

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1199	Press
97-98	~~Mis-~~
Dated	6-7-19 1863

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
6th July 1863.*

No. 97. Read the following Proceedings of the Madras Government in the Political Department, dated 23rd June 1863, No. 176:—

Passing orders on a letter from the Resident of Travancore } (Vide Political Proceedings, 23rd June 1863,
and Cochin on the question of re-establishing a Chowkey } Nos. 35, 36.)
at Pallipport.

No. 98. ORDER THEREON, 6th July 1863, No. 1,199.

Communicated to the Board of Revenue.*

(Signed) P. P. HUTCHINS,
Acting Deputy Secretary to Government.

POLITICAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from W. FISHER, Esq., Resident of Travancore and Cochin; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Permade, 1st April 1863, No. 27.

The re-establishment of a Chowkey for the collection of transit duties on a strip of Travancore territory, which separates the northern from the southern portion of the Cochin State, has given rise to a lengthy correspondence between me and the Dewan of Travancore.

2. In closing it I requested that Officer, if not satisfied with the arguments I adduced, to sum up his objections to closing this Chowkey in a single letter, with a view to avoiding references to these papers. As in reply, however, he has asked me to furnish him with a condensed statement of my views, in order to his replying in the same form, I think loss of more time will be avoided, and sufficient information on the question at issue will be laid before Government, if I summarise the correspondence, giving as concisely as possible, the grounds on which I think the Chowkey should be withdrawn, and the arguments by which the Dewan seeks to justify its retention.

3. The accompanying sketch map of the Backwater north of British Cochin will show, where Travancore territory intersects that of the Cochin State, and gives its Officers the command of all the trade passing through the narrow channel south of Cranganore.

4. It will further illustrate my statement, that where the Travancore Chowkeys were formerly withdrawn, they were so placed as to command only export and import trade, and preclude all interference with, through traffic along the Backwater.

5. Having drawn attention to the annexed map, I will now state the origin of the present dispute; the point on which it turns; and the various arguments for and against the removal of the existing Travancore Chowkey at Palliport.

6. On the 18th June 1862, the Dewan of Cochin remonstrated against the establishment of a Travancore transit Chowkey at Palliport, as an infringement of the long established right of the subjects of Sirkar Cochin to free passage of the Backwater north of British Cochin.

7. He (1) bases this right on the removal of the Palliport among other transit Chowkeys in the Travancore and Cochin States in 1856.

(2.) On the removal of the Toorhipooram Chowkey by the Travancore Government in 1847 at the instance of the Madras Government.

(3.) On the disavowal by the Travancore Government in 1854 of the acts of its servants, when an attempt was made to establish a Chowkey at Coonjatye (nearly opposite Palliport), and sanction of these proceedings was withheld on the ground that they were opposed to the measures adopted by the British Government, to promote trade *via* Trichoor to British Cochin.

8. The question is, whether the arrangements above alluded to had the effect of relieving from transit duty, only goods of British origin bound to, or from British Cochin, or whether the abolition of the Chowkey was intended to free, and had the effect of freeing trade between British territory and that of Cochin also, with reference to the state of things arising from the removal of all frontier Custom Houses between the said territories.

9. I pointed out to the Dewan that the free trade alluded to by the British Government, in the correspondence noted in the margin, was that arising from the abolition of the frontier Custom Houses, between the British and Cochin frontiers.

10. That the Travancore Chowkey (removal of which was requested and granted) materially interfered with this trade, as it levied a transit duty on British and Sirkar Cochin produce going into British or Sirkar Cochin or *vice versa*.

11. That the Travancore Government by removing their Chowkeys to positions from which they could only command their own export and import trade, did clearly give up the right to levy transit duty on the Backwater north of British Cochin.

12. I observed that the action of the Travancore Government in the matter of the Coonjatye Chowkey, could only mean that its establishment would interfere with the arrangements recently made by the British Government, and give just cause of complaint to that of Cochin if my argu-

Paragraph 4, Extract of
Minutes of Consultation,
12th February 1847, No. 59.

Extract of Minutes of Consul-
tation, 12th February 1847.

From Resident, No. 360 of 8th
March 1847.
From Travancore Sirkar, No.
1,462 of 8th September
1847.

ment was correct, and that its prompt removal on the remonstrance of the Cochin Sirkar confirmed the preceding arrangements.

13. The Dewan of Travancore contends, that the Sirkar Chowkies were removed on representations that they interfered with British trade, but that Sirkar Cochin trade was not thereby exempted from payment of duty. That the right to levy this duty has not been extinguished if for a time it was not exercised; and that the State of Cochin has conceded no advantage to that of Travancore to induce it to give up its rights.

14. He remarks (with reference to this view of the case) that the disavowal of the Cochin Sirkar by the Travancore Government, does not alter the character of the arrangement made under the advice of the British Government, which have not as he contends been in any way violated by the Travancore Government.

