

Marine (1897) Department.

G.O., No. 849 mar

DATED 1. October 1897

7/10/97

[Despatch Abstract.]

The Landing & Shipping dues Act.: Referring
to the Collector of Tuticorin for remarks the proposal of
the P.P. Officer to introduce the Madras Act III of 1885
— at the port of Tuticorin, calling for a report
on the legal rights of persons who own private
jetty's at the port & the propriety & means of ter-
minating these rights and directing that means
no more concessions be made and the owners
be warned.

20/3

H. C. 1097

7/10/97

Referring to the Collector of Tinnevely, for remarks, the proposal of the Presidency Port Officer to introduce Madras Act III of 1885 — at the port of Tuticorin; calling for a report on the legal rights of persons who own private jetties at the port and the propriety and means of terminating these rights; and directing that, meanwhile, no more concessions be made and that the owners be warned.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following papers:—

From the Presidency Port Officer, Madras, dated 16th July 1897, No. 956 G./268.
 " " " " " 23rd Sept. " " 956 G./349.

ORDER—No. 849, Marine, dated 1st October 1897.

With the first of the letters read above, the Collector of Tinnevely submits, for approval, the draft of a lease in respect of a portion of the foreshore at Tuticorin, near Messrs. A. & F. Harvey's jetty, to be reclaimed by the firm.

2. It would appear that there are now six private jetties, as specified below, within port limits, viz.:—

Name of Firm.	Date of erection of jetty.
Messrs. Gaddum, Bythel & Co. ...	1848
" Volkart Brothers ...	1871
" A. & F. Harvey ...	1887
" Darly, Butler & Co. ...	1879
" Milligan & Co. ...	1883
The Tuticorin Cotton Press Company ...	1865

and that goods landed and shipped at these jetties escape the payment of the tolls levied on goods brought to the pier which has been specially provided, and is maintained by Government to serve the trade of the port.

3. The loss thus sustained by the port during the past twenty-one years is estimated at Rs. 1,05,000. To remedy this state of affairs, the Presidency Port Officer recommends the introduction, at the port of Tuticorin, of Madras Act III of 1885 (the Landing and Shipping Dues Act) and the levy of suitable rates for every package passed over a private jetty. The effect, however, of the measure advocated would be that persons who used their own jetties would pay only one set of charges, while those who employed the Government pier would pay two sets of charges. The proposal will be referred to the Collector for remarks, and for consideration of the unequal incidence thus arising.

4. The Collector will also report fully on the legal rights of persons who own these jetties, and the propriety and means of terminating these rights. Meanwhile, no further concessions should be made, and these persons should be warned so that they may refrain from incurring further expenditure.

(True Extract.)

Under Secretary to Government.

To the Collector, Tinnevely.
 " Presidency Port Officer.

Exd. T. K. Narayana Aiyangar.

Papers to be read in proceedings:—

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No.

of 189 , dated

, from

" " 1005

" 189 , " 21st July '97 , " the P.P.O.

" " 1234

" 189 , " 27th Sep. 1897 : " - do -

ORDER. 849 Marine, dated 1st October 1897

With the first of the letters read above, the Collector of Tinnevely submits for approval, the draft of a lease in respect of a portion of the foreshore at Tuticorin, near Messrs. A. & F. Harvey's ~~jetty~~ jetty, to be reclaimed by the firm.

2. It would appear that there are now six private jetties, as specified below, within port limits, viz.

Name of Firm.	Date of erection of jetty.
Messrs. Gaddum Bythel & Co.	1848.
" Volkart Brothers	1871
" A & F. Harvey	1887
" Darly Butler & Co.	1879.
" Milligan & Co.	1883.

The Tuticorin Cotton Press Co. 1865,
 and that goods landed and shipped at

these jetties escape the payment of the tolls ^{levied on goods brought to} imposed for the maintenance of the pier which has been specially ^{and is maintained,} provided by Government to serve the

trade of the port.

3. The loss thus sustained by the port during the past 21 years is estimated at Rs. 1,05,000. To remedy this state of affairs, the Presidency Port Officer recommends the introduction, at the port of Tuticorin, of Madras Act III of 1885 - The Landing and Shipping Dues Act - and the levy of suitable rates for every package passed over a private jetty. The effect, however, of the measure advocated would be that persons who used their own jetties would pay only one set of charges, while those who employed the Government pier would pay two sets of charges. The proposal will be referred to the Collector for remarks, and for consideration of the unequal incidence thus arising.

