

CONFIDENTIAL.

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Judicial (1895) Department.

ORDINARY MIS

G.O., No. 196

Confidential No. 16

DATED 30-1-95

[Despatch Abstract.]

Arms and ammunition

Recording Rev dept. pros. passing orders on papers re the measures at present adopted for the prevention of smuggling of — in the Madras Presidency.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

CURRENT NO.

10TH JANUARY 1895, No. 4, REVENUE.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again the following G.O., dated 18th July 1894, Mis. No. 1762, Judicial:—

Read—the following letter from L. M. THORNTON, Esq., Officiating Deputy Secretary to the Government of India (Home Department—Public), to the Chief Secretary to the Government of Madras, dated Simla, the 9th July 1894, No. 1191:—

In connection with certain cases of illicit traffic in arms, the question has been raised whether arms can be smuggled from a ship's hold to boats alongside or on to a private wharf or be passed through the customs as non-contraband goods. Assuming the trade in contraband arms to be lucrative, there is reason to believe that there would be little or no difficulty in having arms under a false description placed in the hold of an outward-bound vessel in any foreign port. The consignor of such arms or ammunition can pack them in cases similar to those in which non-contraband goods of the same consignment are packed and describe them in the invoice as certain specified non-contraband articles, and, as no one at the port of exportation is interested to verify the description of the goods, they are entered in the ship's manifest as non-contraband and sent out to India. On arrival at its destination the ship's cargo is in charge of a preventive officer. If this officer is corrupt, a small bribe will prevent him from making any close examination, or, if he is naturally unsuspicious, the contraband arms can be passed over the ship's side without his cognizance. The practice of permitting ships to unload at night appears to tend to facilitate smuggling. The whole consignment, including the contraband articles, might in some cases be put over the ship's side into boats during the night while the preventive officer is asleep. In the morning he is informed that so many cases containing hardware, or so many barrels of paint, valued at a certain sum as per invoice produced, have been sent off, and it has been stated that some officials would probably accept the duty according to the invoice without further inquiry. Once the cases containing any contraband articles are passed into boats or loaded at private jetties, they are subjected to no further examination.

2. It thus appears likely that, if the English consignor colludes, there is little hindrance to the wholesale import of contraband goods. When they have left the ship's side, there is no agency which keeps watch for them, and they can at several ports be dispersed in various directions both by land and by river. Before the import duties were imposed in March last, there was, it is believed, practically no risk at all in importing arms under a false description, as bulky free goods were passed out from ships without inquiry or hindrance. Now that most articles are dutiable, there is the chance that, amongst the cases selected for examination by the Customs authorities, some may contain arms. This risk is, however, small and can be obviated if it is possible to secure the collusion of the preventive officer.

3. In view of the contingencies above alluded to, the Government of India would be glad to know what measures are at present adopted in Madras to keep the authorities informed of imports of arms and ammunition and whether the existing precautions are considered to be sufficient to prevent the smuggling of arms, or any further measures are, in the opinion of His Excellency the Governor in Council, desirable.

Order—dated 18th July 1894, Mis. No. 1762, Judicial.

Referred for report to the Board of Revenue, the Commissioner of Police, Madras, the District Magistrate of Malabar and the Resident in Travancore and Cochin.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Board of Revenue,
" Commissioner of Police, Madras,
" District Magistrate of Malabar,
" Resident in Travancore and Cochin, } with spare copies.

READ—also the following letter from Colonel H. W. H. COX, Commissioner of Police, Madras, to the Chief Secretary to Government, dated 13th August 1894, No. 93.

In reply to G.O., dated 18th July 1894, No. 1762, Judicial, I have the honour to report that the conditions at Madras differ somewhat from those described in the letter from the Deputy Secretary to the Government of India.

2. With a few exceptions, such as machinery and other bulky articles, kerosene oil, combustibles, explosives, grain, seeds and other goods imported in coasting vessels, every article landed at Madras has to be taken to the Custom house for examination or declaration.

3. Goods landed on the pier are bound to go to the Custom house, but in the case of those landed on the beach there is a possibility of this being avoided. This risk would be diminished if the Harbour Trust Board enclosed their premises.

4. A strict examination of goods in the Custom house should be insisted on.

READ—also the following letter from H. B. GRIGG, Esq., C.I.E., British Resident in Travancore and Cochin, to the Chief Secretary to Government, dated Trivandrum, 14th August 1894, No. 2522.

