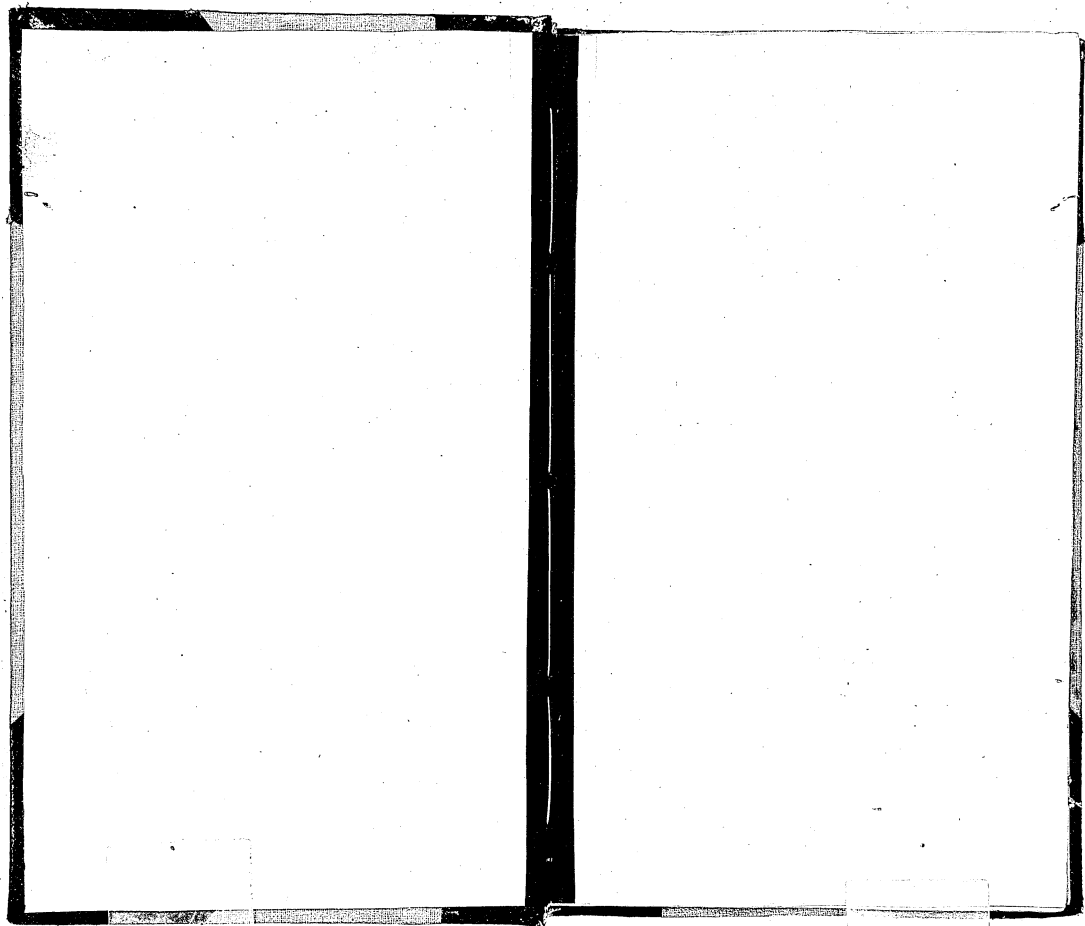
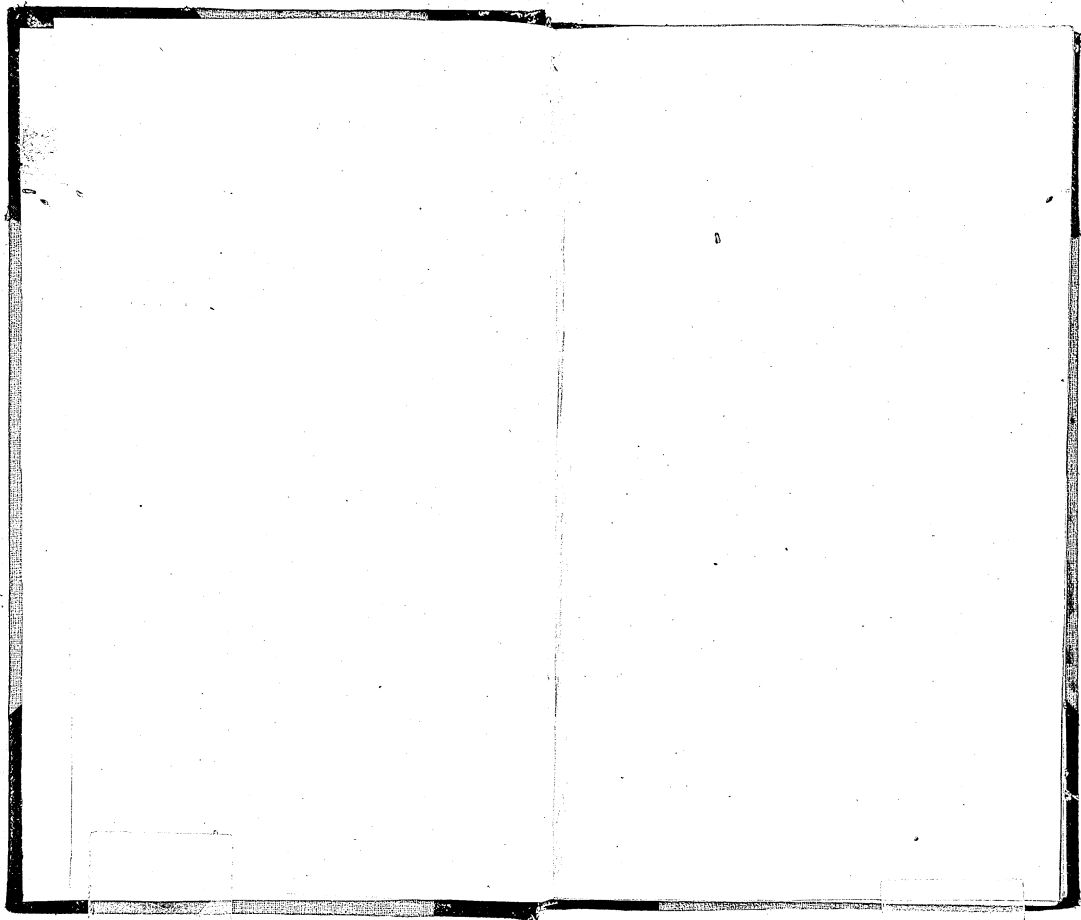


REPORT
OF THE
BENGAL CHAMBER OF COMMERCE

FROM 1ST NOV. 1881 TO 30TH APRIL 1882





REPORT
OF
THE COMMITTEE
OF THE
BENGAL CHAMBER OF COMMERCE.

For the half-year ended 30th April 1882.

58
CALCUTTA:
PRINTED BY THOMAS S. SMITH, CITY PRESS,
12, BENTINCK STREET.

1882.

REPORT
OF
THE COMMITTEE
OF THE
BENGAL CHAMBER OF COMMERCE.

For the half-year ended 30th April 1882.

58
CALCUTTA:
PRINTED BY THOMAS S. SMITH, CITY PRESS,
12, BENTINCK STREET.
1882.

INDEX TO THE REPORT.

SUBJECTS:	Page.
Public Address to Her Majesty the Queen Empress, on the occasion of the attempt on Her Majesty's Life ...	1
Tarewell Address to the Hon'ble Sir Ashley Eden...	3
Summary of Financial Statement for 1892-93 ...	12
The License Tax ...	18
The East Indian Railway Company ...	21
Railway Communication between Calcutta and Nagpore and intermediate places ...	34
Proposed construction of Wet Docks at Diamond Harbour ...	46
Ditto ditto of a Tea Warehouses by the Port Commissioners ...	68
Steam-ship Bills of Lading from Calcutta for London and Liverpool ...	71
Registration of Partnerships ...	112
Proposed Abolition of Imprisonment for Debt ...	117
Stowage's Bill ...	121
The Indian Merchant Shipping Bill ...	134
The Indian Companies Bill ...	143
Small Cause Courts Bill ...	153
Stamp Duties on Foreign Bills of Lading ...	158
Rules for the Coasting Trade ...	163
Cargo-Rock or Manifest for Coasting Vessels ...	168
Clearance of Salt from Band Goleis ...	203
Reduction of the salaries of Puisne Judges of the High Court...	218
Mail Departure from Calcutta ...	222
Doorga Poojah Holidays ...	226
Mercantile Exchange ...	233
Panama Channel ...	236
Egyptian Tariff and Duties on Indian Produce ...	238
London Corn Trade Association Standard of No. 3 Club, Calcutta Wheat ...	243
Port Rule as to Vessels wrecked, stranded, or sunk within the limits of the Port ...	247
Proposed Port Rule for supply of awnings for protection of European Sailors ...	249
Loss of the "Ellen Stuart" by fire ...	252
Funds of the Chamber ...	257

INDEX TO THE APPENDIX.

SUBJECTS:	Page.
Funds of the Chamber	ii
Tonnage Schedule for the Port of Calcutta	iii
Schedule of Commission Charges	vii
Conversion of Sterling Freight into Indian Currency	x
Members of the Chamber	xi
Rules and Regulations of the Chamber	xii

*Proceedings of the Half-Yearly General Meeting
of the Bengal Chamber of Commerce, held on
Monday the 31st of July 1882.*

ROBERT MILLER, Esq., *President*, in the Chair.

The SECRETARY having read the advertisement calling the meeting, the Chairman delivered the following address :—

GENTLEMEN,—Our meeting to-day is held under unusual circumstances. The report which is now presented to you should have been issued in May, and you should have received it at the hands of the Committee to whose labours we are indebted for its ample contents.

It has most unfortunately happened that, in the course of the last few months, we have lost not only several members of the Committee of last year but also both the President and the Vice-President. Mr. Inglis left us in April, and Mr. Morrison in May, when the present Committee—consisting of Mr. R. Miller, President; Mr. H. Reinhold, Vice-President; Messrs. W. H. Cheetham, T. D. Ralli, D. Cruickshank, and J. Stevenson—were elected. It was found

impossible to get the report ready before the Vice-President's departure, and I am sure you will agree in regretting that fact; not so much the delay in the issue of the report, as the loss of the address in which Mr. Morrison would have reviewed the subjects that have been dealt with in it.

While there are many other matters which may be left to explain themselves, and be taken as finally disposed of, there are others of practical interest, and I would allude as shortly as possible to these only.

The total abolition of the import duties on everything except arms, ammunition, military stores, wines, liquors, spirits, and salt, took the country somewhat by surprise, and public opinion has not as yet satisfied itself that the step was justifiable. How little "protective" in the mischievous sense were the import duties on English yarns and goods may be judged from the very slight difference that the removal of the duty has made in the relative consumption of the Indian-made and of the English article since the latter could be admitted free.

A greater convenience to the limited class who actually import goods is so far the only visible result, and it remains to be seen whether

that alone can justify, or whether the country can afford, the loss of the annual 65 lakhs of revenue which was derived from the lightest and most inoffensive tax in India.

The second feature in the Financial Statement of last spring, to which I would allude, is the reduction of the salt duty, and on this there is a more hopeful prospect of an early and favorable verdict. When the salt duty was reduced from Rs. 2-14 to Rs. 2 per maund, opinions were much divided as to the result. It was thought by many that the reduction of the duty would never reach the consumer in the shape of a reduced price; that a cheapening of cost would not lead to an increased consumption; that a simple loss of revenue would be the only result. There is, however much reason to hope for better things if we may judge from the following figures:—

Salt carried by East Indian Railway from Howrah to Buxar—

During quarter ending	1880.	1881.	1882.
	Mds.	Mds.	Mds.
31st March ...	5,91,205	6,11,985	6,77,358
30th June ...	7,59,280	7,67,066	9,02,103
30th September ...	5,97,236	6,44,484	...
31st December ...	5,50,267	6,95,592	...

Average per quarter from 1st January 1880 to 31st March 1882, 6,54,941 mds.

Average per quarter from 1st April 1880 to 30th June 1882, 6,02,103 mds.

Total weight of salt carried to all stations from Howrah—

During quarter ending	1880.	1881.	1882.
	Mds.	Mds.	Mds.
31st March ...	5,97,493	6,18,552	6,82,789
30th June ...	7,63,421	7,75,819	9,87,017
30th September ...	6,01,613	6,51,554	...
31st December ...	5,57,774	7,03,675	...

Average per quarter from 1st January 1880 to 31st March 1882, 6,61,410 mds.

Average per quarter from 1st April to 30th June 1882, 9,87,017 mds.

Increase since reduction of duty—

To Buxar— against average of same period in 1880 and 1881	... 18%
" against the average of nine previous quarters	... 38%
To all places against average of same period in 1880 and 1881	... 28%
" against the average of nine previous quarters	... 49%

Up to the end of last March the limit of the area of the consumption of English salt lay somewhere between Buxar and Benares; very little English salt was carried higher than Benares. Since the 1st April last, after the reduction of the duty, not only has the quantity of salt carried from Howrah to Buxar and intermediate stations increased by about 38%, but the area of consumption of English salt has greatly extended. The total weight carried from Howrah to Buxar in the three months between 1st April and 30th June last was 33 $\frac{1}{2}$ % in excess of the previous quarter, and 38% in excess of the average of the previous nine quarters. Moreover, instead of finding its limit at Buxar, English salt is now carried even past Jubbulpore on the Great Indian Peninsula Railway.

We have not got any figures of the weight of salt carried out at Calcutta by the Eastern Bengal Railway, nor by boats; but when we see so striking a development of its use along the East Indian Railway route, it is not unreasonable to infer a similar increase elsewhere, and to hope to find the prophecies above mentioned effectually contradicted. If so, the result must be most welcome to every branch of our trade,

The general traffic of the East Indian Railway, besides that in salt, has continued to be watched with great interest by your Committee. It may not be far wrong to take the traffic of that line as a reasonably accurate barometer of the state of the trade of our port, and viewing it from that point there is good reason to be satisfied.

During the six months ending 30th June the total weight of cargo brought into Howrah has been 375,000 tons, showing an increase over the same period in 1881 of some 70,000 tons. In wheat the comparative gain has been 50 per cent., and in oil seeds about 35 per cent.

It is, however, unsatisfactory to us to know that the rate of progress in Bombay has greatly surpassed the progress here; and as we may see from the correspondence in the report now presented, your Committee have watched the subject very jealously. There is one point which I think we may usefully bear in mind while considering the management of the East Indian Railway and the steps taken by it to retain and to develop its traffic, namely, that the interests of the railway and of the port of Calcutta are identical. The railway has no purpose to serve beyond securing its own traffic and profit, and that is equivalent to developing our trade.

The railway is, in fact, far more dependent on Calcutta than Calcutta is on the railway, as the latter would be the first to find out if it ever should mistake its interests.

In this connection a prominent subject of correspondence on the part of the Committee of last year has been the influence on our trade of the new lines through Rajpootna connecting Delhi with Bombay. I cannot think that the result of the ventilation of the subject of the competition between Bombay and Calcutta for the trade of the Delhi country is reassuring to our side.

There can be no question but that the opening of a new trade route from one of our most valuable markets is an unwelcome feature, although it may not be altogether as adverse to us as it looks.

In the early half of 1879, before the Rajpootana route was opened, the average rate on grain from Delhi to Howrah was Rs. 82 per 100 maunds.

The ordinary rate this year has been Rs. 78, showing only 5 per cent. reduction in cost of transport, while the quantity of wheat moved from Delhi towards Calcutta has increased from maunds 90,000 in the first half of 1879 to maunds 110,000 in the corresponding period of this year, or an increase of 20 per cent. This is so far satis-

factory as giving encouragement to a further reduction of rates.

It is in the supply of piece-goods to the Punjab markets that the opening of the Rajpootana lines to Bombay would appear to have had the greatest effect.

The quantity of piece-goods carried *via* the Rajpootana-Malwa Railway in the first six months of this year was 66,000 maunds, and by the same route *via* Delhi to places beyond, about 28,000 maunds against a total sent by Calcutta to Delhi of about 1,20,000 maunds. That is to say, not only has Calcutta lost those markets, scattered throughout Rajpootana, which formerly derived their supplies from Delhi, but also a very large share in the supply of Delhi itself.

So long as the cost of carrying piece-goods from Howrah to Delhi is calculated on the basis of a fair profit on working, I do not see how we can legitimately complain. The contention which has, I believe, been put forward in Bombay that equal mileage rates must in fairness rule on both lines is manifestly untenable, and, as such, is not likely to be admitted by Government; but as matters stand, that is, at an equal gross freight from Bombay to Delhi and from Howrah to Delhi, we see that we have lost 40 per cent. of the Delhi piece-goods trade.

The result to Calcutta of the opening of the Rajpootana route may, therefore, for the present be stated thus:—

It has stimulated the East Indian Railway to give to the population along its system a share in the advantages of its flat road and cheap fuel to which in all justice they are entitled.

It has shown that a moderate reduction, say 5 per cent., has been sufficient to retain for the East Indian Railway a large share in the downward cargo.

It has shown that at an equal charge from Bombay and from Calcutta, respectively, to Delhi, the former can command 60 per cent. of the total supply of piece-goods.

It remains for Calcutta piece-goods importers to see whether the present piece-goods freight charged to them is a fair rate on the basis of a reasonable profit on working, and it is to this point that the attention of your Committee is just now directed.

A still more important development of railways into what Calcutta has hitherto considered its sole domain is now said to be projected, and it seems to me to convey a really serious threat, namely, the proposed extension of the

Great Indian Peninsula Railway from Itarsi to Cawnpore. That would certainly be carrying the war into our camp, and I think it behoves us to watch the progress of events closely. Instead of envying the greater growth of Bombay trade, it might perhaps be more useful to emulate her enterprise and to develop the resources of our own territory. There are many lines of trade in Bengal itself on which it only requires a railway to be laid to command a profitable traffic. That field of enterprise is now open to us, and if availed of is certain to add immensely to the resources of the port. It is, however, of little use to speak of enlarging the volume of trade if the volume is already as large as the space at our disposal enables us to handle. It is a matter of notoriety that the space in the port, especially at Howrah, is so confined, that there is the greatest possible difficulty in carrying on even so much business as exists at present, and if there is to be an increase, it is hard to know how it is to be arranged for.

The deliveries from the Howrah Station alone have lately averaged, I believe, as much as 3,900 tons daily. The river-side is blocked with boats endeavouring to carry away the traffic, and shippers are at their wits' end to escape demurrage from

the railway on the one side and from the ship or steamer on the other. Several proposals with a view to providing greater accommodation for shipping have been on foot, and a reference to the report will show that the subject of the proposal of the Government of India to construct a large Wet Dock at Diamond Harbour occupied last year a large share in the work of your late Committee.

On the engineering features of this proposal the Committee, of course, refrained from an opinion, but it would appear that the conclusion came to by them on the general proposition was in accord with the view taken by the Chamber at large, namely, that the experiment of making a Wet Dock at Diamond Harbour would unsettle our trade and add to the current expenses of working it. In this view there would appear to be general agreement amongst merchants : but the proposal is still in its infancy, and, remembering, as many here must, the strong opposition which existed to the work of the Port Commissioners on the first establishment of that body, I would venture to think we may prudently await a further development of the views of the professional advisers of Government before pronouncing definitely on it, or actively opposing the proposal that has been suggested.

It is possible that a Wet Dock at Diamond Harbour might prove convenient for salt ships to discharge, and for ships and steamers to load cargoes of jute and seeds and wheat; and if the undertaking could be commenced on a small scale and allowed to grow with the development of trade, it is conceivable it may prove the best remedy for our present congestion. It is still in embryo, and in view of the great increase that is yearly being made in the size and capacity of steamers, and of the difficulty of navigating them up to Calcutta, I do not think we should condemn this proposal too hastily.

Still it appears to me that it would be better to make the most of what we have got before venturing on these gigantic engineering feats, and I hope the mercantile community will be made aware, before it is too late, of the decision of Government when one is arrived at, and again have an opportunity of forming an opinion.

There was another important feature in the last Budget statement, which should have notice here, and that is the announcement of the scheme for the issue of Government Stock Notes for small amounts, ranging from Rs. 12-8 to Rs. 100, and bearing interest at 4 per cent per annum.

The chief advantages claimed for the scheme are :—

1. That a considerable issue of the notes would check the increase which is taking place in the amount of remittances to meet interest on sterling and rupee paper held out of India, and eventually diminish the amount of such remittances.

2. That thrift and the accumulation of capital would be encouraged, and a safe investment afforded to the poorer classes.

3. That, to a certain class, namely, to the investors, a direct interest in the stability of the Government would be given.

Having regard to the small proportion of the public debt of India held by natives of the country, some 18·7 per cent. only of the rupee loans,

any practical scheme by which native hoards may be rescued from inutility should meet with support from all who desire the progress of India; and while, on the whole, the plan must command the warm approval of this Chamber, it is very doubtful whether the methods, which, it is reported, are being taken to bring the Stock Notes into the know-

	Crores.
Natives ...	16·30
Europeans in India ...	48·30
London ...	22·12
Total ...	87·32

ledge and use of the people at large are equally well considered. It is to be feared that the plan which is being tried of introducing the notes by offering them at a discount, and of giving a monopoly of sale within certain territorial limits, is calculated to hinder rather than to promote the success of the scheme.

There are many other points which call for remark to-day, but I shall not attempt to do more than mention the most prominent of them,—the re-arrangement of the accommodation at the Jetties. Some time ago we observed in the newspapers a strong appeal from the British Indian Association to the Government against a proposal of the Port Commissioners to erect commodious warehouses on or near the river bank for the storage of inward and export cargo. The protest referred to was mainly on the ground of an undue competition with private enterprise. I think the protest is most groundless and unfair. The trade of this place has increased enormously since the establishment of the Port Commissioners, and it is mainly through that body that this increase has been possible. At the same time little or nothing has been done by private enterprise to give us new or improved godown space. I fail to see by what right owners of private godowns in Calcutta can claim to force the public at large, not only of

Calcutta but of every part of India that trades with Calcutta, to assist in supporting private house-owners here in a monopoly which in reality acts as a tax on the trade of the country; and I hope I am only speaking the opinion of every one here in begging of the Port Commissioners to press forward these proposals for the sanction of Government.

The Calcutta Tonnage Schedule, the Steamer Bill of Lading, arrangements for the Petroleum Trade, the rivalry of Chittagong with Calcutta, the new central Railway station in Calcutta, and the insufficiency of the Pilot Brig establishment, are subjects which it is enough to name as likely to be of interest during the ensuing year.

I have now, gentlemen, to ask you to receive and adopt the report of your late Committee for the last half-year.

Mr. JAMES MURDOCH seconded the adoption of the Report and the motion was carried unanimously.

The admission of Messrs. Hantelmann & Co. as Members of the Chamber, proposed by Messrs. Ernsthausen & Oesterly, was then put to the Meeting, seconded by the Chairman and supported by Mr. W. H. Cheetham, and unanimously agreed to.

Mr. James Murdoch said that he had one remark to make, and that was with reference to the election of Members. The last election showed that in more than one instance, where gentlemen had been asked to serve, they had declined to do so, and yet had been voted for without their assent having been obtained previously. He would suggest that the system which was followed in Bombay be adopted here, namely, that the Committee, at the time they were about to retire, should name those whom they thought would serve on the Committee for the following year, and recommend them to the body of the Chamber, and that the Presidents and the Vice-President be elected as they were at present.

The Chairman remarked that if Mr. Murdoch would submit his proposal in writing, the Committee would give it due consideration and circulate it for the opinions of Members. The suggestion involved an alteration in the rule and practice of the Chamber, and required the sanction of a majority of Members at a Special General Meeting.

The Chairman then brought before the Meeting the question of an Exchange for Calcutta. The Committee were at a loss how to deal with it,

not knowing whether it was one which commanded sufficient public interest; nor did they care to move in the matter of their own accord, unless they were assured of public support. Members were invited to assist the Committee to arrive at a conclusion on the points.

Mr. Murdoch having been asked if he had any remarks to offer on the subject, replied that he had heard no mention of the subject before, and was not then prepared to discuss it.

Mr. Brock stated that from what he had heard merchants in Calcutta were averse to the scheme.

None of the other Members present offering any opinion, the subject was not proceeded with.

The services of the President, Vice-President and Members of the Committee for the past year were cordially acknowledged by a vote of thanks, proposed by Mr. J. Stevenson and unanimously carried.

The Chairman having intimated that there was no other business to submit to the Meeting, the proceedings terminated with a vote of thanks to the Chair.

H. W. I. WOOD,
Secretary.

BENGAL CHAMBER OF COMMERCE.

Report of the Committee for the half-year
ended 30th April 1882.

The Committee submit their Report on the principal subjects which have had their attention during the past half-year :

PUBLIC ADDRESS TO HER MAJESTY THE QUEEN-EMPRESS, ON THE OCCASION OF THE ATTEMPT ON HER MAJESTY'S LIFE.

The Chamber joined heartily in the congratulations which were nowhere more freely than in India tendered to Her Majesty on her escape from the hand of an assassin, and which found partial expression in the following Address :—

To

THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

We, the citizens of Calcutta, desire to approach Your Majesty with our heart-felt congratulations on Your Majesty's recent escape from the hand of an assassin.

Your Majesty has, by great public acts for the welfare of this country, and by a gracious personal interest in its people, united for the first time in their history the many

ances of India in a loyal allegiance to one revered Sovereign. Your Majesty has sent your noble sons, the Princes of England, to visit us, as the natural links between the Ruler and the ruled; and during the recurring seasons of distress which afflict this country, Your Majesty has reached the hearts of Your people by words of unfailing tenderness and by deeds of Royal munificence. While ever ready to sympathise with Your subjects, Your Majesty has also accepted their sympathies in the joys and sorrows of Your exalted life. In the person of Your Majesty, their Queen-Empress, the people of India have long recognised not only a beneficent living influence which binds together, in sentiments of affectionate loyalty, the Eastern with the Western nations of Your subjects; but also the visible type of that auspicious policy which has formed, out of long separated branches of the human family, one august Empire.

It was, therefore, with the deepest sorrow and indignation that the citizens of Calcutta heard that a hand had been raised against a Sovereign whose name, spoken in many tongues, is a word of loving reverence in the homes of so many races. We thank the Common Father, whom the Eastern and the Western nations of Your Majesty's wide dominion equally adore, for shielding Your Majesty from that wicked attempt. And we pray Him to grant to Your Majesty His ever present protection and His perpetual blessing, that so Your Majesty may long continue to guide the destinies and to reign in the hearts of your people.

FAREWELL ADDRESS TO THE HON'BLE SIR ASHLEY EDEN.

On the 22nd April a deputation from the Chamber waited at Belvedere on the Hon'ble Sir Ashley Eden, Lieutenant-Governor of Bengal, to present an Address on the occasion of his retirement from official life in India. The Vice-President, Mr. G. H. Morrison, read the Address:—

To the Hon'ble Sir ASHLEY EDEN, K.C.S.I., C.I.E.,
Lieutenant-Governor of Bengal.

Hon'ble Sir,—The members of the Bengal Chamber of Commerce desire respectfully to convey to your Honor an expression of their very sincere regret upon your retirement from the Lieutenant-Governorship of this Province.

The period during which you have held your high office has happily been one of great prosperity. The rise of the provincial revenue has been rapid and sustained; trade, both internal and external, has developed to a remarkable extent; and whilst the necessities of existence have been cheap to the vast population over which you have ruled, security for life and property has been firmly assured.

If much of these blessings proceeds from the bounteous hand of Nature, much also certainly is due to wise and watchful government. Under your judicious rule, grievances have been promptly redressed, labour has been protected, whilst at the same time capital has been

encouraged; education has been popularised, and every well-considered scheme for developing the resources of the country, or for promoting the good of its inhabitants, has been sure of a favourable reception at your hands.

Amongst the numerous public works which you have initiated, or which owe their inception to your friendly countenance, the extensions of our railway system seem to call for special mention. They are exercising an influence which it is scarcely possible to exaggerate upon the well-being of all classes, and are fortunately proving so remunerative as to render further similar enterprises matters of certainty.

And whilst business-men appreciate keenly the stimulus to their trade which is being given by the lines that are gradually permeating Bengal, and cutting through the barriers which have shut out many a district rich in commercial promise, every worker in this great city must thankfully own the part you have taken in cheapening and accelerating access to the hill sanatorium of Darjeeling.

It is, however, more particularly the province of the Chamber of Commerce to offer to your Honor their grateful acknowledgments for the prompt and courteous consideration which you have invariably accorded to the suggestions and representations which, from time to time, have been placed before you by their Committee.

No subject has appeared too trivial for your attention, and no important question has come back from your scrutiny without being materially advanced towards satis-

factory solution. If any needless restriction has hampered trade, the Chamber have felt sure of your powerful aid in its removal, and you have never failed to give the Chamber the fullest opportunity for submitting their views upon all legislation affecting their interests.

It is to your appreciation of our necessities that the port of Calcutta owes its release from many a burden, and in all the acts of your Government you have shown yourself a true, though discriminating, friend of commerce.

Whilst deploring the loss which we shall suffer in your departure, the members of the Chamber are glad to know that your official connection with this country will not be altogether severed; and they trust that, whether in the Council of the Secretary of State or elsewhere, you may long be willing to apply your administrative talents and ripe experience in advancing the welfare of the Presidency and of this Empire.—We have the honour to be, Sir,—your faithful and obedient servants, For the Bengal Chamber of Commerce,

(Sd.) G. H. Morrison, *Vice-President*; W. H. Cheetham,
T. D. Ralli, Robert Miller, *Members of Com-
mittee*; H. W. I. Wood, *Secretary*.

Mr. Morrison then addressed His Honor as follows:—

In offering this Address for your acceptance, Sir Ashley Eden, we venture to solicit in return one last favor. It is that you will satisfy a hope universally felt by the mem-

bers of the Chamber, and will be induced to give settings for a portrait to be placed in the Chamber's Hall.

It is true that none of us need any painted canvas to keep alive the memory of your acts of kindness to many of us individually, or of your good will to the Chamber; still it will be a satisfaction to be able to leave to those who may come after us some memorial of the Governor who has done much to efface the last vestige of the theory of the "interloper," and who has so consistently shown his appreciation of the truth, that the welfare of this country is closely bound up with the prosperity of our commerce.

His Honor delivered the following reply:—

Gentlemen,—I have listened with peculiar gratification to the Address which you have been good enough to present to me. Among the many kind expressions of esteem and friendship which I have received during the last few days of my sojourn in India, your Address has for me a special interest and significance. I value it not simply as a tribute of regard and friendly feeling from a number of my fellow-citizens, and a flattering testimony to their appreciation of the honesty of my motives and the singleness of my aims; I value it also as a declaration, from those who are specially competent to make it, that I have to some extent succeeded in following that policy with which all sensible Indian statesmen must wish to identify themselves,—the development of the vast natural resources of this wonderful land, the improvement of the

material condition of the people, and the encouragement of thrift, enterprise, and public spirit which the opening up of communications, the circulation of capital, and contact with European skill and European knowledge, cannot fail to promote.

You have been good enough to say that though much of the prosperity which this province has enjoyed during the past few years is due to Nature, much also is due to good government. You must allow me to add that much, too, is due to the excellence of your counsels, which have been freely sought and freely given, and much to the energy and self-reliance which you, and those whom you represent, have brought to bear upon the development of the trade of the province. This uniformity of interest is fortunately now thoroughly understood both by Government and by the commercial community, and the days when all the acts of Government were regarded with suspicion and distrust, and when the merchants considered that their interests could not be protected except by determined opposition to what they looked upon as narrow-minded and meddling officialism, have long passed away. To the Government and the commercial community of the second quarter of the century the condition of affairs that now exists would have been altogether strange. Confidence and friendly interchange of views have taken the place of suspicion and reserve: and both classes feel that, whatever difference of opinion may exist in matters of details, they have the same object in view—the protection of rights, the liberal interpretation of laws, and the development and prosperity of the country.

The record of the progress of Calcutta during the last few years is one of which both you and the Government may well be proud. The trade of the port has shown a wonderful expansion, and the improvements in the aspect of the town and in the facilities for communication, both with the interior and with other countries, have surpassed all anticipation. The value of the sea-borne trade of the port has risen from 56½ to 64½ millions sterling between 1876-77 and 1880-81. The great work done by the Port Commissioners, is seen in the magnificent jetties and spacious warehouses that now cover what a few years ago was an uneven and shelving bank. I have also done my best to contribute to these results by extending railways and improving communications with the interior, and I may mention that I have expended more than 16 lakhs on the improvement of the Calcutta canals. While such great strides have been made in improving the port, the charges on the shipping have decreased. The pilotage fees have been reduced by 15 per cent, the port dues have been reduced from four annas to one anna per ton, and reductions have been made in the landing charges. Meanwhile, new outlets have been found for the surplus produce of this great province. The trade of the Balasore port has seen the enormous increase from 2½ lakhs in 1874-75 to 82½ lakhs in 1880-81, while in the same period the trade of the Cuttack port has risen from 9½ to 26½ lakhs. A prosperous future, too, undoubtedly awaits the eastern ports of Naraingonge and Chittagong. The total sea-borne trade of Chittagong has increased from 5½ lakhs in 1876-77 to 14½ lakhs in 1880-81. Naraingonge was declared a customs port of coasting trade in

February 1879, and the value of the trade in 1880-81 was 40½ lakhs. The rise of these eastern ports is a circumstance which a body so enlightened as yours will not regret. There is ample room for all, and if the construction of railways, and the improvement of communications generally, is vigorously pushed forward, I have little doubt that the trade of all the ports is destined to an increase compared with which the expansion of the past will be considered insignificant.

You have alluded to my efforts to extend the railway system of the country, and to the success that has attended such works as have been undertaken. You are aware that I have never lost an opportunity of urging the claims of Bengal to a large allotment of the funds available for employment on productive public works, or of pointing out the shortsightedness of the policy which places an arbitrary restriction on the expenditure of money on undertakings so fraught with direct and indirect advantages to the country. If the progress of railway construction in Bengal has been comparatively slow, I, at least, am not to blame. I have not only expended all the borrowed capital that has been allotted to me, but have devoted to this object as much of the provincial revenues as the rules would permit me to expend upon it. The results were examined in a review which I have just published of the financial administration of the past five years. After payment of all expenses, both for interest and working, Bengal has now a net profit of over half-a-lakh from her provincial railways, so that the exchequer is actually paid for conferring the immense boon of railway communication

on large tracts of country. I estimate that the three great lines belonging to this Government will, during the current year, give returns, exclusive of interest, varying from 5 to 5·3 per cent. on the capital expended. The rate of interest which Government has to pay for the capital borrowed is only 4 per cent., so that each of these lines will bring in a handsome net revenue to the exchequer; while I need not say that the indirect gain to the revenue, from the enormous advantages which they confer upon the people, will be very much greater. I am satisfied that any line which follows the direction of trade routes in Bengal must make a large profit, and in all interests I hope that the progress of railway development will be much more rapid in the future than it has been in the past. While I hold strongly that the State should not hesitate to borrow money for the construction of lines, which, on careful examination, are found to promise good results, I welcome the policy which calls in private enterprise to assist in the vast task that has still to be accomplished. This agency is now employed upon the construction of the Central Bengal line. I hope it will soon be engaged on the line that is to connect Bengal directly with the Central Provinces system, and to open up to the commerce of the world fertile tracts which have now no outlet for their exuberant produce. I hope that a short time will also see the Assam Valley in railway communication with Bengal, and a project is now before Government for a line from opposite Naraingunge to Chittagong, which appears to promise excellent results.

I thank you specially for the kind way in which you have alluded to my efforts to relieve trade and industry from

needless restrictions. Doubtless, there have been occasions when my views have not coincided with those of the persons interested in particular applications: but I can honestly say that it has been my constant aim and endeavour to leave commerce, as far as possible, free from harassing interference and restrictions, and even to sacrifice what might appear to be the interests of the revenue, where I was satisfied that the gain was counterbalanced by evils resulting from these causes. One of my last acts has been to recommend the entire remission of the extra stamp duty on foreign bills of lading, which was only levied at considerable inconvenience to importers. I must at the same time thank you for having brought to my notice many instances of hardship or of defect in law or practice, which it was both my duty and my pleasure to redress. You have also alluded to the opportunities which I have accorded you of submitting your views upon all proposed legislation affecting your interests. In following this course, however, I have consulted the interests of Government as well as those of the Chamber. I have to thank you for many suggestions which have been of great value in guiding the policy of Government. The object of all legislation must be to supply the legitimate wants of the community, and it must always be good policy, while legislative measures are under consideration, to endeavour to ascertain what those wants really are.

I esteem it a very high compliment that you should have asked me to sit for my portrait in order that it may be hung up in your Chamber, and I gladly consent to do so. Few requests could give me greater satisfaction,

and I shall always reflect with pleasure and pride that you have thus visibly enrolled me among the true friends of commerce.

In taking leave of you, Gentlemen, I again thank you for the liberal counsel and support and the kindly consideration that I have received from you. In the new sphere to which I have been called I shall always watch with pride and interest the progress of this great city. For my successor, I think I can promise you that he will adopt a policy not less liberal than that which I have endeavoured to follow. For you, on the other hand, I think I can promise him that you will always extend to his measures that friendly and enlightened criticism, and that kind and generous support, which you have invariably accorded to mine.

SUMMARY OF FINANCIAL STATEMENT FOR 1882-83.

The Committee are glad to be able to congratulate the Finance Minister on the flourishing state of the revenue, which has enabled him to abolish the import duties on cotton and other manufactures, and materially to reduce, and at the same time to equalize, the import duty on salt. It is generally hoped that the wisdom of the policy pursued in connection with the last

named necessary may be verified by results in the early future.

Major Baring made his Financial Statement in the Legislative Council to-day. Figures in pounds at Rs. 10 the pound. The Accounts for 1880-81 show the following result: Revenue £72,560,000; Expenditure £76,604,000; Deficit £4,044,000. Not result is better than Regular Estimate by £2,175,000. Principal reasons for improvements are: first, £2,695,000 English War contribution credited to 1880-81 instead of £2,000,000, as originally estimated; secondly, £601,000 being Capital Expenditure on Punjab Northern State Railway, transferred from Ordinary to Productive Public Works Account, thus diminishing deficit by that amount; thirdly, winding up of Nizamat Stipend Fund gives an extraordinary receipt of £294,000; fourthly, Land Revenue collections retarded by Census operations less than was expected to the extent of £157,000. Report of Comptroller-General on Accounts of 1880-81 has been published and gives full explanations of differences between Accounts and Regular Estimates. Excluding from the Receipt side of Account English contribution and Ordinary War Receipts, which together amount to £3,298,000, and excluding from Expenditure side of Account the War Expenditure, which, including Frontier Railways, is £13,662,000, the Revenue of 1880-81 is £69,262,000, and the Expenditure £62,042,000; Surplus £7,320,000.

Budget Estimate of 1881-82 was Revenue £70,160,000; Expenditure £69,305,000; Surplus £855,000. Regular Es-

timate is Revenue £72,913,000; Expenditure £71,336,000; Surplus £1,577,000. The Expenditure includes £670,000 repayment to local Governments of contributions made by them to Imperial funds during Afghan war; also £360,000 credited to local Governments in Accounts of year in connection with renewal of provincial contracts. The Budget Estimate provided for £3,000,000, English War contribution being credited to 1881-82. Regular Estimate credits only £2,305,000 to 1881-82, the balance of £695,000 having been credited to 1880-81. Expenditure on War and Frontier Railways during 1881-82 is about £250,000 in excess of amount of English contribution credited to 1881-82, namely, £2,305,000. It is announced that pay of subordinate Native Executive Service will be improved at cost of £50,000 a year. Full explanations are given of terms on which Provincial contracts with the Imperial Government have been renewed. The net result is a loss of £26,000 a year for five years to the Imperial Government. The principal changes are in Bengal and North-Western Provinces. The Bengal contract is revised favorably to the Imperial Government by £213,000 a year. The Patwari cess in the North-Western Provinces will be abolished, and Patwaris in Oudh, now paid by land-owners, will in future be paid by Government. These two measures involve remission of taxation in North-Western Provinces and Oudh to the extent of £316,000 a year, being £156,000 a year in excess of Famine cess imposed in 1878. Measures for further decentralisation by handing over items of Revenue and Expenditure, which are now Provincial to local Boards and Committees, and thus promoting local self-Govern-

ment, are under consideration. Several local Governments, notably Bengal, have already relieved smaller Municipalities of Police charges, thus setting free their incomes for Primary Education, Conservancy, &c.

