M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 728 Press ~~Mis.~~

84-85

Dated 7 — 5 — 1860.

Not to be folded or roughly handled

No. 84. Read the following Observations by the Consulting Engineer for Railways, dated 27th April 1860, No. 22, on letter from the Agent of the Great Southern of India Railway, dated Madras, 24th April 1860, No. 85 :—

The Agent of the Great Southern of India Railway reports, for the information of Government, the circumstances under which 250 Carts loaded with Permanent way Materials were detained at Nagore by order of Mr. F. M. Kindersley, the Head Assistant Collector of Tanjore.

2. The Telegraph message reporting the detention was received on the 23rd instant, and the answer returned was "Government cannot interfere. The duty must be paid."

3. It appears from the Agent's statement that though the Railway Company had been landing Stores for nearly six months, the first intimation he received of duty being leviable on was verbally given by the Sea Custom Manager at Negapatam, a week or two before the date on which the Carts were detained at Nagore.

4. Respecting the payment of duty at Negapatam, the Agent writes "It was agreed "that as soon as I had ascertained what articles were liable to duty and could prepare a State- "ment of Invoice prices, I was to pay the duty," but whether the articles were, in the mean time, to be allowed to be taken away, is not stated.

5. The first official demand for the payment of duty was, the Agent observes, made by the Sea Custom Manager at Nagore on the 17th instant, to which he replied, that he was in correspondence with Madras to ascertain what articles were liable to duty, and that he would pay the amount so soon as he knew what it was.

6. On the 20th instant, the demand was repeated by Mr. Kindersley, but that gentleman's letter, the Agent explains, did not reach him till after business hours on Saturday, the 21st, and on the 23rd the Carts were seized.

7. To have allowed the Permanent way Materials, or any other Stores on which duty was leviable, to have been taken away before the amount of duty to be paid on them had been determined or at all events until the nature and quantity of the articles had been registered at the Custom House would certainly have been irregular, and I cannot, therefore, see that any blame is to be attached to Mr. Kindersley for ordering the Carts to be detained, until some clear understanding had been arrived at with the Agent.

8. The question why intimation respecting the Government duty to be demanded was not formally given to the Agent, on the first occasion of Railway Stores being landed at Nagapatam is one which Government may probably consider it necessary to refer to the Sea Custom authorities.

No. 85. ORDER THEREON, 7th May 1860, No. 728.

Referred to the Board of Revenue, for early report as to the circumstances under which it came to be considered necessary to stop the Carts referred to. It should be explained when the Order mentioned, ruling that Railway materials were to pay duty, was passed, when it was communicated to the Revenue Authorities of Tanjore, and when by them to the Agent of the Railway Company, and what steps were taken to fix the Tariff value of the imported articles.

(Signed) J. D. BOURDILLON,
Secretary to Government.

G. I. P. Railway
Agents Office
Negapatam 24th April 1860.

No 85

From.

J. J. Maclagan Esqre
Agent.

To,

Captain P. P. L. O'Connell
Dy. Gens. Engr. for Railways in charge

Sir,

I have the honor to submit for the information of Government a detailed report of the circumstances regarding which I telegraphed to you last evening.

2. I received a visit or two ago from the Sea Custom Manager Negapatam a verbal intimation that duty was leviable on the Stores and materials imported by the Company and it was agreed that as soon as I had ascertained what articles were liable to duty and could prepare a Statement of Invoice prices I was to pay the duty.

3 About three weeks ago when it was found impossible to land rails and other heavy materials at Negapatam in consequence of the harbour operations I sent the Ships "Scindian" and "Brothuda" and subsequently the "Ocean King" to Nagore where they were to discharge, and the Landy Establishment was moved thither that the transport of materials might not be delayed. The Sea

Custom

Custom Manager at that port wrote me, on
17th Instant, (and you will observe that this is the
first official demand that has been made upon
me) requesting me to pay duty, and I informed
him that I was in correspondence with Madras
to ascertain what articles were liable to duty, and
would pay him the amount so soon as I knew
what it was. On the 20th (Friday) Mr Hindesley
wrote me "to satisfy the demands of the Sea
"Custom Manager at Nagore for articles imported
"at that port." This letter was sent to me by post
and therefore did not reach me till after business
hours on Saturday, and on Monday morning Mr
Hindesley adopted the extreme measure of
seizing 250 Carts loaded with permanent way
materials

4. I was not advised of this step
until my return home at 5 o'clock, when I
immediately wrote to Mr Hindesley pointing out
the loss to the Company that would be caused
by his act, and that there was neither intention
nor possibility of evading payment of duty. He
still however refused to let the Carts proceed and
I had no course left but to telegraph for the Orders
of Government. Copies of my correspondence with
Mr Hindesley of last evening are enclosed.
I trust that before this letter reaches you orders
will have been transmitted to the Head Assistant
Collector.

