

Translation of an Urzee from
Rama Krishna Pillay Sayer Sub
Superintendent of Cotta Kuppam
to G. M. Chamberlain Esq.
Ag^t Head Assistant Collector
of South Arcot.

One Chellappa Chetty of
Malaper in the French Territory
presented three French Chits Nos
4349, 4348 & 4365 on the 18th Instant.
I have heard that this man used
to convey indigo dust from the
French Territory to Mullaathoor
in the English Territory on French
Chits. I came to understand
last night that he was attempting
to carry a bulky load of dust
to Mullaathoor on French Chits.
Accordingly he presented the
French Chits. I asked him whether
the carts mentioned in these Chits
were going. He said that they were
going to Mullaathoor only. I asked
him

him if he would give a statement
to that effect. He said he would
and gave a statement which is
herein enclosed and submitted
to your honor. This Chellappa Chetty
received similarly on many occasions
French chits for carts conveying
indigo dust and had them registered
in the Sayer station. He used
to go frequently to Kalaputt in
French territory with goods pur-
chased at Pondicherry. On former
occasions he brought from Marthandam
to the Sayer station carts conveying
salt belonging to Comaravallur
Padiachy of Tellicoappuram & got
free papers. On asking him to say
the truth he said he was going
to Mullaathoor only and gave his
deposition. I said I should be
satisfied if one of the bandy drivers
would say so. He sent for one of
the drivers who also stated that the
bandies were going to the said
Mullaathoor

Mullaathoor only and that the bandies
conveying from English
territories were also going to the
same village. Thereupon the
statement given by Chellappa
Chetty was read to him and he
put in his signature. Some
time after that Pachai Chetty
elder brother of Chellappa Chetty
came thereon. I asked him if all
that was said by his younger
brother was true. He said it
was all true. I asked him to
give a statement. He said that
it was not necessary to do so and
that what his younger brother
had stated was sufficient. I
said that the dust in the carts
might be stored in the Sayer
as it was rainy season. He said
Pachayappa Chetty & others said that
they would not do so. I hear that
in order to go to Marthandam from
hence they used to go to Embalam
the

the last French village and
thence to Nullathoor which is
at a distance of quarter of a
mile, that Nullathoor in the
English territory is only at a
distance of 1 cote from Inama-
Nappum in the French territories,
that the dush used to be stored
in the factories at Nullathoor,
that if any vessel come to
understand that, and watch on
the way at Nullathur, the bundles
were used to be taken to Inama-
Nappum near the Police
Station and that the dush used
to be packed up in sacks and
taken to Nullathoor. If the
carts were brought to the Sayer
Station the duty would amount
to Rs. 2-4-0 for each cart. I therefore
believe that they have done
in this way. I am of opinion
that the dush worth Rs. 250 is liable
to confiscation. I shall act up to
the

the orders given. Herewith I beg to
Enclose and submit the statement
given by him, the Mahzirmamah
and the said three chits.

Signed / Ramakrishna Pillay

17th November 1871
Cottacoopam. 3

Sayer Superintendent

Statement given by Chellappa
Chell, younger brother Pacha
chett, residing at Kallappattu
L. R. Rama Krishna Pillay
Esq. for Sub Superintendent of
Kottacoppam on the 18th
November 1871. Of the 12
carts now brought by me
conveying indigo bush ten
carts came from Kallappattu
in the French territory and
two from Kanimed in the
English territory. All these
carts go to Kallattur and
not to any other place. I
have heard the statement
read to me, it is correct.
I want free passes for the
said carts. I have heard
the statement read to me,
it is correct. There are
two French chets for the
carts. Shanke chellappachetty
mark of Pacha chetty

Witness signed Krishna Pillay
Taken by me this 18th day
of November 1871

Signed Rama Krishna Pillay
Sub Superintendent
Immediately re-examine
The ten carts of which
I have one French Chik, five
one Chik and the remaining
and one Chik, and two carts
of the English territory, i.e.
all the bullock carts go to
Kallakur.