Total cost of war now estimated at £21,611,000, being £17,551,000 for Military operations, and £4,060,000 for Frontier Railways. This calculation does not pretend to great accuracy, owing to difficulty of separating Ordinary and War Expenditure. During 1881-82, £750,000 has been applied to Canals and Railways which afford protection against Famine, and £750,000 to reduction of debt, making total of £1,500,000 Famine Insurance Expenditure. Net Railway receipts of 1881-82 are now estimated at £914,000 in excess of Budget Estimate.

Turning to the year 1882-83, the Statement deals fully with the Opium question, contests views of Anti-Opium Society, and announces that Government does not intend to abandon Bengal monopoly. As regards low Opium Estimate taken in 1881-82, namely, £6,500,000 net, it is pointed out that the real point at issue is to what extent Government can take off taxes in reliance on opium. This depends on nature of tax taken off. There would be no objection to taking off Salt Duty in partial reliance on opium, as it may reasonably be hoped that loss by reduction will be to some extent recouped by increased consumption. Opium Estimate for 1882-83 is taken therefore at £7,250,000 net, being £588,000 less than Regular Estimate of 1881-82, and £1,200,000 less than actuals of 1880-81. The Salt Duty is to be at once reduced to a uniform rate of Rs. 2 a maund everywhere.

except in Burma and the trans-Indus Districts of Punjab where the existing lower rates are maintained. This involves a reduction of duty amounting to 30 per cent. in Bengal and 20 per cent. elsewhere. The loss of Revenue is estimated at £1,423,000.

Dealing with Customs Duties, the Statement says that the issue Government has had to decide was not whether direct should be substituted for indirect taxation, but what form a remission of taxation may best take. It is pointed out that the defects in the present Tariff as regards Cotton Duties are so great, that some change is absolutely necessary, that duty on white and coloured goods cannot be maintained if grey goods are allowed free entry, that the General Import Duties involve an amount of friction, scrutiny, and interference with trade incommensurate with revenue they produce, and that their maintenance is indefensible if Cotton Duties are abolished. If new taxation had to be imposed, it might be necessary to bear with some of these evils, but under actual circumstances there is no reason why benefits of Free Trade should any longer be withheld from India. It has, therefore, been resolved to abolish all import duties except those on wine, beer, spirits, liquours, arms and ammunition, salt and opium. The net loss of Revenue is estimated at £1,108,000. If opium were taken in 1882-83 at £6,500,000 net as in 1881-82, and Salt Duty not reduced, there would still remain a surplus of £997,000 after abolition of import duties.

As regards License Tax, Government recognises evils of present tax, but does not propose any change at

present. The objections which originally existed on account of pressure of tax on poorer classes have been met by raising minimum assessable income to Rs. 500. The highest local authorities also strongly deprecate frequent change. Government considers, therefore, that it is advisable to postpone any alteration in the law until such time as it can speak with more confidence than at present as to improbability of any further change being required. No new general direct tax is contemplated, but extension of present system of direct taxation, so as to embrace in a more equitable manner all classes of non-agricultural community, would, if it should become necessary, be just and open to no valid objections. Whilst, therefore, making no present change, Government reserves to itself complete liberty of action in the future, either to propose abolition of License Tax, to recast it, or even if desirable, when financial arrangements for 1883-84 are considered, to allow the tax to continue in existence in its present form for a while longer. After allowing for the remission of taxation in North-Western Provinces and Oudh, the repeal of the Customs Duties, the reduction of the Salt Duty, and, on the other hand, for an Opium Estimate of £7,250,000 net instead of £6,500,000 as in 1881-82, the Budget Estimates for 1882-83 give the following result: Revenue £66,459,000; Expenditure £69,174,000; Surplus £235,000. The net Railway receipts are taken at £468,000 less than in 1881-82. The net Military Expenditure is estimated at £15,200,000, being less than the Ordinary Expenditure of any year since 1876-77. Loss by Exchange is taken at £519,000 less than 1881-82. Rupee at 1s. 8d. The Secretary

of State's drawings during 1882-83 are estimated at £15,592,000 as against £17,200,000 in 1881-82. A scheme is announced for facilitating borrowing from small local investors by the issue of Stock Notes in small denominations, interest on which will not be enforceable to Europe.

As regards Ways and Means the cash balance on March 31st, 1882, is estimated at £14,200,000. The balance on March 31st 1883, without any loan and without taking any credit for receipts on account of Stock Notes, is estimated at £10,848,000. It is at present uncertain whether Government will have to raise any special loan during the year for Productive Public Works, but if any loan is raised it is probable that its amount will not exceed £1,500,000.

THE LICENSE TAX.

The Committee regret that the License Tax has been retained, and that its objectionable features have not been modified; but they rely on the recognition by Government of the evils complained of, and they trust these will be remedied in the next Budget if circumstances do not admit of the abolition of the tax.

From Chamber to the Government of India.

Calcutta, 21st February 1882.

The Committee of the Chamber of Commerce desire again to approach His Excellency the Governor-General in Council on the subject of the License Tax.

The Committee do not now intend to repeat the objections they have on several occasions urged against the tax itself; they would wish to accept what Government have decided to be essential to meet present and future financial exigencies: and they are alive to the difficulty of bringing, by any other means, a large body of Her Majesty's subjects under contribution to the expenditure of the State in any proportion approximate to the advantages they derive from such expenditure.

The Committee would, however, respectfully submit that the objections that have from time to time been brought before the Governor-General in Council respecting the exceptional incidence of the tax are as strongly and as widely felt as ever; and the Committee would once more seek to press on His Excellency the advisableness of removing existing distinctions, and of distributing the burden of the tax without exception over all classes who are able to bear their share. Such action on the part of Government would, the Committee believe, remove a grievance which is felt by those on whom the tax already falls, and would not meet with the disapproval of the more thoughtful members of the salaried and professional classes who are now exempted.

The Committee of the Chamber would further respectfully submit that, inasmuch as the poorer classes at present contribute indirectly, in proportion to their means, the most heavily to State expenditure, it might be desirable to raise the limit of annual income below which there is exemption from the License Tax. The Committee think such a course is further recommended by the con-

sideration that the higher the limit of the incidence of the tax the less likelihood will there be of oppression during collection on the part of native subordinates.

The only other matter the Committee of the Chamber would refer to in connection with the License Tax is the disposition shown by some officials to gradually extend its operation beyond what seems to have been originally contemplated, and, the Committee think, also occasionally beyond what is capable of being defended. It is, in any case, certain that irritation exists at the manner in which assessments are made, and that it has been thought that there is a wish to stretch the wording of the Act so as to bring within its scope, persons who are properly exempt. In any re-enactment of the Act, the Committee trust that opportunity may be taken to define clearly who are liable to pay the tax; particularly, how far it is intended to tax absent principals trading casually or otherwise through agents in India. Cases have come under the notice of the Committee which seemed to indicate an intention to make firms liable to be taxed not only in respect of profits derived from their own business but also, as a separate matter, in respect of profits derived by their constituents. The Committee believe such cases have arisen through a misapprehension on the part of the collectors of the tax of the views of Government.

THE EAST INDIAN RAILWAY COMPANY.

SINCE the issue of their last report the Committee have received a rejoinder from the East India Railway Company to their representation of the 26th December. The Company have no doubt had special facilities for ascertaining with accuracy the quantity of merchandize directed to Bombay; whilst the Committee of the Chamber are dependent upon information furnished by members. They will, therefore, willingly accept from the Railway Company the statistics to which their letter refers, and will endeavour to correct, if necessary, any previous statement and the inferences drawn from them.

The Committee are glad to learn that active steps are taken by the Company to increase the warehouse accommodation at Howrah, and to afford extra facilities to shippers for the examination and delivery of goods.

From East India Railway to Chamber.

No. 1392. Calcutta, 31st January 1882.

In reply to your letter dated 26th ultimo, regarding the question of rates charged on the East Indian Railway system and the arrangements for delivering produce at Howrah, in connection with the competition between Calcutta

and Bombay for the trade of Upper India, "which rivalry has been growing in intensity for some time," I have the honour to offer the following remarks :—

2. My intention was to defer my reply to the Chamber's representation until certain statistics, which I have asked the railway managements in Bombay to furnish, were received. But your representation seems, if I may be allowed to say so, in many points misleading, and as at the recent meeting of the Chamber, your Chairman reiterated many of the arguments, it may perhaps prevent misconceptions if I state my views without further delay.

3. There is one matter to which I desire to invite the particular attention of the Chamber. We endeavour to regard the interests of merchants and dealers whose goods we carry as identical, in all essential respects, with our own interests. If merchants find that our arrangements are inconvenient or insufficient, or that our rates are excessive, I wish it to be understood that our intention is not to oppose them in a spirit of antagonism, but to meet our customers as far as possible, and as far as we can do so with a due regard to the interests of the Railway. I am obliged to the Chamber for your letter, because, as I gather from it, it summarizes whatever dissatisfaction is at present felt by merchants with the East Indian Railway, and in this way an opportunity is afforded of discussing the several

4. I am, however, not certain what conclusion or conclusions you endeavour to establish in your letter, and

with the object of inviting discussion, I would ask your attention to two or three points which seem to call for further consideration on the part of the Chamber. You have quoted figures from the returns of the Trade and Navigation of British India for October last to show, in comparison, the extent of the exports from Bombay and Calcutta respectively of cotton, seeds and wheat, and your inference from these figures is that "it is at a glance evident that the advantages which the Western port enjoys in its greater proximity to Europe, and consequent cheaper sea freights, are telling heavily against us." I gather from this remark, and from your other comments on these figures, that they are in the opinion of the Chamber sufficient to show, in the first place, that Calcutta has been deprived of trade which has gone to Bombay, and, in the second place, the extent to which Calcutta has been so deprived of trade in the "growing rivalry" which you speak of. But it will, I think, be admitted by the Chamber on reflection, that the figures which you seem to regard as so conclusive give little or no foundation for an inference of this kind—that, as they stand, simply the totals of the Trade returns without any attempt at analyses, they are useless for the purposes of your argument, and I am therefore surprised that the Committee did not at least think it necessary to supplement them with other statistics. For instance, there is no attempt to show that the cotton, seeds and wheat exported from Bombay ever came in the first place from "Northern India." The Chamber must be aware that the districts served by the Great Indian Peninsula Railway produce cotton, seeds and wheat very largely and of very superior quality, and

that it is quite possible, if the exports from Bombay in these staples exceed the exports from Calcutta, the excess is mainly made up by the wheat, cotton and seeds grown in the districts served by the Great Indian Peninsula and Bombay, Daroda, and Central Indian Railways.

The Chamber have not, it is clear, borne sufficiently in mind that there are other districts besides those in "Northern India" which also produce the chief staples of the export trade, and that Calcutta cannot hope, for instance, to compete for cotton or wheat grown in the neighbourhood of Bombay. I do not wish the Chamber to understand from these remarks that none of the trade in the staples mentioned has gone to Bombay which might have come to Calcutta—because our statistics show that a comparatively trifling quantity has found its way to Bombay *via* Sâltarnati—but that the figures which are put forward as being so sufficient and conclusive really give very little of the information which the Chamber should have before them in an important enquiry of this kind.

5. You remark that the Committee are unable to give "with the same accuracy" the extent to which Bombay is gaining upon Calcutta in the matter of imports, but that instances have been brought to the notice of the Committee of "specialities" in the import of which Calcutta has hitherto had the monopoly, but which are now going to Bombay "in greater and greater quantity." This may or may not indicate a diversion of trade, but unless the specialities are mentioned it is impossible to discuss the point. You state they are specialities which "were only

used in the North-West," but this does not help me to identify them. The Committee's inference from the diversion of these "specialities" is, that ordinary goods are also being affected in like manner. But it appears to me that the Chamber should have statistics to support an inference of the kind, and that it is idle and unsatisfactory, in an important investigation, to draw inferences from insufficient data.

6. The Chamber will agree with me that in a discussion of this importance, involving such considerable interests, we should avoid generalizing and be very careful not to confuse surmises with facts. Since the Chamber formed the opinion that trade has been diverted from Calcutta to Bombay, I would suggest that the grounds on which this opinion has been based be carefully examined and tabulated, and I shall be very happy to aid the enquiry with any statistics we can furnish.

7. Holding the view that trade has been largely diverted from Calcutta to Bombay, you proceed to indicate, under certain headings, what measures the East Indian Railway should take, in the opinion of the Chamber to counteract the diversion of trade. Passing over what you will no doubt now admit, that the fact of any diversion of trade still remains to be proved, I will remark on the general points in the order in which you refer to them, because they are in themselves, apart from the general question, of great importance.

8. You remark that "it is alleged that firms established to buy produce up-country for shipment at Calcutta,

now send the greater part of their purchases *viâ* Bombay," and that "this movement was checked between the 15th July and 31st October last, when special rates were in force, but since rates have reverted to their former level, Bombay "once more gets the preference." We should, I think, know on what authority this is "alleged" to be the case. If you have collected any figures I shall be glad to see them, because it is seldom possible for so short a period to establish so clearly as you seem to have done the connection between the movements of trade and the causes for such movements; and again, our own statistics seem to point to a different conclusion. Between the 15th July and 31st October last the rates in force were as follows,—

Rates per 100 mds. for grain and seeds between 15th July and 31st October.

Delhi to ...	{ Howrah ... Rs. 66	Agra to ...	{ Howrah ... Rs. 66
	{ Bombay ... „ 75		{ Bombay ... „ 75

Rates reverted to.

Delhi to ...	{ Howrah ... Rs. 78	Agra to ...	{ Howrah ... Rs. 76
	{ Bombay ... „ 96		{ Bombay ... „ 91

From the above figures it will be seen that the difference in favour of Calcutta was greater after the ordinary rates had been reverted to than when the special reduced rates were in force; and so it is not clear how the fact of our rates having "reverted to their former level" gives Bombay the preference "once more." Our returns show that a certain quantity of wheat found its way to Bombay *viâ* Sabarmati from the Punjab, during the period the special reduced rates were in force, but since we reverted to our ordinary rates, and after the exceptional demand for

wheat at both ports had subsided, I may say that Calcutta, and not Bombay, has got almost the exclusive "preference."

6 The connection between the rates for our coal traffic to Howrah and the diversion of trade from Calcutta to Bombay is, of course, very remote; it is not certain perhaps that there is any connection. „But I will take this opportunity, with reference to the remark of the "one firm" which you quote, to point out that if coal is carried a considerable distance, the cost of carriage must form a considerable proportion of the cost of the coal when delivered at destination. Our rate for coal to Cawnpore is 4½ pies per ton per mile or 1-87 of a fathring per ton per mile. Your authority states that nothing is done by the Railway for this rate "but carry the coal." In addition to the carriage of coal, we provide special wagons, build jetties and wharves, lay on sidings, &c., &c. If coal Companies have to provide their own wharves as stated, it is on their own branch lines, and if they pay rent for the exclusive use of the Company's wharves, the rent is merely nominal to secure the Company's ownership in the wharf. You admonish the Railway that having the practical monopoly of the carriage of the coal, we should take care "that this monopoly is not abused." The advice is very sound, and as any infringement of it is certain to act injuriously on the earnings of the Railway, there is no danger of its being forgotten.

10. Having dealt with the general question of rates and the carriage of coal, you remark that the Company "must get rid of the idea" that their work ends with the

transport of the goods to the Howrah station sheds; that we "must" add the business of warehousemen to that of carriers, and give facilities for "examining, sampling, weighing, and marking consignments;" "and the sooner we recognise this the better." From the tenor of your remarks, I fear that you are under the impression that the Railway Company are shirking or neglecting a portion of their legitimate duties. What I think your Committee should endeavour to clearly understand is, that the proper work of a Railway Company is to carry goods, and that if, as carriers, they also become warehousemen, and afford accommodation for examining, sampling, weighing, and marking consignments, in doing so they take up a new line of business. I am of opinion that we should, as far as we are able, endeavour to meet our customers in this matter, and if possible without any extra charge. It is a matter we have had under consideration as forming part of those additional facilities which we are anxious to provide, whenever we see our way to do so. Our present shed accommodation at Howrah is amply sufficient for the work of carriers and for the delivery of goods, but it is not sufficient to admit of our giving the facilities you refer to. We are now proposing to extend the shed accommodation; and so soon as we can obtain the necessary authority, we will proceed at once to reclaim the foreshore opposite our present sheds, and put in lines and construct shed accommodation parallel to the river. We fully recognize that we are as much interested as the merchants and dealers whose goods we carry, in providing facilities for the traffic, and we are anxious to give facilities,

11. You state that replies to the Committee's circular indicate that dissatisfaction is felt with regard to the delay in giving notice of arrival of goods. There is no delay in giving notice of arrival of goods. But what, I presume, you mean to say is, that the notice should be longer. Our present practice is to issue the notice so soon as the goods are unloaded on the platform, and the consignment is found to be complete and ready for delivery. If the notice were issued before the consignment arrived at Howrah, as you suggest, it might be found on unloading, that some part of the consignment was following by another train, and then if consignees had their boats or carts waiting in consequence of the receipt of the notice, we should be liable for demurrage. In order however to expedite delivery of the notice of goods arrival we are now considering whether we cannot utilize the telephone for this purpose. But consignees will, I think, admit that for the purpose of taking delivery of their goods the present notice is ample. And we, on the other hand, are ready to acknowledge that if they wish to sample and examine consignments, transact business with brokers, pay or make provision for drafts before obtaining railway receipts from the banks, the notice of goods arrival, or in other words, the time allowed free of demurrage, is perhaps not so ample as might be desired. That the time allowed free of demurrage within which to take delivery of consignments is not so insufficient as described is, I think, fairly shown by the fact, that although during 1881, the traffic into Howrah was so large as to yield about 118 lacs of rupees in freight, the demurrage collected during the same period was only Rs. 39,000,

Only recently we refunded about Rs. 15,000 to merchants at Howrah, because the delay in removal of their wheat arose under circumstances deserving, as we thought, of special consideration and indulgence. If our demurrage regulations were so oppressive, and the mode of enforcing them so unreasonable as the tone of your letter would seem to imply, the proportion of the demurrage levied would have been considerably more than 03 per cent. of the earnings. The purpose for which merchants desire to have more time allowed is not for the removal of goods, but for sampling, marking for shipment, transacting business with the banks, &c., and until we have more shed accommodation at Howrah, we cannot give greater facilities than are afforded at present. They are facilities which, as I have already explained, it is not the province of railway carriers proper to give, but which we nevertheless desire to provide so soon as we are able.

12. As regards your remarks in reference to the settlement of claims, you state that it is pointed out by "one firm," (and it is observable that in your comments on the coal question, what is alleged by "one firm" is apparently considered sufficient on which to found your Committee's structures), that the Company especially try to avoid responsibility for damage to goods from feeder lines. Our endeavour has always been to settle claims promptly, so soon as they are established. Some claims necessarily take time to settle when disputed consignments have come a long way from other railway systems, and the Chamber must be aware that claims cannot be settled without

enquiry. We do not wish to avoid responsibility; what we wish to avoid is admission of claims where we are not liable. This involves investigation, the investigation takes time, and when the claim is ascertained to be well founded, we pay at once. In the majority of cases we find the claims preferred do not bear scrutiny. During 1881 we had five claims at Howrah, which proved to be well founded, and the average time for the necessary enquiry and settlement of each claim was about 50 days, and I do not think this is excessive when it is considered that the consignments may have come 1,000 miles.

13. Your Committee further state that "the practice of insisting on payment of freight before consignees are allowed to examine and weigh their goods should be abandoned." You do not think it necessary to state the grounds on which the practice should be abandoned. We do not insist on payment of freight before the consignee counts his consignment, or examines its external condition to satisfy himself that it is tendered to him in the same condition, and of the same quantity, as we received it from the consignor. But we insist on payment before we allow consignees to sample, re-bag and mark for shipment, and we are compelled to adopt this course, because on several occasions consignees who have been allowed to sample, etc., before paying freight, have refused to take delivery on the ground that the goods are of inferior quality. This is a matter with which of course we have no concern; and although you tell us to "abandon" our present practice, I still regret that we cannot undertake to settle disputes as between consignor and consignee after carrying their goods,

14. You state that the change introduced on the 1st January last in the mode of delivery of goods at Howrah, whereby consignees are required to supply labour for the removal of their consignments into boats and carts, has been "most unpopular." Prior to the 1st January we employed contractors to load into carts and boats; and we found that arrangement to be "most unpopular." There were continual complaints as to the extortion practised by the contractors' coolies, delay in loading boats, carts, etc., so that with the special object of meeting the wishes of the public, we arranged to give consignees an allowance of what we estimated would be the cost of the work, and to leave it to them to remove their own goods. You say that "all consignees would prefer giving up the rebate and returning to the former system." I beg to enquire in what way you have ascertained the wishes of "all consignees" in this matter, or whether this very comprehensive statement is made at random, and after all merely represents the wishes of one or two particular European firms. I make this enquiry because, since the change was introduced, we have found that although it may have given dissatisfaction to the few, it has given very great satisfaction to the many. In fact, a majority of the consignees make a profit out of the arrangement. I understand that wherever dissatisfaction is expressed, it is because "the sircars now have the trouble of watching their masters' interests whilst the goods are being loaded into carts or boats, but when the old system was in force, all that the sircar thought of or cared to trouble himself about, was to make complaints against the Railway's contractors." If we thought the present practice caused the

universal dissatisfaction you describe, or if we thought the convenience of the majority of consignees would be promoted by some other arrangement, we would make a change tomorrow. We cannot make a change to suit the views of any particular firm, and as we are not able to please every one, our object is to please the majority.

From Chamber to East Indian Railway.

Calcutta, 27th April 1882.

The Committee of the Chamber of Commerce have delayed a reply to your letter of the 31st January with the object of allowing time for references upon the subject-matter of this correspondence between members of the Chamber and their up-country agents. It has been desired also to give time for the collection by yourself of the statistics of which you speak in your letter.

2. You question the soundness of the conclusions which a large section of the commercial community here had come to respecting the diversion of trade from Calcutta to Bombay.

3. Nevertheless, the impression remains that, although the extent to our injury may have been exaggerated, it is not imaginary, and, as private information will probably always be more or less open to challenge, the Committee will feel obliged if you will favour them with a copy of such statistics as you may now have available and which may elucidate—

1st. The produce despatched,

from or which passed through Delhi to Bombay.

	"	"	"	"	to Calcutta.
2nd.	"	"	"	"	Agra to Bombay.
	"	"	"	"	to Calcutta.
3rd.	"	"	"	"	Allahabad to Bombay.
	"	"	"	"	to Calcutta.
4th.	The consignments from Bombay to and through Delhi				
	"	"	"	"	from Calcutta " " "
5th.	"	"	"	"	from Bombay " " Agra.
	"	"	"	"	from Calcutta " " "
6th.	"	"	"	"	from Bombay " " Allahabad.
	"	"	"	"	from Calcutta " " "

and it is hoped that you may be able to give comparative figures for a period of three years, viz., 1879, 1880 and 1881.

In the meantime, the Committee desire only to express their regret at the tone of some portions of your letter under acknowledgment: they are not aware of having said anything to justify annoyance. The interests of the Railway are to a very large extent identical with those of merchants, and it cannot be desirable to conduct our correspondence together in any but the most friendly spirit.

RAILWAY COMMUNICATION BETWEEN CALCUTTA AND NAGPORE AND INTERMEDIATE PLACES.

The subject of through communication between Calcutta and Bombay by way of the Central Provinces is not a new one to the Chamber. The correspondence given below exhibits the opinion

of the Committee of the Chamber as held previously to the more thorough ventilation of the subject by means of the reconnaissance which was affected by Government enquiries during the cold season of 1881-82. The result of the careful examination of the country which was then made has been to show that, for the present at least, the best route is that known as Mr. Ball's, or the southern, route.

From Chamber to the Government of India.

Calcutta, 29th November 1881.

Referring to certain correspondences which took place in the beginning of last year on the subject of a direct line of Railway from Calcutta to Bombay *via* Nagpore, I am directed by the Committee of the Chamber to address you again on the subject.

The Committee observe from the Central Provinces Administration Report for 1880-81, page 140, that Government sanction had been given to an extension of the Nagpore and Chutteesghur State Railway to Nandgaon, that estimates were to be submitted in August last for the continuation of the line to Raipur, and that a survey is in progress of a further section from Raipur to Bilaspur. It is also stated that "the question of extension on from Bilaspur to join the Bengal system of Railways has also been taken up and is now under consideration." It is specially with regard to this last mentioned extension that

the Committee of the Chamber desire to address the Government.

Before doing so, however, I am desired to renew, in the strongest manner, the Committee's expression of regret that the construction of the line from Nagpore to meet the Bengal system of railways was commenced and is being continued as a narrow gauge railway. The inconveniences and loss of revenue attending a break of gauge are so manifest on the Rajputana Railway, that it was hoped the mistake, which it is now admitted was made, in constructing that as a narrow gauge line, would have been avoided in making other main trunk lines in India, such as the direct Railway from Calcutta to Bombay *via* Nagpore is destined to become in the near future. The Committee believe that when the line in question is extended to Bengal, the necessity for its reconstruction as a broad gauge one will become so pressing that it will have to be re-laid. This view is very strongly held by the mercantile communities interested in the proposed line, and the Committee trust it is not yet too late to ask for a reconsideration of this most important question before further expense is incurred in laying down any additional mileage on the metre gauge. In any case, if financial or other considerations preclude such a reconsideration at the present time, the probability of the line having to be re-laid as a broad gauge one, at no very distant date, should be kept in view in constructing the buildings, stations, and permanent way. The Committee hold very strongly that it would be true economy in the end to sanction the additional outlay required for the construction of the line as a

broad gauge one from the very outset, and they have seen no sufficient arguments brought forward hitherto to support an opposite conclusion. Their opinion is much strengthened by the publication of a very instructive paper in the *Pioneer* newspaper of 22nd instant, entitled "The Railways of India." The figures given there show that while the broad gauge lines throughout India earned last year net profits amounting, on an average, to 5.28 per cent. on the capital expended, the metre gauge lines earned during the same period an average of only 2.65 per cent. With these facts before them the Committee deem it superfluous to bring forward further arguments in support of the views expressed above.

With regard to the extension of the line from Bilaspur to Bengal, the Committee have considered the alternative routes which have been suggested, *viz.*: (1) from Barrakur on the East Indian Railway through Chota Nagpore to meet the Chutteesgurh line, and (2) a direct line from Calcutta or Howrah to Midnapore, and thence *via* Sunbulpore to Nagpore. The latter is not only the shortest and most direct route, but is, in the opinion of the Committee, in every respect preferable to the other.

The chief argument in favor of the Barrakur route is the fact that by its adoption an existing line of 143 miles of Railway out of a total length of, say, 337 miles from Howrah to Sunbulpore by that route can be more fully utilised. The Committee are informed, however, that the distance from Howrah to Sunbulpore *via* Midnapore is only 292 miles, so that the question appears to be whether a *detour* of nearly 100 miles is to be made in order to

save the first cost of constructing from 45 to 50 miles of Railway. To make such a *detour* would largely nullify the advantages of the line as a direct route to Bombay, and would handicap Calcutta in the competition which must necessarily take place for the traffic which may be expected to flow to the line.

The Committee are therefore very strongly of opinion that the direct route from Calcutta to Midnapore should be followed, unless insuperable obstacles are found to exist. The only objection of any weight which the Committee have heard alleged against the Midnapore route is the difficulty and expense of bridging the Damoodah, Roopnarain, and Cossyo rivers. The difficulty, it is believed, is now much less than it was in former years, owing to the operations of the Bengal Irrigation Department in controlling these rivers and other waterways along this route.

As against the question of expense, it should be borne in mind that the route in question being the shorter in point of mileage, and passing through a more level country, a large permanent saving in working the line would be gained by its adoption. This may fairly be set off against any increase in first cost of construction as compared with the alternative route *via* Barrakur. The country through which a direct line to Midnapore would pass is a far richer and more populous one than that from Barrakur, and the local traffic would be immeasurably greater. Besides this the Midnapore line would serve much more effectively to open up the important province of Orissa, and to accommodate the passenger traffic flowing from all parts of Bengal to Juggurath and Pooree, than any other route that

would be followed. To afford communication with the North-West and Behar, and to open up Chota Nagpore, the Gya State line might be continued in a southerly direction to join the main direct line, while, on the other side, a branch to Cuttack would connect Orissa with the general railway system of India. The arguments in favour of the Midnapore route are indeed so numerous and conclusive that the Committee do not anticipate any serious attempt will be made to set them aside.

The Committee are not acquainted with the views and intentions of Government in the matter, but they have learned incidentally that a party has been appointed to assemble at Barrakur to survey that route. While expressing their gratification that steps are being taken to place the Government in possession of the information necessary to enable them to come to a decision regarding one of the routes proposed, the Committee trust the survey referred to does not indicate any desire to overlook the superior advantages of the more direct route *via* Midnapore. It is probable that Government are already in possession of detailed information regarding the latter route, but if such is not the case, the Committee submit that the data will be imperfect unless a simultaneous survey of the country *via* Midnapore and Sumbulpore be undertaken during the present cold weather.

In addition to the advantage which would result to through passengers and mails from the shortening of railway communication between Calcutta and Bombay by some 260 miles if the direct route *via* Midnapore, Sumbulpore, and Nagpore, is opened up, it is of very great

importance to afford the shortest possible outlet for the surplus agricultural produce of the rich districts of the Central Provinces at present land-locked. When it is considered that the centre of the districts in question is only 400 miles distant from Calcutta in a straight line, it is evident that the Port of Calcutta has a more than ordinary interest in seeing that the most direct route is adopted, as it can only hope to attract produce if land carriage is reduced to a minimum. It may also not be out of place to allude to the importance of such a line in the event of a famine again occurring in the districts traversed by it, which, beyond Midnapore, are more liable to such visitations than other parts of the country favored by a more regular rainfall. The fact that the line would also pass through a tract of country rich in mineral deposits, and that it would open up the Hingee coal-field, from which it would derive an abundant supply of cheap fuel, are not the least of the many advantages which can be claimed for this route.

The Committee trust that the considerations they have adduced in favour of the broad gauge and of the most direct route will be duly weighed by Government before a final decision regarding these points is arrived at. At the same time they would deprecate any avoidable delay in the execution of the important project of shortening the route to Bombay.

From Government of Bengal to the Government of India.—No. 166R., dated Calcutta the 13th January 1882.

With reference to the communication, dated 29th November, addressed to you by the Chamber of Commerce, on the subject of a direct line of railway from Calcutta to Bombay *via* Nagpore, copy of which has been forwarded to this Government with the request that support may be given to the proposals made, I am directed to state that the Lieutenant-Governor quite agrees with the Chamber that any line connecting the East Indian Railway with the Great Indian Peninsular should be constructed on the broad gauge. Undue weight must not, however, be attached to the argument brought forward by the Chamber, that while the lines on the broad gauge have earned 5.28 per cent. net profit last year, those on the metre gauge have only earned 2.65, and that, therefore, it would be true economy to sanction the additional outlay required by the former. No mention is made of the fact that the average age of the broad gauge lines was 13.09 years, during which time the traffic had been fully developed, whereas the average age of the metre gauge lines was only 5.30 years. Further, all the railways most likely to prove remunerative were naturally taken up first, so that no fair comparison of this nature can be made. Narrow gauge lines are of course cheaper to construct than those on the broad gauge; they fulfil the requirements of feeders, and are suitable for lines other than the great trunk railways; but in the Lieutenant-Governor's opinion, they do not answer the requirements of such lines as that now proposed, con-

necting two broad gauge railways; but no cheapness in construction can possibly be a set-off against the delay, inconvenience, and expense that will attend a double break of gauge.

2. If the only object in view were to connect Calcutta and Bombay by the shortest possible route, that *via* Midnapore and Keonjur would be the best; but any line in that direction would traverse an immense distance of unproductive country, from which no local traffic can be expected. The opening out of the country by branch and connecting railways, which will also prove useful for the relief or mitigation of famines, should such unhappily again occur, is, in the Lieutenant-Governor's opinion, of far more importance than providing a second line of direct communication by the shortest possible route, especially when, as in the present instance, a first class trunk railway connects the two capitals. Orissa may be served by a branch taking off from the Nagpore line somewhere in the neighbourhood of Sumbulpore, while for the wants of the lower portions of the Midnapore and Balasore districts, the East Coast Canal, now under construction, will fully suffice.

3. For these reasons Sir Ashley Eden is not prepared to support the views of the Chamber of Commerce in respect to the construction of a through direct line of railway to Bombay *via* Midnapore.

*From Chamber to the Government of India.
Calcutta, 9th March 1882.*

With reference to the communication which I had the honor to address to you on the 29th November last, upon

the subject of a line of Railway from Calcutta to Nagpore, I am directed to state that the Committee have duly considered the letter from the Government of Bengal to the Government of India, under date of the 13th January. They have also been honored by an interview with the Hon'ble Mr. Gibbs, Member of Council for Public Works, and Colonel Trevor, Secretary to the Government of India.

2. The Committee are unable to abandon their convictions as to the preferable character of a broad gauge. They recognize, as a matter of course, the cheaper cost of the narrow system, and are not insensible to the advantage of constructing, with a given capital, the greatest possible length of rail. They are, however, not satisfied that the saving in construction is sufficient to counterbalance the economy in rolling-stock, in repairs, and in mileage charges, which they understand are effected by the broad gauge; for the attraction of sufficient capital is merely a matter of guarantee of adequate interest, whereas the lowest mileage charge consistent with profitable working is permanently material to success.

3. At the same time they have no rooted antipathy to the narrow gauge *per se*. They infinitely prefer such a railway to none at all, and if the responsible advisers of Government have decided that such an alternative is before the public, the Committee will cordially welcome any practicable scheme for a narrow gauge line.

4. If, however, it be decided to continue the construction of the line from Raipur eastward on the narrow

gauge, the Committee would earnestly represent that such a decision should be conclusive against passing the traffic from the Central Provinces over the East India Railway. The Committee desire to echo the Lieutenant-Governor's opinion that "no cheapness in construction can possibly be a set-off against the delay, inconvenience and expense that will attend a double break of gauge," and they would add that a considerable extra expense in first cost would be justified in order to avoid even a single break (to say nothing of toll to a foreign Company) in a line destined to carry large quantities of produce of low value, such as wheat, in the supply of which India may be said to have the rest of the world as competitors, and on which, therefore, it is essential to reduce to the minimum every charge up to delivery to the consumer. The difference in cost which determines the flow of trade is now-a-days often remarkably small.

5. The Committee think, moreover, that the existing resources of the East Indian Railway are in some very important respects already somewhat strained, and they believe that even a very large increase of its carrying and delivering power will be rapidly overtaken by the requirements of trade to and from the districts which are properly the sphere of its operations.

6. If, however, the Nagpore line were led into Howrah, with a junction there, or elsewhere, to the East Indian Railway, then such traffic as could afford and required transshipment might be sent round to the Calcutta side; whilst the remaining, and undoubtedly by far the larger,

portion would be discharged direct into lighters and conveyed alongside ships.

7. And if hereafter Diamond Harbour should become an important place of shipment, a branch from the new railway through Tamruk to a point on the bank of the Hugly below the entrance of the Rupnarain, would enable vessels to load cargoes (particularly of grain) in the stream, and so relieve the traffic over the Diamond Harbour Railway and the pressure upon the projected docks, besides accommodating trades to which the cost of docking might prove deterrent.

8. The Committee desire to add that they are by no means wedded to the idea of running the line through Midnapore, although their correspondence with that district does not confirm the Lieutenant-Governor's view that such a line would pass through an "unproductive country from which no local traffic can be expected." Nor is the information which they have, from engineers of distinction, such as would lead them to anticipate that this route would prove comparatively a very costly one.

9. What the Committee have principally set before themselves is the necessity to Calcutta of obtaining access to the Fingur coal-field, and to that rich district of which Bilaspur and Raiput are approximately centres, and which has been termed the granary of India. Their main object is to reach these points in the cheapest manner consistent with efficient working and by as direct a line as may prudently be feasible, and they are well content to leave the choice of the exact route to Government; duly praying

that before a final decision is come to, a complete survey of the country towards Midnapore may be carried out.

PROPOSED CONSTRUCTION OF WET DOCKS AT DIAMOND HARBOUR.

The Committee's views upon this subject are fully expressed in their letter of 31st May, to the Secretary to the Government of Bengal in the Public Works Department. It appears to them that if the scheme were successfully carried out considerable and permanent injury would be done to Calcutta as a Port; while if unsuccessful an amount of money would be wasted, which, if otherwise expended, might vastly improve our trading facilities.

*From the President of the Committee on Docks
at Diamond Harbour,—Dated Calcutta, the
21st January 1882.*

A COMMITTEE appointed by the Government is now enquiring into the merits of a proposal to construct deep water docks at Diamond Harbour, with a view to add generally to the commercial facilities of the port, and to give to the shipping that greater security which their ever-increasing size and value appear to demand.

The scheme, so far as it has assumed any shape as yet, which has been suggested for the consideration of the Committee, is as follows :—

- (1) A dock 4,000 feet by 500 feet, a half-tide basin about 800 feet square, entered by two locks, one 80 feet and the other 60 feet wide. This would provide quay berths averaging 360 feet long for about 30 vessels, and at the same time would allow space towards the centre of the dock for other vessels either discharging into boats or waiting cargoes.
- (2) The docks, including an area for probable extension, and all dock buildings, railways, &c., to be surrounded with a strong embankment or bund raised about 8 feet above the level of the great cyclone flood of 1864, with storm-gates of the same height, pointing outwards. The surplus material from the excavations to be used to raise the general level of a portion of the land near the river to the same height as the dock embankment.
- (3) The dock and accessories as sketched above will cost approximately one million sterling. The railway charge for goods between Calcutta and the docks will be about one rupee per ton.
- (4) The docks to be provided with suitable warehouses and all modern appliances for the rapid working of cargoes of all kinds. Rails, in connection with the railways to all parts of India, to be brought down alongside of the vessels.

By fixing the site at Diamond Harbour, the James and Mary Shoal and several other dangers are avoided; it is near a good anchorage ground, and the dock is practically within one and a half hour's run of Calcutta by rail.

Understanding that you are able to afford valuable information which will materially assist the Committee in forming a conclusion, I have the honour to request you kindly to answer, to the best of your ability and at your earliest convenience, such of the following questions as come within the range of your experience.

The Committee will be much obliged if, in answering the questions, you will indicate any reports, returns, or other sources of information from which the particulars which they desire to know may be ascertained. The answer should be sent to "The Secretary to the Committee on Docks at Diamond Harbour, Writers' Buildings, Calcutta."

From Chamber to the Secretary to the Committee on Docks at Diamond Harbour. Dated Calcutta, 19th April 1882.

The Committee of the Chamber of Commerce direct me to return the printed form of questions, relative to the Establishment of Docks at Diamond Harbour, received with the President's letter of 21st of January, with the Committee's replies to each of the inquiries therein submitted.

(1) What are the really important shoals and other recognised dangers in navigating the Hooghly up to Calcutta, and what, in your opinion, would be gained generally by vessels terminating the voyage at Diamond Harbour?

1. Below Diamond Harbour the following shoals, viz., Middle Ground, Gasper, Middleton Long Sand, Jellingham, Huldia and Bellary.

2. Above Diamond Harbour the following, viz., James and Mary, Nynau and Fultah Reaches, Rayapore and Moyapore Flats, Monickholly Point: also many dangerous eddies.

By terminating the voyage at Diamond Harbour, the dangers in list No 2. will be avoided. Time and Pilotage will be saved, and, in case of sailing vessels, also steam-hire.

(2) Do vessels at present find it necessary or convenient to anchor in Diamond Harbour, and, if so, for what reasons?

Yes—for many reasons; as waiting for rise of tide, choice of anchorage, &c., &c.

(3) How many vessels can anchor with safety in Diamond Harbour?

A question for nautical experts.

(4) Do you consider that

Ditto,

long vessels are more difficult to navigate than short ones in the channels of the Hooghly ?

(5) What is the greatest length of (1) steam-vessel, and (2) sailing-vessel under ordinary control which it would be prudent to navigate in the channels of the Hooghly between the sea and Diamond Harbour, and between Diamond Harbour and Calcutta ?

For experts to answer.

