M.R.O. F—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 395 Press Mis.

21-22

Dated 24-3-~~19~~ 1922

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No. 21. Read the following Extract Minutes Consultation in the Revenue Department, dated 11th March 1859, No. 308.

Refering for consideration portion of the Right Honorable the Governor's Minute regarding the great inconvenience suffered in consequence of the Courts of Superior Jurisdiction being located at Calicut. } (Vide Revenue Consultation, 15th March 1856, Nos. 33 and 34.)

No. 22. ORDER THEREON, No. 395; dated 24th March 1859.

Resolved that para. 37 of the Right Honorable the President's Minute of the 3rd December last, be referred to the Judges of the Sudder Udalut, for a report on the state of Judicial business at Cochin, and also as to how far it may be practicable or desirable that the Judge of the Zillah of Calicut should hold Sessions at Cochin — or, if not, what other remedy can be devised.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

REVENUE DEPARTMENT.

No. 303.

Extract from the Minutes of Consultation under date the 11th March 1859.

Read the following Minute of the Right Honorable the Governor.

(Here enter 3rd December 1858.)

Resolved that paras. 2, 3, and 4 of the Minute on the subject of including the whole plateau of the Neilgherries in the District of Coimbatore, be referred to the Board of Revenue and the Chief Engineer for report in communication with the local Authorities.

Paras. 7 to 26 respecting the improvement of Wynaad will receive consideration in a separate order.

Para. 27 will be communicated to the Conservator of Forests. Dr. Cleghorn accompanied the President in his visit to the forest, and was made acquainted with his observations that the older trees in the Nellumboor teak plantations had not been thinned sufficiently; and it is presumed that he has given the necessary orders in consequence. Means have been taken to procure the ornamental Woodman's knife which His Lordship proposes to present to the Native Sub-Conservator Chaloo Menon.

The other paras. of the Minute will be considered in the several Departments of the Secretariat as follows:

Paras. 5, 6, and 42	Public Works Department.
„ 29 to 33	Financial Railway Department.
„ 34 to 36 and 39 to 42 ...	Marine Department.
„ 37	Judicial Department.
„ 38 and 43 to 46	Political Department.
„ 1 of note No. 2	Public Department, the remainder of that Note—Military Department.

Note No. 1 appended to the Minute will be referred to the Board of Revenue.

(A true Extract.)

Secretary to Government.

To the Board of Revenue.
„ Chief Engineer
„ Conservator of Forests.
„ Public Works Department.
„ Financial Railway Department.
„ Marine Department.
„ Judicial Department.
„ Political Department.

} With Minute.

Exd. H. M. Elliot.

Minute by the Right Honorable the President.

Para. 1. I lately brought to the notice of Government some matters, which I considered worthy of early attention with respect to the improvement of the stations on the Neilgherries. I now am desirous of adding some remarks on subjects which have attracted my attention during my present tour.

2. The Acting Collector and Acting District Engineer of Coimbatore represented the very great inconvenience which arises in consequence of the plateau of the Neilgherries not being included in the District of Coimbatore, but being divided between it and Malabar.

3. Various inconveniences, and probably some loss of revenue, occur from this arrangement, which would be remedied by transferring the whole to the Coimbatore District; for instance, the roads and bungalows on the Sispara line are repaired by the Coimbatore authorities, but under directions from Malabar, and thus much unnecessary correspondence, and complication of accounts is occasioned.

4. Mr. Fraser the Acting District Engineer, pointed out to me a boundary line which he considered would be a great improvement, and might be readily defined.

5. I left Ootacamund on the 15th November, and descended the Sispara ghat on the 18th. It is evident that this line cannot be adopted for the ordinary traffic between the hills and the Western Coast; the ascent and descent must be too steep and rapid for wheel conveyances of any description.

6. This fact renders the duty more incumbent on Government to complete the line already traced by Nedivuttum, and down the Carcoor pass.

7. The reference to this road brings me to the subject of the improvement of the Wynaad District.

8. It is the only locality within this Presidency well adapted for European settlers, and on that account I would strongly urge that some of its requirements should be immediately sanctioned.

9. I was unable, from the state of my health and the badness of the weather, to visit this District as I had intended, but I was enabled to collect during my stay at Ootacamund, much information about it, and I have little doubt that Government will be amply repaid for any outlay they may make on it.

