

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 931	Press ~~Mis.~~
5-6	
Dated	1. 6. 1918

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
1st June 1863.*

No. 5. Read the following Proceedings of the Board of Revenue, dated 22nd May 1863:—
Read the following letter from J. R. BOYSON, Esq., Government Solicitor, Madras, to W.
HUDLESTON, Esq., Secretary to the Board of Revenue, dated Madras, 9th May
1863, No. 276.

SIR,

Dated 7th March 1863.

1. With reference to your Board's orders noted in the margin, I have the honor to state for their information, that I have perused the papers therewith forwarded, and have again re-considered my former correspondence with Government and your Board on the subject of the Rules for the sale of Salt on credit, and the import of foreign Salt on credit as to duty, on deposit of negotiable securities. I have likewise re-perused the Drafts of the Agreements prepared by me for your Board in 1859 for giving effect to the proposed system.

2. I observe that the altered Rules forwarded with your Board's orders of the 7th of March last, does not contain the additional Rule suggested by Government requiring Salt purchased on credit to be removed within one week from the date of delivery, the Salt after such purchase being at the risk of the purchaser; and I therefore assume that further subsequent consideration has led to the conclusion on the part of your Board, that this additional Rule is not desirable and that in this view Government has concurred.

3. I retain the opinion conveyed to your Board in my letter of the 16th of March 1859, No. 361, as to the form and substance of the Draft Agreement therein referred to.

4. The only alterations which were needed in these Drafts to meet the modifications suggested by Government in their Order of the 16th of January last, No. 106, Revenue Department, I have made in red ink.

5. The Draft Agreement proposed by your Board in their Order of the 7th of March last, in substitution of the Drafts prepared by me in 1859, is open to this objection, amongst others, that every Agreement in that form would require an *ad valorem* stamp; Government not being an *executing* party.

6. I cannot realize any substantial objection to the adoption of my forms, submitted to your Board in 1859; but as your Board still seems desirous of having a shorter and more concise form, I have sketched out and herewith send other forms, which are certainly much shorter; and although not so much in recognized legal form and phraseology, and, therefore, in my opinion, less desirable than the forms formerly submitted, I have no doubt they will answer the purpose required and sufficiently secure the interests of Government. If these forms are adopted by your Board, I propose that they be printed on the first side of a sheet of paper, a full copy of the Rules being printed on the other side. The mere printing of these Rules will incur but trifling expense; and by the course I suggest the Agreements will be identified beyond all doubt with the Rules which will substantially form, by reference, a part of them.

7. I return all the papers that accompanied your Board's orders of the 7th of March last, and I shall be obliged by your informing me what course your Board resolves to pursue and which of the forms they determine to adopt.

1. The omission of the Rule alluded to in paragraph 2 was an oversight, this Rule has now been added in the set of Rules marked B.

2. The Board consider that the forms forwarded by Mr. Boyson are preferable to those originally prepared. They, therefore, resolve to request the permission of Government to prepare the forms as now proposed by the Government Solicitor, and to circulate the Rules as finally revised.

(A true Copy and Extract.)

(Signed) R. A. DALYELL, Sub-Secretary.

No. 6. ORDER THEREON, 1st June 1863, No. 931.

The Rules and Deeds are approved and will be printed as suggested by Mr. Boyson with the slight alterations noted on the Drafts.

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

AGREEMENT made the (a) day of (a) One thousand eight-hundred and sixty (a) BETWEEN THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA IN COUNCIL of the one part and of the other part.

The said having blank endorsed and deposited with the Collector of for the time being, the Securities hereinafter mentioned, that is to say:

for securing the payment by him the said his Executors, Administrators or personal Representatives to the said Secretary of State his Successors or Assigns of all money which shall at any time or times become due or owing from the said his Executors, Administrators or personal Representatives to the Government of Madras for Import Duty on Salt imported by the said into the territories subject to the Government of Madras from any place or places beyond such territories under the Rules regulating the import of such Salt into the said territories on credit for payment of Duty (a copy whereof is hereunto annexed) or which shall at any time or times be at the debit of the said in his Account Current with the said Government in respect of such Import Duty It is hereby agreed between the said parties hereto that the said Securities so deposited as aforesaid shall be subject and liable to all the provisions of the said Rules and to such sale and appropriation of proceeds as therein provided That the interest which shall accrue due on the said Securities whilst they remain in deposit with the Collector of for the time being shall be drawn by such Collector and credited in such Account Current as aforesaid And that each of the said parties hereto shall and will adhere to the said Rules and shall and will be bound thereby and by every stipulation and provision therein contained.

