	2.001598 1.035306 0.966292
	$\log(1.0175)^{2\times21}$	$= 42\log 1.0175 =$	.31644564 .01506884	2.072266 1.035306 1.036960
	$\log(1.0175)^{2\times22}$	$= 44\log 1.0175 =$	.33151448 .01506884	2.145430 1.035306 1.110124
	$\log(1.0175)^{2\times23}$	$= 46\log 1.0175 =$	.34658332 .01506884	2.221178 1.035306 1.185872
	$\log(1.0175)^{2\times24}$	$= 48\log 1.0175 =$	.36165216 .01506884	2.299599 1.035306 1.264293
	$\log(1.0175)^{2\times25}$	$= 50\log 1.0175 =$	.37672100 .01506884	2.380789 1.035306 1.345483
	$\log(1.0175)^{2\times26}$	$= 52\log 1.0175 =$	.39178984 .01506884	2.464846 1.035306 1.429540
	$\log(1.0175)^{2\times27}$	$= 54\log 1.0175 =$	.40685868 .01506884	2.551870 1.035306 1.5165
	$\log(1.0175)^{2\times28}$	$= 56\log 1.01$		2.6419
30th yr	log 1.01			

·3
·1

ce of the Referencer.

Amt.

$\overline{2}.5629280$

$\overline{2}.5478485$

025306 = 0.0150745 = 071.5.496

1st half of the numerat...

$1.0\ldots 3.8$

$2.10\,97$

Let $\underline{x}$ be equal to 1 lakh of rupees & $\underline{y}$ 3 1/2 percent.

$$1+\frac{y}{200} = 1+\frac{3.50}{200} = 1.0175$$

$$\therefore \left(1+\frac{y}{200}\right)^2 = (1.0175)^2$$

Substituting these values in the formula already arrived at we get

$$\left\{\frac{(1.0175)^{2^{n+1}} - (1.0175)^2}{(1.0175)^2 - 1}\right\}$$ lakhs as the amt at the end of $\underline{n}$ years

ie

$$\frac{(1.0175)^{2(n+1)} - (1.0175)^2}{(1.0175)^2 - 1}$$ lakhs.

It will be seen that the denominator is constant, and that in the numerator one of the two figures is constant while the other varies with the no. of years.

log 1.0175 = 0.00753442

2 log 1.0175 = 0.01506884 ~~the corresponding number is~~

The number corresponding to the above logarithm is 1.035306

The formula may now be simplified thus

$$\frac{\cancel{1.035306}\ (1.0175)^{2(n+1)} - 1.035306}{1.035306 - 1}$$

or $(1.0175)^{2(n+1)} - 1.035306$

15 =

$$\log(1.0175)^{2\times 27} = 54 \log 1.0175 =$$

$$\log(1.0175)^{2\times 28} = 56 \log 1. \ldots$$

	1.035306
.37672100	1.264293 2.380789
.01506884	1.035306
.39178984	1.345483 2.464846
.01506884	1.035306
.40685868	1.429540 2.551870
.01506884	1.035306

ce of the Referencer.

5629230

nt.

Let $\underline{x}$ be the capital invested and $\underline{y}$ the annual rate of interest on Rs 100
The interest is added to the capital every half year and the capital at the beginning of ~~every~~ every year is ~~[illegible]~~ increased by x.

At the beginning of the 1st year .. we have a capital of x

...... end of 6 months the amt. is $x\left(1+\frac{y}{200}\right)$

...... end of the 1st yr .. the amt is .. $x\left(1+\frac{y}{200}\right)^2$

.... beginning of the 2nd yr .. the capital becomes $x + x\left(1+\frac{y}{200}\right)^2$

...... end of 1½ yrs .... the amt is $x\left(1+\frac{y}{200}\right) + x\left(1+\frac{y}{200}\right)^3$

- - - . end of 2 yrs . . - the amt is $x\left(1+\frac{y}{200}\right)^2 + x\left(1+\frac{y}{200}\right)^4$

..... beginning of the 3rd yr the Capital becomes $x + x\left(1+\frac{y}{200}\right)^2 + x\left(1+\frac{y}{200}\right)^4$

. . . end of 2½ yrs the amt is .. $x\left(1+\frac{y}{200}\right) + x\left(1+\frac{y}{200}\right)^3 + x\left(1+\frac{y}{200}\right)^5$

. . . . end of 3 yrs . the amt is $x\left(1+\frac{y}{200}\right)^2 + x\left(1+\frac{y}{200}\right)^4 + x\left(1+\frac{y}{200}\right)^6$

- - . . beginning of the 4th yr: the Capital becomes $x + x\left(1+\frac{y}{200}\right)^2 + x\left(1+\frac{y}{200}\right)^4 + x\left(1+\frac{y}{200}\right)^6$

. .. . end of 3½ yrs .. the amt is $x\left(1+\frac{y}{200}\right) + x\left(1+\frac{y}{200}\right)^3 + x\left(1+\frac{y}{200}\right)^5 + x\left(1+\frac{y}{200}\right)^7$

- . . . end of the 4th yr the amt is $x\left(1+\frac{y}{200}\right)^2 + x\left(1+\frac{y}{200}\right)^4 + x\left(1+\frac{y}{200}\right)^6 + x\left(1+\frac{y}{200}\right)^8$

. . . at the end of $\underline{n}$ yrs: the amt: will be $x\left(1+\frac{y}{200}\right)^2 + x\left(1+\frac{y}{200}\right)^4 + x\left(1+\frac{y}{200}\right)^6 + x\left(1+\frac{y}{200}\right)^8$
$+ x\left(1+\frac{y}{200}\right)^{10} + \cdots\cdots + x\left(1+\frac{y}{200}\right)^{2n}$

Let $\left(1+\frac{y}{200}\right)^2$ be denoted by $\underline{z}$ (for convenience)

Then the amt at the end of n yrs will be $x\left\{z + z^2 + z^3 + z^4 + z^5 + \cdots z^n\right\}$

or $x\left\{\frac{z^{n+1} - z}{z-1}\right\}$

Krishnama Chari
Head Clerk

Paper taken out of the Records from the charge of the Referencer.

Press / Miscellaneous / Routine No. 226, dated 1 4 190

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
16 5 05	Finl M O 625 R of 05				4 9 05	