10. A deputation from the Planters' Association waited upon me, and represented:

11. 1st. The want of communications to the Western Coast, which not only retards the export of their crops, but in some cases occasions the total or partial loss of them.

12. Up to the present time, little or nothing has been expended on them, though the talook contributes more than 70,000 Rupees annually to the Public Revenues.

13. There can be no question of the justice of this demand, and I trust every endeavour will be made to meet it.

14. The first object should be to have a well considered plan of main roads, through the district, which would then enable the Planters and proprietors to lay out local roadways for their own convenience.

15. Not only would the main roads be of use to Wynaad, but also to the Southern portion of Mysore.

16. I would propose, that a main road should be made from the Mysore boundary near Tippacaudoo, by Goodaloor, down the Carcoor pass, to Nellumboor and Maumbat, at which point water carriage can be procured by the Beypoor river.

17. Another main line should lead across the Mysore boundary from Goondulput to Manantoddy, and thence direct to the Tambracherry Ghat. A third should branch off from Manantoddy to the Kotiaddy Ghat, near to which is the principal portion of the Government lands.

18. A fourth main road should cross these, and pass from the top of the Carcoor pass by Sultan Battery and Manantoddy, to the Peria Ghat.

19. I explained these views to Mr. Bean the District Engineer of Malabar, who will endeavour to get a survey made of these lines of road.

20. 2ndly. The deputation represented the insufficiency or almost total want of Police, in the loss of property in the shape of coffee crop, which was consequently entailed on them; this evil I hope will be remedied soon by the reorganization of the police.

21. 3rdly. The want of a resident Magistrate; this may be supplied from among the Assistant Collectors, should they be eventually sanctioned by the Supreme Government.

An able European will be required for this office as he will have to deal with Europeans.

22. 4thly. The want of proper Medical aid; there being at present only a Pensioned Apothecary at Manantoddy, too infirm to get on horseback, or go any distance to patients.

On this point, I at once stated that Government could not be called on to find medical aid for persons not in its employ; but I felt sure there was every desire to assist the Planters as far as possible, and that if they would meet a portion of the expense, some arrangement might be made, by which a superior Apothecary could be stationed in the District.

23. 5thly. The necessity for an Act requiring the registration of titles was urged. There appears to be much difficulty in obtaining correct titles to lands in Wynaad, or even of any security in leasing lands, in consequence of the numbers of claimants to property in the District. This difficulty is more one of a private nature; and having reference to individual rights, probably the establishment of a Court possessing more extended jurisdiction than the present Moonsiff's Court would be the best remedy; at the same time a survey of the district would be very desirable, when claimants to all lands might be required to shew their titles.

24. 6thly. The want of a law to enforce contracts, especially between master and servant was strongly urged.

The population of Wynaad being small, the Planters are obliged to engage labourers from Mysore, and to make advances in order to induce them to take employment; these advances are frequently lost by the desertion of the recipients, and there exists no short and easy method of punishment.

I have already recommended a representation to the Legislative Council on this subject, when referring to the Hill Stations, and I would again strongly bring it to the notice of Government.

25. I do not propose now to enter on the subject of any increase of taxation in this District, as it will come more properly under consideration with the report from the Board of Revenue. I will only here remark that the deputation represented the Planters as being ready to bear a fair share of any expense,—only they wished to be sure of having something done.

26. I am of opinion that Government should meet the requirements above mentioned at once; and independently of the subsequent question of increased taxation, the subject is one which will be looked on with interest in England. The indirect gains which will accrue in the general increase of wealth and prosperity, will, I believe, eventually replace the outlay.

27. On the 19th, I visited the Government Teak plantations near Nellumboor. I was highly gratified with the inspection of these flourishing woods, which speak most effectually for the sagacity, perseverance and foresight of the late Mr. Conolly.

So far as it is possible to judge at the present early stage of the experiment, complete success has been obtained.

Specimens are to be seen in different parts of the plantations, of trees from one to fourteen years' old, all growing most luxuriantly, and with a regularity and straightness which leads me to suppose they will become very valuable timber.

The older trees had not in my opinion been thinned sufficiently, but I have no doubt this error will be remedied under the able management of Dr. Cleghorn.

There was at first of course considerable outlay, without any return, but the thinnings are already beginning to amount to a considerable sum, and will of themselves shortly repay the expenditure, while the trees left for timber will be almost clear gain.

