

CONFDL - G.O.

Sept. I (i)-10,006-7-10-70.

- (1) Number of pages 6
(2) Date of repair _____
(3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

JUDL DEPARTMENT

CONFDL - G.O.

G.O. No.
B.P. No.

350

Press
Mis.

Dated 19-2-1887 197

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86

Original

Government (1887) of Madras.

JUDICIAL.

3
CONFIDENTIAL.

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G.O., No. 350, Mis., 19th February 1887.

FEBRUARY.

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Exchange of territory in India between Great Britain and France.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following papers:—

G.O., Mis. No. 625, Political, dated 7th September 1885.

Read—the following papers:—

Letter from H. P. GORDON, Esq., Special Agent, South Arcot, dated Cuddalore, 14th August 1885.

When I was recently at Pondicherry, Monsieur Richaud spoke to me of his conviction that it would be greatly to the advantage of both Governments if the British territory intermixed with the French possessions about Pondicherry could be exchanged for the French possessions of Karikal, Yanam, and Chandernagore, and of his desire, if possible, to effect such a settlement. We had a good deal of conversation on the subject although I told him that I was not aware of the wishes of the English Government on the question. The matter is, of course, one in which negotiations would proceed between the Heads of the Governments; but, as Monsieur and Madame Richaud are coming over here on the 24th and 25th instant to stay with us and see Cuddalore and as His Excellency will almost certainly revert to this topic, in which he appeared to be very greatly interested, Government, if disposed to favour such a proposal, might wish to make use of the occasion to ascertain, in an informal manner, its probable scope and the Governor's views on the subject. I have, therefore, thought it well to mention the matter to you. One of the points to which Monsieur Richaud attaches great importance is the removal of the scene of negotiations from Paris and London to India, being of opinion that the attempt to settle such matters in Europe accounts for the failure of the former negotiations in 1855.

NOTES.

The latest papers on the subject of the exchange of territory with the French Government are recorded with Political No. 361, dated 4th June 1884.

19th August 1885.

F(oster) W(ebster).

There can be no harm in Mr. Gordon telling His Excellency M. Richaud that the views of Her Majesty's Government entirely accord with his own in regard to the transfer of territory adverted to in this note.

It is of course for His Excellency to move his Government in the matter and equally of course that, if the "scene of negotiations" could be moved to India, it would be decidedly advantageous. (India told us in 1882 that such negotiations must take place in Europe—G.O., No. 106, Political, dated 8th June 1882.)

Copy of G.O., No. 601 (Confidential), dated 21st November 1878, containing despatches on the general question, should be sent to Mr. Gordon for perusal.

He has in his office other papers connected with the readjustment of the Pondicherry boundary, to which his attention might be directed. The correspondence printed with the first of these papers is important. At page 8, Lord Lyons says: "The French decline to extend the scope of the negotiation."

Mr. Gordon will of course report demi-officially all that passes. Eventually the particulars should be submitted demi-officially to the Viceroy.

20th August 1885.

C. G. M(aster).

Mr. Gordon asks for instructions in connection with M. Richaud's visit to Cuddalore on the 24th and 25th instant as to how far he may go in communicating to His Excellency the views of this Government with reference to the proposed exchange of territory.

He might be told that the comprehensive scheme, which it is understood that M. Richaud considers would be to the advantage of both nations and which comprises the exchange of the scattered possessions of the French at Karikal, Yanam, Chandernagore,* together with the French "loges" at Masulipatam,

*? Mahé.

Calicut, Surat, Balasore and Ghorepudah for an equivalent cession of territory on the part of Her Britannic Majesty in the neighbourhood of Pondicherry, entirely commends itself to this Government; that such a scheme formed the subject of a draft convention agreed to in 1857 by Sir G. Clark and Captain Pigeard and was

† Embodied in G.O., No. 536, Political, dated 19th November 1881.

pointedly referred to in the correspondence† which took place between the Governments of Paris and London in

1880–81 in connection with the negotiations for a cession of territory in exchange for the surrender of the rights of the French Government over the loges or pettahs

above alluded to. The French Govern-

‡ Vide M. de St. Hilaire's letter to Lord Lyons, dated 15th March 1881.

ment‡ of the day however were of opinion that the consideration of the

more extensive scheme should be deferred and the contemplated arrangement restricted to the question of the surrender of the "loges." M. de St. Hilaire, however, in the last paragraph of his letter, refers to this as "un arrangement partiel qui pourrait plus tard, si l'expérience était favorable, nous conduire à une réglementation plus complète."