Collector to please the Carts and their Contents

5 I think I have reason to Complain that in the sudden and extreme measure which he has adopted Mr Hindersley has failed to exhibit that courtesy which might be expected from a Servant of Government to the Representative of a Company in which Government are so deeply and directly interested, and which I have met with from every other Government Official. I am the more sensible of it from its Contrast to the course invariably pursued by his predecessor Mr Hooper whose constant endeavour was to assist the Railway by every means in his power and who cultivated the kindest relations with every officer of the Company.

I have the honor to be
Sir
Your most obedient Servant
S Maclagan
Agent.

6.

RAILWAY DEPARTMENT. CONSULTING ENGINEER'S OFFICE,

No. 22.

On letter from the Agent of the Great Southern of India Railway, No. 85.
Dated 24th June 1860.

Observations by the ~~Officiating~~ Consulting Engineer.

1. The Agent of the Great Southern of India Railway reports for the information of Government, the circumstances under which 250 Carts loaded with Permanent Way Materials have detained at Nagore by order of Mr. J. M. Hinderley the Head Assistant Collector of Tanjore.

2. The Telegraph the passage reporting the detention was received on the 23rd instant, and the answer returned was "Government cannot interfere. The duty must be paid."

3. It appears from the Agent's statement that tho' the Railway Company had been landing stores for nearly 6 months, the first intimation he received of duty being leviable on them was verbally given by the Sea Customs Manager at Negapatam a week or two before the date on which the Carts were detained at Nagore.

Respectfully

Respecting the payment
4. of duty at Negapatam, the Agent writes.
"It was agreed that as soon as I had
"ascertained what articles were liable to
"duty and could prepare a Statement of
"Invoice prices, I was to pay the duty"
but whether the articles were in the meanw
time to be allowed to be taken away
is not stated.

5. The first official demand
for the payment of duty was, the Agent
observes, made by the Sea Customs
Manager at Negor on the 17th instant
to which he replied, that he was
in correspondence with Madras to
ascertain what articles were liable
to duty, and that he would pay
the Amount so soon as he knew
what it was.

6. On the 20th instant, the
demand was repeated by Mr. Rinders by
the Bullock Gentleman's letter the Agent
explains did not reach him till after
business hours on Saturday, the 21st,
and on the 23d the Carts were seized.

7. To have allowed the
Permanent Way Materials or any
other stores on which duty was
leviable, to have been taken away
before the Amount of duty to be
paid on them had been determined, or
at all events to until the nature and
Quantity

quantity of the Articles had been registered
at the Customs House would certainly
have been irregular, and I cannot
therefore see that any blame is to be
attached to Mr. Rinders by for ordering
the Carts to be detained, until some
clear understanding had been arrived
at with the Agent.

8. The question only in-
timation respecting the Government
duty to be demanded was not
formally given to the Agent, on
the first occasion of Railway
Stores being landed at Negapatam
is one which Government may
probably consider it necessary to
refer to the Sea Customs Authorities

Madras 3
27th April 60 3

Customs Collr
Exc Engr for Railways

To
The Chief Secretary to Government
Fort St George

List

Referred to the Revenue Department

J.P.

28th april 1860.

To the Revenue Dept with Enclos. Desp. 25th

Revenue

~~Financial Railway~~ Rev. Department,
From Pro: of Govt. [illegible] 891
The Consulting Engineer for Railways

To The Chief Secretary to Government
Fort St. George.

Dated 21st April 1860
Received 28th do.

Pro: of the Bd. of Rev. No. 22 dated 31st July 60
Enclosures 5 [illegible]

No. 2216.

No. 728. 7th May

[illegible]

Withdraw Orders

No. 728

Referred to the Board of Rev: for early report as to the circumstances under which it came to be considered necessary to stop the Carts referred to. It should be explained when the order mentioned, ruling that Railway materials were to pay duty, was passed, when it was communicated to the Revenue Authorities of Tanjore, and when by them to the Agent of the Railway Company, and what steps were taken to fix the tariff value of the imported articles.

No. 84 & 85.

Fort St. Geo. 7th May 1860.

Desp. 8

[illegible signature]

[illegible] Board of Rev. [illegible]