Thambi Chellappachetty
Mark of Pacha chetty.
Witness signed Krishna Pillay
Taken by me this 18th day of
November 1871.

Signed Chellappan
Taken by me this 18th day of
November 1871.

Signed Sub Rama Krishna Pillay
Immediately re-examine
Parasuramachetty
Mark of the Chik given
Five carts is my younger
brother

brother & Pacha chetty entered
in the Chik given for one
Cart is my elder brother whose
name is entered also in the
French Chik for four carts.
We are all at one and it
makes no difference who
makes the statement.

I have heard the statement
read to me. it is correct.

Mark of Chellappachetty
Witness signed Krishna Pillay
Signed Chellappan
Taken by me this 18th day
of November 1871.

To Her Majesty the Queen.

Wateginnamah presented
by us the undersigned. We have
heard the Statement given by Chel-
lappah Chetty of Kallaputur in
the French Territory before Rama-
krishna Pillay Sayer Sub Super-
intendent of Coimbatore. It
was given by him. One Chellappan
has also signed it, he was driving one
of the bandies. It was carrying
dust. Some time after the State-
ment was given Pacha Chetty came
up & asked for pass. The Superintend-
ent asked him if he & his brother
were at one. He said they were all
one & that his brother's Statement
would be true. When the Statement
was read to him & he was asked to put
in his Signature, he refused to do so.

(Signed) C. Paraganasamy
H. Constable

" Krishna Pillay
H. Constable

When they were asked to store the

and in the Lager they refused to do so.

~~and in the Lager they refused to do so.~~
Signed / M. Ramakrishna Pillay

~~and in the Lager they refused to do so.~~
Sub. Capt.

~~and in the Lager they refused to do so.~~
C. Narayanaswamy

~~and in the Lager they refused to do so.~~
H. Constable

~~and in the Lager they refused to do so.~~
M. Ramakrishna Pillay

~~and in the Lager they refused to do so.~~
Goswami

~~and in the Lager they refused to do so.~~
J. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

~~and in the Lager they refused to do so.~~
S. S. S. S. S.

Translation of Urree No 38
from Ramakrishna Pillay Catta-
cooppum Lager Sub Superintendent
to J. K. Chamberlain Esq
J. K. Head Assistant Collector
of South Arcot.

Your Honor's order dated
23rd Instant reached me on
the 26th idem.

After giving intimation
to the principal Merchants
of Madellian Chavady, Bann-
mayapaulm, Pillaychavady,
Kalaputt, Pondicherry and
other places regarding the
intended sale of indigo dust
referred to therein, I disposed
of the ten cart load of dust
by public auction and one
Japaulachetty residing at
Kalaputt represented to be the
heir of Rama chetty purchased
it for Rs 252. I received from
him

27th November 1871
Cattacoppum - 3 signed / Mr. Ramakrishna Pillay
Sub-Superintendent

I am in receipt of your honor's
Vakeol dated 30th ultimo.

On the morning of the 18th ultimo
Chellappachetty of Kalaputthu in the
French territory brought to the sayer
station the three French chits referred
to in my letter say together with the
ten carts entered therein and the two
carts which were represented to have
been his and to have brought goods
from ^{the} ~~the~~ border of the English
territory. Immediately after he came
to the sayer station he presented to
me the French Chits and the two
blank chits which were given by the
constables at Pudukutthu and Pilla-
chavady for the carts from the
English territory. I received the said
chits, had the said carts searched
by the Police, read one of the French
Chits

