

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No.	723	<u>Press</u> <u>Mis.</u>
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28/1/30

Fort Saint George, Political Consultation, 8th September 1857.

No. 28. Extract from the Minutes of Consultation, in the Revenue Department, under date the 25th August 1857, No. 862.

Read the following Extract from the Proceedings of the Board of Revenue, dated 8th August 1857, No. 2650.

Read the following letter from W. ROBINSON, Esq., Acting Magistrate of Malabar ; to J. D. SIM, Esq., Acting Secretary to the Board of Revenue, Fort Saint George, dated Calicut, 3rd June 1857, No. 85.

SIR,

I have the honor to submit the following somewhat voluminous correspondence* on the subject of the Tobacco Monopoly, in the two Company's towns† of Tangacherry and Anjengo, surrounded by the Travancore Territory, and both now leased to the Travancore State for a period of 12 years.

* From Resident Travancore and Cochindated 17th Jan. 1857.	
To " " 30th " "	
From " " 9th May "	
To the Joint Magistrate, Cochin " 14th " "	
To Resident " 19th " "	
From the Joint Magistrate, Cochin " 21st " "	
From " " 25th " "	
To Resident " 26th " "	
† Tangacherry ending 12th July 1858.	
Anjengo " 1st April 1859.	

2. Both these leases were made during the existence of the Tobacco Monopoly, abolished by Act No. IV. of 1853. For Tangacherry‡ a sum of Rupees 2507, and for Anjengo§ Rupees 1450 per annum is paid by the Travancore State. On the strength of these leases the Travancore State claims the right to maintain the Tobacco Monopoly in both these British dependencies.

3. Extract from the Minutes of Consultation, dated 19th June 1855, decided that this was to be permitted till the leases fell in. Attempts have been made to enforce this resolution, but with little success. In his letter, dated 17th January 1857, General Cullen requested me to enforce stringent measures through the Police, but I more than doubt my power to do so in the present state of the Law. He has not replied to my letter, dated 30th January 1857, stating my view on the subject, and from which letter it will be observed, as well as from the letters of the Joint Magistrate, dated 21st and 25th Ultimo, that the local authorities are unanimous, that in the present state of the Law it is impossible to repress the importation or Traffic in Tobacco, within Towns subject to the East India Company's Government, and it seems to me that no fiscal arrangement can be allowed to contravene the Law.

4. The matter has now been brought to an issue by an indiscretion on both sides. Mr. D'Albedyhll, the Custom Master, has adopted the plan of sending Travancore *Cavilcars*, watchmen, if not likewise Peons and Armed Sepoys, of that State into Anjengo, and these measures have been resisted by the people of the town. A serious riot has been the consequence which is now the subject of enquiry—but be the issue what it may, under the present state of the law it is not likely to be favorable to the aggressors.

5. Mr. Cullen proposes to move the Legislative Council for a special Act. This is obviously out of the question, and I beg to express an opinion that a fair remission from the amount of the lease should be at once granted to the Travancore Government, and the equivocal state of matters put an end to, by allowing the people undisturbed enjoyment of their legal right. With this view I would beg to propose that I be permitted to put myself in communication with the Resident ; should the Government think that the restriction may be maintained without infringing the Law, I must request definite instructions as to how the Joint Magistrate is to proceed.

(Signed) W. ROBINSON,
Acting Magistrate.

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From Lieutenant General W. CULLEN, Resident, Travancore and Cochin; to W. ROBINSON, Esq., Acting Collector of Malabar, dated 17th January 1857, No. 111.

SIR,

I adverted in a letter I addressed you yesterday to the contraband Traffic in Tobacco and Pepper between the Company's Subjects in Cochin and those of Travancore and Sirkar Cochin.

2. I have now the honor to forward to you copy of a letter addressed to me by the Dewan of Travancore on the revival of this contraband Traffic at Anjengo, and that the main Agent in the Traffic is a Bramin, late Adawlut Gomastah of Anjengo, who while residing at Sherenghill in the Sirkar Territory was detected secreting a large quantity of Tobacco in his house which had been smuggled from Anjengo, and as I have every reason to think with the knowledge of the then Police Ameen, the late Mr. Philipsz, and for which the Gomastah was apprehended and sentenced to one year's imprisonment.

