M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1301 Press ~~Mis.~~

300 302

Dated 15 - 7 ~~19~~ 1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 15th July 1863.

No. 300. Read the following Proceedings of the Board of Revenue, dated 8th January 1863, No. 77.

Read the following letters :—

From G. A. BALLARD, Esq., Collector of Malabar, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Calicut, 7th October 1862, No. 705.

SIR,

1. In their Proceedings dated 30th June 1862, No. 4,212, the Board called for a report on the Wynad Cardamom Farm.

Collector to Board, dated	3rd June	1858, No.	86A.
Board to Collector, dated	1st July	,, ,,	2,260.
Collector to Board, dated	17th August	,, ,,	138.
Board to Collector, dated	20th Sept.	,, ,,	3,562.
Collector to Board, dated	2nd Nov.	,, ,,	162.
Board to Collector,	dated 15th Feb.	1859, ,,	583.
Collector to Board, dated	13th May	,, ,,	109.

2. This farm has been the subject of long correspondence on previous occasions ; and a very few remarks regarding the nature of the product and its past revenue history will probably suffice.

3. Cardamoms grow spontaneously in the heavy forests where large trees have fallen or been purposely felled, and there is much decaying matter.

After the forest has been felled they can hardly be said to be cultivated, though the plants are occasionally transplanted when too thick or too thin, and the ground about seems generally to be cleared of rank weed or brushwood. Altogether, including picking, the expenses attending their production have been stated to me as about Rupees 5 per Maund of 28 lbs. or Rupees 100 per Candy.

4. Probably before British acquisition of Wynad, and certainly from our earliest rule, the produce has been looked upon as a Royalty. A share of the produce, generally half, has been allowed to the Hill Proprietors, but this share has been taken over by Government at a price fixed from time to time. The right to receive the whole produce on payment of the settled* price per Candy for the ground proprietor's share, has generally been rented out by Government.

Proceedings Board of Revenue, dated 22nd June 1820.

Letter from Principal Collector, dated 14th April 1829.

* Mr. Brown in his letter of the 1st June last greatly, though doubtless unintentionally, misrepresents matters when he speaks of the price paid by the Collector, being Rupees 300 per Candy.

This is only the price paid for the land Proprietor's share of each Candy delivered, *i. e.* the price of half not the whole Candy. There are other minor mistakes in that communication.

5. No legislative enactment has ever been passed on the subject of Cardamons. Till lately the rights claimed and enforced by the renters on the strength of their contracts with the Revenue authorities never appear to have been questioned by the landowners. The landowners never appear to have doubted the justice or the force of the provision that the Cardamoms produced on their hills, and gathered by their means, were to be sold at a stated price to the Government Contractor, and to him alone. Extensive smuggling has prevailed ; but the Revenue orders though evaded were not questioned. The general idea (whether right or wrong) has prevailed that obtaining and possessing Cardamoms otherwise than through the renter of the time was criminal, and implicated the parties as receivers of stolen property ; and this feeling has tended to make the contracts of the renters tenable and remunerative. The landowners have rather fostered this impression than been inclined to question the legality of the revenue orders, because its prevalence rendered the Cardamom crop less liable to theft which its remote and secluded situation renders it difficult to guard against. On this account principally the Jenmis have distinctly advocated the continuance of the Monopoly in preference to any other mode of raising a revenue.

See Mr. Robinson's letter, dated 3rd June 1858, No. 86A.

6. Last Fasli (1271) the farm was leased to Katiat Govinda Menon for five years at Rupees 16,000 per annum. I enclose a translate of the Hukumnama. It is to be regretted its wording is somewhat loose. If the Jenmis are the *owners* of the Cardamoms (and merely pay a half share as assessment), I confess I do not see how its first clause can be enforced. It seems to me that such an order, without a legal enactment, can be only upheld on the view I have already expressed,

Dated 16th November 1861, Enclosure 1.

that Government, not any landowner, is the owner of the product as a Royalty. Government allows the landowners a share thereof, at a price stated, as it is raised on their hills, and for their trouble in gathering and delivering it. And similarly with the other clauses. Unless Government is the owner, a revenue order though strengthened by long prescription cannot justify search and seizure with regard to Cardamoms any more than with regard to rice or cocoanuts.

That Government has exercised this power unchallenged for upwards of half a century, seems to me to establish its right.

7. An authoritative expression of opinion on this point has become absolutely necessary. Last July certain inhabitants of Tellicherry were committed to the Sessions Court as receivers of stolen property as certain Cardamoms had been found on their premises which had not reached them through the renter. The prisoners denied possession. But the Judge* in dismissing the case remarked that not only was there no proof of theft or receipt of stolen property in the case, but that no evidence was adduced to show in whom the property in Wynad Cardamoms resided, and that he was aware of no regulation which made the sale of such Cardamoms to other than the Government or its renter criminal.

* Vide Enclosures Nos. 2 and 3.

8. The Contractor complains of the effect of this decision, and contends that as the directions in the Collector's Hukumnama, on the strength of which he entered into the contract, will no longer be attended to, Government are bound to defend him or make good his loss. There is some truth in the complaint, and justice in the claim.

9. If my view as to the propriety in Malabar Cardamoms vesting in Government is correct and it is determined to continue the farm, an Order of Government seems to me all that is required. Government may assert in distinct terms its right; it may direct the Jenmis or others gathering Cardamoms to bring them to the renter; and declare that persons found in possession of Malabar Cardamoms without the renter's pass will be proceeded against for theft.

10. In this case to prevent the plea that Cardamoms discovered are not Malabar Cardamoms, it will also be necessary to provide that parties bringing Cardamoms from neighbouring Districts as Coorg, Travancore, &c., must have them covered by a pass from the local authorities.

11. If the farm is to be continued at all, provision of this sort must be made without delay, and either Government orders, or a legal enactment if deemed necessary should be passed at once or the renter will be exposed to loss (as the Cardamom crop of the year is nearly ripe) and Government be called upon for compensation.

12. I believe that Government has the rights I have described, and I have thought it proper to show plainly how it seems to me they can be maintained, but at the same time I must observe that the Cardamom rents have been and are attended with much evil and that in my opinion the sooner they are abandoned the better.

13. Unfortunately there are still four years of the current lease to run. I have spoken to the renter on the subject of giving up the lease, but he refuses to do this, unless over and above releasing him from payment, Government agree to give him compensation for his anticipated profits, which of course he estimates at a highly imaginary figure.

14. In conclusion, I request orders with the least possible delay. I should have reported much sooner had I not purposely delayed doing so with a view to meeting some of principal Hill owners and making local inquiries during my late tour in Wynad; I was obliged to leave suddenly, however, and before seeing the Hill owners, but cannot longer postpone requesting instructions.

Enclosure No. 1.

(Copy.)

Extract from the Proceedings of the Session Court of Tellicherry, dated 15*th July* 1862.

No. 30 of 1862.—7. In this case the prisoners were committed by order of the Acting Joint Magistrate for receiving the Cardamoms with guilty knowledge that they were stolen. The only evidence against them was the finding of some sacks of Cardamoms in a privy attached to the house of the first prisoner. Two of the witnesses who allege that they saw the Cardamoms being carried into the bazaar were wholly unentitled to belief. There evidence if believed would not however carry the case further.

8. The first error committed in this case was indicting prisoners found in possession of stolen goods for receiving. The possession of stolen goods is *primâ facie* evidence not of receiving but of stealing (R. V. Oddy. I Dew. C. C. 273).

