M.R..O. 1—89,000—16-10-39.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No.	2531	Press Mis.
Dated	1 — 9 —	19 1869

Not to be folded or roughly handled

No. 134. Read the following letter from the Officiating Secretary to the Government of India, Financial Department, (Separate Revenue, Post Office,) to the Acting Secretary to the Government of Madras, dated Simla, 19th August 1869, No. 2,689 :—

In reply to your No. 1,499, dated 27th May, I am directed to forward, for the information of the Government of Madras, copy of a report by the Director General of the Post Office, No. 1,533, dated the 22nd July 1869, and of a Separate Revenue Despatch, addressed by the Governor General in Council, to the Secretary of State, No. 14 of this date, from which it will be found that the general question raised by your letter has been referred for the instructions of the Home Government.

2. Meanwhile, the Government of India concur with the Director General of the Post Office in thinking that the importation by post of articles from foreign Settlements in India should be checked in the manner suggested in his 11th paragraph.

3. His Excellency in Council also thinks with Mr. Monteath (paragraph 5) that the *confiscation* of the jewelry referred to in the correspondence, was a harsh measure, and I am desired to suggest that it be restored upon payment of the duty only.

4. The transmission of Opium by post will be at once forbidden, as suggested in Mr. Monteath's 12th paragraph.

Copy of this letter and of the despatch referred to in paragraph 1, forwarded to the Director General of the Post Office, in reply to his No. 1,533, dated 22nd July. Mr. Monteath is requested to submit, for approval, a Notification forbidding the transmission of Opium by post, except on account of the Government, on pain of its being confiscated as contraband.

No. 135. Order thereon, 7th September 1869, No. 2,531.

Separate Revenue, No. 2.

Customs.

Communicated to the Board of Revenue for information and guidance.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bentleman.

GOVERNMENT OF INDIA
REVENUE.
THE BOARD OF REVENUE
Fort St. George, the 30th March 1869.
To
C. G. Master, Esq.
Secretary to Government,
Fort St. George.
SECRETARIAT
No. 1869.

No. 1533

From

A. M. Monteath Esquire
Director General of the
Post Office of India.

To.

R. B. Chapman, Esquire
Offg. Secy. to the Govt. of India
Financial Department.
Simla, the 22d July 1869

Sir

In returning the original papers received with your letter No. 1118 dated the 22d June, I have the honor to submit the following remarks relative to Customs duty on articles transmitted by post.-

2 The letter from the Government of the Fort Saint George refers to the importation of jewelry from England "by the Pattern Post" but so far as I can judge from the enclosure of the letter referred to, the jewelry in question appears to have been imported not by the Pattern Post

* See paragraph 5 of Sea Customs Collectors letter to the Board of 30th March also his letter of the 8th March (paragraph 9)

Post but by the Letter Post. In a report received by me from the Post Master General of Madras relative to these very cases, it is specifically stated that all the dutiable articles found in the mails were received by "Letter Post" and it is added that although the Pattern Post Mail was examined and a few packets detained for scrutiny nothing subject to duty was found in them. Indeed, it is very unlikely that jewelry will ever be imported by Pattern Post, for Pattern Post Packets must be open at the ends in such a way as to display the nature of the contents, and such a mode of packing would be quite inconsistent with the safe transmission of such articles as come under the designation of jewelry. Apart altogether from the risk of abstraction attending the transmission of such articles in open packets there would be an obviously great risk of damage owing to the absence of proper protection from rough usage, damp &c. &c.

3. I conclude therefore that the Madras Government has been misled into an error by the use on the part of the Customs Authorities of the term "Parcel" instead of "Letter." There is no Parcel Post properly so called between England and India, the appropriate term being either "Letter" or "Packet," the former being closed and the latter open. This point on which the Madras Government would seem to be misled is one of some importance, for as regards the remedy it is a very different thing to have to deal with closed letters and with open packets.

4 In the following remarks I shall first refer to the question of the importation of jewelry from foreign Countries by sea through the Letter Post, taking up the other questions separately.

5. I believe that as respects the Letter Post it has been found in other countries practically expedient

expedient to waive the claim of customs duty on articles imported. This I think may partly be inferred from the special exceptions to which attention is drawn in the British Postal Guide.