3. I hope you may be able to meet the wishes of the Dewan in regard to the regulation he suggests for the Registry of Boats and other precautionary measures.

4. You will have noticed a correspondence between Mr. Clarke and myself on the immense extent of the smuggling of Tobacco and Pepper, through the Company's Town of Cochin, to the annual loss it is believed of from 1 to 2 lacs of Rupees.

5. In the years 1853-54 nearly 2500 Candies of Pepper were exported from Cochin, all of which were smuggled from Travancore in exchange for Tobacco.

6. Of the boldness with which it is carried on, I may mention that a few days ago, on my return from Alwey, a large Boat, filled with some 20 Candies of Pepper and manned with 12 to 15 rowers and a man with a Musket held up in defiance, passed rapidly across my Boat at 8 o'clock in the morning, and I traced it to its landing place in Cochin.

7. Both articles are openly smuggled in broad day light.

(Signed) W. CULLEN,
Resident.

From V. KRISTNO ROW, Dewan; to Lieutenant General W. CULLEN, British Resident of Travancore, &c., &c., dated Trevandrum, 12th January 1857, No. 54.

SIR,

With reference to previous correspondence on the subject, I beg leave to inform you that both the Deputy Peishcars, Vailoo Pillay, who is gone to the North on duty and the Tahsildar of Sherenghill have reported to me under date the 27th Vrichigom 1032, (10th December 1856,) that Vencutta Chellum Iyen, the late Adawlut Gomastah of Anjengo, who was sometime since apprehended in the act of smuggling Tobacco, and who suffered punishment for the offence in the Criminal Jail, and was released after the expiration of the period of the sentence passed against him has again commenced his trade in contraband Tobacco with the assistance of some people of Anjengo, within the limits of which he has settled himself in a house built expressly for facilitating the illicit Traffic.

As no Tobacco could be landed without the knowledge and assistance of the beach people, I beg you will be pleased to take the necessary steps for effecting the following arrangements which I submit for your consideration, viz.

1st. To number and register the whole of the Boats at Anjengo.

2nd. To nominate one or two persons at the head of the "Marakanmars" at each "Thoray" and hold them responsible for the landing of any contraband Tobacco at that Thoray.

3rd. To cause all the Sea Boats to be hauled up the beach in front of either the Police Office or the Sirkar's Chowkey, every day by 4 or 5 P. M., and allow them to be used again only at 6 o'clock next morning, so as to prevent the landing of the contraband article at night.

I beg leave to add that I had issued a corresponding Circular Order to all the Local Officers of the Sirkar on the (18th Vrichigom 1032) 1st December 1856.

In conclusion I cannot refrain from remarking that if the Police Ameen at Anjengo strictly

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adhered to the orders issued to him on the subject, he could easily put a stop to the landing and secreting of contraband Tobacco within his Jurisdiction.

(Signed) V. KRISTNO ROW,
Dewan.

From W. ROBINSON, Esq., Acting Collector; to Lieutenant General W. CULLEN, Resident, Travancore and Cochin, dated Calicut, 30th January 1857, No. 260.

SIR,

Adverting to your letter, under date the 17th Instant, and enclosure I gather that the wish of the Dewan of Travancore is, 1stly, to have the introduction of Tobacco sea-ward into the small detached Towns on the Coast, subject to the Honorable East India Company, but surrounded by the Travancore and Cochin Sirkar Country, prohibited in the Sea Custom Department, and every difficulty thrown in the way of landing and storing what he terms a "Contraband Article" and 2ndly that the Police be strictly enjoined to stop the landing and secreting of Contraband Tobacco within their Jurisdiction.

2. I must admit that I consider myself precluded by Law from meeting your wishes on this point. The Repeal of the Law, establishing the Tobacco Monopoly without any exception being made of any part of the Company's Territory, restored, I conceive to all our subjects, an unrestricted right to use and to trade in Tobacco, and I do not think that the existence of a mere fiscal arrangement for the financial convenience of the Travancore or Honorable East India Company's Government, can be permitted to affect right thus conferred by Law.