(6) Recognising the present tendency to increase greatly the length of all vessels, do you consider that they are as yet near to the greatest length which can safely be navigated above Diamond Harbour ?

(7) What is the deepest draft safe for a vessel up to Diamond Harbour, and between Diamond Harbour and Calcutta ?

(8) If the depth and

Ditto.

Ditto.

length of vessels were not kept in check by the difficulties of navigation in the Hooghly, is it likely that these dimensions in vessels would increase, (1) in case of sail ; (2) in case of steam, regard being had to the limit imposed by the Suez Canal ?

Probably.

(9) Are there any other points in connection with the navigation of the Hooghly which you can suggest to the Committee as affecting the question of docks at Diamond Harbour, either for or against the scheme ?

For. In the freshest season there would be a special advantage to a vessel in commencing her voyage at Diamond Harbour.

Against. The fact of the proposed site being on a lee shore, in a locality exposed to violent winds requires very serious consideration.

(10) Having in view the probable increase of traffic on the Calcutta side of the river on the completion of the railway bridge over the Hooghly, do you think that the space now at the disposal of the Port Commissioners will be sufficient for wharf

The Committee think not.

age and general accommodation?

(11) If not, can you suggest any means of supplying the deficiency of space otherwise than by constructing the proposed docks?

Much may be done; as by removing the Hooghly bridge to a position further up the river; by extending the jetties North up to Nimtollah or thereabouts, and South to Garden Reach with or without a break abreast of the Fort and Gardens, &c. The Committee, however, quite think that docks offer many most important advantages over any other scheme; but they are not, without further inquiry, prepared to advocate their construction at Diamond Harbour.

(12) Can you give approximately the items of cost (distinguishing between those below and those above Diamond Harbour) incurred in bringing a steam vessel, say of 3,000 tons, gross register, carrying 3,700 tons of cargo and drawing over 23 feet of water, into the

The information as to the charges on the vessel will no doubt be given by the Port Commissioners and by the Agency Houses.

The cost of putting out cargo is paid by the vessel, and amounts to from 4 to 6 annas per ton.

The cost of dealing with

port, discharging her either (1) in the river, or (2) at the jetties, and conveying the goods to (1) warehouses, or (2) to the rails for despatch up the country, including all dues, pilotage, boats, carts, &c.?

(13) Can you give the same charges with the addition of towage for a sailing vessel 1,600 tons register, carrying 2,400 tons of cargo and drawing over 21 feet of water?

(14) Can you give similar particulars with respect to loading such vessels and despatching them to sea?

(15) Do you consider that there would be any gain in time or other advantages in working vessels lying in a dock and beyond the influence of the rise and fall of the tide?

cargo after it leaves the ship falls upon the merchant. It varies so much that it is scarcely possible to answer this question satisfactorily. Perhaps an approximation might be Rs. 1-8 to Rs. 2 per ton.

The charges on the vessel will in these cases also have been given by others.

The charges on cargo will be much the same in case of sailing vessels as in that of steamers—say Rs. 1-8 to Rs. 2 per ton.

Yes, great advantages, but not chiefly dependent upon absence of rise and fall, though no doubt this will facilitate work.

The benefits which a dock is calculated to bestow are principally (1) that goods

can at once be landed without waiting for boats, and by simple expedients, independently of weather; (2) that dutiable goods—as salt—can be put straight into bonded warehouse and delivered thence; (3) that produce can be stored prior to a vessel's arrival; (4) that stevedore's men, &c., can be kept under discipline and the most work got out of them; (5) that obvious arrangements can be made for working day and night (6) the efficient protection to the revenue which well organised "closed" docks afford, and the consequent relaxation of customs supervision of loading and discharging which may become possible, whereby considerable delays and expense may be avoided; (7) generally, that a ship in dock can be discharged and loaded as fast as the mechanical operations can be performed with the aid of powerful

steam or hydraulic appliances.

(16) Apart from the time occupied in discharging and reloading a steamer, what is the average time required for overhauling the engines and machinery?

6 or 7 days, if there has been nothing to call for actual repairs.

(17) What is the greatest number (1) of sailing vessels of 1,000 tons, and (2) of steamers of 2,000 tons you have known to arrive in the port in one tide?

The Port Authorities will best reply.

(18) In your opinion, would importers be equally willing to receive their goods at a conveniently situated railway station in Calcutta, as at the jetties, or from alongside ships at moorings?

As regards goods not liable to breakage or damage by handling, probably yes, if the station were really convenient not only to merchants' offices but also in respect of loading at pleasure either into cart or boat, and if also the arrangements within the station itself and its regulations were convenient in respect of allowing ample room and necessary time

for examination. As regards fragile goods, certainly not.

(19) And would exporters be content to ship their goods at such a railway station paying the same outward freight, as if the goods were shipped over the jetties or overside ships at moorings?

N.B.—These last two questions suppose that the railway expenses of conveying goods from Diamond Harbour to Calcutta and from Calcutta to Diamond Harbour would be borne by the ships.

Yes—if they obtained clean "Mates' receipts" at such railway station; but the condition is one difficult to compass, as the ship would certainly not accept any responsibility until the goods actually arrived alongside.

This supposition would not be realised in the form stated, because the actual payment of railway freight by the ship would imply her acceptance of the risk of land carriage.

It is of course conceivable that the merchant would obtain from the vessel a concession in sea freight equivalent to the railway charge, but that would only happen if the supply of tonnage at Diamond Harbour exceeded the demand for freight from Diamond Harbour, and this again

could not happen otherwise than exceptionally, unless, as before stated, the vessel's gain by using the dock exceeded the dock charges by the amount of railway freight.

Probably not.

(20) Would the rates of insurance on the hulls of vessels, terminating their voyages at Diamond Harbour, be lower than on the same vessels terminating their voyages at Calcutta?

Probably not.

(21) Would the rate of insurance on goods discharged at Diamond Harbour and goods shipped there, be lower than insurance on the same goods brought to Calcutta direct or shipped from Calcutta direct? Supposing the rate of insurance to be less, what would be the proportionate reduction?

(22) What would be, as nearly as you can give it, the average saving in time on each passage, up and down, to a steamer (1),

Roughly, the saving to a steamer might average half a day to one day, and to a sailing vessel $1\frac{1}{2}$ to 2 days.

and to a sailing vessel (2), which terminated her voyage at Diamond Harbour?

(23) What would be the value of this saving of time to a steamer carrying 3,700 tons of cargo, and to a sailing ship carrying 2,400 tons of cargo?

The value of this time to such a steamer may be set down at Rs. 500, and to such a sailing vessel at Rs. 350.

(24) What would be the saving of coal to a steamer of the same size?

Probably 15 to 20 tons.

(25) What would be the saving of towage to a ship of the same size?

Very considerable, as the ship would often sail up to Diamond Harbour—say on an average Rs. 1,500.

(26) What would be the saving of pilotage to a steamer paying on 22 feet inwards and 24 feet outwards?

Inwards, the Committee believe ... Rs. 156
Outwards ... " 255

Total saved ... Rs. 411

(27) What would be the saving of pilotage to a sailing ship paying on 22 feet inwards and outwards?

Assuming the vessel takes steam in all cases the saving Inwards would be Rs. 156
Outwards ... Rs. 216

Total saved ... Rs. 372

(28) What would be the saving of mooring hire to a steamer and to a sailing ship of the given size.

Mooring hire is a daily charge, and the economy would depend upon the number of days which would be saved by using the dock. As a rough estimate, if a steamer gained two days by the dock, she would save Rs. 30, and if a sailing ship gained a month (which question 30 implies), she would save Rs. 210.

(29) How much could a steamer of the given size afford to pay for the expense of docking and remaining in dock nine days in exchange for the saving of time, coal, pilotage, mooring hire, and insurance?

If she were loaded in nine days, she would gain about Rs. 2,300 as compared against going to Calcutta and loading in eleven days. How much she would choose to pay for this benefit is another question; much would obviously depend on the ruling of freights.

(30) How much could a sailing ship of the given size afford to pay for the expense of docking and remaining in dock fourteen days in exchange for the advantages gained by the saving in time, pilotage,

This question is a difficult one to answer usefully. Taken with those preceding, it implies that a vessel would save 31 to 32 days by using the dock, and it could no doubt from this basis be shown that her

towage, mooring hire, and insurance?

owners would be gainers by some Rs. 7,000 up to even Rs. 9,000, according to the general ruling of freights. It must not, however, be forgotten that owners of sailing ships have been known to keep them here, deteriorating in our climate for upwards of 12 months, at a certain loss of at least Rs. 35,000, and that merely from unwillingness to face a decline in freights equivalent to, say, Rs. 15,000.

(31) Supposing that a steamer were charged a sum of £120 for docking and dock hire, in your opinion, would the owners of such a steamer prefer to dock at Diamond Harbour rather than proceed to Calcutta?

Given equal facility for engaging cargo at equal rates, and given that they are not to be called upon to accept more than customary risks and costs in connection with cargo, it is reasonable to suppose that the owners of the steamer would prefer docking at Diamond Harbour.

(32) And supposing the charge for the same services to a sailing ship to be £70, would the owners prefer to

Always supposing that the conditions previously assumed were fulfilled, the owners would most un-

dock at Diamond Harbour doubtfully prefer to use the rather than proceed to docks. Calcutta?

Note.—It is to be observed that these questions are answered exclusively from the shipowner's point of view, and that, for the nonce, it is assumed that the consignee of the inward cargo will submit to the vessel going to the dock.

(33) Would a dock at Diamond Harbour be used by steamers and sailing ships for the purpose of calling there for coal or part cargo on their way down the river from Calcutta, with the object of going so far down the river at a lighter draft of water?

It is most unlikely that a vessel would enter the dock for such purposes; but very exceptionally she might anchor in the stream off the dock to complete loading. Passengers might probably use the railway to some extent.

(34) During the year 1881, what proportion of piece-goods or other imports were despatched up-country direct from the vessels without being taken to the Calcutta godowns?

Little, if any thing.

(35) In 1881 what quantity of produce was exported direct without being warehoused in Calcutta?

Of wheat and seeds a very large proportion, which has a distinct tendency to increase. Much Cotton. No Jute. Very little Rice.

(36) Is it likely that the docks would be used by vessels salt-laden, and how far could the salt trade be carried on from Diamond Harbour?

Most unlikely, unless a boat canal were constructed from, say, Tolly's Nullah, and so brought to the docks that the boats could be laden from bonded warehouses into which import vessels should discharge. Even then, the question implies a complete dislocation of the trade and a migration of those concerned in it. Moreover, as those boats which take salt away are the same that have brought produce down, the question implies a rearrangement of other trades as well as that in salt.

(37) Is it likely that the docks would be used by vessels laden with coal; and if country coal could be delivered by rail at Diamond Harbour at sufficiently low rates, is it probable that any export trade would result?

Certainly, if the large Steam Companies take to the dock. Otherwise, no.

As regards an export trade in coal, the Committee think that some trade, though probably not a very large one, might be hoped for, "if" such "coal could be delivered at Diamond Harbour at sufficiently low rates."

(38) Is it likely that No; and it must be remembered that one-half of the total number of steamers which visited Calcutta in 1881 were coasters.

Having thus replied to the queries submitted to them, the Committee beg leave to add a record of their opinion that the success of docks at Diamond Harbour takes for granted so many doubtful conditions, and, if assured, would involve so violent a revolution of the course of trade as at present constituted, that docks in that locality should be undertaken only after the most exhaustive examination of every feasible scheme for giving sufficient development to our resources within the range of our existing Port, and for simultaneously reducing the charges on shipping and the risks to which vessels are now exposed. Particularly the Committee trust that full consideration may be given to the proposal to excavate docks here with a ship canal to the Mutlah.

*From Chamber to the Government of Bengal.
Calcutta, 31st May 1882.*

The Committee of the Chamber of Commerce have had under consideration your letter No. 326 of the 21st January and the special subjects referred to therein by the Government of India.

Respecting the question of railway rates for produce from the North-West Provinces to either Bombay or

Calcutta, the Government of India desire to be informed how far the advantages of direct railway communication from Upper India to Calcutta, by means of the new Hooghly bridge and a central terminus in Calcutta, is likely to expand the trade of this port.

The Government of India are likewise desirous to learn the opinion of the Chamber of Commerce respecting a proposal laid before them by the Government of Bengal, *viz.*, to carry the direct railway communication from and with Upper India further to Diamond Harbour, and to construct there, in connection with it, wet docks on a large and comprehensive scale to accommodate the shipping of Calcutta.

As regards the Hooghly bridge and direct railway communication thereby secured for Calcutta with Upper India, the Committee of the Chamber are decidedly of opinion that it will materially assist and help to expand our trade, and therefore express their full approval of the scheme: and in thanking the Government for having brought this important measure to a final issue, they regret that the original error of placing the terminus of the great trunk railway on the opposite shore of the Hooghly has taken so many years to correct, until actually part of the inland trade of Calcutta is being diverted to the Western Presidency, which, under more favorable auspices, might have been consolidated and preserved for the East Indian Railway as a source of increasing revenue.

Touching the second question of extending and carrying the railway system to Diamond Harbour in connection with wet docks to be constructed there, as detailed in a

letter from the President of the Docks Committee, the Committee of the Chamber do not share the opinion as to successful results, though fully recognizing the benefit any extension of railway lines to the outlying districts, and leading to Calcutta, will in some measure help to expand the trade of this port.

It is represented in the letter referred to, that by fixing the site of the docks at Diamond Harbour the *James and Mary* shoal and several other dangers are avoided, but, as far as the Committee of the Chamber are aware, the dangers and obstructions to the navigation of the Hooghly are equally great, if not worse, from the entrance of the river up to Diamond Harbour, as from the latter place to Calcutta. If this be so, and the information collected by the Dock Committee should be conclusive on this point, the Government will probably abandon the scheme. Even if there be any doubt on the subject that the project would permanently remove the risk attending ships from visiting or reaching Calcutta, the Committee submit that the Government would scarcely be justified in incurring the very heavy expenditure which would certainly attend an undertaking surrounded by conditions of extreme difficulty and doubtful results.

But should this question be disposed of as an imaginary difficulty, the Committee deem it their duty to point out that in shipping raw produce, which constitutes the bulk of our export trade, local customs and arrangements would not only have to undergo great changes—which may or may not be easily effected—but it would certainly cause a decentralization in many branches of our trade, which require

careful consideration before the advantages of the proposed measure could be pronounced upon. It would probably necessitate, in many cases, double establishments, one at Calcutta and one at Diamond Harbour; and only experience could teach each individual merchant which branch would be the most important hereafter; but there can be no question that in the same ratio as Diamond Harbour succeeded, the interests of Calcutta would suffer. Looking at the large amount of public money that has been spent for the improvement of Calcutta as a port, the mere experiment, and long before any definite opinion could be formed of the success of the works at Diamond Harbour, would cause the trade of Calcutta to become unsettled, improvements would necessarily be checked, and the value of property deteriorated.

In the reference made by the Government of India, an alternate scheme of such works either at Diamond Harbour or at Port Canning is spoken of, though the Government of Bengal deals only with the former in a definite shape.

The advantage of the Mutlah river entrance from the sea, as compared with the entrance at the Hooghly, has been long since acknowledged, though the diversion of trade to Port Canning has not proved successful. It is not before the Committee to examine the causes of that failure, but the allusion to it has brought to mind a project frequently spoken of and intended, namely to connect Calcutta with the river Mutlah, at or near the Port-Canning site, by means of a ship canal.

If that long dormant scheme could be revived and

developed, the Committee of the Chamber would recommend the same to the earnest consideration of the Government of India, because the dangers of the Hooghly for heavy drafted vessels could thereby be totally avoided, and an alternate route to the sea secured.

Such a canal constructed upon a scale to allow sea-going vessels of large and increasing size to proceed to Calcutta, might be excavated at a much less cost—even if it embraces a scheme for wet docks in a modified form—than the plans suggested for Diamond Harbour, because it would not be necessary to add so many auxiliary arrangements; and whether its terminus be fixed South or North of Calcutta, the canal could be easily brought in proximity to the railways now existing or contemplated in connection with the bridge at Hooghly.

The outlay would not involve nearly such large sums for costly plant to be imported, and the canal would greatly benefit that section of the country through which it ran. Instead of decentralizing our local commercial arrangements it would help to consolidate them, and this addition to our appliances would doubtless greatly help the expansion of our sea-borne trade.

Neither would it destroy or neutralize the recent improvements in this port, but, as a powerful auxiliary measure, help to support them, and, as a natural consequence, tend to enhance the value of all property in and near Calcutta. It would give increased accommodation for the shipping of which this port is in need, and add to the security of the shipping lying in harbour or loading; and

whilst it will do away with the objections chiefly urged against the scheme for the construction of docks at Diamond Harbour, it will secure to Calcutta most of the advantages which that scheme is expected to realise, viz., the expansion of trade, increased harbour accommodation direct communication between the railway system of Upper India and the sea-borne trade of Calcutta, and safe and easy access to the sea.

**PROPOSED CONSTRUCTION OF A
TEA WAREHOUSE BY THE PORT
COMMISSIONERS.**

The subject of the construction of a Tea Warehouse by the Port Commissioners has again been brought before the Committee, and the answers to the inquiries they have instituted have disclosed a more general approval of the scheme than was elicited a year ago. They have therefore accorded their assent to the proposal, provided that the use of the warehouse be optional, and not compulsory on the firms engaged in this important and rapidly growing trade.

From Port Commissioners to Chamber.

No. 50. *The 5th April 1882.*

With reference to your letter, dated the 12th May 1881, regarding the construction of a Tea Warehouse by the Commissioners, I am directed to bring to your notice

that nearly eleven months have passed since your letter was written, and that there has been, since that date, ample time for full consideration of the proposal. I am also to add for your information that the Port Commissioners themselves are satisfied that the scheme would be an advantageous one both for the trade and for the public, but that the Government entertains a doubt whether it is a project which the Port Trust can legally undertake. This doubt would perhaps be removed if a fuller explanation were laid before Government; and before addressing the Government again on the subject, the Port Commissioners would ask to be favoured with a further expression of the views of the Chamber of Commerce on the merits of the proposal.

From Chamber to Port Commissioners.

Calcutta, 12th April 1882.

In reply to your letter No. 50 of the 5th instant, I am to say that the Committee of the Chamber of Commerce were not aware that the Commissioners were expecting to receive any further communication from the Committee upon the subject of the proposed Tea Warehouse.

As, however, you now ask for a fresh expression of the views of this Chamber upon the merits of the proposal, the Committee have had pleasure in placing your letter in circulation amongst members of the Chamber.

The result shall be made known to you in due course.

*From Chamber to Port Commissioners.
Calcutta, 25th May 1882.*

In continuation of my letter of the 12th ultimo, I am now directed by the Committee of the Chamber of Commerce to communicate the result of their reference to members regarding the Port Commissioners' proposal for the construction of a Tea Warehouse.

You will remember that in May last year the Committee found that a numerical majority of the members of the Chamber were against the proposal, and, that being so, they could only place their own views before the Commissioners, while giving prominence to the objections urged by many of the members.

The Committee now find that there has been a change of opinion on the subject. The result of the reference just made shews that while one-third of those interested adhere to their original opposition to the construction of the warehouse, a majority of two-thirds are in favor of the project.

The Committee are glad to find that a large majority of the members of the Chamber are in accord with their own views in favor of the warehouse, and trust that this will help to strengthen the hands of the Commissioners in pressing their proposal upon the acceptance of the Government. But while the Committee thus lend their support and the support of the Chamber to the scheme, and are confident that by judicious and careful management of details it will realize all that is expected of it, they only do so on the clear understand-

ing that their use should be optional, because they are strongly opposed to any thing in the shape of pressure or compulsion that would interfere with the perfect freedom of the firms engaged in the tea industry to conduct their business as they may think fit.

The warehouse must be purely optional to shippers to be acceptable to the mercantile community, and to be a success must recommend itself by the terms on which it can be availed of.

STEAM-SHIP BILLS OF LADING.

MEMBERS are aware that this matter was referred to the London Committee of Calcutta merchants who had previously acted under mandate from the Chamber to settle the sailing-ship bills of lading, but it appears from a report of Mr. H. Reinhold, to whom the Chamber addressed a number of spare copies of the Report, drawn up by the Special Committee in Calcutta, that he could not persuade the old London Committee to act upon the Chamber's suggestion.

Unlike on the former occasion there was unfortunately no representative body of shipowners to address in this instance, and Mr. Reinhold, in order to give publicity to the Report, forwarded copies to all public Companies in the City,—the Linseed Association, the Corn-Trade Association,

the Jute Association, Cotton Brokers' Association, &c., &c., all of which are represented at the Council of the London Chamber of Commerce, which would probably be the best representative body of merchants in the metropolis and as such best qualified to deal with this subject. If, however, members think that further action is necessary, the Committee will be glad to receive their suggestions.

Bengal Chamber of Commerce.
Calcutta, 28th November 1881.

MESSRS. J. N. BULLEN,
" F. W. HEILGERS,
" W. McFARLANE,
" F. A. MAVROGORDATO,
" P. J. NICOLAS,
" H. REINHOLD.

GENTLEMEN,

Encouraged by the success of your labours in connection with the revision of Bills of Lading for sailing vessels, a numerous body of Merchants here, in June last, addressed a requisition to the Committee of this Chamber desiring them to convene a Meeting to consider the present Steam-ship Bill of Lading.

At the suggestion of my Committee, however, the Meeting was deferred, pending the consideration of the subject by a Committee of four, nominated jointly by the Committee of the Chamber and by the requisitionists.

These gentlemen having completed their investigations, a Meeting—not of the Chamber of Commerce only but of all interested in the question—was held on the 23rd instant, when the following Resolutions were adopted:—

1. "That the Report now submitted be accepted, and the thanks of this Meeting be accorded to the Committee for the careful and able report they have drawn up."

2. "That the Committee of Merchants in London who previously acted in settling the form of Bill of Lading for sailing ships from Calcutta to ports in the United Kingdom, be invited to discuss, and empowered to settle in consultation with steamship owners, the exact form and conditions of a Calcutta steam-ship homeward Bill of Lading; that the said London Committee be empowered to add to their number and to do all such things in furtherance of this Resolution as may seem to them desirable.

3. "That the Committee of the Chamber of Commerce be requested to give effect to the preceding Resolution."

I am now desired to express the hope entertained by my Committee that you will not refuse to afford once again to the Merchants of Calcutta your very valuable and, indeed, indispensable aid, so as to amicably arrive at an agreement with steamship owners which shall be equitable and satisfactory to all concerned.

*Report of Committee of Calcutta Merchants
appointed to suggest a form of Steamer Bill of
Lading, equitable alike to Shipowners and
Merchants, for the approval of the Shipping
interests.*

The Committee was composed of the following Members:—

J. A. ANDERSON, Esq. ... of Messrs. Anderson, Wright & Co.
D. E. MICHAELSEN, Esq. ... of Messrs. Tanvick & Co.
J. MONROE, Esq. ... of Messrs. Ker, Dods & Co.
H. REINHOLD, Esq. ... of Messrs. Reinhold & Co.

THE Committee first met on the 28th July 1881, when discussion was principally confined to tracing the history of the Steamer Bills of Lading at present in use, which it was deemed advisable to record fully in the minutes of the proceedings.

Originally the same forms were indiscriminately used for both Steamers and Sailing-vessels, and a special Bill of Lading was first introduced for Steamers by the P. & O. S. N. Co., Ltd.; gradually, however, after the opening of the Suez Canal and the increased Steamer traffic occasioned thereby with the East, other Steamship Companies adopted a similar special Bill of Lading adding, however, thereto, several additional exemption clauses.

At the Half-yearly General Meeting of the Bengal Chamber of Commerce, held on the 31st May 1871, the Honorable J. R. Bullen-Smith, President, drew the Chamber's attention to the many new and objectionable clauses introduced into the Bills of Lading of Steamers

sailing from Calcutta *via* Suez Canal, to London and other ports. He remarked that these clauses had been much complained of by recipients of cargo at home, and with the view of eliciting an expression of opinion from members generally on the subject, proposed the following Resolution:—

"Resolved—that, in the opinion of this Meeting, the Bills of Lading in use by some Lines of Steamers trading *via* the Suez Canal between England and British Indian Ports, contain clauses prejudicial to the interests of shippers and insurers of cargo; that the power to make any deviation from a customary voyage,—to call at places out of the customary route, and in any order convenient to the vessel,—the effecting transshipments,—the exemption from damage by smell of objectionable cargo,—and the payment of freight before right delivery of cargo, are provisions incompatible with the security of shippers and insurers of cargo, and form an unjustifiable innovation in the long-established custom which governs the conditions of Bills of Lading."

"Further resolved—that, in the opinion of this Meeting, shippers from this port should, in as far as possible, give the preference to steamers, the agents and owners of which do not insert in their Bills of Lading the objectionable clauses alluded to."

The resolution was seconded by Mr. H. H. Sutherland and carried unanimously.

With regard to the Bills of Lading introduced by the P. & O. S. N. Co., and the Messageries Maritimes of

France, their Mail contracts, and the fact of their being essentially passenger lines, impose special obligations upon them, and render stringent conditions necessary to a considerable extent. But, after the opening of the Suez Canal in 1871, Steamship owners generally pressed for the introduction in their Bills of Lading of similar exemption clauses to those used by the P. & O. S. N. Co., principally on the ground that the navigation of the Suez Canal and the Red Sea involved peculiar and novel dangers; and they gradually urged the formation of a Committee to frame a suitable Bill of Lading exempting them from liability for certain of the additional risks they had then to undertake.

The question was subsequently taken up in London, and at a Meeting of Merchants and others interested in the trade with the East, held on the 11th July 1871, a Committee of Merchants was appointed to consider all the special stipulations which had been gradually introduced into Bills of Lading for goods shipped by Canal Steamers, and to confer thereon with the Steamship owners and underwriters, with the view of drawing up a general form of Bill of Lading which should be equitable in its conditions to all parties, and of arranging such a method of settling the freight as might remedy existing irregularities.

A Committee of shipowners then met to discuss the question with the Merchants' Committee, and eventually agreed upon the terms of the "Eastern Trade Bill of Lading, Outwards," in three forms, numbered 1, 2 and 3,

to meet the circumstances of different voyages: and this Bill of Lading was generally adopted.

With regard to the Bill of Lading "Inwards or Homewards," the Committees failed to arrange satisfactory terms, more particularly respecting delivery of cargo and payment of freight, and the negotiations were brought to a close. The Merchants' Committee, however, having devoted much care to the drafting of the Bill of Lading known, as the "Eastern Trade Bill of Lading, Inwards, No. 4," recommended it for adoption by Merchants trading in the East, and urged that they should use their best efforts, through their correspondents abroad, to have it recognised and brought into use at the ports of shipment.

The Committee of the Dengal Chamber of Commerce, on the other hand, considered that it would be no easy matter to introduce into the disputed form of Bill of Lading for merchandise shipped from Indian ports conditions which had been so fully discussed by principals at Home, whose determinations regarding them were so diametrically opposed; and they accordingly preferred to leave the adjustment of the matter to the ordinary course of competition.

In consequence, shippers were unfortunately induced to accept the various forms of Bills of Lading adopted by the respective Steamship owners, instead of insisting on the use of their own forms, which they appear to be entitled to do by law.

Matters drifted on in this unsatisfactory state until the year 1878, when Mr. Reinhold again drew the Chamber's

attention to the great variety of forms in use, and the onerous clauses therein inserted, claiming exemption from liabilities of every possible character : whereupon the Chamber elicited the individual opinions of the various shippers on the subject, and they unanimously agreed that the introduction of an uniform Bill of Lading was highly desirable.

At the half-yearly meeting of the Chamber of Commerce in May 1879, this matter was again a subject of discussion ; but a month later, the revision of the Sailing-ship Bill of Lading was more prominently brought forward, and the settlement of the Steamer Bill of Lading, Homewards, was held in abeyance until the new Sailing-ship Bill of Lading, which came into force on the 1st of July 1881, was adopted.

The London Committee then pressed the Steamer Bill of Lading upon the attention of the Calcutta Merchants, and the importance of the matter being urged upon the Chamber of Commerce by some forty Calcutta Firms, it was at length suggested to appoint a Committee, consisting of two members representing the Chamber,—Messrs. J. Morrison and D. E. Niculachi—and two members representing the requisitionists,—Messrs. H. Reinhold and J. A. Anderson, to suggest a new form of Steamer Bill of Lading, Homewards, which should be equally equitable to both Shipowners and Merchants, for the approval of the Shipping interests.

The Committee have now the honor to report as follows :—

STEAMSHIP BILLS OF LADING FROM CALCUTTA FOR LONDON & LIVERPOOL.

This form is an adaptation of a form of Bill of Lading styled the "Eastern Trade Bill of Lading, Inwards, No. 4," recommended by a special Committee in 1871-72, but to which no general sanction was given, and which was intended to meet the considerable extent of the business of the Steamship Companies and Owners, but the so-called No. 4 Bill of Lading has, since it was originally promulgated, undergone many alterations, omissions, and additions, according to the individual ideas of the various Owners nominally adopting it, by which the interests of Merchant-shippers have been injuriously affected. As the case at present stands, there is no customary or uniform Bill of Lading in use in the Eastern Ports, and the London Committee of the Chamber of Commerce bear evidence to the many protests which have been made from time to time, against such an anomalous and unsatisfactory state of affairs.

"Homewards," or as the London Committee of 1871-72 designated it "Inwards," can have reference only to such well-known and customary ports as London and Liverpool ; indeed, the form drawn up by the said Committee was only, or chiefly, for use by British Steamship Companies, and was not intended to be applicable in nearly every instance, the various Dutch Companies, or old-

Eastern Trade
Inwards, via
Homewards, via
Suez Canal.

established wharfingers, take charge of merchandise on arrival, and superintend its delivery. In such cases, the bill of lading is not issued until the goods are received and weighed, and *weighs* long prevailed at these ports; but the usage as older ports in Great Britain, and more particularly in the Continent of Europe, appears never to have been considered or discussed by the said London Committee of 1871-72. This, however, is a point of the utmost importance, and one which is continually being pressed particularly as the majority of shipments from Calcutta to such British outports, and ports in the Continent of Europe, are made under special Charter-parties. At present, however, we can only deal with the Bills of Lading which are in daily use for Steamships loading on the wharfs for London or Liverpool, and we shall return to the subject of the ordinary clauses therein *seriatim*.

This is the first clause which embodies the warranty that a vessel has received the merchandise as per bill of lading, and the Shipping order granted by the Owners or their recognized Agents. The latter modification has been introduced by some of the established Steamship Lines trading regularly between Calcutta and London or Liverpool, as, to facilitate the despatch of business, and for the convenience of both shippers and ship-owners, it has become the practice to sign Bills of Lading in exchange for the Jetty Receipts granted by the Port Commissioners of Calcutta, and be-

Shipped in good order and condition by —
Received in good order and condition by —
Shipment —

fore the goods are actually transferred from the Jetty Warehouse to the vessel's hold. In such cases, the bill of lading *admits* the "good order," receipts granted by the Port Commissioners, and shippers, consequently, are only concerned to ascertain how far their Policies of Marine Insurance cover the risk of *Fire on shore*, as well as *in boat or cargo*. Most of the large Insurance Companies accept this extra risk.

It is unnecessary to refer that portion of the ordinary phraseology as to who is the Master, or where the vessel is lying, always supposing that the vessel is loading *within the limits of jurisdiction of the Port of Calcutta*; but, as bearing on subsequent clauses, it is important to maintain the clear statement that the bill of lading is issued by the Port Commissioners, and that it can only mean that, having unforeseen accidents or accidents of the vessel, the steamer shall proceed to her proclaimed destination by the ordinary direct route.

There can be no reasonable objection to this clause so long as the Master or Owner do not stamp its introduction with the words "intermediate port or ports," are considered only to puen on the direct route aforesaid. To place this question beyond the possibility of dispute, it is suggested that the words, "on the direct route," should be inserted in the Bill of Lading after the words, "port or ports."

On board the Steamship "My" per, Sec. Sec. being in the Port of Calcutta, and bound for London and other ports.

With liberty to discharge and receive goods and passengers, and to take in cargo any and all goods at any intermediate port or ports.

Bill marked
and
per margin.

The form of Part Notes and Shipping orders adopted by Agents, merchants and recorded at the Royal Chamber of Commerce, include a special request to the Captain, or Commanding Officer of the Steamer for the time being, not to receive the merchandise tendered for shipment unless marked and numbered, and in which the name of the consignee is specified. This request, which requires particular attention when the clause which Steamship Owners have inserted to modify or neutralize the acknowledgments of a good order and condition,—"marks and numbers,"—come to be discussed later on.

And to be de-
lined.

The question of *delivery* of merchandise, acknowledged to have been received in good order and condition, forms one of the most delicate in the management of the Steamer, and any reservation that detracts from the responsibility of the Agent and Charterer in giving good and safe delivery should be excluded from a Bill of Lading, unless some peculiar nature or composition in the merchandise shipped warrants a departure from the ordinary conditions of delivery, in which case special stipulations might be inserted by agreement.

(Subject to the
exceptions and
reservations here-
inbefore men-
tioned.)

The clause in question is sometimes put in parentheses, but more frequently enclosed in brackets, and the general wording of Bills of Lading, should be struck out for the reason above stated, and the following special exemptions are fairly allowable, such can be easily inserted, but a general clause of this nature is clearly out of place in the

ordinary wording of Bills of Lading for steamships loading on the berth for London or Liverpool.

In the the good
order and condi-
tion.

This is the ordinary clause provided by the statutory laws of all maritime nations, and the earnings of the full freight by the vessel as a carrier depends upon its fulfilments.

From the ship's
tackle.

In most forms of Steamship Bills of Lading, delivery is held to be completed on freedom of the goods from the ship's tackle, and—in some cases—when the goods having landed with the ship's tackle are taken on shore by the consignee.

The clause in question is frequently inserted in a Bill of Lading, and in some cases, it is held to be a delivery receipt, and a Steamship Bill of Lading for London or Liverpool, at which ports delivery is determined by custom, no such limitation clause might be inserted. If any special circumstances arise under which delivery from the ship's tackle may be fairly claimed, it would be advisable to adopt the legal definition of this condition given by good authority and supported by precedent, viz: *"safe and sound delivery of the goods from the ship's tackle and from the ship's cargo."* According to the above definition, the ship's goods is well known and established, the question as to what constitutes delivery would be sufficiently defined by including the words "as customary" in the Bill of Lading.

The ship's responsibility ceases only when good and safe delivery has been given to the consignee or, in case the consignee or his representative cannot be discovered at the time of discharging the goods, when the ship has deposited them under

Where
the
ship's responsi-
bility shall cease.

At the notice
and—
there is no
benefit as the
may easily get.

On to his or
their assign.

proper guardianship on shore. Even then, it is doubtful if the ship's responsibility ceases in all cases, especially if the Master has still a lion on the goods for freight.

If a vessel is advertised to load on the berth for London or Liverpool, the merchandise she engages to carry must be delivered at the common docks or wharves within the ports of London and Liverpool, and the goods must be taken from the owners can claim to have earned the stipulated freight. If the goods can be experienced in reaching the ports aforesaid, the bond can be which are fully defined, the words—"or so near thereto as she may safely get"—should be omitted from a bill of lading for

This is the customary clause, which acknowledges the transfer of a bill of lading by endorsement, and it satisfies the holder of a bill of lading by endorsement, and it satisfies the holder thereof to receive the goods in the ordinary course.

Before proceeding further, the Committee desire to draw attention to the definition, by an eminent authority, of "what constitutes delivery of goods." The learned judge says:—"There can be no complete delivery of goods until they are placed under the control of the person who is to receive them." It was upon this point, and on the subsequent clause regarding the responsibility of consignee, which is dependent on good delivery, that the Committee of Merchants and Shipowners in London failed to agree in 1871-72, and this

See Leggett's
Treatise
of Lading, page
116.

non-agreement prevented the adoption and general recognition of a form of bill of lading for the Eastern Trade, inwards or homeward, through difficulties in ignorance of the real facts, many shipowners and consignees in the Eastern Trade bill of lading, homeward, No. 4, is so accepted and generally known.

Again, the Merchants' Committee of London (1871-72) stated that "to constitute proper delivery, the consignee must be afforded an opportunity of ascertaining that his goods are according to bill of lading, while the existing system does not afford this opportunity either on board ship or on dock quay; the shipowner, therefore, cannot be absolved from following the goods to their destination, say, until they are there examined, weighed, or measured, it is quite out of his power to render his freight account."

See Records,
Board of
General
of
Commerce,
1871-72.

Freight for the
goods to be
sent
and
on delivery in
the bill of lading
count, at the
of

In discussing this clause, your Committee have had before them the Report of the aforesaid London Committee, whose grounds of objection to it are quoted as follows:—"That the present usage as to payment is of quite recent introduction, deriving any validity it has from the terms of bills of lading drawn up by shipowners consent, it has no precedent in the usage of consignees of goods." From the same Report, it appears that the consignees of goods offered the following concession:—"That delivery should be made on pre-payment of four-fifths of the estimated freight

For these and
further extracts
from the Report
of the London
Committee, see
the Committee's
minutes, 1871-72.

"instead of the whole."

The London Committee subsequently recommended merchant shippers to substitute the following clause in *their* freight bills of lading:—"Freight for the said goods at the rate of 45s. per ton, to be paid by the consignee, and to be paid, subsequent to the landing thereof, by cash in London, not later than thirty days after the ship's reporting at the Custom-House, or upon any earlier day on which a freight release may be required and received by the consignee."

The recent Committee of Calcutta merchants, delegated by the Government to consider, with a Committee of shippers, the condition on which the Government had lengthened discussion on this same clause, recommended that freight earned should be paid without discount, (excepting an old custom under which two months' interest was deducted) the discharge of vessels being now much more rapid than in former times; but the shippers agreed to receive a payment on account, gratis, and the Government, after a long dispute against same, and thereby, acknowledging that the full freight was only due on the completion of right, proper, and safe delivery of the goods. The Committee is, accordingly, of opinion that, in consequence of the rapid discharge of steamers in London and Liverpool, the terms of payment of freight have become practically—cash without discount,—and, in the ordinary course of business, freight is even now paid

For York and
Amberley Rules,
the Chamber of
Commerce has
called for 1873-72.

on the arrival of the steamer at the time of claiming delivery of the goods. It, therefore, becomes all the more necessary to make it thoroughly understood that such payments of freight are made in anticipation of good and safe delivery, and that they cannot be claimed *before delivery* as a right. Consequently, any special clauses by which anticipatory payments of freight are made compulsory on the owners or consignees of goods should be excluded from the bill of lading.

The clause relating to the adjustment of average has generally been accepted without dissent, but a great many shippers in the ports of the London Steamship Company, in England, have agreed to adopt the "York and Amberley Rules" for the adjustment of average claims, the simplest form in a bill of lading would be "*average as accustomed*."

In dealing with the exemption clauses, the Committee have chiefly had under consideration the form of bill of lading mostly in use with the principal lines of steamers that trade regularly to and from India, and the details of the clauses have been given in the report of the Committee, from that recommended by the Merchants' Committee of London in 1871-72. However, in some of the clauses, the wording is so diversified, and so many of the Companies claim special exemptions, occasionally of so absurd and extreme a character, that no doubt as to the necessity for the adoption of a uniform bill of lading can be reasonable entertained; and your Committee submit

Average, if any,
to be adjusted, &c.

that the practice, by which the Agents of the rations steamers frequenting this port, supply to the shippers of goods such forms of bills of lading as the owners of the said steamers may respectively choose to adopt, is bad alike in principle and practice. As referred to in our preliminary remarks, the P. & O. Co., being the only shipping company which has been authorised by the Government for carrying the mails, and also the Messageries Maritimes, for similar reasons, claimed, and were fairly entitled to, special consideration in the matter of exemptions, so long as they were essentially mail and passenger steamers; but since they have been sought to enter competition as carriers of merchandise, they have been treated on the same footing. But the introduction of competition with the lines of steamers which have been called into existence by the opening of the Suez Canal that these exemption clauses have been most obnoxious multiplied; and the only defence which has been set up for their introduction is—that the exemption of the Canal route to India compelled extra protection against their liability to hazards of the sea. Doubtless, trading *via* the Red Sea involved increased hazards, and consequently in the first few years after the opening of the Canal, when the bulk of the cargo of this route to the East was more imperfectly and less generally distributed, the power of steamship owners to minimise the risk they ran as carriers, by the employment of competent and skilled com-

manders for their vessels, it seems unreasonable that they should shift their proper responsibility on to the shippers whose goods they carry, by inserting unusual protective clauses in the bills of lading. Latterly the risk of this navigation has sensibly diminished, and we may argue from the great reduction in rates for Mail Steamers, and the fact that the same vessels, which are employed by other Ocean steamer routes, and yet for such other routes it has not yet been thought necessary to claim any other exemptions than those embodied in the old ordinary form of Bill of Lading, which is still continued in use by all steamers trading otherwise than to the East. This matter, however, assumes a more serious phase when the right is claimed by every outside steamer visiting the East, and more especially by those which are engaged in trading to foreign shippers of merchandise a document which, by its exemption clauses, virtually leaves the shipper with little or no protection.