9. There was not the slightest evidence that any Cardamoms had been stolen, but it was supposed that the oath of the prosecutor that these are Wynad Cardamoms, and that he is the owner of all cultivated there, supplied full proof of a *corpus delicti.*

10. The Joint Magistrate in an order addressed to the very competent Sub-Magistrate who evidently entertained great doubt upon the subject, directed a commital because it was a matter of public notoriety, that all Cardamoms produced and not purchased from the Contractor must be stolen and known by the prisoners to be so. Cardamoms are largely imported into this place from Coorg and Mangalore, so that the inference would be a rather violent one, wholly untenable in a Criminal Court.

11. No evidence whatever, however, was furnished in whom the property even in Wynad Cardamoms resides. The Contractor states that he has paid a certain sum on account of which the Collector has authorized him to purchase all the Cardamoms grown, and has forbidden the holders of the land to sell to any one else. It seems clear even on this statement that the property in these Cardamoms cannot reside in the Contractor until the money is paid; the article weighed and handed over to him. Suppose that one of the land holders under the obligation of the contract consumed some of these Cardamoms without the permission of the Contractor, it could scarcely be seriously contended that he would be guilty of theft. This view of the case becomes very material, because there is no one who entertains serious doubt as to the manner in which Wynad Cardamoms find their way to the coast. The cultivators compelled to sell to the Contractor at about one-third of the market price, and probably subjected by him to a good deal of annoyance and oppression, seize every opportunity of selling to others at a higher price. I find no Regulation which makes such conduct a criminal offence, and if such a Regulation was enacted it would scarcely, I should conceive, constitute this act a theft.

12. In this case, therefore, there existed not a *scintilla* of proof that ony property had been stolen. The utmost latitude of hypothesis could lead only to the supposition that some supposed Revenue law had been infringed; where that Revenue law exits I am unware, but for the purpose of these proceedings, I have assumed all for which the prosecution contends.

13. The prisoners were of course under my direction acquitted of the charge because no evidence whatever existed that the crime so charged had ever been committed.

* * * * *

(True Extract.)

(Signed) W. HOLLOWAY, *Session Judge.*

(True Copy.)

(Signed) G. A. BALLARD, *Collector.*

Enclosure No. 2.

(Translate.)

Hukumnama granted by P. Grant, Esq., Collector of Malabar, for the guidance of Katiat Govinda Menon, Renter of Cardamom in Wynad, Chirakel, Kottiam, Kurumberanad, Calicut, and Ernad Talooks, for five years from 1st July 1861 to 30th June 1866. You are required to pay as directed the price of Cardamom to the inhabitants, as well as the Sea Custom duty, and the Government dues on account of rent at 16,000 Rupees per annum, or 80,000 Rupees for five years, on the following conditions confirmed by the Board of Revenue:—

1st. The owners of the Cardamom produced in each Talook shall not sell it to any one else, but deliver it either themselves or through their people at the place or places appointed by you

within the limits of each Talook. The Wynad Cardamom shall be received at Korote until further orders.

2nd. A price of 300 Rupees per Candy of 560 lbs. or 20 Maunds of 28 lbs. each, shall be paid for the Cardamom to the owners thereof, without reference to its quality, and the payment must be made in Government current coins before the Talook officials as soon as the Cardamom is weighed and received.

3rd. The purchase by any one else of the Cardamom in the above said Talooks within the period stipulated above, is strictly forbidden.

4th. Should any one carry on any fraudulent dealings in Cardamom with the cultivators of the same, such Cardamom can be seized by you, and the required assistance will be afforded you by the Police or Revenue Officers on your producing this document. On the receipt of correct information that smuggled Cardamom is secured in the house of any individual, it is necessary, in order to prevent its clandestine removal, to keep watchers and report the matter to the neighbouring Government authorities in view to search being instituted, and except in conjunction with them neither the renter nor his people, of their own accord, are authorized to enter into any houses, &c., and make a search.

5th. When smuggled Cardamom is seized and proved to have been actually smuggled, it can be taken by you, but you shall pay according to the order of the Collector, the village price of such Cardamom to those by whose efforts and endeavours it was caught, whether they be private individuals or Government servants. When it is proved that such Cardamom was stolen by any individual without the knowledge of the owner, the price thereof according to the prescribed rate must be paid to the owner.

6th. If stolen Cardamom be detected by parties other than the owner or renter, they shall as the Circar may direct receive a reward equal to one-half of the owner's right and one-half of the renter's right, and the remainder one-half of the owner's right, must be paid to him.

7th. You shall pay the annual rent Rupees 16,000 by two instalments in each year, viz., on the 25th April and 25th May, and obtain receipts for the same, and in the event of any default in the payment of the rent, the deposit money shall be carried to account, and you will under the provisions of your Kaichit, be liable to replace the deposit money. An interest of one per cent per mensem shall be paid by you on all arrears from the date of their becoming due. You shall pay the Customs duty on the exportation of Cardamom to foreign ports according to the existing Tariff. You should be prepared to undergo the punishment and pay the fines which the Circar may deem proper to award, according to the merits of the case, for any infringement of the terms of this agreement.

Dated 16th November 1861.

(Signed) P. GRANT, *Collector.*

(True Translation.)

(Signed) G. A. BALLARD, *Collector.*

ENCLOSURE No. 3.

(Copy.)

Case No. 30 *of* 1862 *on the Calendar of the Session Court of Tellicherry.*

REGINA,

versus

1. Abdool Rahiman Joonoos.
2. Joonoos.
3. Jaffer Joonoos.
4. Issa Joonoos.
5. Amir.

Charged.

That the prisoners on or about the 22nd May 1862, dishonestly received or retained Wynad Cardamom of the value of about Rupees 318-7-0 then being stolen property, knowing or having

reason to believe the same to be stolen property, and that they have thereby committed an offence punishable under Section 411 of the Indian Penal Code, and within the cognizance of the Court of Session of Tellicherry.

Finding and Sentence.

The Court in concurrence with the Assessors, finds that the prisoners (1) Abdool Rahiman Joonoos; (2), Joonoos, (3), Jaffer Joonoos; (4), Issa Joonoos; and (5), Amir, are not guilty of the offence specified in the charge, viz., that they have committed the offence of dishonestly receiving or retaining stolen property knowing or having reason to believe the same to be stolen property, and that they have thereby committed an offence punishable under Section 411 of the Indian Penal Code, and the Court directs that the said prisoners (1), Abdool Rahiman Joonoos; (2), Joonoos; (3), Jaffer Joonoos; (4), Issa Joonoos; and (5), Amir, be discharged.

7th July 1862. (Signed) W. HOLLOWAY, *Session Judge.*

(True Copy.)

(Signed) W. HOLLOWAY, *Session Judge.*

To the Magistrate of Malabar, with reference to his letter dated 12th July 1862.

(True Copy.)

(Signed) G. A. BALLARD, *Collector.*

From G. A. BALLARD, Esq, Collector of Malabar, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Calicut, 13th December 1862, No. 248.

SIR,

1. Repeated complaints are received from the Cardamom renter of the confusion prevailing with regard to his farm, and the urgent call for the issue of definite orders on the subject.

2. The renter has now presented a Petition to the effect that a European Coffee Planter has purchased from the native landlord two Cardamom hills in Wynad; and that the purchaser refuses to account to him (the renter) for the Cardamoms stating that they will be disposed of to the best advantage elsewhere.

3. I beg therefore early instructions on my letter dated 7th October 1862, No. 205. The case is an urgent one.

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1. Ordered that the above papers be submitted to Government, with reference to their Order dated 27th June 1862, No. 1,412, Revenue Department, calling for a report on the Malabar Cardamom Farm.