I look upon this as a most important matter, and one worthy of being brought to the notice of the Supreme Government, as too great pains cannot be taken for increasing the future supply of timber. The Native Sub-Conservator, Chaloo Menon, is stated by Dr. Cleghorn to deserve the highest credit for his care of the plantations for 14 years; he is desirous of receiving some token of the approbation of Government, and I would propose that an ornamental woodman's knife should be given him.

28. From Calicut I visited the Railway terminus at Beypoor. A question arises with respect to this locality, which should at once be settled, as a considerable outlay of money must be dependant on it.

29. Colonel Cotton has already called attention to the advisability of landing the Calcutta and Madras Mails coming from Suez at some port on the Western Coast, so soon as the Railway is completed.

He supposes that a gain in time of three or four days would thereby be obtained.

30. Now as the Railroad will in all probability be completed within two years, it is most important that a decision should be come to at once, as to the landing the Mails, and if this be settled in the affirmative, then the port at which they should be landed must be selected.

31. If Beypoor be decided on, there are facilities for forming a boat harbour, already partially formed by a ledge of rocks, on which a causeway could be raised, without any great difficulty, but at some expense.

32. Colonel Cotton in his report appears to be in favour of Ponany, and it is no doubt the most direct, but at both this port and at Beypoor, there is this disadvantage, that the large Steamers would have to remain in an open roadstead, unless a breakwater were formed at a very considerable cost.

33. So far as the advantages of a good port are concerned in the question, there can be little doubt that Cochin is superior in position and capabilities to the other two places, but its adoption would require an increase in the line of Railway.

34. It is deeply to be regretted, that so much delay has occurred in improving the port of Cochin. The great facilities it possesses of communication with the Districts north and south by means of backwaters, must render it a place of increasing importance and of extended commerce.

The bar might be deepened with no great difficulty, so as to permit the entrance of large vessels; but to effect this, causeways must be erected, and a dredging machine kept constantly at work.

A Deputation from the Chamber of Commerce waited on me at this place, and pointed out the impediments to the trade of the place, in consequence of the delay in these improvements.

A quay along the bank of the backwater is also much required.

35. The Gentlemen of the Deputation also represented:

36. 1stly. The disadvantages they have lately experienced in consequence of the Act lately passed on harbour and tonnage dues.

Previously, the P. and O. Steamers called regularly on their passage from Galle to Bombay and back with no expectation of gain, but mainly for the accommodation of the people of Cochin, but they now decline to do so in consequence of the large payment required on each occasion.

I was informed also, that vessels on the look out for cargo, which used to call, now decline to do so for the same reason.

37. 2dly. Another point brought to notice, was the great inconvenience suffered in consequence of the Courts of superior jurisdiction being located at Calicut, entailing the necessity of attendance there with witnesses, on persons whose time is wholly occupied in business, and the result being that cases of importance are relinquished in preference to the neglect of business.

There would be considerable difficulty in finding a remedy for this complaint, as the Judge of Calicut could hardly find time to hold a Sessions at stated periods at Cochin; but the matter is worthy of consideration.

38. I received a visit from the Rajah of Cochin and returned it. He requested a private interview, which was of course granted; and he represented his dissatisfaction with the conduct of the Dewan. On this subject I shall take another method of acquainting Government with the information I have been able to obtain.

39. We reached Quilon by sea on the 27th, and while entering the roadstead saw the wreck of the Lady "Hodgkinson," transport.

There appears to have been an extraordinary if not culpable omission in the Charts of the Western Coast, which make no mention of this dangerous reef, which extends off Tangaucherry for three or four miles.

40. I directed Lieutenant Taylor of the Beemah to survey it as soon as possible; and in order that its position should be made known, I would recommend, that as soon as the survey is completed, its moorings and position should be made as public as possible.

41. I regretted to miss visiting Alleppie, which is the chief place of Commerce in Travancore; but the voyage by sea is so much less fatiguing, than the transit by land, that I reluctantly gave up a visit to that place and Cottyan, as I was anxious not to detain the Feroze unnecessarily.

42. I am informed, that the merits of the Alleppie roadstead are not sufficiently known, and that vessels can ride there in smooth water during the height of the S. W. monsoon. The cause of this security is a bank of mud, about 4 miles it is said in length, which appears to have the effect of stilling the waves, as soon as they come in contact with it. Lieutenant Taylor will also make a survey of this roadstead. From Quilon I travelled by backwater to Trevandrum. These backwaters afford most valuable means of communication to the population, and with some small improvements and no great outlay in junction canals might extend from Comorin to Cannanore.

