M.R.O. 1—32,400—28-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 332 (27-28) Press
~~Mis.~~

Dated 15 8 1873

Not to be folded or roughly handled

No. 27. Read the following letter from C. U. AITCHISON, Esq., C.S.I., Secretary to the Government of India, Foreign Department (Political), to Messrs. W. NICOL and Co., Bombay, dated Simla, 31st July 1873, No 1716-P:—

In continuation of the communication from this office marginally noted, I

No. 574-P, dated 25th March 1873.

am directed to inform you that His Excellency the Governor-General in Council has ascertained by inquiry that during the seventy years that have elapsed since the conclusion of the Treaty of 1802 no remission of duty has been claimed or granted on goods landed in Masulipatam for consumption in the Nizam's dominions.

2. Moreover, His Excellency in Council is of opinion that there is nothing in the Treaty to lead to the inference that Masulipatam is a free port for goods imported into Hyderabad under Article 1. The free use of the seaport of Masulipatam is granted to the Nizam, who is, under such regulations as the British Government may require, at liberty to establish there a commercial factory and agents. This concession, however, does not constitute Masulipatam a free port, nor does it apply to commercial companies or private individuals.

3. With respect to Article 3 of the Treaty, to which your letter of the 14th February 1873 appears more particularly to refer, nothing is there said to the effect that "no duties should be levied on articles, the growth, produce, or manufactures of the Company's or Her Britannic Majesty's Dominions intended for the Nizam's territory." What is said is that there shall be a free transit for such articles; but that this freedom of transit means, not freedom from duties, but freedom from other impediments, is conclusively proved by the 5th and 7th Articles of the same Treaty, as well as by the constant and undisputed course of practice from the date of the Treaty down to the present time.

4. Under these circumstances, I am to state that goods imported viâ Masulipatam can command no advantage above those landed at any other port in India.

No. 1718-P.

Copy of the foregoing forwarded to the Government of Madras for information.

(By order, &c.)

FOREIGN DEPARTMENT, POLITICAL, SIMLA, 31*st July* 1873.

(Signed) P. D. HENDERSON,
Under Secy. to the Govt. of India.

No. 28. ORDER THEREON, 15th August 1873, No. 332.

Communicated to the Board of Revenue and to the Collector of the Kistna District.

(True Extract.)

W. HUDLESTON,
Chief Secretary.

To the Board of Revenue.
" Collector of the Kistna District.
" Revenue Department.

Exd. J. H. Burns.

Govt. of {1873} Madras.

POLITICAL.

To

THE BOARD OF REVENUE,

&c.,

&c.

Dated August, 15th.

Read.

G. O., 15th August 1873, No. 332.

AUGUST.

Nos. 27-28.

Masulipatam.—Letter from Government of India, forwarding copy of a letter addressed to Messrs. Nicol and Co., Bombay, stating that the commercial treaty of 1802 does not constitute Masulipatam a free port for goods imported into Hyderabad, communicated to the Board of Revenue and to the Collector of the Kistna District.

(Copy) No. 1716 P. 3

From,

C. U. Aitchison Esquire, C.S.I.

Secretary to the Government of India

To,

Messrs. W. Nicol & Co.

Bombay.

Dated Simla, the 31st July 1873.

Foreign Deptt.
Political

Sirs,

No. 574 P. dt. 25th March 1873.

In continuation of the communication from this Office marginally noted, I am directed to inform you that His Excellency the Governor General in Council has ascertained by enquiry that during the seventy years that have elapsed since the conclusion of the Treaty of 1802, no remission of duty has been claimed or granted on goods landed in Masulipatam for consumption in the Nizam's dominions.

2. Moreover His Excellency in Council is of opinion that there is nothing in the Treaty to lead to the inference that Masulipatam is a free port for goods imported into Hyderabad under Article I. The free use of the seaport of Masulipatam is granted to the Nizam who is under such regulations as the British Government may require at liberty to establish there a commercial factory and agents. This concession however

however does not constitute Masulipatam a free port nor does it apply to commercial companies or private individuals.

3. With respect to Article 3 of the Treaty to which your letter of the 14th February 1873 appears more particularly to refer, nothing is there said to the effect that "no duties should be levied on articles "the growth produce or manufactures of the Company's "or Her Britannic Majestys Dominions intended "for the Nizam's territory." What is said is that there shall be a free transit for such articles: but that this freedom of transit means not freedom from duties but freedom from other impediments, is conclusively proved by the 5th and 7th Articles of the same Treaty as well as by the constant and undisputed course of practice from the date of the Treaty down to the present time.

4. Under these circumstances, I am to state that goods imported viâ Masulipatam, can command no advantage above those landed at any other Port in India.

I have, &c.,
(Signed) C. U. Aitchison
Secretary to the Govt.
of India.

No. 1718 P. 5

Copy of the foregoing forwarded to the Government of Madras for information.

By order, &c.,

Foreign Depart.
Political
Simla
The 31st July 1873.

H. Anderson
Under Secretary to the
Government of India

Political Department

From the Secretary to the Government of India Foreign Department

Dated Simla 31st July

Recd. 7th August

No. 1708 P. No. 388

1873

Forwards copy of letter addressed to Messrs. Nicol & Co. Bombay stating that the commercial treaty of 1802 does not constitute a free port for

Ootacamund. 15 Augt. 1873. No. 332.

Commd. to the Bd. of Rev. & to the Collr. of the Kistna Dt.

Board of Rev.
Collector Kist. Dt. } despd. 23/8

Recd.

19-12-30 I

Govt. of {1873} Madras.

Political

To,
The Board of Revenue,
&ca.

Dated Augt. 15th
Recd.

G.O. 15th Augt., 1873, No. 332.

Nos. 27-28.

~~Masulipatam~~ – Letter from Govt. of India forwarding copy of a letter addressed to Messrs. Nicol & Co. Bombay stating that the commercial treatie of 1802 does not constitute Masulipatam a free port for goods imported ~~with~~ into Hyderabad, ~~forwarded~~ commd. to the Board of Revenue & to the Collector of Kistna District.