From Malabar dated 3rd June 1858.
To " " 1st July " No. 3,260.
From " " 17th Aug. "
To " " 20th Sept. " " 3,562.
From " " 2nd Nov. "
To " " 15th Feb. 1859, " 583.
From " " 13th May "
See Report of the Joint Commission from Bengal and Bombay on the Province of Malabar, paragraphs 10—15.
Also Board to Government, dated 24th July 1820, submitting certain correspondence.
Board's Proceedings dated 20th December 1830, on the Settlement of Malabar for Fasli 1237, paragraphs 52 and 53.

The correspondence noted in the margin of which copies are annexed, affords full information on the subject in connection with the present letters.

2. The fact that a right to the Cardamoms produced in the Malabar jungles has from time immemorial been claimed as a Royalty by the Sovereign power in Malabar, and allowed by the landholders does not admit of question. The practice of allowing one-half of the produce or its value to the owners of the forests in which the spice is found, is also of every old origin.

3. The British Government succeeded to this Royalty, and the system of purchasing back from the Jenmikar the share allowed him in the produce at a fixed price was probably found by them in existence when they assumed the country, and has certainly been in force from 1805 down to the present time.

The plan of farming out this branch of the revenue is also apparently of earlier origin than the British Government of the Province.

4. The price paid by Government to the Jenmikar for his half share has ranged between Rupees 510 and Rupees 350 per Candy for the first quality, and from Rupees 575 to Rupees 282 for "unassorted." The present price is Rupees 300 per Candy for "unassorted." Considering that the Jenmikar has no expenses whatever in connection with this income, the half share allowed

him in the value of the undressed article on the spot where it is produced, has been repeatedly affirmed by those competent to form a sound judgment on the matter, to be a very liberal recognition of his rights in the land.

From	To	Rupees per annum.
1827	1831...	... 27,587
1832	1836...	... 19,860
1837	1841...	... 27,099
1842	1846...	... 6,505
1847	1851...	... 13,005
1852	1856..	... 18,775
1857	1858...	... 32,200

5. The annual average net revenue derived by Government from the farm is shown in the margin.

In September 1858 the Board sanctioned an annual remission of Rupees 1,000 from the rent for the remainder of the current lease.

In November 1861 the farm was taken for five years at Rupees 16,000 per annum by the present renter.

6. There can be no doubt that the value of the farm has been sensibly affected by the extensive clearings for Coffee, and by the objections the Coffee planters entertain to the culture of the shrub in the vicinity of their plantations, as it affords to idle people a pretence for prowling about the gardens, and leads to much pilfering of the Coffee crop.

7. The Board do not believe that the rights of Government in this branch of revenue could be successfully resisted, nor are they prepared to admit that it is open to such sweeping condemnation as has been expressed against it; but an opportunity of trying the question of the rights of Government and of the Revenue farmer now offers in the case of the Coffee planter referred to in the Collector's letter of 13th December 1862, should Government see fit to pursue such a course.

The land on which the Cardamoms are spontaneously produced is often the property of private individuals, subject to the seignoral rights of Government. In some cases the forests belong to Government as escheats.

The produce is gathered by the jungle tribes, but these tribes do not thereby acquire any property in it.

It would seem from Mr. Ballard's letter that the cost to the renter of the farm, of the spice when gathered is per Candy ... Rupees 100 Actual expenses of gathering.
300 Value of Jenmikar's half share.
400

in addition to the rent payable to Government.

8. The proprietors of the land are well satisfied with the existing system. They do not dispute that it is in accordance with immemorial custom, or the just claims of Government, while it secures to them a fair income from their forest land without risk or trouble. The actual gatherers of the spice probably receive as wages of labor as much as they would obtain under any change of system that would afford a fair income to the Jenmikar from his land, and secure an equal revenue to Government.

9. The Board are not however disposed to advocate the retention of the farm, though they can suggest no other practicable mode of collecting the Government share in this particular produce. The Jenmikars object to the payment of a quit-rent as a substitute for the present Royalty even though the Government should give up all other claims, as they know that they would have great difficulty in realizing their present income under a change of system. A revenue charge on unoccupied land in Malabar is opposed to the whole principle of land tenure in that province, and the Board would much regret to see this principle violated.

10. They are also of opinion that to prevent further disputes as to the rights of Government, it would be necessary to resort to a Legislative enactment; a measure which the Board are hardly prepared to recommend, considering that the present system fosters habits of lawlessness, and probably tends to destroy the very source from which the revenue is collected.

Its abolition would be in accordance with the spirit of the age, and a fit complement of the relinquishment of the Tobacco Monopoly, which was for so long a source of immense evil in the District. The consequent loss of revenue would be small in any case; and if the abolition of the farm induced the developement of so valuable a branch of trade, and checked smuggling with all its attendant evils, it would be really a gain and no loss.

11. It could not be termed an injustice to the Jenmikars to relinquish to them the Royalty hitherto reserved for Government, and they would doubtless soon find means to derive a fair profit from this portion of their property.

12. The only difficulty in the way of an immediate abolition of the Government farm would seem to be the existence of the lease, which has yet some four years to run. But it is evident that the renter cannot maintain his rights under the lease without tedious and expensive litigation, and that with this prospect before him, he will best consult his interests by consenting to give up the lease at once.

13. The Board therefore would recommend that the Collector be authorized to negotiate with the renter for the cancelment of the lease, and that the farm thereupon be abolished, the Royalty hitherto reserved by Government being relinquished to the Jenmikars in the proprietary estates.

No. 301. Read the following Proceedings of the Board of Revenue, dated 30th June 1863.

Read the following letter from G. A. BALLARD, Esq., Collector of Malabar, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Calicut, 22nd June 1863, No. 118.

SIR,

1. Adverting to the enclosed* Petition and its Endorsement,† I have the honor to report that I have directed that no attachment take place pending further orders, provided Petitioner deposits good security.

2. The Cardamom question was reported on to the Board as noted, and I am not aware that I need add any thing further on the present occasion.

* From Katiat Govinda Menon, dated 11th June 1863,

† Dated 18th June 1863.

7th October 1862, No. 705.

Resolved that the foregoing letter together with the Petition to which it alludes, be submitted to Government, with reference to the Board's Proceedings, dated 8th January 1863. The Board would solicit the early orders of Government on this matter.

No. 302. ORDER THEREON, 15th July 1863, No. 1,301.

1. These papers relate to the Cardamom Monopoly of Malabar regarding which the Government last year received two communications from Mr. F. C. Brown of Anjeracandy in that District.

2. The Monopoly is one of the most ancient Royalties of the Malabar sovereigns, and as such has been continued since the acquisition of the country by the British Government.

3. Now, as for many years past, the Government rent out to the highest bidder the exclusive privilege of purchasing the spice. The Jenmakars or owners of the forests in which it grows are entitled to half the produce for which the renter pays the price fixed by the authorities before the privilege is sold. The present rate is Rupees 600 per Candy of 5 Cwt. "unassorted." The privilege is now rented out for five years (of which four have yet to run) for Rupees 16,000 annually. Cardamoms when exported to foreign ports are subject to a duty of 3 per cent. on a Tariff valuation of Rupees 25 per cwt.

4. The Cardamom plant grows in the deepest forests, and is in fact a spontaneous rather than a cultivated product, and neither its collection nor production are compulsory. The Government claim as a Royalty half the produce, and the "Monopoly" consists in the compulsory sale to them of the proprietors' moiety at a price fixed by them.

5. The price at present paid is, as already stated, equivalent to Rupees 600 per Candy of 560 lbs, *i. e.*, the proprietor gets 300 Rupees as the value of the moiety of each Candy which is his share.

