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MIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

PWD DEPARTMENT

G.O. No. 1057
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Dated

1.3.1878

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STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to consolidate the twelve enactments in which the law as to Ports, harbours and Piers in the Madras Presidency is at present contained. These Acts range in period from 1842 to 1873, and are, in some instances, unnecessarily lengthy, in others obscurely expressed. At present it is impossible to know precisely how the law stands on any single point without a reference to and comparison of them all; this inconvenience will be removed should the present Bill be allowed to become law.

2. As a Bill to create Port Trustees is likely to be laid before the Council, it appears specially desirable that the law at present regulating Ports should be stated in an intelligible and explicit form as soon as possible.

H. S. CUNNINGHAM,

MADRAS, 16th January 1874.

Government of Fort Saint George.

LEGISLATIVE DEPARTMENT

Annexure

TO

A Bill to consolidate and amend the laws for the regulation of Ports and for the levy of Port dues and fees at ports within the Presidency of Fort St. George.

(Statement of Objects and Reasons.)

No. OF 1874.

A

BILL

TO

Consolidate and amend the Laws for the regulation of ports and for the levy of port dues and fees at Ports within the Presidency of Fort St. George.

This Act may be called the Madras Ports Act, 1874.

Short Title.

It extends to the Territories subject to the Governor of Fort St. George in Council: and it

Extent of Act.

shall come into force on the passing thereof.

2. The enactments specified in the first Schedule hereto

Laws repealed.

are repealed to the extent therein mentioned, but not so as to invalidate any appointment, notification, rule, or order made, or proceedings had, under any of the said enactments.

References made to any section of the said enactments in Acts passed subsequently thereto shall be read as if made to the corresponding section of this Act.

PART I.

DEFINITIONS.

3. In this Act the following words

Interpretation.

are used in the following senses, unless a contrary intention appear from the context:

"Vessel" means any thing whatever

designed or used for the transport upon

water of passengers or goods.

"Coasting vessel" means any vessel which at any

port in British India discharges cargo exclusively from, or takes in cargo exclusively for, any port on the continent of India or in the Island of Ceylon.

Act XXII of 1856, s. 67.

M. Act VII of 1857, s. 16.

"Port" means any place which is declared by a notification under section four to be a port; and includes any river, channel, estuary, beach, shore, pier, jetty, landing place, wharf, quay, dock or other work, declared by such notification to be within the limits of such port.

"Master" means any person, who, for the time being, whether lawfully or not, has the command, charge, or management of a vessel.

"Land" includes the bed of the sea below high-water mark.

"Drift" includes all boats, timber, and other floating matter, whether in the possession or under the control of any person or not.

"Wharf" includes any part of the foreshore of the harbour, which is used for loading or unloading goods, and any wall enclosing or adjoining the same.

"Goods" includes wares and merchandize of every description.

"Owner" when used in relation to goods, includes any consignor or consignee, shipper, or agent for the sale or custody, loading or unloading, of such goods, as well as the owner thereof;

when used in relation to a vessel, it includes any part-owner, charterer, consignee, or mortgagee in possession thereof.

"Magistrate" means, in the Town of Madras, a Magistrate of Police; in any other place, a Magistrate of the first or second class having local jurisdiction.

Act XXII. of 1855, s. 6

M. Act VII. of 1871, s. 1.

M. Act VII. of 1871, s. 1.

Act XXII. of 1855, s. 1.

Madras Act VII of 1867, s. 2.

Act XXII. of 1855 s. 4.

" s. 5.

" s. 5.

? Omit, or substitute a power of dismissal.

PART II. POWER OF LOCAL GOVERNMENT TO DECLARE PORTS AND FRAME RULES.

4. The Governor in Council may, with the consent of the Governor-General in Council, declare by Notification in the Fort St. George Gazette that any place shall be a Port, and that this Act, shall be in operation in such Port.

5. There shall be two groups of Ports, the Eastern and the Western. The places mentioned in the second schedule hereto, are hereby declared to be Ports, and to belong to the group, under which they are respectively placed.

6. Every Notification, issued under Section 4, shall specify to which of the said groups such port is to belong and shall define the local limits of such Port; such limits shall extend always up to high-water mark, and may include any piers, jetties, landing places, wharfs, quays, docks, and other works made for any of the purposes of such port, whether within or without the line of high-water mark, and (subject to any rights of private property therein) any portion of the shore or bank within fifty yards of high-water mark.

7. The Governor in Council may, from time to time, alter the limits of Port, with the like consent and by a like Notification, alter the limits of such Port, or declare that such place shall cease to be a Port.

8. The Governor in Council shall appoint an Officer to be Conservator of every such Port; and may appoint an Officer to be Master Attendant or to be Harbour Master thereof.

9. Such Conservator shall be subject to the control of the Local Government, or of any in-

Conservator to be subject to the control of Government.

intermediate authority appointed by it in that behalf.

10. In Ports where there is a Master Attendant, such Master Attendant shall be the Conservator. *? Omit.*

11. In Ports where there is no Master Attendant, but where there is a Harbour Master, the Harbour Master shall be the Conservator. *? Omit.*

12. In Ports where there are both a Master Attendant and a Harbour Master, the Harbour Master and his Assistants shall be subordinate to, and subject to the control of, the Master Attendant and his Assistants. *? Omit.*

13. The Governor in Council, with the sanction of the Governor-General in Council, may make, and may, from time to time, with the like sanction, alter or cancel rules, not inconsistent with this Act, for regulating any of the following matters in a Port:—viz.

1. The times at which, and the manner in which, vessels shall enter into or go out of the Port; the cases in which the employment of a Pilot shall be compulsory; and the fees to be paid to such Pilot:

2. The berths and stations to be occupied by vessels in the Port:

3. The striking the yards and top masts, and rigging in the jib and driver booms, of vessels in the Port:

4. The removal or proper hanging or placing of anchors, spars, and other things in or attached to vessels in the Port:

5. The taking in or discharging ballast or cargo:

6. The keeping free passages of such width as may be deemed necessary within or adjoining to the Port; and the marking out such free passages:

Act XXII. of 1855, s. 6.

" "

" "

" s. 7.

" s. 11.

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Act XXII. of 1855, s. 7.

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M. Act II. of 1872, s. 1.

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"

Act IV. of 1842.

" s. 2.

Act IV. of 1842, ss. 4 and 5.

" s. 3.

" s. 5.

7. the anchoring, fastening, mooring and unmooring, moving and warping of vessels:

8. the use of hawsers, mooring buoys, chain and other mooring;

9. the rates to be paid for the use of such hawser, buoy, chain or other mooring:

10. the use of fires and lights:

11. the use of signal lights by vessels at night:

12. the mode in which packets, letters, cargo, and passengers may be conveyed from the shore to vessels and from vessels to the shore:

13. the action to be taken by Masters of vessels, in which disease prevails; and the disposal of dead bodies:

14. the cases in which the Conservator may direct that a Master shall personally attend at his office or elsewhere, or that the Master shall furnish a report.

15. the use of flags, buoys, and signals;

16. the description of knives which may be carried by seamen when on shore;

17. the terms on which and the conditions under which licenses shall be granted to the owners of Boats or Catamarans to ply in the Port;

18. the numbering and registration of such boats and catamarans, of their owners, and of the persons employed to row or navigate them, and the fees to be paid upon such registration;

19. the measurement of boats or catamarans for the purposes of such registration; and the mode in which the owner's name and the registration number of each such boat or catamaran shall be denoted upon it;

20. the dimensions, qualities, and conditions as to seaworthiness of boats plying in the Port; the crews by which they shall be manned, and the amount of luggage and number of passengers which they shall be allowed or required to carry and which shall be deemed a boat-load; and the rates which may be charged for such luggage and passengers;

21. the hours during which such boats and catamarans may ply, and the occasions on which they must not leave the shore;

22. the hours during which the owners and crews of such boats and catamarans shall be in attendance at the Boat Office or other place appointed for the purpose;

23. the days on which such boats and catamarans shall be produced for the purposes of inspection, and the suspension of the license of any boat or catamaran;

24. the mode and place in which, times at which, and conditions subject to which, goods of any sort may be embarked or landed;

25. the number of boats and catamarans to be provided for night service, the hours during which such night service shall continue, and the rotation in which such boats and catamarans shall be employed on such service;

26. the communications to be held with vessels coming into the port, and searching of persons suspected of bringing ashore uncustomed, smuggled, or prohibited goods; and the searching of baggage suspected to contain any such goods.

27. the approach of vessels and boats to any pier, jetty, wharf, quay or dock, or other work;

28. the traffic along any pier, and the hours at which any pier shall be open to the public, whether for goods or for

M. Act IV. of 1862, s. 1.

M. Act II. of 1873, s. 1.

Act IV. of 1843, s. 8.

" s. 12.

" s. 9.

" s. 10.

" s. 16.

" s.s. 18 & 19.

M. Act V. of 1863, s. 14.

Act XXII. of 1855, s. 5

" s. 16.

Act XXII of 1855, s. 11.

passengers, and the admission of coolies thereto;

29. and generally to provide for purposes of this Act.

14. Until the issue of such rules, the rules in force in any Port previous to the passing of this Act shall, so far as they are consistent with the provisions of this Act, be deemed to have been issued under it.

15. Every rule, alteration, or cancellation made under section 13, shall be published in the *Port St. George Gazette* for two months before it comes into operation; and a copy thereof shall be fixed up in some conspicuous place in the Office of the Conservator of every Port to which such rule relates, and in the Custom House, if any, of such Port.

PART III.

PORT REGULATIONS.

Powers of the Conservator.

16. The Conservator of the Port may give to the Master of any ship within a Port such directions as are necessary for carrying into effect any Port Rule in force within such port.

17. In case of refusal or neglect on the part of any Master to whom notice in writing of such direction is given, to obey it within a period to be specified in the notice, the Conservator may do or cause to be done all such acts as are reasonable or necessary for the purpose of carrying such direction into execution; and may hire and employ proper persons for that purpose.

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All reasonable expenses, incurred in doing such acts, shall be recoverable from the person so neglecting or refusing, in the manner prescribed in the case of fines imposed under this Act.

A written notice of any such direction, left for the Master of a Vessel with any person employed on board thereof, or affixed on a conspicuous place on board of such vessel, shall, for the purposes of this Act, be deemed to have been given to the Master thereof.

18. The Conservator or any of his Assistants may, whenever he suspects that any offence has been or is about to be committed in any vessel contrary to this Act, or whenever it is necessary for him so to do in the discharge of any duty imposed upon him by this Act, and the Collector of Customs or other Officer appointed to collect any Port dues or other charges payable in respect of any vessel under this or any subsequent Act, may, whenever it is necessary so to do, for the performance of any duty imposed upon such Collector or other Officer under this Act, either alone or with any other person or persons, go on board any vessel within the limits of any Port.

Port Dues.

19. Port dues shall be chargeable in the several ports named in the second Schedule, and in any port to which this Act may hereafter be extended, at rates not exceeding three annas for every ton of burden, in respect of every sea-going vessel of the burden of fifteen tons and upwards, other than coasting vessels when such vessel enters any of the said Ports.

Port dues on sea-going vessels of 15 tons and upwards, other than coasting vessels entering ports.

Act XXII. of 1855, s. 51

Madras Act. VII. of 1887, s. 4.

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20. Port dues shall be chargeable as aforesaid in respect of coasting vessels other than steamers, at rates equal to one-half the rates chargeable in respect of other vessels.

