

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 3282	Press Mis
21.22	
Dated	3 - 12 - 1866.

Not to be folded or roughly handled

for
No 3282

*Proceedings of the Madras Government, Revenue Department,
3rd December 1866.*

No. 21. Read the following Proceedings of the Madras Government in the
Public Department :—

Communicating papers relative to the appli-
cation of certain rule to Staff Corps Proba-
tioners from Her Majesty's British Regiments
performing a year's service in a Native Regi-
ment when the employment proposed for them
is of an entirely Civil character. } (Here enter 17th November 1833, No. 1,181.)

No. 22. ORDER THEREON, 3rd December 1866, No. 3,282.

Miscellaneous.

Communicated to the Board of Revenue, Director of
Revenue Settlement, Superintendent of Revenue Survey,
and Conservator of Forests.

(True Extract.)

(Signed) J. GROSE,

Under Secretary to Government.

To the Board of Revenue,
" the Director of Revenue Settlement,
" the Superintendent of Revenue Survey,
" the Conservator of Forests, } With Proceedings Public Department, No. 1,181.

Exd. S. T. Augustin.

*Proceedings of the Madras Government, Public Department,
17th November 1866.*

Read the following :—

No. 101. Letter from the Adjutant General, to the Secretary to the Government of India, Military Department ; dated Simla, 5th October 1866, No. 1087E.

Staff Corps.

With reference to Military Department docket, No. 139, 15th September 1866, and the occasional difficulty found in supplying the Offices of Administration under Government with competent Staff Corps Probationers from Her Majesty's British Regiments, the Commander-in-Chief requests to be informed whether the rule* is

* Vide Clause 2 of the Home Department Notification, published in G. G. O., No. 845 of 1864.

to be adhered to in future of such probationers performing a year's service in a Native Regiment, when the employment proposed for them is of an entirely Civil character. His Excellency has understood that, in such cases, it was not necessary to adhere to the abovementioned rule.

From the Officiating Secretary to the Government of India, to the Adjutant General; dated Simla, 19th October 1866, No. 217.

I am directed to acknowledge your letter, No. 1087, dated 5th October 1866, and, in reply, to acquaint you, for the information of His Excellency the Commander-in-Chief, that the Right Honorable the Governor General in Council, in the Military Department, is of opinion that the rule should be adhered to in future.

2. The point is one which must finally rest with the Civil Department, by whom the rule was laid down, though the Governor General in Council considers it very desirable that all Officers of British Regiments required for employment in a Civil Department should be allowed to remain with a Native Regiment for the prescribed period of a year, and pass the Staff Corps tests therein, before their appointment to Civil situations. They would thus be admitted to the Staff Corps in a shorter time, whereby their Regiments would benefit, and, in the event of being unable to continue in Civil employment, would have proved their fitness to do Regimental duty in the Native Army.

No. 218.

Copy of the foregoing forwarded to the Secretary to the Government of India, Home Department, for information.

(By Order).

(Signed) H. K. BURNE, Lieut. Colonel,
Offg. Secy. to the Govt. of India.

No. 219, to the Foreign Department.

No. 220, to the Public Works Department.

No. 5982.

Copy forwarded to the Government of Fort Saint George.

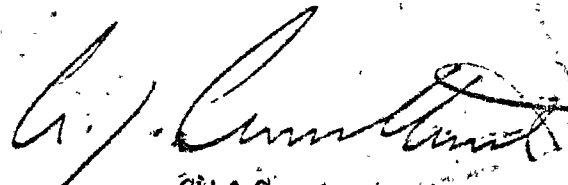
(By Order).

HOME DEPARTMENT, SIMLA,
31st October 1866.

(Signed) G. R. ELSMIE,
Offg. Under Secy. to the Govt. of India.

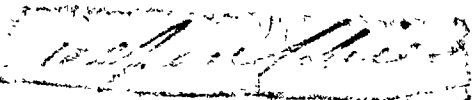
*Proceedings of the Madras Government, Public Department,
17th November 1866.*

No. 105. ORDER THEREON, 17th November 1866, No. 1181.
Communicated to the Revenue, Military, and Judicial Departments.
(True Extract).