6. The Native proprietors raise no objection to the system, which indeed they regard as the best mode of securing their share to them.

7. There can be very little doubt that the Civil Courts would uphold Government in the enjoyment of this ancient and well known Royalty, but without a legislative enactment, such as protects the Salt Monopoly, the remedy would probably be by Civil action in the many cases where the Cardamom grows on lands not belonging in proprietary right to the State.

8. The question for decision is, whether the Monopoly shall thus be protected and continued. The annual proceeds of the present rent are Rupees 16,000 per annum, but the value of the privilege is annually decreasing owing to the extensive clearances for Coffee, and the objection, natural enough, of the planters to the entry of persons on their land nominally to collect Cardamom, but often really to plunder their plantations. There is the further objection to the Monopoly that it naturally tends to restrict the cultivation of the Cardamom, for it cannot be expected that people should go to the expense of cultivating a product of which they are not allowed to make the most in the market. And as to the spontaneous growth, it fosters improvidence and waste, the obvious tendency being to induce the collection of as much as can be gathered without consideration for the future. The Board have good grounds for advocating the abolition of the Monopoly. The enhanced value which will be given to land, and the increased production and export which may be expected when the sale of the spice is free may fairly be expected to compensate in a considerable degree the present loss of revenue, which revenue, it must be borne in mind, is yearly decreasing in value, and will every year be more difficult to collect as Coffee estates extend.

9. The only difficulty as the Board remark is the existence of the present lease. The renter took it with a full knowledge of the difficulties attendant on it, and there can be little doubt that when he finds that he can only maintain his rights by tedious and expensive litigation and that Government will not resort to penal legislation for his benefit, he will come to reasonable terms. The Board will instruct the Collector to negotiate with him for the annulment of his lease.

(Signed) J. D. SIM,
Secretary to Government.

APPENDIX.

From W. ROBINSON, Esq., Acting Collector of Malabar, to G. S. FORBES, Esq., Secretary to the Board of Revenue, dated Calicut, 3rd June 1858, No. 86A.

1. I have the honor herewith to submit translate of a Petition by the Renters of the Cardamom farm of Wynad, pointing out that they are unable to meet their liabilities from causes beyond their control and praying relief.

2. The Cardamom farm is one of the most ancient royalties in Wynad. Under former Hindoo Princes a chunkan or duty was levied on all Cardamom passing down the Ghaut Passes, which eventually amounted to about one-half of the quantity of Cardamom so transported, it perhaps even passed into the exclusive right of purchase. This Revenue was let to Mopla traders who advanced large sums on it to the Rajah and managed the collection.

3. The nature of the early management is not now precisely known. But on the acquisition of the District and Wynad in 1799 this source of Revenue was secured, and a Monopoly of purchase was clearly established. The exclusive privilege of purchasing Cardamom produced in Wynad from the Ryots and Jenmies, has been secured to the Government nominee, and this farm has been put up to public outcry and knocked down to the highest bidder for many years.

4. The growers are bound to sell all to the farmer at the rate of Rupees 30 per Maund of 28 lbs., the value of which in the market amounts to Rupees 37½.

5. The Cardamom is grown in the deep forests that clothe the sides of the Western Ghaut ranges towards Wynad. Having been a close and inaccessible country, there had been no real difficulty in maintaining the privilege, though unaided and unprotected by any legislative provision. The forests, &c., are all private property, and legally speaking it is optional with the owners to employ their forest lands as they please. The cultivation of the Cardamom is not imperative.

6. The Board is well aware that the condition of Wynad has been altering most rapidly during the last 10 years. The Coffee fellings have cut deeply into the old Cardamom forests, which of course, once they are opened, no longer produce this valuable spice. The number of estates open had led to the hill tribes, who formerly engaged in this culture, taking service with European gentlemen or becoming contractors for felling the forest. Neighbourhoods which were once quiet and capable of being watched by the Contractors' people now swarm with coolies, Contractors, Mopla Merchants, &c., each of whom can get away well a packet full of this valuable and not bulky spice. Lastly, European gentlemen into whose hands much of the forest land has passed, discourage all cultivation of the Cardamom on their lands, with a view of depriving the Kardurs and Contractors' people of an excuse for wandering about near these estates, at the season the Coffee crops are ripe.

7. There is consequently much reason (I have taken care to ascertain the fact from personal inspection) in the allegation of the Contractor that it is impossible to carry on the farm save at a great loss. I would, therefore, recommend that the contract* be cancelled. It cannot be desirable to bring ruin on a company of really enterprizing and respectable men. But this must be done on the distinct understanding that this arrangement shall be in full of every and all claim. The farm was a mercantile speculation and has proved a losing one; it might be kept on to the ruination of the farmers, and the consideration should suffice.

Rupees 16,100 per mensem.

* For Rupees 80,500 for 5 years, of which 3 years have yet to run.

8. If this be done the whole matter should be placed on a proper footing, and I am much at a loss to recommend a system likely to succeed. In the margin is given the annual Revenue derived from this source for the last 32 years, so large a sum cannot be abandoned altogether. But if the same farm be put up again, it will realize but a small and, I fear, annually decreasing rate.

			Rupees.
Average of	5	years 1827 to 1831...	27,987
Do.	of 5	do. 1832 to 1836..	19,860
Do.	of 5	do. 1837 to 1841..	27,099
Do.	of 5	do. 1842 to 1846..	6,505
Do.	of 5	do. 1847 to 1851..	13,005
Do.	of 5	do. 1852 to 1856..	18,775
Do.	of 2	do. 1857 & 1858..	32,200

9. The present arrangement as a fiscal system is a very vicious one. The Cardamom of Wynad, the finest in the world, is a very valuable product, but the present system encourages unnecessary destruction of the woods yielding it. Many European Coffee planters would preserve Cardamom sholahs if they could derive the profit and escape the interference of the farmer. In short were Wynad relieved in this respect, I doubt not that a large increase of Cardamom export would be the fruit of the more liberal administration. But then how to collect a Revenue in any degree approaching what has been (but never will again be) realized. This I am at a loss to devise, even after the most careful consideration of the subject.

10. A quit-rent in Cardamom hill would perhaps be the best and safest, but the consent of the people would be required. The Revenue would be small.

11. Probably the proper time for considering the matter will be after the Board have decided whether it be desirable to relieve the Renters and entertain the matter now or not.

(Signed) W. ROBINSON,
Acting Collector.

To W. ROBINSON, Esq., Collector of Malabar.

The representation of Kateyat Govind, Avurkka Moolunda Agutha Comhy, Karay Bappoo and Kuroovathil Coonda Menon, Renters of the Cardamom Farm.

In consequence of the European and other planters having cleared off the jungles on the Cardamom hills in the Wynad Taluk for the purpose of cultivating Coffee, the Cardamom spots have been interfered with to the disadvantage of the farm. We repeatedly brought this circumstance to your notice, begging that the encroachments of the Coffee planters may be prevented at least until the expiration of the lease. On the 28th May 1857, you passed a final order that as the proprietors of land are cultivating Coffee for their own benefit they cannot, in order to serve the interests of Government, be prevented from so doing. Whilst we admit the justice of your order, we cannot but state that unless Government pay our losses in the farm we have no other means to recover them. We beg to observe that such losses had formerly been paid to the Renters by Government.

On the 16th May 1858, we urged this point on your consideration when you recorded the order No. 1,445, that we might submit an application in detail in order that it may be laid before the higher authority. We beg, therefore, to submit this application accordingly.