With these remarks, your Committee proceed to discuss the more ordinary of the exemption clauses; but there are many others of a wider and more hurtful significance which they will subsequently allude to, so far as they have been under discussion. Without, however, unduly lengthening this Report, your Committee are of opinion that they can show sufficient reason for stringent measures being adopted by your merchants to protect their mutual interests by combined action.

The following are the conditions above referred to:
Weight, measure, contents, quality and value are known.

The practice has gradually been commonly adopted to print in export bills of lading the words "*Weight and Contents unknown*," or, when these words were not printed, the bills were referred to the Comptroller of Customs, and the Comptroller of the Bengal Chamber of Commerce. Tonnage Schedule nearly all merchandise shipped by weight pays freight at so much per ton, net weight delivered,—an arrangement which of itself determines the settlement of freight upon the actual weight of the goods ascertained at their destination. London or Liverpool, and likely to be the case of other ports, the practice of referring to the Comptroller of Customs is not followed. The "contents" of packages shipped homewards from Calcutta, the Custom-House Pass which accompanies the goods sufficiently declares their nature without special verification. Your Committee are unable to trace any instance in which a claim was made against a ship in the Calcutta trade for mis-description of contents, nor can they find any instance in which the weight of the contents was per- mitted, unless as a bareness one possibly to quiet the anxiety of some specially nervous master of a vessel.

As regards "*measure*," all goods shipped per ton of size from Calcutta, such as Jute, Cotton, Safflower, Ginnies, and similarly packed articles, are measured and agreed as to size before ship- ment, so that the words—"measure unknown"—can have no object beyond involving the risk of disputes on arrival of the cargo at its destination. We are not aware that, as a general

rule, the ship is protected by including the words "*quality or value unknown*" in a bill of lading. The practice has been usually to deal with the actual condition of packages, and, in cases where extra-valuable articles, such as Silk or Indigo are shipped, the nature of the goods is invariably declared, and a special rate of freight is charged for them. To avoid an ordinary form, or printed frame-work, for a bill of lading with unnecessary clauses is highly objectionable; and while the Committee offer no objection to the words "*weight, measure, quality and value*," in cases where the goods are of such a nature that the inclusion of these words in the bill of lading is necessary, they think that the words "*weight, quality and value*," in this clause should be omitted from the ordinary form of steamship bills of lading.

The Act of 1855, Chapter 13, Section 6, Enactment, &c.

The various forms of bills of lading which have been under the consideration of your Committee include in this clause many of the ordinary insurable risks, to obviate which, they recommend the adoption of the clause recently agreed upon for sailing-vessels and for the goods carried on board them. The Committee are not prepared to recommend the inclusion of the clause in the printed bills for steamships accepted by Lloyd's Committee, which are included in an ordinary Lloyd's Policy of Insurance.

The Committee will draw special attention in an Appendix to the Committee arrived at between the aforesaid London Com- mittee and a Committee of Underwriters, when the steamship bill of lading was discussed with the latter, detailing the various risks such an Insurance Policy covers, as well as those which it

does not include. And your Committee would suggest that Calcutta merchants should see for themselves that Marine Policies are not in conformity with this understanding.

The Underwriters' Committee agreed that Marine Insurance Policies should cover "loss or damage arising from machinery or boilers," but the wording at present in use of the exemption clause "loss or damage arising from machinery or boilers" is not in conformity with this understanding. Your Committee accordingly recommend the limitation of this clause to the risks which the Underwriters agreed to accept, and to exclude the words "explosion," "blast," "blow," because if any of these accidents primarily results from the engines or boilers, shipowners are already sufficiently protected by the exemption clause adopted by the Underwriters, and it is desirable that a bill of lading should not be clogged with unnecessary verbiage.

No sound reasons can be advanced for retaining these words, as such acts are covered by all ordinary Marine Policies, and it is not judicious to embody in any negotiable document a special form of protection for shipowners against the acts of any of their servants, the direction of whom lies entirely in their own hands.

The bill has been allowed in the new London Conference Form of bills of lading, and is also embodied in the new edition of the Merchants' Shipping Act, the owner is exempted, but not the

Loss or damage
from machinery,
boilers, or from explosion,
blast, &c.

Jettison, blast,
&c.

Fire on board,
in bulk, on cargo,
or on shore.

master. The question has been already fully discussed, and the Committee recommend that the entire of this clause should read the same in the steamship bill of lading as in the new form of sailing-ship bill of lading. Herein, viz.—"The Act of God, the Queen's enemies, loss or damage by fire on board, in bulk or cargo, or on shore; any act, neglect or default of the master, mariner, pilot, or crew, or any one of them; the ordinary course of the voyage; and all and every dangers and accidents of the seas, rivers, and navigation of whatever nature or kind excepted."

The foregoing clause—management of the ship—shall not be held to cover any act connected with the stowage or other dealing with the cargo, not directly arising out of a sea peril. The clause, as adopted by your Committee, is covered in its ordinary acceptance by insurance; but as it has become a custom with the several lines of steamers trading regularly from this port to sign clean bills of lading, and to deliver receipts for the cargo, and as this clause is actually received on board the vessel on arrangement similar to the practice in London, where bills of lading are granted for goods brought on the quay within control of the vessel—the Committee recommend that an uniform clause should be adopted in Policies of Marine Insurance, covering the risk against fire, while goods intended for shipment by a loading vessel remain on the quay.

The ship is not liable for handling marks, numbers, and marks of packages, etc.

For incurment, alterations, marks, numbers, address, or description of goods shipped.

Refer to London Sub-Committee on sailing Bills of Lading, 1890-91, page 8.

The following clauses referring to insufficient packing, and marks and numbers on packages, have frequently formed the subjects of discussion in Calcutta, with the result that a general Bill has been adopted by exporters, which provides that the goods are to be packed in such manner as the packages are in good order; and the commanding officer is requested by the boat-note to return any packages which may not be in good order; consequently, the goods being once accepted, shippers are not entitled to be exempted from liability for insufficient packing. The Committee are of opinion that this clause should be struck out, and that the following clause is not occasioned by cutting or clashing. An attempt was made to insert a similar clause for sailing ships, but after considerable argument it was abandoned.

With regard also to these items, the Committee beg leave to refer to the Calcutta boat-note,—to the remarks of Messrs. Sanderson and Co., and the introduction of a similar clause in sailing-ship Bills of Lading, which was adopted by the Committee in 1880. It appears to your Committee that, if any such clause is considered necessary, it should be adopted from the new London conference Form of Bill of Lading for sailing ships, viz.:—“If quality marks are used, they are to be of the same size as the

“leading marks, and contiguous thereto; and if such quality marks are inserted on the shipping notes, and the goods are packed by the shipper, the marks must be of the same size as the leading marks.” “If the marks are to be of the same size as the leading marks, the ship shall be responsible for the correct “delivery of the goods.” If marks become obliterated through the nature of the goods contained in the packages, the fact can be easily proved, and the ship would naturally be entitled to claim exemption from liability on the account.

If either leakage or breakage results from perils of the sea, the goods are to be delivered to the consignee in the same condition as when received by the shipper, and the shipper is to be responsible for any leakage, the reverse is the case, if goods liable to leakage, such as liquids, or goods liable to breakage through being of a specially fragile nature, are shipped, the master can stipulate for special exemption; but to have such a standing clause inserted in all bills of lading forms is contrary to the generally understood nature of a freight contract, and the Committee recommend that it should be struck out.

The Committee of Lloyd's Underwriters have expressly determined that Marine Insurance Policies shall not include “damage by coal-dust when not mixed up with damage by sea-water.” The London Committee of 1871-72 allowed this clause, owing to a representation from steamship owners that such damage was sometimes unavoidable; but your Committee, having regard to the vast exports of grain and seeds from Calcutta by steamers, and to

Leakage; breakage.

Loss or damage from dust by coating on the voyage.

Sweat, rust
and decay.

Fines and ex-
penses and losses
by detention of
the ship or cargo,

the fact that all such merchandise is shipped in bags,—indeed, for the most part in double bags,—urgently recommended that this clause should be disallowed, as it opens a door for carelessness in taking the necessary precautions to avoid such damage: no first-class steamer, having the coal-bunkers properly constructed and divided from the cargo space will ever damage cargo from this cause if ordinary care is taken to prevent it, and badly constructed steamers should not be allowed the benefit of so general an exemption.

If damage from these causes arises through perils of the sea, the underwriters are liable for the same; but if sweat and decay are occasioned by bad ventilation, or insufficient dunnage, the ship should be held liable. When goods of a nature specially liable to sweat and decay are shipped, the master may stipulate for special exemption; liability for rust, however, should be insisted on. Your Committee repeat that it is undesirable to encumber the ordinary frame-work of a steamship bill of lading with exemption clauses which are inapplicable to general merchandise; they uselessly take up space, and in so doing afford an opportunity of introducing other exemptions, obnoxious to shippers, which pass unobserved amongst the crowd of sentences.

This clause was no doubt originated by the restraints put upon vessels in former years by the Spanish authorities, but it is now obsolete. If the clause "weight and contents unknown" is in-

caused by incor-
rect marking, or
by incomplete or
incorrect descrip-
tion of contents
or weight, or of
any other partic-
ulars required by
the authorities at
the port of dis-
charge, upon ei-
ther the packages
or Bills of Lad-
ing, shall be borne
by the owners of
the goods.

The Steamer
while detained at
any port for the
purpose of coaling,
is at liberty to
discharge and re-
ceive goods and
passengers.

The Owners of
this Steamer will
not be account-
able for gold, sil-
ver, bullion, spe-
cies, jewellery, pre-
cious stones or

serted in the bill of lading, a repetition in such an indefinite form is unnecessary: moreover, this does not apply to a vessel pro-
ceeding to London, Liverpool, or any other British port.

This permission is already provided for in the body of the bill
of lading, and there is no object in repeating it.

This clause appears to your Committee superfluous, as the Mer-
chants' Shipping Act lays down the principle, and exempts the
owners from liability. According to established custom, packages
above £100 in value are invariably declared, and are charged at a
special rate of freight, for instance—Opium, Indigo, Silk, and

precious metals, or beyond the amount of £100, for any one package, unless the Bills of Lading are signed for such goods and the value declared therein.

If medicinal fluids or any other goods of an inflammable, damaging, or dangerous nature are shipped without being previously declared and arranged for, they are liable upon discovery to be thrown overboard, and the loss will fall on the shippers or owners of such fluids or goods.

similar articles.

When a similar clause was sought to be introduced in the new form of sailing-ship bill of lading, Messrs. Sanderson and Co. advised—"this clause is not an unreasonable one, but it would more properly find a place in the contract of affreightment than in a bill of lading." With this opinion your Committee concur, and the shipowners themselves withdrew their proposal for its insertion, it being evident that the master has sufficient power under the Merchants' Shipping Act to deal with such a package in the event of no declaration, or a false declaration, of its contents being given. However, if steamship owners insist on maintaining this clause, the Committee would not raise any serious objection to it. The principal reason for eliminating it is their desire to have a form of bill of lading which shall be kept free, as far as possible, from all superfluous stipulations, so that both the contracting parties may be able, in the hurried course of business, to see at a glance the full contents of such a document.

98

The goods are to be discharged from the ship as soon as public sanitation is given that she is ready to unload, and if not thereupon removed without delay by the consignee, the master or agent is to be at liberty to land the same, or if necessary, to discharge into bulk, or into retorts, or into lighters, at the risk and expense of the owners of the goods.

In case of quarantine, the goods may be discharged into the quarantine depot, bulk or other vessel, as required for the ship's despatch. Quarantine expenses upon the

This clause has already been incidentally touched upon in discussing the mode of delivery of cargo and payment of freight. The Committee of Merchants in reviewing the matter proposed a special clause for goods shipped to London, as follows:—

"One clear working day, after the day on which the ship reports at the Custom House and is docked, is to be allowed for application for delivery, and if thereafter the goods are not removed without delay by the consignee, the master or agent is to be at liberty to land and warehouse the same, or, if necessary, to discharge into hired lighters at the risk and expense of the owners of the goods."

As the custom of discharging ships or steamers in Liverpool, is apparently somewhat different to the London practice, your Committee are of opinion that it would be better to omit this clause entirely, and rely upon the custom prevailing in London or Liverpool, respectively, as already recommended in this Report.

This and the following clause have no meaning in a Bill of Lading given for goods exported by steamers on the berth for London or Liverpool, which document alone your Committee have under consideration; and they should consequently be omitted. In recommending this, however, the Committee desire to remark that it might be of advantage if a separate and distinct Bill of Lading (which should be of a different color to the ordinary form, in order to make the two easily distinguishable) was provided for

99

goods, of whatever nature or kind, shall be borne by the owners of the goods.

In case of blockade or interdiction of the port of discharge, or if the entering of, or discharging in, the port shall be considered by the master unsafe, by reason of war or disturbances, the master may land the goods at the nearest safe and convenient port at the expense and risk of the owner of the goods; and the ship's responsibility shall cease when the goods are so discharged into proper and safe keeping, the master giving immediate notice

cases in which goods are intended for transshipment, and in these Bills of Lading such clauses as might be applicable to the various ports to which goods are transhipped from the direct steamers could be inserted.

100

of the same to the consignees of the goods, so far as they can be ascertained.

The Master or Agent shall have a lien on the goods for payments made or liabilities incurred in respect of any charges stipulated herein to be borne by the consignees of the goods.

The master or owner of the vessel has undoubtedly a lien on the goods *for freight*, but it appears to your Committee that it is neither right nor justifiable to give the master a further lien upon goods probably shipped by a Calcutta merchant as agent for some distant principal, in such general and indefinite terms. If under special circumstances the ship has incurred liabilities or payments for which the cargo, or any portion of the cargo, is liable, the claim must and can readily be proved in a legal and proper manner; but to admit, in anticipation, that any master or ship-agent can by right impose an indefinite lien or claim upon merchandise without limitation, appears to your Committee dangerous and absurd. The "payments made or liabilities incurred" can only have reference to the "fines and expenses and losses by detention of ship or cargo," &c, embodied in the previous clause, which the Committee recommended should be expunged; and, if such recommendation is adopted, this clause must follow suit as a natural consequence.

In case any part of the within goods cannot be found during the

This is a clause which is not inserted in all the Bills of Lading your Committee have had before them; and it was not discussed between the steamship owners and the merchants in London, in

101

ship's stay at port of destination, they are, when found, to be sent back by the first steamer at the ship's risk and expense, and subject to any proved claim for loss of market.

If prevented from discharging by weather, the goods may be taken on to the next convenient port for transshipment to their destination, at the expense of the vessel, but at the risk of the Merchant.

The ship shall not be liable for incorrect delivery unless each package shall have been distinctly marked by the shippers before shipment, with the name of the port of destination.

In witness thereof the Master or Agent of the said ship has signed Bills of Lading, inclusive of the

1871-72. It is only applicable to goods carried to and from intermediate ports, but it is apparently inserted by some Companies, as a sort of compromise, in case of non-delivery or short delivery of cargo.

In lieu of this wording, the Committee recommend the adoption in a new Steamer Bill of Lading of the clause agreed on between the owners of sailing ships and merchants, which appears to them more equitable, and better calculated to avoid disputes; and which is now embodied in the new London Conference Form of Bill of Lading of sailing ships, viz:—"In the event of claim for short delivery, price to be the market price of the day at port of discharge, on the day of the ship's reporting at the Custom House, less charges and brokerages."

This, like the foregoing clause, has reference only to shipments from or to intermediate ports, and can only be fully dealt with when Bills of Lading for special voyages come to be discussed; but your Committee may here remark that such a permission involves a question of marine insurance, inasmuch as it admits a considerable deviation from the voyage intended, of which neither the underwriter nor the insured can have any previous knowledge; and if the insurance policy did not cover such an eventuality, the vessel would clearly be liable for the value of the goods if they happened to be lost on the voyage to the "next convenient port." No provision of this nature was discussed at the London Conference of 1871-72.

nor is it stipulated in all the Bills of Lading under the Committee's notice; it is evidently adopted from the P. & O. S. N. Co.'s Bill of Lading, which line, as before stated, has a right to special exceptions. In the ordinary form of Bill of Lading now proposed for steamers trading direct between Calcutta and London or Liverpool, such a clause is naturally inapplicable.

After the recital in the body of the Bill of Lading that the goods have been received in good order and condition—being marked and numbered as per margin—such a clause can only be intended either to override this declaration or to provide a loop-hole for escaping responsibility in case of a claim; moreover, it is not seriously intended that each package should be marked with the name of the port of destination, as, for instance, when Jute, Cotton, or similar goods, are shipped. Your Committee are unanimously of opinion that this and similar contradictory clauses should be entirely removed from the ordinary Bill of Lading, as they are capable of being construed more or less invidiously against shippers, and no honest shipowner would ever seek protection under them.

This is the usual final clause in all Bills of Lading, and requires no special comment.

Recently, however, some Agency Houses have introduced additional remarks in the margin of the Bill of Lading, or have encroached upon the blank space by inserting therein special notices, warnings, or reservations, of which the shipper had no previous

Master's copy, all of this tenor and date, one of which being accomplished, the others to stand void.

knowledge. Such abuses should be discontinued. The Committee believe that remarks of this nature, added to a Bill of Lading without due notice to shippers, have no legal importance, but they are nevertheless calculated to raise disputes between merchants and shipowners, the avoidance of which is the principal object to be gained by the adoption of a general steamship Bill of Lading, equitable alike to all parties.

Firstly.—Shippers are requested to note the particular terms of this Bill of Lading as regards the validity of their insurance upon goods; while, in a great many instances, Calcutta merchants ship goods for principals at home who cover their own insurance and the terms of whose policies are quite unknown to the merchants.

Secondly.—Shippers are politely informed that by paying a higher rate of freight, the Company will undertake responsibilities not imposed by this form.

Thirdly.—Shippers are cautioned not to ship goods of a dangerous nature, or they are liable to penalties imposed by Statute.

To an unbiased mind, the general interpretation of such clauses must be that shippers of cargo, instead of being ordinary constituents who afford the carrier the means of earning freights, are regarded by shipowners or their agents as dangerous customers, having constantly to be reminded by penal threats to avoid

doing anything which may by possibility injure the shipowner or his interests. But, on the other hand, some shipowners do not hesitate to impose upon their constituents the most onerous conditions, a few examples of which will prove the urgent necessity that exists for the adoption of an uniform and plain document, to be tendered by shippers as their Calcutta Bill of Lading for steamship.

Thus far the Committee has only dealt with a form which, under existing circumstances, may be considered a comparatively reasonable one; but their task would not be complete without quoting some of the "exemptions" claimed in other forms which have been brought to their notice; for instance:—

The ordinary insurable risk includes pirates and robbers by land or sea, but not pilfering or embezzlement; while the clause quoted in the margin is evidently intended to cover pilfering, embezzlement, any breaching of cargo on land or at sea.

At the London conference of shipowners and merchants under the presidency of C. M. Norwood, Esq., M. P., the shipowners withdrew the clause relating to vermin.

An owner who requires the insertion of such a clause must manifestly have some doubts as to whether he has not entrusted his vessel to a dishonest and dangerous captain and crew.

In all ordinary affairs of life, the law holds that the owner or master is liable for the acts of his servants to whom he delegates

Tilices by
land or sea.

Vermin.

Damage of
masters or mar-
iners.

Or from the
following perils,
whichever arising

the protection of shipowners as well as shippers : but such clauses should be based upon plain and equitable conditions. With these remarks your Committee close their Report for submission to the Special Meeting, which they understand the Board of Commerce intends shortly to summon for the discussion of this important subject.

J. A. ANDERSON,
D. E. MCKULACHIL,
J. MORISON,
H. REINHOLD.

CALCUTTA, October 12th, 1881.

APPENDIX.

The Underwriters' risk on the voyage named, calling at the intermediate ports named, is to include—

Coaling at other intermediate ports not named.
Taking in and discharging cargo while so coaling.
Sailing with or without pilots.

Towing and assisting vessels in all situations of distress.
Loss or damage arising from the machinery or boilers.
Dangers and accidents arising from the navigation of the Suez Canal.

Any act, neglect, or default whatsoever of Pilots, Master or Crew in the management or navigation of the ship, provided the expression "management of the ship" shall not be held to include any act connected with the stowage, or other dealing with the cargo of the ship, not arising out of a sea peril.

In addition to all risks comprehended and provided for in the body of the policy,

The Underwriter is not to be liable for acts or default of the shipper unconnected with sea perils, such as insufficient packing, incorrect marking, improper description, absence of declaration for inflammable or dangerous goods, or insufficient declaration of value for specie and valuables.

The Underwriter, however, is to be liable as heretofore for the consequences of sea damage or sea perils of any kind, such as leakage, breakage, sweat, rust, decay, when traceable to that origin, but not otherwise. Damage by coal dust when not mixed up with damage by sea water is to be borne by the merchant.

In case of the goods being placed in quarantine depôt, aloft or ashore, previous to the final delivery to the consignee, the Underwriters' risk will continue until such final delivery, and will cover risk of boats to and from such depôt.

In case of blockade, the Underwriters are understood to cover the voyage to the port of discharge selected by the Captain as fully and effectually as to the port of discharge named in the policy, their liability ending with the landing of the goods at the former destination.

Should the voyage be extended beyond the destination named in the policy, as when the goods cannot be found, or from stress of weather cannot be landed, the Underwriters are to be entitled to receive additional premium for the extra risk incurred.

Calcutta Steamship Bill of Lading, "Homewards," viz Suez Canal.

Shipped in good order and condition by _____ of Calcutta on board the Steamship _____ chartered in blower for this present Voyage Suez Canal, with liberty to discharge and receive goods and passengers, and to take in coal or other necessary supplies, at any intermediate port or ports, on the direct or indirect voyage, without pilots, and to tow and make vessels in all situations of distress.

being marked and numbered as per margin, and to be delivered in the like good order and condition at the aforesaid Port of _____ or to his or their order of the ship's tackle, as customary, unto _____

(The Act of God; the Queen's Enemies; Jaws or damage from fire on board, in bulk or on shore; any neglect or default whatsoever of the Captain, Mate, or crew; and any loss or damage from the perils of the voyage; and all and every the dangers and accidents of the seas and rivers, and of navigation of whatever nature or kind; Pirates, Robbers by sea or land; Hostilities, Wars, Rebellions, Insurrections, Riots, Mutinies, Plagues or Pestilences, Jaws or damage from the machinery and boilers, excepted). Freight to be paid for the said goods at and after the rate of _____ per Ton of Net Weight thereof, to be paid by the Consignee, at the place of delivery, subsequent to the landing thereof, in full, (in advance, if so agreed) to the Mate or Agent of the said Steamship, at the Custom House, or upon any earlier day on which a freight release may be required and received by the Consignee) without discount; but otherwise average as constituted.

In the event of claim for short delivery, value to be the marked price of the goods at Port of discharge on the day of ship's reporting at the Custom House, Weight, Contents and Value unknown.

In witness whereof the Mate or Agent of the said Steamship has signed these bills of Lading, and the Captain or Mate of the said vessel, at this tenor and date, one of which being accomplished, the others to stand void.

188.

Dated at Calcutta,

If really marks are used, they are to be of the same size as the trading marks, and the goods are accepted on condition that the marks shall be firmly thereon, and shall be signed by the Captain, and the seamen shall be bound to see that the correct delivery of the goods.

REGISTRATION OF PARTNERSHIPS.

The Committee have to regret that their efforts to secure the compulsory registration of partnerships have proved ineffectual, and they append the latest communications which they have received from Government on the subject

From Govt. of Bengal to Chamber.

No. 842 J. Dated Calcutta, 20th Feby. 1882.

In continuation of the letter from this Office No. 3588, dated the 29th July 1880, I am directed to forward for the information of the Chamber of Commerce the accompanying copy of a Memo: No. 154, dated the 3rd instant, and of its annexures from the Under-Secretary to the Government of India in the Home Department on the subject of providing by legislation for the compulsory registration of partnerships.

From Govt. of Bombay to Govt. of India.

No. 381 of 1882. Bombay Castle, 20th Jany. 1882.

In August 1879 the Bombay Chamber of Commerce addressed to this Government a communication pointing out the desirability of passing a legislative enactment, having in view the compulsory registration of partnership. The Chamber adduced facts and arguments which appeared to the Governor in Council to make it desirable to adopt measures in the direction indicated. The subject was one of great importance to the merchants and bank-

ers of Bombay, and as both the European and leading native merchants were in favor of a law which would render compulsory the registration of partnerships, this Government, in forwarding * to the

Vide letter from this Govt. No. 6376, dated 6th September 1879.

Government of India the communication of the Chamber of Commerce, supported the views *herein expressed, and pressed upon the consideration of the Governor-General in Council the request preferred by that body.

2. In reply, the Government of India in their letter No. 2099, dated the 3rd November, 1879 stated that the difficulty described by the Chamber of Commerce was a real one, but expressed a doubt whether it would be practicable to remedy it by legislation. It was at the same time intimated that if the Chamber of Commerce considered that it was practicable to frame an enactment which, while avoiding the objections which had been raised by the Government of India on a former occasion, would meet the desired end, the Chamber should be invited to prepare a draft of such a measure and submit it through this Government for the consideration of the Governor-General in Council.

3. The above reply having been communicated to the Chamber of Commerce, the Secretary to the Committee of the Chamber submitted to this Government on the 18th August 1880 a draft Bill on the subject, prepared by the Chamber's solicitors. In forwarding the draft, however, the Secretary intimated that the Committee, after carefully considering the provisions of the Bill, were unable to accept the principles upon which it was based, nor were they able to bring forward any scheme which they could recommend

the Chamber to adopt. A Resolution of the Chamber instructing the Committee to inform Government of their desire to withdraw their request for a legislative measure for the registration of partnerships was, at the same time, communicated. A copy of the Secretary's letter has already been forwarded to the Government of India with letter from this Government No. 3168, dated the 19th May 1881.

4. Being, however, satisfied that a prudent and moderate measure would be accepted if the difficulties in the way of remedying the evils in view by legislation could be removed, the Governor in Council, before allowing the matter to rest, simply because the Chamber of Commerce found a difficulty in framing a suitable enactment, called upon the Remembrancer of Legal Affairs to prepare a draft Bill, bearing in mind the directions given in para 3 of the letter from the Government of India No. 2099, dated the 3rd November 1879.

5. In November 1880, the Acting Legal Remembrancer submitted the required draft Bill, which, however, did not appear to overcome satisfactorily the difficulties which beset the subject. The Honorable the Advocate-General was then consulted, and he, in his letter No. 68, dated the 23rd December last (copy of which is enclosed) has reported that no legislation on the subject is desirable.

6. In these circumstances the Governor in Council desires me to state, for the information of the Government of India, with reference to the letter from this Government No. 5376, dated the 6th September 1879, and subsequent correspondence, that he has reluctantly determined to abandon the proposed legislation on the subject of

the registration of partnerships, although at one time he was not without hope that the object in view could be attained by an enactment which, whilst providing for the optional registration of firms, would also make unregistered firms incompetent to sue when the subject-matter of the suit exceeds a certain amount, say Rs. 1,000 to Rs. 5,000.

From Advocate General to Govt. of Bombay.

No. 68 of 1881. 23rd December 1881.

In reply to your letter No. ²⁰ of 1881, of the 12th May last, forwarding certain papers and files in original on the subject of "compulsory registration of partnerships" and requesting my opinion whether any legislation was desirable in this direction, I beg to say that, in my opinion, no legislation is desirable.

I quite agree with the Government of India in its letter to the Secretary of the Government of Bombay of the 15th September 1879, that "no machinery can be adjusted to the purposes which the Chamber of Commerce have in view without making it, to a serious extent, burdensome and restrictive upon partnership operations which desire no such artificial safeguards," and the justness of these remarks is proved by the proceedings of the Chamber of Commerce on the 3rd August 1880.

In truth, merchants can, with the exercise of ordinary precautions, efficiently protect themselves. Section 245 of the Contract Act enacts that a "person who has by words

spoken or written, or by his conduct led another to believe that he is a partner in a particular firm, is responsible to him as a partner in that firm." >

If a merchant takes the trouble to ascertain with whom he is dealing, every protection is given by that section just as much as registration itself could do, but if a merchant is incautious enough to deal with and trusts a firm without ascertaining who are the individual persons with whom he deals, I must say, I think he is not entitled to complain of the law for not giving him that protection which, with a little trouble, he might have obtained for himself.

There was a great want of that caution during the mania of 1864 and 1865 which preceded the crisis of 1836 and 1867.

I observe Mr. Ashburner in one of his minutes instanced the case of Kessowjee Naik, but it is well known that under the partnership agreement of the firm of Nursey Kessowjee & Co., Kessowjee Naik was not a partner, and registration would not have altered this.

I do not think the scheme of the Acting Legal Remembrancer will work.

I agree with the Under-Secretary to Government that the proposed Act would probably remain much of a dead letter until some commercial crisis existed, and that the demands for registration might be made by registered firms on an unregistered firm whose stability was precarious.

But no Act can guarantee good faith, and if the members of unstable firms were dishonest, they would, I apprehend, comply with the requisition by registering men of straw and screening those who have something to lose; and if the registration is to be taken as conclusive that the persons registered are the true partners, creditors will be worse off than they were before; if not, then the creditors will be in their former position of endeavouring to prove that the responsible persons are partners.

The punishment for non-registration, of not being allowed to sue, would not be great, for an unstable firm has probably many more debts than credits, and would be in the position of being sued rather than suing. >
I return the files and papers.

No. 154.

Copy forwarded to the Government of Bengal for information, in continuation of letter No. 1147, dated the 15th July 1880.

HOME DEPARTMENT,
(Public.)

Port William, the 3rd Feby. 1882.

By order, &c.
(Sd) F. C. DAUKES,

Under-Secretary to the Government of India.

**PROPOSED ABOLITION OF IMPRISONMENT
FOR DEBT.**

The opinion of the Committee has been sought as to the desirability of abolishing imprisonment

for debt, and while they fully recognize the evils of this form of punishment, they have been unable, in the existing state of the law, to recommend its disuse.

*From Government of Bengal to Chamber,
No. 3J, dated Calcutta, 4th January 1882.*

I am directed to forward herewith a copy of a letter from the Government of India in the Home Department, No. 12—1503, dated the 17th November 1881, and to request that you will be so good as to move the Chamber of Commerce to favour the Lieutenant-Governor with an expression of their opinion on the question of abolishing imprisonment for debt.

*From Govt. of India to Govt. of Bengal,
No. 12, Simla, the 17th November 1881.*

INSTANCES having recently been brought to notice in which *purda nashin* women have been arrested in execution of the decrees of Civil Courts, the Government of India has had under consideration the question of amending the provisions of the Code of Civil Procedure bearing upon this point.

Before, however, coming to any final conclusion on this subject, the Governor-General in Council thinks it desirable to deal with the larger question of abolishing imprisonment for debt, and for this purpose to enquire whether any sufficient reasons exist for the continued maintenance in India of the present system; and I am accordingly

to request that you will be good enough to move His Honor the Lieutenant-Governor to favor the Government of India with a full expression of his opinion on the matter.

2. Under the existing law, the issue against judgment debtors of warrants of arrest in execution of a decree appears to be to a great extent discretionary with the Civil Courts, and His Excellency in Council would express his hope that, so long as imprisonment for debt is permissible by law, particular consideration will be shown in the case of *bond fide purda nashin* women, and that warrants of arrest against such may not be issued except when this is really necessary.

3. I am directed also to invite attention to the propriety of providing suitable accommodation (if this does not already exist) in the civil jails for women of respectability, whose arrest and imprisonment in execution of a decree may be deemed necessary by the Civil Courts.

*From Chamber to the Government of Bengal.
Calcutta, 14th February 1882.*

The Committee of the Chamber of Commerce direct me to acknowledge the receipt of your letter No. 3 J, of the 4th ultimo, accompanied by copy of letter of the 17th November from the Government of India to your address, in which His Excellency the Governor-General in Council draws attention to the question, whether any sufficient reasons exist for the continued maintenance in India of the system of imprisonment for debt.

Having carefully considered the subject, the Committee desire me to submit that in their judgment it would not be wise to abolish imprisonment for debt in this country without substituting something that will afford to creditors a means of protection at least equally effectual.

The Committee are aware that in England imprisonment for debt has practically been abolished, but on the other hand there exist in England many safeguards against the practices of dishonest debtors which are not available in this country. Particular reference is here intended to the provisions of the English Bankruptcy Law, and to the exceptions to Section 4 and Part II of the Debtor's Act, 1869.

If such provisions were adopted here, together with others making it penal for an insolvent to close his place of business and abscond, whether with or without property, and a strict Insolvency Law giving large summary powers for the arrest and punishment of debtors who should fail to make the fullest possible disclosure of their affairs, and facilitating adjudication by creditors; then, under such circumstances, but not otherwise, my Committee might be disposed to advocate the abolition of imprisonment for debt.

It may be pointed out that sufficient powers are already existent in Sections 421 to 424 of the Penal Code: but these Sections, however admirable in appearance, are practically rendered nugatory by the difficulties which meet us in India, in obtaining evidences of the facts which must be proved before a warrant of arrest can be obtain-

ed, and by the want of some official charged with the duty of investigating the affairs of insolvents and of prosecuting where circumstances justify such a course.

The Committee are strongly of belief that in India the proportion of dishonest debtors is enormously larger than in England. The facilities for concealment of property and defrauding of creditors, afforded by the keeping of vernacular accounts, and by the system of *benami* transfer and other similar expedients, are such that the provisions of the law providing for the execution of decrees by the attachment of property are largely inoperative: nor do the provisions of the Insolvent Act as now administered afford any sufficient protection to creditors.

Upon the whole, therefore, my Committee desire me most earnestly to represent that, if the law of debtor and creditor be otherwise left as at present, the abolition of imprisonment for debt would, in the Committee's opinion, frequently render it impossible to recover debts due by persons inclined to be dishonest, however ample their means.

STOWAWAYS BILL.

The Committee's views on the proposed legislation to prohibit the landing of certain stowaways, and to provide for the recovery from ships' agents of expenses incurred by Government in respect of such persons, are expressed at length in the letter which closes the correspondence on this

subject; and the Committee are glad to believe that their representation has had the effect of satisfying the Government that no necessity existed for the measure, and that the Bill has therefore been withdrawn.

*From Chamber to Government of Bengal.
Calcutta, 12th October 1881.*

The Committee of the Chamber of Commerce notice that the Bill has been introduced into the Legislative Council of the Governor-General with the view to prohibit the landing of certain stowaways, and to provide for the recovery of expenses incurred by Government in respect of such persons.

In the statement of objects and reasons it is declared that "stowaways of European extraction are found, on a rough average, on board twenty per cent. of the vessels arriving at the port of Calcutta;" and the Committee of the Chamber have seen it remarked, in a *Dombay* newspaper, that the Bill is due in a great measure to a report on the subject submitted by the Hon'ble the Lieutenant-Governor.

The Committee feel sure that His Honor's asserted action in this matter would not have been taken except on the fullest information; but they will be glad if His Honor will permit them to be furnished with a return of the number of stowaways landed in Calcutta during the last 2 or 3 years, and of those who have become vagrants, and have consequently been provided for under Act 9 of 1874.

The Committee apply for these details, as the information which they have so far obtained certainly does not tend to establish the necessity for the proposed legislation.

*From Government of Bengal to Chamber.
No. 1221T, Darjeeling, 31st October 1881.*

I am directed to acknowledge the receipt of your letter, dated the 12th October 1881, requesting, with reference to the assertion in the statement of objects and reasons for the Stowaways Bill, that stowaways are found in 20 per cent. of the vessels visiting Calcutta, that the Chamber be furnished with a return of such persons landed within the last 2 or 3 years, and of the number ultimately dealt with as vagrants.

2. In reply, I am to refer the Chamber to enclosed extract from a letter from the Board of Revenue, No. 53B, dated the 22nd January 1881, from which it will be seen that, as stowaways do not come under the provisions of the Merchant Shipping Acts, no statistics of those landed in Calcutta have hitherto been kept. In the absence, therefore, of such statistics, Government had to be guided entirely by the personal knowledge of the responsible officers who have the means of forming an estimate of the extent to which stowaways are landed. They estimated that 20 per cent. of the vessels visiting the port brought stowaways, and their estimate was accepted. Although this estimate is no doubt incapable of verification, it is probably accurate for all practical purposes.

3. During the past year the number of stowaways brought before the police authorities at Calcutta was 26, of whom 10 were shipped by the masters of the ships in which they arrived, and the remainder were sent to the Sailors' Home, whence they were eventually shipped back through the agency of the Police authorities, whose action in the matter, however, was not warranted by law. The number of stowaways brought to the notice of the Police cannot, however, be taken as any index to the number actually landed.

4. With regard to the observation made by the Chamber in paragraph 2 of your letter, I am to say that the Lieutenant-Governor is not responsible for the statement made in the Bombay newspaper. Sir Ashley Eden cannot say how far the Stowaways Bill is the result of representations made by this Government, or how far it is due to action taken by the Bombay Government in 1876. In any case, however, he considers that, as in the present state of the law, masters of vessels are not prohibited from landing stowaways, and are in no way responsible for them after they have been landed, some provision should be made to check the landing of persons who might possibly become chargeable to the State as vagrants.

5. The enclosed copies of correspondence will explain to the Chamber how the difficulty in regard to stowaways first presented itself to the Government of Bengal.

Letter to the Government of India, No. 1878, dated the 11th November 1878.

Letter from the Government of India, No. 5, dated the 5th January 1879.

Extract from a letter from A. Forbes, Esq., Officiating Secretary to the Board of Revenue, L. P., to the Secretary to the Government of Bengal, General Department, No. 52B, dated Fort William the 22nd January 1881.

1. I am directed to acknowledge the receipt of Government Order No. 1104T, dated 9th November, desiring the Board to call upon the shipping master of Calcutta to submit a report regarding the custom of landing stowaways at this port, and the necessity of legislative enactment forbidding their being landed without permission of the shipping master or other local authority, or unless due provision is made for their maintenance and passage home.

2. In reply, I am to state that the shipping master of Calcutta, having been consulted, reports as follows:—

“As stowaways do not come under the Merchant Shipping Acts, the shipping office has no record of them; shipmasters with stowaways on board their vessels are, therefore, always referred to the Deputy Commissioner of Police for such action as it may be necessary to take in these matters. The Deputy Shipping Master, however, reports, from his personal knowledge, that about two out of every ten vessels arriving in port from the United Kingdom have one, two, or more stowaways on board, and that, as they are landed, every endeavour is made to ship them away; but that failing this, they become vagrants and are dealt with by the Police. Under the circumstances, I believe, the Police authorities will be in a position to furnish the needful information on the subject.

"The English law provides that stowaways may be taken without warrant before a Justice of the Peace who may dispose of the case summarily, and a similar provision would enable the Police to deal with them, specially if it were made imperative on masters of vessels to give notice that they have found stowaways on board."

From Government of Bengal to Government of India, Marine,—No. 3878, Calcutta, dated the 11th November 1878.

* No. 201 of 2nd October 1878. In submitting copy of a letter* from the Conservator of the Port of Chittagong, in which it is reported

that of three stowaways who were brought to Chittagong on board the Ship *Durham*, two were provided with employment on other ships, and the third was put on shore without means of subsistence by Mr. Charles Seymour, the master of the ship, I am directed to say that it seems doubtful whether the Conservator has not exceeded his legal powers in the action taken by him as regards these stowaways, who cannot come under the definition of "seamen" as supposed by Mr. Warden; but that this Government would be glad to have instructions how such cases should, in future, be dealt with. Apparently, stowaways left in India can only be treated under the European Vagrancy Act, and no claim on their account would be against the ship or its agents.

