M.R.O. 1—39,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No.	1595	Press ~~Mis.~~
182-83 Dated	8 — 6 —	N. 1868

Not to be folded or roughly handled

No. 182. Read the following Proceedings of the Board of Revenue, dated 23rd May 1868, No. 3,817.

Read the following letter from the Collector of Sea Customs, to the Secretary to the Board of Revenue, dated Madras, 21st April 1868, No. 468 :—

Letter to Chamber,	No. 291,	dated	7th	March	1868.
To do.	„ 343, of		17th	„	„
From do.			20th	„	„
To do.	„ 363, of		20th	„	„
From do.			31st	„	„
To do.	„ 419, of		1st	April	„
From do.			17th	„	„

1. In forwarding copies of the correspondence, marginally noted, with the Chamber of Commerce, regarding the building of a weighing shed and provision of weighing-machines, &c., in the enclosure for iron, which is now finished, I have the honor to report to the Board that my letter to the Chamber, dated 7th November 1867, No. 1,181, was sent after a personal interview I had with the Honorable Mr. Brown, in consequence of the Chamber's letter of November 5th, when it was arranged between us what share of the expenses should be paid by Government and the Chamber respectively.

See Procs. of Govt. of November 23rd, 1867.

See Procs. of Govt. of November 23rd, 1867.

2. The Chamber think that I must have misunderstood the tenor of the final agreement made by the Honorable Mr. Brown and myself; but even supposing I had done so, which I do not allow, I submit that the Chamber were bound, on receipt of my letter of November 7th, No. 1,181, and the copy of my letter to the Board of same date, sent therewith, at once to have intimated to me, or the Board, that they did not agree to the provisions of paragraph 5 of my letter to the Board.

3. With reference to the remark of the Chamber in paragraph 2 of their letter of April 17th, 1868, that the erection of a weighing shed and provision of scales is necessarily incidental to the collection of duty, I beg to inform the Board that the operation of weighing is performed solely because each ship is bound to deliver a certain weight to each consignee. It has nothing whatever to do with the collection of duty, and is totally unnecessary as far as the Custom-house is concerned.

4. In paragraph 2 of the Chamber's letter of March 20th, they say the provision of weighing-machines can be left to consignees; but I confess I do not see how, or why, consignees should provide them. The carrier who has to deliver the iron is, I believe, the person liable for correct delivery.

5. As I am at a loss how to act regarding the shed and machines, and how, or by whom they are to be provided, I request the Board will be good enough to favor me with their instructions in the matter.

6. My own opinion is that a notice should be put in the Gazette, and also posted at the Custom-house, that, on the 15th of May, all iron will be ordered to be taken into the new enclosure, and consignees must make their own arrangements with Commanders and Ships' Agents for weighing and removing it. That a Custom-house officer will be stationed at the west gate to pass out iron, and that godown rent will be charged on all iron not passed out within certain dates under the same rules as at present in force in the Custom-house.

From the Collector of Sea Customs, to the Chairman of the Chamber of Commerce, dated Madras, 7th March 1868, No. 291.

1. Adverting to my letter to the Chamber, No. 1,181, of the 7th November last, and paragraph 5 of my letter to the Board of the same date, No. 1,178, (of which copy was sent therewith,) I have the honor to request the Chamber will be good enough to make arrangements to have a weighing shed built in the enclosure, which will be completed within a fortnight. I would suggest a corrugated iron-roofing shed be used, which can be soon put up, and that it be placed in the north-west corner of the enclosure, between the pass-gate and the north wall. The pass-gate keeper can then sit in the corner of the open shed next the gate to check the deliveries.

See paragraph 5 of my letter to the Board.

2. The Chamber will also be good enough to provide the necessary weighing-machines. A few Custom-house machines may be temporarily used till the Chamber are able to provide their own.

3. I will give the necessary orders that all iron should be brought into the enclosure by the east gate, and a Custom-house officer will be deputed to pass iron through the west gate.

From the Collector of Sea Customs, to the Chairman of the Chamber of Commerce, dated Madras, 17th March 1868, No. 343.

I have the honor to call the Chamber's attention to my letter, No. 291, of the 7th instant, and to request that early steps may be taken to have the roofing, &c., put up, as the enclosure is rapidly approaching completion.

From the Secretary to the Chamber of Commerce, to the Collector of Sea Customs, dated Madras, 20th March 1868.