In consequence of the Coffee plantation, we have not been able to reap a full crop of Cardamom, hence we had to borrow a part of the amount of Rupees 31½ Qr. 3 As. 5½, which we had to pay to the Circar for the last Fasli in order to discharge it. One Kist for this year, viz., Rupees 8,150, was likewise paid by borrowing a part of the sum; we have not now the means of paying another Kist.

Thus our losses are gradually on the increase. If the Government would not therefore pay them in one sum to be fixed by taking average for five years, or pay the loss as it occurs every year, we who have leased the farm for five years will be subjected to heavy losses, an assertion both true and reasonable as is known to yourself.

The profit arising out of the Coffee plantation is considerable. If at any time Government should receive only a portion of it as Revenue, or otherwise they shall come by a sum larger than that obtained out of this Cardamom farm; but as regards our loss we see no means of recovering it other than that stated above.

When the farm was sold at auction, we never anticipated the present loss. Our boldness in renting it naturally rested on the belief that Government would put down acts tending to operate against any farm for which we have to pay money.

Though the Cardamom produce is fluctuating, still when we consider that the plantation of Coffee is thriving, the truth of our assertion that Cardamom produce will gradually be on the decline, is apparent.

It cannot now be determined as to the extent it will fall off yearly, and it is difficult for the Government to make good the loss yearly by inspecting and estimating it periodically. If it be resolved that the damage is to be nearly made good, leaving us to bear the profit and loss, the average for five years may be estimated at 30,000 Rupees. If this sum be remitted, we shall not have to complain of the above loss, but we will continue to hold the farm and pay the rent.

If the Government should be of opinion that the said sum is a considerable one, and by a re-sale of the farm it may not be so great, we shall be satisfied if our loss be estimated and paid to us in the regular manner, and the farm re-sold and placed in other hands.

At any rate, if no remedial measures are taken towards our loss, we beg to state our inability to hold the lease and pay the rent. We therefore pray that these circumstances, so well known to yourself, may be laid before the higher authority and our grievance redressed.

Signature of GOVINNA MENON.
Do. COONHY.
Do. BAPPOO.
Do. COONDAH MENON.

(True Translation.)

(Signed) W. ROBINSON, Acting Collector.

No. 2,260.

Extract from the Proceedings of the Board of Revenue, dated 1st July 1858.

In Con. 1st July 1858. Read letter from the Acting Collector of Malabar, dated 3rd June 1858.

(Here enter No. 86.)

1. The Acting Collector will report what amount of remission he thinks called for under the circumstances. It will probably be necessary to abandon the old Monopoly which bound the cultivator to dispose of his Cardamom crop only to the Government farmer, and to adopt a system which shall secure the Government revenue from this valuable spice, and at the same time encourage its cultivation which now threatens to disappear.

2. The Board wish to know whether a moderate quit-rent upon Cardamom hills could be substituted with the consent of the proprietors for the indirect tax which they now pay in the limitation which the Monopoly imposes on the price of their produce. The subject requires early attention.

(A true Extract.)

(Signed) G. S. FORBES, Secretary.

To P. Grant, Esq., Acting Collector of Malabar.

From P. GRANT, Esq., Acting Collector of Malabar, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Calicut, 17th August 1858, No. 138.

1. In reply to Extract from the Proceedings of the Board of Revenue, dated 1st July 1858, I beg to say that I have given the subject of the Cardamom Monopoly my best consideration. On receipt of the above communication, I at once sent for the Wynad Jenm landholders of those portions of the jungles which abound in the Cardamom, and explained to them the Board's suggestion, that they should hold their own jungles on payment of a certain quit-rent, for the right of collecting and selling the Cardamoms when and where they chose without any restriction as to price.

2. About fifteen Jenm holders came before me, some of them reside constantly in Wynad and have in former years been partners in the Monopoly rents; others reside for a few months in Wynad and the rest of the year in the low country, but they are intimately acquainted with the state of the Cardamom trade, and receive their Jenm Share from those who collect the produce for the Government renters. All these Jenm landholders refused to have any thing to say to the proposed offer, their reasons are:—1st. It is only from the fact of the Cardamom trade being a Government Monopoly that the renter is enabled to make anything of it, no one dare sell the produce or have it in his possession unless he is an authorized Agent of the Renter, or one of his subordinates invested with the authority of Government, which all acknowledge and know that it will be exercised to its full extent towards those who are caught transgressing. 2nd. The Cardamoms as you are aware are to be found in some of the densest jungles on the slopes of the hills, and the gathering of them has been carried on by the tribes who live and have lived among them, and to whom alone the real localities where the produce grows, are well known; for a long time, these people were entirely in the hands of the principal people living in Wynad, but for some time, and especially within the last 10 years, since the influx of European Coffee planters, they have become more independent, and have found out that more money is to be made by selling Cardamoms surreptitiously, or by working on the Coffee estates for daily pay.

3. These jungle people up to a recent period looked on themselves as the slaves of the Jenmies, and considered it their duty to be in every way subservient to them; this feeling has in a great measure died away, and was made matter of great complaint by some of the Jenmies in my presence.

4. Thus it is evident that the Jenmee landholders have not the means at their disposal to collect the Cardamoms in the manner which has hitherto been exercised, indeed except through a paid Agency I do not see how they could engage in the trade, and the only people who could be employed by them profitably to collect the produce, are the inhabitants of the jungles who thoroughly distrust them and will not work for doubtful paymasters, especially when they can steal the Cardamoms and sell it on their own account without any one having a right to question their possession of it.

5. The trade as at present carried on is maintained solely by the Government Monopoly rules, which, as long as they are in force, ensure the Jenmies a certain amount of the landlord's share, with little trouble on their part, but which would be very doubtful if the Monopoly was done away with.

6. Several of the Jenmies gave it as their opinion that the value of the Cardamoms annually gathered is pretty much the same that it was many years ago, but that instead of being brought to the Renter it has been carried to other markets. It is a valuable commodity and as easily conveyed out of the country without much chance of detection.

7. That there is much reason in the arguments advanced by the Jenmies, it is I think to be admitted, and to a certain extent they hold good in the case of the Renters, who complained so loudly to my predecessor, by whom their case was fully entered into in his letter to the Board dated 3rd June 1858, No. 86 A.

8. Mr. Robinson admitted the justice of their complaint, and recommended that they should be allowed to throw up their rent at the end of the second year on payment of the full demand up to the end of that period, and that the rents should be put up to auction again for the remaining three years of the original period which had still to run.

9. The Renters are willing enough to foreclose at the end of the second year, if their losses* are made good, otherwise they prefer to hold on, on the chance of making up in one season for the deficiencies of another. They plead strongly in favor of some permanent remission, and say that without this they will be great losers whether they now give up the rent or carry it on to the end of the five years.

* Said to be Rupees 30,000.

10. Under the full conviction that the renters have been great losers, although the loss can be known to them alone, I beg to recommend that Rupees 5,000 be deducted from the gross* amount of their rent; this is at the rate of Rupees 1,000 per annum, and virtually reduces the present annual rent to Rupees 15,100.

* Rupees 80,500.

11. The sum is large, but not more so I think than ought to be granted.

12. If the present renters were to be ousted, it is doubtful what the Monopoly would fetch if put up to outcry. Parties would bid because it is looked on among the natives as giving a certain position to the Cardamom renter. It is evident that the trade as far as the Monopoly is concerned is a failing one, and that the future renters, if they agreed to a high rent, would be thrown into difficulties, and look to Government for consideration.

13. I beg the Board's early instructions on the subject; the Cardamom gathering season commences in October, and only lasts a month or six weeks.

14. An earlier reply should have been transmitted, but it took time to get the Wynad Jenmies together, and without personal communication with them I was unwilling to write.