21. No Coasting Steamer having paid Port dues at any Port shall be required to pay Port dues again at the same or at any other port of the same group within thirty days. No Coasting vessel, other than a Coasting Steamer, shall be required to pay Port dues at the same Port more than once in sixty days. No vessel, other than a coasting vessel, or a Coasting Steamer, shall be required to pay Port dues at the same port more than once in ninety days.

22. Any Steamer engaged in the coasting trade, when it enters a Port, shall pay the highest rate of Port dues leviable at any port of the group, to which such Port belongs, and an addition of half of such highest rate.

23. The Ports named in the second Schedule hereto, which are bracketted together, shall be deemed to be twin-ports; and, as regards the levy of port dues and fees, such twin-ports shall be treated as one and the same port. Every vessel, in respect of which such dues and fees shall have been taken at one of such twin-ports, shall be exempted from the charge on entering the other port.

24. No vessel entering a port and leaving the same within forty-eight hours without discharging or taking in any passengers or cargo, shall be charged with any port dues.

No port dues on vessels leaving Port within 48 hours without discharging or taking in passengers or cargo.

Twin-ports to be treated as one port as regards the levy of Port dues.

s. 5.

s. 6.

s. 7.

s. 8.

25. When any vessel enters a port, being driven in by stress of weather, or in consequence of having sustained damage, or for any other reason, and remains in such port for more than forty-eight hours, but does not take in or discharge passengers or cargo, with the exception of such unshipment and reshipment as may be necessary for the purpose of repair, the Port dues chargeable in respect of such vessel shall be at a rate equal to one-half the rate hereinbefore prescribed for vessels of a like description.

26. In any of the said Ports a fee, according to the scale hereinafter mentioned, may be charged for measuring any vessel, namely—

	Rs.
Of less than 50 tons burthen ...	7
Of 50 tons and under 100 tons	11
Of 100 tons and under 150 tons	15
Of 150 tons and under 200 tons	19
Of 200 tons and under 250 tons	23
Of 250 tons and under 300 tons	27
Of 300 tons and upwards	30

27. The Governor in Council may, from time to time, vary the rate at which Port-dues and fees shall be levied in any Port; provided that the rates shall not in any case exceed the amount authorized by this Act.

28. The Governor in Council may remit altogether or reduce the rate of dues and fees chargeable on any particular description of vessels.

29. All moneys received on account of Port-dues under this Act, shall form a fund to be styled the Madras General Port Fund. An account of such Fund shall be kept by such Officer as the Governor in Council appoints for that

Madras Act VII. of 1867, s. 9.

s. 10.

s. 42.

s. 43.

Madras Act VII. of 1867, s. 11.
Act XXII. of 1855, s. 44.

purpose. Such account shall show all receipts and outgoings in each of the said groups of Ports; and an abstract statement of every such account shall be published annually, as soon after the 1st of April of each year as is practicable, in which statement the balance at the close of the year at the credit or debit of each of the said groups shall be shown. If, for any of the purposes of this Act, an advance of money has been or shall be made by Government on account of any Port, simple interest upon that advance, or upon so much of it as remains or shall remain unpaid, at such rate as the Governor-General in Council may determine, shall be charged in the Port Fund Account of the group to which it belongs. All expenses, including the pay and allowances of all persons upon the establishment of the Port, the cost of buoys, beacons, lights, and all other works maintained chiefly for the benefit of vessels being in, or entering, or leaving the Port, or passing through the rivers or channels leading thereto, (but excluding receipts and expenses on account of Pilotage) incurred for the sake of every such Port, shall be charged in the Port Fund Account of the Group to which such Port belongs. All moneys, including salvage money, proceeds of waifs, and fines, received at or on account of a Port, shall be credited in the Port Fund Account of the group to which it belongs.

30. All sums received on account of Port dues at any of the Ports comprised in each of the groups specified above, shall be available for the payment of all such expenses as are described in the last preceding section incurred on account of any of the ports in the said groups.

31. Provided always, that such balance as may remain after payment of such expenses may

M. Act VII of 1867, s. 12.

s. 13.

Temporary investment of balance of the General Port Fund.

be temporarily invested in such manner as the Governor in Council may from time to time direct.

32. The Collector of Customs at every Port, or such other Officer as the Governor in Council appoints, shall collect the Port-dues above-mentioned. The Officer to whom any such Port-dues are paid, shall grant to the person paying the same a voucher in writing describing the name of his office, the port or place at which the same shall be paid, and the name, tonnage, and other proper description of the vessel in respect of which such payment has been made.

33. Within twenty-four hours after the arrival, within the limits of a Port, of any vessel liable to the payment of Port-dues, the Master of such vessel shall report such arrival to the Conservator of such Port.

34. If any vessel liable to the payment of Port dues shall be in any Port, without proper marks on the stem and stern posts thereof for denoting the draught of such vessel, the Conservator may, in any case in which it shall be necessary to ascertain the draught of such vessel, cause the same to be ascertained by means of the operation of hooking, and the Master of such vessel shall be liable to pay the expenses of such operation.

35. In order to ascertain the tonnage of any vessel liable to pay Port-dues under this or any subsequent Act, the following Rules shall be observed:—

Clause 1.—If such vessel be a British registered vessel, or a vessel registered under the laws for the time

Act XXII of 1855, s. 45.

s. 46

s. 47.

s. 48.

Act XXII of 1855, s. 49.

being in force for the registration of vessels in British India, the Conservator may require the owner or Master of such vessel, or any person having possession of the register of such vessel, to produce such register for inspection. If any such owner, Master, or other person as aforesaid neglects or refuses to produce such register, or otherwise to satisfy the Conservator as to the true tonnage of the vessel in respect of which such Port-dues are payable, the Conservator may cause such vessel to be measured, and the tonnage thereof to be ascertained; and in such case, the owner or Master of such vessel shall be liable to pay the expenses of such measurement.

Clause 2.—If such vessel be not a British registered vessel, or a vessel registered under the law for the time

being in force for the registration of vessels in British India, and the owner or Master thereof fails to satisfy the Conservator as to what is the true tonnage of such vessel, according to the mode of measurement prescribed by the law in force for the time being for regulating the measurement of British registered vessels, the Conservator shall cause such vessel to be measured, and the tonnage thereof, according to the mode aforesaid, to be ascertained; and the owner or Master of such vessel shall be liable to pay the expenses of such measurement.

36. If the Master of any vessel, in respect of which any Port-dues, fees, or charges are payable under this

Act, refuses or neglects to pay the same or any part thereof, on demand, the Collector of Customs, or other person authorized to collect such Port-dues, fees or charges, may distrain such vessel, and the tackle, apparel and furniture belonging thereto, or any part thereof, and detain the same until the amount due

is paid; and in case any part of the said Port-dues, fees or charges, or of the costs of such distress shall remain unpaid for the space of five days next after any such distress and detention so made, the Collector of Customs, or other such person as aforesaid, may cause the vessel or other thing so distrained to be sold, and with the proceeds of such sale may satisfy the Port-dues, fees, charges, and the costs of such distress, detention and sale, rendering the surplus, if any, to the Master of such vessel, upon demand.

37. The Officer whose duty it is to grant a Port clearance for any vessel, shall not grant such Port clearance, until the owner, agent, or Master of such vessel, or some other person, has paid all Port-dues, fees and charges to which such vessel, or the owner or Master of such vessel in respect thereof, is liable.

Warping.

38. The Master of any vessel in a port shall, when required so to do by the Conservator, permit warps to be made fast to such vessel for the purpose of warping any other vessel in the port, and shall not without the Conservator's permission allow any such warp to be let go.

39. No Master shall cause or suffer any warp or hawser, attached to his vessel, to be left out in any port, after sunset, in such a manner as to endanger the safety of any boat or other vessel navigating in the port.

40. The Conservator of the Port may, in case of urgent necessity, cause to be cut any warp, rope, cable, or hawser, which endangers the safety of any vessel in such port, or at or near to the entrance thereof.

Act XXII. of 1855, s. 59.

s. 13.

s. 14.

s. 15.

Act XXII of 1855, s. 16.

Removal of obstructions.

41. No person shall cause any impediment to the navigation of any port, or do any thing likely to interfere with such navigation.

The Conservator may give notice to any person causing such impediment or doing such thing, to remove such impediment within a specified time, or to refrain from doing such thing:

If such person does not remove such impediment within the time specified in the notice,

or does not refrain from doing such thing,

the Conservator may cause such impediment to be removed, or the necessary measures to be taken for preventing such thing from causing an impediment; and may demand from such person the expenses thereby occasioned.

42. No person shall cast, and no Master of a vessel shall suffer to be cast from such vessel any ballast, rubbish, or other thing likely to form a bank or shoal, or to be detrimental to navigation into any port, or into or upon any place from which the same is liable to be washed into any port, either by ordinary or high tides, or by storms or landfloods, unless [the consent of the Governor in Council or of some person authorized by him on that behalf has been previously obtained.]

43. The Conservator may cause to be removed any timber raft or other thing floating or being in any Port,

which impedes or is calculated to impede the navigation of such port;

or which impedes or is calculated to impede the lawful use of any pier, jetty, landing-place, wharf, quay, dock, mooring, or other work within the limits of such port;

and may demand from the owner of any such timber or other thing payment of the expenses of such removal.

With the consent in writing of the Conservator of the Port.

s. 17.

44. If any vessel is wrecked, stranded, or sunk in a port, [so as to impede or be likely to endanger the navigation thereof, or to interfere or be likely to interfere with the approach of vessels or boats to any part of such port, or to be a public nuisance,] the Conservator of such Port may give notice to the owner of such vessel, if such person be known, to remove the same within a reasonable time to be specified in the notice. If the owner does not within the time specified remove such vessel, or if it be not known who such owner is, the Conservator may remove such vessel and may cause to be done all things incidental to such removal, and may, if necessary, destroy such vessel. The Conservator may demand and recover the expenses of such removal in the manner provided in Section 65.

45. If the person on whom a demand under Section 41, 43, or 44, has been made, refuses or neglects to pay such expenses within one week after demand, the Conservator may recover such expenses from him in a Civil suit;

or may cause such timber, or other thing, or so much thereof as may be necessary, to be sold by public auction, and may retain all the expenses of and incidental to such removal, prevention and sale out of the proceeds of such sale; and shall pay the surplus of such proceeds or deliver so much of the said timber or other thing as remains unsold to the owner or other person entitled to receive the same.

If no such owner or person is known, or can be found, the Conservator may either sell such timber or other thing, or may cause the same to be deposited in such manner as the Governor in Council directs; and in such case, may, if neces-

Act XXII. of 1855, s. 23.

? Omit. Why fetter the Conservator by obliging him to prove these conditions?

Act XXII. of 1855, s. 18.

sary, from time to time, realize the expenses of keeping the same, together with the expenses of such sale, by a further sale of so much of the said timber or other materials as remains unsold.

46. If an obstruction to the navigation of any port has been lawfully made, or has become lawful by reason of the long continuance of such obstruction or otherwise, the Conservator shall report the same for the information of the Governor in Council, and may, with the sanction of the Governor in Council, cause the same to be removed or altered, making to the person who suffers damage by such removal or alteration, reasonable compensation for the same.

47. If any dispute arise concerning such compensation, the matter in dispute shall be determined in the manner and by the Court directed by the law for the time being in force as to the acquisition of land required for public purposes.

Buoys, Beacons and Moorings.

48. No person shall, unless with the permission of the Conservator, lift, injure, loosen, or set adrift any buoy, beacon or mooring, fixed or laid down by, or by the authority of the Governor in Council, in any Port.

49. No person shall loosen or remove from its moorings any vessel within any Port without leave from the Owner or Master of such vessel.