Memo. by J. BEAMES, ESQ., Offg. Commissioner of the Chittagong Division, No. 221C, dated Chittagong the 13th October 1878.

COPY forwarded to the Secretary to the Government of Bengal, for information.

From W. WARDEN, ESQ., Conservator of the Port of Chittagong, to the Commissioner of the Chittagong Division, No. 201, dated Chittagong the 2nd October 1878.

I HAVE the honor to report the following case for transmission to the Board of Trade under section 207 of the Merchant Shipping Act of 1854.

2. The British Ship *Durham*, official No. 54713, Mr. Charles Seymour, master, entered at this Custom House, the 6th June, with 1,221 tons salt, manifested from Liverpool, having on board three stowaways brought here from that port. The three boys, it is stated, had worked for their food all the passage out, and had conducted themselves in a satisfactory manner, and, beyond being stowaways, Captain Seymour had no complaints to make against any of them; but he desired to be quit of them as soon as might be, and proposed to put them ashore here. In reply, Captain Seymour was at once clearly and distinctly informed by me that he could not turn the boys adrift at this port; nor could he leave them behind without finding them suitable employment, failing which, the three boys must be taken back to England on board the *Durham*.

3. The Ship *Durham* cleared outward at this port for Dundee, on the 6th September, with a full cargo of jute. She therefore earned freight on both voyages, and as suitable employment had not then been found for the three

stowaways, I entered their names in my endorsement of the articles as being on board, so that if landed here, as I half suspected they might have been, the Board of Trade would come to enquire into the matter. Subsequently, however, employment was found for two of the three stowaways on board the *Perse* and *Lutana*, respectively, and I accordingly furnished Captain Seymour with a letter to that effect. But the third boy, John Hastings, was left behind at this port in almost a state of destitution. He had no clothes and no money, and, on being questioned, John Hastings affirms that, in reply to his question as to what was to become of him, Captain Seymour told him he might go ashore the same road as he came on board. That he was accordingly lauded by the 3rd mate of the *Durham*, who sculled him ashore at slack water on the 7th instant: this last point in the evidence being witnessed by Saddar Ali, a most respectable old man, and senior pilot of this port. It appears to me that Captain Seymour is answerable to a charge under section 207 of the Merchant Shipping Act, as I had prohibited any of the stowaways being left behind at this port without suitable employment being found for them. John Hastings, it is true, was not on the articles of the *Durham*, but his services had been employed on board all the voyage out, and during the time the vessel was at this port, and under the Indian Merchant Shipping Act (Act XIII of 1870), section 2, employed and engaged are interpreted to mean much the same thing, and section 4 thereof tallies with section 207 of the Merchant Shipping Act of England, under which Captain Seymour is now reported.

4. The boy, John Hastings, will be shipped on board the British Barque *Anne*.

From A. O. HOME, Esq., C. B., Secretary to the Government of India, Dept. of Revenue, Agriculture and Commerce, to the Secretary to the Government of Bengal, General Department, (Marine), No. 5, dated Calcutta, the 3rd January 1879.

I AM directed to acknowledge the receipt of your letter No. 3878, dated the 11th November last, reporting the action taken by the Conservator of the Port of Chittagong in the case of certain stowaways who were brought to Chittagong on board the ship *Durham*, and soliciting general instructions how such cases should in future be dealt with.

2. In reply, I am desired to observe that, in the opinion of the Government of India, neither the provisions of the Merchant Shipping Act, 1854, section 207, nor those of the Indian Act XIII of 1876, section 4, can, as supposed by the Conservator, be held to cover the case of stowaways. In both Acts the definition of seaman is practically the same, and includes "every person (except masters, pilots and apprentices duly indentured and registered) employed or engaged in any capacity to serve at sea for the purposes of any ship" or "on board any ship." The word, "employed or engaged" mean brought on board and shipped for the purpose of being employed there. The definition is confined, as the Government of India are advised, to persons with whom a regular contract of service has been concluded by entering their names on the ship's articles.

3. In the present case, the persons in question appear to have come on board without the knowledge and against the will of the master and without any contract for service. Such being the case, he was entitled to leave them on shore at the first port he came to, and he cannot be said to have deprived himself of this right by making the stowaways work in return for the food he gave them.

4. With regard to the European Vagrancy Act (India), No. IX of 1874, under which you propose to treat stowaways left in India, I am to say that if the stowaways in question had become vagrants within the meaning of that Act, they could no doubt have been dealt with thereunder. In section 31 of this Act it is laid down that "whenever a sailor of European extraction, *not being a British subject*, is discharged from his ship in any British Indian port," the owner or master of the ship shall be liable for the expenses incurred by Government in the case of his becoming a vagrant; but, in this instance, these stowaways were British subjects, and even had they not been so, it is very doubtful whether their case would have fallen under this section. In the Act there is no definition of sailor, but the words which appear in section 31, viz., "whether a sailor * * * is discharged from his ship," seem to indicate the determination of a regular contract of service, and, as it has already been observed, no such contract can be considered to have been entered into in a case like the present. The expenses incurred on account of stowaways who are British subjects and are left behind in British Indian ports, must therefore, in the existing state of the law, be borne by Government.

5. The Governor-General in Council is, however, not satisfied that these charges, originating commonly in the carelessness of ship-masters, should continue to fall on the Indian tax-payer, and His Excellency in Council has, with this object, addressed a despatch to Her Majesty's Secretary of State, soliciting information and instructions.

From Chamber to the Government of Bengal.

Calcutta, 21st December 1881.

I AM directed to acknowledge receipt of your Memo. No. 1250—T, dated 2nd November, asking for an expression of opinion by the Chamber on the Stowaways Bill; and of that dated the 30th ultimo, requesting an early reply.

I am also to acknowledge your letter of 31st October (1221—T) in reply to mine of 12th October, relative to the assertion made in the statement of objects and reasons, that, on a rough average, stowaways are found in 20 per cent. of the vessels visiting Calcutta. The Committee note that the authority for this statement is the Deputy Shipping Master of Calcutta, who seems to have merely hazarded a guess, or, at all events, given an opinion of his own without being able to support it by figures.

Considering that a loose estimate of this sort hardly furnishes safe ground for legislation, especially when of an exceptional character, the Committee wrote to the Deputy Commissioner of Police and ascertained from him that in 1881, up to the 10th October, only 5 stowaways were

reported to the police. In 1880 they were more numerous, say 26 in all; but of these 10 were taken away as seamen in the vessels which brought them here, and the remainder—to use the Deputy Commissioner's words—"appear to have secured ships for themselves."

Turning next to the Port Officer's Reports, it is found that the number of vessels which visited Calcutta in the year 1880-81 was 984, so that, according to the statistics thus officially furnished, it appears that the number of stowaways brought into Calcutta, instead of reaching 20 per cent. upon the number of vessels, can hardly be said to amount to 2½ per cent.!

Wishing, however, to test the matter somewhat further, the Committee addressed a lithographed series of questions to the masters of the vessels which happened at the time to be in port. Replies were received from 45 captains, who state that, in the aggregate, they have made 294 voyages to Calcutta, and have brought here 37 stowaways; of these all but 3 were, to their certain knowledge, immediately re-shipped or provided with permanent employment.

There is no reason to suspect that the experience of these shipmasters has been exceptionally favourable; and upon the facts which have thus been elicited, the Committee cannot refrain from expressing the opinion that the proposed legislation is altogether uncalled for.

It is, however, not merely superfluous: Clauses 5 and 6 are harsh and unjust.

It is well enough to say that it is a master's carelessness which allows stowaways to get aboard: but every one practically conversant with the subject knows, that these men will frequently evade the closest vigilance which it is possible to exercise; and if a master who has had the unwelcome society of a stowaway for three months is himself to be imprisoned in an Indian jail during another three months, and to be fined Rs. 1,000, because the man has slipped out of the ship, during discharge, in the same impalpable manner in which he boarded her, the Committee fear that the consequence to a wretched stowaway during the passage out, may sometimes be such as it is not pleasant to contemplate. It would, moreover, be intolerable that a shipmaster should be liable to the penal clauses of this Act for matters not within his control. It cannot be intended that he should perpetrate the cruelty of keeping a stowaway in irons during the period of a vessel's stay in port; but, if not, how is he to effectually prevent the man from swimming ashore?

Then, again, the agent of the vessel is to answer to Government for all charges and expenses incurred on a stowaway within one year of his being suffered to land without the permission of the authorities. The Committee desire to represent that such a clause, like others in recent proposed Bills, must have been introduced under a misconception of the nature of ship agency as it exists here. In some instances, no doubt, the agent is the regular and accredited representative of the shipowner; but in the great majority of cases he is nothing of the sort. The charterer of a vessel often acts as her agent for purposes

of entrance and clearance at the Custom House, and nothing is more common than for an owner to employ a different agent nearly every time his ship visits the port. The balance of account is remitted or drawn for very soon after the ship sails, and the correspondence between principal and agent ceases, perhaps for ever. It is evident, therefore, that to keep an unascertainable liability hanging over the agent's head for twelve months is to introduce into business relations a new element of a highly inconvenient character: and the Committee therefore earnestly protest against any attempt being made to hold a ship agent legally responsible, after a vessel has sailed, for distant consequences of the deeds or omissions of captain or owner.

THE INDIAN MERCHANT SHIPPING BILL.

The Committee are glad to observe that further consideration is being given to this important measure, and they trust that as far as possible the Bill, when it becomes law, will be found to adhere closely to the Imperial Acts relating to Shipping, and so avoid the anomaly of having one law for shipping in India, and another in every other British possession. There are very few special circumstances for which exceptional provision has to be made in this country; the chief of these is the dealing with native seamen. The information laid before the Committee, and which they have brought to the notice of Govern-

ment in the following letter, seems to show that the Lascar requires protection from his own Serangs and from the semi-official Brokers into whose hands the existing law has thrown him. The Committee trust that the sections relating to Shipping Offices will be more carefully drawn in order to prevent abuses such as these noticed.

From Government of Bengal to Chamber.

No. 199. Calcutta, the 14th February 1882.

IN forwarding a copy of a revised draft bill for the further amendment of the law relating to merchant shipping and of the report on it of the Select Committee, I am directed to request that you will be so good as to favour the Lieutenant-Governor with an expression of the opinion of the Chamber on its provisions.

The reply to this letter should be sent in not later than the 20th April next.

From Chamber to the Government of Bengal.

Calcutta, 19th April 1882.

With reference to your letter No. 199 of the 14th of February, I am desired to submit the following remarks upon the Indian Merchant Shipping Bill of 1882.

Section 15.—*Every person who, before this Act comes into force, &c.*

When Act I. of 1859 was made law, and it became compulsory on masters and others to procure certificates of competency, it was provided that every person who, before the Act came into force, had served as master or mate, should have issued to him a certificate of *service* as distinguished from a certificate of *competency*.

Such a provision was fair to experienced mariners, who could not be expected to go to school again.

If, however, this proviso be now introduced as it stands in the draft bill, except as regards the few who were serving as masters, &c., before 1859, then, so far as the section has any effect at all, it will be an act of indemnity for men who have systematically evaded the law.

Probably there has merely been an oversight in drafting; but clause (a) might run thus:—"Every person, who before the day on which Act I. of 1859 came into force," &c.

Chapter III. Should there not in this chapter be provisions for the possession of certificates by engineers? See 25 & 26, Vic. C. 63, Sec. 5, &c.

Chapters II. and IV.—There is a very notable divergence in the practice which obtains in England and in India, respectively, as to the engagement and shipment of seamen. Section 7 of Chapter II., which defines the duties of shipping-masters, differs from the corresponding section in the English Act, *viz.*, section 124 of 17 and 18 Vic. C. 104. In England, it is the primary duty of a shipping-master, (or "Superintendent of mercantile ma-

rine," as he is now termed) to "*afford facilities for engaging seamen by keeping registries of their names and characters.*" This clause is omitted from the Indian Act. He has also to "superintend and facilitate their engagement and discharge," and to "provide means for securing the presence on board at the proper time of men who are so engaged."

Formerly, there were in England licensed brokers for the engagement of seamen, under regulations similar to those set forth in Chapter IV, Section 21, &c., of the present Bill; but the brokering system was found to be open to so many abuses that the Board of Trade abolished the licensing system, and seamen are now engaged through the shipping-master, and through him only. A master requiring a crew goes to the Shipping Office, having previously made an appointment: seamen wanting a vessel go to the same place. Thus, at the principal ports, there are always a number of men waiting at the Shipping Office, in a room set apart for the purpose, and plenty more within hail. The master makes his selection; an agreement is come to as to terms, the proper fees are paid, and articles are signed. An assistant of the shipping-master, called a "runner," takes down each man's name and address, and such other particulars as he may deem requisite.

At the time appointed for the vessel's sailing, the runner proceeds on board, usually accompanied by a few men willing, in case of need, to go as substitutes. The runner musters the crew, takes down the names of absentees, and puts substitutes in their places, such substitutes signing articles in presence of the marine official.

After the vessel has sailed, the runner waits upon the owner of the ship and inquires whether he desires to prosecute the absentees; if so, the runner lodges an information and presses the charge.

In India, on the contrary, everything is in the hands of the brokers, who in this port, so far as regards lascars crews, happen just now to be so connected as to be, for all purposes, one firm. Nominally any master has the right to select his own men, and every lascar is free to accept or decline service without intervention other than of the shipping-master. Practically, however, it is most difficult for a master to get a crew, or for a lascar to find employment otherwise than through a licensed broker, to whom, in addition to fees to the shipping-master, there are paid from 4 annas to 8 annas per man shipped, and from 2½ to 5 per cent. on the amount of advances.

The broker musters his men at the Shipping Office or on board the vessel herself, and, the shipping-master or his deputy being present, articles are signed. Thereupon an advance is paid by the master of the vessel to each man, not by an advance note but in cash, and the man forthwith pours his rupees into a bag which is held in readiness to receive them by one of the broker's servants. This proceeding with the bag is repeated whenever a ship is paid off, and on other occasions when money passes between a Captain and his crew. The excuse for it is that the broker guarantees the owner against loss arising out of men not joining after receiving advances, and that the broker in turn must protect himself by adequate security.

At the time when the ship sails the broker is present: and he is supposed to supply substitutes to serve in place of absent men and to prosecute absentees. The substitutes he does supply, and, as a fact, scarcely ever does a vessel leave port with the crew originally engaged. As a matter of course the Captain has selected strong, able seamen: the men he actually carries out of port are often men who are not seamen at all, and too frequently men physically incapacitated for a sailor's duty. As to prosecuting, the broker will only do so upon very rare occasions when it suits his own purpose. Usually, unless the master's agent cares to undertake the expense and trouble of a prosecution, no steps are taken to punish the defaulters.

The Committee's information is that, under the system established here, the lascar is chronically in a condition of abject thralldom. Black-mail has to be paid by the unfortunate man out of every meal which he eats, and out of every rupee which he receives, to his Jamadar, to his Serang, and to others. Any endeavour on his part to shake himself free from bondage is punished and repressed by loss of employment and in other ways: so that it has come about that, when ordered on board a ship he goes, and, when it suits certain persons for him to "desert," he is no longer at duty.

The Committee fear that it might be difficult to fix definitely upon individuals the responsibility for this state of things; but they desire to record as facts: 1st, that the power of giving or withholding work is with the brokers; 2nd, that the greater part, if not the whole, of the men's wages, passes through the fingers of the broker's servants

3rd, that, notwithstanding the control which the broker thus obtains, the men engaged through the broker seldom go in the vessel; 4th, that deserters are very rarely prosecuted by the broker; but, exceptionally, are so with rigour; 5th, that men under long engagement frequently desert *en masse*, and that without any cause for complaint; and, 6th, that on all such occasions fees upon re-engagement, are payable to the Shipping Office and to the broker; and gratifications go legally or illegally to all those whose claims the lascar has learnt to recognise.

And the Committee venture to represent that until a searching inquiry has been made into the abuses which have been indicated, any legislation for the protection of native seamen is likely to fall wide of its mark.

The measures which the Committee think would go far to correct some of the worst evils of the present system, are—

- 1.—The withdrawal of brokers' licenses;
- 2.—The payment of advances not in cash but by advance-notes payable on the sailing of the vessel with the lascar on board;
- 3.—The re-organising of the Shipping Office upon the English model.
- 4.—There is a practice followed at the Bombay Shipping Office which the Committee would suggest for universal adoption. Every man is expected to possess a "continuous discharge," or record of the ships he has been in,

and no man is allowed to ship without production of this document. Upon signing articles, the Captain takes charge of this paper, and when the man is paid off, he receives back his discharge with the appropriate fresh entry made by the Captain.

It is evident, that such a system is excellently calculated to check desertion and to promote the interests alike of good seamen and of their employers.

Should this suggestion find favor with Government, clauses would obviously be desirable; (a) to check forgery and personation; (b) to secure the due return to the sea man, at the end of his engagement, of this discharge, and to protect him against malicious entries thereon, and (c) to provide for cases of accidental loss of the "discharge," such loss being established to the satisfaction of a shipping-master. To this end a registry of such discharges could be kept in the Shipping Office.

Section 26.—The scale of provisions for native seamen should be very carefully considered, and, before final adoption, the Committee trust that they may be allowed an opportunity of offering thereon such remarks as may seem called for. Whatever scale be fixed, it appears pretty certain that it will do little for the lascar himself until some remedy shall have been found for the scandal to which the Committee have alluded in a former paragraph.

Section 30.—This Section, copied from Act I. of 1859, is calculated to inflict, and in fact has inflicted, considerable hardship upon shipowners. A case has been instanced

in which a crew was shipped at Calcutta on 25th June, the shipping-master agreeing that they should be discharged on 31st December. The vessel proceeded to Bombay, whereupon the shipping-master at that port pronounced the articles illegal; and, as the 30th June had passed, insisted upon the men being forthwith sent back to Calcutta as passengers. It appears that from Bombay the vessel was bound up the Persian Gulf, but the crew had duly been engaged on foreign articles, and there was no reason to suppose that the shipowners intended to evade the understanding come to with the Calcutta shipping-master, *viz.*, to discharge the men at Calcutta prior to the 31st December next ensuing.

In another case, a steamer with a Bombay crew left Bombay for Calcutta on the 28th December. She arrived at Calcutta on the 19th January, and immediately entered out again for Bombay; yet, notwithstanding the fact that the men had contracted to be discharged in Bombay, and that the vessel was then forthwith proceeding to that port, the shipping-master here insisted upon the crew taking their discharge, and that contrary to their own wishes, for the sole reason that the 31st December had gone by.

It seems unnecessary to point out how the existing regulations play into the hands of those who have an interest in multiplying engagements, and who profit by every renewal of a ship's company.

The Committee suggest an amendment of the section somewhat as follows:—

"No such agreement shall extend beyond the 180th day next following, or the first arrival of the ship at her port of destination in British India after such date," &c.

A further provision is desirable, *viz.*, that, when such port of destination happens not to be the port of discharge agreed on with the crew, but the ship is about to proceed to such port, then, upon satisfying the shipping-master thereof, it shall be lawful for the master, by endorsement before the shipping-master, to extend the articles until the ship's arrival at such port of final discharge.

Section 42.—Why is no mention made of the certificates of engineers?

Section 116.—The object of this section is probably to prevent masters from sailing away and leaving their European crew in jail; but clause (a) read with the interpretation clause (*sec. 3*), might put undesirable difficulties in the way of a master who wished to engage lascars to work *in port*, as for instance at chipping, pointing, caulking, &c.

Section 137.—A great and most necessary improvement has been made by the insertion of the word "materially" before "damaged." But the Committee desire to represent that the word *stranded* used as it stands in the present Act is most indefinite, and might be made to apply whenever a vessel touches, however, insignificantly, as, for instance, ships constantly do in navigating the Hooghly. Hence the objections which, in my letter of 21st May 1881, were urged to the omission of "materially" before "da-

amaged," apply with full force to the unguarded use of this word "stranded."

Clause (n) might preferably run—"any ship has been lost, abandoned, or has met with any casualty so as to become materially damaged."

The other clauses to be similarly amended by the omission of the word "stranding."

Section 138.—The power of appointing a Court should be limited to cases into which no competent Court had previously enquired. Otherwise we might experience the grave inconvenience of an Indian Court revising the sentence of one, equally competent, held elsewhere.

Section 153—(b). As the officers and engineers of a vessel are "seamen" (*vide* interpretation clause) this unrestricted power of medical examination is most objectionable.

General Remarks.—As all the Indian Merchant Shipping Acts are repealed except Act VII. of 1880, of which all but Chapter III and a portion of Section 84 is left in force, it might be convenient to include, in the present Bill, all the extant provisions of Act VII. of 1880.

The Indian Merchant Shipping Acts will then have been consolidated into one.

Admiralty cases.—The Committee cannot pass from the discussion of an Act dealing comprehensively with questions relating to merchant shipping without expressing the hope, that the representations which, in their letter of the

2nd November last, they put forward, are receiving serious consideration from the Government of India.

THE INDIAN COMPANIES' BILL.

The circumstances which occasioned this measure were explained at the time of its introduction into the Legislative Council of India, *viz.*, to remove certain defects in the existing Act and to import some useful amendments suggested by English legislation; and the adoption of these amendments by the Government of India was recommended, "1st—because they were good in themselves, and 2nd—because it was desirable that the laws relating to such a subject as mercantile companies should be as nearly as possible the same in India as in England."

Having been called upon to express their views on the Bill, the Committee communicated them in the letter which will be found below.

*From the Government of Bengal to the Chamber.
No. 417J., dated Calcutta, 14th October 1881.*

I AM directed to forward herewith a copy of Bill for the incorporation, regulation, and winding up of Trading Companies and other Associations, together with a copy

of the statement of objects and reasons, and to request that the Chamber will favour the Lieutenant-Governor with an expression of their opinion on the provisions of the Bill.

2. The reply to this letter should be sent in by the 15th of November 1881.

STATEMENT OF OBJECTS AND REASONS.

THIS Bill is occasioned by the discovery of a defect in section 49 of the Indian Companies' Act (No. X. of 1866) which does not provide clearly that the annual balance sheet to be filed with the Registrar shall be the one which has been laid before, and finally adopted and passed by, a general meeting of the Company concerned, or that it shall be filed within a prescribed time as provided by Act No. XIX. of 1857.

On consideration, it was determined by the Government of India that this defect should be removed, and that the opportunity should be taken to make certain other amendments in the Indian Companies' Act.

These amendments fall under two heads, first, the substantial additions suggested by the English legislation regarding Companies since the year 1866, and, secondly, the verbal alterations suggested by the reported decisions of the English and Indian courts.

Since 1866, the English Companies' Act, from which our Act No. X. of 1866 is for the most part copied, has

been amended by 30 & 31 Vic., C. 131, 33 & 34 Vic., C. 104 and 40 & 41 Vic., C. 26.

These Statutes provide—

- (i) that a limited Company may, if it declares its intention to do so, either by the memorandum of association or by special resolution, have Directors with unlimited liability, such liability to be enforceable only when the Company is being wound up and the corporate assets (including the contributions of ordinary members) are insufficient to pay its debts or the costs of the winding-up;
- (ii) that a Company may, by leave of the Court, reduce the aggregate amount of its nominal capital, or diminish the amount of the shares, but saving the rights of creditors who are ignorant of the proceedings;
- (iii) that the capital of a Company limited by shares may be reduced by cancelling unissued shares;
- (iv) that shares may be subdivided;
- (v) that associations not engaged in mercantile pursuits may become incorporated under the Companies' Act 'without annexing to their names the inappropriate term "limited";
- (vi) that a Company may have some shares fully paid up and others not, and that dividends may be paid in proportion to the amount paid up on each share;
- (vii) that a transfer of shares shall be registered at the request of the transferor, subject to the same conditions as if the request were made by the transferee;

(viii) that in the case of limited shares fully paid up, share-warrants may be issued to bearer, and the shares will thereupon be transferred by delivery of the warrant, and that coupons may be annexed entitling the bearer to receive dividends;

(ix) that every prospectus of a Company, and every notice inviting persons to subscribe for shares in a joint-stock Company shall specify the dates of and parties to any contract which has been previously made by the Company or its promoters or directors, and may reasonably influence a person in determining him to take or not to take shares in the Company (*Sullivan v. Mitcalfe*, 49 L.J.Q.B. 815);

(x) that a general meeting must be held within four months after registration;

(xi) that a contributory shall not be qualified to present a winding-up petition unless the members are reduced to less than seven, or unless he has held his shares for at least six of the previous eighteen months, or unless the shares have devolved on him through the death of a former holder. This will prevent the practice of speculators buying shares in failing Companies with a view to wind them up and share in the plunder;

(xii) that when the High Court has made an order for winding-up a Company, it may refer all subsequent proceedings to a District Court (to use the Indian term corresponding to the English "County Court") and

transfer a winding-up from one District Court to another;

(xiii) that when a compromise is proposed between a Company that is being wound up and its creditors, the Court may order a meeting of such creditors; and that if a majority representing three-fourths in value, agree to the compromise, it shall, when sanctioned by the Court, be binding.

The amendment made by 30 & 31 Vic., C. 131, section 37 (as to the manner in which contracts might be made on behalf of Companies), was anticipated by the Indian legislature in section 42 of Act No. X. of 1866, and will be found in section 67 of the present Bill.

It seems to the Government of India that the thirteen, amendments above specified should be made for two reasons; first, because they are good in themselves, and secondly, because it is desirable that the laws relating to such a subject as mercantile Companies should be as nearly as possible the same in India as in England. Any differences in such laws lead to mistakes in the Indian Courts, and must, to some extent, discourage English investors from putting their money into Indian Companies. The provisions as to the unlimited liability of directors (sections 7, 62) have been stigmatised in England as certain to drive from the direction, men of wealth and position, and to substitute in their places needy adventurers. But it need hardly be said that the experience of fourteen years has belied this prophecy. It may be added that, under the provisions in question, a director will not be liable

as *such* for more than a year after he has ceased to hold office, and that he will not be liable as *such* in respect of any debt of the Company contracted after he has ceased to be a director. The other provisions suggested by recent English legislation do not seem to require further notice. They will be found in sections 13 to 35 (both inclusive), 47, 49, 75, 76, 88, 132, 150, 203, 218, 219, 253, 254.

The reported decisions of the Indian Courts regarding the law applicable to Trading Companies appear to be only thirty-two in number, and of these but few turn upon the wording of Act No. X. of 1866. But there is a large number of English decisions bearing on the wording of the corresponding sections of the English Statute of 1862, and the Bill embodies the result of an examination of these decisions. Most of the verbal amendments of the present law are indicated by italics, and the cases which suggested them are noted in the margins of the Bill.

SIMLA ; }
The 28th August 1881. } WHITLEY STOKES.

*From Chamber to Government of Bengal,
Calcutta, 10th December 1881.*

I am directed by the Committee of this Chamber to acknowledge the receipt of your letter of the 14th October last, forwarding copy of a Bill for the incorporation, regulation, and winding up of Trading Companies, and other associations, together with a copy of the statement of objects

and reasons, and requesting the Chamber to submit to His Honor the Lieutenant-Governor an expression of their opinion on the provisions of the Bill.

The Committee have given their best attention to the matter, and now desire me to lay before His Honor the Lieutenant-Governor the following remarks :—

The Committee would be glad so see power given to Companies to reduce capital, and to reduce and subdivide shares ; also to have some shares fully paid up and others not (section 27 of the proposed Act). Sections 28 and 29—copied from S. S. 25 and 26 of 30 and 31 Vic. C. 131—are also decided improvements of the existing law. There are moreover four points in that law which, in the opinion of the Committee still, require amendment, and of which particular mention is made below.

But the Committee deprecate the repeal of the existing Indian Companies' Act for the mere sake of symmetry : to do so will impose upon the public the unnecessary labour of hunting for well known old provisions through the 256 sections of the new Act.

Returning to the question of desirable improvements of the existing law—

First.—The Committee would be glad to know whether the addendum to section 7 of the Bill is intended to authorise the principal of “commandite” partnerships. Because, if so, it seems to the Committee not sufficiently explicit. If not, the Committee desire to say that in their opinion such a form of association might prove an

encouragement to European capitalists to invest money in this country, and might therefore usefully be legalised, if not in this bill, by separate legislation.

Secondly.—The Committee would point out that if it is the intention of section 4 of the Bill to include members of a joint Hindu family in partnership consisting of more than 10 persons as to banking business and of more than 20 persons as to other business, the language used is hardly clear enough, and the Committee think the addition of the words "whether members of a joint Hindu family or not," between the words "persons" and the word "shall" in the first part of the section, and between the same words in the second part of the section, would obviate all difficulty. If it is not intended to include them, and the Committee see no reason why they should not be included, the language again is not sufficiently clear, the words "not being members of a joint Hindu family" would seem to be required to make the meaning of the legislature perfectly plain.

Thirdly.—The Committee have not observed any provision in the Act dealing with partnerships formed in contravention of section 4; under the Indian Contract Act the consideration or object of an agreement, forbidden by law, is unlawful (see Section 23) and under section 24 of the same Act, coupled with section 4 of the proposed law, an agreement to enter into partnership would be void; what then would be the position of persons dealing honestly and *bona fide* with such a partnership without knowing that it consists of more than ten persons, or 20 persons, as the case may be? Suppose the manager

of a joint Hindu family consisting, with himself, of say ten persons, were to enter into partnership on behalf of the members of his family with a man of straw and carry on a banking business through him, as the managing partner. The agreement for the partnership being illegal, the managing partner, the Committee suppose, could not be held to be the agent of the other persons, and it would seem therefore that persons of the description before referred to, dealing with such a partnership, would find it very hard to get their dues paid to them.

Fourthly.—The Committee consider that provision ought to be made in the Act for the temporary absence out of British India of an official or other liquidator, so as not to take the liquidation entirely out of the hands of a gentleman who may have very nearly finished the winding up, and at the last moment is compelled to go to Europe for the sake of his health, or on his own private or other business.

SMALL CAUSE COURTS BILL.

*From Chamber to the Private Secretary to
His Honor the Lieutenant-Governor.*

Calcutta, 8th February 1882.

The accompanying is a copy of a memorial, numerously signed by European and Native merchants, traders, and others, addressed to His Excellency the Marquis of Ripon, on the subject of the Small Cause Courts Bill now before the Legislative Council of the Governor-General: and I am instructed to request the favor of your taking the

earliest opportunity of submitting it to the Lieutenant-Governor.

In placing the memorial before Sir Ashley Eden, will you also have the goodness to inform his Honor that the Committee of the Chamber of Commerce fully concur in the views which the memorialists have urged upon the consideration of His Excellency the Viceroy and Governor-General.

*From Government of Bengal to Chamber.
No. 775J., dated Calcutta, 16th February 1882.*

I am directed to acknowledge the receipt of your letter of the 8th instant, addressed to the Private Secretary to His Honor the Lieutenant-Governor, forwarding for His

Judicial.
Honor's information a copy of a memorial addressed to His Excellency the Viceroy and Governor-General by a large number of merchants, traders and others of Calcutta on the subject of the amended Presidency Small Cause Courts Bill.

2. In reply, I am to state for the information of the Chamber of Commerce that the propriety of making the power conferred in the proviso to section 23 of the Bill applicable to all suits triable by the Presidency Small Cause Courts, whether such suits are above or below Rs. 1,000 in value or amount, was strongly pressed on the Government of India by the Lieutenant-Governor in a letter dated the 13th instant, and that a further communication has been made to that Government with reference to the memorial now under notice. Sir Ashley Eden has strongly supported the prayer of the memorialists.

To

His Excellency the MARQUIS OF RIPON, K.G., P.C., G.M.S.L.
Viceroy and Governor-General of India in Council.

The Humble Memorial of
the undersigned merchants
and traders carrying on business
within the city of
Calcutta.

Most respectfully sheweth.—

That your memorialists have for many years been accustomed to resort to the Court of Small Causes for the settlement of disputes and the recovery of debts arising in the course of your memorialists' trading operations.

That the properties in the procedure of the said Court which have been valued by your memorialists are cheapness and speed.

That your memorialists entertain the gravest misgivings lest "The Presidency Small Cause Courts Act, 1882" now before your Excellency's Legislative Council, should, if it become law, very largely deprive your memorialists of the benefits abovenamed which they have hitherto enjoyed.

Section 2 abrogates the summary procedure which your memorialists have learnt to value in the Court as now constituted, and Section 23 substitutes for it, in all suits for sums exceeding one thousand rupees, the dilatory and expensive procedure of the Civil Code.

In suits of less value power is given to the Court, subject to the control of the local Government, to declare

that any portions of the said Code shall not apply; but, as the old summary procedure will have disappeared, your memorialists are left in painful doubt as to the procedure to which they will be subjected; the one thing certain apparently being that the procedure will be less suitable to your memorialists' needs than that which now obtains.

Section 90 proposes to deprive your memorialists, in all suits for amounts over Rs. 1,000, of the option which they now possess of engaging the services of the Pleaders of the Court, so that in all such suits your memorialists will be compelled, often against their wishes and interests, either to dispense altogether with professional assistance, or else to incur the considerable costs inseparable from retaining the services of practitioners of the higher grades.

That the reasons advanced in justification of these provisions rest upon the alleged superior importance and difficulty of suits for the larger amounts, but your memorialists would respectfully urge that the money value of a suit is no sufficient test of its importance, and still less of its intricacy, and that it is obviously unreasonable to say that a suit for Rs. 999 can be efficiently conducted by the pleaders of the Court under an abridged procedure, but that a suit for Rs. 1,001 is, by virtue of the two rupees additional, beyond the powers of such advocates, and demands a procedure of a much more lengthy and costly character.

That your memorialists apprehend that in the majority of cases over Rs. 1,000, the effect of such provisions will be to exclude your memorialists from the relief which the

Act was expected to afford, and that your memorialists' position will be rendered worse than it is at present, for, if justice in the Small Cause Court is to become tedious and expensive, your memorialists would often prefer to resort to the Superior Court, whereas the provisions of section 22 in the new Act will render any such resort perilous to a plaintiff.

That your memorialists are those whose interests will be most vitally affected by the proposed measure, and as the objections which your memorialists now urge have received the support of His Honor the Lieutenant-Governor, the judges of the Small Cause Court, the Chamber of Commerce, the Trades' Association, the British Indian Association, and of several distinguished lawyers, your memorialists earnestly trust that your Excellency in Council may be pleased to favourably receive this your memorialists' humble petition.

Namely:—

That the Bill be amended so as to give your memorialists and others the advantages of a simple and summary procedure in all cases coming within the jurisdiction of the Court of Small Causes, with absolute freedom to be represented in all suits by any Advocate or Pleader of the Court, and full liberty to bring suits

for sums between rupees one thousand and rupees two thousand either in the High Court or in the Court of Small Causes, according as suitors may be advised.

And your Memorialists, as in duty bound, shall ever pray.

STAMP DUTIES ON FOREIGN BILLS OF LADING.

The Committee are glad to learn that the representations made to Government regarding the inconveniences attendant upon the levy of stamp duty on foreign bills of lading have led to the abandonment of the obnoxious impost.

*From Chamber to the Government of India.
Calcutta, 14th February 1882.*

The Committee of the Chamber of Commerce submit for your consideration the following notice issued by the Officiating Collector of Customs:—

TO MERCHANTS, SHIPS' AGENTS, IMPORTERS AND
EXPORTERS OF GOODS.

The Indian Stamp Act, I. of 1879, requires that bills of lading should bear a stamp of four annas, and if drawn in parts that each bill of the set should bear the proper

stamp. Under a ruling of the Board of Revenue, this provision of the law is applicable to all bills of lading used in this country, whether executed in or out of British India, and whether previously stamped in accordance with the stamp law of any place out of British India or not, subject to the exemption mentioned in Article 7, Schedule II of Act I. of 1879.

2. Bills of lading executed out of British India, before presentation at the Custom-house, must be taken to the Collector of Calcutta, to have the requisite stamp impressed upon them under section 17 of the Stamp Act.

3. Bills of lading executed in British India may be prepared on impressed sheets or stamped paper, which can be procured at the office of the Collector of Calcutta, or being otherwise prepared may be taken to the Collector to have an impressed label affixed to them. The latter is the usual practice.

4. From the bills of lading presented at the Custom-house it appears that the requirements of the stamp law are frequently disregarded. It is therefore my duty to point out that unstamped or insufficiently stamped bills of lading are liable to be impounded under section 33 of the Stamp Act. I intend, however, for the present to give the holder of a bill of lading not duly stamped an opportunity of having the proper stamp impressed upon it by the Collector of Calcutta, instead of proceeding to the extreme measure of impounding the document; but should this prove ineffectual to secure compliance with the law, it

will be necessary to deal with infringements as the law directs.

W. H. GRIMLEY, *Offn. Collector of Customs.*
CALCUTTA CUSTOM HOUSE the 28th December 1881.

In placing this Notification in its entirety before you, the Committee desire me to represent that the ruling of the Board of Revenue, as announced in the first paragraph and the general terms of the Collector's Notice, have been received with considerable surprise, and a strong sense of the inconveniences which are likely to be inflicted upon the commercial community.

In England, if foreign bills of lading bear the stamp required by the law of the place where they have been executed, nothing else is needed; and even in the case of a bill of lading not duly stamped, the Committee believe that there is no power to proceed to such an extreme and arbitrary measure as impounding it.

The Committee are not prepared to say that the ruling of the Board may not possibly be sustained by a strained interpretation of the law, but they feel sure that the framers of the Indian Stamp Act never intended that it should be inconsistent with the English Act, and this impression is strengthened by the fact that, although the Act has been several years in force, no attempt has, until now, been made to apply it to bills of lading.

The Committee cannot permit to pass without remark the second paragraph of the Collector's Notice, which appears to imply that the law requires all foreign bills of lading to be presented at the Custom House.

Now, the only Section in the Customs' Act in which bills of lading are mentioned is the 58th, which provides that, at the time of application for inward entry, the master of a vessel shall, if so required by the Collector, deliver the bill of lading, or a copy thereof, for every part of the cargo. This is obviously for the purpose of checking the manifest, and affords no pretext for demanding the production by merchants of original bills of lading.

The only other Section under which such a demand could be put forward is the 29th, which provides that in case of doubt as to the real value, quantity and description of goods in bill-of-entry or shipping-bill, the Customs Collector may require the production of any invoice, broker's note, policy of insurance, or other document. This last is a very elastic phrase, and might be held to cover a bill of lading; but it is clear that if such a document can be called for, it is only in exceptional cases, where its production might serve to clear up any uncertainty.

This point, in fact, was authoritatively decided by the Lieutenant-Governor of Bengal in 1866. The Act then in force contained provisions in respect of copies of bills of lading and "other documents" identical with those found in the present Act: and the then Customs Collector had issued a Notice demanding the production by shipmasters, at time of entry, of bills of lading or copies thereof. His Honor thereupon passed orders as follows:—
"I am to say that the discretion of calling for such documents, vested in the Collector by section 47 of Act 6 of 1863, is intended to be used only on full and sufficient

grounds in any particular case in which he considers it "necessary that he should see the bills of lading or copies, "and is not intended to permit of a general order, such as "that contained in the Notice issued by the Collector, for "the production of such papers without reference to "merits of the case."

The Committee therefore contend that the Collector's Notice in this respect is misleading; and as regards the Board's ruling, they pray that His Excellency the Governor-General in Council will be pleased, in exercise of the power reserved to him under the 8th Section of the Stamp Act, to declare foreign bills of lading exempt from stamp duty, or to issue such other orders thereon as to His Excellency may seem proper.

If, however, the Governor-General in Council should be of opinion that the Indian Stamp Act warrants the collection of duty on foreign bills of lading, and that it is necessary to assert a claim which has been so long dormant and which is repugnant to English practice, the Committee trust that means may be found to obviate the very grave inconveniences to which merchants are now subjected through the delays attendant upon the operation of impressing stamps as at present conducted. The simplest plan would appear to be to allow the duty on bills of lading to be paid by an adhesive stamp properly obliterated; but if this cannot be allowed, then the Committee would urge the necessity of very largely increasing the stamping power at command of the Collector of Calcutta.

From Government of India to Chamber.

No. 1735. Simla the 16th June 1882.

In reply to your letter, dated 14th February 1882, I am directed to refer you to the Notification, No 1733, dated 16th June 1882, published in the *Gazette of India*, from which it will be seen that the stamp duty payable on Bills of Lading relating to goods imported into British India from foreign ports has been remitted.

DEPARTMENT OF FINANCE AND COMMERCE.