3. Under these circumstances, I conceive, that the Sea Custom Department must enter without obstruction all or any Tobacco imported, levying only such duty, if any, as may be chargeable by Law. Contraband, the article clearly is not, and a refusal to pass it would subject a Custom House Officer to a Suit of heavy damages.

4. As regards the interference of the Police in such matters, I am satisfied that any act done by a Police Officer in putting a stop to the landing or as it is called "secreting of contraband Tobacco" is illegal, and would subject the delinquent to the Penalty of an Action, as well as censure for interfering where the Law confers no Jurisdiction.

5. Entertaining as I do these views of the Law, I must defer passing the orders sought by the Dewan, till I am favored with your further remarks, and I would express my opinion that it is most desirable that the case be discussed in all its bearings, and brought before Government for final decision.

(Signed) W. ROBINSON,
Acting Collector.

From Lieutenant General W. CULLEN, Resident at Travancore and Cochin; to W. ROBINSON, Esq., Acting Collector of Malabar, dated Oodagherry, 9th May 1857, No. 842.

SIR,

I have the honor to forward to you copies of communications from the Dewan of Travancore, reporting a most gross and outrageous attack, by a riotous mob of the inhabitants of Tangacherry headed by a Company's Police Peon, on the Peons and others of the Travancore Sirkar who were employed, under the Orders of Mr. D'Albedyhl, Master Attendant at Quilon, to prevent the illegal introduction of Tobacco within the confines of Tangacherry.

2. You are aware that the Travancore Sirkar hold that place on lease, under the authority of Government, from the Collectorate of Malabar, together with the Monopoly of Tobacco which is guaranteed to them, and who moreover pay a monthly Stipend to your Police Ameen to superintend the sale of Tobacco on account of the Sirkar.

3. A mob on another night paraded all through the streets of Tangacherry, attacking and beating all the Sirkar Peons or Sirkar Ryots who came in their way, and even passed into the Sirkar limits with the same turbulence and riotous conduct.

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4. On the third night the Travancore Sircar Preventive Peons and others posted as usual along the Sea-beach were most unjustifiably seized, by order of the Police Ameen, and put in Prison.

5. By the terms of the Agreement on which the Travancore Sircar hold the lease of Tangacherry and Anjengo, the Monopolies of Tobacco and Salt are secured to them, and the Company's Police are in consequence bound to interfere where necessary for the protection of the interests of the Sircar, and which have in the present instance been grossly violated, and of which I trust due and effective notice will be taken.

(Signed) W. CULLEN,
Resident.

P. S.—I beg also to call your attention to the Extract from the Minutes of Consultation, Judicial Department, No. 471 of the 25th April 1857, and to the 5th and 6th paras : of the Orders of Government thereon.

From V. KRISTNO ROW, Dewan; to Lieutenant General W. CULLEN, British Resident of Travancore, &c., &c., &c., dated Trevandrum, 25th April 1857, No. 608.

SIR,

I beg leave to submit herewith, for your serious consideration, copy of a letter from the Master Attendant and Custom Master, Quilon, No. 53, dated the 22nd Instant, bringing to notice, the act of violence committed, by certain Ryots of Tangacherry on certain of the Sircar Servants employed for watching the smugglers.

I have frequently submitted to you that the extensive smuggling carried on at the adjacent parts, has been owing to the omission of the Police Ameens at Anjengo and Tangacherry to act up to the stipulated understanding with the Sircar, and the repeated orders of Government, *viz.*, to take the necessary measures for preventing the landing of and dealing in contraband Tobacco, within, and through, their respective jurisdictions, and further, that the proceedings of the two Police Ameens have on the contrary been encouraging the illicit Trade of the smugglers.

Mr. D'Albedyhll's present letter furnishes additional proof of the above said facts.

I request therefore that you will be pleased to take such steps in the matter as you may deem fit, to ensure due attention on the part of the Police Ameens in question, to the Orders of Government to put down the practice of smuggling effectually within their respective jurisdictions, as well as to the proper disposal of the Police complaint now brought forward by Mr. D'Albedyhll and the prevention of a recurrence of the like.

(Signed) V. KRISTNO ROW,
Dewan.

