

# MADRAS RECORD OFFICE.

Government of Madras.

*Judicial* DEPARTMENT.

|          |               |                 |
|----------|---------------|-----------------|
| G.O. No. | 688           | Press           |
|          | 15-16         | <del>Mis.</del> |
| Dated    | 26 - 5 - 1958 |                 |

Not to be folded or roughly handled

*Fort St. George, Judicial Consultation, 1st June 1858.*

No. 15. Read the following letter from W. ROBINSON, Esq., Acting Magistrate of Malabar; to T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Fort St. George, dated Calicut, 13th May 1858, No. 72.

SIR,

I am really sorry to trouble Government with further correspondence on the subject of the tobacco monopoly of Anjengo and Tangacherry, after the decision arrived at in Extract Dated 27th March 1858, No. 408. from the Minutes of Consultation, noted marginally, but the necessity of strengthening the Police force at both places, in order to give effect to the determination of Government has become urgent. I therefore venture to lay the accompanying correspondence before Government.

From Resident, Travancore & Cochin.  
Dated 27th April 1858, No. 675, with enclosure.  
To Joint Magistrate, Cochin, dated 4th May 1858, No. 1248.  
From do. dated 8th do.

2. Severe collisions have taken place, and Mr. Cullin and myself anticipate serious consequences from the attempt on the part of the lessees to maintain the monopoly abolished in all Company's territories. The fact is simply this: The maintenance of the tobacco

monopoly within the Travancore States is attended, as the Government possibly may be aware, with such irregularity and arbitrary conduct on the part of officials of that State, that this fiscal regulation has become in the last degree unpopular in that country. Irrespective therefore of the instigation of the actual contrabandists, who endeavour to use our free towns as entrepôts for tobacco; the struggles of the inhabitants of these two dependencies, to free themselves from the thralldom of the Travancore monopoly, have the hearty sympathy and scarcely covert countenance of many many respectable and influential people in Travancore, who hope that the discussion may lead to a revision of the question in regard to that State itself.

3. The monopoly has therefore to be maintained over an unwilling and excited people, sympathized with and instigated by others, and irresponsible or interested parties all around, and for this purpose an accession of force is absolutely required. I beg therefore to recommend that the Police force at Anjengo and Tangacherry may be immediately strengthened as per margin.

|               | Present Scale.          | Per Month Rs. | Per Annum. Rs. |
|---------------|-------------------------|---------------|----------------|
| Anjengo.....  | 4 at 4 Rs.              | 16            | 192            |
| Tangacherry.. | 3 do.                   | 12            | 144            |
|               | Proposed Scale.         |               |                |
| Anjengo.....  | 6 at 6 Rs.              | 36            | 432            |
| Tangacherry.. | 7 do.                   | 42            | 504            |
|               | Additional Expenditure. |               |                |
| Anjengo.....  |                         | 20            | 240            |
| Tangacherry.. |                         | 30            | 360            |

4. The lease of Tangacherry expires on the 12th July next, and the Government in Extract Minutes of Consultation dated 19th June 1855, recorded an opinion that, "that he (the Governor in Council) cannot hold out to the Travancore Sircar any prospect, that the monopoly of tobacco will be allowed to form part of any future lease for either place," (Tangacherry and Cottadully). The additional force at this place may therefore be dispensed with from the 12th July next, as the present force is quite sufficient for the ordinary purposes of this peaceful town.

5. The new establishment at Anjengo must be maintained so long as tobacco monopoly is allowed to constitute part of the lease, and I venture in closing to recommend earnestly, that a negotiation may be opened with a view to foreclosing this lease also. It were a concession that would be gratefully received, and such as they think is due to them as British subjects.

From Lieutenant General W. CULLEN, Resident of Travancore and Cochin; to W. ROBINSON, Esq., Acting Collector and Magistrate of Malabar, dated Oodagherry, 27th April 1858, No. 675.