4. The Collector will also report fully on the legal rights of persons who own these jetties, and the propriety and means of terminating these rights. Meanwhile, no further concessions should be made, and these persons should be warned, so that they may refrain from incurring further expenditure.

1/10/97

R. collr. of Timmarly. 23.11.97

To
The Collector, Tinnevely.
,, P.P.O.

[43
500]

C. Nos. 1205 and 1284 of 1897.

~~HIS EXCELLENCY THE GOVERNOR.~~

~~THE HON'BLE SIR HENRY BLISS, K.C.I.E.~~

~~THE HON'BLE MR. GROSE, C.I.E.~~

SUBJECT.

Port dues at Tuticorin

FOR ORDERS.

Ask the Collr. for a report as to the P.P.O.'s suggestion - ~~the Collr.~~ ~~collr.~~ money is certainly wanted for the development of improvements at Tuticorin - The effect, however, of the measure advocated will be that people who land goods at their own piers will pay only one set of charges while people who land goods at the Govt. piers will pay two sets of charges.

Under the rules, until these questions are settled authority to reclaim this land & to erect the new jetty will be withheld - Better tell the Collr. to warn the people so that they may just go on, spending money.

Also ask the Collr. to report fully on the legal rights of persons who have already erected jetties

29/9/97

With the first of the letters read above, the Collector of Tinnevely submits for approval the draft of a lease in respect of a portion of the foreshore in Tuticorin (near Messrs. A. F. Harvey & Co's. jetty), to be reclaimed by the firm.

2. In connection with this matter the Honourable Member has raised the question as to evading the payment of dues.

3. As regards port dues, these are leviable on all vessels entering a port unless they leave again within 48 hours without discharging or taking in cargo. The levy of these dues is safeguarded under the provisions of Act X of 1883. The Hon. Member perhaps refers to pier tolls which are leviable under Act V of 1863 and Act VII of 1871.

4. It is a fact that when goods are landed and shipped at private jetties

at Tuticorin, the payment of pier
tolls is avoided. Vide G.O. 687 Marine
dated 11th December 1877. This having
been ascertained, the question then
arose as to the grounds on which the
continuance of these private jetties
could be justified, seeing that they
withdraw revenue required for the
upkeep of the pier which has been
specially provided by Government to
serve the trade of the port.

5. This question was referred to Memo. No. 558 E. dated 2nd Sep. 1877.
the Presy. Port Officer, who replies
in the second letter read above, C. No.
1284.

6. It will be seen that he knows
of no grounds on which the continuance
of these jetties can be justified, and
that the loss to port ^{funds} by the use of the
private jetties during the past 21
years has been Rs. 1,05,000. He accord-
ingly recommends that Madras Act III
of 1885 - the Landing and Shipping
Dues Act - which is not now in force
at Tuticorin, be applied to the port,
and that for every package passed over
a private jetty the owner should be
taxed.

7. He deprecates the formation of
a Landing and Shipping Dues Committee.

28/9/89
M.

(Flag - L.)

No. 956/349 G

Marine (1897) Department.

CURRENT No. 1284

From

The Presidency Port office
Madras

Order

No. 956/349 G

Dated 23rd September 1897.

Received

Registered

Enclosures

Spare copies

SUBJECT.

Informing that the Presiden-
Port officer knows of no
grounds on which the continu-
of the private jetties at
Tuticorin is justified

Messrs.
P. & Co.
Sed
Office

No. 956/349 G

Leading.

From

Commande

To

THE SECRETARY T

SIR,

In reply
random N^o 5
respecting pin
honor to state th
the continuance o
2. There are
respectively to t

Name of Firm
Messrs Gaddum &
" Polkaut &
" A & F. Harris
" Darby Br
" Milligan
The Indico^{Cotton}m

3. Of these
A & F. Harvey, &
Volkart Brothers
with the permi-

u This remark of 24/7/97

It has taken some considerable time to get up information on the question raised by the Mr.

"As regards evading payment of port dues. Port dues are leviable on all vessels entering a port unless they leave it again within 48 hours, without discharging or taking in passengers or cargo. And the levy of these dues is safeguarded under the provisions of Act IX of 1889. It is probable that the Act refers to Port dues which are leviable under Act V of 1863 and Act III of 1871.

It seems to be a fact
that when goods are landed
or shipped at private piers
at Tintern, of which there
are several, the payment
of pier tolls is ^{avoided} ~~avoided~~.
Dec 80. 667 Marine, of 11'
Dec. 77. Flag L. The law
in fact, only allows the
collection of tolls on goods
which pass over the Pier.
Why under these circum-
stances

FULL

Act III of 1885 is not in force at Interior, and no charge is therefore made simply for landing and shipping apart from pier tolls.