Chito

Chits and asked Chellappa chetty who presented the chits as to what his name was. He said that his name was Chellappa chetty. I asked him that if his name was Chellappachetty where was Parasaramachetty entered in the chit. He said that he (Parasaramachetty) was his younger brother and that he was at home. I read another chit and asked where was Pochappachetty. He said that he was his elder brother who was also at home and that it was not necessary that they should come. He said further that his name was entered at the gates for the carts that came from the English territory and that he was himself going with the carts. Then I asked whether these carts were all going. He said that they were all going to Kullathur. As I had some suspicion I asked him if he would give a statement to that effect. He did give a statement. Then I read to him all the

the chits one after another. I asked him to speak the truth as to whether the carts entered in each of those chits were going. I read one chit where it was stated that the cart was coming from Kalaputla and going to Kanakapuram & entered in the name of Pochappachetty. Then he said, he, it was going to Kullathur. Similarly when the other chits were read to him he said that they (carts) were going to Kullathur. I asked again whether the carts that came with dust from Kanamadur were going. He said that they were also going to Kullathur. As he said that he did not know to write his mark was taken. I said that I would believe if one of the handymen who knew to read and write were made to state the matter. Then I sent for Chellappa who attended. He said statement. I asked him also as to whether the carts entered in the French chits were going. He said that all the ten carts

carts entered in the French Chits and the two carts that came with dust from Kummada in the English territory i.e. all the 12 carts were going to the same village Kullathur. As he only repeated the statement of Chellappa Chetty I thought that it was not necessary to take a separate statement from him. I therefore read to him the statement given by Chellappa Chetty and asked him to put his signature. He did so. I asked the Head constable of this station to attest the statement. It was Chellappa Chetty who presented the French Chits to me. On finding him in great hurry after he gave me the Chits I thought that he wanted to make me sign the French Chits, take them from me and go away after getting passes for the other two carts. Though he might have said through forgetfulness that the carts were going to Kullathur when I asked him
as in

in the beginning as to whether they were going still he might have said subsequently when I read to him each Chit one after another that they were going to Manakuppum. But as he said again that they were going to Kullathur I thought that it was true. If he was under the impression that Manakuppum and Kullathur were one and the same place then there was no reason why he should have presented the Chits while the Linchmen who were able to read and write and Pachappa Chetty, and Parasaraman who was falsely represented by him to be his younger brother when in fact he did not even belong to the same caste, were coming with him. If he had no fraudulent intention and if he had to go to Manikuppum only then there was necessity for him to say that an oil mangle who did not belong to his caste was his younger brother. I believe every merchant who carries dust from Kalaputtu
to

to Manakuppum is aware that
Kallathur is separate from Mana-
Kuppum. Moreover I do not believe
that he said so under the impression
that Kallathur and Manakuppum
were one and the same place. This
Chellappachetty stopped the bandies
in front of the Sayer and presented
the chits to me. The Police did not
present the bandies to me. Some time
after that Pachappachetty elder brother
of Chellappachetty came up. I asked
him if the statement given by his
younger brother Chellappachetty in
regard to those carts conveying drugs
would be all true. He said in
greater hurry than the other that all
that was stated by his brother would
be true and he and his brother were
not separate. Then I read to him
the statement given by his younger
brother and asked him to put his
signature. He said that there was
no necessity for him to do so. Then
I asked him to give a separate
Statement

statement as he liked. But he refused
to do so and went away. I thought that
as he said in the beginning that all what
his younger brother had stated was true
he did not wish to contradict him sub-
sequently. Afterwards I submitted an
oath in respect of that.

(Signed) Ramakrishna Pillay
Sub Superintendent

4th December 1873
Cottacuppum

35
Reculation of Urree No 51 from
Theroovengada Moodley Deputy
Sahildar of Merkanum.

I am in receipt of
your order dated 25th
Attins together with the
summons therein enclosed.

The said summons
was served on Chellappa
Chetty of Kanimedu and
is returned herewith.

C. Theroovengada Moodley
Deputy Sahildar

/Proc. translations/

W. M. M. M.
at. Collector.

Rh.

Enclosure No. 1.

In a letter from Col.
to Agent dated
10th June 1872

Recd 2041/72

Statement of Chellappa Chetty.