Chief Secretary

To the Revenue Department.
" Judicial do.
" Military do.

Exd. J. H. Burns.



Dec: 1866. Depar
No of Depar Dec: 1866
No. 4232.

Proceedings in the
Public Depot.

Dec: 17th 3rd 1866
Dec: 26th 1866.

1181

Dec: 26th 1866

Communicating
by your relative with the
elective spectans to the
stoppage of the relations
from the United States
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service in a Red Cross
quaint when the only
most proposed for them
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This order &

No. 3282.

Communicated to the
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of Rev: 26th 1866

From C. W. Reade Esq
Collector & Special Agent

To

The Honorable A. J. D. Smith
Chief Secretary to Government
Fort St. George.

Sir,

In acknowledgment of the order of Government dated 17th Instant No. 1638 recorded on their Proceedings of the same date Judicial Department, I have the honor to state that the complaint of His Excellency the Governor of Pondicherry, a translation of which stands at the head of those Proceedings, has already received personal investigation and final adjudication at my hand, as will be seen by the enclosures.

The accompanying copy of correspondence between M. Bontemps, and myself will show the Government that the complaint of M. de Fancher backed by His Excellency, had my immediate attention, and though at considerable inconvenience I proceeded to Pondicherry

Pondicherry, after summoning the parties concerned, and to render my proceedings as public as possible, I held the enquiry in a building, very conveniently placed at my disposal for the purpose by the French authorities. Before leaving for Pondicherry, the Superintendent of Police was also informed by me of the recurrence, & of my intention personally to investigate it. -

2. I would beg the attention of Government to my final decision and to my letters to His Excellency the French Governor, as these sufficiently explain the whole matter and renders a recapitulation of it unnecessary. -

4. I had an interview with M. Pontemps after the enquiry when I verbally informed him of the result, I further explained the misinterpretation by His Excellency's Government of the orders of the Government of Madras in the year 1862, which His

Excellency has given in his private letter and I here direct the attention of Government to those orders as quoted in the margin. - I take their spirit to be that all goods of a French officer passing from one French Settlement to another, whether by land or by sea, shall throughout be exempted from

In enquiring
the British
Customs
to be on the
test but only
in case of
need of it
law!

from all Customs duty, but to entitle them to such exemption, I submit that the Seal & Certificate therein required should be those of a British and not of a French Authority as proposed by the French. I explained this in my letter to His Excellency and also at our personal interview. No other construction has ever been put upon the order in question, either in my office or by the Customs agents, and the French Papers spoken of in M. Pontemps letter have only been conditionally protective, subject to subsequent proof that the goods they covered had reached the French settlement to which they were destined, on the production of which the duty levied and retained in deposit, has always been immediately returned. The respect & recognition of these French Papers has necessarily been nothing more. -

5. The Governor appeared quite satisfied with my explanation after perusing the correspondence which had led to the order and as he acquiesced in my view of it and did not press for any reference on the point, I have not moved further in the matter. His Excellency is in error in stating that 2252 Papers had been issued since 1st January last, the numbers date consecutively from the year

year 1862, i.e. from and after the issue of the order to which I have adverted and were given for Merchandise of all kinds passing from Pondicherry to other French Settlements, and few if any have been for personal Baggage or goods of an officer, the cases of which are very rare, but in all whether Merchandise or officers property, the same course is observed and the goods or articles so covered by a French Pass are merely subject to conditional duty which is returned as already explained on the production of the required endorsement.

C. The proper and usual course which has hitherto obtained in cases like that of M. Le Pancheur is to apply to the Collector when a free pass for all personal baggage and effects is at once granted and which of course is a perfect release to the holder from all the vexation and detention to which otherwise every Traveller must of necessity be subjected when passing through the Customs House. M. Le Pancheur's non observance of this course exposed him to the annoyances of which he complained, but he relied on the French pass with which he had furnished himself as a sufficient protection and was of course

course disappointed. His family and his property were not however delayed beyond a few days, and they subsequently passed through the Frontier Customs Stations under a Certificate from me, without further hindrance.