50. If any vessel hooks or gets foul of any such buoy or mooring, the Master of such vessel shall forthwith give notice to the Conservator of the Port; but neither the Master nor any other person shall, except in cases of

Act XXII. of 1855, s. 19.

s. 20.

s. 21.

urgent necessity, lift such buoy or mooring, for the purpose of unhooking or getting clear from the same, without the authority of the Conservator.

The Conservator, immediately on receiving notice of such accident, shall assist and superintend the clearing of such vessel. The Master of such vessel shall, upon demand, pay to the Conservator the expenses of so clearing it; and in case of default or refusal by the master to pay such expenses, they shall be recoverable from him in an action by the Conservator.

Fire, Lights and Combustible matter.

51. No person shall grave, bream, or smoke any vessel in a Port contrary to the directions of the Conservator, or at any time or within any limits at or within which such act shall be prohibited by any Port Rule; and no Master of a vessel shall suffer it to be so grave, breamed or smoked.

52. No person shall boil or heat any pitch, tar, resin, turpentine, oil, or other such combustible matter on board any vessel within a port, at any place where such act shall be prohibited by any Port Rule or contrary to the order or directions of the Conservator of such Port; and no master of a vessel shall suffer any such substance to be so boiled or heated.

53. No person shall, by candle-light or other artificial light, draw off spirits on board any vessel within port; and no Master of a vessel shall suffer any spirits to be so drawn off on board such vessel.

54. No person shall discharge any sort of fire-arms in a Port, except a gun, loaded only with gunpowder, for the purpose of making a signal of

Act XXII. of 1855, s. 23

" " s. 23.

? Omit.

Do not the rules provide for this?

" " s. 23.

? Omit

do.

? do.

s. 27.

? do.

s. 26.

Act XXII. of 1855, s. 23

Exception.

distress, or for such other purpose as is

allowed by the Port Rules.

55. Every vessel, exceeding the burthen of 200 tons, shall be provided with a proper force-pump, hose, and appurtenances for the purpose of extinguishing fire on board such ship.

56. The Governor in Council may fix the local limits within which vessels shall be prohibited from having on board, in any port, any quantity of gunpowder, rockets, or other combustible matter exceeding altogether fifty pounds in weight, whether manifested for delivery or not: in such case the Governor in Council shall appoint a proper place of deposit for such gunpowder, rockets, or combustible matter in excess of the quantity above allowed, and an officer to receive the same.

57. The Governor in Council may fix the times at or within which, and the manner in which such gunpowder, rockets, or combustible matter shall be landed and deposited by any vessel inward bound, and also the times at or within which, and the manner in which, the same shall be taken on board any vessel from such place of deposit.

58. The Master of such vessel shall, upon such gunpowder, rockets, or combustible matter being deposited as in the last preceding section mentioned, make and sign a declaration in writing that there is not then, to his knowledge or belief, on board such vessel any gunpowder, rockets, or combustible ammunition exceeding the weight of fifty pounds.

Master to make declaration.

59. The officer, with whom such gunpowder or other combustible ammunition is deposited, shall give a receipt for the same to the Master or other person making the deposit, and shall be accountable to such Master or other person for the redelivery of the same.

60. If any vessel is prevented by stress of weather from landing or depositing such gunpowder, rockets, or other combustible ammunition, in excess of the quantity allowed as aforesaid, the Master of such vessel shall, so soon as the weather permits, land and deposit the same at the place so appointed as aforesaid,

or shall forthwith give notice to the Conservator, or other officer who shall be named for that purpose by any order of the Governor in Council, of his having such gunpowder, rockets, or other combustible ammunition on board, and shall obey the directions of such Conservator or other officer as aforesaid relating to the same.

61. The Governor in Council may fix the times and places at which, and the manner in which vessels outward bound, requiring to take in any gunpowder, rockets, or other combustible ammunition, exceeding the quantity above mentioned, shall take in the same, whether such gunpowder, rockets, or other combustible ammunition shall have been previously landed from such vessel or not.

Lost property and Salvage.

62. No person, unless duly authorized by the Conservator, shall creep or sweep for anchors, cables, or other stores, lost or supposed to be lost, in any port.

63. If any anchors, wreck, stores, or other property are recovered by any officer employed by the Governor in Council for that purpose from the bed of any port, the Governor in Council shall be entitled to receive a reasonable sum for salvage, having regard to the place of recovery.

64. A registry shall be kept of all anchors, wreck, or other property so recovered, in such manner, and at such place as the Governor in Council from time to time directs. Such registry shall be open to public inspection at reasonable office hours and shall contain a description of such property, and of the times and places at which it was so recovered.

65. If any property recovered by a Conservator acting under this Act, is unclaimed, or if the person claiming the same refuses to pay the amount due to the Local Government in respect thereof, under the last preceding Section, such property,

if it is of a perishable nature, may be sold forthwith, and if not of a perishable nature, may be sold at any period not less than six months after the recovery thereof, by public auction;

and on the realization of the proceeds, the amount due to the Local Government for salvage, or for the expenses incurred under Section 44 shall be deducted therefrom and credited to the Local Government, and the balance shall be paid to the person entitled to the property recovered, or, if no such person appears and claims it, shall be held in deposit for payment, without interest, to any person who may thereafter establish his right to the same. If no such person appears and claims within two years,

from the date of such sale as aforesaid, the amount so held in deposit shall be appropriated by the Local Government.

Removal of Materials.

66. No person shall, unless with the permission and under the superintendence of the Conservator, remove or carry away any rock, stones, shingle, gravel, or soil, or any artificial protection from any part of a Port; or,

unless with and under such permission and superintendence, sink or place in any part of a Port, whether it be public or private property, any mooring-post, anchor, or other thing which is likely to injure, or to be used so as to injure any bank shore, or other portion of such Port.

PART IV.

PIERS.

67. The Governor in Council may, by Notification in the *Fort St. George Gazette*, direct that a toll shall be levied upon all persons, carts, carriages, merchandize, baggage, and other articles, and upon all cattle and other animals landed at, or shipped from, or otherwise making use of a Pier.

68. The rates of tolls shall be fixed, and may, from time to time, be altered by the Governor in Council, and shall, one week at least before they take effect, be published in the *Fort St. George Gazette*, and shall also be printed in English and in the vernacular language or languages of the district in which such pier is situated on boards exhibited in a conspicuous place at the entrance of such Pier, and also at the Pier Head.

69. The Governor in Council may appoint a toll-keeper with such establishment as seems fit, and it shall be the duty

Act XXII. of 1835, s. 40.

M. Act V. of 1863, s. 1.

s. 2.

s. 3.

of such toll-keeper to take such tolls, to pay the same into such Treasury and keep such accounts as the Governor in Council may, from time to time, prescribe. Every such toll-keeper and servant of such establishment shall wear a badge.

70. No person shall evade payment of the lawful toll, or force his way into, upon, or from, or out of the said pier, without paying such lawful toll,

or in any way obstruct any toll-keeper or any of his Assistants in the execution of their duty under this Act.

71. No person shall, without lawful authority, sever or unfasten, or injure any rope, chain, or other fastening by which any boat, barge, or raft shall be made fast to a pier, or any buoy near the same, or cut or send adrift any buoy laid down near a pier.

72. The toll-keeper or any of his Assistants may detain any merchandize, baggage, or other articles landed at or to be shipped from the pier until the lawful tolls are paid.

If such payment is refused or delayed

for the space of one week, in case the owner or consignee of such goods be present at the port or place where the pier is situated,

or, in any other case, for the space of one calendar month,

the Governor in Council may cause to be sold by public auction the said merchandize, baggage, or other articles, and, after paying all expenses attendant on such detention, and sale, and after deducting double the dues by way of a fine, shall hold the residue of the proceeds of such sale in deposit for payment, without interest, to the owner or consignee of the goods.

M. Act V. of 1863, s. 5.

s. 6.

Omit this section.

s. 6.

Goods on the Pier may be seized till tolls are paid, and sold if payment is refused.

Governor may direct levy of tolls on Piers.

Governor may fix rates of toll and direct their publication.

Appointment of toll-keeper and establishment.

ment as seems fit, and it shall be the duty

If no such owner or consignee appears and claims such proceeds within the space of two years from such sale, the amount so held in deposit shall be appropriated by the Local Government.

73. If any vessel fouls a pier, and thereby occasions damage thereto, the amount of such damage shall be ascertained forthwith, or as soon as conveniently may be, and, upon the amount of such damage being proved before a Magistrate, such Magistrate may make an order upon the Master, or owner, or agent of such vessel for the payment of such amount.

If such amount be not paid within twenty-four hours after notice in writing of such order has been given to the Master or Agent of such vessel,

(or if the Magistrate forthwith so orders),

the Conservator of the Port may levy the amount thereof by distraining in manner hereinafter provided, or, if necessary, by seizure and sale of such vessel.

74. If any drift fouls the pier, and thereby causes damage thereto, the Conservator may seize such drift; and the amount of such damage shall be ascertained as soon as conveniently may be; and, upon the amount of such damage being proved before a Magistrate, such Magistrate may, if the owner of such drift be known, make an order upon him for the payment of such amount; and if the same be not paid within twenty-four hours after demand upon, or notice of such order to, the owner, the Conservator may sell the whole, or any portion, of such drift, by public auction, and out of the proceeds of such sale he shall pay to Government the sum ordered

M. Act V. of 1863, s. 2

M. Act VII. of 1871, s. 2.

M. Act VII. 1871, s. 8.

to be paid by the Magistrate, together with the costs of such seizure, detention and sale, rendering to the owner of such drift the surplus, if any.

75. If the owner of such drift is unknown, or cannot be ascertained, such Magistrate may make an order for the payment of the ascertained amount of damage: a copy of such order shall be posted up in a conspicuous place at the Custom House; and at the expiration of twenty-four hours after such copy has been so posted up, the Conservator may sell such drift, and shall pay over to Government the proceeds of such sale. Any surplus which may exist after payment of the amount ordered by the Magistrate, and of the costs of seizure, detention, and sale, shall be credited to the General Port Fund.

76. When any drift, which has fouled and damaged a Pier, is the property of several owners, the Magistrate may make an order upon all such owners for payment of the ascertained amount of damage; and thereupon the Conservator may sell the whole or any part of such drift, and shall make such payment to Government as is prescribed in Section 74 of this Act, and shall divide the surplus among the several owners of such drift, by paying to each a sum which bears the same proportion to the whole surplus, as the portion of such drift belonging to each such owner bears to the entire value of the whole drift so sold.

77. Where any such order has been made under the preceding section, the owner or owners of any part of such drift which has remained unsold shall be liable to contribute to the owner or owners of such drift as has been sold by paying to

Procedure in case of drift being owned by several persons.

*This would be very troublesome.
Would it not be better to allow the Conservator to pay the proceeds to any one of such owners?*

Recovery of damages for injury done to Pier by any drift.

Liability of owner of unsold part of drift to pay to owner of that part which has been sold.

him or them a sum which shall bear the same proportion to the whole amount paid over to Government, as the value of the drift unsold bears to the value of the whole drift liable to be sold.

78. The Magistrate by whom the amount of damage is ascertained may certify, by an order under his hand, what amount of contribution is payable by, and to each of, the several owners of such drift; and the amount so certified shall be recoverable by a suit; and such order shall be conclusive evidence that the amount so certified is so payable.

79. The provisions of this Part as to vessels or drift fouling a pier shall not extend to cases in which such fouling has been occasioned solely by extraordinary stress of weather, and is not attributable to the negligence of the owners or consignees of such vessels or drift.

80. The Governor in Council may lay rails or tramways across the Beach road between the Pier and the Custom House and may erect railings on each side of such tramway, with gates to be closed for the protection of the public when vans are proceeding along such tramways.