SIR,

I have the honor to forward to you copy of a report No. 767, of the 14th Instant, from the Acting Dewan of Travancore of a serious infraction of the articles of the lease of the Tangacherry Farm, and of the recent orders of Government No. 408 of the 27th March 1858.

Fort St. George, Judicial Consultation, 1st June 1858.

2. All vessels or craft of any description are bound by the lease to anchor and report to the Master Attendant of Quilon, but in the present instance, you will perceive that the canoe in question being suspected of smuggling, orders were issued by the Master Attendant for her examination, when she made her escape and took shelter close to Tangacherry, and although on the application of the Master Attendant to the Police Ameen, the latter Officer appeared willing to have afforded every assistance to the Master Attendant, his good intentions were rendered useless from his expressed apprehension of a rescue by the population of Tangacherry.

3. Since the above, I have a report from the Master Attendant of Quilon dated the 12th Instant, of another attempt of his to seize 2 fishing boats loaded with tobacco, but it was landed under the protection of a large mob, and the excise peons were severely beaten; and on the 17th Instant, a further outrage and assault took place, the Police Ameen's peons were again most severely beaten, and the Police Ameen himself incurred considerable personal danger.

From T. MADAVA ROW, Acting Dewan; to Lieutenant General W. CULLEN, British Resident of Travancore, &c. &c. &c., dated Trevandrum, 14th April 1858, No. 767.

SIR,

I have the honor to forward herewith for your advice and instructions the copy of a letter, No. 78, dated the 5th Instant, and of its enclosures received from the Master Attendant and Custom Master of Quilon.

2. Be the cause of the delay what it may, it is much to be regretted that the Police Ameen of Tangacherry has not made the suspected canoe over to the Master Attendant nor himself caused it to be searched. It will be observed that the time lost will give ample opportunity to any smuggler to throw over-board or to land the contraband articles contained in her clandestinely.

3. It was with a view of obviating such delays, which go far to make inoperative the orders of the Madras Government to assist the Sirkar in the detection of contraband goods, that the late Dewan had proposed that Government should place the two police establishments at Anjengo and Tangacherry under the control of the Resident, so that the officers there may make immediate references to, and obtain orders from that authority.

4. I hope this suggestion too of the late Dewan will have the favorable consideration of the Government.

From C. D. ALBEDY'HLL, Master Attendant and Custom Master; to the Acting Dewan of Travancore, &c. &c. &c., Trevandrum, dated Quilon, 5th April 1858, No. 78.

SIR,

I have the honor to enclose copy of a letter from me to the Police Ameen of Tangacherry, and of that officer's reply, and beg to suggest that some arrangement be made that canoes which take shelter within the Tangacherry District without some voucher, and without reporting at this office, come within the working of the port rules and cognizable before this office, as otherwise there will be much scope open for smuggling. From the Police Ameen's reply you will perceive that that Officer was willing to meet the requisition of this office to have the canoe in question removed to the Custom house, but that he was deterred from doing so by the threatened opposition on the part of the inhabitants, who assembled in large numbers and threatened to beat away his peons and the Cavoocars, whom I had sent to remove the canoe. Since the only obstacle to the removal of the canoe (by his own admission as per reply) was the threatened opposition, the object might have been effected by his applying to the Officer Commanding Quilon for a guard. The Police Ameen mentions in the concluding portion of his letter that I had requested that he should either keep the canoe under his custody or make it over to this office, I beg to say that my application was for assistance, to prevent the people from opposing the removal of the canoe which assistance the Police Ameen ordered his peons to render, and it was only when the Police was found incapable of rendering that assistance, and things were left unnoticed that I sent and requested that at all events the canoe might be secured, and on the following day I wrote the letter, copy of which I herein enclose. The removal of the canoe to the Custom House became a desideratum, in order to force the parties to appear before this office to account for their acts against the port rules.

Fort St. George, Judicial Consultation, 1st June 1858.

From C. D. ALBEDY'HLL, Master Attendant and Custom Master; to the Police Ameen, Tangacherry, No. 77.

