

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1437

Dated 9th July 1895

INDEXED.

[Despatch Abstract.]

MADRAS COFFEE-STEALING PREVENTION ACT.

Informing the Colonial Secretary, Colombo, that sections 5 and 10 of Madras Act VIII of 1878 have not been entirely effectual in the repression of coffee-stealing.

BACK PAPERS.

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

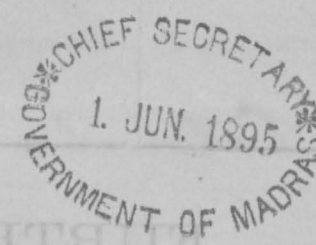
FURTHER PAPERS.

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

2744
CURRENT No. 1309

Colonial Secretary's Office,
Colombo, 27 May, 1895

No



Sir,

In acknowledging, with thanks, the receipt of the copy of the Madras Act VIII of 1878, sent with your letter no 367 (Financial) of the 3rd Instant, I am desired to request that you will be so good as to inform me whether the provisions contained in sections 5 and 10 of the act have been found effectual in the repression of coffee stealing in the Madras Presidency.

I am, Sir,

Your obedient Servant,

H. L. Crawford.
for Colonial Secretary

The Honble,
The Chief Secretary
to Government
Madras

CURRENT NO 2744
1309

Judicial
Financial Dept.

From
The Colonial Secretary
Colombo

10/16/73 6/2/94 H
3008/9/94 mis papers

Df. 27. V. 95
Recd: 1. VI. 95
Reqd. 5. VI. 95
Reg? in Tnd 6. June 95

Subject.

Asking whether the provision
Contained in secs: 5 & 10
of Act VIII of '78 have
been found effectual
in the repression of
Coffee stealing in the
Madras Presidency

hs 14/6
mdt
Transferred to the Judicial
Department.

Cand
M.C.S.
5. VI. 95

(For order)

Q 367: 3.5-95 R. 7th.
10560: 13.3.95 S.C.
3008/9: 8.12.94 mis (ph)
1673: 6.7.94
208: 20.2.94 R.
207: 26.1.94 brief
+ papers
3008/9/94 mis papers

[G.
25.
600-8-3-95]

Judicial DEPARTMENT.

C. No. 2744/95

FOR ORDERS.

In the paper read above the Honble the
Colonial Secretary, Colombo, asks whether the
provisions contained in sections 5 & 10 of the
Madras Coffee-stealing Prevention Act, 1878,
have been found effectual in the repression of
Coffee-stealing in the Presidency.

With reference to this question, it is submitted
that about the beginning of 1889, the Wynnad
Planters' Association proposed to govt.
the amendments of these two sections brought to
notice that "the buyers in coffee are many of
these unknown persons, with no fixed residence."
+ that sec. 5 of the Act is not found to be
an effectual preventive of theft & proposed
that the following amendments might be made:-

(1) to add a new section - after sec. 5 of the Act
requiring all growers of coffee to keep accounts
showing the amount of coffee picked and sold,
and the names & residence of the persons
to whom it is sold.

(2) to make an addition to sec. 10, requiring the permits referred to in that section to be in triplicate, one copy of which is to be delivered to a Police officer stationed on the line of route which the coffee has to take on leaving the estate for the coast.

This Govt. thereupon, considered with regard to the amendment - which was directed against the receivers of stolen coffee living near estates, who are said to account for the possession of large quantities of stolen coffee by pointing to some half deserted patch of coffee cultivation - that it would apparently be as easy for a fraudulent coffee-dealer to record false pickings from his patch of coffee as it is for him to allege receipt of a "miraculous yield" & that it would be as difficult to disprove the one as the other. As regards the second suggestion the Govt. thought that the collection of passes en route even if it included verification of the consignment at a fixed point on the road could afford no security against the coffee being tampered with during other parts of the journey & that the duplication of passes did not require a law to work it. The Govt. also expressed their unwillingness to consider any efficient & unobjectionable proposals for checking coffee thefts which the Planters Assn. could suggest. - vide G.O. of 27 Febry. 1889, N.O. 358, Judd, M.S.

On the Assn. resubmitting the same

FOR ORDERS.

x vide his letter printed
in G.O. of 24 Aug. 93, N.O. 1722 J.D.

x which however did not receive
the approval of the Govt. of Ceylon.

proposals in April 1889, the Govt. finally declined to undertake legislation in the direction suggested by the planters: vide G.O. of 19 July 1889, N.O. 1241, Judd, M.S.

Again, in connection with the recent amendment of the Act in 1893-94, Mr. Miller, the J. Magistrate of Matara suggested an amendment of sec. 10 of the Act, pointing out that as the section stands, an ignorant but innocent coolie carrier is rendered liable to punishment if his employer does not in writing on his permit give all the information required by the section. The Govt. accordingly included in the draft Bill, under cover of G.O. of 24 Aug. 93, N.O. 1722 J.D., a provision for the granting of a pass in triplicate.

It appears unnecessary to enter upon a detailed statement of the manner in which ss 5 & 10 of the Act have failed inasmuch as the Colonial Secretary merely asks if they have proved effectual. Perhaps therefore the following reply will suffice

my letter to the Colonial Secretary, Colombo

of 9th July 1895 N.O. 1437
15 JUL 95

In reply to your letter of the 27th May I am directed to state that sections 5 & 10 of the Matara

Working of secs. 5 & 10 of
Madras Coffee Stealing Prevention Act.

Act VIII of 1895 has not proved entirely
effectual in the repression of coffee
stealing. - Suggestions for their
amendment have been made by the
planting community but these are not
with the approval of Govt. They are
defective in that they. Their main
defect is that they impose no ^{adequate} check
upon the dealing of vendors of stolen
coffee who own small patches of
land planted with coffee in the vicinity
of large estates, & account for the
possession of large quantities of coffee
by the statement that it has been grown
on their own land. - Various suggestions
for the amendment of the law have been
made by the planting community, but
the amendments proposed have been
rejected as impracticable or inexpedient.

Thm
27-6-95
28/1/95

(For orders)

HM
mis
Issued
87

When given for copying _____
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When examined _____
When signed _____

READ AGAIN G.O., No. _____
189 , DATE _____

CURRENT No. _____

ENCLOSURES TO G. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT. _____

STATEMENT WITH DITTO. _____

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IN ORIGINAL.

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