43. I have been rejoiced to find, that considerable improvement has taken place in the management of the finances of the Travancore State under Madava Row the new Dewan. Salaries are now regularly paid, instead of being as formerly many months in arrear, and there appears to be generally much greater contentment and satisfaction, than formerly.

44. One of my chief objects in visiting these Districts of Cochin and Travancore, was to ascertain by personal inspection and communication with the local authorities, whether the monopolies, viz. of tobacco, cardamum, &c., could not be abolished, as they are the frequent cause of disputes, of quarrels and of bloodshed.

In Cochin there would be little difficulty; but I must confess, I do not see how at present the loss of revenue could be made up to Travancore, as even if the whole subsidy were resigned, it would not give within two lacs of an equivalent.

The Dewan assures me that the addition to the price of tobacco is not generally complained of by the people, as it is paid indirectly; whereas any increase on the land assessment, which is the only means of restoring the loss of funds in cases of the abolition of the monopoly, would be most unpopular.

45. The Travancore authorities complain much, and I think with reason, of the loss of Revenue sustained, and the trouble entailed, by the two small British settlements of Tangaucherry and Anjengo, and two or three small gardens within the Province; they would gladly accept some arrangements, such as we have with the French, regarding Salt, by which they would be enabled to prevent the smuggling which exists from being carried on at these localities.

I must confess, that I think that this is a fair demand, and that if we cannot manage to persuade them to abolish the monopoly, in justice we should not even indirectly in any way afford any protection to acts contrary to the laws, and which tend to diminish the revenue of the Province.

46. I was glad to find the Schools, Press, and Dispensaries maintained by the Rajah in an efficient state. The School house is the best I have seen in the country.

47. I had intended proceeding from Travancore to Tinnevelly and Madura, but have been obliged to give up this portion of my tour, as those Districts contain no facilities of water communication, and I have been strongly recommended not to risk my health by the fatigue of a land journey. I shall therefore proceed direct from this place by sea to Madras.

Note.—1. I have mentioned above that I have purposely omitted to enter on the subject of additional taxation in Wynaad, but this is a subject which must be soon decided on, and I beg to suggest that it would be as well, while considering this subject with reference to the coffee lands in that district, to include also those appropriated to this particular cultivation in other districts, so as to equalize, as far as possible, the rates and terms demanded and required by Government.

At present these rates and terms vary in Salem, Coimbatore and Malabar to some extent, and complaints will ultimately be urged on the subject, which would thus be prevented.

There may possibly be coffee lands in other districts, such as Canara, Tinnevelly, and Madura. Reference should also be made to the terms in Mysore.

Note.—2. In noticing Calicut, I think I have not mentioned that the School house and the Dispensary are both inconvenient and ill arranged buildings, and of insufficient size.

The locality fixed on by the Commander-in-Chief for the barracks for the European troops is in a very fine position; the only drawback being a scarcity of water, which will have to be brought from a distance.

I doubt, however, whether the house can be converted into a good barrack, and think it would probably in the end be greater economy to pull it down and build a new one.

If this should be decided on, it may be a question whether another site as good and more convenient might not be selected, as the location of the troops in this, will certainly to some extent spoil the neighbourhood for the residence of Civilians.

Mr. Grant the Acting Collector seemed to think he could find a better position for the troops; at all events it would cause no delay to ask his opinion.

The house at present occupied by the troops is a very good one, but it is situated in a bad neighbourhood, and surrounded by native huts and bazaars.

(Signed) HARRIS.

December 3rd 1858.

(A true Copy.)

(Signed) J. D. BOURDILLON,

Secretary to Government.

Judicial Department.

No. 395

Extract from the Minutes of Consultation.

Dated 24th March 1859.

Read Exc: Mins: Cons: in the Revenue Dept. —— Entered No. 308 of 11th Instan

Resolved that para. 37. of the Rt. Honble the President's Minute of the 3rd Decemr. last, be referred to the Judges of the Sudder Udalut for a report on the state of judicial business at Cochin, & also as to how far it may be practicable or desirable that the Judge of the Zillah of Calicut should hold Sessions at Cochin — or, if not, what other remedy can be devised.

The Judges of the Sudder Udalut. } Dated 28th.

By to Cons: 28 March

Judicial 1859 Depart.t

No 395

Extract Mins: of Coun.l

24th March 1859

Registered

Directing that para.h 37
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