1. I am directed to acknowledge receipt of your letters to the Chamber, dated 7th and 17th instant, calling upon that body to make arrangements for having a weighing shed built in the enclosure now being constructed on the beach for the reception of iron, and for providing the necessary weighing-machines within such shed.

2. In reply, I beg to say, that the Chamber do not consider it necessary that they should erect scales in the enclosure referred to. This can be left to consignees, who will have to weigh the iron for distribution in cases where more than one parcel is received in a ship. I am directed to thank you for the offer of the Custom-house scales temporarily, and to inquire whether you would be disposed to allow such as are found to be required, to remain permanently, and to be used when necessary, on payment of a fee.

From the Collector of Sea Customs, to the Secretary to the Chamber of Commerce, dated Madras, 20th March 1868, No. 363.

1. I have the honor to acknowledge the receipt of your letter of to-day, and with reference thereto, beg to refer the Chamber to my letter to their address, No. 1,181, of the 7th November last, forwarding copy of my letter to the Board of Revenue, dated 7th idem, on the subject of passing iron from the beach, and beg to draw the Chamber's attention to paragraph 5, in which I reported to the Board that the Chamber had "consented to build a weighing shed in the enclosure, and to provide weighing-machines; also to take charge of, sort, weigh, and deliver iron."

2. The offer of the use of the Custom-house scales in my letter of the 7th instant, was only intended as a temporary measure, until the Chamber could supply their own.

From the Secretary to the Chamber of Commerce, to the Collector of Sea Customs, dated Madras, 31st March 1868.

I am directed to acknowledge receipt of your letter under date the 20th instant, relative to the weighing shed and scales that you wish the Chamber to provide in the enclosure you have been so good as to make on the beach for the reception of iron. The Chamber have referred to your letter to the Board of Revenue, dated 7th November last, and observe that you then reported that the Chamber had "consented to build a weighing shed in the enclosure, and to provide "weighing-machines, also to take charge of, sort, weigh, and deliver iron, &c., on condition "that a Custom-house officer should pass all articles through the delivery gate." The Chamber submit that you inadvertently mis-reported their wishes to the Board; for, in the Chairman's letter of the 2nd October, he remarked that "the Chamber do not wish that Government should "be put to any expense, which ought not in justice to devolve upon it, and they suggest that the "trifling cost of enclosing a place on the beach appropriated for receiving iron, when landed, "should be borne by Government, the cost of weighing and sorting being, as at present, borne "by consignees."

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8th June 1868.

2. Again, on the 5th November, he wrote: "The place to be enclosed at the expense of "the Custom-house, and godown-rent to be levied by the Custom-house, as at present, on all "iron kept beyond the period allowed for free storage."

3. These seem to be the only allusions of the Chamber to the subject. The Chamber never contemplated incurring the expense of supplying the requisite fittings for a part of the Custom-house premises, nor have they funds available for such a purpose.

From the Collector of Sea Customs, to the Chairman of the Chamber of Commerce, dated 1st April 1868, No. 419.

1. Your Secretary's letter of yesterday.

2. I have the honor to inform the Chamber that it was after the receipt of their letter of the 5th November last, that I had a personal interview with their then Chairman, the Honorable Mr. Brown, and it was agreed between us that the Chamber should build a weighing shed in the enclosure and provide weighing-machines, also take charge of, sort, weigh, and deliver iron. I thereupon addressed the Board of Revenue on the 7th November, and a copy of my letter was sent to the Chamber on the same day, for the express purpose of shewing the Chamber under what conditions I had agreed to recommend to the Board of Revenue the building of a wall; namely, that a Custom-house officer would pass iron through the delivery gate, and collect godown-rent, and the Chamber would provide a weighing shed, &c. If the Chamber as a body did not agree to these terms, it should have at once been notified to me, at all events, before the enclosure was commenced.

3. If the Chamber still decline to carry out their portion of the agreement, I shall be obliged to report the entire matter to the Board of Revenue for their instructions, as I am at a loss how to act. The Government share of the contract has been carried out, but I do not understand by whom the weighing-machines and shed are to be provided.

4. I expect the yard to be handed over by the Public Works Department in a few days, and as soon as I receive it, iron will be taken in there, instead of into the Custom-house. I have, therefore, to request that provision may be made, at once, to remove it by the Chamber or Trade; but the Custom-house weighing-machines can only be lent for a short time, and to parties who will be responsible for the safe custody and repair, if damaged.

From the Secretary to the Chamber of Commerce, to the Collector of Sea Customs, dated Madras, 17th April 1868.