In reply to G.O., dated 18th July 1894, No. 1762, Judicial, I have the honour to state that imports of arms and ammunition by sea into the State of Travancore are permitted at Alleppey only, a port which is under the control of a well-paid European officer, who is also district magistrate. His general designation is Commercial Agent for Travancore. There is very little direct outward trade from Europe to Alleppey, consignments from Europe ordinarily reaching Alleppey by way of Colombo or Bombay, chiefly the former, in coasting steamers. As these steamers ordinarily discharge by daylight there is not much fear of contraband arms and ammunition being got into the State from them,—more especially now that imported goods are subject to an import duty, the imposition of which involves the examination of most of the packages landed.

I see no reason for thinking that the existing precautions are otherwise than sufficient to meet smuggling attempts of an ordinary character, but they would probably break down if the consignee is in league with the consignor and carrier to carry through some well-devised smuggling project. In such cases, however, the matter will probably be brought to the notice of the authorities by some informer, with the hope of reward or to satisfy some personal spite.

It is, however, in connection with the coast traffic in country craft that contraband traffic in arms and ammunition could most easily be developed. These ships ply between the Travancore ports and Bombay and Colombo, and, supposing that at either arms or ammunition were clandestinely conveyed on board, marked facilities exist for their landing the same at some fishing village along the coast, whence they could be conveyed to some spot inland offering easy means for smuggling the consignment over the border into British territory. Native craft are in the habit of stopping at places, which are not really ports, and the ship's people would find no difficulty in landing any easily handled packages almost at any village along the coast without the formality of passing it through the Customs house, as they have only to arrange the matter with the fishing people, who in their turn could be bribed by the consignee. There is no system of coast guard or marine police to check such operations, nor are there at present any laws in Travancore regulating its ports, its trade, and maritime matters generally. The absence of such laws, it need hardly be said, facilitates contraband trade and irregular shipping operations. The only real check so far as I see in the carrying out of smuggling operations in this way is the fear of informers and heavy charge for buying secrecy or calming suspicion. Smuggling of opium and tobacco into Travancore unquestionably still goes on, though it has been greatly checked of recent years; but these operations are probably chiefly along the backwaters from the north. If such smuggling is possible when the Sirkar does its utmost for financial reasons to prevent it, there is no reason to think that smuggling in arms and ammunition might not easily grow up if the inducements for engaging in such contraband trade were adequate.

I believe that the best means of preventing the growth of such a contraband trade would be to insist on the Travancore darbar providing for its marine trade and seaports laws similar to those in force in British India. In my remarks on the administration report of Travancore for 1068 M.E., I noticed the need of such laws among others.

I do not think it necessary to discuss the position of things in Cochin, as its seaborne trade is carried on mainly through British Cochin, and its only port of any importance is controlled by the Port officer of the British port, whilst its coast line accessible to native craft is but short but, qualified in this way, my remarks on the facilities for smuggling in native coasting craft in Travancore apply to Cochin also.

READ—also the following letter from H. MOBERLY, Esq., Acting Collector and District Magistrate of Malabar, to the Chief Secretary to Government, dated Calicut, 27th September 1894, No. 11/Confdl. 1894:—

With reference to G.O., dated 18th July 1894, No. 1762, Judicial, I have the honour to report that Calicut is the only port in this district at which the importation of arms is permitted. At this port all packages said to contain arms, ammunition and wines, spirits, &c., and shipped from foreign ports are invariably opened and examined by the customs officials before delivery to consignees. Other dutiable goods coming from foreign ports are however not examined, the consignee being allowed to remove them on the production of the invoice. I understand that all consignments from European ports are addressed to Messrs. Pierce, Leslie and Co., but that consignments from Colombo and eastern ports are received by

native merchants. No preventive officer goes on board steamers, but native vessels are boarded by the patrol boats, which are manned by a peon on Rs. 6 per mensem and six lascars and the goods examined. This examination of the cargo of a native vessel by a peon on Rs. 6 is not worth much. The measures adopted at Calicut are not, in my opinion, a sufficient check against smuggling. I would suggest therefore that 5 per cent. of the packages in native craft should be opened and examined. Packages consigned to Messrs. Pierce, Leslie and Co. and other European merchants by steamer do not require examination. The Sea Customs Superintendent might however, as a safeguard, be directed to open and examine a few packages in all consignments by steamer.

