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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	2040	Press
B.P. No.		Mis. ✓
Dated	30. 8. 1976	196

Not to be folded or roughly handled



2040/1
To the Most Noble the Duke of Buck-
ingham and Chandos Governor and President
in Council of Madras

The Petition of C. J. Barter, Merchant,
Tuticorin against the order of the Board of
Revenue hereto annexed and forwarded this
29th day of April 1876.

Sheweth. Firstly, that by the agreement made
between the Right Hon^{ble} the Secy of State for
India in Council on the one part and your Petitioner
on the other part, of which doc^t No 1 is a copy,
your Petitioner is promised and thereby entitled
to 5% disc^t on every entire heap of salt pur-
chased. See Rule 14.

Secondly, that in the five heaps of salt delivered
to Petitioner under the Gov^t rules for the purchase
of salt wholesale, petitioner has received 3 1/2 %
short in weight as compared with the quantity
represented, namely 50 garces. And that on
your Petitioner looking through the Gov^t re-
cords in the Deputy Collector's Office he found
a general deficiency of over 5%.

Thirdly, that doc^t No 2 shows the nature of
my original complaint, that doc^t No 3 shows the
Act^y Collector's recommendation to the Board,
In No 1078 of 1876

and that doct No 1, shows the Board's order thereon.
Fourthly, that no Board having a correct know-
ledge of commercial language and usage could
possibly construe Rule No 11, in Petitioner's a-
greement with the Gov^t, as giving the Board
a right to deliver short weight under any
pretext.

Fifthly, that Petitioner in order to avail him-
self of the credit system is obliged to invest in
14% paper, as the money is at the present
moment worth 12 to 14%.

That consequently your Petitioner seeks
and prays for a just interpretation of the lan-
guage of the Agreement and that the Board
of Revenue's order be overruled and the Act^g
Collector's recommendation be adapted. And
your Petitioner as in duty bound will ever pray.

C. S. Barter

Ms 5586/96

Doct 5881

2040/2

Agreement made the day of
One thousand eight hundred and seventy six Between
The Right Honorable the Secretary of State for
India in Council of the one part and C. S. Barter
of the other part.

The said C. S. Barter, having blank endorsed
and deposited with the Collector of Tinnevely for
the time being, the Securities hereinafter mentioned,
that is to say: for securing the payment by him the
said C. S. Barter 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 C. S. Barter 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 herewith annexed)
or which shall at any time or times be at the de-
bit of the said C. S. Barter 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 de-
posited 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 pro-
vided That the interest which shall accrue
in No 10/8/76

due on the said Securities whilst they remain
in deposit with the Collector of Tinnevely 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 -

Rule 14 attached to the above agreement
stipulates thus, "Depositors purchasing an
entire heap of Salt as it stands, will receive
the usual discount of 5 per cent."

Doc 2
2526/76

Doc No 2
Extract from Petitioner's letter 204/3
to the Sub Collector in charge of Salt
pens Tuticorin, dated 3rd March 1876

"In part V Section II Cl 210 of the standing
orders of the Board of Revenue the atten-
tion of Collectors is drawn to the advisability
of making known the advantage offered to
the Mercantile Community of purchasing
Salt on deposit of Gov^t Securities. My
own experience is the reverse of this.
Firstly, I find that the 5% discount is
more than balanced by deficiency in
weight."

(Sig^d) C. J. Barter

x This is modified by after purchases.

In No 1078 of 76

Doc No 3

Extract from letter
From the A^d Collector Tinnevely. 2040
To the A^d Secretary to the Board of Revenue
Madras.

N^o 169 Tinnevely Wattleup 14th March 1876.

"I think the allowance of 5 per cent already
made, if supplemented as proposed in my
letter N^o 135 dated 29th February 1876 by the av-
erage wastage of a heap will be sufficient con-
cession in favor of wholesale dealers, and that
more than this would be impolitic."

(True copy)

In No 1078 4/76

Rev 3
3526/76

Doc. No 4

Revenue Department

Proceedings of the Board of Revenue
Dated 8th April 1876.

Read letter from the A^d Collector of Tinnevely
dated 29th February 1876. N^o 135 forwarding
for consideration a petition from Mr. Barter
complaining that no allowances made him
for wastage of salt bought by the heap.

The Board are unable to sanction the Collector's
~~proposal~~ proposal -

2. Rule which allows a discount of 5 per cent
was intended to cover wastage. The law does
not permit any excess weight to be given. The
encouragement to wholesale dealers, mainly
in the six months credit granted to depositors
of Government paper during which time a
merchant can turnover his money.

(True extract)

(Signed) E. Gibson

Asst. Secretary

(True copy)

To C. I. Barter Esq for information

A. J. Stuart

A^d Collector

In No 1078 of 1876

Recd 4/96
1526/96

2040/6

Tinnevely
23rd August 1876.

N^o 523

From A. J. Stuart Esq^r
Dy. Collector

To The Secretary to Government
Revenue Department
Coimbatore.

Sir.

* Mr. Barter's petition
and enclosures
returned.

In reply to your official Memorandum
N^o 133 dated 1st August 1876. I have the honor
to state that Mr. Barter was allowed an
opportunity of seeing some of the records in
the Salt Deputy Collector's office, as he was for
some months projecting a proposal for the
manufacture of salt, and applied to me to give
him information that would assist him.
I thought it proper and in the interests of
Government to give him all the assistance
he required, with reference to the object then
before me. It turned out that information
so acquired was used in the present case.

2. As regards the 2nd point referred to me,
I have to say that Mr. Barter's application
was made, in the first instance, to me, as
acting Collector, as I thought it necessary to

Recd 5
30/8/76

Submit them with my suggestion to the Board,
I sent Mr. Barter a copy of my letter for his in-
formation, in order that he might see how his
business stood - I did not contemplate
his making any use of my letter -

I have the honor to be
^{Sir}
Your most Obed Servt.
J. M. S.
Collector.

Copy to Mr. Barter

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

11,3526
Rev. 1176, Del.

From. The Dy collector
Sincerely

To. The Secretary to Government
Revenue Department
Chennai

Dated 23rd
Sept 21st } August 1896
Ord 25

Enclosures 5

Ch. 2040, 2041, 2042, 2043, 2044

With order

Attaching the circumstances
under which the order
was allowed accord to the
Record in the Dy collector's
office.

S.M.

C-28 = Aug 176 A 30:00

Ch. 2040
The order is to be made - no party
attending for instance we were present & the
order is to be made in this office -
33-1-28/8
30 August 1896