15. There are other circumstances brought forward by the Dewan which cannot be deemed arguments in favor of the course adopted, though they may show, that Travancore trade labors under certain disadvantages, which do not affect that of the neighbouring State.

16. He points out that, but for this Chowkey, the Cochin trader has advantages over the Travancore merchant, for the latter pays duty to his own Government, and again to that of Cochin, before his goods reach the (British Cochin) market; whereas the Cochin trader pays but one duty.

17. This may be true, but it clearly affords no reasonable grounds for re-establishing either a system long given up, or a particular Custom House abolished at the request of the British Government.

18. The Cochin Government levy a duty on Travancore produce brought to British Cochin by Backwater. This they consider an export duty, whilst the Travancore Government look on it as a transit duty, and its collection as a proof that the arrangements between the British and Cochin Governments, under which the Chowkey now in dispute was abolished, related only to British goods, and left the Travancore and Cochin States free to tax each others' traffic as they please.

19. It is unfortunately true that the Cochin State derives a considerable sum annually from the traffic diverted from all other British Cochin, in consequence of the heavy duties now levied on foreign produce at the British Ports, but still no argument in support of the re-established Chowkey can be drawn therefrom, as the Sirkar Cochin Chowkies around British Cochin are established for the protection of its own export and import Customs, and were not established in order to take advantage of the late results of British legislation.

20. Whilst alluding to the Pallipatt Chowkey as of importance in preventing tobacco smuggling, and expressing the natural reluctance of the Travancore Government to agree to an arrangement which would place the trade of the country under further disadvantage, the Dewan declares that the Sirkar is ready to abide by the decision of Government on the question at issue.

21. He has proposed that each Sirkar should give up the right of levying transit duty on the trade of the other; but as this would involve the free passage into British Cochin of Travancore produce in exchange for the abolition of a Chowkey which can have but comparatively little hold on Cochin trade, the Dewan of Cochin is not willing to entertain the protest, whilst the Dewan of Travancore does not deem it possible at present to do away with all Backwater Chowkies, a measure which in the Cochin State there would be little objection to, if it was adopted in Travancore.

22. It will be seen from what I have said, that the question to be decided lies within but small compass, though its solution is not to be arrived at by mutual concession on the part of the States of Travancore and Cochin, or without the expression of the views of Government.

23. I have then to request their instruction, as to whether the free trade alluded to in the communication noted marginally, refer as I suppose to free trade between British territory and all and every portion of Sirkar Cochin, or whether as the Dewan argues, the British Government in requesting that of Travancore to remove their transit Chowkies north of British Cochin, merely intended to facilitate trade between British Cochin and other British territory, leaving British and Sirkar Cochin trade (already free as between these two Governments) to be taxed in transit through a strip of Travancore when on route to southern Cochin, whilst they claimed special exemption only, for goods of British origin bound by this route to the Port of British Cochin.

From Government, No. 297,
dated 5th August 1846,
para. 1.

Extract from the Minutes of Consultation, dated 12th February 1847, No. 59.

Para. 4. The Resident will be pleased to take an early opportunity of explaining to His Highness the Rajah of Travancore the necessity which exists for immediately relinquishing the Chowkies established at Toorhipooram. He will point out to His Highness that while they confer no benefit on the Sirkar, they form a just source of complaint to that of Cochin, as proving an inconvenience and check to the cotton trade of the town, and interfering with the recent arrangement entered into by this Government with the Cochin Sirkar for the abolition of all frontier duties. His Highness the Rajah will therefore see the propriety of removing this interference with the measures of this Government.

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

From Major General W. CULLEN, Resident; to the Head Dewan, Peishcar, Travancore, dated 8th March 1847, No. 360.

Referring to my previous letter and suggestions that the Travancore Sirkar should at once withdraw their Custom Chowkies at Toorhipooram and Shatnaut because of their obstructing the trade via Trichoor between Cochin and the Company's Districts of Malabar and Coimbatore, &c., where all the Chowkies had long since been abolished, I have now to forward for your information and guidance Extract of the Minutes of Consultation of the

No. 59, 12th February 1847.

Most Noble the Governor in Council on these points, and which

I request may be laid before His Highness the Rajah, who, I feel

assured, will deal with the subject in a liberal spirit.

For all these duties to which the Travancore Sirkar have an undoubted right, i. e., on all produce coming down the Perriyar river, whether by the branch north of Paroor or by Verapoly &c., and for which the Chowkies in question were originally established, new Chowkies can still be formed higher up, which will be equally effectual.

From V. KRISTNO ROW, Acting Dewan; to Major General W. CULLEN, British Resident of Travancore, &c., &c., dated Travancore, 8th September 1847, No. 1462.

In acknowledging the receipt of your letter No. 590, dated the 8th March last, and the Extract therewith transmitted, from the Minutes of Consultation of the Madras Government, No. 59, under date 12th February last, I have the honor to inform you that His Highness the Rajah has been pleased, in accordance with the wishes of the Government, to direct the abolition of the Chowkey at Toorhipooram, and I have issued corresponding orders on the subject.

