M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 97	Press ~~Mis.~~
188-189	
Dated	16-1-~~19~~1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 16th January 1864.

No. 188. Read the following Proceedings of the Board of Revenue, dated 11th December 1863, No. 7,804 :—

1. The Board observe that the distraint of goods or boat in default of payment of the toll is left optional by the rule, and the reasons for not making the boat alone primarily liable are that, in the majority of cases at present the cargo is the property of the boat owner, that in any case the freight includes the toll, so that if the hirer of a boat pays the toll, and deducts it from the freight (as he is of course at liberty to do, the boatman being the party liable to Government for the toll), he will incur no loss, and that the toll being trifling in amount, it can be realized far more readily and conveniently by sale of a portion of the cargo than by sale of the boat.

2. The Board think it desirable that the Superintendent should have power to remove cargo or boats at the expense of the owner, when the public convenience requires, and they suggest the following addition to the concluding Rule for the guidance of the Toll Superintendent :—

" The Toll Superintendent shall be competent to remove goods from the Wharf, or boats " from the Basin, at the cost of the owners, at any time after the expiration of 24 hours from " hour of arrival at the Basin, if in his judgment the convenience of the public so require, and " to recover the expenses of so doing, by distraint and sale of the boat or goods, as the " case may be."

No. 189. ORDER THEREON, 16th January 1864, No. 97.

1. The Government are still of opinion that the rule should be so framed that either boat or cargo may be made primarily liable for the toll. The addition suggested in paragraph 2 of these Proceedings is approved, but the latter clause thereof may run thus " if in his judgment the convenience of the public, &c."

2. The Board will revise the rules accordingly, and submit them for the approval of Government.

3. The Government request that the Draft Act may be submitted without delay.

(True Extract.)

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

To the Board of Revenue.

Exd. S. T. Augustin,

No. 7,804.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th December 1863.

1. The Board observe that the distraint of goods or boat in default of payment of the Toll is left optional by the rule, and the reasons for not making the boat alone primarily liable are that, in the majority of cases, at present the cargo is the property of the boat owner, that in any case the freight includes the toll, so that if the hirer of a boat pays the toll, and deducts it from the freight (as he is of course at liberty to do, the boatman being the party liable to Government for the toll), he will incur no loss, and that the Toll being trifling in amount, it can be realized far more readily and conveniently by sale of a portion of the cargo than by sale of the boat.

2. The Board think it desirable that the Superintendent should have power to remove cargo or boats at the expense of the owner, when the public convenience requires, and they suggest the following addition to the concluding Rule for the guidance of the Toll Superintendent :—

"The Toll Superintendent shall be competent to remove goods from the Wharf, or boats "from the Basin at the cost of the owners, at any time after the expiration of 24 hours from hour "of arrival at the Basin, if the convenience of the public so require, and to recover the expenses "of so doing, by distraint and sale of the boat or goods, as the case may be."

(A true Extract.)

Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.

Copy to G. Danbury, Esq., Acting Collector of Madras,
with 4 spare copies of Government Order.

Exd. J. Wright.

21st Novr 1863 Nr 269/270

Revr 1863. Department.
Pro: of Govt For 6 Janry/64.

No. 3072.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 11th December 1863.

Copies 12
Rule 15

No. 7,804.

From Board of Revr
of 15 Decr/63 C No 3,022
& 3016.

Suggesting an addition to the concluding Rule for the guidance of the Toll Superintendent at the Basin.

No 97. 16 Janry.

To Act as an order

Nr 97.

The Government are still of opinion that the Rule should be so framed that either boat or cargo may be made primarily liable for the Toll. The addition suggested in para 2 of these Proceedings is approved - but the latter clause thereof may run thus "if in his judgment the convenience of the public &c.

The Board will revise the rules accordingly, and submit them for the approval of Government.

The Government request that the Draft Act may be submitted without delay.

Govt Nos 97 & 98 16 Janry 1864

14 Board of Revenue Dept Pro 16 Janry

I. D. L.

1884/189.

28 Janry/64 R 8 Regd