SIR,

A canoe having been seen near Thirroowillaram, and being suspected of being a smuggler, persons were sent from this office to search her, when she pulled off and took shelter within the limits of your jurisdiction. As this canoe (leaving aside the suspicion which rests against her) has entered this port without producing any voucher, she comes within the cognizance of this office for her act, and hence attempt has been made, and your assistance applied for to have her removed to the Custom House until the case is enquired into. You were good enough to do what you could (by sending your peons) to effect the object, but the opposition has been too great to carry it out. As your establishment appears to be too small to carry out your orders, I beg to suggest that you apply to the Officer Commanding Quilon for a guard, and until then, measures be taken to prevent her being taken away.

From SAMUEL DRUSTON, Police Ameen; to the Master Attendant and Custom Master of Quilon, dated Tangacherry 3rd April 1858.

SIR,

In answer to your letter of yesterday's date, I have the honor to state that the canoe therein alluded to has been secured by me, and there is no fear of its being taken away by any body, and it will continue under my custody until I shall have received orders from the higher authority to whom I intend referring the matter. I would have made over the said canoe at once to you yesterday, but as there was every probability, from what I have been informed, of a serious assault being raised, had I done so, I thought it proper to secure the canoe agreeably to your verbal message (*i. e.* either to keep it under my custody, or make it over to you.)

From W. ROBINSON, Esq., Acting Magistrate of Malabar; to E. CULLIN, Esq., Joint Magistrate, Cochin, dated Calicut, 4th May 1858, No. 1248.

SIR,

In forwarding the accompanying,\* I beg you will kindly give me an early report on the subject alluded to in para. 3 of General Cullen's letter.

\* Original letter from Resident Travancore and Cochin, dated 27th Ultimo, No. 675 with one enclosure (to be returned.)

From E. CULLIN, Esq., Joint Magistrate; to W. ROBINSON, Esq., Acting Magistrate of Malabar, dated Cochin, 8th May 1858, No. 121.

SIR,

I have the honor to acknowledge the receipt of your letter of the 4th May 1858, No. 1248, transmitting to me an original letter from General Cullen, the British Resident, dated the 27th April 1858, No. 675, and requesting me to report on the subject alluded to in the 3rd para. of General Cullen's letter.

2. Under ordinary circumstances the inhabitants of Tangacherry and Anjengo are easily ruled, and a small Police establishment at each station suffices to keep order, but within the last few years, the people have engaged largely in tobacco transactions, and I doubt not that the profits arising from such transactions have drawn to the two places many strangers of bad or doubtful character, and I am of opinion that, at the present moment, the Police force maintained at each of the stations is quite inadequate for the duties required of it.

3. This time last year (letter dated 25th May 1857, No. 108.) I recommended a temporary augmentation, and again in my letter of the 2nd March 1858, No. 68, para. 10, I noticed that the Police force was much too weak.

4. It is my anxious desire to meet the wishes of my own Government, as expressed in an Extract from the Minutes of Consultation in the Judicial Department, No. 408, dated the 27th March 1858, and to aid the Travancore authorities; but I beg leave respectfully to represent that, although it has been ruled that the Act IV of 1853, does not apply to Tangacherry and Anjengo, the position of affairs at the two places is widely different at present from what it was anterior to the passing of the said Act.

Fort St. George, Judicial Consultation, 1st June 1858.

5. Under the laws in force anterior to the passing of Act IV of 1853, tobacco smugglers at Tangacherry and Anjengo, in common with other places in the Malabar District, might be punished by heavy fines, and by imprisonment with hard labour for three years. When such laws existed, it was an easy matter at small places like Tangacherry and Anjengo to single out the leaders, and commit them for trial to the Sessions Court and thus effectually suppress smuggling.

6. If the same laws existed now the traffic would soon be put an end to. It would only be necessary for me to order the Police Ameens to send up some of the principal offenders for trial. One or two good examples would be sufficient to stop the practice. But the Act IV of 1853 rescinded Regulations VII and VIII of 1811, and parts of Regulation V of 1831.