1. In reply to your letter of the 1st instant, addressed to the Chairman, I am directed to state that the Chamber cannot but apprehend that you have misunderstood the nature of Mr. Brown's conversation with you relative to the weighing shed, scales, &c., as the Chamber are assured that he was personally strongly opposed to the cost thereof being borne by the Mercantile community. Moreover, it is difficult to imagine that the late Chairman pledged the Chamber to incurring such expenditure, without having previously assured himself that the Chamber approved of his so doing.

2. Perhaps, therefore, as there has been some misunderstanding in the matter, you will be so good as to submit the correspondence on the subject as you propose, to the Board of Revenue, with the request of this Chamber that the Board will sanction the outlay requisite for shed and scales, as a charge that is necessarily incidental to the collection of the revenue from the sea customs.

3. The Chamber regret that, through some inadvertence, the copy of your letter to the Board of the 7th November last, which you placed before the Chamber, was not immediately replied to, and the erroneous impression you had formed of the Chamber's wishes pointed out.

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1. With the foregoing letter the Collector of Sea Customs forwards, for the consideration of the Board, copies of correspondence which has passed between himself and the Chamber of Commerce, regarding the erection of a shed and the provision of weighing-machines in the enclosure recently completed, in accordance with the sanction conveyed in Government Order, dated 23rd November 1867, No. 2,778.

2. In the Collector's letter, dated 7th November 1867, he stated that the Chamber of Commerce had consented to build a weighing shed, and to provide weighing-machines, and this letter was embodied in the Proceedings of Government which sanctioned the formation of the enclosure; such sanction being evidently accorded on the understanding that the expense of erecting the shed, &c., should be borne by the Chamber, or at least should not fall on Government.

3. It appears, now, that Mr. Blair's statement was made on the strength of a conversation with the Honorable Mr. Brown, who was at the time Chairman of the Chamber of Commerce, and any such intention of erecting a shed, or providing weighing-machines, is disavowed in the letter from the Secretary, (Chamber of Commerce,) dated 31st March 1868.

4. There appears to have been some misunderstanding in the matter; but in any case, it is quite clear that Government cannot be expected to do more than has been already done.

5. The enclosure has been provided solely for the convenience of the mercantile community, and the erection of a shed, and other incidental expenses, clearly should be borne by those for whose benefit the work already done has been effected.

6. The Board observe a variation in the proposals which appear in the letters of the Chamber's Secretary, dated respectively, 20th March 1868, and 17th April.

7. In the former it is said that the erection of the shed and the provision of weighing-machines should be undertaken by the consignees, while in paragraph 2 of the latter, a hope is expressed that the Board will sanction the outlay necessary for the provision of these things, "as a charge necessarily incidental to the collection of revenue."

8. But the Board must remark that it is precisely on the ground that weighing-machines are not necessary for the collection of customs on the articles which will be stored in the enclosure, that they cannot undertake to provide either the shed or machines.

9. The only articles which will be placed in the enclosure are machinery, which is free, and iron, on which duty is levied according to invoice weight, and, therefore, weighing-machines are in no way required by the Custom-House authorities.

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10. It was originally proposed that those who made use of this enclosure, should pay godown-rent while their property remained there: and the Board in their Proceedings* requesting the sanction of Government for the scheme, while stating their objection to this, at the same time waived such objection.

* Board's Proceedings, dated 13th November 1867, No. 7,390, paragraph 8.

11. They are, however, of opinion that it will be better not to charge rent, but rather (in order to prevent articles from remaining an inordinate length of time) to inflict a daily fine on such as are not removed after a stated period.

12. The notification proposed by the Collector should also be worded so as not to compel importers to send articles into the enclosure. A direct pass on the invoice should be given, leaving those who wish to use the place of storage, at liberty to do so or not as they please.

13. With regard to the shed, &c., the Board do not see that the Collector need move further in the matter. Those who require the machines will, doubtless, soon provide them.

14. A copy of these Proceedings will be submitted for the information of Government.

No. 183. ORDER THEREON, 8th June 1868, No. 1,595.

Miscellaneous.

Ordered to be recorded.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

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Rev - 1868. Department
Pro: of Gain for June

No. 1913.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 23rd May 1868.

Dep Secy
Rev Dept

No. 3,817.

Passing orders on letter from Collector of Sea Customs bringing to notice that Chamber of Commerce decline to erect a shed and provide weighing Machines in enclosure for iron recently completed on beach, and requesting instructions in the matter.

A. 182 & 183

No. 1595

RECORDED

8th June/68