No. 3,562.

Extract from the Proceedings of the Board of Revenue, dated 20th September 1858.

In Cons. 20th Sept. 1858. Read letter from the Acting Collector of Malabar, dated 17th August 1858.

(Here enter No. 138.)

1. The Board authorize the Acting Collector to make the renters of the Cardamom Monopoly a remission of Rupees 1,000 per annum. There can be little question that their losses have been heavy though of course the amount cannot be accurately ascertained by the Officers of Government.

2. The Board, however, feel the necessity of placing this branch of revenue, if possible, on a better footing hereafter.

3. The system is a strict Monopoly, the growers being bound to sell all their produce to the Government renters at a price below the market rate, the difference between these constituting the source of profit rented out. There is thus every inducement to evade the renters' privileges, and it was Mr. Robinson's opinion that the preservation and extension of Cardamom plantations were discouraged by the system.

4. The Jenmies of Wynad are unwilling to pay a quit-rent on their forests in lieu of being subjected to the effects of the Monopoly. Independent of this, however, the levy of a quit-rent would be attended with difficulties in regard to Government: for instance, some kind of a survey would manifestly be necessary, and Government might unwillingly be giving a color to doubtful Jenm claims. There might also be embarrassment hereafter when quit-rent is levied on Coffee and other lands.

5. The collection of a revenue by means of an enhanced export duty seems also out of the question. Cardamoms are now liable to a duty of three per cent on their tariff values, but the export according to the trade Statement of 1856-57 seems to be almost entirely to Bombay, and thus little revenue is derived from this source in this Presidency. The dutiable exports were about 3,000 lbs. and the duty about 100 Rupees; while the exports to Bombay alone exceeded two lacs of pounds. The Board think it would be desirable for the Acting Collector to ascertain from the Bombay authorities what becomes of these large imports, and what duty is annually realized there.

Cardamom seed, per Candy	Rs. 120
„ with shell, per maund	„ 20

6 The Board also desire him to endeavour to discover why the Cardamom trade is almost exclusively with Bombay, while Pepper and other Spices are very largely exported direct to Foreign Ports; although, in this case also, the exports to Bombay are largest. They also wish

him to explain how infractions of the renters' privileges are dealt with when detected, and whether the claims of the Jenmies are met by the renters out of their profits, or by the sellers out of the price they receive from the renters and when, and by whom the present rates were fixed. It should be explained also whether the renters' selling prices are regulated by authority, and whether any periodical revision is effected.

(A true Extract.)

(Signed) J. D. SIM, Secretary.

To P. Grant, Esq., Acting Collector of Malabar.

From P. GRANT, Esq., Collector of Coimbatore, to J. D. SIM, Esq., Secretary to the Board of Revenue, dated Calicut, 2nd November 1858, No. 162.

Dated 11th October 1858.

1. In reply to Extract Proceedings Board of Revenue, dated 20th September 1858, I have the honor to enclose copy of a letter and its enclosure received from Commissioner of Customs, Salt and Opium in answer to one of mine addressed to him, asking for information as to the re-export from Bombay of the large quantities of Cardamom exported to that Port from Malabar.

2. From the reply of the Commissioner it appears, that the trade of Bombay has of late increased to such an extent that much of the trade from minor Ports in this country to Foreign Ports, and *vice versa*, has been directed to Bombay.

3. In the case of the Cardamom trade, however, I believe that there is a very intimate connection between the Bombay merchants and those in Malabar.

4. The average annual duty realized on Cardamom at Bombay appears to be Rupees 4,338. Last year Rupees 7,855 were collected, but a considerable portion of this amount must be set aside as duty on Cardamom from Coorg, Canara, Mysore, Cochin, and Travancore. Of course the Cardamom for the supply of British India is not taken into account, but it must be large.

5. Infraction of the Renters' privileges is dealt with by confiscation of the smuggled goods, this has been the practice from time immemorial.

6. The claims of the Jenmies are met by the renters in accordance with a rate agreed upon previous to the plantations being farmed out to them. The accompanying Statement shows those rates, they were fixed by Mr. Clarke in 1856.

7. The selling prices at which the renters dispose of the Cardamoms are not interfered with.

ENCLOSURE No. 1.

From RICHARD SPOONER, Esq., Commissioner of Customs, Salt and Opium, to P. GRANT, Esq., Acting Collector of Malabar, dated Bombay, 11th October 1858, No. 1,737.

1. With reference to your letter, No. 2,768, dated the 28th ultimo, I have the honor to forward herewith a Statement showing the quantity and amount of duty levied on Cardamoms, Pepper and other Spices imported into, and exported from, this Port during the last three years, viz., from 1855-56 and 1857-58.

2. In the above Statement the Exports for the consumption in the Honorable Company's territories are not included, and to this circumstance is attributable the difference between the quantity imported and that re-exported to Foreign Ports.

3. I beg also to append a List of the Foreign Ports to which the above articles are re-exported from this port.

4. In reply to your query why the Cardamom trade should be almost exclusively carried on with Bombay, I would beg to state, that this is probably owing to the trade of Bombay having lately much increased and swallowed up the Foreign trade which formerly existed between certain small Ports belonging to the British and certain Foreign Ports; and hence, therefore, Foreign articles required at the petty British Ports, instead of being obtained direct from Foreign Ports, are obtained from Bombay, and *vice versa*.

STATEMENT showing the quantity and amount of duty levied on the following Articles, imported into Bombay from Malabar, and exported from Bombay to Foreign Ports, during the last three years, viz., 1855-56 and 1857-58.

	Import.			Export.			Duty at Rupees 3 per cent.		
	1855-56.	1856-57.	1857-58.	1855-56.	1856-57.	1857-58.	1855-56.	1856-57.	1857-58.
1	2			3			4		
	lbs.	lbs.	lbs.	lbs.	lbs.	lbs.	Rs.	Rs.	Rs.
Cardamoms.	2,30,494	2,98,840	4,42,859	1,01,908	37,973	2,29,571	3,544	1,617	7,855
Pepper ...	90,65,469	54,01,068	66,40,537	51,44,758	20,42,871	27,25,196	16,521	6,635	10,372
Other Spices	29,04,109	13,96,995	7,70,546	4,35,375	5,64,201	8,29,681	862	1,131	1,275

(Signed) R. SPOONER,
Commissioner of Customs, Salt and Opium.

BOMBAY OFFICE OF COMMISSIONER OF CUSTOMS, SALT AND OPIUM, 11th October 1858.

Accompaniment to the Commissioner's letter, No. 1,737, dated 11th October 1858.

List of the Foreign Ports to which Cardamoms, Pepper, and other Species are re-exported from Bombay.

Great Britain.	France.	Sonmeanee.
Aden.	Genoa.	Suez.
Africa, Coast of	Gibraltar.	Trieste.
America, North.	Lisbon.	Malabar, Foreign.
Amsterdam.	Hamburg.	Cutch.
Antwerp.	Mauritius.	Goa, Demaun and Dieu.
Arabian Gulf.	Penang and Singapoor.	Concan, Foreign.
Ceylon.	Persian Gulf.	Guzerat do.

Bombay Office of Commissioner of Customs, Salt and Opium, 11th October 1858.

(Signed) R. SPOONER,
Commissioner of Customs, Salt and Opium.

(True Copy.)

(Signed) P. GRANT, Collector.

Accompaniment to the Commissioner's letter, No. 1,737, dated 11th October 1858.

ENCLOSURE 2.

LIST of rates agreed upon to be paid to the Jenmies of Cardamom Plantation in Malabar, in the several years hereunder specified.