IN WITNESS WHEREOF

Secretary of State and the said hands the day and year first above written.

for and on behalf of the said have hereunto set their respective

Signed by the said

In the presence of

Signed by the said

In the presence of

A.

RULES FOR THE IMPORT OF FOREIGN SALT ON CREDIT FOR PAYMENT
OF THE DUTY LEVIABLE THEREON.

1. Parties desirous of importing foreign Salt may open a credit for the eventual payment of the Import Duty on signing an Agreement in the form appended to these Rules, and blank endorsing and depositing with the Collector of the District into which they wish to import such Salt, Government Promissory Notes, Treasury Loan Acknowledgments or Treasury Bills as security for the due performance of such Agreement.
2. The depositor will be allowed, without actual cash payment of the duty on each occasion, to import Salt in one or more shipments (of not less than 120 Indian Maunds each) until the duty on the entire quantity imported equals the amount of the credit given to him as shown in the Collector's receipt for his deposit. The credit will be fixed according to the probable marketable value of the securities, a deduction at the discretion of the Collector being made therefrom to meet the contingency of depreciation in the value of the securities during the currency of the credit.
3. No account will be opened for a less sum than 5,000 Rupees, nor shall the credit in any case extend beyond six months. At its close the depositor must adjust his account, and it will then be open to him to apply for a new credit.
4. Nothing in these Rules shall be held to preclude a party, who has received a credit from Importing Salt as herein provided, from also importing any further quantity on payment of the full duty thereon: such transactions, however, are to be considered as altogether distinct from the credit.
5. The securities will be lodged in the Collector's Treasury. The Interest accruing on them during the term of the credit will be drawn by the Collector, and passed to the credit of the depositor's account current kept by the Collector as hereinafter provided.
6. The Collector will grant a receipt for the securities deposited with him, and this receipt must be produced and given up when the depositor redeems his securities or closes his account. The amount of credit given will also be shown in the receipt.
7. An account current between the depositor and Government will be kept by the Collector at the Huzzoor Cutcherry, and will be open to the inspection of the depositor or his duly authorized Agent on week days during Office hours. A copy thereof will be furnished, if desired, once in each month.
8. It is optional with a depositor to close his account at any time previous to the expiry of the term of credit by paying the amount shown to be due by him and thereupon to receive back his securities.
9. After receiving his credit the importer must notify to the Collector the quantity of Salt he wishes to import at any particular port or ports, in order that the Collector may if he agrees to comply with the requisition, issue instructions to the Custom House authorities to pass the Salt under the credit. An account will be kept by the Collector of the Salt so passed.
10. The importer or his duly authorized Agent must give an acknowledgment to the Custom House officers of each quantity of Salt passed without payment of duty under the credit.
11. At the expiration of the term of credit, the depositor must pay the balance then due from him for duty on the entire quantity of Salt imported by him. Should he fail to do so, he must pay Interest on such balance from the expiration of the term of credit, at the rate of 12 per cent. per annum, and the Collector may proceed to realize the amount due for principal and Interest by the sale of the depositor's securities. Any surplus accruing on such sale will be paid to the depositor, who must on his part make good and forthwith pay any loss which may be sustained by his securities not realizing the sum due by him for principal and Interest.
12. Payments are to be made at the Collector's Huzzoor Cutcherry and may be in cash, Accountant General's Bills or Paper Currency. Payments may also be made into the Bank of Madras at Madras, the Bank Secretary's receipt being forwarded to the Collector. Collectors may at their discretion permit payments to be made into the Talook Treasuries of their Districts.
13. Importers must conform to the authorized Sea Customs Rules and Regulations at each port.