81. Any Police Officer or Constable, or any officer acting under the provisions of this Act, may remove summarily all obstructions in or near the approaches to a pier.

PART V.

PENALTIES.

82. Any person who commits a breach of any Port Rule made under Section 13 of this Act shall be punished,

M. Act VII. of 1871, s. 6.

Magistrate's certificate as to amount payable by, and to each, owner of drift.

Provisions of Act as to vessels or drift fouling pier, not applicable in certain cases.

Government may lay rails across road between Pier and Custom House with gates.

Police may remove all obstructions, &c., in or near approaches to Pier.

Act V. of 1868, s. 11.

s. 12.

Act XXII. of 1855, s. 3.

in the case of Rules seventeen to twenty-five inclusive with fine not exceeding one hundred Rupees; or in any other case with fine not exceeding five hundred Rupees.

83. Any person who commits an offence under sections shall be punished with fine not exceeding Rupees.

84. Any Master or other person in charge of a vessel who without lawful excuse, refuses, to allow the Conservator, or any of his Assistants, or the Collector of Customs, or other Officer or person, to enter such vessel as provided in section 18 shall be punished with fine not exceeding 200 Rupees.

85. The Master of every vessel, who after having been required by the Conservator to comply with the provisions of section neglects or refuses so to do for the space of seven days after such requisition, shall be punished with fine not exceeding five hundred Rupees.

86. Every Master who knowingly makes any false declaration with respect to any of the matters provided for in section 53 shall be punished with fine not exceeding two hundred Rupees.

87. Any person who forces his way through any of the pier gates, when so closed as is provided in Section 80 of this Act shall be deemed to have committed an offence under Section 417 of the Indian Penal Code.

88. Any person who refuses or wilfully neglects to obey any direction of the Conservator, after notice thereof given to him, shall, for every such offence, be punished with a fine not exceeding one hundred Rupees, and a further fine not exceeding one hundred Rupees for every

Act XXII. of 1855, s. 51

s. 31.

Act V. of 1868, s. 12.

Act XXII. of 1855, s. 11

Penalty for forcing way through pier gates when closed.

Penalty for disobedience to directions of Conservator.

day on which he wilfully continues to disobey such direction.

89. The Master of any vessel which has on board any gunpowder, rockets, or other combustible ammunition, contrary to the provisions of this Act, shall be liable to a penalty not exceeding two hundred Rupees for every such offence; and all gunpowder, rockets, or other combustible ammunition which shall be on board any vessel, contrary to the provisions of this Act, shall be forfeited to Government, and may be seized by the Conservator, or by any Collector of Customs, or by any Custom House Officer, or other officer authorized in that behalf by any general or special order of the Governor in Council, within the limits of their respective jurisdictions. Nothing in this Act contained shall extend to any gunpowder, rockets, or other ammunition belonging to Government, or carried for the use of troops of Her Majesty on board of any such vessel.

90. If any vessel, or the Master or owners of any vessel, become liable under this Act for any sum of money either by way of fine, or for the purpose of making good any damage, and the same is not paid within twenty-four hours after demand, or after notice of such liability (or forthwith if the Magistrate, before whom the complaint for the recovery of such fine, or amount of damage is made, shall so order),

the Conservator may distrain or cause to be distrained any goods or merchandize, to whomsoever the same may belong, on board such vessel, and any tackle, apparel, or furniture belonging to such vessel, and may remove the same to some convenient place, leaving on board such vessel notice in writing of such distress, and of the cause thereof, and of the place of removal;

Act XLII of 1855, s. 35.

M. Act V. of 1863, s. 10.

and, if such sum of money, together with the cost of such distress and removal, be not paid within three days after the seizure, exclusive of the day of seizure, the Conservator may cause the goods, merchandize, tackle, apparel and furniture so seized to be sold, and out of the proceeds of such sale shall pay to Government the sum which the said vessel or the owners thereof were so liable to pay, together with the costs of such seizure, detention, and sale; and shall pay to the Owner, Agent, Master, or other person having the command of such vessel, the overplus, if any.

SCHEDULE I.—ENACTMENTS REPEALED — (Section) 2.

No. of Act.	Title of Act.	Extent of Repeal.
IV. of 1842.	An Act for the better management of boats and catamarans in the Madras Roads, and for the amendment of certain Harbour Regulations.	The whole that is un-repealed.
IX. of 1846.	An Act for authorizing the Government of Fort St. George to provide Regulations for the several ports and places of anchorage within the territories subject thereto.	The whole.
XXII. of 1855.	An Act for the regulation of ports and port dues.	The whole that is un-repealed so far as relates to the Presidency of Fort St. George.
XVIII. of 1858.	An Act for the regulation of certain ports within the Presidency of Fort St. George.	The whole.
XIX. of 1860.	An Act to amend Act XXII. of 1855 (<i>for the regulation of ports and port dues</i>) and Act VII. of 1858 (<i>for the levy of port dues at ports within the Presidency of Fort St. George</i>).	The whole that is un-repealed.
Madras Act V. of 1863.	An Act to prevent damage to the Madras Pier, to regulate the traffic, and to provide for the levying of tolls upon the same.	The whole.
„ I. of 1864.	An Act to repeal (Madras) Act No. II. of 1863, and to provide for the extension of certain provisions of Act XXII. of 1855 to all ports for the landing and shipping of merchandize within the Madras Presidency.	„
„ VII. of 1867.	An Act to consolidate and amend the laws relating to the levy of port dues and fees at ports within the Presidency of Fort St. George.	„
„ IV. of 1869.	An Act to amend Act IV. of 1842 (<i>for the better management of boats and catamarans in the Madras Roads</i>).	„
„ VII. of 1871.	An Act to amend Madras Act V. of 1863 (<i>An Act to prevent damage to the Madras Pier; to regulate the traffic; and to provide for the levying of tolls upon the same</i>), and to provide for its extension to other Piers.	„
„ II. of 1872.	An Act to extend the purposes for which port rules may be passed by the Governor of Fort St. George in Council.	„
„ II. of 1873.	An Act to amend Act IV. of 1842.	„

SCHEDULE II.

REFERRED TO IN SECTION 4.

Eastern Group.

Ganjam.	Masulipatam.
Gopaulpore.	Madras.
Calingapatam.	Cuddalore.
Bimlipatam.	Tranquebar.
Vizagapatam.	Nagapatam.
Cocanada.	Nagore.
Coringa.	Tuticorin.

Western Group.

Mangalore.	Calicut.
Cannanore.	Beypore.
Tellicherry.	Cochin.

*Superseded by the Indian
Port Act XII of 1875.*

Government of Fort Saint George.

LEGISLATIVE DEPARTMENT.

A

BILL

TO

Consolidate and amend the Laws for the regulation of ports and for the levy of port dues and fees at ports within the Presidency of Fort St. George.

(The Hon'ble H. S. Cunningham.)

Introduced

1874.

Madras Harbour.

LEGISLATIVE DEPARTMENT.

No. 34.

FROM

THE HON. D. F. CARMICHAEL,
Officiating Chief Secretary to the Government of Fort St. George,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
MARINE DEPARTMENT.

SIR,

In his despatch to the Government of India regarding the Madras Harbour Project, communicated to this Government by docket, dated 27th April last, the Secretary of State (paragraph 9) requested "that the Government of Madras might be desired to introduce Bills into the Legislature providing for the levy of dues, either on shipping or on goods, in the Port of Madras, upon the construction of a Harbour there, which would be sufficient to defray interest at 4 per cent. of a loan of £628,000, and a yearly expenditure of £6,000."

2. These instructions have been furnished to this Government without any remark by the Government of India. I am directed, however, to observe that as Section 42 of the Indian Councils Act, 1861, precludes the local legislature from amending the "Indian Ports Act, 1875," the desired legislation can be effected by the Governor-General's Council only.

3. It will be seen from the paper enclosed that the annual amount of Port dues levied at Madras under Madras Act VII. of 1867—which the Indian Ports Act of 1875 repeals, retaining at the same time the same maximum (3 Annas a ton)—was for 1872-73, something under £5,000. Besides this sum, which is required to meet existing charges, £32,000 a-year have to be raised.

4. It was at first supposed that £36,000 a-year was the sum wanted. The Chamber of Commerce proposed to raise £20,000 by charging 8 Annas a ton on foreign steamers and ships, and 4 Annas a ton on coasting steamers and native craft. The remaining £16,000, they suggested, might be realized either by a tax on boat-loads, or a tonnage on goods landed and shipped, or, thirdly, by an *ad valorem* tax on such goods as further inquiry might show to be most expedient. The Board of Revenue were of opinion that the first of these proposals is the best, the charge per ton being fixed at a maximum of 14 Annas and to be collected on the registered capacity of each boat for each trip. The Governor in Council agrees with the Board, except that he would prefer 8 Annas "all round" as a maximum for Shipping, and a Rupee per ton for Boats, with power to the Local Government to fix and from time to time alter these rates, within the maximum.

5. The Governor in Council desires to respectfully suggest that a Bill may be brought into the Governor-General's Council for the amendment of the Indian Ports Act, 1875, in the terms above stated.

I have the honor to be,

Sir,

Your most obedient servant,

OOTACAMUND,
25th June 1875.

Officiating Chief Secretary.

Proceedings of the Board of Revenue, dated 30th March 1874, No. 718.

Read the following letter from A. McC. WEBSTER, Esq., Acting Collector of Sea Customs, to J. GROSE, Esq., Secretary to the Board of Revenue, dated 3rd March 1874, No. 219:—

I have the honor to forward the reply of the Chamber of Commerce to my letter to them regarding the means of raising a revenue from the proposed Harbour at Madras.

2. The Board will observe that the Chamber consider my rates too high, and are of opinion that they would, if sanctioned, operate to restrict the calling trade of the port. They propose a tax of 8 Annas per ton on steamers and ships, and of 4 Annas per ton on coasting steamers and native craft. The amount of revenue at these rates they estimate roughly at £20,000, leaving £16,000 to be raised by other means.

3. As regards the means of raising the balance of revenue, the Chamber do not give any definite opinion, and, though apparently inclining to an *ad valorem* duty on goods, would defer making any proposal until they have ascertained the practice obtaining at other ports.

4. They are, moreover, of opinion that, considering the advantages the Government will derive from the harbour, some portion of the cost of its maintenance should be contributed by Imperial Funds.

5. They further state their opinion that, when the harbour is completed, it will not be necessary to provide such a large sum as is now collected for the Port Fund, as they apprehend that the present Marine Establishment will be capable of reduction.

6. If the proposal to levy a single tax on the shipping will have the effect anticipated by the Chamber of reducing the calling trade, it must be abandoned; for I fully concur with them that any measure calculated to bring about such a result cannot be too strongly deprecated.

7. The Chamber do not give any opinion on the question, to which their attention was drawn, of charging ships according to a sliding scale. This would probably be a difficult matter to arrange; for it would either take the shape of a tax on the number of tons of cargo discharged or shipped, or of a tax for each day the ship remained in harbour, rising to the maximum recommended by me. The former is objectionable as involving weighment. The latter, though not open to that objection, I would not recommend, as we should, if we adopted it, be working in the dark. We could not possibly estimate the receipts of Harbour

dues in a such a case, and we might at any time, and probably would, find our calculations upset by greater activity in shipping and unloading.

8. In the event of the proposal to charge a single rate on the shipping being abandoned—and I fear this must be given up—we shall be obliged to charge a tax on the goods as well. For the present, I will accept the Chamber's opinion that no more than £20,000 can be expected from the shipping. We shall require therefore to collect £16,000, or as much more in moderation as we can get from the goods—I say as much more as we can get, for there are sure to be many extra charges, which will be found necessary when the harbour is completed.