Years in which the rates were fixed.	Cardamom Sort.	Rates of payment to Jenmy per Candy. Rs. A. P.
From 1805 to 1807... ...	First... ...	510 0 0
Do.	Second... ...	450 0 0
1808.	Unassorted... ...	575 0 0
1809 to 1811. ...		450 0 0
1812.		350 0 0
1813. ...	First.	350 0 0
	Second. ...	300 0 0
	Third.	250 0 0
1814 to 1817.	Unassorted. ...	400 0 0
1818.	First.	400 0 0
	Second. ...	350 0 0
	Third.	175 0 0
	Black... ...	125 0 0
1819.	Unassorted. ...	300 0 0
1820.	Black ...	125 0 0
	Unassorted. ...	282 8 0
1821 to 1828.	Black. ...	145 0 0
1829 to 1838. ...	Unassorted. ...	300 0 0
1839 to 1855		350 0 0
1856 to 1858. ...		300 0 0
		337 8 0

(Signed) P. GRANT, Acting Collector.

REVENUE DEPARTMENT.

No. 583.

Proceedings of the Board of Revenue, dated 15th February 1859.

Read letter from the Acting Collector of Malabar, dated 2nd November 1858, No. 162.

(In Cons. 15th February 1859, No. 5,452.)

The Acting Collector's opinion is requested as to whether the existence of the Monopoly leads to the destruction of the Cardamom plantations in any material degree.

(A true Extract.)

(Signed) J. D. SIM,
Secretary.

From P. GRANT, Esq., Collector of Malabar, dated Calicut, 13th May 1859, No. 109.

1. In your Proceedings, No. 583, dated February 15th, 1859, I am called on to state my opinion as to whether the existence of the Monopoly leads to the destruction of the Cardamon plantations.

2. Indirectly it does to a very great degree. When in Wynad in February, I made many inquiries on the subject in different parts of the Taluk and of various parties. The present Acting Tahsildar, who has been in that part of the country for years, and who knows every hill and its circumstances, drew up the enclosed list of Cardamon jungles, which have been taken up by Coffee planters, within the last few years; some of them are under Coffee and others are more or less cleared of jungle and ready for the plants.

3. The Coffee planter having no interest in the Monopoly discourages the Cardamon, as the jungle people, on the plea that they are looking out for Cardamom, enter the Coffee plantations and steal the produce.

4. There is little doubt that many planters would preserve the Cardamoms were they entitled to the spice grown on their own lands. It is a valuable ariticle and fetches a ready sale both in Wynad and on the Coast.

5. Unfortunately for the Cardamom jungles they are the best suited for Coffee plants. Dense jungles abounding in rich vegetable mould, the accumulation of thousands of years, are eagerly sought out by the European settler.

6. There are some fine ranges of Cardamom jungle which the landlords have not parted with, but from the difficulty they would experience in collecting the Cardamom were the Monopoly done away with, I believe that they would soon be sold for Coffee plantations.

7. In short the Cardamom Monopoly and Coffee plantation interests are opposed to each other, and those of the former are steadily going down before the latter.

8. The only sound basis on which the whole matter can be settled is to do away with the Monopoly, and charge a land tax irrespective of the produce grown on it; this of course is a step which cannot now be introduced, and as the present holders of the Monopoly hold their contract for two years more, it is probable that before the expiration of that period, some decided steps will have been adopted with regard to the taxing of lands in Wynad.

ENC. 1.

LIST showing the approximate extent of Cardamom Hills in Wynad taken up for Coffee plantation and their extent in Acres.

Umshom.	Deshom.	Names of Hills.	Names of Planters.	Assumed Acre.	Portion remaining unplanted.
Vythery.....	Vythrythara.....	1 Mandayen Mala...	W. Kenedy, Esq...	500	Nos. 1 to 18 were Cardamom Hills. In lands now planted with Coffee, there are large portions still uncultivated. This list does not include the plantations of Mr. Ouchterlony in Goodeloor, of Writer Sequeira in Moonanat Umshom, of Writer Lopez in Edanadakoor Umshom, of De Aranjo in Vythery and of Parsee Rethnajee Shetto in Thiroonelli in Elloornaad Umshom. Besides these several persons in the country have plantations.
,,	,,	2 Valia Pookot Mala	J. Wells, Esq.....	2,000	
,,	,,	3 Cheria Pookot Mala	W. Bookey, Esq...	400	
,,	,,	4 Arra Mala.....	F. Jones, Esq.....	200	
,,	,,	5 Thaly Mala.....	J. G. Glasson, Esq.	1,000	
,,	,,	6 Varoonden Meethel Malay ..			
,,	,,	7 Varoonden Thaya Mala..... ...	A. Griffin, Esq....	400	
,,	,,	8 Kaloora Mala.....	F. Fergusson, Esq.	800	
,,	,,	9 Thaye Kaloora....	C. Young, Esq.....	300	
,,	,,	10 Thaniyota Mala.	J. G. Glasson, Esq.		
,,	,,	11 VengooKotaMala			
,,	,,	12 Chembra Mala.....	A. Vernon, Esq....	500	
Edanadaskoor	Kodaradithara...	13 Mooty Mala... ...	Maclean, Esq... ...	2,000	
,,	Caipetta...	14 Thariot Kodwugola Mala....	H. Marshall, Esq..	1,000	
,,	Thariyot-thara,..	15 Edapooga Mala...	C. Reid, Esq.....	500	
,,	,,	16 Trelachilila Mala..	C. Noistou, Esq...	500	
Thonoonad....	Koonhotha-thara.	17 Nala Mala.... ...	T. W. Beecher, Esq.	800	
Edavaga... ...	Thavinhal-thara.	18 Moondayath Mala.	R. Richmond, Esq.	800	
,,	Thavinhal-thara.	19 Koorichypet Mala.	T. Bassano, Esq...	100	
Elornaad... ...	Pemoth-thara...	20 ,,	C. Reed, Esq.....	100	
,,	,,	21 Kooyiachoora Mala	R. Richmond, Esq.	400	
,,	Thushalery.....	22 Kothy Kola Mala.	F. Brown, Esq.. ...	400	
,,	,,	23 Koodivakot Mala.	R. Richmond, Esq.	100	
,,	,,	24 Mamala Mala.....	,,	50	
,,	,,	25 Kathy Kootty Mala	T. Bassano, Esq...	150	
,,	,,	26 Poolikad...	W. Robson, Esq..	50	
Naloornaad....	Kamana.....	27	C. Reed, Esq.....	50	
,,	,,		Total...	13,100	

Calicut,
13th May 1859.

(Signed) P. GRANT,
Collector.

Have forwarded a letter to the Cardamom Monopoly of Malabar regarding which the Govt. have received two communications from Mr. J. L. Brown of Anjeravaud in that District.

2. The Monopoly is one of the most ancient Royalties of the Malabar Sovereigns, and as such has been continued since the acquisition of the Country by the British Government.

Note

Encr in the Proceedings of the Bd of Revr to the Secretary to Govt R. D. dated 8th January 1863 No 77-

No 102/63.

Copies of correspondence regarding Cardamom Farm Malabar

Rd 8th Jany 63

3 Now, as formerly years past, the Govt rent out to the highest bidder the exclusive privilege of purchasing the spice. The Jenmakar or owners of the Forests in which it grows are entitled to half the produce for which the renter pays the price fixed by the authorities before the privilege is sold. The present rate is Rs 600 per Candy of 5 ~~per cent~~, "undassorted" The privilege is now rented out for 5 years (of which 4 have yet to run) for Rs 6,000 annually. Cardamoms when exported to foreign ports are subject to a duty of 3 per cent on a Tariff valuation of Rs

The

4. The Cardamom plant grows in the deepest forests and is in fact a spontaneous rather than a cultivated product, and neither its collection nor production are compulsory. The Govt. claim as a Royalty half the produce; and the "monopoly" consists in the compulsory sale to them of the proprietors moiety at a price fixed by them.