From C. D'ALBEDYHLL, Esq., Master Attendant and Custom Master; to the Dewan of Travancore, &c., &c., &c., dated Quilon, 22nd April 1857, No. 53.

SIR,

I beg to draw your particular notice to the circumstance that unless the Sircar secure the co-operation of the Police at Tangacherry it will be impossible to continue the restriction on import of the Contraband Tobacco. The inhabitants exasperated at their trade being stopped, are becoming very turbulent and troublesome. The Police not only does not co-operate, but their omission of duty, and interference hold out great encouragement to smugglers. A few nights ago, a mob, backed by one of the Tangacherry Police Poens named Changoo Nair (all drunk) attacked the Peons and Cavoocars placed on the beach to watch the smugglers. I brought that affair to the notice of the Police Ameen, who at the same time merely desired him to take measures that such things do not occur again. I did not make a formal complaint, and push the point, as there was then a chance of the case being sent before the Joint Magistrate at Cochin, and of my and the Peons having to go there to give evidence, just the thing which the smugglers would wish, and perhaps were aiming at, for during my absence, they would have full scope to land as much Tobacco, and Ship off as much Pepper as they wished. Last night however things assumed a very serious aspect. A drunken mob paraded the street, attacked and beat every Sircar Ryot who

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happened unfortunately to be in Tangacherry and to come in their way, two men were fearfully mauled, one of them is said to have his arm broken. They went also outside, into the Travancore limits, and attacked and beat the Sircar Peons and Cavoocars stationed at Wady, also attacked and attempted to set on fire (partially succeeding) the house of one of the Master Attendant's Peons, as they concluded he was my chief informant and takes the most active part in putting down the illicit Trade. I brought all this to the notice of the Police Ameen, but that Officer I hear attributes all to the circumstance that last night was the Molakado Koothirakettoo feast. I have however been a Resident in Tangacherry for very many years, and the Koothirakettoo feast has come round every year, but there was never any such violent demonstrations and assaults as those of last night, and besides this, all the outrage last night was against the Sircar Ryots and Sircar Servants. There was no such thing as a Police Peon in the place to keep the peace.

I beg you will take measures to protect the Sircar Peons and Cavoocars, else it would be impossible to check the smuggling now carried on extensively as is well known.

(Signed) C. D'ALBEDYHLL,
Master Attendant and Custom Master.

(A true copy.)

(Signed) V. KRISTNO ROW,
Dewan.

(True Copies.)
(Signed) W. CULLEN,
Resident.

From V. KRISTNO ROW, Dewan; to Lieutenant General W. CULLEN, British Resident of Travancore, &c. &c. &c., dated Trevandrum, 26th April 1857, No. 609.

SIR,

With reference to my letter of yesterday's date, No. 608, I hasten to submit herewith copy of a further communication from the Master Attendant and Custom Master, Quilon, No. 63, bearing date the 24th Instant, fully proving, that instead of suppressing the landing of smuggled Tobacco into Tangacherry according to the distinct orders of the Madras Government, as communicated to me in your letter, No. 867, dated the 15th May 1856, and its Enclosure from the Collector of Malabar, No. 1312, dated the 10th Idem, the course pursued by the Police Ameen of the place is calculated to encourage the Contraband Trade in question, to put down which effectually, I beg to repeat my request, that you will be pleased to take such steps as you may deem proper.

(Signed) V. KRISTNO ROW,
Dewan.

From C. D'ALBEDYHLL, Esq., Master Attendant and Custom Master; to the Dewan of Travancore, &c., &c., &c., dated Quilon, 24th April 1857, No. 63.