(Signed) R. A. DALYELL, Sub-Secretary.

AGREEMENT made the (a) day of (a) One thousand eight-hundred and sixty (a) BETWEEN THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA IN COUNCIL of the one part and of the other part.

The said having blank endorsed and deposited with the Collector of for the time being, the Securities hereinafter mentioned, that is to say

for securing the payment by him the said his Executors, Administrators or personal Representatives to the said Secretary of State his Successors or Assigns of all money which shall at any time or times become due or owing from the said his Executors, Administrators or personal Representatives to the Government of Madras for Salt purchased from the said Government under the Rules regulating the sale of such Salt (a copy whereof is hereunto annexed) or which shall at any time or times be at the debit of the said in his Account Current with the said Government in respect of such purchases of Salt It is hereby agreed between the said parties hereto that the said Securities so deposited as aforesaid shall be subject and liable to all the provisions of the said Rules and to such sale and appropriation of proceeds as therein provided That the Interest which shall accrue due on the said Securities whilst they remain in deposit with the Collector of for the time being shall be drawn by such Collector and credited in such Account Current as aforesaid And that each of the said parties hereto shall and will adhere to the said Rules and shall and will be bound thereby and by every stipulation and provision therein contained.

IN WITNESS WHEREOF
Secretary of State and the said
hands the day and year first above written.

for and on behalf of the said
have hereunto set their respective

Signed by the said
In the presence of }

Signed by the said
In the presence of }

(a) Enter in words.

B.

RULES FOR THE PURCHASE OF SALT WHOLESALE ON DEPOSIT OF SECURITIES.

1. Parties desirous of purchasing Salt from Government on credit must sign an Agreement in the form appended to these Rules, and must also blank endorse and deposit with the Collector of the District Government Promissory Notes, Treasury Loan Acknowledgments or Treasury Bills as security for the due performance of such Agreement.
2. The depositor will be entitled to receive Salt to the amount of the credit given to him as shown in the Collector's receipt for his deposit. The credit will be fixed according to the probable marketable value of the securities, a deduction, at the discretion of the Collector, being made therefrom to meet the contingency of depreciation in the value of the securities during the currency of the credit.
3. No account will be opened for a less sum than 5,000 Rupees, nor shall the credit in any case extend beyond six months. At its close the depositor must adjust his account, and it will then be open to him to apply for a new credit.
4. Nothing in these Rules shall be held to preclude a party, who has received a credit as above provided, from purchasing Salt during the term of the credit for cash in the usual manner. Such transactions are, however, to be considered as altogether distinct from the "credit."
5. The securities will be lodged in the Collector's Treasury. The Interest accruing on them during the term of the credit will be drawn by the Collector and passed to the credit of the depositor's account current kept by the Collector as hereinafter provided.
6. The Collector will grant a receipt for the securities deposited with him, and this receipt must be produced and given up when the depositor redeems his securities or closes his account. The amount of credit given will also be shown in the receipt.
7. An account current between the depositor and Government will be kept by the Collector at the Huzzoor Cutcherry, and will be open to the inspection of the depositor or his duly authorized Agent on week days during Office hours. A copy thereof will be furnished, if desired, once in each month.
8. It is optional with a depositor to close his account at any time previous to the expiry of the term of credit by paying the amount shown to be due by him and thereupon to receive back his securities.
9. The depositor must apply in writing to the Collector for Salt, stating the quantity he requires and the Depôt at which he wishes to receive it. The Collector if he agrees to comply with the requisition will thereupon furnish him with a written order on the Superintendent or other proper officers, and enter the value of such Salt to the depositor's debit in the account current.
10. The depositor or his duly authorized Agent must pass his receipt for the quantities of Salt furnished at the Depôt, and, on the order being fully complied with, shall sign and hand it over to the Superintendent or other proper officer at the Depôt for transmission to the Collector.
11. At the expiration of the term of credit, the depositor must pay the balance then due from him for all the Salt supplied to him on credit. Should he fail to do so, he must pay Interest on such balance from the expiration of the term of credit, at the rate of 12 per cent. per annum, and the Collector may proceed to realize the amount due for principal and interest by the sale of the depositor's securities, any surplus accruing on such sale will be paid to the depositor, who must on his part make good and forthwith pay any loss which may be sustained by his securities not realizing the sum due by him for principal and Interest.
12. Payments are to be made at the Collector's Huzzoor Cutcherry and may be in cash, Accountant General's Bills or Paper Currency. Payments may also be made into the Bank of

6 *Proceedings of the Madras Government, Revenue Department,*
1st June 1863.