Prussia apparently while attempting

* Prussia and the German Postal Union generally 140 According to the Regulations of the German Postal Union, no letter exceeding 50 grammes (a little more than 1½ oz) in weight, and containing any other enclosure than paper, can be allowed to circulate by the post. Any letters therefore forwarded in the Mail to Prussia above that weight and containing any other enclosure than paper will be liable, on their arrival at the Prussian frontier, to be stopped, and sent to the Custom House for delivery as "freight."

Transmission of Jewelry &c. to Spain Turkey & Costa Rica - 141 The laws of Spain forbid the transmission by the post within that Country of letters or other packets containing watches, jewelry or other articles of value, which are liable to Customs duties. Any such packets therefore which may be forwarded in the Mails to Spain will not be delivered, but will be sent back from the frontier. A similar prohibition, on pain of forfeiture, is placed upon the transmission of diamonds and other jewels to the Turkish Empire, and of money and jewelry to the republic of Costa Rica.-

no interference with the contents of letters not exceeding 50 grammes (a little more than 1½ azs) in weight delivers as freight through the Customs House any letters exceeding that weight which contain any enclosure other than paper. Spain, Turkey and Costa Rica on the other hand prohibit the importation by Post of Jewelry &c. on which Customs Duty is chargeable, the first mentioned country sending back such covers from the frontier, and the two last mentioned countries regarding them as liable to forfeiture. The Government has in the recent cases at Madras acted on the rule adopted by Turkey and Costa Rica" and I have no doubt that when Her Majesty's Post Master General hears of these proceedings he will consider it proper to review the public

in England to the effect that British India rises results in this matter on the same category with "Turkey and Costa Rica". I may here note that whatever may be the legal correctness of the proceedings of the Madras Government, I cannot but think that the confiscation of the Jewellery addressed to the Madras Treasury and that a strong protest might be grounded by them on the fact that the traders in England who sent the Jewellery were probably misled by the British Postal Guide which, while pointing out the financial practice of "Turkey and Costa Rica", left it reasonably to be inferred that British India did not rank with them. That treaties in

that hitherto the Government of India has practically followed, which I understand to be the general usage of other countries, and has not attempted to enforce a Claim to Customs duty on articles imported by Letter Post &c. I would strongly advise that before proceeding to introduce a new practice the Government should make full enquiry, as to the precise manner in which the question is viewed and dealt with in England and in Europe generally - supposing it to be decided that Customs duty is not to be waived on Letter Post importations it will I think be necessary to follow out one other of the courses mentioned below viz -

(1) To let it be widely known that not only in India but in places

abroad that jewelry and other articles on which Customs duty is chargeable should not be sent to India by post on pain of forfeiture. It will also be necessary (although a most difficult matter) to arrange some system of detection. As the Government is aware the Letter Mails from Europe are now landed at Aden and that the mail packets made up at Aden are forwarded inland overland being opened at Bombay. It would probably be necessary therefore either to cause the detention of suspicious letters and the subsequent proceedings to the Postmasters or Deputy Postmasters of Mofussil Stations (which to my

to be liable to grave objection) or to abolish Sea sorting and let the Customs Officer at Bombay examine the mails making special provision by legal enactment for his taking the needful steps regarding them, instead of forwarding them to the station of address to be dealt with under Section 60 of the Post Office Act.

(2) It might be possible in stead of prohibiting the importation of such articles by post to arrange some system for the collection of Customs duty thereon. The papers forwarded show that the Madras Board of Revenue made enquiry on this point (paragraph 3 of Proceedings dated the 24th March No. 205 but the result is not stated. Bar-

even under such a system there would have to be arrangements (as in the preceding alternative) for the detection of attempts at evasion.—

7. To my mind the subject is beset by so many difficulties and objections that I should hesitate to propose anything without full information as to the practice followed in England and other European Countries and respecting the results of the consideration which a subject of such importance has probably long since had from the Post Office authorities at Home. It may seem easy to make a few occasional examinations of the mails at a Sea Port town like Marseilles where there is a Sea-Customs Officer at hand but the case is very different in regard to the numerous inland stations at which Overland letters are delivered.