SIR,

I beg to bring to your notice that having received information that some Tobacco would be landed on the Western Shore of Tangacherry, I placed there night before last, a couple of Peons and nine Cavoocars to watch the Smugglers; but the Tangacherry Police seized and removed to Prison the said Cavoocars, thereby compelling the remainder of the Guard to quit the Station, since two Peons alone, could do nothing. I tried to bring the affair immediately to the notice of the Police Ameen; but though his Gate was knocked as loud as it could be, and though the men sent to inform him of it called out to the utmost of their power, yet neither the Police Ameen, nor any of his Household (as in the previous night, when the affrays and assaults were going on) could be roused. Of course, things were obliged to be left *in statu quo* till yesterday morning; when I addressed the Police Ameen, saying that I could not think that the Cavoocars were seized and imprisoned by his order, that I wished however to be informed on that subject, in order to know against whom I was to represent the case; also asked him, if he had not ordered the imprisonment of the men, that they might be released. His reply was that he had not issued any particular orders for the seizure of the Cavoocars, but that his men had orders to seize any suspicious cha-

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racter that may be detected within the limits of Tangacherry at unseasonable hours, and that the men had been released previous to the receipt of my letter. Thereupon I wrote again to the Police Ameen to call to his notice that the men in question were not "suspicious persons" but Sircar Cavoocars on Sircar duty, and were in Company of Sircar Peons, that therefore there was no ground for his men to entertain any doubt, and if they really did entertain any, they could easily at once have further ascertained the truth, or, at all events, they should have immediately applied to him for instructions that both he and his men were fully aware that I keep Guards along the shore, and that without giving any previous notice or intimation (just at night and perhaps about the time that the Tobacco was about to be Landed) their seizing and removing to Prison the Cavoocars, left full scope for action to the Smugglers. That however (as he was not definite in his reply) I begged to be informed whether the Sircar Cavoocars were to be seized in future or not, that I may know how to act. That letter was sent to his Office between twelve and one yesterday noon; not receiving a reply up to half past five, P. M., and having been informed that he had gone during the noon, (previous to the delivery of my letter at his Office) to Quilon, and was not likely to return till very late, I again wrote to him for an answer to my letter, (that I might know whether I could order the Watchmen to take their Stations along the shore.) His reply which came to hand at 7 P. M., desired me to withdraw the Cavoocars, till he shall lay the subject before the Joint Magistrate at Cochin, and receive instructions from that Officer. Of course, I am now therefore obliged to leave the shore unguarded.

I beg to observe that this is just the time when the last large batch of Contraband Tobacco (for the Monsoon) is said Annually to be landed. The Malayatore Feast was on last Sunday, and monied men from this place go to that Feast, on their way back, such of them as are given to this illicit Trade stay at Cochin, and send off large Supplies. Had the Police Ameen, objected at an earlier date, to the Guards being placed along the shore, there would have been time for a representation to you and final instructions being received; but after he had thus long and permitted it, the circumstance of his now suddenly preventing the Guards to watch, leaves the Smugglers full scope to Import the Supply.

Unless Guards be placed along the Beach or shore, and the Tangacherry Police Authorities be duly empowered and instructed to keep the Inhabitants under proper control, it will be impossible to stop the illicit Trade. The circumstance of having Guards only on the Frontier will avail hardly any thing owing to the innumerable passages open in every direction, through Roads, Lanes, open Plains and Gardens, and to the Shelter from observation afforded by the Hedges, young Trees and Bushes. Though occasionally a Bale or two might be caught, yet the Trade itself will receive no check. I would therefore suggest that early measures be taken to have the necessary instructions issued to the Police Ameen of Tangacherry.

(Signed) C. D'ALBEDYHLL,
Master Attendant and Custom Master.

(True Copy.)

(Signed) V. KRISTNO ROW,
Dewan.

(True Copies.)

(Signed) W. CULLEN,
Resident.

From W. ROBINSON, Esq., Acting Collector; to E. CULLIN, Esq., Joint Magistrate, Cochin,
dated Calicut, 14th May 1857, No. 1502.

SIR,

(To be returned)

In forwarding the accompanying Original Petition* from Tangacherry, I have the honor to give cover to a correspondence with the Resident of Travancore and Cochin, on the subject of smuggling with which I have scarcely a doubt from the mention contained in the Petition of Sepoys, &c., To do. 30th do. do. the grievances now brought forward is connected.

The liberty of these British Subject is seriously endangered, if not compromised, by the position they are placed in, and in requesting an early expression of your opinion on the subject.

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I am quite aware that you will use your strenuous endeavor to secure to these people freedom from the annoyance to which they may be exposed.

(Signed) W. ROBINSON,
Acting Collector.