Madras at Madras, the Bank Secretary's receipt being forwarded to the Collector. Collectors may at their discretion permit payments to be made into the Talook Treasuries of their Districts.

13. Depositors are required to remove the Salt purchased by them within one week from the date of delivery, and it will be held to be at their risk from the date of purchase.

14. Depositors purchasing an entire heap of Salt as it stands will receive the usual discount of 5 per cent.

15. Depositors must conform to the authorized Rules at each Depôt.

(Signed) R. A. DALYELL, Sub-Secretary.

Q. 0 00931 dated 1-6-63

A.

4

*Rules for the Import of Foreign Salt on
Credit for payment of the duty leviable thereon.*

1. Parties desirous of importing Foreign Salt may open a credit for the eventual payment of the Import duty on signing an agreement in the form appended to these Rules and blank endorsing and depositing with the Collector of the District into which they wish to import such Salt Government or Promissory Notes, Treasury Loan acknowledgments or Treasury Bills as Security for the due performance of such agreement.

120 Indian mt.

2. The Depositor will be allowed, without actual cash payment of the duty on each occasion, to import salt in one or more shipments (of not less than 1 Garce each) until the duty on the entire quantity imported equals the amount of the credit given to him as shown in the Collector's receipt for his deposit. The credit will be fixed according to the probable marketable value of the securities, a deduction at the discretion of the Collector being made therefrom to meet the contingency of depreciation in the value of the securities during the currency of the credit.

3. No account will be opened for a less sum than 5000 Rupees, nor shall the credit in any

any case extend beyond 6 months. At its close the depositor must adjust his account, and it will then be open to him to apply for a new credit.

4. Nothing in these Rules shall be held to preclude a party, who has received a credit ^{from} ~~for~~ Importing Salt as herein provided, from also importing any further quantity on payment of the full duty thereon: such transactions however are to be considered as altogether distinct from the credit.

5. The Securities will be lodged in the Collector's Treasury. The Interest accruing on them during the term of the credit will be drawn by the Collector, and passed to the credit of the Depositor's account Current kept by the Collector as herein after provided.

6. The Collector will grant a receipt for the securities deposited with him, and this receipt must be produced and given up when the depositor redeems his securities or closes his account. The amount of credit given will also be shown in the receipt.

7. An account current between the Depositor and Government will be kept by the Collector at the Huzoor Cutcherry and will be open to the inspection of the Depositor or his duly authorized agent on week days during Office hours.

hours. A copy thereof will be furnished, if desired, once in each month.

8. It is optional with a depositor to close his account at any time previous to the expiry of the term of credit by paying the amount shown to be due by him and thereupon to receive back his securities.

9. After receiving his credit the Importer must notify to the Collector the quantity of Salt he wishes to import at any particular Port or Ports, in order that the Collector may if he agrees to comply with the requisition issue instructions to the Custom House authorities to pass the Salt under the credit. An account will be kept by the Collector of the Salt so passed.

10. The Importer or his duly authorized agent must give an acknowledgment to the Custom House Officers of each quantity of Salt passed without payment of duty under the credit.

11. At the expiration of the term of credit, the Depositor must pay the balance then due from him for duty on the entire quantity of Salt imported by him. Should he fail to do so, he must pay Interest on such balance from the expiration of the term of credit at the rate of 12 per cent per annum and the Collector may proceed to realize the amount due for principal and Interest.