9. I cannot sufficiently insist on the great difficulty and disadvantages of collecting a tax on goods either by weighment or appraisement. I have but little to add to my remarks on this subject in my letter to the Board of the 27th January, except as regards the proposal to charge an *ad valorem* tax. I recommended the imposition of such a tax as being fairer and more equal in its incidence than a tax on the weight of goods, or number of packages; and if Government are prepared to entertain a large additional establishment, and to greatly increase the warehousing capacity of the Custom-house, we should be able to collect the tax. The Board are aware that, at present, we accept the valuation of free goods as given by the merchants, and that such goods are not appraised. They are not brought to the Custom-house, but are passed and shipped directly from the beach. If all such goods are to be charged with an *ad valorem* duty, we shall have to appraise them, and it will consequently be necessary to bring them into the Custom-house. It is not to be expected, therefore, that we could collect an *ad valorem* tax with our present establishment; and as Government will doubtless object to increase it, and to practically support a large number of officials at the expense of the trade of the port, I am afraid that this, the fairest method of collecting a revenue, must be abandoned.

10. The other proposal is to charge a tax on the weight of goods. We cannot, however, obtain the weight of goods by actual weighment, for this would, at present, necessitate nearly the same establishment and warehouse-room as the collection of an *ad valorem* tax. We must therefore look for some means of ascertaining the weight of goods, which, without being absolutely correct, will be sufficiently accurate for all practical purposes, and will at the same time be capable of easy regulation.

11. The only method that appears to me to be at all practicable with our present, or with a very slightly-increased establishment, is to collect a tax on the boat-load. The carrying capacity of all registered boats is known, and is entered in the license, while the quantity of each class of goods that is estimated to make up a boat-load, is specified in the Schedule* annexed to Government Notification, Marine Department, dated 14th October 1872. We have thus a tolerably accurate means of collecting a tax on the weight of goods.

12. Regarding the establishment and supervision necessary for collecting such a tax, I do not anticipate that any considerable increase in our present staff will be necessary. We shall not be able to dispense with the services of the Marine Police, and until the foreshore is reclaimed, a quay constructed, and the land side of the latter enclosed with a wall, we shall be obliged to continue the present practice of attaching a Police Peon to every boat engaged in shipping or unloading cargo. These peons will help to check any breach of the rules as to the quantity of cargo allowed per boat, and, as the number of boats loading and unloading at

* Enclosure No. 1.

any one time is never very great, our present staff of Customs Peons ought to be sufficient to prevent any overloading.

13. It would, of course, be necessary to provide for the boatowners being liable to heavy penalties for any breach of the rules as to the quantity of cargo to be carried, and for reward to be paid to informers, for there is no doubt that, when a tax per trip is charged on the boat, it will be the shipper's interest to make the boats carry as heavy a load as possible, and in a close harbour the encouragement to do so will be greater, as such overloading will not be so dangerous as in an open roadstead.

14. The charge for the Marine Police employed on the boats is at present collected in the Marine Police Office. A Register of the number of trips made by each boat is kept in the office, checks are established, and the charges are collected monthly from the boatowners. The boat-trip tax might be collected as the Police charges, only more frequently, or what would be better (as the Port Trustees would probably have to collect the Harbour tax) a special but small establishment might be entertained for collecting the tax and registering the trips, the arrangements for checking remaining the same. An additional check would in this case be provided by the double register. This is, however, a matter of detail that does not at present call for any definite settlement. It is sufficient to observe that the cost of collection will not be excessive.

15. I will now proceed to submit an estimate of the revenue that we may look for from this source. I have had a

* Enclosure No. 2.

Return* prepared from the accounts of the Marine Police Office showing the number of trips made to, and from, the shore for the last five years by Masulah boats and by the large boats brought into use since the construction of the Pier. From this Return I estimate the tonnage of goods to be as follows:—

Note.—A Masulah boat-load is 2 tons, a large boat-load ranges from 12 to 14½ tons, the average carrying capacity for the five years being 13 tons.

	1869.	Trips.	Tons.	Tons.
Masulah Boats to Beach	...	144,419 × 2	=	288,838
Do. to Pier	...	1,037 × 2	=	2,074
Large Boats	...	183 × 14½	=	2,720
Total	...			293,632
	1870.			
Masulah Boats to Beach	...	108,267 × 2	=	216,534
Do. to Pier	...	7,640 × 2	=	15,280
Large Boats	...	2,569 × 14½	=	37,250
Total	...			269,064
	1871.			
Masulah Boats to Beach	...	88,362 × 2	=	176,724
Do. to Pier	...	11,419 × 2	=	22,838
Large Boats	...	4,030 × 13	=	52,390
Total	...			251,952
	1872.			
Masulah Boats to Beach	...	104,165 × 2	=	208,330
Do. to Pier	...	1,783 × 2	=	3,566
Large Boats	...	1,912 × 13	=	24,856
Total	...			236,752

	1873.	Trips.	Tons.	Tons.
Masulah Boats to Beach	...	98,507 × 2	=	197,014
Do. to Pier	...	2,658 × 2	=	5,316
Large Boats	...	2,075 × 12	=	24,900
Total	...			227,230

The above figures give an average annual tonnage of goods carried by boats of 255,883 tons.

16. I must observe, however, that, according to the practice obtaining at present, a double charge for Policemen is imposed on those boats, which, taking a cargo from the shore, remain more than an hour alongside the ship. Some of these boats, of course, return empty, and the register of trips cannot therefore be accepted as showing the actual number of trips made by laden boats. I have however, consulted with Mr. Pryce, the Superintendent of Marine Police, and that officer is of opinion that, taking one day with another, not more than fifteen boats per diem are charged the double Police rate without having a double cargo. This for 365 days, fifty-two Sundays and three holidays, gives $310 \times 15 = 4,650$ boat-trips per annum, or about 4 per cent. on the average number of trips for the last five years, viz., 115,818. The Masulah boats, moreover, are only allowed to carry 1½ tons of dead-weight, and the large boats in proportion, so it will be necessary to correct the above average for the dead-weight tonnage as well as for the percentage of trips made by empty boats. On a rough estimate about 10 per cent. of the trade of the port may be classed as dead-weight. We may therefore estimate the actual tonnage as follows:—

	Tons.
Average for five years	255,883
Deduct 14 per cent. or 10 per cent. for dead-weight correction	
and 4 per cent. for empty trips	35,823
Net average Tonnage	220,060

A Harbour tax of 12 Annas a-ton on this amount would yield Rupees 1,65,045, or rather over the £16,000 required. This sum would amount to about one-sixth per cent. on the value of the trade including treasure.

17. I may here observe that my estimate of tonnage, prepared from the number of trips made by the boats, very nearly approximates to that given in my letter of the 24th January, which was prepared from the Custom-house Returns of the trade. The Custom-house Return being prepared for the official year 1872-73, I have, in making the comparison, taken the average tonnage for the calendar years 1872 and 1873:—

	Tons.
Tonnage from Custom-house Returns excluding timber and Railway materials	203,625
Estimate of average tonnage for 1872 and 1873	231,992
Deduct 14 per cent. or 10 per cent. for dead-weight, and 4 per cent. for trips when empty	32,478
	199,514

It cannot be expected that such estimates when not based on actual measurement can be very accurate. We can only approximate, but the comparison I have made will show the Board that we cannot be very far wrong in our estimate. If

we err at all, it is on the safe side. It is to be remarked that the Breakwater Committee estimated the tonnage at 382,000 tons.

18. With the tax I have proposed, the cost per trip of each class of boat would be as follows. I take the estimate of the Breakwater Committee of the probable future rates, with an alteration as to the Pier dues and to the carrying capacity according to the Schedule:—

Masulah Boat—Load 2 Tons.

	Pier.			Beach.		
	RS.	A.	P.	RS.	A.	P.
Boat-hire	2	0	0	2	8	0
Pier Charge	0	8	0			
Tarpaulin	0	4	0	0	4	0
Peon Charge	0	3	0	0	3	0
Harbour dues, at 12 Annas per ton per Trip	1	8	0	1	8	0
Total Cost per Trip	4	7	0	4	7	0

Equal to, at 2 tons per boat, 10 per cent., correction for dead-weight Rupees 2-7-5 per ton. Increase over Committee's estimate of present rates 7 Annas 5 Pies per ton.

Large Boats—Load 13 Tons.

	RS.	A.	P.
At Committee's rate per Trip	2	8	0
Cost of Crew	3	8	0
Pier Charges, 13 tons at 4 Annas	3	4	0
Peon Charge	0	3	0
Harbour dues, at 12 Annas per ton per Trip	9	12	0
Total Cost per Trip	19	3	0

Equal to, at 13 tons per boat, 10 per cent., correction for dead-weight Rupees 1-10-3 per ton. Increase over Committee's estimate of present rate by large boat 9 Pies per ton.

19. In reality the increase would be converted into a decrease, if a perfectly accurate comparison were made. The Committee estimate the carrying capacity of a large boat at 16 tons, and charge Pier dues at 8 Annas per 1½ tons. In reality, the carrying capacity averages 13 tons, while the Pier charges must be estimated at 8 Annas per 2 tons or Masulah boat-load. Instead, therefore, of the actual cost per ton being Rupees 1-9-8, it would come to Rupees 1-12-10. To be on the safe side, however, I will accept the Committee's rates per ton.

20. The actual cost per trip may appear large, when it is considered that in most cases the boats will have to go very short distances; but I have no doubt that once the harbour is completed the rates of hire of Masulah boats, if those boats do not disappear altogether, will be very materially lowered, while the number of large boats will increase. It must also be borne in mind that the cost is increased by the addition of the Harbour dues.

21. Mr. Parkes, in paragraphs 35 to 38 of his report, discusses the source from which a revenue can be derived, and is of opinion that the actual saving to the trade would amount to £27,500. In estimating the present cost of shipping goods, he has understated the cost at Madras according to the present schedule, which was prepared since his report was submitted. I have prepared a

• Enclosure No. 3.

comparative statement* based on the table given in paragraph 36 of his

report, which shows the cost of shipping a certain quantity of goods according to present rates, to his rates, and to my proposed rates. This is, however, all in favor of his argument in paragraph 37, and will go to increase the amount of saving anticipated. I do not think, however, that the saving will come up to his estimate, as his tonnage statement exceeds mine very considerably. That there will be a great saving is indisputable, for in a close harbour the Masulah boat will give place to the lighter. The rates by the latter class of boat I have estimated in the last paragraph to be only 9 Pies per ton, more than the present rates as estimated by the Breakwater Committee. It is, however, difficult, if not impossible, at this time to estimate what will be the actual saving under this particular head, but I think it will be generally admitted that taking into consideration the certain reduction in shipping charges, in insurance, and in demurrage, the increased Harbour dues will cost the trade, if anything, but a very small sum per ton. The increase may be roughly estimated at ships 8 Annas + goods 12 Annas = Rupees 1-4-0 per ton, and that amount will probably be covered by the savings above alluded to.

22. Under present Regulations, boats are allowed to carry fifty per cent. additional cargo in fine weather—*vide* G.O., Marine Department, 14th October 1873. The Deputy Master Attendant informs me that he has had but few applications for permission to do so since the Government Order was issued. In a close harbour, however, the boats would carry this additional load as a rule, but as their doing so will introduce an element of uncertainty in our estimate and collections, the permission should be withheld. If the merchants wish to load their boats more heavily, they would of course be allowed to do so on their agreeing to have their boats registered at the increased carrying capacity, but as long as a boat is registered at a certain capacity, no departure from the proportionate cargo allowed by the Schedule to be carried should be permitted.

