M.R.O. 14—10,000—21-4-32.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1983 Press ~~Mis.~~

A58-459

Dated 29—10— 1860.

Not to be folded or roughly handled

No. 458. Read the following letter from Lord H. ULICK BROWNE, Under Secretary to the Government of India, Home Department, to RIVERS THOMPSON, Esq., Junior Secretary to the Government of Bengal, dated Fort William, the 6th October 1860, No. 1,933 :—

SIR,

I am directed to acknowledge the receipt of your letter No. 2,758, dated 28th ultimo, and in reply to state that the Governor General in Council approves of the suggestion of the Board of Revenue in regard to "Letters of Cover," and authorizes the adoption of the course indicated in the 6th paragraph of their letter No. 1,063, dated the 26th ultimo.

No. 2,242.

Copy of this correspondence forwarded to the Governments of Fort Saint George and Bombay, for information and guidance.

(Signed) H. U. BROWNE,
Under Secretary to the Government of India.

From RIVERS THOMPSON, Esq., Junior Secretary to the Government of Bengal, to W. Grey, Esq., Secretary to the Government of India, dated 28th September, 1860, No. 2,758.

SIR,

I am directed to forward for the consideration and orders of His Excellency the Governor General in Council, the accompanying copy of a letter No. 1,063, dated the 26th instant, from the Officiating Junior Secretary to the Board of Revenue, and to enquire with reference to Article 44, Schedule A, of Act 36 of 1860, whether "Letters of Cover" should be exempted from the Stamp duty leviable on Policies of Marine Insurance; or whether, as proposed by the Board of Revenue, the practice prevailing in England should be adopted in this country, the refund of the duty on the "Letter of Cover," being made either in Stamps or in money, at the option of the applicant.

From Honorable A. EDEN, Officiating Junior Secretary to the Board of Revenue, to the Secretary to the Government of Bengal, dated 26th September, 1860, No. 1,063.

SIR,

I am desired by the Board of Revenue to submit the following point for the consideration and orders of Government.

Stamps.

W. J. Allen, and A. Grote. } *Esquires.*

2. In Marine Insurance it is customary, pending the preparation of a regular policy, to give the person effecting the insurance a memorandum of the contract, technically called a "Letter of Cover," which is available as a competent instrument of insurance in case a regular policy is not underwritten.

3. This letter of cover is liable to Stamp duty under Article 44, Schedule A of Act 36, of 1860.

4. But this instrument is one of a class of documents initiatory in their character, and contingent upon other documents, which are also liable to Stamp duty.

5. If duty is levied, both upon the *letter of cover*, and upon the regular policy, a double *ad valorem* duty will be imposed upon one and the same transaction, this the Board believe can never have been the intention of the Legislature.

6. It appears to the Board, therefore, that these instruments should be treated as they are in England under the provisions of Section 6, 54 Geo : III, Chapter 144, which provides that whenever the contract is delivered up to the Commissioners to be cancelled within one month after the last subscription, and a regular Stamped policy is produced in lieu, underwritten by

the same persons, to the same amount, on the same interest, and for the same voyage or risk, the duty shall be allowed in other Stamps for contracts on policies. The Board think that in this country the allowance might be made either in Stamps, or as a refund of money at the option of the applicant.

7. An early reply is requested.

(True Copy.)

(Signed) H. U. BROWNE,
Under Secretary to the Government of India.

No. 459. ORDER THEREON, 29th October 1860, No. 1,983.

Communicated to the Board of Revenue for information and guidance.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

No. 1933.

FROM LORD H. ULICK BROWNE,
Under Secy. to the Govt. of India,

To RIVERS THOMPSON, ESQUIRE,
Junior Secy. to the Govt. of Bengal.

SIR,

Dated Fort William, the 6th October, 1860.

HOME DEPT. Revenue. I AM directed to acknowledge the receipt of your letter No. 2758, dated the 28th ultimo, and in reply to state that the Governor General in Council approves of the suggestion of the Board of Revenue in regard to "Letters of Cover," and authorizes the adoption of the course indicated in the 6th paragraph of their letter No. 1063, dated the 26th ultimo.

I have the honor to be,
SIR,
Your most obedient servant,

H. Ulick Browne

Under Secy. to the Govt. of India.

8'2242

COPY of this correspondence forwarded to the Governments of Fort St. George and Bombay, for information and guidance.

Under Secy. to the Govt. of India.

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Revenue 1860 Sept.
Pro: of Govt for October.

No 2259

From the Under Secretary
to the Govt of India -

Dated 6th October 1860
Rec'd 13th

Forwards, correspondence relative to the exemption of "Letters of Cover" from the stamp duty leviable on Policies of Marine Insurance.

From Govt of Bom 10 Dec/59
No 2895. in Pro 18th Dec No 134
From the do 8th Sept/60
No 1344 in Pro.

No 1983. 29th October

With an order

No 1983

Communicated to the Board
of Revenue for information and guidance.

By Order
[illegible]
Secy to Govt

Fort St. Geo.
29 October 1860.

To Collector Board of Revenue Dispatch.

No 458 & 459.

18 October DB 24