Rev-1190/23

Interest by the sale of the depositor's Securities, any surplus accruing on such sale will be paid to the Depositor, who must on his part make good ^x ~~as~~ ^x and forthwith ~~provided by his agreement~~ any loss which may be ~~con~~ ^{pay} sustained by his securities not realizing the sum due by him for principal and Interest.

13. Importers must conform to the authorized Sea Customs rules and Regulations at each Port. ~~The existing Regulations in regard to con-~~
~~cesses are not affected by these rules.~~

John Doe

Rules for the purchase of Salt wholesale on
Deposit of Securities.

2. The Depositor will be entitled to receive salt to the amount of the credit given to him as shown in the Collector's receipt for his deposit. The credit will be fixed according to the probable marketable value of the securities a deduction at the discretion of the Collector being made therefrom to meet the contingency of depreciation in the value of the securities during the currency of the credit.

4. Nothing in these Rules shall be held to pre-
clude a party, who has received a credit as above pro-
vided, from purchasing Salt during the term of the
credit for cash in the usual manner. Such transac-
tions are however to be considered as altogether distinct
from the "credit."

6. The Collector will grant a receipt for the securities deposited with him, and this receipt must be produced and given up when the depositor redeems his securities or closes his account. The amount of credit given will also be shown in the receipt.

An

7. An account current between the Depositor and Government will be kept by the Collector at the Kuzoor Cutcherry and will be open to the inspection of the Depositor or his duly authorized Agent on Week days during Office hours. A copy thereof will be furnished, if desired, once in each month.

8. It is optional with a depositor to close his account at any time previous to the expiry of the term of credit by paying the amount shown to be due by him and thereupon to receive back his securities.

9. The Depositor must apply in writing to the Collector for Salt, stating the quantity he requires and the Depot at which he wishes to receive it. The Collector if he agrees to comply with the requisition will thereupon furnish him with a written order on the Superintendent or other proper Officers, and enter the value of such Salt to the Depositor's debit in the account current.

10. The Depositor or his duly authorized Agent must pass his receipt for the quantities of Salt furnished at the Depot, and, on the order being fully complied with, shall sign and hand it over to the Superintendent or other proper Officer at the Depot for transmission to the Collector.

11. At the expiration of the term of credit the Depositor must pay for all the Salt supplied to him on credit. Should he fail to do so he must pay Interest on the debt from the expiration of the term of credit at the rate of 12 per cent per annum and the Collector may proceed to realize the amount due for principal & interest by the sale of the Depositor's securities, any sum plus accruing on such sale will be paid to the Depositor, who must on his part make good ^{the balance then due from him} and forthwith ^{such balance} by his agreement any loss which may be sustained ^{and forthwith} pay ^{by}

by his Securities not realizing the sum due by him for principal and Interest.

12. Payments are to be made at the Collector's Kuzoor Cutcherry and may be in cash, Accountant Generals' Bills or Paper currency. Payments may also be made into the Bank of Madras at Madras the Bank Secretary's receipt being forwarded to the Collector. Collectors may at their discretion permit payments to be made into the Talook Treasuries of their districts.

14. Depositors purchasing an entire heap of Salt as it stands will receive the usual discount of 5 per cent.

15. Depositors must conform to the authorized rules at each Depot.

R. D. Aylett
Secretary

CM

Rev = 1190/63
as 11/10/63 12.85

W. 931. 6

The Rules and
Deeds are approved and
will be printed as sug-
gested by Mr. Boydow -
with the slight alterations
noted on the drafts

LDS

MS JP

First Lt. George
1st June 1863

30 Copies to the B. & Rev. & Capt. & some

Shew me proofs
JP

25-10-20
67/60N

Rev = 1803 Depart.
Pro: of Govt for June.
No. 1190.

Proceedings of the
Board of Revenue

Dated 27th

Desp. 22

Re. 23

May 1803

E. 4-

No.

No. 5 + 6.

Submitting a letter from
the Govt. Solicitor forwarding
Rules for the Sale of Salt on
credit or deposit of negotiable
Securities and requesting per-
mission to prepare the forms
of Agreements as now proposed
and to circulate the rules as
finally revised.

No. 931. of June

With Order.