With a view to ensure the payment of duties to this Sirkar on goods coming down the Perriyar river by the routes referred to by you, it is the intention of the Sirkar to establish a Chowkey higher up the river, where its existence will not interfere with the free transit of articles to and from the town of Cochin, and the Districts of Malabar and Coimbatore. I therefore intend to have an eligible spot selected for that purpose in consultation with the Assistant Surveyor Mr. Armstrong, and will do myself the honor of informing you what spot may have been fixed upon.

Extract from the Minutes of Consultation, dated 5th August 1846, No. 297, para. 1.

Para. 1. As it appears from the communications recorded above, that the Cochin Government have assented to the removal of all their inland Custom Houses on the frontiers of the Malabar and Coimbatore Districts, the Most Noble the Governor in Council is pleased to direct the immediate withdrawal of the Company's Chowkies on the Cochin frontier, and request the Board of Revenue will issue the necessary instructions to the local Officers for giving effect to this arrangement. This Government highly appreciate the liberal policy of the Cochin Sirkar, and doubt not that the measure will be found mutually beneficial.

(Signed) E. P. THOMPSON,
Secretary to Government.

(True Copies.)

(Signed) W. FISHER,
Resident.

ORDER THEREON, 23rd June 1863, No. 176.

The foregoing letter has reference to the establishment, by the Travancore Government, of a Chowkey for the collection of transit duties at Pallipott, a place situated on a neck of land belonging to that Government, which intersects the territory of the Rajah of Cochin and commands the trade passing through the narrow channel south of Cranganore in the direction of British Cochin.

2. The Cochin Government have remonstrated against the establishment of this Chowkey, as an infringement of the long established right of the subjects of the Cochin Sirkar to free passage of the Backwater north of British Cochin. It has also been objected to by the Cochin Chamber of Commerce in their Chairman's letter of the 10th July last, recorded in the Proceedings of Government, under date the 22nd October last, as interfering with the trade of British Cochin.

3. The Resident considers it an infringement of the arrangement agreed to by the Travancore Government in 1847, when that Government, in compliance with the wish of the Madras Government, abolished the Chowkey at Toorthipooram, a place immediately opposite Pallipott at the head of the narrow channel before referred to. The Madras Government had a short time previously entered into an arrangement with the Cochin Government for the abolition of all frontier duties between the two States; and in the order above alluded to, the Resident was instructed to urge on the Travancore Government the relinquishment of the Chowkeys at Toorthipooram which, it was observed, while they conferred no benefit on the Travancore Sirkar, formed a just source of complaint to that of Cochin, as proving an inconvenience and a check to the cotton trade of the town.

4. The Dewan of Travancore justifies the re-establishment of the Chowkey on the following grounds:—

(a.) That the removal of the Chowkeys in 1847 was on the score of their interfering with the British trade, but that the Cochin Sirkar trade was not thereby exempted from payment of duty.

(b.) That the right to levy this duty has not been extinguished by reason of its not being exercised for a time.

(c.) That the Cochin Sirkar has conceded no advantages to that of Travancore in order to give up its rights.

(d.) That, but for this Chowkey, the Cochin trader would have advantages over the Travancore trader, inasmuch as the latter pays duty to his own Government, and again to that of Cochin before his goods reach the British Cochin market; whereas the Cochin trader would pay but one duty.

5. The Travancore Dewan has proposed that each Sirkar should give up the right of levying transit duty on the trade of the other, but to this proposal the Cochin Government is not prepared to assent.

6. The Governor in Council has no doubt that the re-establishment of the Chowkey in question is an infringement of the arrangement assented to by the Travancore Government in 1847, and the Resident will inform the Dewan to this effect. The correspondence, however, furnishes additional proof of the necessity of making such an arrangement with reference to the trade of these States as will admit of the Travancore merchants making use of their own Ports instead of, as at present, being driven to British Cochin and thereby subjected to the payment of transit duty to the Cochin Sirkar in addition to the duty payable to the British Customs Officers. These proceedings will be brought to the notice of the Government of India, with a request that they will expedite the issue of orders on the proposals submitted by this Government, under date the 20th August last.

(True Extract.)



Secretary to Government.

To the Resident of Travancore and Cochin.

„ Collector of Malabar.

„ Revenue Department.

Exd. T. McMootry.

Phil. 16 = February / 47 No. 12.
22nd Oct. 1862 - 4546

Received 1863 Oct. 16.
No. of your paper 2 July.
Proceedings of the
Grand Jurors in
the Sadler's Case.

Dated 23rd June
Received 10th July.

82-176.

John W. George
60 July 1863.

Received of John W. George
the sum of \$100.00

Accepted by
the Board of Revenue.

to the Board of Revenue. —

82-1199.

Communicated

1897-98.

Copying notes on a
small plan - the history
of the name and
location on the ground.
Some of the old buildings
are shown and
the old plan.

1899-60 July
With answers &