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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 665 Press Mis.

125-26

Dated 27-4-1866.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, for the month of April 1860.

No. 125. Read the following Extract from the Minutes of Consultation in the Public Department, dated 12th April 1859, No. 554 :—

Remarking that the state of the Sea Custom House Establishment at Negapatam and the general question of Sea Custom House Establishments under this Presidency will be considered further in the Revenue Department.

(Vide Public Consultation 12th April 1859, Nos. 50 to 55.)

No. 126. ORDER THEREON, 27th April 1860, No. 665.

Ordered to be communicated to the Board of Revenue for information.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

No. 554.

Extract from the Minutes of Consultation, under date the 12th April 1859.

Read the following papers :—

From the Collector of Tanjore.

(Here enter 5th and 30th March 1859, Nos. 150 and 212.)

From the Government Solicitor.

(Here enter 9th March 1859, No. 302.)

Minute by the Right Honorable the President.

(Here enter 15th March 1859.)

With the first of the above letters the Collector of Tanjore submits, in reference to Extract Minutes Consultation 6th December last, the result of the enquiry conducted by his Acting Head Assistant into the circumstances connected with the over-crowding of the barque "Ady Lutchmee."

2. Mr. Whiteside had to carry on his investigations at much disadvantage, every obstacle having been thrown in the way of his enquiries by those who are interested in baffling them. He could obtain little direct evidence of any value to place on record, and had to trust much to information of a vague and general character, picked up for the most part in conversation with the most respectable inhabitants of Negapatam and Nagore. The Government, however, see no cause to doubt the correctness of the conclusions at which he has arrived.

3. These are :—

"That the embarkation of passengers in excessive numbers, not only in the "Ady Lutch-"mee" but in many other Vessels, was a notorious and well known fact, and that such a trans-"gression of the law was effected solely by the connivance and with the assistance of the Custom "House officials—that, for a length of time past, large sums of money have been spent in brib-"ing the various servants of Government employed in the Negapatam Sea Custom House, to "wink at evasion of the orders of Goverament on the part of the donors, and that a sum of "Rupees 500 was disbursed amongst them in the case of the "Ady Lutchmee."

4. The two persons most implicated are stated by Mr. Whiteside to be Aroonachellum Moodelly, Head Sumpretty in the Negapatam Sea Custom House, and Antoniappa Chetty, Pilot in the port of Negapatam. While the former arranged matters in the Custom House itself, Antoniappa Chetty superintended the actual shipment of the passengers. This was effected by sending off to the Vessel, for several days before her sailing, 8 or 10 of the passengers in each of the boats that took out water, provisions, &c., ostensibly as coolies to assist in trans-shipping the boats' cargo, all of whom, of course, remained in the Vessel when the boat returned to the shore.

5. An attempt has been made to maintain that the Vessel sailed from Negapatam with her proper complement of passengers, and that those in excess were afterwards taken in at other places on the Coast, but Mr. Whiteside shows "that this was not the case, but that all the "passengers were on board at the time the "Ady Lutchmee" sailed from the port of Negapatam. "Previous to the sailing of the Vessel, the passengers were kept in the empty godowns of various "merchants in the town, and were brought down to the beach as they were wanted."

6. Besides the Head Sumpretty and the Pilot, who are mentioned by the Head Assistant, the Collector has, further, brought to notice as one of the servants most deeply implicated, the Deputy Sea Custom Manager, who was on board the Vessel a few hours before she sailed, and was the party entrusted with the final delivery of the port clearance.

7. Neither can any doubt be entertained of the privity and connivance of the Sea Custom Manager himself, Mr. Jensen. He has long held his late appointment at Negapatam; was intimately acquainted with all the merchants and chief inhabitants and with all that went on at the place; and it is morally impossible that he could have failed to know what was the state of things connected with the "Ady Lutchmee." It is to be noted, too, that he has afforded Mr. Whiteside no assistance whatever in the prosecution of his enquiries, and has thus added much

to his difficulties. In fine, the Government see no reason to question the correctness of the impression which the Head Assistant seems to have derived from what he has heard from many sources "that the whole of the Sea Custom House officers from the highest to the lowest were "bribed to assist in embarking the extra passengers."

8. Mr. Jensen has been transferred by the late Collector to the post of Sea Custom Peshcar at Mootoopettah, and nearly all the other Sea Custom House servants have, also, been removed from Negapatam to other stations, the Pilot Antoniappa Chetty, who refused to be transferred elsewhere, having resigned. The Right Honorable the Governor in Council, however, deems this wholly insufficient as punishment for the flagitious conduct of which these men have been guilty. He therefore resolves that all the Sea Custom House servants, of every grade, who were at Negapatam when the loading of the "Ady Lutchmee" took place, be dismissed the public service, and that the late Manager Mr. Jensen, the Deputy Manager Moottoosawmy Pillay, and Head Sumpretty Aroonachelum Moodelly, be declared incapable of ever again serving the Government in any capacity whatever. The Pilot, Antoniappa Chetty, will, also, similarly be declared ineligible for future employment.

9. The state of the Sea Custom House establishment at Negapatam and the general question of Sea Custom House establishments under this Presidency will be considered further in the Revenue Department.

10. With respect to the suggestion contained in the letter from the Superintendent of Marine, 21st December 1858, No. 5080, for the appointment of a Master Attendant at Negapatam, that Officer will be requested to explain what is the state of the Port Fund at Negapatam, and how far it would be available towards meeting the charge which would have to be incurred under the arrangement.

11. The letter from the Member for Madras of the Legislative Council, 9th November 1858 and the accompanying papers having been laid before the Advocate General in reference to the point therein raised, viz., as to the questions of international law and policy that would arise in an interference with the details of the Emigration carried on from the *French* territory on the Coromandel Coast, that Officer—after remarking that the consequences of over-crowding these Vessels are not confined to the passengers on board of them, but may extend to British subjects on land from the epidemic diseases engendered in the Vessels being brought ashore—gives it as his opinion that, on this ground, the Indian Government is not only fully entitled, but actually called upon, in justice to its own subjects, to pass regulations such as shall effectually prevent all foreigners, be they French or what they may, from exposing British Settlements and British subjects to the risk of contagion or epidemic.

12. Paras. 4, 5, 6 and 7 of the Advocate General's opinion will be communicated to Mr. Forbes in reply to his letter. Copy of the letter from the Collector of Tanjore and of its enclosed report, with the orders now passed on it, will, also, be furnished to Mr. Forbes.

13. It is observed that His Excellency the Governor of the French Settlements in India, on a reference made to him on the subject of over-crowded Vessels clearing out from French Indian ports, has shown that the matter had already received his attention, and has assured this Government that he will take measures for the prevention of the practice.

(True Extract.)

Chief Secretary.

To the Collector of Tanjore.
,, Revenue Department.
,, Superintendent of Marine.

Exd. F. Cartledge.

Revenue 1859 Dept.
Pro: of Govt 30th April.

No 664.

Extract from the Minutes of Govt. in the Public Department.

Dated 12th April 1859
Rec'd 15th
No 665. 27th April

Reports stating the state of the Sea Customs House Establishment at Negapatam and the general question of Sea Customs House Establishments under their Presidency will be considered further on the Revenue Department.

With an order

No 125 & 126.

No 665.

Ordered to be communicated to the Board of Revenue for information.

Fort St. Geo.
29th April 1859.

H Chamier
Sec. to Govt.

11 Copies to the Board of Rev. with Pro. P.D. Cop. 28.