M.R.O. 1—39,000—16-10-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1899 Press Mis.—

Dated 1-12-1820

Not to be folded or roughly handled

No. 10. Read the following Proceedings of the Board of Revenue, dated 3rd November 1870, No. 6,452:—

Read the following letters:—

From Messrs. BINNY & Co., Agents of the British India Steam Navigation Company, (Limited,) to the Acting Secretary to the Board of Revenue, dated Madras, 3rd September 1870.

We have the honour to bring to your notice, that on account of the high surf lately experienced on the coast the Steamer *Satara* was obliged to land about 100 packages of Vizagapatam cargo at Bimlipatam.

2. The Customs Officer, under instructions from the Acting Collector, has refused to allow the Company's Agents at Bimlipatam to take charge of these goods for the purpose of returning them to Vizagapatam. We should be obliged by your kindly informing us under what authority the Collector ordered such detention, as the goods you will observe are free.

3. An early reply will oblige.

From Messrs. BINNY & Co., Agents of the British India Steam Navigation Company, (Limited,) to the Acting Secretary to the Board of Revenue, dated Madras, 6th September 1870.

Referring to our letter of the 3rd instant, we now have the honour to hand you extract of a letter received from Messrs. Hyslop & Co. of Bimlipatam, from which you will see to what great inconvenience and trouble our Agents are being put by the arbitrary regulations of the Acting Collector of the district. We trust that, upon perusing the portion of the letter which we now have the honour to enclose, you will communicate with the Acting Collector, and request him to allow the goods to be delivered to the order of Messrs. Hyslop & Co., Bimlipatam. Please also inform us for what reason, and under what authority, the Acting Collector has seen fit to alter existing arrangements.

Enclosure No. 1.

Extract of a letter from Messrs. Hyslop & Co., Bimlipatam, dated 3rd September 1870.

"The Acting Collector here has reversed all the orders of the Collector of the district, Mr. Minchin, and all goods, on landing, are seized by the Custom-house, and delivered to any one applying for the same, without any reference to us, or delivery orders, or even Bills of Lading. In this case, the goods were landed for us, but Customs Officer positively refuses to deliver to us, and there the goods must remain until we can get delivery from Government. We have handed up this reversal of orders direct to the Chief Secretary to Government, but you will see how mischievous the Acting Collector's new orders are to us. He also positively refuses to grant us receipts, or even respect our lien on the goods as per Section 54 of the Act."

From R. J. MELVILLE, Esq., Acting Collector of Vizagapatam, to the Acting Secretary to the Board of Revenue, dated Vizianagram, 28th September 1870, No. 731.

I HAVE the honour to reply to Board's Proceedings, No. 787, dated September 9th, enclosing a letter* from Messrs. Binny & Co., giving cover to one* from Messrs. Hyslop & Co., the local Agents of the British India Steam Navigation Company. The submission of my reply has been delayed, owing to my having been on circuit at the time of its receipt.

*Both herewith returned.

2. With respect to Messrs. Hyslop's statement, that the Sea Customs Officer, acting by my orders, refused to allow the Agent at Bimlipatam to take charge of goods for Vizagapatam landed at Bimlipatam owing to stress of weather, I have the honour to refer the Board to the report† of the Superintendent of Sea Customs, from which they will see what really took place. While the goods were being landed, the Gumasta of the Agents asked the Superintendent of Sea Customs verbally to make over the goods to the Agents. The Superintendent of Sea Customs replied that the goods might be taken by the Agents as soon as they had been examined, and told the Gumasta to file an application. This the Agents have not done.

†26th September 1870.

* From Steamer Agents to Collector, 1st February 1869.
From Collector to Steamer Agents, 4th February 1869.
From Mr. Coles to Superintendent of Sea Customs, 2nd August 1870.
From Collector to Steamer Agents, 3rd August 1870.
From Steamer Agents to Collector, 4th August 1870.
From Collector to Steamer Agents, 9th August 1870.