On the 17th May 1882 the Collector of South Arcot was directed to enter into negotiations with His Excellency the Governor of the French Settlements

G.O., No. 87, Political.

in India in view to a cession of British territory in that district in satisfaction of the transfer to this Government of French rights over the two loges in Calicut and Masulipatam. A letter to this effect was addressed on the same date to M. Portier, the then Governor, who replied on the 24th idem that he had not been authorised to take up the matter and had referred to Paris for instructions. India telegraphed 2nd June 1882 to take no steps which would commit the Government and that formal negotiations must take place in Europe. (From the correspondence embodied in G.O., No. 361, Political, dated 4th June 1884, it appears that these are now under consideration.)

Mr. Gordon may therefore be instructed to tell M. Richaud that the Government in Paris in 1881 having desired that arrangements should be restricted to the exchange of territory for the rights to the "loges," it is understood that negotiations to this effect are proceeding between the Governments in Europe, and that, if he desires them to have a more extended scope, it is for him to move the Government of the Republic to take the initiative, and that, although this Government cannot in any way bind the Government of India or the Secretary of State, he may say that, judging from the correspondence which has passed, there is reason to believe that

proposals in the direction referred to would be favourably received by the Government of India and the Home Government.

I don't think there would be any harm in instructing Mr. Gordon to the above effect. A copy of the memorandum and of Mr. Gordon's demi-official asking for instructions might be sent to India.

It would be an enormous advantage to all parties if some such arrangement could be arrived at, but I am afraid the Government in Paris won't hear of it, and, if the excellent M. Richaud proposes it, I should not be surprised if he were recalled.

20th August 1885.

H. E. S(ullivan).

I would inform Mr. Huntly Gordon fully as to what *has* passed; tell him that we shall listen with the greatest interest to any proposals His Excellency M. Richaud may make tending to simplify the territorial relations of the two nations and report such proposals immediately to the Government of India. We had better express no opinion of any kind. (My own opinion is as strongly as possible in favour of concentrating all the French possessions round Pondichery and giving our neighbours the best of the bargain as far as value goes, but the subject bristles with difficulty) and we must content ourselves with the position of an amiably disposed post office.

21st August 1885.

M. E. G(rant) (Duff).

Letter to H. P. GORDON, Esq., dated 22nd August 1885, No. 416.

Adverting to your letter of the 14th August 1885, in which you refer to the question of an exchange of territory between the English and French Governments which is likely to be brought forward on the occasion of the visit of His Excellency M. Richaud to Cuddalore on the 24th and 25th instant, I am to refer you to the correspondence quoted in the margin, which indicates the progress of the negotiations down to the present time. A file of these papers is herewith forwarded for ready reference, which please return when done with. Many of the papers are already on record in your own office.

The Government, I need scarcely say, will listen with the greatest interest to any proposals His Excellency M. Richaud may make tending to simplify the territorial relations of the two nations. Your tone towards M. Richaud will no doubt be most sympathetic and cordial; but, as you will see from the correspondence which has already taken place, it is for the Government of India rather than the Madras Government to express decided opinions in the matter.

Order—No. 625, Political, dated 7th September 1885.

Recorded.

(True Extract.)

(Signed) E. F. WEBSTER,
Chief Secretary.

G.O., No. 662, Mis., Political, dated 22nd September 1885.

Read—the following paper:—

Letter from H. P. GORDON, Esq., Special Agent, South Arcot, dated Cuddalore, 6th September 1885.

I return the file you were so good as to send me with your demi-official of the 22nd August. M. Richaud told me on the occasion of his visit here that he

expected by next mail authority to open negotiations on the subject of an exchange of territory. He did not otherwise refer to the matter.

I observe that his proposals (as mentioned to me previously), embracing as they do the surrender of Karikal and Chandernagore, go much further than those specified in the papers you sent me.

NOTE.

His Excellency M. Richaud, Governor of the French Settlements in India, expects by an early mail from France authority to open negotiations for an exchange of territory with the British Government.

Vide Mr. Huntly Gordon's D.O., dated 6th September 1885.

The matter has already formed the subject of a lengthened correspondence, the salient points of which are noted for the information of His Excellency the Governor, with a view to the question being referred to at Simla should His Excellency so desire.

A scheme for the exchange of the scattered possessions of the French in British India for an equivalent cession of territory on the part of Her Britannic Majesty in the neighbourhood of Pondicherry formed the subject of a draft convention agreed to in 1857 by Sir G. Clark and Captain Pigeard, and was formally referred to in the correspondence embodied in the proceedings quoted in the margin, which took place between the Governments of Paris and London in 1880-81.