2. The appended statement shows the quantities of arms and ammunition imported into Calicut during the past three years and from April to June 1894 after the introduction of the Tariff Act. The arms shown therein have all been imported by the European residents for *bona fide* sporting purposes.

3. No arms are reported to have been smuggled at any of the ports in this district. This does not prove that there has been no smuggling. An examination of a certain number of packages would in a few months show whether there was smuggling or not, and my suggestion in paragraph 1 *supra* may therefore be adopted for all ports in this district.

ENCLOSURES.

STATEMENT showing the import of arms and ammunition into the district of Malabar for the years 1891, 1892 and 1893.

Year.	Rifle.	Carbine.	Guns.	Pistols and revolvers.	Cartridges.		Percussion caps.	Gunpowder.	Sulphur.	Dynamite.	Gelatine.	Detonator.	Fuse.	Lead.	Saltpetre.
					Loaded.	Empty.									
	NO.	NO.	NO.	NO.	NO.	NO.	NO.	LB.	LB.	LB.	LB.	NO.	NO.	LB.	LB.
1891 ..	1	..	..	..	..	..	1,691,000	8,687	8,652	1,000	..	10,000	..	42,896	..
1892 ..	1	..	..	..	750	..	846,000	7,050	12,798	..	..	..	..	53,480	9,072
1893 ..	..	..	5	..	600	500	1,595,000	1,045	57,568	..	..	..	..	36,736	2,716

STATEMENT showing the import of arms and ammunition into the port of Calicut from March to June 1894.

	Rifle.	Carbine.	Guns.	Pistols and revolvers.	Cartridges.		Percussion caps.	Gunpowder.	Sulphur.	Dynamite.	Gelatine.	Detonator.	Fuse.	Lead.	Saltpetre.	Crackers.
					Loaded.	Empty.										
	NO.	NO.	NO.	NO.	NO.	NO.	NO.	LB.	LB.	LB.	LB.	NO.	N.	LB.	LB.	LB.
March 1894	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
April ..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	2,061
May ..	..	..	..	..	..	..	30,000	300	2,688	..	..	..	..	..	..	..
June ..	1	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..

READ—also the following letter from M.R.Ry. V. CHAPPAN MENON, Avergal, Deputy Magistrate, Malabar, to the District Magistrate of Malabar, dated Camp Chetwaye, 6th October 1894.

I have the honour to submit the report called for in your endorsement, dated 26th July last, Ref. on C. No. 9 (Condl.) of 1894.

2. In Cochin goods imported from steamers are landed *direct* into the agents' godowns. When the goods so landed are foreign or dutiable, the Assistant Superintendent is invariably present to examine and pass them, but, in the case of non-dutiable goods, a customs peon alone is present and his supervision and check cannot certainly be efficient.

3. The system of allowing goods to be landed at private wharves is doubtless objectionable, but this privilege has long been enjoyed by the merchants with the approval of the Board, and any withdrawal of it would lead to complaints and dissatisfaction.

4. Owing to the peculiar circumstances of the port and of the backwaters leading thereto, considerable facilities exist in Cochin for the carrying on of smuggling and other malpractices, and, with some difficulty, they have now been reduced to a minimum. These cannot, however, be entirely stopped unless a strong patrol and preventive staff is entertained and organized and every package imported is subjected to a rigid scrutiny.

5. The existing patrol boat establishment does some good service in this respect.

No. 12 Confdl.

True copy submitted to the Chief Secretary to Government (Judicial Department) in continuation of this office letter, dated 27th September 1894, No. 11 Condl.

(Signed) H. MOBERLY,
Ag. Collector and District Magistrate.

CALICUT,
17th October 1894.

READ—also the following Proceedings of the Board of Revenue (Separate Revenue), dated 5th December 1894, No. 5293, Mis. :—

Read—again the following papers :—

Proceedings of the Board of Revenue, dated 24th June 1894, Mis. No. 3734.

8th Sept.	..	..	3781.
5th ..	..	..	3736.
23rd Aug.	..	..	3733.
3rd Sept.	..	..	3735.
5th Nov.	..	..	4638.
24th Sept.	..	..	4104.

Read—also the following papers :—

Letter from the Collector of Malabar, dated 27th Sept. 1894, No. 11, Confdl.