3. In order that the Board may be in possession of all facts connected with the matter, I enclose copies* of correspondence which has taken place between myself and Messrs. Hyslop & Co.

4. On my arrival in this district, I found that, on the application of the Agents, Mr. Minchin† had allowed the Agents to land and take charge of all free goods landed from Coasting Steamers. My predecessor was of opinion that there was nothing in the rules for Coasting Steamers then in force to forbid such a course.

†4th February 1869.

5. Subsequent to my predecessor's proceedings of February 1869, the rules for Coasting Steamers now in force were published. The system introduced in February 1869 was no doubt convenient to the Agents, but shortly after my arrival, it came to my knowledge that it was a cause of great complaint among the general public, owing to the high charges for landing and godown rent made by the Agents. As, however, no complaint was made to me officially, I made no alteration in the system I found in force.

6. In August 1870, I received, through the Sea Custom Superintendent, an application from a Mr. Coles to have some cases, consigned to him, taken to the Custom-house, instead of to the Agents' godowns. I considered that Mr. Coles had, under the rules sanctioned by Government in April 20th, 1869, the right to make

Proceedings of the Madras Government, Revenue Department,
1st December 1870.

the application, and wrote accordingly to the Sea Customs Superintendent and to the Agents. In my letter‡ to the latter, I pointed out to them that my predecessor had sanctioned the introduction of the existing system for their convenience on their application, and that the interests of the public should be respected.

‡ 3rd August 1870.

7. In the latter part of their reply§ to this letter, Messrs. Hyslop & Co. requested me to point out the course I should wish to be pursued. I then wrote‖ to them stating that, in my opinion, the best plan was to give effect to the rules of April 1869, and that I intended doing so. Orders to this effect were issued to the Sea Customs Officers, and the system has been in force since that time.

§ 4th August 1870.
‖ 9th ,, ,,

8. Under the former system, the charges for landing were very high, *e.g.*, the charge for a cargo-boat, in ordinary weather, is 1 Rupee. I have myself been charged by the Agents 6 Annas for landing a four-dozen case, twenty of which would hardly make up a boat-load. The Agents were further in the habit of charging godown rent from the day of landing at a very high rate, and as no notice was given to the consignees of the landing of the goods, they were, in some instances, unaware of the fact till the arrival of the Bill of Lading, an interval of four days to a week. Had the goods been sent to the Custom-house, notice would have been sent to the consignees, and no godown rent would have been chargeable till after the expiration of three days.

9. Complaints have been made, to my knowledge, to the Company's Agents in Madras and to the chief Agents in Calcutta on both these points, but naturally the Company found it cheaper to make the public pay their Agents than to pay them themselves.

ENCLOSURE No. 1.

From the Sea Custom Superintendent, to the Officiating Collector of Vizagapatam, dated Bimlipatam, 26th September 1870.

I beg to reply to your Proceedings, No. 1,019, of the 20th instant. A portion of the Vizagapatam cargo was landed from the Steamer *Satara*, which touched at this Port on the 2nd instant. The Agent's Writer having intimated to me, while the goods were being landed, that the Agent ordered the cargo to be carried to his godowns as soon as landed, I told him that it could be taken when the whole of the cargo had been examined, and requested him to file an application. This has not been done. I do not know why. I have immediately passed Mr. Woodroffe's goods, as he wrote to me to deliver them to the Agent, and a package marked B.R., as the Agent has presented an application for it. The Agent has not applied for any other goods, nor did I object to their passing. It has been customary here to pass goods bound to other Ports, but landed here on the application of the Agents. The Vizagapatam cargo has been released on application made by the consignees after notice of the same had been given to the Agent in each case. There are only the following cases of the Vizagapatam cargo remaining in the office for a long time, and I have already reminded Mr. Bellis of Messrs. Hyslop & Co., in the presence of the Master Attendant, that the goods had not been cleared off. I have again this day called on them to apply for and clear them :—

E.B., Vizagapatam, 10 cases.
Mess 2nd Regiment, 25 packages.