Chellappa Chetty

Cultivator, Merchant, and
bandyman of Honimedu Tindem
nam Talug.

I did come through the Sayer
Station at Kottakuppam on 18th
Nov^r with 12 carts.

I did give the owner 3 Chits
for 10 of these 12 carts.

I declare solemnly that I did
not know whether these chits
were French or English.

Two of the cartmen, Venkatachalla
Gounder and Kally Gounder
gave me the chits, and told me
that the owners had given the
chits to them. They told me that
Rachay Chetty & Parasurama
Chetty were the owners. I did not
know before that any of the Indigo
belonged to my brother and

G. O. No 1007
of 20 June 1872

Sachay Chetty. The Indigo dust was my brother's and not in any way mine.

I met the carts by accident. I never told the Ameen that the carts were going to Kellathoor. The cartmen told the Ameen that they were going there. I asked the cartmen then near the Sayer Station. I informed the Ameen on the information of the cartmen that the carts were going to Kellathoor.

I did not ask the cartmen then where they got the chit from.

I have never been through the Sayer Station before.

A. B. Throughout he shuffled in the most extraordinary manner.

The Ameen asked me what I brought the chit for, but I did not say anything.

I first produced the chit—
given

31
given me by the Putterput gate Constable for 2 carts I brought from Komenadu. Then the Sayer Ameen asked me for the chits for the other carts & I gave them. I did not take the chits from the cartmen till we got to the Sayer Station, when the Ameen asked me for the chits for the other carts, I said the cartmen had got them, and he told me to produce them — which I did and he asked where the carts were going and I said my carts were going to Kellathoor and asked the bandymen where they were going and they said they were going with me, but did not say where. I did not tell the Ameen where the 10 carts were going. I did not give the deposition marked A before the Ameen. I only spoke for my

my own carts, I did not say
where the other 10 carts were
going. The other 10 carts were
not with me when I got the
chit for my 2 at Puthupit.

Read over & acknowledged
to be correct.

Signed Chellappa Chetty

Statement of Pachay Chetty

Pachay Chetty

Cultivator & Merchant of
Kalamattamuzrat yamapathi
Chetty Kalam.

Q. Did you send five carts of
Indigo dust covered by the
French passes marked A & B
to the Kottakuppam Sayer Sta-
tion in 18th Instant?

A. I did send them.

Q. Did you send them in charge
of Chellappa Chetty?

A. Yes.

Q. In whose charge then did you
send them?

A. I sent them in charge of Venkata-
chella Gounden, who owned one of
the five carts; and from whom
I had hired it.

Q. To whom did you give the
passes marked A and B for pre-
sentation to the Sayer authorities?

A. I gave them to Venkatachellam
but I hear that Chellappa Chetty
produced them at the Sayer Station.

Q. Is not Chellappa Chetty your
brother, and partner?

A. He is. ("my Tambi & Mridgali")

Q. From whom were A & B obtained?

A. From the Tahsildar of Pondicherry.
At Pondicherry I did not get them
myself a man was sent for
that purpose.

Q. Where did you instruct Venka-
tachellam to take the 5 carts?

A. To Kottakuppam Sayer and
thence to Kalamattam

Q. Why did you send the indigo dust to

A. One Morugappah Mudali had prepaid me for the dust which was produced on my own lands.

Q. You say your brother Chellappah Chetty is your partner, did he not accompany the carts to the Sayer Station?

A. He did go.

Q. Why then did you not entrust the passes A and B to him instead of to Venkatachellum?

A. Chellappa Chetty was not present and therefore I gave the papers to Venkatachellum.

Q. Where did you give the papers to Venkatachellum?

A. One in my own house and the other in Halaput, the passes A and B were obtained on two different dates.

Q. Then you did not give both A and B to Venkatachellum on the same

same occasion or on the same day?

A. Yes I did on the same day, but not at the same time. I sent the carts off and followed them myself 2 hours afterwards.