From W. ROBINSON, Esq., Acting Collector; to Lieutenant General W. CULLEN, Resident,
Travancore and Cochin, dated 19th May 1857, No. 1549.

SIR,

Dated 9th May 1857, No. 842.

No. 216.

In acknowledging the receipt of the important communication noted in the margin, I venture to solicit your kind notice to my letter, dated 30th January, and that you would have the goodness to explain to me the precise nature of the right over Anjengo which the Travancore State claims, and how you think the state of the Company's Police Laws bear on this important subject.

In the letter above alluded to I explained my views and it is unnecessary to dwell further on them. I have carefully examined the Extract Minutes of Consultation, Judicial Department of 25th April 1857, No. 471, but cannot find that the sentiments therein enumerated effect the case before us.

I have requested the Joint Magistrate of Cochin at once to enquire into the matter complained of and have referred to him likewise a countercharge very numerous signed by inhabitants of the Company's Town of Anjengo, stating that the Travancore State has sent a number of their Preventive Peons and armed Sepoys and Kavilkars into the place, who, on the plea of preventing a Trade which the Law secures to them, have committed gross irregularities against the people.

If there be any truth in this statement I entertain the gravest doubt as to the legality of such a measure on the part of the Travancore State, and it is obvious from the Dewan's own showing, that any subsequent irregularity on the part of the Company's subjects of Anjengo, has taken its origin in the assumption by this more than doubtful step in the first instance.

As stated in my letter above alluded to, I am most anxious to bring the matter clearly before Government and in a matured form, for I see fully the importance of the matter at stake, but I fear that as the case now stands it cannot be obviated without the direct orders of Government.

(Signed) W. ROBINSON,
Acting Collector.

From E. CULLIN, Esq., Joint Magistrate; to W. ROBINSON, Esq., Acting Collector of Malabar, dated Cochin, 21st May 1857, No. 105.

SIR,

I have the honor to acknowledge the receipt of your letter of the 14th May 1857, No. 1502.

* Act IV. of 1853.
Proclamation abolishing the Government Monopoly of Tobacco, Fort St. George Gazette, 1852, Page 1085.
Letter from the late Mr. Conolly referring to the Proclamation, 5th March 1853, No. 420.

Letter from the Collector of Malabar, to the Joint Magistrate, 19th Oct. 1855, No. 2582.

Letter from the Collector of Malabar, to the Joint Magistrate, 4th April 1856, No. 951.

2. The Law* appears to be at variance with the order, which the Government of Madras has considered it necessary to issue in consequence of an arrangement which had been made with the Travancore Government before the Tobacco Monopoly in the Company's Territories was abolished.

3. I beg to refer to the papers noted in the Margin.

4. The unsettled state of the question respecting the right of the Inhabitants of Tangacherry, Anjengo and certain small Farms, belonging to the Company in the Travancore Territory, near Alleppey, to store Tobacco, is a source of much evil.

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Letter from Mr. D'Albedyhl, 22d April 1857. 5. I forward herewith papers connected
Order by Joint Magistrate, 28th " " with a recent case at Tangacherry, Mr. D'Albe-
Report of the Police Ameen, 25th " " dhyll has not yet replied to my letter of the 1st
Ditto. 28th " " May 1857, No. 88.

Order of the Joint Magistrate, 1st May " 6. As the Law now stands, I am of opi-
Letter to Mr. D'Albedhyll, " No. 88. nion that a British Magistrate cannot take cogni-
zance of a charge against an Inhabitant of any
of the British places abovementioned for storing and selling Tobacco.

7. There is no doubt that the Inhabitants of the places referred to, take advantage of the facilities which their position affords for smuggling Tobacco into Travancore, to the very great loss of that Government and that Travancore subjects, notorious as Smugglers, take refuge in the said places, and carry on their Smuggling operations almost with impunity.

8. I have forwarded the Petition received with your letter under acknowledgement for the Report of the Police Ameen, at Tangacherry, and when I shall have received his reply, I shall again address you on the subject.

(Signed) E. CULLIN,
Joint Magistrate.

From E. CULLIN, Esq., Joint Magistrate of Cochin; to W. ROBINSON, Esq., Acting Magistrate of Malabar; dated Cochin, 25th May 1857, No. 108.