23. With reference to the Chamber's remarks in the last paragraph of their Chairman's letter as to the probability of the Marine Department being capable of considerable reduction when the harbour is completed, and to the possibility therefore of a decrease in the present rates of the Port Fund, I beg to observe that such a reduction will probably be practicable. The new rate of Port Fund can be charged either on the shipping by an addition to the rates proposed by the Chamber, or partly on the shipping, and partly on the goods, by an increase to the tonnage rate of 12 Annas. One great advantage in the method I have proposed is that the tax can be so easily regulated; if we find we obtain more money than we require, the rates can be lowered. In the other case, they can be increased.

24. In conclusion, I beg to observe that, as there seems to be no doubt as to the financial success of the harbour, the question of the best method of collecting a revenue is one that does not appear to press for an early decision. There will be ample time to mature a scheme before the harbour is ready to receive ships.

ENCLOSURE No. 1.—Schedule annexed to Government Notification, dated 14th October 1873.

ENCLOSURE No. 2.

From P. MACFADYEN, Esq., Chairman, Chamber of Commerce, to A. McC. WEBSTER, Esq., Acting Collector of Sea Customs, dated Madras, 24th February 1874.

The Chamber have had under their consideration your letters of the 19th and 29th January, in which you submit a scheme for raising a revenue for the upkeep of the proposed Harbour, and for the payment of interest on the capital expended on its construction.

2. The Chamber observe that you are strongly in favor of raising the whole of the required revenue from the shipping visiting the port. While the Chamber are entirely of your opinion that this method recommends itself for its simplicity, they cannot agree with you in urging its adoption on the Government. In considering this question of raising a Harbour Revenue, the Chamber do not doubt that you will agree with them in thinking that the main objects to be held in view are the welfare of the port, and the general extension of the trade of the Presidency, rather than the conveniences of, or expenditure by, a particular department of Government.

3. The Chamber do not, of course, imply that economical considerations should be ignored by the Customs Department, but they think these considerations of little importance in comparison with the ultimate results which both the Government and the Mercantile community look for from the construction of a harbour at Madras. With regard, then, to your proposal that the whole of the Harbour Revenue should be raised entirely from the shipping, the chief question for consideration is, how such a scheme would affect the trade of the port? The Chamber, after careful inquiry, are unanimously of opinion that the scale of tonnage dues which you suggest would have an injurious effect, and perhaps defeat the very object for which the harbour is mainly intended. At present, as you are aware, the greater portion of the trade of the port is carried by steamers, none of which as yet regard Madras as a terminus or starting point for a voyage, but merely as a port-of-call between Europe and Calcutta. It is obvious, therefore, that the large increase in tonnage dues proposed by you might have the effect of causing such steamers as do not now hesitate to make Madras a calling station, where they may land or ship even small quantities of cargo, to avoid the port altogether. The Chamber are very strongly of opinion that any measure calculated to bring about this result is to be deprecated, both on local and imperial grounds. They have come to the conclusion, therefore, that it would be unwise to fix tonnage dues at the high limit named by you, viz., Rupees 1-3-0 per ton on foreign steamers and ships, and 5 Annas 6 Pies per ton on coasting steamers and native craft. Looking at the altered conditions in the carrying trade between Europe and India brought about by the opening of the Suez Canal, and at the gradual diminution in the number of sailing ships, which have been in the habit of bringing full cargoes to, and taking full cargoes from, Madras, the Chamber are not prepared, at present, to recommend a higher duty than 8 Annas per ton on foreign steamers and ships, and 4 Annas per ton on coasting steamers and native craft. Accepting the tonnage returns furnished by you as a basis of calculation, it will be found that tonnage dues at the above rates would yield a revenue as follows:—

	Tons.	ES.
Foreign Steamers	223,596 at 8 Annas	= 1,11,798
Ships	106,638 „ 8 „	= 53,319
Coasting Steamers	62,548 „ 4 „	= 15,637
Native Craft	53,720 „ 4 „	= 13,431
Total		1,94,185

4. Taking the amount in round numbers that might be levied from tonnage dues at the above rates at £20,000, there would remain a balance of £16,000 to be raised by other means to complete the sum of £36,000, which the Government estimate would be required for the annual interest on the cost of the harbour. The Chamber do not apprehend that there would be any serious difficulty in levying this balance of £16,000 by a small tax on the goods landed and to be completed, the Chamber do not think it necessary to discuss in much detail whether the above amount could best be raised by means of a boat or tonnage tax, or by a small *ad valorem* duty on imports and exports; but they at present incline to the view that, by adopting a few simple classifications of goods with some reference to their value, a practicable and inexpensive plan may be found for raising the required money. This is a subject, however, regarding which I communicate to you hereafter any further suggestions that may occur to them after ascertaining the results obtained at other ports where similar duties have to be levied.

5. In the foregoing remarks the Chamber have argued, as you also have done in the letters under reply, on the assumption that the sum of £36,000, required to pay interest on the harbour, might be raised entirely from the trade of the port. But whether it would be equitable or even

possible to throw the whole burden of maintaining a harbour on the trade is a question to which the Chamber would ask the Government to give their most serious consideration. It has already been pointed out that, while the Chamber freely acknowledge that the trade of the port should bear a fair share of the cost of a harbour, the many tangible advantages which the Government would derive from such a work, "whether as a refuge for ships in distress, as an anchorage for Men-of-War, as a secure port for landing at all times and seasons troops or military stores, or as a means of improving the defences of the port," constitute an undoubted claim for a portion of its cost being borne by Imperial funds. In this view of the question, which it is hoped will be accepted by the Government, it is doubtful whether it would be necessary to indent on the trade of the port for so large a sum as £36,000 per annum.

6. The Chamber observe that in your total of Rupees 1,32,322-1-0 which you propose to levy by tonnage dues alone, you include a sum of Rupees 48,542-4-11, the present amount of Port dues collected at Madras itself, and you remark that this amount will still be required "to meet the present expenditure of the port." The Chamber do not understand why, when a harbour has been provided, it should be necessary to levy a Port Fund in addition to the ordinary Harbour Revenue; nor can they admit that it would be just or reasonable that funds raised specially for the benefit of a harbour at Madras should be liable to be expended on improvements or in support of Marine Establishments at the outports. It will probably be thought desirable hereafter to reduce the present Marine Establishment at this port and to modify the constitution of the department. The Chamber do not anticipate therefore that, with a harbour, it would be necessary to provide such a large sum as is now raised, viz., Rupees 48,542-4-11, for expenditure on the Marine Establishment of the Port.

ENCLOSURE No. 3.
Memorandum.

Years.	Number of Trips made to, and from, the Beach by Masulah Boats.	Number of Trips made to, and from, the Pier by Masulah Boats.	Number of Trips made to, and from, the Pier by large Boats.	Total number of Trips made.	Average Tonnages of large Boats.
1869	144,419	1,037	188	145,644	14½
1870	108,267	7,640	2,569	118,476	14½
1871	88,362	11,419	4,090	103,871	13
1872	104,165	1,783	1,912	107,860	13
1873	98,507	2,658	2,075	103,240	12
Total	543,720	24,537	10,834	579,091	67
Average for five years.	108,744	4,907	2,166	115,818	13½

MADRAS,
3rd March 1874.

(Signed) A. McC. WEBSTER,
Acting Collector.

ENCLOSURE No. 4.
Masulih Boats.

Articles.	Two Tons load per Schedule.	Number of Trips required for Quantity.	Rate per Trip.	Cost of Quantity.	Cost by large Boats of same Quantity.	Present rate according to Mr. Parke's Estimate.	Present rate according to Schedule.	Difference between proposed rates and Mr. Parke's rate.		Difference between proposed rates per Schedule and present rate per Schedule.		KORACHCHI.	
								ES. A. P.	ES. A. P.	ES. A. P.	ES. A. P.	Harbour.	Roads.
Grain, per 100 bags ...	25 Bags	4	4 7 0	ES. A. P. 17 12 0	ES. A. P. 13 15 5	RS. A. P. 11 0 0	ES. A. P. 11 12 0	ES. A. P. 6 12 0	ES. A. P. 6 0 0	ES. A. P. 4 0 0	ES. A. P. 4 0 0	ES. A. P. 4 0 0	ES. A. P. 10 0 0
Beer, " 100 hds ...	6 Hhds	163		73 15 4	57 8 6	45 12 0	48 15 4	28 3 4	25 0 0	15 0 0	15 0 0	ES. A. P. 10 0 0	ES. A. P. 25 0 0
Do. " 100 barrels.	12 Barrels	84		36 15 8	28 12 3	22 14 8	24 7 8	14 1 0	12 8 0	10 0 0	10 0 0	ES. A. P. 20 0 0	ES. A. P. 20 0 0
Iron, per ton ...	14 Tons	1		2 15 4	2 3 10	1 14 0	1 15 4	1 1 4	1 0 0	0 12 0	0 12 0	ES. A. P. ...	ES. A. P. ...
Coal or Coke, per ton...	12 "	1		2 15 4	2 3 10	1 14 0	1 15 4	1 1 4	1 0 0	0 12 0	0 12 0	ES. A. P. ...	ES. A. P. ...
Oil, per 100 hds. ...	6 Hhds	163		73 15 4	57 8 6	45 12 0	48 15 4	28 3 4	25 0 0	15 0 0	15 0 0	ES. A. P. 20 0 0	ES. A. P. 20 0 0
Hides, per 100 bales...	8 Bales	124		55 7 6	43 2 4	34 6 0	34 11 6	21 1 6	20 12 0	20 0 0	20 0 0	ES. A. P. 40 0 0	ES. A. P. 40 0 0

(Signed) A. MCC. WEBSTER,
Acting Collector.

MADRAS,
March 1874.

In their Proceedings of the 27th January 1874, No. 144, the Board submitted to Government certain statistics of the trade of the port of Madras and expressed an opinion that the £36,000 required for the new Harbour (interest on outlay and working expenses) could best be raised by increasing the tonnage dues on vessels, a sliding scale being arranged so as to prevent the increase from pressing too heavily on the calling trade.

2. The Collector of Sea Customs now submits a letter on the subject from the Chamber of Commerce. Nothing is said by the Chamber as to the possibility of devising a sliding scale; but the Chamber of Commerce are of opinion that the collection of the whole of the £36,000 by the tonnage dues on vessels would prevent many ships from calling on their way to other ports to land or ship small quantities of cargo, and be destructive to the interests of the port. They recommend that only 8 Annas a ton should be charged on foreign steamers and ships, and 4 Annas a ton on coasting steamers and native craft. This would produce about £20,000. The Chamber think that the rest of the necessary sum should be realized either by a tax on boat-loads, or a tonnage on goods landed and shipped, or an *ad valorem* tax on such goods as further inquiry may show to be most expedient; but they contend that a portion of the expense should be borne by Imperial funds.

3. On this last point the Board cannot agree with the Chamber. Government may fairly be called on to contribute port dues on Men-of-War and Government vessels using the harbour, and landing and shipping charges for troops and stores, but nothing more.

4. Assuming that £20,000 can be raised by tonnage dues on vessels, it remains to determine how the further £16,000 required for the new Harbour Fund, and the sum required for Port expenditure now in existence which will be continued, are to be obtained.

5. The Port dues at Madras for the last five years have been—

	RS.
1868-69 ...	40,311
1869-70 ...	37,515
1870-71 ...	36,518
1871-72 ...	43,977
1872-73 ...	48,542

It may be possible eventually to reduce the Marine Department and other expenditure, but it will not be safe to assume that less than £40,000 will be wanted.