No. 1733. In exercise of the powers conferred by Section 8 of the Indian Stamp Act (1 of 1879) the Governor-General in Council is pleased to remit in the whole of British India the duty chargeable under the said Act on Bills of Lading executed out of British India and relating to property to be delivered in British India.

RULES FOR THE COASTING TRADE.

These rules are still under the consideration of Government, but it is hoped from the tenor of the Board of Revenue's letter dated the 22nd February, regarding the form of Cargo Book, that the Committee's recommendations are receiving favorable notice, and that some simple form of procedure will be adopted.

From Board of Revenue to Chamber.

No. 22 B., Calcutta the 9th January 1882.

WITH reference to the instructions of Government, I am directed to forward herewith a copy of the correspondence marginally noted, including a Report recently submitted

Board's letter to Government, No. 586 B., dated 2nd Augt. 1880.
Do. Do. No. 185 B., dated 22nd Febr. 1881.
Do. Do. " 904 B., dated 26th Nov. 1881,
and enclosures,
Govt. Order No. 2515 C., dated 21st Dec. 1881.

by the Board to Government regarding the rules, required for the Bengal Presidency under Section 157, Chapter XV of the Sea Customs' Act VIII of 1878, for the coasting trade, and to request that the Board may be favoured with the opinion of the Chamber of Commerce on the subject of that Report, and the Rules referred to therein.

From the Board of Revenue, L.P., to the Government of Bengal,—No. 586B, dated Fort William the 2nd August 1880.

WITH reference to paragraph 1 of Government Order No. 1879—116C, dated 21st May last, and the connected correspondence, I am directed to observe that, in paragraph 16 of the Board's letter to Government, No. 741B, dated 4th September 1878, it was proposed that the provisions of Section 66 of Act VIII. of 1878 should be extended to coasting vessels; that under section 163 the master should be directed to keep a cargo-book; and that the manifest required under sections 158, 159 and 160 should be dispensed with. In paragraph 10 of the Board's letter No. 1102B, dated 8th December 1879, which was the

next letter from the Board to Government dealing with this question, mention is not made of the second part of this scheme, but only the extension of section 66 to "occasional coasters" is advanced; while in paragraph 3 of Government Order No. 254—16C, dated 31st January 1880, in answer to the last-mentioned letter, it is said, that the Lieutenant-Governor "will be satisfied simply to adopt the scheme explained in the 16th paragraph of the Board's former letter." It is, therefore, the whole of the scheme, and not merely the extension of section 66 to coasting vessels, that has been approved by Government; and this, indeed, naturally follows the extension of section 66 to those vessels, as the master cannot carry away with him a manifest which is not prepared until five days after his departure. At the same time, a reference to the provisions of sections 158, 159 and 160 will show how very necessary their observance is, so far as it can be carried out in the absence of the manifest, properly so called.

2. Under these circumstances, it appears to the Board that the proper course to be taken would be, instead of dispensing with the manifest required under sections 158, 159 and 160 of the Act, to direct, with reference to section 55, that it should be prepared in the form of the cargo-book which will be prescribed under section 165. The Board are informed that the manifest which is now delivered to the Collector of Customs, under section 66, by vessels in the coasting trade, is in reality an actual copy of the cargo-book; and this should, in their opinion, be the authorized practice, while at the same time the observance of the provisions of sections 158, 159 and 160 of the Act should be enforced.

3. The Board desire me to express their regret at the delay which has occurred in the submission of a set of draft rules for the coasting trade. The Collector of Customs, Calcutta, who was called upon to prepare the rules, has not carried out those instructions, but, after considerable delay, he has submitted a short report recommending the extension of the whole of chapters VII, IX and X, and of sections 136 and 141 to 143, inclusive, to the coasting trade. The Board in reply have expressed their dissatisfaction at the want of attention which the subject appears to have met with from the Collector, and of the inadequacy, in their opinion, of the reasons which have been given by him for his sweeping proposals; and they have desired him to lose no time in carrying out the orders of Government.

4. I am to add that a draft form of the "General Pass" under section 164 has been submitted by the Collector of Customs, and has been forwarded for the opinion of the Customs authorities at the subordinate ports, and on receipt of their replies the Board hope to be able to submit their final recommendations regarding it to Government.

From the Board of Revenue, L.P., to the Government of Bengal,—No. 143B, dated Fort William the 22nd February 1881.

UNDER the provisions of Sections 158 and 159 of Act VIII. of 1878, the practice adopted at the Custom House at Chittagong is to pass goods carried coastwise, and im-

ported there, on the duplicate shipping bills or passes granted at the port of export, instead of requiring the production of import bills-of-entry for such goods. In connection with this procedure, the Board enquired of the Collector of Customs at Calcutta, in whose office the monthly and annual trade statistics of the Bengal Presidency are compiled, whether the change of practice at Chittagong, as regards the clearance of goods on importation without bills-of-entry, is likely to interfere with the compilation of correct statistics of the coasting trade of that Port. In reply, the Collector of Customs stated that there would be no interference with the compilation of the Trade returns required by his Department, provided all the necessary details, as regards quantities, weights, values, &c., are fully entered in the shipping bills. He also pointed out that if these details are not given, or if the goods are inadequately described, the returns furnished to the Calcutta Custom House by the Collectors of Customs at outports where the shipping bills are used as bills-of-entry, will not contain sufficient information for the preparation of the returns for the Presidency, submitted by him to the Government of India, in the Department of Finance and Commerce.

2. With regard to a further enquiry made by the Board with a view to securing uniformity of practice at all ports, the Collector of Customs at Calcutta reported as follows:—

"I beg to observe that it is impossible for me to state when the uniformity of practice referred to will be attained. To ensure its attainment, it will be necessary that strin-

gent orders be issued by the various local Governments to all Customs Collectors, to not only invariably call for the production of the duplicate passes at the time of entry inwards, but also to see that masters of vessels clearing outwards have the opportunity of retaining the duplicates on board, so that they may be able to produce them at the ports of destination.

"The ports of Chittagong, Akyah, Moulmein, Rangoon, Madras and Bombay have been addressed by me more than once on this subject, and the two last-mentioned have further been requested to instruct the ports subordinates to them as regards compliance with this provision of the Customs law.

"Further, the attention of the agents of coasting vessels (notably that of Messrs. Mackinnon, Mackenzie & Co., and Messrs. Turner, Morrison & Co.,) has been repeatedly drawn to the requirement in question; and yet, notwithstanding all endeavours, the duplicate shipping bills are not put in at the time of the entry of coasting vessels.

"From the replies received, it appears that, in some cases, it is not entirely the fault of the master or agents of the coasting vessels that these shipping bills are not produced, as the practice which obtains in this respect in certain ports is wholly inconsistent with the provisions of the Customs law.

"For instance, at Madras, the practice is to allow duplicate shipping bills to be put in subsequent to the departure of the vessel. At Bombay, coasting vessels are allowed to clear on guarantee; and in such cases the ship-

ping bills are handed over to the agents on completion of the export general manifest, for production at the port of import. At Moulmein, again, it appears that steps have been taken to enforce the rule, but some difficulty is experienced in regard to timber shipment.

"The only ports, in fact, where the practice now appears to prevail consistently with the Customs law, are Rangoon and Chittagong; and in these cases the master is certainly to blame for the non-production of the shipping bills.

"I may here mention that the presentation of these shipping bills at the time of entry is especially necessary in the case of mail steamers belonging to the British India Steam Navigation Company, which clear out from the different ports on the coast without the usual export manifest."

Under these circumstances, the Collector of Customs at Calcutta was of opinion that the necessary steps should be taken to enforce the production by masters of all coasting vessels of the duplicate shipping bills required under section 158 of the Sea Customs' Act.

3. Upon a consideration of the foregoing representation the Board pointed out to the several Collectors of Customs in this Presidency that, as the terms of the Customs law are imperative, the provisions of sections 158 to 160, and of clause 64 of section 167 should be strictly enforced.

4. The Collector of Customs at Calcutta, with reference to those orders, drew the attention of the agents of coasting vessels to the provisions of the law, and also

addressed the Collectors of Customs at Madras, Bombay, Chittagong, Akyab, Moulmein, Rangoon, and Kyauk-Pyoo on the subject. Replies have since been received from the agents, forwarding the letters of their correspondents, with reference to which the Collector of Customs at Calcutta has offered the following remarks:—

"In the case of the steamers belonging to the Asiatic Steam Navigation Company, and coming from Moulmein, the only difficulty to be apprehended is in the case of a vessel carrying a cargo of timber; and, in such an instance, for the reasons given by the agents, it appears almost impossible for the master of the vessel to produce the duplicate shipping bills at the time of entry. The difficulty in this case arises, not from any difference in the procedure in the Custom House at Moulmein, but from circumstances incidental on the nature of the cargo.

"In the case, however, of vessels belonging to the British India Steam Navigation Company, and coming from other ports, it appears that the procedure in the various Custom Houses to which they refer, is such as to render it impossible for them to produce the duplicate shipping bills in every instance.

"I have already pointed out that, before we can insist on the production of the duplicate shipping bills, it will be necessary to ensure uniformity of procedure at the different Custom Houses, and that this can only be obtained by the various local Governments issuing stringent orders to the different Customs officers under them.

5. The Collector of Customs at Calcutta further recommends that, until uniformity of procedure has been attained, and taking into consideration the facts adduced by the agents of the coasting vessels, the Customs Department should not insist upon the provisions of sections 158 and 159, and of clause 64 of section 167 of the Sea Customs' Act, being strictly carried out in *every* instance when the duplicate shipping bills are not produced at the time of inward entry. He represents that it should be left to his discretion to impose the penalty in those instances only in which the omission has resulted from carelessness on the part of the master of the vessel, and is not due to the procedure of the Custom House from which he obtained his port clearance.

6. In reporting these particulars for the information of Government, the Board desire me to submit their recommendation that the local Governments may be addressed with the view of securing the observance of the provisions of sections 158 to 160, and of clause 64 of section 167 of the Act, by the issue of orders to the Collectors of Customs at the ports mentioned by the Collector of Customs at Calcutta, to call for the production of the duplicate shipping-bills or passes at the time of entry inwards, and to see that masters of vessels clearing outwards have the opportunity of retaining the duplicates on board, so that they may be able to produce them at the ports of destination. The Board would also recommend that until uniformity of procedure in the case of ports under other local Governments has been attained, it may be left to the discretion of the Collector of Customs

at Calcutta to impose the penalty in the case of vessels arriving from such ports. There seems, however, to be no reason why the procedure laid down in the law should not be at once enforced in the case of all ports in this Presidency.

From the Board of Revenue, L.P., to the Government of Bengal,—No. 904B, dated Calcutta the 26th November 1881.

With reference to Government Order No. 976, dated 10th April 1878, and the subsequent connected correspondence, I am directed to submit the following report on the subject of the rules required for the Bengal Presidency under Section 157, Chapter XV of the Sea Customs' Act VIII. of 1878, for the coasting trade.

2. In accordance with the terms of section 157, rules can be made consistent with the provisions of Chapter XV of the Act for :—

(a)—Extending any provision of the chapters and sections mentioned in section 156 (*viz.*, Chapters VII, IX and X, and sections 136, 139, and 141 to 143 inclusive, of the Act), with or without modification to any coasting vessels, or to any goods imported or exported in such vessels;

(b)—Exempting any such vessels or goods from any of the other provisions of the Act, except those contained in Chapter XV;

(c)—Prescribing the conditions on which goods, or any specified class of goods, may be (1) carried in a coasting vessel, whether shipped at a foreign port or at a customs port or at a place declared under section 12 to be a port; (2) shipped in a coasting vessel before all dutiable goods and goods brought in such vessel from a foreign port have been unladen; and

(d)—Prohibiting the conveyance of any specified class of goods generally, or to or between specified ports, in a coasting vessel.

3. Upon receipt of Government Order No. 976, dated 10th April 1878, referred to in paragraph 1, the Board addressed the Collector of Customs, Calcutta, and the Commissioners of the Chittagong and Orissa Divisions, requesting each officer addressed to submit a draft of such rules as in his opinion should be framed under section 157 of the Act, together with any suggestions he might have to offer. The rules which were prepared and submitted to the Board were, however, found to be insufficient, and it was necessary to call for revised rules from each officer.

4. The revised rules called for were submitted by the Commissioners of Chittagong and Orissa in October 1878, and the Board then requested the Collector of Customs, Calcutta, to make a careful revision of the draft rules under section 157, previously prepared by him for the Bengal Presidency, taking into consideration the remarks and suggestions on the subject of such rules contained in the reports from the two Commissioners. The Collector

of Customs, Calcutta, in complying with the above instructions submitted a short report recommending the extension of the whole of Chapters VII, IX and X, and of sections 136 and 141 to 143 inclusive, to the coasting trade. The Board, however, pointed out in reply that it was necessary for him to prepare and submit a comprehensive set of rules under section 157 of the Act.

5. In accordance with these orders the Officiating Collector of Customs, Calcutta (Mr. Armstrong), submitted with his letter No. 389, dated 25th August 1880, a set of draft rules under section 157, prepared with reference to the requirements of all the ports in the Bengal Presidency, and which, he stated, were believed to be all that were requisite for the practical working of Chapter XV of Act VIII. of 1878, the provisions of which thus supplemented he would propose to apply to vessels engaged in the coasting trade, not plying under a general pass (section 164). A copy of Mr. Armstrong's letter and of the set of rules prepared by him is annexed for the information of Government.

6. As regards rule 1 proposed by Mr. Armstrong, I am desired to say that Mr. Maclean, Collector of Customs, Calcutta, Mr. Grimley, Officiating Collector of Customs, Calcutta, and Mr. Thomson, who was consulted in the matter when officiating as Collector of Customs at Chittagong, are, on the whole, in favour of extending the whole of the provisions of Chapters VII, IX and X, and sections 136 and 141 to 143 of the Act, to occasional coasters.

7. Mr. Maclean remarks that draft rule 1 is likely to prove confusing to the general public, on account of the piecemeal nature of the extensions with which it deals, and he adheres to the opinion previously held by him that Chapters VII, IX and X, and sections 136 and 141 to 143, should be extended in their entirety. He thinks that, if for instance, sections 56, 57, 58, 59, 60, 63 and 65 (omitted from Mr. Armstrong's rules) were extended—thus completing Chapter VII,—it would still be optional with the Collector to enforce them or not as he thought desirable: *vide* sections 59, 60 and 66.

8. Mr. Grimley is of opinion that practically it will make very little difference whichever proposal is adopted, *i.e.* whether the whole of Chapters VII, IX and X, and sections 136 and 141 to 143 are extended to coasting vessels, or the modified recommendation in Mr. Armstrong's draft rule 1 is adopted; but of the two proposals, he is inclined to prefer the former. In describing the practice of the Calcutta Custom House, Mr. Grimley states:—

"We apply such of the provisions of Chapter VII or of other Chapters (of the Act) as are wanted to expedite work, though it would not be easy to label each process with the particular section of the law governing or permitting it. In the case of vessels entering or clearing quickly, it is impossible to work the sections of the law rigidly, without occasioning complaints. The danger of prescribing by rules particular sections of the law, which shall be applicable to the coasting trade, to the exclusion

of other sections, is lest the idea should prevail that, in all circumstances, no matter what may be the character of the vessel or of the cargo, the provisions of each of the extended sections should be enforced where they can be, and Customs Collectors will thus fall into the error of supposing that whatever admits of the application of the law requires it."

Mr. Grimley therefore considers that, if the submission of a complete set of rules under section 157 is to be insisted upon, it would perhaps be more advisable as regards clause (a) to adopt the suggestion to extend to coasting vessels the whole of Chapters VII, IX and X, and sections 136 and 141 to 143.

9. Mr. Grimley adds, that it may be objected that Chapters VII and IX, especially the latter, contain some provisions which seem to be hardly applicable to the coasting trade, but that this objection would in fact also hold good as regards foreign vessels, as the law contains several sections which may never have to be applied to them, and yet the whole chapters are intended to apply to foreign vessels. The fact is, he observes, that the Collector is bound to exercise a wide discretion, sometimes tightening and sometimes relaxing the provisions of the law, and that if the Collector can be entrusted to do this as regards foreign vessels, he can safely be allowed the same discretion as regards coasting vessels. No harm would, Mr. Grimley thinks, result from the extension of the whole of the provisions of the law referred to to the case of occasional traders, whereas the extension of a number of scattered sections may, he considers, result in

the mystification of the public and complication in the working of the rules by the Custom House officials.

10. Mr. Thompson, while officiating as Collector of Customs at Chittagong, expressed himself to the effect that it would be both simple and harmless to extend to the coasting trade all the sections from which it is exempted by section 156 of the Act. This would include section 139, regarding which, however, Mr. Maclean has remarked that it has apparently been framed to compensate for the trouble and labour involved in re-opening a ship's accounts after they have been closed, and *prima facie* should apply as well to coasting as to foreign trade; but he doubts whether in view of section 20, clause (a), the charge of one per cent. prescribed by section 139 (and which, he observes, is in fact a duty) can be levied on goods carried from one customs port to another.

11. With reference to the foregoing opinions, the Board are, on the whole, inclined to modify the view they were disposed at first to take of Mr. Maclean's proposal, as referred to in paragraph 3 of their letter to Government No. 586B, dated 2nd August 1880. It is observed that the number of coasters for which special rules are required will, it is probable, be comparatively small, as the ordinary coasting traders, which are not native craft, will sail under general passes. The vessels whose case is now to be met, will be such vessels, as foreign traders which fail to obtain cargoes within a reasonable time, and go into the coasting trade as a temporary make-shift, for perhaps, a single voyage, and other *occasional* traders. There would not, the Board think, be any particular hardship if

such vessels were still subjected to the law and rules to which they have always been accustomed; and, as they sail under none of the restrictions of the general pass, and are not bound by heavy security as it is proposed that vessels sailing under a general pass should be bound, they could have nothing much to complain of. It is true, that there are several sections of the law in the chapters referred to which, as pointed out by Mr. Grimley, are hardly applicable to the coasting trade, but such sections would merely remain inoperative, as certain sections at present practically do in the case of foreign traders.

12. The Board are not, however, at present prepared finally to recommend the extension to occasional coasters of all the rules and restrictions which obtain in connection with foreign traders, for the reason that, until the general pass arrangements under section 164 have been in operation for some time, it is not certain what the number and status of the vessels will be which will have to be dealt with as "occasional coasters."

13. Referring to Mr. Armstrong's proposed Rule 2, I am to state that the Board have no objection to the proposed relaxation of the rules contained in the first sentence of the rule. They are also quite of the Collector's opinion that the provisions of Chapters VII and IX should be strictly enforced in regard to all cargo not covered by shipping bills, and that bills-of-entry should be taken out in respect of such cargo. On this point, I am to solicit a reference to Board's letter No. 143B, dated 22nd February 1881, and to state that the Board desire still to press the opinion advanced by them in the letter

referred to, and they are of opinion that an enforcement of the second rule proposed by Mr. Armstrong will tend to encourage agents and masters to observe the requirements of the law in connection with the production on entry of duplicate shipping bills.

14. The Board approve of the proposed Rule 3, which is merely carrying out the apparent intention of the law as contained in clause (b), section 162 of Act VIII, 1878.

15. As regards the proposed rule 4, I am to state that, with reference to the correspondence ending with Government Order No. 1267F, dated 2nd November 1881, on the subject of the warehousing of salt at Narainagunge, &c., the question raised by this rule must for the present remain under abeyance.

16. The Board cannot either approve of the proposed Rule 5, as they have already recommended in their letter No. 143B, dated 22nd February 1881, referred to in paragraph 12 above, that the observance of sections 158 and 159, and of clause G4, section 167, in reference to the taking out and production of shipping bills at the port of entry, should be insisted on. As regards Mr. Armstrong's proposal with reference to the delivery of a certain form of general account of cargo,* I am to request reference to Board's letter No. 586B, dated 2nd August 1880, to which a reply is still awaited. If the Board's proposals there made are approved, no other form of account of the cargo besides the cargo-book, which will be prescribed under section 165, appears to be necessary.

* See Form A. at page 204.

17. It is observed that the proposed Rule 6 makes it compulsory on the Custom's Collector to make use of the power given him by section 161 of the Sea Customs' Act in the case of coasting vessels (not sailing under general passes) carrying rice cargoes. It is the practice in the Calcutta Custom House invariably to require a bond in such cases, and the Board concur in thinking that this should also be made the invariable practice in the case of rice ships clearing from outports, in order to protect the revenue against fraud by the discharge of rice at foreign ports after it has been avowedly shipped for customs ports.

18. The Board approve of the proposed Rule 7, for the reason given in paragraph 6 of Mr. Armstrong's letter, *viz.*, that although the prohibition is virtually contained in Rule 6 of the rules under the Indian Arms' Act, it is advisable that it should also be made generally known as a rule under the coasting trade.

19. It will be observed from the foregoing remarks that the Board approve of rules 2, 3, 6 and 7 of the Draft Rules prepared by Mr. Armstrong; and they are of opinion that any rule in the shape of Draft Rule 1 should remain for the present in abeyance, only such sections being specially extended to the coasting trade as from time to time may be found to be absolutely necessary.

20. In conclusion I am to observe that the Board have ascertained that no rules have as yet been framed by the Government of Madras under section 137 (a) of Act VIII. of 1878, and only one rule, extending to coasting vessels the provisions of sections 53 and 58, has been passed by

the Government of Bombay; and that, although the Board submit their present proposals in accordance with the call of Government, they still consider that it is as yet premature to require the evolution of a complete set of rules for the regulation of the coasting trade. Whatever rules may eventually be found to be necessary can only be ascertained in the course of the practical working of the system year by year; and the voluminous correspondence which has taken place on the subject between the Board and the local officers, affords some show of reason for the conclusion that, either but few special rules are required, or that sufficient experience of the subject has not yet been acquired by Customs officers to enable them to submit more comprehensive proposals.

From J. SCOBELL ARMSTRONG, Esq., Officiating Collector of Customs, Calcutta, to the Secretary to the Board of Revenue, Lower Provinces,—No. 389, dated Calcutta, the 25th August 1880.

In reply to your letter No. 363B, dated the 2nd August 1880, I have the honor to submit the annexed rules under section 157 of the Customs Act which, it is believed, are all that is requisite for the practical working of Chapter XV, the provisions of which, thus supplemented, I would propose to apply to vessels engaged in the coasting trade not plying under a general pass. The rules have been drawn up with reference to the requirements of all the ports under the Bengal Government. The grounds on which the extension of the different sections and the other provisions are recommended are as follows:—

2. Taking, first, the shipping of cargo to; and clearance of, such vessels. With reference to section 158, it is considered indispensable for the safety of the revenue that, in the absence of the bond and other safeguards provided under the general pass, shipping-bills should be taken out. For instance, in the absence of shipping-bills, it would be impossible to check such a trick as the shipping of rice for a foreign port free of duty, it being shown in the manifest as some other grain. Sections 136 and 137 will, therefore, have to be extended.

It is also necessary to provide for the case of ports where no shipping-bills are used, and with this view, a general account of the cargo shipped, the same as was laid down in the general pass, has been prescribed by Rule 5.

Then, as shipping-bills are to be taken out, we shall require to know the intended destination of the vessel prior to their issue, to prevent their indiscriminate issue for ports for which the vessel is not intended to clear, and therefore, section 61 must be extended.

Then, as it will be necessary to grant a separate port-clearance in the case of vessels clearing under section 66 without a manifest, and as in all cases it would be well that a short notice should be given for the examination of the clearance papers, and also that provision should be made for the amending of the manifest, I should extend section 62, and a modification of section 63, as shown in Rule 1. As regular shipping-bills in duplicate are to be taken out under section 137, the original shipping-bills

will be already in the office of the Collector of Customs, so that the manifest in duplicate will be the only document to be presented under section 158 at the time of clearance.

Section 64 will also have to be extended to give the power of realizing port dues and other claims.

With reference to the manifest required by sections 159 and 160, it will be necessary to extend sections 53 to 55 in order to provide for the presentation thereof in the case of vessels that have cleared under section 66 without one. This manifest will have to be prepared on board from the shipping-bills.

In accordance with the provisions of section 161 to prevent rice shipped free of duty for customs ports being landed at foreign ports, Rule 6 has been framed.

3. Dealing now with the entry inwards of, and clearance of cargo from, these vessels:—when the vessel is coming from customs ports only, and has no dutiable goods on board, it is proposed that the duplicate shipping-bills, or the duplicate general account of cargo, which will contain all the information that is required for statistical purposes, should be delivered under section 159 along with the manifest, after which the cargo should be removable without bills-of-entry under clause (n) of section 162. When the vessel has touched at a foreign port, or has on board dutiable cargo from customs ports, ship and cargo will be subject to the provisions of Chapters VII and IX until all cargo from foreign ports and all dutiable cargo

from customs ports has been discharged, after which the free cargo from customs ports should be removable as above. When, however, in either of the above cases the duplicate shipping-bills or the general account of cargo for the whole or a portion of the cargo are, for any reason, not forthcoming, it will be necessary for statistical purposes to require bills-of-entry to be taken out for such cargo. Rules 2 and 3 have been framed accordingly.

It is also considered advisable, as a safeguard in the case of dutiable spirits being on board, that section 82, which provides against the discharge of unmanifested cargo, should be extended to vessels coming from customs ports only.

4. I consider, too, that the extension of the sections relating to put-back vessels, *viz.* 141, 142, and 143, is advisable. The Collector of Cuttack has asked for their extension, and the Commissioner of Chittagong states that they are especially required for that port, as the case of vessels putting back disabled is of very common occurrence there: moreover, the power to work under these sections is certainly a convenience to such vessels whatever port they may put back to, and there appears no reason why coasting vessels in particular should be deprived of it.

5. Adverting to paragraph 35 of the report of the Commissioner of Chittagong, there appears to be no objection to his suggestion regarding vessels that run exclusively between Chittagong and Nanningunge, and I have framed Rule 4 under clause (b) accordingly.

6. The only class of goods that it appears necessary to deal with under clause (d) of section 137 are arms, ammunition, and military stores, a check on the conveyance of which has been provided by Rule 7. The prohibition is virtually contained in Rule 6 of the rules under the Indian Arms Act, but I think it advisable that it should be made generally known as a rule of the coasting trade.

7. With reference to paragraphs 38, 39, and 40 of the report of the Commissioner of Chittagong, it is no doubt important as regards statistics that the Collectors of the different ports of destination should be accurately advised as to what packages shown in the shipping-bills have been short-shipped; as, in the absence of some provision to the contrary, the rule above proposed, of allowing goods covered by shipping-bills or a general account of cargo to be cleared without bills-of-entry, would necessarily interfere to a certain extent with the correctness of the statistical returns. The plan suggested in paragraph 40 I do not think would work, as the master of the vessel could not be expected to note accurately, when the packages shown in a shipping-bill contain different articles, what particular packages have been short-shipped; he might note the number of packages short-shipped of the total shown in the shipping-bill, but this would be insufficient. Further, it would appear that no more is required than is suggested in paragraph 39, *viz.*, that the Collector at the port of shipment should promptly advise the Collector at the different ports of destination of all short-shipments. The terms, however, of the several clauses of section 137 do not appear to admit of a rule being framed under that sec-

tion, and I would suggest, as sufficient for the purpose, that the Board should pass an order to the Collectors of the different ports in Bengal to this effect :—

“Henceforward advice of all notices of short-shipments will be sent by the Collector of each customs port of clearance to the Collector of each such port of destination immediately on receipt thereof.”

This will no doubt increase the work of the different offices, but it will ensure the correctness of the statistics, and thereby obviate any objection to the non-requisition of bills-of-entry.

8. It will be found that all the suggestions as to rules under section 157, contained in this office letter No. 382, dated 26th July 1878, and also, so far as necessary, those contained in the reports of the Commissioners of Chittagong and Orissa have now been met. The Commissioner of Chittagong appears to have gone very carefully into the matter, and I have recommended the extension of every section he proposes to extend, barring section 88, which I think is not wanted, as under the system I have proposed, in the case of vessels bringing free goods from customs ports only, the goods will not be brought into the Custom House at all, and in the case of any other vessels Chapter IX (including section 88) is already extended by clause (b) of section 162. It is further unnecessary to deal with the suggestions relative to mail steamers contained in paragraphs 35 and 37 of the report of the Commissioner of Chittagong, for these will certainly ply under the general pass rules, which meet the provisions suggested.

9. Lastly, I would offer as an explanation of the ignoring of all previous correspondence in this office letter No 288 of the 29th June last, and the proposal to extend without exception all the provisions of the Act from which the coasting trade is exempted by section 156, that, it was thought probable the greater number of vessels employed in this trade would ply under a general pass, and that, as in any case after the extension of section 66, many of the other sections would have to be extended, the most satisfactory way of meeting the case appears to be to extend them all. On further consideration, however, I am of opinion that what is now proposed will be sufficient, and more especially the rule allowing free goods from free ports only to be cleared without bills-of-entry will be found advantageous.

Rules under section 157 of the Sea Customs Act, 1878.

CLAUSE (c).

Sections 53, 54, 55, 61, 62, 64, 66,* 82, 136, 141, 142, and 143, of the Sea Customs Act, 1878, are hereby extended in their entirety to all coasting vessels other than native craft and vessels plying under general passes. Section 63 is also so far extended, that every application the port-clearance of such vessels shall be made by the master at least four hours before the intended departure of the vessel, and that the provisions of section 55 relat-

* Section 66 has been inserted to make the rules complete, though it has already been extended by Government notification dated 21st May 1880—*Calcutta Gazette* of 26th May 1880, Part I, page 402.

ing to the amendments of import manifests shall, *mutatis mutandis*, apply also to export manifests delivered under section 158.

2. When, in the case of vessels coming from customs ports only and having on board no dutiable cargo, the duplicate shipping bills, or the duplicate general account of cargo prescribed in Rule 5 are delivered with the manifest, the cargo may be forthwith landed and removed by the owner without entry thereof and clearance for home consumption; but to all cargo not covered by shipping-bills, or by a general account of cargo in proper form, the provisions of Chapters VII and IX are hereby extended.

3. In the case of vessels referred to in clause (b), section 162, that have touched at foreign ports, or have on board dutiable cargo, the free cargo from customs ports may be dealt with as prescribed in Rule 2 as soon as the dutiable cargo from customs ports and all cargo from foreign ports has been discharged.

CLAUSE (b).

4. Vessels plying exclusively between Chittagong and Narainganje are exempted from all the provisions of the Sea Customs Act, 1878, except those contained in Chapter XV.

CLAUSE (c).

5. In ports at which shipping-bills are not required, a general account of the cargo shipped in duplicate, form (A), giving all particulars needed for statistical purposes, will be delivered along with the manifest.

6. When rice is carried between customs ports, a bond,

with such security as the Customs Collector deems sufficient for the production of a certificate of arrival, must invariably be required under section 161 of the Act.

CLAUSE (d).

7. The conveyance in coasting vessels of arms, ammunition, and military stores (except in small quantities for private use) from Calcutta to any other port in India except Madras, Bombay, Calicut, and Kurrachee, or to any port in Burma, except Rangoon, is prohibited; nor can such goods be carried to any of the abovenamed ports unless covered by a license from the proper authority.

From Govt. of Bengal to Board of Revenue.

No. 113C, Calcutta, 21st December 1881.

In acknowledging the receipt of your letter No. 904B, dated the 26th November 1881, with enclosures, regarding the rules required for the Bengal Presidency under Section 157, Chapter XV of the Sea Customs Act VIII of 1878, for the coasting trade, I am directed to request that the Board will be good enough to consult the Bengal Chamber of Commerce on the subject, and to forward the opinion of that Body to Government.

From Chamber to the Board of Revenue.

Calcutta, 23rd January 1882.

The Committee of the Chamber of Commerce have given their careful attention to the correspondence which you submit under cover of your No. 22B, of 9th January

1882, and which is occupied with the discussion of a set of draft rules for the regulation of the coasting-trade under Section 157, Chapter XV, Sea Customs Act VIII of 1873.

At the outset, the Committee would express their concurrence in the views put forward in paragraph 20 of the Board's letter (No. 904B, of 29th November 1881) to the Government of Bengal. No doubt the experience of Madras and Bombay, and the voluminous correspondence and differences of opinion amongst officials, called forth by every attempt to frame a code of rules, alike point to the conclusion that the coasting trade will work smoothly and well for all concerned in direct ratio with the simplicity of the Customs procedure.

The wants of owners of coasting steamers are few enough, and may be summarised as follows, viz :—

1. At coast ports: that shippers may be allowed to place cargo into craft, and send it off into the roads in readiness for the steamer's arrival.
2. At all ports: permission to begin discharging and loading immediately upon arrival, and before formal entry.
3. In case of laches on the part of the consignees, facility to the agent to forthwith land free goods at his pleasure, and dutiable goods into the Custom House.
4. Facility for clearance without delay.

Any regulations to the contrary must hamper the coasting-trade, and it should be possible to grant such facilities without either jeopardizing the revenue, or interfering with the collection of necessary statistics.

The Committee regret to observe the stress which in Mr. Armstrong's, and indeed in other schemes, is laid upon duplicate shipping-bills and a certain proposed "general account of cargo."

As to the duplicate shipping-bills, experience has shown their unreliable character. In their original form they do not profess to represent cargo shipped, but only a permission to ship; and this permission is frequently not availed of, or only for a fraction of the quantities borne on the face of the bill. No doubt it is the duty of the Customs officer on board the receiving steamer, to examine these bills and to endorse upon them the quantity actually shipped; but even in Calcutta this duty is often performed in a perfunctory manner, and at coast-ports it is chiefly "honored in the breach;" indeed, it is often impossible to carry it out.

The "general account of cargo" appears to be a still more impracticable idea. At many ports vessels have to anchor some miles from the shore, and in rough weather communication is liable, at any moment, to be interrupted; even in fine weather communication is often a work of several hours. The steamer's agent cannot tell what cargo is on board without sending to the vessel to ascertain, nor when he has done so, can he fill in the column relating to

"measure, quantity, or weight" without assistance from the various shippers or of the Custom House. Hence it will be seen that for a shore agent to make up the proposed general account, and to get it signed by the Customs authority, and then to deliver it on board, would involve delay to the steamer of the most serious character, and is, in fact, a plan scarcely preferable to the filing of a completed manifest.

There happens, however, to be at hand a very simple method of ascertaining with accuracy the cargo brought into port by any given vessel.

On board of every regular coasting boat, a cargo book is kept in which is entered the particulars of all cargo as received. From such particulars the clerk draws out the mate's receipts. From these, again, the bills of lading are compiled, and from the bills of lading the manifest is made up.

Thus the clerk's cargo book (through the mate's receipts, which may be said to be extracts from the book) constitutes the source of the manifest, for which document attempts are made to find substitutes in the shape of duplicate shipping-bills, general account, &c.

It would seem, therefore, that every purpose might be answered if the master of a coasting vessel were, on arrival, to deliver to the proper officer a "clerk's manifest," viz., an extract from the cargo book duly signed. The inward agent might be held responsible for the produc-

tion, in due course, of bills of lading to correspond with the clerk's manifest. The shipping bills are under control of the local Custom Houses and of the shippers of the goods rather than of the vessel, and the Committee submit that the various Customs authorities should be required to forward the originals of these documents to their proper destinations after correction in respect of re-lands, short shipments, &c.

Thus we should have—

1. The master on arrival handing in a "clerk's manifest" copied from his cargo book :
2. The inward agent, in due course, collecting and furnishing the Custom House with bills of lading to correspond :
3. The distant Customs authority sending up his packet of shipping bills, amended by re-lands, &c.

And if the three sets of independent documents were found to agree, the checks and the information placed at disposal of the Custom House would be as perfect as possible, and that without causing inconvenience to any person concerned.

The Committee are pleased to observe that the Board of Revenue have shewn a disposition to give the cargo book a prominent place in any fresh regulations to be issued ; and it is hoped that the Board may see its way

to adopt, in its entirety, the system now advocated. Meantime, however, it appears desirable to examine in detail the proposals put forward by Mr. Armstrong :—

63. Extension of Section 53. No objection as regards Calcutta ;
utterly inapplicable to coast ports.

64. Extension of Section 54. No objection.

No objection, provided that the clerk's manifest be accepted, and that the most liberal allowance be made for the difficulties in securing accuracy inseparable from the rapidity with which steamers work. Corrections should be freely permitted to be made by the agent after delivery of the cargo and collection of bills of lading. No fee should be levied for filing such corrected or agent's manifest.

No objection, provided outward entry be permitted to be made by the agent and before steamer's arrival, wherever the nature of the port is such as to require this indulgence.

No objection, if it be clearly laid down that clearance is to be granted under the usual guarantee by agent.

65. Extension of Section 55, so far only, that application for a post-clearance be made by the master at least four hours before the intended departure of the vessel, and that the provisions of Section 55, relating to the amendment of im-

There is no objection to stipulating that application for clearance be made four hours in advance of departure, provided that personal application by the master be dispensed with. But the remainder of section

port manifests, shall, mutatis mutandis, apply also to export manifests cleared under Section 158.

63 is utterly inapplicable to coast-ports, and it would be impossible to coast under such provisions.

Very objectionable in respect of clause (a). It is essential that port clearance be granted forthwith upon the lodgment, by a responsible agent, of a sufficient guarantee for discharge of all proper claims.

This, as Mr. Armstrong observes, is at present in force ; but the Committee would like to see the time for filing a manifest, &c. extended from five days to seven.

This section is not applicable to coasting vessels. Cargo on board such vessels is constantly, found in excess of bills of lading, and if the section were strictly applied, it might sometimes result in consignees not getting their property, for the Captain of the coaster could not afford to delay his steamer to file a supplementary manifest, and would therefore carry the excess goods on.

Unless provision were made for entry outwards of steamer, prior to arrival, the enforcement of this section would entail serious hardship at coast-ports, where, owing to the distance of the anchorage, it is absolutely necessary to put cargo into boats before steamer's arrival.

The Committee find no objection to advance.

Extension of Sections 141, 142, 143

Proposed Rule 2.—The Committee have urged their reasons for thinking that the production of shipping bills, or of general cargo account (if to be signed by the agent and Customs authority at the despatching port) are alike impracticable. It follows that they object very decidedly to the extension of Chapters VII and IX to vessels not furnished with such documents.

Proposed Rule 3.—Unobjectionable and, indeed, advisable.

Proposed Rule 4.—Unobjectionable.

Proposed Rule 5.—Very objectionable for reasons repeatedly given.

Proposed Rule 6.—Unobjectionable.

Proposed Rule 7.—Unobjectionable, and probably desirable.

The Committee are unable to concur in the views entertained by Messrs. Maclean and Grimley as to the harmlessness of extending to the coasting-trade chapters and sections which it is admitted should be only very exceptionally enforced. No doubt if all chief Customs authorities were gentlemen of experience, intelligence, and position such as are found in the Collectors at the Presidency towns, a wide discretion might safely be left in their hands. The facts, however, are far different; and the Committee submit that petty officials, at some of the minor ports, ought not to be armed with power beyond what may be absolutely prescribed by necessity.

There is a large measure of truth in a remark of the Board of Revenue found under paragraph 11 of letter No. 904B. Foreign traders, which may enter the coast trade as a temporary make-shift, would have no good cause for complaint at being subjected to the laws under which they at other times work. Indeed, they would not be likely to suffer any inconvenience, because such vessels very rarely indeed coast in the proper meaning of the term. They take full cargoes for one or, at most, two ports, and return or proceed to the homeward loading port in ballast.

It is the case of the regular coasting trader which has to be considered; and if the conditions of the proposed General Pass had been such that not only one powerful Company but every responsible shipowner could, without hardship, take advantage of its privileges, my Committee would not have thought it necessary to criticise Mr. Armstrong's rules so fully.

In my letter of the 14th October I urged certain objections to the scheme of General Pass put forth in the Board of Revenue's letter No. 1012B. The Committee now add the following remarks:—

Import (c).—This condition will press hardly upon consignees unless, at all ports, passes (which the Committee take as synonymous with shipping-bills) be granted in anticipation of steamer's arrival.

Export (g).—The same criticism applies. The Committee have already shewn that the delivery and re-delivery

between master, agent, and Customs authority, of a general account of cargo shipped, cannot be effected at coast-ports without involving frequent and most serious detention of steamers.

Export (i).—This clause can be worked, and should not be an alternative to (g), but substituted in its place.

The time for filing the copy of the cargo book should be extended to seven days.

If apology be needed for the length of this communication, the Committee trust it may be found in, what they venture to term, the needless complexity of the Customs regulations, existing and proposed.