7. The regulations for the suppression of smuggling in tobacco have thus been struck out of the Madras Code, and professed and notorious smugglers may now carry on their proceedings with impunity. They are safe from punishment.

8. The only check that at present exists is to seize and confiscate all tobacco found in possession, and I believe that this course is strictly observed.

9. The difficulty, it appears to me, must continue until the present leases shall have expired; and in the meantime, I shall do all in my power to carry out the orders of the Government.

10. To strengthen the hands of the Police Ameens, I earnestly recommend that the Police force shewn below may as a temporary arrangement be sanctioned for each station.

Tangacherry..... 10 peons including the present peons.

Anjengo.... 10 peons including the present peons.

11. I am of opinion that the new peons required for the augmentation should be sent from Cochin or Calicut, and that they should each receive not less than 5 Rupees per mensem. To secure good men, I would prefer that the pay of each was fixed at 6 Rupees.

12. The original letter from General Cullen and its enclosures are herewith returned.

(True Copies.)

(Signed) W. ROBINSON,  
Acting Magistrate.

No. 16.

ORDER THEREON, No. 688; dated 23th May 1858.

The Acting Magistrate of Malabar is requested to submit in the prescribed form for submission to the Government, a statement of the additional Police Force required to be maintained temporarily at Tangacherry and Anjengo—the aggregate expenditure only being shown in the margin of para. 3 of his letter. Meanwhile as the circumstances are emergent, he will proceed to entertain that force at once.

2. Referring to para. 4 of the same letter, the Acting Magistrate will have learnt that by the orders of Government, 28th Ultimo, the lease of Tangacherry has been renewed to the Travancore Government from year to year.

3. Copy of Mr. Robinson's letter and of the above orders will be communicated to the Resident of Travancore, who will impress upon the serious consideration of the Travancore Government the difficulties therein shown to be incident to the maintenance of the tobacco monopoly and the urgent need that there consequently is for the introduction of a better system.

(Signed) T. PYCROFT,  
Chief Secretary.

Exd. F. Cartledge.

1858 Judicial Dept  
Exact Mins of Cons. Date 26 May 1858  
From Actg Mag of Malabar 13 May 58  
1072

At  
— J. W. M.

Magistrate  
The Acting Magistrate  
of Malabar is requested  
to submit in the  
prescribed form for  
submission to the Govt  
a statement of the  
additional Police  
Force required to  
be maintained temporarily  
at Tangacherry & Anjengo—the  
aggregate expenditure  
only being shown in  
the margin of para  
3 of his letter. Mean-  
while as the circumstances  
are emergent

an attempt, he will  
proceed to entreat  
that price at once.

2. Referring to para

4 of his letter  
Mag<sup>ty</sup>

It Act<sup>g</sup> & Co. will

have learnt that by

the order of Feb 20<sup>th</sup>

ultimus the lease

of Tangacherry has

been renewed to the

Tavancore Government

from year to year

J.P.

3. Copy of Mr Robinson's

letter and of the above

order, will be communi-

cated to the Resident

of Travancore who

will impress upon

the serious commi-

-ssion of the

-Tavancore Govt. the

difficulties therein  
shown to be incidental  
to the maintenance  
of the Tobacco mono-  
-poly and the unfor-  
tunate that there con-  
-sequently is for the  
introduction of a  
better system.

J.P.

21.2.3 - to Resident at

Travancore —

} Dispt. 3<sup>rd</sup>

P 3 is not to go to

the Mag of Malabar.

J.P.

Copy of Para 1 & 2 to Mag of Malabar - Dispt. 20<sup>th</sup>

Act<sup>g</sup> Mag of Malabar

Old P. to Eng. 24<sup>th</sup>  
Sept 28. 17 of 1058

Dec 16 1717-

C No. 32-33

30-3-54

12 June 4-5-58 Ex 178

In 17<sup>th</sup> to Conn: 10<sup>th</sup> June  
Judicial 1858 do p 46

2/1/88

Edward Smith: of Bond

29/2/88 Mary 1858.

Feb 11 67.

291 Mary

18416.