.. 22nd Oct. 12, ..

Official memorandum from Government, dated 2nd November 1894.

Resolution—dated 5th December 1894, Mis. No. 5293.

The Board, in its Proceedings dated 27th July 1894, No. 298, referred for report to the Collector of Sea Customs, Madras, and to certain other Collectors of

maritime districts a reference from Government in G.O., Judicial Department, dated 18th July 1894, No. 1762, on the Government of India's letter desiring to know what measures are at present adopted to keep the authorities informed of imports of arms and ammunition and whether the existing precautions are considered to be sufficient to prevent the smuggling of arms or whether any further measures are desirable.

2. A précis of the Collectors' replies is appended. The Collectors* who

* Of Godavari, Tanjore, Tinnevely and Malabar. report that there are still facilities for smuggling contraband goods (including arms) will be called upon to submit

detailed proposals for establishing an adequate check. Regarding the suggestion of the Government of India not to allow unloading at night, the unloading of steamers at night can hardly be put a stop to on account of the expense and inconvenience that it would cause to the steamship companies and the necessary precautionary measures must be adopted in their case; but the unloading of ships at night may with advantage be prohibited.

(True Extract.)

(Signed) D. D. MURDOCH,
Secretary.

To the Chief Secretary to Government, Judicial Department,
with a précis of Collectors' reports and Collectors' reports,
in original, to be returned.

APPENDIX.

Précis of Collectors' Reports.

Sea Customs, Madras.—The practice at this port is to discharge goods in midstream. Goods from foreign ports have therefore to be conveyed to the pier and beach where there are customs officers, tidewaiters, to take a tally of the cargo. The goods are thence brought into the Custom house where they remain under customs supervision till they are cleared on bills of entry. Before they are passed out of the Custom house yard, as many packages as the available staff can examine are opened and examined. The possibility of contraband goods passing through without detection is therefore remote.

Vizagapatam.—There is very little direct foreign trade at the ports of this district. The foreign cargo landed in these ports is transhipped from Madras. The landing and shipping are supervised by the customs officers and all suspicious cases are opened and examined. This check is considered sufficient to prevent the smuggling of arms into the ports of this district.

Godavari.—As a rule all goods manifested are brought to the Custom house at Cocanada and are thence passed to the consignees after examining every case arriving from foreign ports; but there may be facilities to import contraband goods received on board in collusion with the master or crew and not manifested, for no check is exercised by the Customs department on the unloading of steamers for want of a preventive establishment to work on board. The officers of the ship can arrange to land contraband goods without the knowledge of the customs officers if there be any village on the coast near the roadstead. Contraband goods may be first imported into some other customs port under a false description and thence imported into Cocanada as free goods by native craft, inasmuch as many native craft and steamers arrive at Cocanada with packages which are passed without any scrutiny on the understanding that they contain non-dutiable goods. Proper check can only be exercised on such importations if preventive establishments for work on board the ships are maintained at the outports also, and the unloading of steamers or other vessels be restricted to the day time.

Kistna.—Packages are frequently opened and examined at Masulipatam, especially when there is a suspicion that the contents are not the same as those described in the manifest. These precautions meet the requirements of this port. The direct imports from Europe are very few, and comprise provisions and personal effects consigned to Europeans.

Tanjore.—It is not the practice to send a preventive officer on board the ship discharging, but the discharge can be effected only by means of cargo boats, which come to the shore at a particular place whence their contents are taken direct to the Customs office where the packages with very few exceptions are examined. The direct imports into this district from Europe are very small. No further precautions in this respect are necessary. In the case of coasting vessels, discharges

are now all made in the presence of the Customs establishment, and all suspicious parcels are examined. There is more danger in the case of villages on the borders of French territory of the smuggling of arms from village to village by catamarans, and this would be very difficult to detect. The preventive for such cases is the deterrent effect of very heavy sentences if such cases should come to light. Smuggling is possible on the French frontier by land also; but the Collector considers that no more can be done than is now done to prevent the smuggling of arms short of increasing the customs staff of watchers and of searchers and establishing a frontier and sea coast patrol.

Tinnevely.—Peons patrol the beach day and night to prevent smuggling, but their number is not sufficient to render it difficult for boats to land cargo at nights at points outside the patrol limits. As smuggling is most likely to occur at night, it can be prevented to a great extent by prohibiting the landing of goods between sunset and sunrise. No goods are landed at private jetties without the permission of the customs officer, and such permission is granted only in the case of bulky and non-dutiable goods.