CARGO-BOOK OR MANIFEST FOR COASTING VESSELS.

This correspondence has arisen out of the Committee's recommendations regarding the proposed rules for the coasting trade. The principal object of these rules appears to be the obtaining correct statistics of the coast trade, an object which would, the Committee think, be attained by the use of the subjoined forms without restriction of trade caused by detention of the vessel.

From Board of Revenue to Chamber.

No. 198 B, Calcutta, 24th February 1882.

With advenience to your letters to my address dated respectively, the 14th October 1881 and 23rd ultimo, and the connected correspondence, I am directed to state that the Board would be obliged if the Chamber could suggest a form of cargo-book which would answer for cargo-book, form of manifest for coasting vessels, other than those trading under general passes, and forms "R" and "V" to be used under the general pass, and, at the same time, meet requirements of shipowners and masters.

From Chamber to the Board of Revenue.

Calcutta, 18th March 1882.

In reply to your letter No. 198 B, of the 24th February, I am directed to say that the Committee of the Chamber of Commerce see nothing to object to in forms Q "form of Cargo Book," or R "Abstract from Cargo Book."

2. As to form V, "Summary of Cargo Shipped," they would like to see this altogether cut out of the scheme, because, as already explained, it cannot, at many ports, be filled up without causing unreasonable, and, the Committee submit, unnecessary delay. Moreover, neither shipmasters nor their agents have any knowledge of "measure, quantity, or weight," bills of lading being invariably signed "measure, quantity, weight and value unknown." These particulars can be ascertained from the shippers through the Custom House, and it seems unadvisable to burden a return to be rendered by the vessel with columns

201

Form of Cargo Book to be kept on board of every Coasting Vessel.

[illegible]

Memo.—Arrived at the port of _____ at _____ on _____ day of _____ 188____. Left said port at _____ on _____ day of _____ 188____.

Signed _____ Clerk. Countersigned _____ Commander.

Instructions to Clerk.—No ensures permitted : mistakes must be rectified by drawing the pen through the error and re-writing. Commence a fresh page for every part of shipment. These sheets to be bound into books consisting of a convenient number of pages, so that each book shall represent one complete voyage : to be kept on hand, and to be exhibited to any Customs Officer on demand, and handed in to the Chief Customs Authority at Final Port of Discharge in British India.

The Articles subject to duty are : Arms, Ammunition, Wine, Beer, Spirits, Opium and Salt : also Rice when shipped for any Foreign port.

Abstract from Cargo Book.

Shewing all DUTIABLE Goods imported into the port of _____ per Steamer _____
of _____ tons net Register, Master _____ Voyage No. _____

Rotation No. in Cargo Book.	Foreign port of shipment on board of this Steamer.	Indian Cus- tomers port of ship- ment.	TRANSHIPMENT.		SHIPPED.	Marks and Nos.	Number of Packages.	Description of Cargo.	Place of origin or Country of Goods.	CONSIGNEE.	REMARKS.
			From Ship.	Port of original Shipment.							
					Total Packages ...						

Dated at _____ the _____ of _____ 188 . (Sd.) _____

Dated at _____ the _____ of _____ 188 . (Sd). _____ Clerk.

I Certify that the above is a true specification of all Dutiable Goods brought into this port by the abovenamed Steamer under my command.

(Sd.) _____
Commander.

Abstract from Cargo Book.

Shewing all FREE Goods imported into the port of _____ per Steamer _____ of _____ tons net Register,
Master _____ Voyage No. _____

Rotation No. in Cargo Book.	Port of Shipment.	TRANSHIPMENT.		Shipper.	Marks and Nos.	Number of Packages	Description of Packages.	Goods.	Consignment.	REMARKS.
		From Ship.	Port of original Shipment.							
				Total Packages ...						

Dated at _____ this _____ of _____ 188 . (Signed) _____ Clerk.

I Certify that the above is a true specification of all Free Goods brought into this port by the abovenamed Steamer under my command.

(Signed) _____ *Commander.*

FORM A.

(FORM OF GENERAL ACCOUNT OF CARGO.)

General Account of Cargo shipped at the port of _____ on board the
 ship _____ Tonnage _____ Master's name _____ for _____
 Left _____ on the _____ 188____; arrived _____ on the _____ 188____.

Batch Number.	Number and Description of packages.	Description of cargo (foreign).	Description of cargo (country).	Value according to Schedule A.	Value.	Signature of owner.	Consignee.	Remarks.
					RS. A. P.			

I HEREBY declare that the above is a full, true and particular account of all goods shipped on board the above vessel for
 Signed and declared before me at _____
 of Customs. _____ 188____.

Agents.

Master.

204

205

CLEARANCE OF SALT FROM BONDED GOLAHES.

The following correspondence with the Board of Revenue will inform Members of certain proposed alterations in the rules relative to the clearance of salt from the Government Golahs at Sulken, and in the scale of fees charged for overtime work and work on Sundays and holidays.

The Committee were of opinion that, with the exception of a slight concession to bonders and dealers in respect of work for the first two hours, the proposed scale of fees was unfavorable to the salt trade, as its application to later hours of work would be attended with a considerable increase in the charges, and that the condition of the trade was such that it could not bear any additional restrictions or burdens.

From Board of Revenue, L. P., to the Chamber.
 No. 1177 B, Dated Calcutta the 9th November 1881.

I AM directed by the Board of Revenue to forward, for the information of the Chamber of Commerce, a copy of the rules sanctioned by Government which are at present in force in regard to the clearance of salt from the Bonded Golahs at Sulken, and to observe as follows :

2. For many years the work at the Sulkea Golahs, on working days used, as prescribed in rule 3, to commence at 6 A. M. and close at 2 P. M. ; and whenever it was required that any work should be done on Sundays and holidays the same hours were observed, when fees were levied and distributed in conformity with rule 14. This practice continued unchanged till 1870, when the Superintendent of the Golahs, with the permission of the Collector of Customs, Mr. Crawford, owing to an unusual amount of bonding work, was obliged for the convenience of bonders and purchasers of salt, to extend the working hours (in respect of the reception of salt) as a temporary arrangement, from 2 P.M. till 4 P.M., on payment of over-time fees, at the rate of one rupee per hour for each ship, to the Inspector and Ghat Officer whose presence was necessary to supervise the work.

3. In 1875 (a change of Superintendents having taken place) all over-time work was stopped for a time, whereupon Messrs. Turner, Morrison & Co. addressed a complaint on the subject to the Collector, and represented that they were quite willing to pay the usual over-time fees rather than incur demurrage on boats. Mr. Maclean, who was at the time officiating as Collector, called for a report from the then Superintendent of the Golahs, who stated that there was no objection either to receiving or delivering salt after working hours, provided that there was some system observed, and proposed that work should be allowed from 2 P.M. to 6 P. M. The working hours at the Golahs are from 6 A.M. to 2 P.M. or eight hours, so that from 2 P.M. to 6 P.M., the Superintendent pointed out, would be equal to half a working

day. He therefore proposed that half the fees allowed for working on a holiday should be charged for working after 2 P.M., and that they should be divided in the same proportion as those fees, (*vide* rule 14). Mr. Maclean decided that—

“The same rules which are laid down for delivery from bond should be observed as regards receipt into bond, both as regards fees and over-time which may be considered as equal to holidays; no work being allowed between sunset and sunrise.”

4. The above arrangement does not seem, however, to have afforded satisfaction on account of the high rate of the overtime landing fees, and in September 1875 the question was again raised by Mr. Superintendent Thompson and was disposed of by Mr. Lane the Collector of Customs, who directed that the fees in question were to be regulated in conformity with the order passed by Mr. Crawford in 1870.

5. For discharging salt after hours, half the holiday fee continued to be charged up to 1879, when the Superintendent considering Rs. 8-4 (as shown in the marginal statement below) was too much to charge when a merchant only required one hour's work, decided to alter the arrangement and to distribute the charges as follows:—

Rs. 4-2 from 2 to 3 P.M., and Rs. 4-2 from 3 to 5 P.M., the whole making half the holiday fee.

OFFICERS.	Whole Holiday Fee.	From 2.12 to	From 3.12 to	Half Holiday Fee.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Superintendent	2 0 0	1 4 0	1 16	2 8 0
Inspector	2 0 0	0 12	0 12	1 8 0
Ghat Officer	2 0 0	0 8 0	0 6 0	1 0 0
Office Mohurir	1 0 0	0 4 0	0 4 0	0 6 0
Weighting Officer	1 0 0	2 12 0	2 12 0	1 8 0
Ghat Mohurir	2 0 0	1 4 0	1 4 0	2 8 0
	0 2 0	0 2 0	0 2 0	0 4 0
	6 5 0	4 2 0	4 2 0	5 4 0

in the rule which applies to holiday work, but the Collector of Customs explains that the practice has always been to pay them at the rate provided for in rule 2, and their over-time fees have been charged in the same proportion.

7. While the matter was at this stage, the Collector of Customs proposed that the practice of allowing over-time work not being in strict accordance with rule 3, and being apt to protract the work to an inconveniently late hour, should be put a stop to. The Board, however, were of opinion that the practice had been permitted for the convenience of the merchants and dealers, and that they would often be put to inconvenience and expense if it were arbitrarily prohibited, and they declined to interfere. At the time, however, they pointed out to the Collector the apparent anomaly in the scale of fees referred to above in respect of landing as compared with those for discharging salt, and requested him to examine carefully and revise the charges to be levied from bonders, as well as the amount of fees to be allotted to each officer, so that while

6. The statement on the margin will show how these charges were arrived at. No provision for the weighing officer and ghat mohurir is made

the fees to be paid to each officer should be sufficient to remunerate him for his extra work, the total charges would not be so large as to press heavily on the bonders. In reply, the Collector has submitted the draft rules appended to this letter, for incorporation in the existing rules, with the view of obtaining the sanction of Government to the continuance, subject to certain modifications, as explained below, of the practice hitherto followed.

8. Under the first rule it is proposed that the rate of over-time fees for landing salt should be fixed at one rupee per hour as at present, while the fees for discharging salt have been revised in such a manner that for the first and each succeeding hour during which over-time work is done the charge will be Rs. 3-6 instead of as at present Rs. 4-2 for the first hour and a similar charge for the next two hours or any part thereof. It is stated that the work is generally brought to a close by 4 P.M., so that, in most cases, it may be expected that the total charge for the afternoon's work will come to Rs. 6-12 as against Rs. 8-4 under the existing practice, while in cases in which the work is continued for another hour, the charge will be slightly in excess of what it is at present. In the interest of the bonders, the rule also provides that no charge is to be made for a broken part of an hour not exceeding 15 minutes.

9. As regards the difference in the scale of charges for landing and discharging salt, the Collector explains that in landing salt the work falls principally upon the Inspector and Ghat Officer, while in discharging salt the

work of the whole establishment is increased, notably that of the Superintendent, who is frequently detained to a late hour in completing the details of the office work. On this point the Collector reports as follows :—

"Discharging salt from the golahs after hours increases the work of all the golah establishment, not merely during the time that the salt is being discharged, for after the weighment is completed the real work of examining, endorsing and entering the rowannahs and bills-of-entry begins, and on more than one occasion the Superintendent has been detained on this work till 8-15 P.M.; unless the rowannahs, &c., are passed on the same day, it would be no gain to the merchants to work beyond the regular hours. They only do so when it pays them, when owing to certain fluctuations in the market or to meet urgent demands, it is of importance to despatch consignments quickly."

10. The Collector reports that the fees for Sundays and holidays, prescribed by rule 15, are charged for work to be carried on only during the ordinary working hours, (8 A.M. to 2 P.M.) and that if merchants wish to work beyond those hours the same over-time fees are charged as on ordinary days. This arrangement appears to the Board to be a reasonable one, and the second draft rule submitted by the Collector is intended to meet the case.

11. In conclusion, I am to say that the Board have been desired by Government to request the Chamber of Commerce to favour them with their opinion as regards the expediency of the changes proposed in the existing rules, as contained in the accompanying extract from section IX of the Salt Manual, with a view to an authoritative

recognition of the system of over-time work which has grown up in the manner explained above.

Draft Rules proposed to be added to those below, which are now in force.

15. The following shall be the rate of over-time fees to be levied from bonders for landing and discharging salt after the regulation hours, as prescribed in rule 3 of this section :—

For landing Salt.

	Per hour.
	Rs. A.
Fee to Inspector	0 8
Do. Ghat Officer	0 8
Total	1 0

For discharging Salt.

	Per hour.
	Rs. A.
Fee to Superintendent... ..	1 0
" Inspector	0 10
" Ghat Officer	0 6
" Weighing Officer	1 0
" Office Mohurrir	0 4
" Ghat Mohurrir	0 2
Total	3 6

Provided that no charge shall be made for a broken period of an hour not exceeding 15 minutes, and that

full fees shall be levied for all broken periods in excess of 15 minutes. Provided also that no work shall be allowed between sunset and sunrise.

16. The fees for Sundays and holidays are to be levied in respect of work done between 6 A.M. and 2 P.M.; for work beyond 2 P.M., the fees authorised by rule 15 will be levied.

EXTRACT FROM BOARD'S SALT MANUAL.
Section IX.—*Rules for the clearance of Salt from Bonded warehouses, Public or Private.*

1. All deliveries of salt bonded in a public or private warehouse, under the provisions of Act VIII. of 1878, shall be supervised, as required by section 99 of the above Act, by a Customs officer and a native officer styled a Ghat Mohurir. These officers will be deputed on application to the officer in charge of the Custom House.

2. The expenses incident to their employment shall be borne by the bonder at the rate of Rs. 5 for a Customs officer, and 8 annas for a native officer per diem. These officers will be paid daily. If required so to do, the bonder or applicant for their services shall pay into the hands of the officer in charge of the Custom House a sum sufficient to meet the expense of employing such officers.

Procedure on deliveries from bond.

Charges to be paid by bonder.

3. The present working hours at the Sulkea Government Golahs will continue to be observed with regard to all deliveries, whether from public or private warehouses, viz., from 6 A.M. to 2 P.M.

4. Scales and weights will be provided by Government, but bonders are required to make their own arrangements for cutting and removing their salt from the warehouses, as well as to supply their own tools for cutting the salt, such as sabools, kedalties, &c.

5. There will be one Customs officer at each scale and his duty will be to keep in a book, provided for the purpose of the expense of Government, a correct tally of the bags as they are weighed and taken off the scale by the bonder's people, as well as to see that each bag contains neither more nor less than the prescribed quantity of salt, viz., two maunds. He will be held personally liable for any excess or deficiency that may be discovered at the check scales presided over by the golah officers.

6. The Superintendent will be held responsible for making such arrangements as will ensure the efficient working of the check scales; at least 10 per cent. of the bags issued from the golahs should pass through these scales.

Responsibility of Superintendent.

7. Should any dispute arise between the Customs

When disputes arise, officers and the bonder or purchaser of the salt under delivery, the former will stop the weighment, and at once refer the matter in dispute to the Superintendent for orders.

8. The Customs officer will be particularly careful to bring every irregularity that he may become cognizant of to the notice of the Superintendent without delay, and will be held responsible for failure in doing so.

9. There will be one ghat mohurir for each scale. He will be posted at the proper discretion of the Superintendent either at the ghat when salt is being passed into boats, or on the roadway when it is being removed in carts. In either case he will not be allowed to hold any communication whatever with the Customs officer posted within a gola, except through the Superintendent until after the day's work is over, when his tally will be compared with that kept by the Customs officer, and, if found to agree, signed by the Superintendent.

10. The ghat mohurir's duty will be to keep a similar tally to that of the Customs officer, but in Bengali. He will also keep a tally by means of counters supplied by the department. One such counter will be made over to him by each coolie as he passes him with a bag, and will represent one bag or two maunds of salt. After the rowannah

quantity has been delivered these counters will be compared with his written tally, as well as with that of the Customs officers for the purpose stated in Rule 8.

11. When discrepancies in the accounts cannot be reconciled, and whenever the Superintendent has reason to believe that the quantity of salt

conveyed to the boat or cart is not correctly represented in the accounts, he shall hold a re-weighment. The expense of such re-weighment shall be borne by Government.

12. Whenever the bonder or purchaser is desirous of removing his boats or carts from the premises, the Superintendent will satisfy himself on every

point before granting the usual protective documents. He will, before granting a pass, at all times, satisfy himself, even where the accounts agree, that the boat load or cart load represents the exact quantity entered in the rowannah.

13. Koyals and Tippanavecesses will not be employed as heretofore in checking weighments.

14. The following extra charges to be levied from bonders, in addition to the rates for ordinary working days, will be demanded for both reception into, and delivery from, bond on Sundays and holidays, viz. :—

		Rs.
Fee to Superintendent	...	5
" Intendant on duty	...	3
" Ghat officer	...	2
" Office mohurir	...	1
Total Rupees	...	11

*From Chamber to the Board of Revenue.
Calcutta, 13th December 1881.*

The Committee of the Chamber of Commerce direct me to acknowledge the receipt of your letter No. 1177B of the 9th ultimo forwarding, for their information, a copy of the rules at present in force relative to the clearance of Salt from the Golahs at Sulkea, and requesting the Committee's opinion upon certain new rules proposed with a view to an authoritative recognition of over-time work, and a settlement of the fees to be levied in respect thereof.

In reply, I am directed to say, 1st—that in the Committee's judgment the ordinary working hours, as at present fixed, might be altered with advantage.

The regulations are, upon this point, somewhat contradictory, for whereas the working hours are said to be 6 A.M. to 2 P.M., it is elsewhere ruled that no work is to be done before sunrise; and in the cold weather the sun rises as late as 6-44. As a matter of experience, it is seldom at this season of the year that work is fairly commenced before 7-30 A.M., and even in the hot weather

it is very difficult to collect natives and get them at work so early as 6 A.M.

It would therefore be to the public advantage if the regular hours were made—

8 A.M. to 4 P.M. from 1st November to 29th February, and
7 A.M. to 3 P.M. from 1st March to 31st October.

The hours of over-time would then naturally become from sunrise to 7 A.M. or 8 A.M.

and from 3 P.M. or 4 P.M. to sunset,

but it will be seen that the Committee do not think that the morning over-time would be much availed of.

2. The Committee cannot entirely approve of the modifications which it is proposed to introduce into the method of levying over-time fees for discharging salt from Golahs.

As they understand matters, a comparison between the present and the revised systems would stand as follows:—

		Old Rule.	New Rule.
Fees for working from ...	2 to 3 p.m.	Rs. 4 2	Rs. 3 6
" " ...	2 " 4 "	" 8 4	" 6 12
" " ...	2 " 5 "	" 8 4	" 10 2
" " ...	2 " 6 "	" 8 4	" 13 8

The Committee appreciate the concession to bonders and dealers in respect of work for the first two hours, but they do not think that the condition of the Salt trade is

such that it will bear any additional restrictions or burdens ; and if the necessities of a trader compel him to work late, the Committee think that the employés of Government should be prepared to co-operate. They urge, therefore, that the maximum fee for over-time should not exceed the present charge, *viz.*, Rs. 8-4.

3. There appear to be discrepancies in the fees to be paid to certain officials for time spent in landing salt as against the same time employed in discharging ; thus, an Inspector is to receive 10 annas per hour in the one case, but only 8 annas in the other : similarly a Ghat officer gets 8 annas and 6 annas. It would seem from this that the total fees to be collected from the public might be somewhat reduced, say to 14 annas per hour for landing salt and to Rs. 3-4 per hour for discharging ; and if this can be done without injustice to the officers employed, my Committee trust that, in the interests of trade, the Board will favorably consider the suggestion.

REDUCTION OF THE SALARIES OF PUISNE JUDGES OF THE HIGH COURT.

The Committee have joined with other representative bodies in urging upon the Secretary of State the impolicy of reducing the salaries of the Puisne Judges of the High Court.

To the Most Honorable the Marquis of Hartington,
Her Majesty's Secretary of State for India in Council-

The Humble Memorial of the
undersigned Associations, Bodies
and Persons resident in the
Provinces of Bengal, Behar, and
Orissa, in British India.

MOST RESPECTFULLY SHEWETH,—

1st.—That your Memorialists view with great alarm and regret the despatch of your Lordship, No. 7, dated the 3rd day of February, 1881, and the Resolution of the Government of India, No. 698, of the 21st day of May 1881, with reference to the reduction of the salaries of Her Majesty's Puisne Judges of the High Court of Judicature at Fort William in Bengal.

2nd.—That your Memorialists conceive it to be the duty of Government to provide for the most efficient administration of justice in the provinces of Bengal, Behar, and Orissa, not only on the ground of its being the paramount duty of the Ruling Power, but also on the ground of economy, and for securing the well-being of Her Majesty's subjects in these provinces.

3rd.—That the revenue raised within the Provinces of Bengal, Behar, and Orissa from court-fees, for the purpose of meeting the expenses of the administration of justice, is not only amply sufficient for that purpose, but, after paying the expenses of administration of both Civil and Criminal Justice has, for some years back, produced a surplus of between 25 and 30 lakhs of rupees annually.

4th.—That, under such circumstances, your Memorialists submit it to be the duty of Government not only to abstain from any step likely to impair the efficiency of the highest Tribunal within these Provinces, in which hitherto the people have reposed the highest confidence but further to improve its efficiency by every means available.

5th.—That the reduction of the salaries of the Judges of the High Court, both Native and European, is directly calculated to lead to the appointment of an inferior class of Judges to the Bench of that Court, and thereby to impair the efficient administration of justice in the Court; that the public will, in consequence, lose a valuable safeguard for the protection of their rights and privileges, and for the due and proper enforcement of the law in the inferior Courts of the country over which the High Court has by law the control.

6th.—That the Despatch of your Lordship in creating a distinction in the emoluments between the Native and European members of the Court has produced a wide-felt discontent, and is calculated to lower the Native Judges in the eyes of the suitors and of their countrymen generally, as well as to effect their independence and produce an invidious distinction and class jealousy among the members of the Court, and thereby further to impair and imperil the due and efficient administration of justice in these Provinces.

7th.—That whatever reasons may exist for drawing a distinction between the emoluments of Native and

European officials in other Departments of the State, such reasons cannot be applied to the Native Judges of the High Court sitting on the same Bench with their European colleagues, exercising the same powers, and administering the same law.

8th.—That, in addition to the reasons already advanced, your Memorialists thoroughly concur in and adopt the reasons advanced by His Lordship Sir Richard Garth, the Chief Justice of Bengal, in his Minute to the Government of India, and for the sake of brevity beg leave to annex a copy thereof hereto.

Your Memorialists therefore pray your Lordship that the orders complained of may be reconsidered and cancelled.

And your Memorialists, as in duty bound, will ever pray, &c., &c., &c.

Arthur Phillips, Officiating Advocate-General,—
on behalf of the Calcutta Bar.

G. H. Morrison, Vice-President of the Chamber
of Commerce,—on behalf of the Chamber
of Commerce.

D. Zennin, Master of the Trades' Association,—
on behalf of the Calcutta Trades' Association.

Narendra Krishna, President, British Indian
Association,—on behalf of the British
Indian Association.

K. M. Bannerjee, President, Indian Association,—on behalf of the Indian Association.

Ferokeh Shah (Prince), President, National Mohammedan Association,—on behalf of the National Mohammedan Association.

Unnoda Prosad Bannerjee, Senior Government Pleader,—on behalf of the Pleaders of the High Court.

MAIL DEPARTURE FROM CALCUTTA.

The Chamber's last report contained a representation by your Committee to the Government of India, urging that the inconvenience involved in the despatch of mails from Calcutta on Mondays during the fair season might be remedied by extending the time by 24 hours, and pointing out that, as a general rule, the mails reached London a day earlier than the latest date which the home authorities had fixed for their arrival in London.

A copy of that representation was simultaneously forwarded to the Secretary of State for India.

The Committee have now the satisfaction to record that the concession applied for has been granted, and the change commenced with the mail leaving Calcutta on Tuesday the 7th of March last.

During the monsoon months, however, the arrangements remain undisturbed, the mails leaving Calcutta on Saturdays.

The following report by a Committee appointed by H. M.'s Treasury and the Secretary of State for India to consider the dates to be fixed for the Indian, China, and Australian mail services, will inform members of the recommendations submitted by them.

Your Committee have considered the question referred to them, of the dates which it is desirable to fix in the time-tables for 1882, as those on which the mails should leave Australia and India. They have had before them the representations made by the Victorian Government regarding the inconvenience of a departure from Melbourne at midday on Monday in the monsoon, as well as those of the Government of India respecting the disadvantage under which Calcutta labours in consequence of the mail leaving that place on Saturday in the monsoon and on Monday in the fair season. They have also discussed the question of the Melbourne mails with Major-General Pasley, the Acting Agent General for Victoria.

Under the time-tables for the present year the mails should, during the monsoon, leave Melbourne on Monday, Adelaide on Wednesday, King George's Sound on Sunday, and Galle on Sunday, and should arrive at Suez on Tues-

day. The corresponding mails would leave Calcutta on Saturday and Bombay on Tuesday, arriving at Suez also on Tuesday. The combined mails are due in London on Monday afternoon. In practice, the Government of Victoria has, during the present year, on all occasions except one, detained the vessel at Melbourne till 1 P.M. on Tuesday; but, notwithstanding the departure being later by 24 hours, the mails have not, on the whole, arrived in London after the contract time.

To sanction the delay of the departure of the mail from Melbourne for a whole day would involve the corresponding mail being fixed to leave Calcutta on Sunday, which would not be accepted by the Government of India. Your Committee, however, learn that the Peninsular and Oriental Company would be willing so far to meet the views of the Victorian Government as to delay the departure of the packet till daylight on Tuesday, with the understanding that six hours can be made up in the run to Galle, and that, under the concession offered in May last by the Postmaster-General, a further delay of 12 hours may take place at Galle if requisite.

Your Committee therefore recommend that as regards the monsoon season no alteration should be made in the time-table of the India and China mails, the Victorian Government carrying the suggested alteration at Melbourne into effect, if they desire it. A note should, however, be made in the China time-table, that in the event of the packet from Australia being late in arriving at Point de Galle, the China packet may be detained for 12 hours at that port.

During the fair season the mails, under the existing time-tables, leave Melbourne on Wednesday, Adelaide on Friday, King George's Sound on Tuesday, and Galle on Tuesday, and are timed to arrive at Suez on Tuesday. The corresponding mails leave Calcutta on Monday, and Bombay on Thursday, arriving in London nominally on Monday afternoon. In practice, however, they are generally received about 24 hours sooner.

Your Committee think that the difficulty felt in this case by Calcutta may be removed by allowing the whole service to take place one day later, so that the mails would be timed to leave Calcutta on Tuesday, Bombay on Friday, Melbourne on Thursday, and Galle on Wednesday, arriving at Suez on Wednesday, and being delivered in London nominally on Tuesday afternoon, but probably judging from past experience, in most cases in time for despatch from London on Monday evening.

Your Committee admit that as the contracts with the Peninsular and Oriental Steam Navigation Company allow them a certain number of hours within which to deliver the mails the time-tables must be arranged on that basis, but they see no reason why advantage should not be taken of the greater rapidity with which the mails are usually conveyed to meet the wishes of the communities of Calcutta and Melbourne, with small risk of inconvenience to the Scotch centres of industry. If your Committee's proposals are accepted, the nominal time for the arrival of the mails in London will be Monday afternoon during the monsoon, and Tuesday afternoon in the fair season; but if the experience of the past year is

repeated, the actual time of arrival will be 2½ hours earlier, and it will be seen that whenever they arrive in time for despatch to the North on Tuesday evening by the mail train at 10 minutes to 9 P.M., the letters will be delivered in Scotland in the course of Wednesday morning. The mail train out would leave Aberdeen at 12-30, Dundee at 3-30, and Glasgow at 6 on Thursday afternoon, thus giving to the most distant place 24 hours for reply.

It may, no doubt, occasionally happen that a delay in the arrival of the vessel may shorten this interval, but, weighing this possible risk against the certainty of great inconveniences at Melbourne and Calcutta if no change be effected, your Committee recommend that an endeavour be made to meet the wishes of those cities in the manner suggested.

DOORCA POOJA HOLIDAYS.

This question has again received the Committee's attention, and their representation of 15th March to the Government of India, which is given below, has been transferred to the Government of Bengal for report. The Committee have no intention or desire to encroach on the religious privileges of any of their fellow subjects, and they assert that these are not imperilled by the proposals they have put forward: but they do maintain that, under the altered condi-

tions of trade which now prevail, a holiday extending over twelve consecutive days is anomalous in the last degree.

From Chamber to the Government of India.

Calcutta, 15th March 1882.

IN a representation dated the 27th of November 1878, the Committee of the Chamber of Commerce submitted for the consideration of the Government of India the injury and inconvenience caused to the commercial interests of Calcutta by the excessive duration of the annual holidays in connection with the Hindoo festival known as Doorgah Poojah.

The Chamber's representation having been transferred to the Government of Bengal for consideration, His Honor the Lieutenant-Governor thought it desirable that the question should be reported upon by a Special Committee composed of representatives of Government, the Chamber of Commerce, the Trades' Association, the Port Trust, the Banks, and the native community; and in letter No. 3809 of the 12th September 1879, His Honor entered at considerable length into the history of the holiday question, and forwarded the recommendations of a majority of that Committee, which were as follow:—

1. "That only the four days required for strictly religious purposes be close holidays;
2. "That if the fourth religious day fall on Friday, the offices shall not re-open until the following Monday;

8. "That the Public Debt Office, the Treasury, the Currency Office, the Money Order Office, the Stamp Office and all the Pay Offices be closed on these four days only, but that in other Government Offices, the Heads of Departments should have discretion to give leave to their subordinates for the whole or any part of the twelve days, provided the current work of their Offices is carried on."

The Government of Bengal, however, had come to the conclusion that, on the whole, "the inconvenience and loss which the mercantile community suffer from the existing state of things, great and vexatious as they are, cannot be remedied without inflicting a still more serious hardship on a far more numerous, though less influential, portion of the community," and the Lieutenant-Governor did not therefore recommend any alteration in existing arrangements.

But the late Viceroy and Governor-General was unable to concur in that conclusion, and the determination of the question will be found in the following extract from the reply to the Government of Bengal, No. 3045, of 4th October 1879.

"The whole burden of proof lies upon those who allege that the interests of even a large majority of the community require the infliction of serious inconvenience and loss upon the minority. In the present case, it is admitted that the most orthodox Hindu does not absolutely require more than four holidays for the religious obser-

vances of the Durga Puja; the other eight days are really prized because they give an opportunity for rest, refreshment, and family gatherings, the usefulness of which the Governor-General in Council is far from underrating; but these objects can be sufficiently attained in Government offices by a free concession to ministerial officers of the periodical leave to which they are entitled by rule, and which they may properly be encouraged to take. The Government would not be justified, by such considerations, in continuing to impose upon the commerce of the Port of Calcutta restrictions and inconveniences which are believed by those interested to cause serious loss.

"The Governor-General in Council therefore accepts the recommendations of the majority of the Committee as quoted in the 4th paragraph of this letter; and, with effect from next year, the public holidays on the occasion of the Durga Puja should be regulated accordingly."

The Chamber of Commerce received this as a fitting solution of the question and the removal of a periodical obstruction to business; but notwithstanding this recorded conviction that the conclusion at which His Excellency had arrived was the most equitable, Lord Lytton, on his return to the Presidency, wrote again to the Government of Bengal, in letter No. 452 of 28th January 1880, and said that His Excellency found reason to doubt whether the Government of India had allowed sufficient weight to the inconvenience which would be entailed by the enforcement of his decision upon the Hindu community of Calcutta and some other parts of Bengal, and to the strength of the popular attachment to the annual holidays. His

Lordship was also disposed to think that he had underrated the extent to which the complaints of the mercantile community might be obviated, or at least mitigated, by careful arrangements in the several public offices to meet their requirements. Accordingly his Lordship cancelled his previous decision, and declared that the Durga Puja holidays, in the public offices in Calcutta, should continue as heretofore. His Excellency's orders were accompanied by the following remarks :—

" But His Excellency in Council relies upon the Government of Bengal to take precautions, in respect to the public offices subordinate to it, to reduce to a minimum the inconvenience and loss which the mercantile community must, in consequence of this determination, continue to bear, and which he trusts that they will not object to bear, out of consideration for the interests and wishes of their numerous Hindu fellow-citizens.

" The Governor-General in Council will enquire what arrangements to meet the convenience of the mercantile community are possible in the offices subordinate to the Government of India."

The Committee of the Chamber are induced once more to address His Excellency the Governor-General in Council on this subject, as they have good reason to hope they can adduce arguments and facts to show that the limitation of the close holidays to four days only, as is urgently demanded by the present conditions of trade in this port, instead of as heretofore allowing them to extend over twelve days, would not have the effect apprehended by His Excellency's predecessor.

A large number of the native traders in the bazaar are Marwari and up-country Hindoos who observe the Durga Puja festival on four or five days only ; and the inconvenience of the enforced restriction of business by the closing of the Currency and other Government offices is as much felt by them as by the great majority of the European traders of this place. It may be mentioned that on five days during which the Bank of Bengal was opened for half-time during the holidays last autumn, business to the extent of no less than 2½ crores of rupees was transacted there (although the Currency Office was closed) and business facilities afforded by the Bank were availed of by the native trading community to the fullest extent practicable.

The religious holidays observed as such by the Hindoo writer-class comprise at the most four days. It is not contended that it is in any way contrary to the religious principles of the Hindoo community to work upon the remaining eight days : indeed, it is a fact that in many offices work is carried on as usual by the Hindoo employes on all but the strictly religious festival days. The native clerks take their turn at work and at holiday-making, and no damage is made by them on the score of religion.

The ground for allowing the remaining eight days as holidays is simply that it has been customary to do so, originally for the purpose of allowing employes whose homes were distant from Calcutta sufficient time to visit their families.

The conditions which formerly rendered so long an interval necessary have long since vanished, but while trade

and general business have developed enormously, the practice of twelve consecutive days holiday, which prevails nowhere else in the civilized world, has remained in force.

It is unnecessary to dilate upon what His Excellency is already fully aware of, that the closing of the Currency and other Government offices for the whole period of twelve days leads to great general inconvenience and to serious loss. If this state of things could not be remedied without a violation of the religious feelings of the native employés, the Committee would abstain from further remonstrance, but they believe that no such result would follow.

As regards the claim of employés to obtain a holiday which conceivably might be interfered with if the Currency Office and other Government offices were opened for business on the non-religious holidays at the season of the Doorga Poojahs, the Committee submit that in all well-ordered mercantile offices arrangements are now made whereby a portion of the establishment can take leave in relays without stopping the work of the office, and there would seem no sufficient reason why similar arrangements could not be made in Government offices also.

It is certainly intolerable that a period of twelve consecutive days idleness, involving great inconvenience and frequently heavy loss, should be forced upon the trading community of this place in order to provide a holiday for the employés of the Government offices; and if the Committee have been successful in showing that the religious question is not really at stake, they would appeal confidently for the reconsideration of this matter. They would, there-

fore, pray His Excellency in Council to rule that the Doorgah Poojah holidays be in future restricted to the four close days which are alone observed as religious holidays.

From Government of India to Chamber.

No. 774, dated Simla, the 29th April 1882.

I am directed to state for the information of the Committee of the Bengal Chamber of Commerce that their Memorial dated the 15th March 1882, urging the restriction of the Doorga Poojah holidays to four days only, has been forwarded to the Government of Bengal, for consideration and report.

MERCANTILE EXCHANGE.

With reference to this subject, the correspondence will show that the Government of Bengal did not see its way to comply with the request of the Chamber regarding the property indicated by the Committee; this refusal being based partly on the wording of the Act for the acquisition of land for public purposes.

Quite recently the Government of India have suggested to the Government of Bengal whether the Act cannot be amended, so as to admit of land being taken up at the cost of funds other than those derived from "public revenues"—

a term which is applicable only to monies paid direct to Government.

The question of the advisability of amending the Act in this respect has been referred to the Chamber and the matter is under consideration by the Committee.

From Government of Bengal to the Chamber.

No. 607—Calcutta, the 1st April 1882.

WITH reference to your letter of the 14th September 1881, to the address of the Private Secretary to the Lieutenant-Governor, I am directed to say, that though Sir Ashley Eden would be glad to see a Mercantile Exchange established in Calcutta, yet the prospects of the ultimate success of Mr. Reinhold's scheme do not appear to him at the present time to be such as would justify Government in giving any definite promise of assistance towards its establishment.

2. With regard to the enquiries made by the Chamber, I am to say—

- (a) that the Land Acquisition Act cannot be put in force to obtain a site for the purpose of an Exchange. A copy of the Advocate-General's opinion on the point is enclosed for the Chamber's perusal;
- (b) that a loan of a lakh of rupees, free of interest, could only given with the sanction of the Government of India, and that the Lieutenant-Governor

would not, as matters at present stand, feel justified in asking for this concession;

- (c) that the Government of India would probably not consent to the association of officers of Government in the management of the Exchange, but that there would be no objection to the selection by the Committee of Management of any two members of the Port Commission who were not Government officials;

- (d) that there is no Government taxation from which the proposed Exchange could be relieved, and that neither the Government nor Municipal Commissioners have power to relieve it from liability to municipal taxation.

OPINION.

SECTION 6 of Act X. of 1870 is as follows :—

Subject to the provisions of Part 7 of this Act, whenever it appears to the local Government that any particular land is needed for a public purpose or for a Company, a declaration shall be made to the effect under the signature of a Secretary to such Government, or of some officer duly authorised to certify its orders: Provided that no such declaration shall be made unless the compensation to be awarded for such property is to be paid out of public revenues, or out of some Municipal Fund, or by a Company. In the present case it is not proposed to pay

for any land to be acquired under Act X. of 1870 out of the public revenues, or out of a Municipal Fund, or by a Company: it follows that land cannot be acquired for a Commercial Exchange under the "Land Acquisition Act, 1870."

Public purpose is not defined in Act X. of 1870; but I am inclined to think that a Commercial Exchange for a large commercial town like Calcutta would be a public purpose. As observed above, such a purpose, if deemed a public purpose, cannot be carried out with reference to the acquisition of land under Act X. of 1870, owing to the fund out of which it is proposed to acquire land (see paragraph 4th of Mr. Reinhold's letter of 5th September 1881) not answering the description in the proviso to section 6 above quoted.

The 5th October 1881.

G. C. PAUL.

THE PAUMBEN CHANNEL.

The advantages of shortening the voyage from this port to the markets of the West have always been recognized by the Chamber, and the Committee have felt that the time has come to press upon the attention of Government the benefit which would be likely to accrue to this port from the opening of a deep water-way along the Paumben channel. Their representation on the subject is still before the Government of Bengal.

From Chamber to Government of Bengal.

Calcutta, 29th April 1882.

In May 1871 the Government of India forwarded to this Chamber copy of a letter from Sir J. Dalrymple Elphinstone, Bart. M.P., enclosing one from Captain Dorman, then Master-Attendant at Colombo, in which proposals are put forward for opening a deep water channel through the obstruction known as "Adam's Bridge."

In response to a request for its opinion upon the merits of this scheme, the Chamber said that it considered that such a work would unquestionably prove of great advantage to trade.

Nothing has since been heard of the project; and I am directed to enquire whether you can favor the Committee with any information upon the subject.

The Committee feel sure that if a passage for large steamers—say up to 26 feet draft—could be opened at anything approaching the exceedingly moderate cost indicated in the correspondence to which allusion has been made, great benefit would result to Calcutta, and indeed to all ports opening on the Bay of Bengal.

Steam vessels to or from places beyond Colombo would gain 1½ day each way. On the double voyage this would, to a canal steamer, represent a saving of about Rs. 2,800, whilst the less costly coasting steamers might gain about Rs. 2,100. Vessels bound to Colombo only would save half a day each way, say Rs. 700 on the voyage. Upon

the whole, the Committee estimate that to steamship-owners using this port the annual saving resulting from the shortening of voyages would not be less than eight lakhs of rupees: and the Committee therefore feel confident in saying that the Paumbon works could be made remunerative without imposing any undue tax upon vessels.

In view of the competition of Bombay with Calcutta for the European trade of India, the Committee trust that the Government of Bengal will give this matter their attention. The chief disadvantage under which we labor is, that we are about 8 days further from Aden than is Bombay; and nearly one-fourth of this handicap would be at once removed if a practicable passage could be opened between Ceylon and the Maliland.