8. I now turn to the question of imported "Pattern Packets" I do not gather from the Correspondence that the Pattern Post was the means through which any of the particular articles referred to were

received and I have already stated that the open style of packing prescribed for such packets makes it extremely improbable that Jewelry or other similar articles would be sent in this way - Since Her Majesty's Postmaster General removed the prohibition against the transmission by Pattern Post of articles of intrinsic value and since still more recently it was authorized by the Convention, there is no doubt that dutiable articles are to a small extent imported - Such articles consist principally of small articles of dress imported by Private individuals. The charge made is 4d per 4 ounces of which 2d belongs to the Indian Post office. If the Government

* vide annexed copy of this office Notice dated the 27th April 1869.

original condition of the Pattern Post containing an absolute prohibition against the transmission of any thing but bonâ fide Patterns or Samples of no intrinsic value the evasion of duty would at once come to an end, for the packets being open and liable to examination there would be the fullest opportunity of detecting any disregard of rules. But this step would in my opinion cause more loss than gain to the Post. An extremely small addition to the Customs Revenue would be confined with a large loss of Postal Revenue, and the withdrawal of a privilege which is highly valued by the numerous European residents throughout India. To get a package from England in any other way than by Post is not so much trouble, so much expense and the intervention of so many

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nearly equal to that practicably the transmission of such packages depends for its existence on the facilities offered by the Post Office. Probably three quarters of the dutiable articles imported by Pattern Post would not be imported at all if the facilities of so importing them were withdrawn.

9. If the Govt. think that the small rate of Postage charged on each packet be an temptation to evade duty i.e. that an Indesman can get goods (of the class to which [illegible]) cheaper by Pattern Post than by Merchantary means of importation, then certainly the Postage rate ought to be increased so as to give no direct inducement of this sort. If transmission by Post is more expensive than transmission by other means it will only be resorted to where there is a real and substantial convenience and the Govt. will be no loser. The Indian rate might for instance be doubled thereby raising the total charge per 4 ounces to 6d.

10. I may mention that the only countries with which Indian exchanges Pattern Packets without charge are

United Kingdom viâ Southampton
British Colonies viâ Southampton
or by Combined Packet
United States of America viâ Southampton

The only other class of imports between which & India exchanges may be stated to be from foreign free Ports in Indian such as Pondicherry. The case

is made somewhat different here owing
to the existence of an Bonyby Post-i-e
or post by which closed parcels can be
forwarded at a rate of charge greatly
less than the Letter Postrate. In this
case there can be no objection to decon-
-tinual proceedings being taken such are
those taken by the Indian Govt.

12. I now proceed to notice the
question of exports by Post. I think I may
assume that the Govt will not intend any
way to interfere by penalties or otherwise
in respect of articles which under stand
from paragraph 4 of the Board's letter to
the Indian Govt dated the 2nd March 1869 that
the extensive smuggling of opium from Indian
there referred to, was carried on by means
of the Post, & the fear expressed by the Board
of such smuggling being facilitated
enhanced by means of "Bottom Packets"

is I think groundless, for I have
already stated that Bottom Packets
must be open or so made as not to
render an examination of the contents
easy. The in Land Bonyby Post may
therefore be used for the conveyance
of opium between places in India, and
I know of one recent case in Bengal
in which an Bonyby Parcel containing
opium was detected and seized.

It might be well therefore to
forbid the transmission of opium by
Post (Inland or Foreign) in any quan-
-tity howsoever small, and to declare
all opium so sent to be contraband.

13. It remains for me now merely
to notice the suggestion of "Publicola" to
which you refer. He suggests that Bottom
Packets should be pierced through. This

system

Dear Sir would obviously not answer
the Color or the Pattern of the Trimming
would be permitted to be sent, and even
in other cases it would be very difficult,
for some articles could not be finished
at all being of hard substance and
others could not be finished without damage.
The Ladies would frequently tender
it objectionable to make up prices
noted on the sample and there render
it worthless.

I have the honor &c.

Postmaster at Hartford

Director General of Post

Office Department.

No 14 of 1869

Government of India

Financial Department

Separate Revenue

Post Office

To

His Grace the Duke of Argyll, K.T.,

Her Majesty's Secretary of State for India,

&c. &c. &c.

Simla, the 19th August 1869.

My Lord Duke,

Our attention has been recently directed to the question of Customs Revenue involved in the presence, in Foreign Countries, of packets of printed papers transmitted from India by Post.

2. We have the honor to enclose to your Grace copy of a Despatch from the Bengal Government, which has recently obtained from the Director of the Post Office.

3. We would point out that the Customs Revenue, levied on the importation of Articles of Haberdashery and

of manufactures, and of articles of jewelry, and that we have little or no doubt that the Customs Revenue secured on articles of all kinds so imported, very far exceeds the entire receipts of the Post Office for their freight.