Q. Did you not know that Chellappah Chetty was going with the carts?

A. I did know it.

Q. Do you not know that Chellappah Chetty has declared that the carts were going to Kellathoor and not to Manakuppum?

A. No, I do not know it.

I was not present when the deposition now read to me was given. I came afterwards and was told to sign it, but I refused to do so, and said I was going to take the dust to a French village, and that my brother Chellappah Chetty did not know where it was really going.

Q. How do you account for
Chellappa Chetty being (as you
say he was) ignorant of the
destination of the carts?

A. He cannot read, or write,
and he does not know Manak-
kuppam.

Q. How do you account for his
not knowing Manakuppam,
and yet knowing Kellathoor?

A. A man has brought his
(Chellappa Chetty's) Indigo
chest and told him that he
was going to take it to Kella-
thoor.

Q. Was that man one of the
cartmen who went to the Sayer
Station on 18th?

A. Yes he was one of them. So
he was not one of the cartmen;
but he hired the carts with
which he accompanied the
other 10.

Q. What was his name?

A. Valayuda Chetty of Kallathoor.

Q. Then the Indigo dust in the
2 carts which accompanied the
10 covered by French passes on
the 18th Instant was purchased
by Valayuda Chetty from your
brother Chellappa Chetty?

A. Yes it was. It was not
common property to both me
and my brother, but his separate
and private property and it was
grown in Honimedo on English
village where my brother Chellap-
pah Chetty has land.

Q. Has your brother Chellappa
Chetty had never been to
Kellathoor or Manakuppam
before, and had only heard of
Kellathoor through Valayuda
Moodelly?

A. Yes. Muroogappa Moodelly
lives in Kellathoor (English),
but has a factory in Manakuppam.

Q. Then your instructions were that the 5 carts should be delivered to Moorogappah Moodelly?

A. Yes.

Q. Was Moorogappah Moodelly a factory in Kellathoor?

A. He has factories in Kellathoor and 2 in Manakuppam. They are big factories.

There is an empty factory in Manakuppam in which we take and put our Indigo dust.

There are 2 (thoosies) factories in Manakuppam belonging to Moorogappah Moodelly one of these is the empty one spoken of and the other is worked.

The 2 factories in work are at Manakuppam and one at Kellathoor are both the same size. There is no empty factory for storing Indigo dust in Kellathoor.

Q. Do you never take or send any Indigo dust to the Kellathoor factory?

A. No never.

Q. Then you always send your Indigo dust to Moorogappah Moodelly at the empty factory in Manakuppam?

A. Yes always.

Q. Do you ever send Indigo dust to any one else in Manakuppam or Kellathoor?

A. No never.

Memorandum

II. Paramrama Chetty.

Merchant. Cultivator of

Halaputh.

Q. Did you go with Chellappah Chetty to the Sayer Station at Kottakuppam on 18th?

A. Yes I did.

Q. The exhibited the papers marked C to the Surveyor or Superintendent?

A. I gave it to my bundyinan Manay or Gonniden, and told him nothing, but went to eat. I told him to show it to any Constable or employee who might ask to see it.

Q. Did you tell him where the 5 carts were going?

A. I did tell him that they were going to Manakuppum.

Q. Were your 5 carts destined for the same place as Pachay Chetty's?

A. Yes they were viz. Manakuppum.

Q. Is not Chellappah Chetty brother and partner to Pachay Chetty?

A. Yes.
Q. How do you account for Chellappah Chetty having said that

that all the carts were intended for Mellaathoor?

A. We must have done it through ignorance. He can neither read nor write.

Q. Did not Chellappah Chetty know where his 5 carts were going to?

A. No, he knew nothing, I do not know whether he has ever been to Mellaathoor or Manakuppum before.

Q. Why were you taking your dust to Manakuppum?

A. I had ~~been~~ prepaid for it by ~~Chetty~~ Chetty Moodelly who is owner of an Indigo factory in Manakuppum and another in Mellaathoor. It is 20 or 30 miles from Malaputt to Manakuppum.