~~My~~ ~~case of~~ ~~my~~ ~~mind~~ ~~is~~ ~~as~~ ~~regard-~~
ed, because it is some little time before the matter is understood & the real facts become known, meanwhile the irritation & excitement that arise in a small settlement like Pondicherry are very great, and it was for this reason, that I went over at once, & as I am well acquainted with most of the officials and both His Excellency and those in authority under him have always evinced towards me the greatest courtesy & confidence, and I am happy in being able to inform Government that my presence & the enquiry publicly held by me quite allayed all angry feelings and the facts were eventually fully understood, although it may not have been satisfactory to the parties immediately concerned, that the Customs Police officers escaped actual punishment for their alleged overbearing and offensive conduct, but there was nothing really proved against any individual of them when the case came to be sifted and all I could do was strictly to warn the
customs

customs officers of their duty and of their certain dismissal from employ if in the execution of their legitimate functions, they were guilty of any insulting or offensive demeanour towards travellers.

~~8. I am aware that~~
in the Land Customs as well as in the Salt Department, there are two branches of administration and that the Police, form the preventive Establishment in both and although ostensibly working with one aim and end, the functions and interests of each Department are dissimilar giving occasion at times for the display of ill feeling & jealousy, and this has no doubt, a tendency to prevent that unity of action on the part of the executive which however of value in the interests of the Customs Revenue, is productive at times of annoyance to Travellers. But I am happy to say, that the instances of collision are very rare and hitherto the two Departments have on the whole worked very amicably, but in the exercise of their respective functions, the Revenue Customs officers have frequently to thwart the interests of the Police Executive. The latter share in the proceeds of all confiscated goods, and naturally stimulated by a desire for their

their own gain are sometimes overzealous and energetic in the seizures they make, and considerable caution & watching are needed to prevent injustice & to secure the public, against a needless and wanton aggression.

annoyance inseparable from the mildest enforcement of all Customs Laws.

9. In reply to my letter marked D. announcing the final disposition of Mr. Le Gancheur's Complaint and which I had previously personally intimated to the Governor of Pondicherry, I received a brief acknowledgment from His Excellency accepting my solution of the matter, and offering no sort of objection, and I am aware that Mr. Bontemps merely seeks for some guarantee that in future, officers of his Government shall not be subject to similar indignities and annoyances, as have been alledged in the present case, and this guarantee I have now given, provided the course be adopted as pointed out, and which, till this recent occurrence had been invariably followed, and the Government will observe that Mr. Bontemps is quite satisfied with this settlement of the matter and has already made it known to

to the several Departments of his Govern-
ment, so that I submit with all defer-
ence that nothing remains to be done.

10. In order to place the executive
administration of our Customs Laws on
a more satisfactory footing & to bring
into greater harmony of action the two
branches of the Department, I have now
drawn up certain Rules for the general
guidance of all Customs officers, Revenue
and Police, the strict observance of
which, will, I think, obviate all future
complaints; and I propose to publish
these Rules in English, French & Tamil
in the local Gazette and Pondicherry
Moniteur & they will be pasted up on
a large Board, at each of the principal
Lager Stations, and a few Copies will
be printed in Pamphlet form for
circulation to the public.

11. I am now in communication
with the Inspector General of Police
on the subject, and I have sought his com-
ments and remarks on my proposed Rules,
before they are finally sent to the Press; &
I do not presume Government wish to
be troubled further with a matter so
entirely within the competency of the
local Executive to deal, but I desire to
assure His Lordship in Council, that it

These must
be also dis-
cussed with
the "Chief Justice"
and the "Chief Justice"

has hitherto been my anxiety, and no effort
shall in future be wanting on my part,
to render our Customs Laws as little obnoxious
& irritating as possible to our French neigh-
bours, and I am sanguine, that the
Measures I have now taken, will effectually
have removed all real cause for
hereafter complaint.

I have the honor to be
Sir,
Your most obedient servant

Charles Seale

Collector & Special Agent

Special agents office,
Cuddalore
26th October 1866