5. The price at present paid is as already stated equivalent to Rs 600 per Candy of 560 ~~lbs~~ i.e. the proprietor gets 300 Rs as the value of the moiety of each Candy which is his share.—

6. The native proprietors raise no

objection

objection to the system, which indeed they regard as the best mode of securing their share to them -

7 There can be very little doubt that the Civil Courts would uphold Govt. in the enjoyment of this ancient and well known royalty - but without a legislative enactment - such as protects the Salt Monopoly - the remedy would probably be by Civil action in the many cases where the Cardamom grows on lands not belonging in proprietary right to the State. -

8 The question for decision is whether the Monopoly shall thus be

be protected and continued. The annual proceeds of the present rent are Rs. 16,000 per annum - but the value of the privilege is annually decreasing owing to the extensive clearances for Coffee - and the objection - natural enough - of the Planters to the Entry of persons on their land nominally to collect Cardamom but often really to plunder their plantations - There is the further objection to the monopoly that it naturally tends to restrict the cultivation of the Cardamom - for it cannot be expected that people should go to the expence of cultivating a product of which they are not allowed to make the most

most in the market -
And as to the spontaneous
growth, it fosters im-
providence and waste,
the obvious tendency being
to induce the collection
of as much as can be
gathered without consi-
deration for the future.
The Board, I think,
have good grounds for
advocating the abolition
of the Monopoly. The
enhanced value which
will be given to land,
and the increased pro-
duction and export which
may be expected when
the sale of the spice is
free may fairly be
expected to compensate
in a considerable degree
the present loss of re-
venue - which revenue,
it must be borne in
mind, is yearly decreasing
in

in value, and will every
year be more difficult
to collect as Coffee
estates extend.

9. The only difficulty
as the Board remark
is the existence of the
present lease. The
Renter took it with a
full knowledge of the
difficulties attendant
on it and there can be
little doubt that when
he finds that he can
only maintain his
rights by tedious and
expensive litigation
and that Govt will not
resort to penal legislation
for his benefit, he will
come to reasonable terms
He might still be
allowed all Cardamom
on Govt land but this
would not be much
and it would be em-
barrassing as the
land

land came to be sold under the new Rules.

The Board might therefore treat with the Renter.—

The Board can see what terms can be come to with the Renter—

Yes—and say how I would sweep away the whole monopoly both on properties La for 2 and 4 one—pis— at once—giving me work—this retaining a third of the present time a third of the present time "fine" existing "fine" by degrees and beautifully less and equal shortly to one altogether

10. Mr Brown's representation is evidently a very highly colored one, and need not be further noticed at present.

such necessary
time

Revenue Department.

No. 1301.

Proceedings of the Madras Government under date the 15th July 1863.

Read the Proceedings of the Board of Revenue

Submitting letters from the Collector of Malabar, on the subject of the Wynaad Cardamom Farm with the Bd's recommendation that the Collector be authorized to negotiate with the renters of the farm for the cancelment of the lease, and that the farm thereupon be abolished.

Submitting a letter from the Bd of Malabar stating that he has already fully explained on the Cardamom question, & that he has directed that no further attachment take place pending further orders.

(Here enter 8th January 1863. No 771.

(Here enter 30th Jany 63. These papers relate to the Cardamom Monopoly of Malabar regarding which the Collector last year received two communications from Mr. R. C. Brown of Amjeracanoy in that District.

2. The Monopoly is one of the most ancient royalties of the Malabar Sovereigns, and as such has been continued since

since the acquisition of the country by the British Govt.

3. Now, as for many years past, the Govt rent out to the highest bidder the exclusive privilege of purchasing the spice - The Jemmadars or owners of the trees in which it grows are entitled to half the produce for which the renter pays the price fixed by the authorities before the privilege is sold - The present rate is Rs 600 per Candy of 6 Cwt, "unassorted." The privilege is now rented out for 5 years (of which 4 have yet to run) for Rs 16,000 annually - Cardamoms when exported to foreign ports are subject to a duty of 3 per cent on a Tariff valuation of Rs 25 per cwt.

4. The Cardamom plant grows in the deepest

deepest forests and is in fact a spontaneous rather than a cultivated product, neither its collection nor production are compulsory - The Govt claim as a royalty half the produce, and the "monopoly" consists in the compulsory sale to them of the proprietors' moiety at a price fixed by them -

5. The price at present paid is as already stated equivalent to Rupees 600 per Candy of 560 lbs - i.e. the proprietor gets 300 Rupees as the value of the moiety of each Candy which is his share -

6. The native proprietors raise no objection to the system, which indeed they regard as

at the least mode of
securing their share
to them.

7. There can be
very little doubt that
the Civil Courts would
uphold Govt in the
enjoyment of this an-
cient and well-known
royalty but without a
legislative enactment
such as protects the
Salt Monopoly - the rem-
edy would probably
be by Civil action in
the many cases where
the Cardamom grows
on lands not belong-
ing in proprietary right
to the State.

8. The question for
decision is whether
the Monopoly shall be
let

be protected and continued.
The annual proceeds of the
present rent are Rs. 15,000 per
annum but the value of the
privilege is annually decreasing
owing to the extensive clear-
ances for Coffee and the objec-
tion is natural enough of the
Planters to the entry of persons
on their land nominally
to collect Cardamom but
often really to plunder
their plantations. There is
the further objection to the
Monopoly that it naturally
tends to restrict the cultiva-
tion of the Cardamom for
it cannot be expected that
people should go to the ex-
pence of cultivating a pro-
duct of which they are not
allowed to make the most
in the market. And as
to the spontaneous growth,
it fosters improvidence and
waste, the obvious tendency
being to induce the collection
of as much as can be gat-
thered without considera-
tion for the future. The
Board have good grounds
for advocating the abolition
of the Monopoly. The en-
hanced value which will be
given

sevice to land, and the in-
creased production and ex-
port which may be expected
when the rate of the export
duty may fairly be expected
to compensate in a consi-
derable degree the present
loss of revenue - which re-
venue it must be borne in
mind is yearly decreasing
in value, and will every
year be more difficult to
collect as coffee estates go out
of ... The only difficulty
as the Board remarks is
the existence of the present
lease. The Planter took it
with a full knowledge
of the difficulties attending
on it and there can be
little doubt that when the
funds that he can only con-
maintain his rights by
tedious and expensive litiga-
tion and that Govern-
ment will not resort to
penal legislation for his
benefit he will come to
reasonable terms. The
Board will instruct the
Collector to negotiate with
him for the annulment
of his lease.

14 Copies to the B of Rev Exps
with one Enclosure

D 162

E.M.C. ... No. 51
21-1-1831

E... order No. 513
15-3-1820

Rev... 13-12-62

Rev. Pro. Pp. 408-409
27-6-62

120-2-69

Pro. No. 15
15-1-6...

Revenue 1863 Sept.tto
Pro: of Govt. for July.

No 1301.

Pro: of the Madras Govt.
Dt 15th July 1863.

Bd. Rev. 1722 Sept. 1864 & No. 198 in Pro.
8 February 1865 No. 234

Board of Revenue
requested to instruct the
Collector of Malabar to
negotiate with the renter
of Cardamom farm for
the annulment of his
lease.

No. 300 @ 302.

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