SIR,

Letter from the Acting Magistrate of Malabar, question at the Company's Stations of Tanga-
to the Joint Magistrate of Cochin, 20th May cherry and Anjengo, is caused, in my opinion,
1857, No. 1572. by the fact adverted to in Para: 2 of my letter
of the 21st May 1857, No. 105, that the Law

authorizes the Inhabitants of these places to store Tobacco, and consequently that no person charged with storing Tobacco, or having Tobacco in his possession at these Stations, is liable to punishment.

2. The Trade in Tobacco is a source of great profit to the Inhabitants of the places mentioned, and it cannot be doubted that they will actively pursue it unless some definite course of Action on the part of the Authorities be adopted.

* Extract from the Minutes of Consultation, Po- Authority* of the Government, deemed it proper
litical Department, 19th June 1855, No. 243. and expedient to issue an order and promulgate
it by Proclamation, prohibiting in decided
terms, the introduction of Tobacco into Tangacherry and Anjengo unless purchased from the
Travancore Government, the violation of such an order might perhaps
Section 18, Regulation 9 be punished by fine, under the Regulation, quoted in the Margin as an
of 1816. Act of disobedience to a Magistrate's order.

4. The words of the Regulation are resisting "Warrant order, or Other process" and I am not by any means certain that the Regulation quoted is applicable or that its meaning can be strained to meet the case, and I know of no other Regulation bearing in any way upon the case.

5. If the course suggested in the preceding Paragraph be adopted, the Police Force at
Tangacherry and Anjengo should, I think, be
+ There are at present 4 Police Peons at An- strengthened, temporarily, by the addition of
jengo and 3 at Tangacherry. Sixt Peons, to each Station. Active men to
be engaged for the Service at Cochin, on Five
Rupees a Month. The Police Ameens can do nothing effectually without additional Peons.

6. I am not well acquainted with the Regulations of the Revenue Department. It is possible that there may be some Regulation in that Department to meet the case, that is, to stop the Trade in Tobacco carried on by the Inhabitants of Tangacherry and Anjengo to the injury of the Travancore Government.

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7. The difficulty would be at once removed if the Government of India in its Legislative capacity were to pass an Act making the Stations of Tangacherry and Anjengo exceptions to the Act IV. of 1853, but it is not likely that the Supreme Government will be disposed to make the case a matter of Legislation.

8. The letters from Mr. D'Albedyhl, Copies of which were forwarded to you with General Cullen's letter of the 9th May 1857, No. 842, evidently refer to the same occurrences at Tanga-cherry complained of by Mr. D'Albedyhl, in his letter to my address of the 22nd April 1857, which was transmitted to you, together with other papers, with my letter of the 21st May 1857, No. 105, Para: 4.

(Signed) E. CULLIN,
Joint Magistrate.

From W. ROBINSON, Esq., Acting Collector of Malabar; to Lieut. General W. CULLEN, Resident of Travancore and Cochin; dated Calicut, 26th May 1857, No. 1649.

SIR,

With reference to your letter, dated 9th Instant, I hasten
Dated 21st May 1857, No. 105. to lay before you a copy of a letter received from the Joint
Magistrate of Cochin on the subject of recent occurrences at
Anjengo.

2. The proceedings submitted therewith show that the Custom Master at Quilon, has adopt-
ed a practice of sending "Circar Cavakars" (the Petitions add Peons and armed Sepoys) into
Anjengo, to enforce the Tobacco Monopoly and hence arose the riot complained of.

3. Mr. D'Albedhyll has failed to explain the proceeding which you will no doubt request
the Dewan to clear up.

4. As remarked by the Joint Magistrate the present state of the matter is fraught with great
evil. I agree with him entirely as to the absence of any legal grounds for the attempt to force on
the Company's subjects of Anjengo, the Tobacco Monopoly, which the Travancore State has
maintained after its abolition in the Company's Territory, and I therefore think that the matter
ought to be fully and distinctly brought under the consideration of Government.