G.O., No. 536, Political, dated 19th November 1881.

The French Government were, at this period, not willing to revive the project of 1857 and desired that negotiations then to be commenced should have for their exclusive object the territorial cessions on the part of the British Government which may be necessary to connect the various dependencies at Pondicherry in exchange for the abandonment by France of her rights over isolated pieces of land in different parts of British India. The negotiation would thus embrace a reciprocal change of territory in the immediate neighbourhood of Pondicherry and a cession to Great Britain of the French "pettahs" and factories at Masulipatam, Calicut and elsewhere, but would not affect the more important possessions of France at Chandernagore, Karikal, Mahé and Yanam, where resident French officials are stationed.

The project in its restricted form was referred to the Madras Government for report by the Government of India in letter No. 1669 E.P., dated 29th July 1881. Detailed inquiries were at once instituted and formal proposals were laid before the Government of India with Mr. Master's letter, No. 14, Political, dated 9th January 1883.

In January 1884,* the Government of India forwarded confidentially, for the information of the Government of Madras, a copy of a draft convention then forming the subject of diplomatic negotiation between France and England. This convention provides for the relinquishment to the Governments of Madras, Bombay and Bengal of all jurisdiction and rights exercised by the French Government over the pettahs of Masulipatam, Calicut, Surat, Balasore, and Ghorepudrah, including all abkari privileges in the pettah of Masulipatam. The British Government on their side agree, by way of compensation, to relinquish to the French Government the villages of Kilinkuppam and Vadanur in the district of South Arcot.

A further communication on the subject suggesting some slight alterations of the wording of the draft convention and forwarding maps of the British villages to be handed over was made to the Government of India in Mr. Webster's letter, No. 316, Political, dated 4th June 1884.

Since this date no further official correspondence has taken place on the matter.

R. P(arsons).

W. W(ilson).
17-9-85.

Order—No. 662, Mis., Political, dated 22nd September 1885.

Recorded.

(True Extract.)

(Signed) W. WILSON,
Ag. Chief Secretary.

G.O., No. 140, Judicial, dated 24th January 1887.

Read—the following paper:—

From R. SEWELL, Esq., Acting District Magistrate, Kistna, to the Chief Secretary to Government, dated Masulipatam, 22nd December 1886, No. 1327.

I have the honour to submit the following case for the orders of Government.

2. Karmuri Durgi accuses, under the Penal Code, Godugula Venkadu of having caused hurt to her. Both parties reside in French territory, viz., French pettah in Masulipatam. This measures 67·03 acres and contains about 50 houses with a population of about 100. It has been ruled in G.O., No. 308, dated 13th June 1878, that an offence committed in French pettah by one of the inhabitants, who is by reason of being so not a British subject, is not cognizable by British court or police.

3. It is desirable that some further arrangements should be made, and, with this view, I venture to submit this trivial case. It is a simple case of hurt, but I do not know how the injured person is to get redress, except by proceeding to Yanam or Pondicherry, which it would be absurd to expect them to do.

4. Any day a murder may take place. If so, what is to be done? The only course I can think of at present would be to surround the pettah with perhaps 50 police constables night and day to prevent the escape of the murderer till the French officials arrive from one of their stations.

5. It would be exceedingly convenient if the French Government would cede this tiny spot to the British Government receiving in exchange an equivalent area adjoining the present territories of Yanam or Pondicherry, or if they would at least place all their subjects here under the care and control of British courts of justice.

6. Government appear to have moved in this matter five years ago (official memorandum No. 1413, Political, dated 20th August 1881).

Letter—to the Government of India, Foreign Department, No. 140, Judicial, dated 24th January 1887.

Adverting to the correspondence which closed with Mr. Webster's letter, No. 361, Political, dated 4th June 1884, I am to ask whether any further steps have been taken towards the conclusion of a convention for the exchange of five French factories or loges for the villages of Vadanur and Kilangikuppam.

Read—also the following paper:—

From G. S. FORBES, Esq., Under Secretary to the Government of India, Foreign Department, to the Chief Secretary to the Government of Madras, dated Fort William, 3rd February 1887, No. 448-I.

In reply to your Judicial No. 140, Mis., dated the 24th January 1887, I am directed to state that Her Majesty's Government is in communication with the French Government regarding an exchange of territory between Great Britain and France in India.

ORDER—No. 350, Mis., Judicial, dated 19th February 1887.

Recorded.

(True Extract.)

(Signed) H. E. STOKES,
Chief Secretary.