C.B.

1. Sep 97

The question only be
referred to P. O. C. &
the claim defended

1/8/89

PRESIDENCY PORT OFFICE,
Madras, 23 September 1897.

H. A. Street R. I. No.

RESIDENCY PORT OFFICER,
Madras

GOVERNMENT,
MARINE DEPARTMENT,
Chepak

to Marine Department Memo-
randa, dated 2^d September 1897,
in relation to jetties at Interoceanic, I have the
honor to acknowledge that I know of no grounds on which
such jetties is justified.
None of these jetties, and they belong
to the undermentioned firms.

	Date of <u>erection</u> of Jetty
hell & Co	1848.
thers	1871.
/	1887
+ & Co	1879
Co	1883
coo Co	1865.

ties, those belonging to Messrs. W. C. & C. J. Butler & can appear to have been erected in of the then local Post Office.

FULL

No. 956/349 4

Reading.

PRESIDENCY PORT OFFICE,
Madras, 23 September 1897.

From

Commander H. A. Street R. I. No.

PRESIDENCY PORT OFFICER,

Madras

To

THE SECRETARY TO GOVERNMENT,

MARINE DEPARTMENT,

Chepak.

SIR,

SIR,

In reply to Marine Department Memo-
randum No 5588, dated 2^d September 1897,
respecting private jetties at Tuticorin, I have the
honor to state that I know of no grounds on which
the continuance of such jetties is justified.

2. There are six of these jetties, and they belong respectively to the undermentioned firms.

Name of <u>Diarr</u>	Date of <u>erection</u> of Jetty
Messrs Gaddum Bythell & Co	1848.
" Vol Kant Brothers	1871.
" A & T. Harvey	1887
" Darby Butler & Co	1879
" Milligan & Co	1883
The ^{Cotton} Indicoorm Press & Co	1865.

3. Of these jetties, those belonging to Messrs.
A & F. Harvey, Milligan & C^y, Darby Butler & Co.
Volkart Brothers appear to have been erected
with the permission of the then local Port Office.

or Ships, but without the sanction of this office of Government, and without any conditions as to removal hereafter, if Government should require.

4. At the time Messrs Gaddum Bythell & Co and the Indiarum Press Co (now Messrs Dymally & Co) erected their jetties, the land at the base of their respective jetties is stated to have been considered their private property.

5. The firms specified have so long enjoyed the privilege of using their own jetties and these jetties are so conveniently situated for the respective landing and shipping operations of these firms, that the withdrawal of the privilege would no doubt be considered a very great hardship, but as it is estimated by the local Port Officer that the loss to port funds by the use of the private jetties during the last 21 years has been Rs 1,05,000, I think that Madras Act III of 1885 might be applied to the port, and that for every package passed over each private jetty the owner should be required to pay a certain rate - say same rate as for similar articles when passed on the Government Pier. Should this meet with approval I would suggest that the Port Officer be appointed the officer to levy the fees under Section 7. I do not advocate the formation of a Landing and Shipping Dues Committee as I think the Act could be better worked by the Port Officer alone with the assistance of a small staff.

I have the honor to be,
Sir,
Yours Obedient Servant,
W. A. L. S.

Commander R. J. M.
Presidency Port Officer

Marine (1897) Department.

CURRENT No. 1005

The Hon. Sir Henry Bliss K.C.S.E.

For Orders.

Submitted for
approval and authority
to execute the lease on
behalf of Government.

From

The Collector of
Tinnevely.

Through the Presidency Port Office
Madras.
Disposal No. 1352 of 1897

R.S.

21/7/97

The Port Officer must approve the
lease.

It has occurred to me that if
people are in this way allowed to land
goods at their own jetties (or reclaimed
ground) they may make payment of
port dues - Is this so? If any exchange
is made between a package landed and
aboard (Mr) Act III of 1885 is in force & that
this Act is not in force at Tuticorin - Am
I right?

RS
24/7/97

is not in force at Tuticorin.

Dated 13th } July 1897
Sept 14th }
Received 21-7-97

Enclosures 2 one paper & one plan

Spare copies

SUBJECT.

Submitting for appro-
val the draft lease re-
quired for the reclamation
of a portion of the fore shore
at Tuticorin by Messrs
R. F. Harvey.

BACK PAPERS.

FURTHER PAPERS.

Presidency Post Office