5. It is pertinent to remark that by Extract from the Minutes of Consultation, dated 14th
June 1855, the Government conceded to the Travancore State, the continuance of the privilege
till the expiration of the lease, to this condition the Dewan takes exception, for reasons given in
Para: 5 of his letter to your address under date 7th March 1856, and he seems to consider the
tenure of the (Anjengo) Cotta Dilly Farms in another light from that of a simple lease, and he
does not contemplate any release of the Ryot from the burden, calling it appears on you to obtain
removal of the condition and to take measures to prohibit wholly and permanently the infringe-
ment of the privileges of selling Tobacco.

6. The tenure of Anjengo does differ from that of Tangacherry, the matter therefore at
stake is the permanent deprival of these inhabitants of what I conceive to be their legal right.

(Signed) W. ROBINSON,
Acting Collector.

(True Copies.)

(Signed) W. ROBINSON,
Acting Collector.

Resolved that the foregoing letter and its enclosures be submitted for the consideration and
orders of Government.

2. The towns of Tangacherry and Anjengo in Malabar are held by the Travancore Govern-
ment on leases which include the Monopoly of Tobacco among other sources of Revenue. The
leases were granted in 1846 and 1847 when the
Tobacco Monopoly was legal; and since the
From Govt. dated 25th Feby. 1847, P. W. D. passing of Act IV. of 1853 abolishing it, Go-
No. 90 P. D. vernment have directed that the right of the
Travancore Government to maintain it should be enforced during the currency of the leases.

Fort Saint George, Political Consultation, 8th September 1857.

3. A collision between the Travancore Authorities and the people of Anjengo has brought the question to an issue, and the Acting Magistrate doubts whether the order of Government can be carried out. Both Anjengo and Tangacherry being British dependencies, the Board concur with Mr. Robinson in questioning the legality of any attempt to deprive their inhabitants of the benefit of the Enactment above quoted. The matter however is a legal one, on which Government would probably desire to have the opinion of their Law Officers. In the event of its being determined that the Monopoly must be abolished in these towns, the Board would recommend that compensation should be allowed to the Travancore Government in preference to making an application for a special Enactment exempting the town from the operation of Act IV. of 1853, during the brief period the leases have to run, viz., until the 12th July 1858 in the case of Tangacherry, and the 1st April 1859 in that of Anjengo.

4. The item of Tobacco Revenue is rated at 1,840 Rupees per annum in the lease for the first mentioned town, but no value being assigned to the item in Anjengo, the compensation must be arranged with the Travancore Government. The entire sum paid for Anjengo is only Rupees 1,450 per annum.

(A true Extract.)

(Signed) J. D. SIM,
Acting Secretary.

Ordered that the above Extract, and its enclosures be referred to the Political Department.

(A true Extract.)

(Signed) H. FORBES,
Acting Secretary to Government.

No. 29. ORDER THEREON, No. 723; dated 3rd September 1857.

The Government resolve to refer the foregoing papers and the correspondence* noted in the margin to the Government Pleader at Madras for his opinion on the question raised in para: 3 of the Proceedings of the Board of Revenue, as to the legality of the Tobacco Monopoly, which was abolished by Act IV of 1853, being maintained by the Travancore Sircar in the Towns of Tangacherry and Anjengo in Malabar during the currency of the leases on which they are held.

Exd. J. A. Wilson.

Political Dept

85723

*Extract from the Minutes of Consultation
under date 3rd September 1857.*

*Read the following
Extract from the Minutes
of Govt. in the Revenue
Dept*

(Dated 25 Aug. 1857 No. 723)

From the President of Travancore & Cochin dated 14th May 1857. In 26. with enclosures.

*H
G
P*

*The Govt resolve
to refer the foregoing
papers and the correspondence noted in the margin to the Government Pleader at Madras for his opinion on the question raised in para 3 of the Proceedings of the Board of Revenue, as to the legality of the Tobacco monopoly, which was abolished by Act IV of 1853*

In the Provinces of Coim.
batore, Malabar and
Canara.

1853, being maintained
by the Travancore Sir-
khan in the towns of Tan-
gachery and Anjengo in
Malabar, during the ex-
cursion of the leaves on
which they are held.

W

To the Govt. Pleader }
" Revenue Depart. } Dispt. 17th