South Canara.—It is very seldom that there are any direct imports from Europe. The imports of transhipment goods from Bombay are likely to be carefully inspected in consequence of the introduction of the new tariff. No additional precautions are necessary to prevent the smuggling of arms into the district.

Malabar.—Calicut is the only port in the district at which the importation of arms is permitted. At this port all packages said to contain arms, wines and spirits, and shipped from foreign ports, are invariably opened and examined. No preventive officer goes on board the steamers, but native vessels are boarded by men on Rs. 6 per mensem in patrol boats which are manned by a peon on Rs. 6 and six lascars, and the goods are examined. The Collector suggests that 5 per cent. of the packages in native craft and a few packages out of those imported from steamers may be opened and examined. All the imports of arms have hitherto been made by European residents for *bonâ fide* sporting purposes. In Cochin, goods imported from steamers are landed direct into the agent's godowns. When the goods so landed are foreign or dutiable, the Assistant Superintendent is invariably present to examine and pass them; in the case of non-dutiable goods a customs peon alone is present. Owing to the peculiar circumstances of the port and of the backwaters leading thereto, considerable facilities exist in Cochin for smuggling. Though these have been reduced to a minimum, they cannot be entirely stopped unless a strong patrol and preventive staff is entertained and every package subjected to rigid scrutiny. The existing patrol boat establishment does good service in this respect.

ORDER—dated 10th January 1895, No. 4, Revenue.

Separate Revenue No. 1.

It is obvious from the reports submitted by the Board of Revenue that at almost every port in this presidency the establishments employed are inadequate effectually to check smuggling, and the Government of India will be informed accordingly. The only measures that can be adopted to minimize the risk without an increase of establishment appear to be the following:—

- (1) To ask Collectors to insist on the more frequent opening and examination of packages of all kinds.
- (2) To direct the officers of the Salt and Abkâri department, who are constantly on the move along the coast, to direct their attention to smuggling and to keep them informed that detection of cases of smuggling will be well rewarded.
- (3) To fence in the beach at Madras and at other places where goods are landed.

2. As regards the second of the above precautions it does not appear that the subordinate officials of the Salt and Abkâri department have been authorized under section 6 of the Sea Customs Act, 1878, to exercise the powers conferred by sections 171, 173 of the same Act for the detection of smuggling. These powers should, if necessary, be applied for and the officials of the department should then be furnished with definite information regarding the limits of ports and the particular places at which alone the landing of goods is allowable. A special watch should be kept on the West Coast and the coast of Madras and Tanjore opposite Ceylon.

3. As regards the third of the precautions above indicated, the Government desires to be furnished with plans or accurate descriptions showing the places at which cargo is allowed to be landed and if on the open beach, on what length of it and an estimate should be submitted at the same time of what it would cost approximately to fence in such parts of the beach with either a high wall or a palisading of wood or iron. The Government observes that these precautions are rendered necessary by the existence of the present Tariff Act, quite independently of the danger of the smuggling of arms and ammunition.

4. The Travancore Sirkar will be moved in the Political department to establish a coast patrol of some sort, as otherwise, with the great number of small native craft always on the move up and down the West Coast, considerable smuggling and loss of revenue both to this Government and to the Sirkar is almost certain.

5. The special reports called for from certain Collectors as to the establishment of an adequate check on smuggling should be obtained and submitted without delay.

6. The following letter will be addressed to the Government of India.

(True Extract)

L. L. L.
Ag. Secretary to Government.

To the Board of Revenue, Separate Revenue.

„ Political Department (with Hon'ble Members' notes in original).

„ Judicial Department.

Exd. S. J. Pereira.

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CURRENT No. 341

Judicial Dep.
Govt. of {1895} Madras.
REVENUE.

N

Order 30 Jan'y 1895, No. 196.

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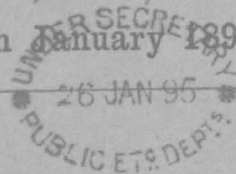
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G.O., 10th January 1895, No. 4.



JANUARY.

Passing orders on papers regarding the measures at present adopted for the prevention of smuggling of arms and ammunition in the Madras Presidency.

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ENCLOSURES TO G. No.

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LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

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