I therefore beg to bring these circumstances to your notice, and submit herewith eight applications and papers for perusal and return. I think Mr. Hyslop was offended at my carrying out your orders, directing me not to permit the carriage of all landed goods to his godowns as usual hitherto, but I beg your honour will consider that no obstruction whatever has been caused by me to the Company's transactions here.

(True Translation.)

(Signed) R. J. MELVILLE,
Officiating Collector.

Enclosure No. 2.—Copies of correspondence between the Collector and Messrs. Hyslop & Co.

Enclosures Nos. 3 and 4.—Letters from Messrs. Binny & Co., dated 3rd and 6th September 1870.

From the Acting Collector of Vizagapatam, to the Acting Secretary to the Board of Revenue, dated Vizianagram, 6th October 1870, No. 743.

In reply to the Board's Miscellaneous Proceedings, No. 972, of the 23rd ultimo, communicating Government Order, dated 16th September 1870, No. 1,468, for report, I have the honour to refer the Board to my letter, No. 731, of the 28th ultimo. The enclosure of the Proceedings under reply is returned.

Enclosure No. 1.—Copy of Correspondence.

The Agents of the British India Steam Navigation Company at Bimlipatam make three complaints against the proceedings of the Collector of Vizagapatam.

2. The first is, that on one occasion, in August, when goods consigned to Vizagapatam were landed through stress of weather at Bimlipatam, he refused to allow the Agents to take charge of them. This, it appears, was not the case. The goods would have been delivered to the Agents, if they had filed an application for them, and they were told to do so.

3. The second complaint is, that goods landed by the Agents are given up to consignees by the Customs Officers without respect to the Agents' lien for landing charges. In this the Collector is in error. He seems to have overlooked Act XVII. of 1869, and the Government Notification under Section 1.

4. The third complaint is, that free goods are taken to the Custom-house instead of being handed over to the Agents on the beach. The Collector has the power to order this course to be adopted under Section 15 of the rules sanctioned in Government Order, dated 20th April 1869, No. 1,070, and he seems to have done it to protect consignees against the extravagant charges made by the Agents not only for landing the goods but also for godown rent.

5. Looking at the facts disclosed in the papers recorded in Board's Proceedings, dated 19th October 1867, No. 6,836, and in those now before them, the

Board are not prepared to interfere with the Collector in the exercise of his discretion with regard to taking free goods to the Custom-ho use.

6. These Proceedings will be submitted to Government, with reference to Government Order, dated 16th September 1870, No. 1,468.

No. 11. Order thereon, 1st December 1870, No. 1,899.

Separate Revenue, No. 1.
Customs.

The Board's Proceedings are approved.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

the Board of Revenue.
,, Messrs. Hyslop & Co., with reference to their letter to Government, dated 1st September 1870.

Exd. F. R. Bantleman.

Revenue Department

No. 1899.

Proceedings of the Madras Government
Under date the 1st December 1870

Read the following Pro:
of the Bd. of Revenue.-

Passing orders with reference to certain complaints made by Agents against Pro. of Coll.r in regard to Goods landed by Agents of British India Steam Navigation Company at Bimlipatam in Vizagapatam Distt.

} H. E. No. 6,452

The Board's Proceed-
=ings are approved.-

In the Board of Rev: Dept. 2.
with 2 inclo
1 Copy to Messrs. Mayhew & Co
with reference to their letter
to Govt. dated 1st Septr. 1870.--

Govt. of 1870 Proceedings.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated December, 1st.

Recd.

Read.

G. O., 1st December 1870, No. 1,899.

DECEMBER.
Nos. 10-11.

Goods landed by British India Steam Navigation Company at Bimlipatam.—Proceedings Board of Revenue, regarding certain complaints made by the Agents against the Collector's proceedings, approved.