6. Thus £20,000 must be raised by charges on the landing and shipment of goods.

7. The fairest way in which this could be done is by levying rates on the weight or the value of the goods, but this could not be effected, at all events before the shore is made into a quay surrounded by a wall, without a vast increase of establishment, which, in its turn, would have to be paid for by increasing the dues.

8. Mr. Webster shows that it may be raised by a tax on boat-loads, without any but a very trifling increase in establishment. He estimates the net average of the tonnage annually chargeable at 220,000 tons, and without going minutely into the figures, the Board will simply state that they are confident that this estimate is below the mark, and may be safely made the basis of calculation. It apparently leaves out of consideration boat-trips in cases where no Policeman accompanies the boats; as for instances, when machinery and timber are brought

to shore in rafts, and passengers in boats. It may be safely calculated that the charge per ton need not be more than 14 Annas, and it would be collected on the registered capacity of each boat for each trip.

9. This would be a moderate and feasible charge, and would impose no additional burden on the trade, which will be freed by the new harbour from much of the charges now paid for landing and shipping in an open roadstead, as well as from a portion of the charges for insurance and demurrage. Moreover, it would be easy to modify the charge directly it might be found too light or unnecessarily heavy.

10. It must not be lost sight of, however, that the charge per trip in the case of the large boats which will be used in the harbour will be objectionably great, and the Board are of opinion that before the boat-tax is definitely fixed, arrangements should be made for obtaining information as to how such dues are collected in other ports, and for getting that information discussed by a Committee practically acquainted with the subject. By Section 43 of the Port Trust Bill, the scale of dues is to be fixed by the Port Trustees.

(True Copies and Extract.)

(Signed) J. GROSE,
Secretary.

1876. MARINE DEPARTMENT

The Off. Secy. to Govt.
The Secy. to the Marine Dept.
The Secy. to the Marine Dept.
The Secy. to the Marine Dept.
The Secy. to the Marine Dept.
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The Secy. to the Marine Dept.
The Secy. to the Marine Dept.

Madras Government, 1876.
Project of a ...
placed into the Government ...
to amend the Indian ...
subject of the ...
Port of Madras.



Advances of Public Money.

No. 98. Read the following extract from a Resolution passed by the Government of India in the Financial Department, under date Simla, 30th June 1876, No. 1291:—

Paragraph 3.—The Governor-General in Council is pleased to decide that in future the following rules shall apply to all advances of public money:—

1st.—No advances should be made without the general or special sanction of the Government of India, unless in any case the local Government is empowered by law to make such advance without reference to the Imperial Government.

2nd.—Regular provisions should be made in the estimates for all advances, and no advance is to be made without the special sanction of the Government of India, unless funds have been duly provided in the estimates and sanctioned by the Governor-General in Council.

Ordered that the above paragraph be communicated for information and guidance—

- To other local Governments and Administrations;
- To the Comptroller-General;
- To the several Accountants-General and Deputy Accountants-General in independent charge.

(Signed) D. BARBOUR,
Under Secy. to Govt. of India.

No. 99. ORDER THEREON, 20th July 1876. No. 1267.
Communicated to the Departments of the Secretariat.
(True Extract.)

Chief Secretary.

- To the Revenue Department.
- .. Military ..
- .. Public Works Department.

Ed. J. W. Fischer.

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17

BUDGET ESTIMATE OF EXPENDITURE ON THE HARBOUR WORKS IN MADRAS
DURING 1877-78.
PART I.—SECTION A.

	Budget Estimate, 1877-78.	Budget Grant, 1873-77.	Outlay, 1876-76.	Outlay, 1874-76.	Outlay, 1873-74.
	RS.	RS.	RS.	RS.	RS.
Original Works	(b) 9,00,000	...	76,809	...	...
Repairs	...	...	...	...	...
Establishment	40,010	...	25,814	...	...
Tools and Plant	(b) 1,00,000	...	24,212	...	...
Suspense	...	...	(a) 2,14,868	...	...
Total	10,49,040	...	3,41,703	...	...

- (a) Rupees 2,13,677-15-8 of this amount represents the value of payments in England for stores and freight for the Harbour Works up to March 1876, plus the gain by exchange upon the value of the payments.
- (b) This sum, it is estimated, will cover the cost of machinery and stores expected from England during the year 1877-78.

GOVERNMENT OF MADRAS.

MADRAS.

PART III.

Detail of the Budget Estimate for Establishments for the Harbour Works in Madras for 1877-78.

NUMBER.		Particulars.	Salary of Office.	ESTIMATE, 1877-78.			ESTIMATE, 1876-77.
1876-77.	1877-78.			Per Mensum.	Per Annum.	Total.	
		DIRECTION.	RS.	RS.	RS.	RS.	RS.
		Engineer Establishment.					
1	1	Engineer in Chief	...	...	5,000	5,000	...
1	1	Total for Direction ...	...	...	...	5,000	...
		CONSTRUCTION.					
		Engineer Establishment.					
1	1	Superintendent of Works ...	1,250	1,250	...	...	...
1	1	Assistant Engineer	300	300	...	...	...
2	2		...	1,750	21,000	21,000	...
		Upper Subordinate Establishment.					
1	1	Sub-Engineer	300	300	...	...	...
1	1	Superintendent of Quarries ...	200	200	...	...	...
2	2		...	500	6,000	6,000	...
		Petty Establishment.					
		Store-keeper	...	...	4,200	...	...
		1 Writer and 2 Lascars ...	...	...	324	...	...
			...	...	4,524	4,524	...
		OFFICE ESTABLISHMENT.					
		Superintendent of Works					
1	1	Accountant	...	60	...	...	...
1	1	Head Clerk	...	40	...	...	...
2	2	Clerks from Rs. 30 to Rs. 20.	...	50	...	...	...
1	1	Draughtsman	...	40	...	...	...
3	3	Peons on Rs. 7	...	21	...	...	...
8	8		...	211	2,532	2,532	...
		Assistant Engineer.					
1	1	Clerk	...	30	...	...	...
1	1	Draughtsman	...	40	...	...	...
3	3	Peons on Rs. 7	...	21	...	...	...
5	5		...	91	1,092	...	...
		Sub-Engineer.					
1	1	Clerk	...	25	...	...	...
2	2	Lascars on Rs. 7	...	14	...	...	...
3	3		...	39	468	...	...

GOVERNMENT OF MADRAS.

MADRAS.

PART III—(Continued).

Detail of the Budget Estimate for Establishments, &c.—(Continued).

NUMBER.		Particulars.	Salary of Office.	ESTIMATE, 1877-78.			ESTIMATE, 1876-77.
1876-77.	1877-78.			Per Mensum.	Per Annum.	Total.	
		CONSTRUCTION—(Continued).	RS.	RS.	RS.	RS.	RS.
1	1	Superintendent of Quarries.	...	15	...	...	...
2	2	Clerk	...	12	...	...	...
3	3	Lascars on Rs. 6	...	27	324	4,416	...
		Presidency house rent and allowances to Sub-Engineer.	...	...	1,200	1,200	...
		Total Salaries	...	...	...	37,140	...
		Travelling allowance	...	...	...	4,000	...
		Office expenses and contingencies	...	...	...	2,900	...
		Total, Construction ...	...	...	...	44,040	...

Abstract of the for-going provisions for Establishments.

	Salaries.	Travelling Allowances.	Contingencies.	TOTAL.	
				1877-78.	1876-77.
	RS.	RS.	RS.	RS.	RS.
Direction	5,000	...	...	5,000	...
Construction	37,140	1,000	2,900	44,040	...
Total	42,140	1,000	2,900	49,040	...

(Signed) W. FAREWELL, Colonel,
Acting Chief Engineer and
Joint Secretary to Government.

PUBLIC WORKS DEPARTMENT,
FORT ST. GEORGE, 24th February 1877.

Nos. 612 & 613.

No. 637.

FROM

THE ACTING JOINT SECY. TO THE GOVT. OF MADRAS,
Public Works Department, Buildings and Roads Branch,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
Public Works Department.

ACCOUNT, No. 41.

SIR,—In accordance with Public Works Circular No. 62 of 1876, I am directed to forward, for the approval of the Government of India, the Budget Estimate of the Madras Harbour Works for the official year 1877-78.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) W. FAREWELL, Colonel,
Acting Joint Secretary to Government.

Exd. E. C. Shunker.

Spere Copies

Result of 1877 Estimate
PUBLIC WORKS.

THE SECRETARY TO THE GOVERNMENT
OF INDIA

Dated February 21st.

Forwarded

Recd.

Encl.

G. O. 21st February 1877, No. 687.

FEBRUARY.
Nos. 312-313.

Forwarding for approval the Budget
Estimate of the Madras Harbour Works for
the financial year 1877-78.

Proceedings of the Madras Government, Public Works Department,
27th September 1876. No. 2,581.

No. 456. Read the following letters:—
From Captain L. CONWAY-GORDON, R.E., Examiner of Public Works Accounts,
to Major-General G. W. WALKER, R.E., Secretary to Government, Public
Works Department, dated Fort St. George, 20th September 1876, No. 237 W.

I HAVE the honor to point out, for the information of Government, that the expendi-
ture on the Madras Harbour Works during the current year is being incurred without
any funds having been provided to meet the same.

2. The provision of Rupees 5,00,000 made by G.O., No. 2,285, dated 7th August
1875, lapsed at the end of the year 1875-76, so that the whole of the expenditure during
the current year may be regarded as objectionable for want of an appropriation of funds.

3. But even had not this provision lapsed, the expenditure* in England and in
India, for which this provision was made,
is now in excess of the amount provided.
I should therefore be obliged by the
Government being good enough to take
early steps to provide funds, and also by
Government authorizing me to issue credits
to the Superintendent until such time as funds are regularly provided.

From the same Officer, dated Fort St. George, 21st September 1876, No. 240 W.

In continuation of my letter No. 237 W, dated 20th September 1876, I have the
honor to state that I have placed at the disposal of the Superintendent, Harbour Works,
for outlay in October 1876, the sum of Rupees 40,000 applied for in his application for
credit for that month.

2. This course has been taken in anticipation of the sanction of Government
which I trust will now be accorded.

No. 457. ORDER THEREON, 27th September 1876, No. 2,581.

ACCOUNT, No. 29.
The Examiner is authorized to issue
such credits to the Superintendent of the
Madras Harbour Works as may be needed
pending an additional assignment of funds. It is observed that steps are being taken
for the passing of a Legislative enactment with a view to raise a loan for the works.
These Proceedings will be forwarded to the Government of India for information and
for an additional grant, should such be considered necessary, in anticipation of the
passing of the Bill.

(True Extract.)
(Signed) G. W. WALKER, Major-General, R.E.,
Secretary to Government.

To the Examiner of Public Works Accounts.
Superintendent, Madras Harbour Works.

Exd. S. T. Austin.
Spare Copies.

Madras Harbour Works.

No. 45. *Read the following letter from Captain L. CONWAY-GORDON, R.E.,
Examiner of Public Works Accounts, to the Secretary to Government, Public
Works Department, dated Fort St. George, 22nd November 1876, No. 299-W:—*

With reference to G.O., No. 2581, dated 27th September 1876, I have the honor to forward, for the information and orders of Government, the subjoined copy of a letter from the Accountant-General, Madras, in which this office is requested to write back the expenditure on the Madras Harbour works debited to the Civil Department in excess of the five lakhs sanctioned by the Government of India (*vide* G.O., Public Works Department, No. 2285, dated 7th August 1875).

Copy of a letter from R. W. LODWICK, Esq., Accountant-General, Madras, to the Examiner of Public Works Accounts, No. 8260, dated 21st November 1876.