P. S.—For convenience of reference, I beg to hand you a copy of the correspondence referred to, extracted from the Chamber's Report.

EGYPTIAN TARIFF AND DUTIES ON INDIAN PRODUCE.

In response to an inquiry instituted through the Board of Revenue, the Committee have submitted their views on the export trade with Egypt in connection with the tariff in that country. Excluding merchandise sent to the

canal ports for orders, the said trade has not hitherto assumed important dimensions, and the Committee have recommended that an effort be made to obtain a reduction of the duties which now tend to prevent its development.

From Board of Revenue to Chamber.
No. 1168B., dated Calcutta, 9th November 1881.

I am directed to forward herewith copy of Government Order No. 3113 C, dated 29th October 1881, and enclosures, on the subject of the negotiations which will probably be opened shortly with the Egyptian Government for the conclusion of a commercial treaty between Great Britain and Egypt, and to request that the Board of Revenue may be favoured with a report from the Chamber of Commerce on the points noticed in paras: 3 and 4 of the letter from the Government of India marginally cited.

From Government of India to Government of Bengal.

No. 3460, Simla, 12th October 1881.

The Government of India has been advised in a despatch received from the Secretary of State for India, that negotiations will probably be opened shortly with the Egyptian Government for the conclusion of a Commercial Treaty between Great Britain and Egypt.

2. His Lordship desires to be acquainted with the views of the Government of India as to the representation

which it would be desirable to make to the Egyptian Government in matters affecting Indian interests; but, pending a reply, it is His Lordship's intention to offer the following observation, amongst others, for the consideration of the Secretary of State for Foreign Affairs as one of the points deserving special attention:—"That the value of the export trade of India to Egypt (exclusive of transit trade through Egypt) has increased greatly of late years, having risen from £56,000 in 1874, to £978,000 in 1880. In the interests of this growing trade, a reduction of the Egyptian import duties of 8 per cent. is of course desirable, and whether such a reduction is practicable will doubtless engage attention during the contemplated negotiations. It is also pointed out that a revision of the tariff valuation of 17th December 1861 would now be advantageous, as it appears to be high as regards certain articles of Indian produce, such as Tea and Coffee, which, possibly partly for this reason, are little imported into Egypt."

3. The present Egyptian Tariff, so far as British Indian goods are concerned, is the same as that of Turkey. According to this tariff, an extract from which, showing the rates of duty on important articles of Indian origin, is enclosed, certain articles are taxed at 7-20 per cent *ad-valorem*, and on others specific duties are imposed. According to the Treaty with Turkey these specific duties were to be so regulated that they were in no case to fall at a heavier incidence than 8 per cent. *ad-valorem*. The main defect of specific duties is that, unless the goods are specified in great detail, according to their quality and

value, a duty which may fall fairly on goods of high quality will press heavily and unfairly on goods of the same general class or description but of lower quality, while the heavy incidence is concealed on a general view of the results as exhibited in tables of trade prepared in abstract. The Government of India has not sufficient information in its possession to enable it to say where the specific duties levied in Egypt under the Turkish Tariff operate unfairly to articles imported from India, but the mercantile community interested in the trade will no doubt be able to furnish this information, and His Excellency the Governor-General in Council accordingly requests that the Chamber of Commerce and local firms specially engaged in the Egyptian trade may be consulted on the point, and that the Government of India may be favored at an early date with their replies, together with an expression of the views of the Chamber on the subject.

4. The Governor-General in Council will also be glad to receive from the Chamber any general suggestions which occur to them as proper to be brought forward in the interests of Indian trade in the negotiations with the Egyptian Government.

No. 3419 C.

Copy forwarded to the Secretary to the Board of Revenue in the Miscellaneous Revenue Department with the request that the Board will, after consultation with the Chamber of Commerce, the Trades' Association, and the local firms specially engaged in the Egyptian trade, favor the Lieutenant-Governor with an early report on the

points noticed in paras 3 and 4 of Mr. Hope's letter.

By order of the Lieutenant-Governor of Bengal.

(Sd.) CHAS. S. BAYLEY,

CALCUTTA, }
REVENUE DEPARTMENT, } *Off. Under-Secretary to the*
Miscellaneous Revenue, } *Government of Bengal.*
The 20th October 1881.

From Chamber to Board of Revenue.

Calcutta, 26th December 1881.

The Committee of the Chamber of Commerce direct me to acknowledge the receipt of your letter No. 1168B of the 9th ultimo, and its enclosures, relative to the trade of British India with Egypt, and to the rates of duty levied on articles of Indian origin imported into that country.

The Committee are informed by the Government of India letter No. 3460 of 12th October, which accompanies your reference, that negotiations will probably be opened shortly with the Egyptian Government for the conclusion of a commercial treaty between Egypt and Great Britain; and they are invited to furnish any information in their possession which may be of service to the Government in matters affecting the interests of Indian trade, and specially with regard to the incidence of the specific duties levied under the Egyptian tariff on articles imported from India.

The Committee, in reply, direct me to submit the following remarks:—

Although recent official returns of the trade between India and Egypt exhibit a very marked increase in the exports during the last few years, it is hardly possible to say how much of the trade is retained by Egypt, and how much of it is in transit for Continental ports, or for countries on the Eastern coast of the Mediterranean or the Levant, Syrian ports, &c.

Rice, wheat, indigo, cutch, raw hides, and manufactures of jute form the principal exports from Calcutta. The first two items may be disregarded in this investigation, as they are almost entirely shipped for places out of Egypt, although entered for Suez or Port Said, and where orders are received for their ultimate destination.

The bulk of shipments of indigo to Suez or Alexandria are also goods in transit for the Levant, Continent, &c., only a very small portion—not exceeding, the Committee are informed, 250 chests per annum—passing into Egyptian consumption.

Cutch and hides are shipped on a small scale, and it may be assumed that a portion of these articles also enters into Egyptian consumption, but the Customs values of both articles do not exceed 5 lakhs of rupees.

Jute manufactures present the most important feature in the trade, and considerable quantities of bags for wheat and sugar and packs for cotton have been shipped for Egypt, and undoubtedly for consumption there. But even in these articles the trade is irregular and fluctuating, in consequence of the peculiar position of Egypt between the competing markets of Calcutta and Dundee, operations

on this side expanding or contracting as values here chance to be lower or higher than those ruling in Dundee.

On the point specially referred to in the 3d paragraph of the Government of India letter, namely, the operation of specific duties levied under the Egyptian tariff on certain articles imported from this country, the Committee find it extremely difficult to offer an opinion, as they do not remember any instance in which the incidence of such duties has been represented to the Chamber, and they are not aware that those who are interested in the trade have had occasion to complain of the duties operating unfairly.

But they fully concur in the argument that specific duties must press unfairly and heavily on goods of the same general class or description but of varying qualities and values: and the application of the "ad-valorem" principle appears to be the only means whereby a just incidence of taxation can be arrived at.

Taking Indigo, for example, the Committee find the *Bengal* product, which has a range of values of from Rs. 130 to 320 per maund, is subject to a specific duty of about $6\frac{1}{4}$ pence per pound; while *Madras*, with a range varying from Rs. 36 to 61 per maund, pays about 3 pence per pound. In both cases the duty seems to fall with unfair weight on the lowest as compared with the duty on the highest value. Raw hides may also be taken as an illustration: there are several qualities, the values of which range from 35 to 100 rupees per corgie; while the duty per pound is invariable. The introduction of a

system of uniformity of taxation would be of advantage to the trade.

The duties leviable under the Egyptian tariff appear to be high, and with the view to encourage and develop the trade with British India, in those articles of Indian produce which may supply the requirements of the Egyptian markets, an endeavour should be made to obtain a reasonable reduction.

In closing their reply to the Board's reference, the Committee venture to express their hope that the Government of India will avail themselves of the opportunity afforded by the discussion of the proposed commercial treaty to give due consideration and weight to the experimental cultivation of jute in Egypt. It would be well to make timely provision against any attempt by the Egyptian Government to foster a jute manufacturing industry of its own by imposing a prohibitory duty on Indian goods.

LONDON CORN TRADE ASSOCIATION STANDARD OF NO. 3 CLUB CALCUTTA WHEAT.

*From London Corn Trade Association to Chamber.
London, 8th March 1882.*

I HAVE now the pleasure to enclose you copy of a circular stating that this Association proposes to make a "Standard" of No. 3 Club Calcutta Wheat; I shall be obliged if you will make the same known to the Members of your Chamber.

*London Corn Trade Association,
London, 8th March 1882.*

I am directed to inform you that the East Indian Wheat Committee of this Association has decided to make a "Standard" of No. 3 Calcutta Club Wheat of the coming season's crop if shipped as such in accordance with the resolution passed by this Committee, copy of which I now subjoin.

I am, your obedient servant,
(Sd.) J. F. H. WOODWARD,
Secretary.

"That if Wheat is sold and shipped as No. 3 Club Calcutta Wheat, this Association will make up a "Standard" of this grade of the new crop; and that the Secretary write to the shippers to that effect, and request they will have the bags in which the Wheat is shipped *distinctly* marked No. 3 Club."

*From Chamber to London Corn Trade Association.
Calcutta, 26th April 1882.*

I am directed to acknowledge the receipt of your letter of the 8th of last month, annexing copy of a circular and Resolution relative to the making up a standard of No. 3 Calcutta Club Wheat and the marking of bags containing the same; and I am to inform you that your letter and annexures have been circulated among shippers of wheat from this port.

**PORT RULE AS TO VESSELS WRECKED,
STRANDED, OR SUNK WITHIN THE
LIMITS OF THE PORT.**

*From Port Commissioners to Chamber.
No. 4416, 29th March 1882.*

In pursuance of a Resolution passed at meeting of the Commissioners held on the 22nd instant, I beg to forward herewith an extract from a report made to the Commissioners by the Harbour Master regarding the present practice of dealing with vessels wrecked, stranded, or sunk within the limits of the port, and to request that the Commissioners may be favored with an expression of the Chamber's opinion on the suggestion made in the extract.

*Extract from a Report by the Deputy Conservator and
Harbour Master dated 20th March 1882.*

Undersigned takes this opportunity to bring to the notice of the Commissioners a difficulty in dealing with vessels abandoned to the Commissioners to remove. During the 24 hours immediately following the grounding of the "Valiant," while the master was being called upon to state whether he would undertake the removal of the wreck, the only measures taken by the agency he employed to save were the removal from the vessel of every thing that could be taken away, even to the vessel's pumps, pumping gear, blocks, and ropes, including the lower braces, the yards being still aloft. This places the department in such cases at a great disadvantage, and

suggests the idea that the practice past and present be inverted. Section 3, Act III, B. C. of 1872, under which action is taken provides—

- (1) For the Commissioners absolutely in any case to remove a wreck.
- (2) For the Commissioners to call upon owner, master, or consignee to remove the wreck.
- (3) For the Commissioners to remove, after the master's refusal.

Hitherto the practice has been to call upon the master to remove, and, on his refusing, which has invariably followed, the Commissioners have taken charge under the disadvantage above pointed out, viz. an important portion of the ship's tackle removed. Undersigned is of opinion it would be better to reverse the practice and take action in the order laid down in the Section.

From Chamber to the Port Commissioners.

Calcutta, 27th April 1882.

I have to acknowledge the receipt of your letter No. 4416, of the 29th ultimo, forwarding a memorandum from the Deputy Conservator and Harbour Master, in which he suggests that, in the event of any vessels becoming wrecked, stranded, or sunk within the limits of the port, the Commissioners should forthwith enter upon possession of such vessels. Upon this you ask for an expression of the views of the Chamber.

In reply I am directed to say that the Committee would see no objection to the adoption of the proposed course, provided it were distinctly understood, and made a saving clause in any amending Act, that the action of the Commissioners in taking immediate possession should not prejudice the right of the master to resume possession and complete the removal.

It must be remembered that the master has to form estimates and to report by wire to his owners, and that they, in turn, may have to consult with the underwriter before telegraphing out their instructions.

The Committee quite recognise that, provided all rights were left intact, it might, in certain cases, be very desirable for the Commissioners to commence salvage operations without any delay.

**PROPOSED PORT RULE FOR SUPPLY OF
AWNINGS FOR PROTECTION OF EUROPEAN
SAILORS.**

From the Port Commissioners to Chamber,—

No. The 3rd April 1882

I AM directed to forward herewith an extract from the Report of the Health Officer of the Port of Calcutta for the year 1881, and in pursuance of a resolution passed by the Commissioners on the subject at their last meeting, I am to request that you will be good enough to obtain and favor them with the opinion of the Chamber of Commerce as to whether the use of a tent-like awning for the

protection of sailors on board vessels, such as is proposed by the Health Officer in the accompanying extract, should be made compulsory in the Port of Calcutta.

Extract from the Report of the Health Officer of the Port of Calcutta for the year 1881.

The following table shows the admission and death-rate per thousand for the three years 1879, 1880, and 1881:—

Period.	Average strength.	Admission rate.	Death-rate.
1879	1,000	2,126	61
1880	1,400	1,432	35
1881	1,350	1,332	43

These death-rates are lamentably high, as compared either with those of the civil population, the military, or the naval forces in India. The death-rate for men of war serving on the East India Station in 1880 did not exceed 12 per thousand, and of the troops serving in the Presidency Division in 1879 was 10 per thousand. The high rate for merchant seamen in Calcutta must be due to their entire want of acclimatization, fresh bodies of men constantly arriving to be subjected to the unhealthy influences of a city like Calcutta—to their habits, to suit which to the conditions of healthy existence in the tropics they have neither the experience nor the inclination—and to the hardships they undergo; the food they are allowed is indifferent, and they supplement it out of their own scanty means with wonderfully cheap and pernicious catables and drinkables. No European can sleep with impunity at all seasons in the open air or under canvass in India.

The sailor is driven out at night in all weathers to seek in the open air for sleep which he cannot get in the stifling atmosphere of a ship's fore-castle; the sort of awning which he gets gives him no protection from the rain or the mists of the river. Some of these causes of the sailor's excessive liability to sickness in the port of Calcutta can only be slowly remedied by an improvement in their habits, which already is being effected to some extent by the spread of education; others might be avoided by greater attention on the part of owners and masters of ships to the kind of accommodation provided for their men in a tropical climate.

The supply of a proper tent-like awning might at least be made compulsory in the port, instead of the wretched tattered sail which is often the substitute for one over the fore-castle. Some experienced masters advocate placing greater restrictions on the facilities and inducements offered to seamen for leaving their ships and spending their money on shore, these visits to the shore leading to debauchery and excesses, and to the wasting of money which should be kept for their families at home.

*From Chamber to Port Commissioners.
Calcutta, 13th April 1882.*

The Committee having given their careful consideration to the Health Officer's suggestion as communicated in your letter No. 98 of yesterday's date are not in favor of making it compulsory by a Port Rule for masters of vessels to supply proper tent-like awnings for the protection of European sailors.

They think, however, that the attention of ship-masters visiting this port may usefully be called to the Health Officer's remarks by means of circulars distributed amongst the shipping; and they doubt not that in this way good will result.

LOSS OF THE "ELLEN STUART" BY FIRE.

*From the Port Commissioners to Chamber,—
No. 4223, the 13th March 1882.*

I AM directed to forward herewith a copy of the proceedings and finding of the Court appointed by Government to investigate the cause of the fire on board the *Ellen Stuart*, and with reference to the suggestion made in para 13 of the judgment of the Court, the Commissioners would feel obliged if you would favor them by obtaining the opinion of the Chamber on the suggestion.

From C. S. BAYLEY, Esq., Offg. Under-Secretary to the Government of Bengal, General Dept. to the Offg. Vice-Chairman to the Port Commissioners, No. 236, dated Calcutta the 20th February 1882.

IN forwarding for the information of the Port Commissioners the accompanying copy of the proceedings and judgment of the Court appointed to investigate the cause of the fire which occurred on board the *Ellen Stuart*, I am directed to request that the Lieutenant-Governor may be favoured with an expression of the opinion of the Commissioners regarding the suggestion made in paragraph 13 of the judgment, that the use of all lights other than locked candle lanterns during loading and discharging cargo should be prohibited by a Port rule.

From F. J. MARSDEN, Esq., Judge of the Marine Court, to the Officiating Secretary to the Government of Bengal, General Department (Marine), No. 29, dated Calcutta, the 6th February 1882.

I HAVE the honour to forward herewith (in obedience to your letter bearing date the 11th January 1882) the report of the Court of Enquiry held to enquire into the cause of the fire on board the *Ellen Stuart*, together with the evidence taken by me, and also the opinion of the Chemical Examiner to Government.

REPORT.

IN this case, from the evidence of Captain Patterson, the Master of the British ship *Ellen Stuart*, the forehold of his vessel was cleared of import cargo by about the 10th of December last, after which the said forehold was cleaned and then dunnaged.

2. On or about the 11th December, the export cargo began to be taken into the said hold; the export cargo consisted of sugar, linseed, jute, and some poppyseed.

3. The sugar and linseed in bags were stowed on the dunnage at the bottom of the hold, and the jute in compressed bales was stowed on them, which would appear to be a usual and proper mode of loading.

4. The loading of the jute commenced about the 13th or 14th December, and was finished by the 19th or 20th idem, when the forehold was full up to the round of its hatchway, which was never closed from that time.

5. On the 23rd December, at about 11-30 A. M., while the Captain was in the mainhold, he heard some one call

out, "the ship is on fire in the forehold." He at once went to the spot, and found a large quantity of smoke issuing from the fore-hatchway and chain-locker pipes.

6. In the *Ellen Stuart* the fore-hatch is abaft the foremast, the chain pipes being on each side, and the chain-locker round the mast.

7. All appears to have been done that could be done to subdue the fire, but without effect.

8. The question before the Court is as to the origin of the fire. It is unfortunate that the Second Officer of the ship, who superintended the loading of this hold, has left Calcutta, so we have been unable to obtain his evidence, and nearly all of the ship's crew have also left this port. In the absence of evidence on the point, we are unable to come to any finding as to the direct cause of the fire, but we are unanimously of opinion that it was not caused by spontaneous combustion of the jute from water-damp. By experiments, tried in England, it has been proved that loose jute thoroughly saturated with water, and stacked in a yard, will not take fire, and this is borne out by one of the members of this Court, a gentleman of great experience in shipping jute, and who states that bales of jute are frequently landed, after a long voyage, entirely rotten from water-damp, and further that in his whole experience he has never known a case of spontaneous combustion of jute from contact with water.

9. In the present case the jute in question was only in the hold of the vessel for some six or seven days in the

cold weather, and with the hatch open; and we are of opinion that even had the jute been water-damp, it would, under the existing circumstances, have been quite impossible for spontaneous combustion to have occurred in that time.

10. If jute be damp from oil, it undoubtedly becomes highly inflammable, and spontaneous combustion might take place in a few days, but there is no evidence to show that the jute in question did in any way come into contact with any oil whatever. In the present case all the bales appear to have been in good condition and free from stains, and no rain fell during the time the ship was loading.

11. We have asked the opinion of the Chemical Examiner to Government on the subject (opinion annexed), and he appears to consider that the fire was caused by spontaneous combustion from oil exuding from the lags of linseed, and being drawn upwards into the jute by capillary attraction. Oil, however, does not exude from linseed unless it be subjected to such severe pressure as to crush the seed, which certainly was not the case in the present instance, when the vessel was lying in still water.

12. The stowage of the jute in the *Ellen Stuart* was carried on by day and night, and it is in evidence that both oil and candle lanterns were used at night for the men working in the hold to see by.

13. We consider it a matter of the highest moment that there should be a Port rule to the effect that no lights shall be allowed in taking in or discharging cargo in this

I have submitted to the Committee of the Chamber of Commerce your letter No. 4223 of the 15th instant, forwarding a copy of the Proceedings and Finding of the Court appointed by Government to inquire into the cause of the fire on board the ship *Ellen Stuart*; and I am directed to state that they concur in the recommendation of the Court, in the 13th para. of their Report, that a Port Rule should be introduced prohibiting the use of lights except in locked candle lanterns while taking in or discharging cargo in this port.

[illegible]

APPENDIX.

TONNAGE SCHEDULE for the Port of CALCUTTA, adopted at a Special General Meeting of the Bengal Chamber of Commerce, held on the 19th February 1873, with effect from 1st September 1872, except as regards the measurement of Cotton, Hemp, Jute, Jute Cuttings, Rhea, Safflower, and other articles similarly packed, which, under the Chamber's Resolution of 14th June 1872, had effect from 1st July 1873.

ARTICLES.	Cwt. per Ton Nett.	Cubic Feet per Ton.
Aloe, in bags and boxes ...	20	.....
Alum, in ditto ...	20	.....
Aniseed, in bags ...	8	.....
Arrowroot, in cases ...	50	.....
Arsenic, in bags or cases ...	20	.....
Asafetida, in bags and boxes ...	20	.....
Apparel, in boxes ...	50	.....
Bark, in bags ...	8	.....
Deer Wax ...	50 gross.	.....
Basilla ...	20	.....
Betal-nut ...	20	.....
Becks ...	50	.....
Berax ...	20	.....
Bran ...	14	.....
Brimstone ...	20	.....
Bullion ...	at per cent.	.....
Cake-lie, in bags ...	16	.....
Caulpher, in cases ...	50	.....
Cavalamons, in robins ...	8	.....
" boxes ...	50	.....
" bags ...	12	.....
Caster Seed ...	8	.....
Chilies (dry), in bags ...	11	.....
China Root, in bags ...	50	.....
" boxes ...	50	.....
Chiretta ...	14	.....
Churrah ...	50	.....
Cigars ...	8	.....
Gloves, in bags ...	20	.....
Coals ...	50	.....
Cochinment ...	18	.....
Coffee, in bags ...	16	.....
" casks ...	.....	.....

ARTICLES.	Cwt. per Ton Nett.	Cubic Feet per Ton.
Coral, rough	20	52
Corn, loose and unshelled	12	14
Corn, or Coconut Kernel	14	12
Coriander Seed	12	12
Cotton	2	52
Cowries	20	52
Cumin Seed	8	8
" Black	8	8
Cutty, in bags	20	18
" wet	20	20
" dry	16	16
Dholl	20	20
Elephants' Teeth, in bulk	20	20
Furniture	20	50
Garlic and Onions	12	12
Ginger	16	16
Gum	20	20
Gums, in cases	20	20
Gunny Bags and Gunny Cloth	50	50
Gunjah	50	50
Hemp	50	50
Hides, Buffalo, or Cow, cured	14	14
Hoofs, Horn Shavings and Tips	20	20
Horns, Cow, Buffalo, or Deer	20	20
Indi Rubber, in bags	16	16
Indigo	50	50
Iron	50	50
Jute	20	20
Jute Cuttings	52	52
Lac Dye	23	23
Lard	20 gross.	20
Limeoil	20	20
Mace	20	20
Machinery	50	50
Metals	20	20
Mathie Seed	20	20
Mimboldams	18	18
Molasses	16	16
Mother o' Pearl, in bags	2 punchons or 4 lbsds.	20
Musket " chests	20	20
Mustard or Rape Seed	20	20
Niger Seed	20	20
Nuttings, in cases or casks	20	20

ARTICLES	Cwt. per Ton Nett.	Cubic Feet per Ton.
Nux Vomica	16	16
Oats	16	16
Oil, in cases	1 hds.	50
" casks	per chest.	50
Opium	16	16
Paddy	16	16
Palmitine, in bags	20	20
Peas	12	12
Pepper, Long	14	14
" Black	10	10
Planks and Deals	20	20
Poppy Seed	10	10
Putchick	50	50
Rags	10	10
Raw Silk, in bales	20	20
Rattans for dunnage	20	20
Red Wool, ditto	2 hds and 20	52
Rhea	20	20
Rice	50	50
Rope, in coils	16	16
" Lines and Twines, in bundles	2 punchons or 4 lbsds.	20
Rum, in casks	20	20
Safflower	20	20
Sago, in cases	20	20
Salt-ammoniac, in bags	20 gross.	20
" boxes	20	20
Saltpetre	20	20
Salt	20	20
Sapan Wood for dunnage	20	20
Sealing Wax, in cases	50	50
Seed-lac, in cases	16	16
" bags	50	50
Senna	20	20
Shells, rough, in bags	16	16
Shell-lac, in cases	50	50
" bags	50	50
Silk Chussum	50	50
" Waste	50	50
Silk Piece-Goods	14	14
Skins	50	50
Soap, country, in cases	15	15
" bags	20	20
" bar	50	50
Stick Lac, in cases	16	16
" bags	50	50

ARTICLES.	Cwt. per Ton Nett.	Cubic Feet per Ton.
Sugar	20	.....
Tallow, in cases or casks	20	.....
Talc	20	.....
Tamatinis, in cases or casks	20	.....
Tapioca	50	.....
Tea	50	.....
Teel Seed	20	.....
Timber, round	40	.....
" squared	50	.....
Tinical	20	.....
Tobacco, in bales	16	.....
Tortoise Shells, in chests	50	.....
Turneric	16	.....
Wheat	20	.....
Wool	50	.....

1. Goods in Casks or Cases to be calculated gross weight when paying freight by weight; and where freight is made payable on measurement, the measurement be taken on the Custom House wharf, or other shipping wharf within a radius of 5 miles from the Custom House, except in the case of Cotton, the measurement of which shall be taken at the Screw-house.

2. Measurement to be taken at largest part of the bale,—inside the lashing on one side, and outside on the other.

3. Jute, Jute Cuttings, Hemp, Cotton, Safflower, and other articles similarly packed, are screwed in bales varying from 300 to 400 lbs.

4. The term "dead weight" shall be understood to mean the following articles:—Sugar, Saltpetre, Rice, Wheat, Gram, Dholl, Peas, Linseed, Rapeseed and all Metals.

By a Resolution of a General Meeting of the Chamber held on the 31st May 1881, the Tonnage Schedule was forthwith amended as regards Jute, Jute Cuttings, Cotton, Hemp, and Rhea Fibre, the ton of each of which was altered from 50 cubic feet to 5 bales not exceeding 52 cubic feet.

H. W. I. WOOD,
Secretary.

SCHEDULE OF COMMISSION CHARGES

Revised and adopted by a Special General Meeting of the Bengal Chamber of Commerce, held on the 18th June 1861,—with effect from 1st January 1862.

- On the sale, purchase, or shipment of Bullion, Gold Dust or Coin ... 1 per cent.
- On the purchase (when in funds) or sale of Indigo, Raw Silk, Silk Piece-Goods, Opium, Pearls, Precious Stones, or Jewellery ... 2½ "
- On purchasing ditto when funds are provided by the Agent ... 5 "
- the sale or purchase of all other goods—the commission in all cases to be charged upon the gross amount of sales, and in regard to purchases upon both cost and charges ... 5 "
- On returns for Consignments if made in produce ... 2½ "
- On returns of Consignments if in Bills, Bullion, or Treasure ... 1 "
- On accepting Bills against Consignments ... 1 "
- On the sale or purchase of Ships, Factories, Houses, Lands, and all property of a like description ... 2½ "
- On goods and treasure consigned, and all other property of any description referred to Agency for sale, whether advanced upon or otherwise, which shall afterwards be withdrawn; and on goods consigned for conditional delivery to others and so delivered, on invoice amount at 2½ per rupee half com.
- On making advances or procuring loans of money for commercial purposes, when the aggregate commission does not exceed 5 per cent. ... 2½ per cent.
- On ordering, or receiving and delivering goods, or superintending the fulfilment of contracts, or on the shipment of goods, where no other commission is derived ... 2½ "

12. On guaranteeing Bills, Bonds, or other engagements, and on becoming security for administration of Estates, or to Government for the disbursement of public money ... 2½ per cent.
13. On *del-credere*, or guaranteeing the due realization of sales ... 2½ "
14. On the management of Estates for Executors or Administrators ... 2½ "
15. On chartering ships or engaging tonnage for constituents for vessels to proceed to outports for loading ... 2½ "
16. On advertising as the Agents for Owners or Commanders of ships for Cabin passengers, on the amount of passage money, whether the same shall pass through the Agent's hands or not ... 2½ "
17. On procuring freight for a ship by a shipping order or charter, or on procuring employment for a ship on mouthly hire, or acting as Agents for owners, Captain, or Charterers of a vessel, upon the gross amount of freight, brokerage inclusive ... 5 "
18. On engaging Asiatic Emigrants for a ship to the Mauritius, the West Indies, or elsewhere, upon the gross amount of earnings ... 5 "
19. On engaging troops for a ship to Great Britain or elsewhere, on the gross amount of passage money for rank and file ... 2½ "
20. On realising inward freight, inward troops, Emigrant, or Cabin passage money ... 2½ "
21. On landing and re-shipping goods from any vessel in distress, or on landing and selling by auction damaged goods from any such vessel, and acting as Agent for the Master on behalf of all concerned, on the declared value of all such goods as may be re-shipped, and on the net proceeds of all such goods as may be publicly sold ... 5 "
- If Opium, Indigo, Raw Silk, or Silk Piece-Goods ... 2½ "
- If Treasure, Precious Stones, or Jewellery ... 1 "

22. On effecting Insurances, whether on lives or property ... 2½ per cent.
23. On settling Insurance claims, losses, and averages of all classes, and on procuring returns of premium ... 2½ "
24. On drawing, purchasing, selling, or negotiating Bills of Exchange ... 1 "
25. On debts or other claims when a process at law or arbitration is incurred in claiming them ... 2½ "
- Or, if recovered by such means ... 5 "
26. On Bills of Exchange returned dishonored ... 1 "
27. On collecting House Rent ... 2½ "
28. On ship's Disbursements ... 2½ "
29. On realising Bottomry Bonds, or negotiating any loan on *respondentia* ... 2½ "
30. On granting Letters of Credit ... 1 "
31. On sale or purchase of Government Securities and Bank or other Joint Stock Shares, and on every exchange or transfer not by purchase from one class to another ... ½ "
32. On delivering up Government Securities and Bank or other Joint Stock Shares, on the market value. ½ "
33. On all amounts debited and credited within the year (less the balance brought forward) upon which no commission amounting to 5 per cent. has been charged ... ½ "
- 33½ Brokerage when paid is to be separately charged.

H. W. I. WOOD,

Secretary.

X

CONVERSION OF STERLING FREIGHT INTO INDIAN CURRENCY.

The following Resolutions were adopted at a General Meeting of the Chamber, held on the 17th January 1882.

"That the Resolutions adopted 31st May 1876 respecting
"conversion into Indian currency of sterling freight
"and commission thereon be hereby rescinded, and
"that the following Resolutions be substituted in
"their stead, with immediate effect, viz :—

1. "That, in the absence of any stipulation to the
"contrary, sterling freight payable in Calcutta, in-
"cluding differences of freight adjusted in Calcutta,
"and all commissions on sterling freight made pay-
"able at Calcutta or there brought into account,
"shall be reduced into Indian money at the rate of
"exchange for Bank Bills on London on demand
"which shall have been current on the mail-day
"next preceding the day when the amount to be
"dealt with shall be ascertained.
2. "That, in the absence of anything to the contrary ex-
"pressed, the words 'current rate of exchange' shall
"be held to mean the rate current for Bank Bills on
"London payable on demand.
3. "That, for the purpose of charging commission or
"adjusting differences, freight expressed in dollars
"(American) shall be converted into sterling at a
"uniform rate of fifty pence per dollar."

*Forms of Bill of Lading and Boat Note as adopted at a
General Meeting of the Chamber of Commerce, on the 17th
January 1880.*

Shipped

in good order and well-conditioned,

by _____
in and upon the good Ship or Vessel called the _____
whereof is Master for this present Voyage _____
and now lying in the Port of Calcutta and bound for _____

being marked and numbered as in the margin, and to be delivered,
in the like good order and well-conditioned, at the aforesaid Port
of _____

*(The Act of God, the Queen's Enemies, fire, and all and every other
dangers and accidents of the Seas, Rivers, and Navigation of whatever
nature and kind soever excepted)*

unto _____
or to _____ Assigns, Freight for the said Goods
being payable as customary _____

with Average accustomed. *In witness* whereof, the Master or
Agents of the said Ship hath affirmed to _____ Bills of Lading, all of
this tenor and date, one of which being accomplished, the others to
stand void.

Dated in CALCUTTA, this _____ day of _____ 18

Weight and Contents unknown.

No.
 To *Calcutta*, 18

THE COMMANDING OFFICER OF THE
 Ship

Sir,

Please receive on board the undernoted Goods
 from Messrs.
 and grant a clean receipt for the same.

Marks and Numbers.	Number of Packages.	Description of Goods.	

No.
Calcutta, 18

Received on board the ship
 in good order and condition the undermen-
 tioned Goods from Messrs.

Marks and Numbers.	Number of Packages.	Description of Goods.	

Arrived alongside

Discharged

Returned

Remarks

(Signature)

Chief Officer.

Ship

Moorings

MEMBERS OF THE CHAMBER OF COMMERCE.

Agelasto, A., and Co.
 Apear and Co.
 Anderson, Wright and Co.
 Asohoni, F., and Co.
 Barlow and Co.
 Berg, Dunlop and Co.
 Burn and Co.
 Barry and Co.
 Balmer, Lywise and Co.
 Campbell, J., Esq., *Manager, National Bank of India.*
 Canblos, Nephews and Co.
 Carrist and Co.
 Crooke, Rome and Co.
 Cohn Brothers and Pocha.
 Duncan Brothers and Co.
 Dwarakanath Dutt and Co.
 Ernschmann and Oestrich.
 Ewing and Co.
 Elliott, John, and Co.
 Erss, E. D. J., Esq.
 Finlay, Muir and Co.
 Gibson and Co.
 Graham and Co.
 Grindlay and Co.
 Gubbay, Elms S., Esq.
 Harper, G., Esq., *Agent, Oriental Bank Corporation.*
 Henderson, George, and Co.
 Helgers, F. W. and Co.
 Hoare, Miller and Co.
 Huter and Co.
 Hobson, Conor and Co.
 Jaidine, Skinner and Co.
 Ketticwell, Bultes and Co.
 Kelly and Co.
 Kay, Duda and Co.
 King, Hamilton and Co.
 King, W. Yale and Co.
 W. A. N. Langdon, Esq., *Manager, Delhi & London Bank, Limited.*
 W. A. Math, Esq., *Acting Agent, Chartered Bank of India, Australia, and China.*

Morris, B., Esq., *Agent, Hong-Kong and Shanghai Banking Corporation.*
 R. Murray, Esq., *Agent, Chartered Mercantile Bank of India, London and China.*
 Mackilloan, J., and Co.
 Mackinnon, Mackenzie and Co.
 Mackenzie, Loyal and Co.
 Macneill and Co.
 Macnighit, Anderson and Co.
 McIntosh, A. R., and Co.
 Moran, W., and Co.
 Oldenmeyer and Hadenfeldt.
 Papp, T., Esq., *Manager, Comptoir d'Escompte de Paris.*
 Petrocochino Brothers.
 Frawkinson Law and Co.
 Priestage, F., Esq., *Agent, Eastern Bengal Railway Company.*
 Pigott, Chapman and Co.
 Ralli Brothers.
 Ralli and Marojant.
 Reinhold and Co.
 Rentiers and Co.
 Schroder, Smidt and Co.
 Schoore, Kilburn and Co.
 Sassoon, David and Co.
 Shaw, Finlayson and Co.
 Sims, Sulzer and Co.
 Steel, Octavius and Co.
 Struthers, G. M., and Co.
 Thomas, J., and Co.
 Turner, Morrison and Co.
 Tumbari, Paul and Son.
 Ullmann, Hirschhorn and Co.
 Willison, Captain G. J., *Superintendent, P. & O. Company.*
 Whitney, Brothers and Co.
 Williamson, Major and Co.
 Wiseman, Mitchell, Reid and Co.
 Wood, W., Esq., *Manager, Agra Bank.*
 Yale, Andrew and Co.

Honorary Member :

J. A. Crawford, Esq., c. s., late Collector of Customs.

RULES AND REGULATIONS

OF THE

BENGAL CHAMBER OF COMMERCE.

- First* That the Society shall be styled "THE BENGAL CHAMBER OF COMMERCE."
- Second....* That the object and duty of the Bengal Chamber of Commerce shall be to watch over and protect the general commercial interests of the Presidency of Bengal, and specially those of the port of Calcutta ; to employ all means within its power for the removal of evils, the redress of grievances, and the promotion of the common good ; and, with that view, to communicate with Government, public authorities, associations, and individuals ; to receive references from, and to arbitrate between, parties willing to abide by the judgment and decision of the Chamber ; and to form a code of practice to simplify and facilitate transaction of business.
- Third....* That merchants, bankers, ship-owners, and brokers shall alone be admissible as members of the Chamber.
- Fourth...* That candidates for admission as members of the Chamber shall be proposed and seconded by two members, and may

be elected by the Committee provisionally, such election being subject to confirmation at the next ensuing General Meeting.

Fifth..... That the subscription of firms and banks shall be 16 rupees per mensem, of individual members 10 rupees per mensem, and of mofussil members 32 rupees per annum.

Sixth..... That any member of the Chamber whose subscription shall be three months in arrears shall cease to be a member, and his name shall be removed by the Committee from the list of members after one month's notice of such default.

Seventh... That the business and funds of the Chamber shall be managed by a Committee of not less than five nor more than seven members, including the President and Vice-President, to be elected annually at a General Meeting of the Chamber in the month of May; the President, or, in his absence, the Vice-President, being ex-officio Chairman of the Committee, and in the absence of the President and Vice-President, the Committee to elect its own Chairman. Three to form a quorum.

Eighth... Annual elections of President, Vice-President, and members of the Com-

mittee shall be determined by a majority of votes of members, such votes being given in voting cards to be issued by the Secretary, numbered and bearing his signature; and no voting card shall be received for such purpose unless so authenticated. All vacancies created by the absence of the President, or Vice-President, from the Presidency for three months, or by departure for Europe, or by death, shall be forthwith filled up, and the election determined by votes to be taken as above and declared by the Committee. All vacancies created as above by the absence, departure, or death of any of the members of the Committee shall be forthwith filled up by selection by the Committee, subject to approval at first ordinary general meeting thereafter.

It is specially requested that before a member is returned to serve on the Committee, his nominator shall have ascertained his willingness to accept office in the event of his election by voting cards.

Ninth..... That parties holding powers of procuration shall, in the absence of their principals, be eligible to serve as members of the Committee.

Tenth..... Two members of a firm or representatives of a bank shall not serve on the Committee at the same time.

Eleventh. That the Committee shall meet for the purpose of transacting such business as may come within the province of the Chamber at such times as may suit their convenience, and that the record of their proceedings be open to the inspection of members, subject to such regulations as the Committee may deem expedient.

Twelfth. That all proceedings of the Committee be subject to approval or otherwise of General Meetings duly convened.

Thirteenth. That a half-yearly report of the proceedings of the Committee be prepared, printed, and circulated for information of members three days previous to the General Meeting at which such report and proceedings of the Committee shall be submitted for approval.

Fourteenth. That the Secretary shall be elected by the Committee; such election to be subject to confirmation at the next ensuing General Meeting.

Fifteenth. That General Meetings of the Chamber shall be held at such times as the Com-

mittee may consider convenient for the despatch of business.

Sixteenth. That any number of members present shall be held to constitute a General Meeting, called in conformity with the Rules of the Chamber for the despatch of ordinary business.

Seventeenth. That on the requisition of any five members of the Chamber, the President, or, in his absence, the Vice-President, or Chairman of Committee, shall call a Special General Meeting, to be held within 15 days subsequent to receipt of such requisition.

Eighteenth. That every subscribing firm or bank shall be entitled to one vote only, and that the Chairman of Committee and Chairman of General Meetings and Special General Meetings shall have a casting vote in cases of equality of votes.

Nineteenth. That parties holding powers of procuration shall, in the absence of their principals, be entitled to vote.

Twentieth. That voting by proxy shall be allowed; provided proxies are in favour of members of the Chamber.

Twenty-first. That the Chamber reserves to itself the right of expelling any of its members

such expulsion to be decided by the votes of three-fourths of members present in person or by proxy at any Special General Meeting of the Chamber convened for the consideration of such expulsion.

Twenty-second. That strangers visiting the Presidency may be admitted by the Committee as honorary members for a period not exceeding two months.

Twenty-third. That no change in the rules and regulations of the Chamber shall be made, except by the votes of a majority of the members of the Chamber present in person or by proxy at a Special General Meeting to be held after previous notice of three months.

=====

CLARENCE:

Printed by Thos. S. Smith, City Press, 12, Rendel's Street.