3. We cannot therefore, at present, any sound grounds for possible policy for this discontinuance, nor reason to allow the unrestricted employment by the Public of the Post for the very convenient purpose of procuring small articles from England and other Foreign Countries from which they would be put to difficult to procure for the delivery through our numerous Offices of small quantities imported by individuals for their own use.

4. Before, however, expressing our opinion we would be glad to have more information on this matter, we request that you may be pleased to furnish us with answers to the following questions.

Have you reason to believe that the Revenue from Customs on articles of small value sent by Post from abroad is paid by the receivers?

Do you think that it would be difficult to prevent the delivery through the Post Office of articles imported by individuals for their own use?

Before, however, expressing our opinion we would be glad to have more information on this matter, we request that you may be pleased to furnish us with answers to the following questions.

Have you reason to believe that the Revenue from Customs on articles of small value sent by Post from abroad is paid by the receivers?

Do you think that it would be difficult to prevent the delivery through the Post Office of articles imported by individuals for their own use?

from which those countries, with one notable tariff resembling in character that of British India, have no intercourse, deemed it expedient to allow the free importation of such articles as can be conveyed by Post either absolutely or, as in the case of Prussia, below a low maximum weight. The Tariff of Great Britain provides, see below, for the duty of forty on any articles which could be imported by Post.

5. We may mention that some objections have been raised to the present system which leads to the numerous Consignments of small articles by Post from Abroad, which are charged upon which traders have been subject to Customs duties. The Chief objections now urged are, that the Customs Revenue is not collected by the Post Office upon the articles so imported, and that the Post Office is thereby put to the trouble and expense of procuring the money from the receivers, which is not too much to expect traders to undertake, and the same

the Packets, so far as the measure might lead to pay such Charges.

I have &c.

(Sd.) Mayo

(Sd.) W.H. Mansfield

(Sd.) H.N. Desmond

(Sd.) H.F. Maine

(Sd.) John Stracky

(Sd.) W.F. Elles

List of Papers.

Letter from the Government of Madras, &c.
No 98 dated the 27th May 1869 Enclosure

Letter to Director General of the Post Office
No 418 dated the 22d June 1869 Enclosure

Letter from Director General of the Post Office
No 633 dated 2d July 1869

Letter to the Government of Madras
No 2869 of this date

Postal Notice

The following Extract from a letter received from Her Majesty's Post Master General (dated the 15th February 1869) is published for general information Viz.

Referring to your letter of the 7th October last, I beg leave to state that the Sample Post to and from India was undoubtedly intended, on the first instance for Patterns Samples only. In the working of the Sample Post great difficulty was experienced in determining whether the contents of Packets which had been posted as Sample Packets, were really intended as Samples or as Consignments of Goods, especially as it would seem that, in regard to India, many Articles really intended as Samples are inevitably of a somewhat bulky

bulky nature, &c. that it was ultimately
Considered expedient, upon the whole,
to discontinue the practice of challenging
Packets of samples to compare them
on the ground of their Contents probably
not being strictly samples, and to
permit any such packets to pass if
they were found not to exceed four pounds
in weight, and not to contain any articles
which would be likely to injure the contents
of the mail bags or the persons of the
Officers of the Department.

Calcutta } /Signed/ H. Ae. Stanbank
the 27th April } Dy: Genl: of the Post Offices
1859 } of India.

/True Copies/

/Signed/ F. H. Ae. Barton

Under Secy to the Govt of India.

15c
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V

General of the Post Office in thinking that the importation by post of [illegible] from foreign settlements in India, should be checked in the manner suggested in his 11th paragraph.

3. His Excellency in Council also thinks with Mr. Monteath (paragraph 5) that the *confiscation* of the jewelry referred to in the correspondence was a harsh measure, and I am desired to suggest that it be restored upon payment of the duty only.

4. The transmission of Opium by post will be at once forbidden, as suggested in Mr. Monteath's 12th paragraph.

I have the honor to be,

Sir,

Your most obedient Servant,

Offg. Secy. to the Govt. of India.

Copy of this letter, and of the despatch referred to in paragraph 1, forwarded to the Director General of the Post Office, in reply to his No. 1533, dated 22nd July. Mr. Monteath is requested to submit for approval a Notification forbidding the transmission of Opium by post, except on account of the Government, on pain of its being confiscated as contraband.

Copy of Conclusion of Govt. of India Letter No. 2537, dated 29th Sept. 1869.

Lord [illegible]