[*Vide* Appendix IX to the Public Works Department Account Current for August 1876.]

The undersigned has the honor to observe that, as the expenditure on account of Harbour Works at Madras has exceeded Rupees five lakhs sanctioned by the Government of India in their Order, No. 1716, of 25th June 1875, by the sum of Rupees 20,412-11-7, that amount should be written back as no expenditure in excess of the five lakhs can be admitted at present in the Civil Department.

No. 1769.

Transferred to the Financial Department.

FORT ST. GEORGE,
23rd November 1876.

(Signed) G. W. WALKER, Major-Genl., R.E.,
Secretary to Government, P.W.D.

No. 46. ORDER THEREON, 5th December 1876, No. 2200.

It is observed that G.O., Public Works Department, No. 2581, dated the 27th September 1876, was not communicated to the Financial Department, nor was the Accountant-General instructed to accept any over-debits on account of the Madras Harbour Works beyond the five lakhs of Rupees assigned for the purpose by the Government of India.

2. As it appears that application has been made for an additional grant, the Accountant-General will, pending such additional grant admit in his accounts any excess expenditure over the five lakhs originally assigned by the Government of India for the Harbour Works.

(True Extract.)

Chief Secretary.

To the Accountant-General.

Public Works Department.

Exd. J. W. Fischer.

GOVERNMENT OF MADRAS.
FINANCIAL DEPARTMENT.

21st June 1877, No. 1749.

Madras Harbour.

Read the following paper:—

No. 160. *Telegram from the Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, dated 19th June 1877.*

Accountant-General reports advance of Rupees 14,11,559 for Harbour Works to March 1877 and estimated advance of Rupees 10,49,040 in 1877-78, please telegraph numbers and dates of orders authorizing these advances. We know no authority for more than five lakhs.

No. 161. *ORDER THEREON, 21st June 1877, No. 1749.*

Ordered that the following telegram be despatched:—

"From the Chief Secretary to Government, Madras, to the Secretary to the Government of India, Financial Department, dated 21st June 1877.

"Your telegram 19th. On 5th December this Government directed Accountant-General admit excess expenditure Harbour Works pending reply to application for additional grant made by Public Works Department, 27th September, estimate Rupees 10,49,040, 1877-78, submitted by Public Works Department, 24th February 1877; see also Marine letter, 25th June 1875, No. 34, and Proceedings, Legislative Council, India, 14th September 1876."

(True Extract.)

J. STURROCK,
Under Secy. to Govt.

To the Public Works Department.
" Accountant-General.

Exd. T. O'Connor.

Office of 1876-77

FINANCIAL.

TO THE ACCOUNTANT-GENERAL.

Rs. 14,11,559.

PAID TO THE GOVT.

1877.

1877.

21st June 1877, No. 1749.

RECEIVED
JUN 22 1877

Notes. Messrs. P. & Co. Accountants.
General authorized to admit in his account any
excess expenditure over the 50 lakhs of Rupees
allotted by Government of India for the Harbour
Works pending an additional grant which has been
applied for.

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GOVERNMENT OF MADRAS.
FINANCIAL DEPARTMENT.

23rd June 1877, No. 1771.

Madras Harbour.

Read the following paper:—

From the Accountant-General, dated 19th June 1877, No. 317.

No. 197. ORDER THEREON, 23rd June 1877, No. 1771.

Pending consideration of the Accountant-General's letter, dated 19th June 1877, No. 317, and communication with the Government of India on the subject, His Grace the Governor in Council resolves to direct the Accountant-General to continue to admit in his accounts any excess expenditure that may be incurred in connection with the Harbour Works.

(True Extract.)

D. F. CARMICHAEL,
Chief Secretary.

To the Accountant-General.
„ Public Works Department.

Exd. A. S. Rodgers.

RECEIVED
JUN 27 1877
MADRAS

FINANCIAL

THE PUBLIC WORKS DEPT.

Ac. Ac.

June 21st

1877

NO. 2100-1000, 1877

1000-1000

At the Madras Government of India
of the Department of the Harbour and
of the Harbour Works. The amount of the
Harbour Works.

105
34

GOVERNMENT OF MADRAS.
FINANCIAL DEPARTMENT.

26th June 1877, No. 1792.

Madras Harbour.

Read the following paper:—

No. 229. *From L. C. PROBYN, Esq., Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 25th June 1877, No. 340.*

Book Department.

Referring to G.O., No. 1771, dated the 23rd instant, Financial Department, I beg respectfully to observe that the matter referred to is of such importance that I trust His Grace in Council will direct telegraphic inquiry to be made from the Government of India on the subject of the Harbour Works without waiting for any detailed consideration of my letter.

2. The Examiner of Public Works Accounts has applied for a credit order on account of the Madras Harbour for Rupees 30,000 for next month. I wish to receive precise instructions as to whether I should place this amount to his credit for this purpose, although, so far as I am able to judge, if I did so, I should not be carrying out the wishes of the Government of India.

No. 230. ORDER THEREON, 26th June 1877, No. 1792.

The Government are now in communication with the Government of India.

2. The Accountant-General will place the Rupees 30,000 referred to, to the credit of the Examiner of Public Works Accounts, and will continue to meet all similar applications until the orders of the Government of India are received.

(True Extract.)

J. STURROCK,
Under Secretary to Govt.

To the Accountant-General.
" Public Works Department.

Ed. J. Wright.

Madras Harbour—The Accountant-General continues to elect in his accounts set the expenditure that may be incurred in connection with the Harbour Works.

FINANCIAL
DEPARTMENT

26th June 1877, No. 1792

TO THE ACCOUNTANT-GENERAL,
Book Department.

FINANCIAL

26th June 1877, No. 1792

BUDGET ESTIMATE OF EXPENDITURE ON THE HARBOUR WORKS IN MADRAS
DURING 1878-79.

PART I—SECTION A.

	Budget Esti- mate, 1878-79.	Budget Grant, 1877-78.	Outlay, 1876-77.	Outlay, 1875-76.	Outlay, 1874-75.
	RS.	RS.	RS.	RS.	RS.
Original Works	5,00,000	...	5,74,937	...	...
Repairs	...	...	...	...	...
Establishment	46,421	...	61,900	...	...
Tools and Plant	30,000	...	3,66,798	...	...
Suspense	80,000	...	3,28,626	...	...
Total ...	6,56,421	...	13,35,321	...	...

8th January 1878.

(Signed) F. N. THOROWGOOD,
Supt., Madras Harbour Works.

6601. of 1877
THOROWGOOD.

THE HONORABLE MEMBER

...

...

...

...

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From Secy. to the Govt.
1878-79

GOVERNMENT OF MADRAS.

PART III.

Detail of the Budget Estimate for Establishments for the Harbour Works in Madras for 1878-79.

NUMBER.		Particulars.	Salary of Office.	ESTIMATE, 1878-79.			ESTIMATE, 1877-78.
1877-78.	1878-79.			Per Month.	Per Annum.	Total.	
			RS.	RS.	RS.	RS.	RS.
		DIRECTION.					
		<i>Engineer Establishment.</i>					
1	1	Engineer in Chief ...	...	...	5,000	5,000	...
1	1	Total for Direction ...	...	...	...	5,000	...
		CONSTRUCTION.					
		<i>Engineer Establishment.</i>					
1	1	Superintendent of works ...	1,250	1,250	...	...	...
1	1	Assistant Engineer ...	500	500	...	...	...
2	2		...	1,750	21,000	21,000	...
		<i>Upper Subordinate Establishment.</i>					
1	1	Sub-Engineer ...	300	300	...	...	...
1	1	Superintendent of Quarries...	230	230	...	...	...
2	2		...	530	6,360	6,360	...
		<i>Petty Establishment.</i>					
		Storekeeper ...	...	...	2,100	...	...
		1 Writer and 2 Lascars ...	...	...	408	...	...
			...	...	2,508	2,508	...
		OFFICE ESTABLISHMENT.					
		<i>Superintendent of Works.</i>					
1	1	Accountant ...	...	60	...	...	...
1	1	Head Clerk ...	...	60	...	...	...
2	2	Clerks from Rs. 30 to Rs. 20.	...	50	...	...	...
1	1	Draughtsman ...	...	40	...	...	...
3	3	Peons on Rs. 7 ...	...	21	...	...	...
8	8		...	231	2,772	2,772	...
		<i>Assistant Engineer.</i>					
1	1	Clerk ...	...	30	...	...	...
1	1	Draughtsman ...	...	40	...	...	...
3	3	Peons on Rs. 7 ...	...	21	...	...	...
5	5		...	91	1,092	...	...
		<i>Sub-Engineer.</i>					
1	1	Clerk ...	...	25	...	...	...
2	2	Lascars on Rs. 7 ...	...	14	...	...	...
3	3		...	39	468	...	...

GOVERNMENT OF MADRAS.

PART III—(Continued).

Detail of the Budget Estimate for Establishments, &c.—(Continued).

NUMBER.		Particulars.	Salary of Office.	ESTIMATE, 1878-79.			ESTIMATE, 1877-78.
1877-78.	1878-79.			Per Month.	Per Annum.	Total.	
			RS.	RS.	RS.	RS.	RS.
		CONSTRUCTION—(Continued).					
		<i>Superintendent of Quarries.</i>					
1	1	Clerk ...	...	15	...	...	...
2	2	Lascars on Rs. 6 ...	...	12	...	...	...
3	3		...	27	324	4,156	...
		Presidency house rent and allowances to Sub-Engineer...	...	...	1,200	1,200	...
		Total, Salaries ...	...	...	...	34,524	...
		Travelling allowances ...	...	...	...	4,000	...
		Office expenses and contingencies ...	...	...	...	2,900	...
		Total, Construction ...	...	...	...	41,424	...

Abstract of the foregoing provision for Establishments.

	Salaries.	Travelling Allowances.	Contingencies.	Total.	
				1878-79.	1877-78.
	RS.	RS.	RS.	RS.	RS.
Direction ...	...	...	...	...	...
Construction ...	5,000	...	...	5,000	...
	34,524	4,000	2,900	41,424	...
Total ...	39,524	4,000	2,900	46,424	...

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GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

1st March 1878, No. 1,051 W.

General.
Account

Read the following paper:—

No. 20. From F. N. THOROWGOOD, Esq., Superintendent, Madras Harbour Works, to the Secretary to Government, Public Works Department, dated Madras, 8th February 1878, No. 74 W.

I HAVE the honor to send herewith Budget Estimate for the year 1878-79 on these works.

2. The "Suspense Account" may appear very small, but I trust that the estimate will not be exceeded.

3. The "Establishment" will be the same as formerly, but it is possible that unforeseen circumstances may increase the cost of "construction."

4. It is to be hoped that this will not be the case; but I cannot put out of sight the costly delay in work from May 1877 to November 1877 for which I was quite unprepared.

No. 21. ORDER THEREON, 1st M. No. 1,051 W.
ORDERED that the Budget Estimate of Madras Harbour Works for 1878-79 be forwarded to the Government of India.

(Here enter No. 1,052 dated 1st March 1878.)

(True & correct.)

Signed) E. A. FOORD, Colonel, R.E.,
Secretary to Government, P.W.D.

To the Superintendent, Madras Harbour Works
" Examiner of Public Works Accounts
" Financial Department
" Accountant-General

Exd. B. C. Shanker.
Spare Copies

June 1878

Cont. of (1878) *Public*
PUBLIC WORKS.

St. W. 1695/78

INDEPENDENT ADRA
HAPPO E WOL

13/3/78

U. S. No. 17, March 1878, No. 1031 W.

R. 2-1122

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