Q. Did you not ask that the dust might be sold and the proceeds

proceeds kept in deposit pending
final orders?

A. Yes I did.

Pachay Chetty

Q. Did you not ask that the
dust might be sold and the
proceeds kept in deposit pending
final orders?

A. I did ask it, because there
was danger of its getting spoiled. -

J. G. G. G.

W. H. H. H.

See a letter from
Col. H. Spect. agent
Dated 10th June/72

Rev. ²
2041/72

Copy to 1007
of 28 June/72

No. 3

From,

G. R. Chamberlain. Esq.
Acting M^d Jth Collector of
South Arcot

To,

J. H. Garstin Esq.
Collector of South Arcot

Sir,

With reference to your letter
No. 2 dated 6th Instant, I have the honor
to inform you that I was just about
to report upon the matter of the indigo
dust when I received your letter
and propose to combine the 2 Reports
in one.

2 The circumstances under which
the indigo dust was seized were as
follows.

3 The Sayer Amoon of Cottakuppum
had received secret information that
indigo dust was secretly conveyed from
the French village of Manacookpurn

to the English village of Mellattoor, and that some carts might be expected to pass the Sayer station with French papers for the village of Manacoppum the real destination of which was Mellattoor.

4. Accordingly on the morning of 18th November one Chellappa Chetty made his appearance at the Sayer station with 12 carts laden with indigo dust, for 2 of which he presented French papers given by the Police at the out post in which it was stated that there 2 carts were going from the English village of Koorimadu to Mellattoor. For the other 10 carts he exhibited the 3 French papers enclosed, which purports to be granted for the conveyance of 5, 4 and 1 carts of indigo dust respectively from the French villages of Manapathur Chetty Kulum and Kalapet to the French village of Manacoppum.

5. The said Chellappa Chetty appearing to be in a great hurry to proceed, and entertaining suspicions as to the real destination of the 10 carts

carried

carried by French papers the Sayer Ameen examined the papers, & seeing that they were made out in the names of Pachaya Chetty and Parasurama Chetty he asked Chellappa Chetty what his name was, on which he told the Ameen that it was Chellappa Chetty. The Ameen then enquired where Pachaya Chetty and Parasurama Chetty were, to which he replied that they were his elder and younger brothers respectively and that he was himself in charge of the carts.

6. The Ameen thereupon asked where the carts were going, & he replied that they were all going to Mellattoor, and a deposition was taken from him to that effect after it had been pointed out to him that the carts were entered in the French papers as destined for Manacoppum.

7. Chellappa Chetty being unable to read or write this deposition was also attested by one of the cartmen by name Chellappan who was able to do both.

8. The carts were accordingly detained

and

to it and shortly after this Pachaya Chetty came up, and on being asked whether what his brother Chellappah Chetty had stated was correct, said that it undoubtedly was so, but on being informed that the statement really was, refused to endorse it, but stated that the carts were destined for Brana-coopam.

9. The 10 carts were detained by the Sayer Ameen and the circumstances above detailed related to me with a recommendation that the indigo should be confiscated.

10. On 24th November Pachaya Chetty and Chellappah Chetty appeared before me of their own accord, and gave the depositions herewith forwarded.

From a perusal of the deposition given by Pachaya Chetty you will observe that he states that he entrusted the French pass for the 5 carts in his name to one of the cartmen by name Venkatachallam and gave him full instructions as to carrying the indigo dust i.e. to Brana-coopam.

11. Now if this statement was true it

it is very singular that Venkatachallam did not come forward when the destination of the carts was declared by Chellappah Chetty and discussed openly between him and the Sayer Ameen, and a deposition taken from him and attested by one of the cartmen Chellappan.

12. The inference therefore to be drawn from this is that Chellappah Chetty was really the agent accredited by Pachaya Chetty to convey the carts to a destination which it is scarcely credible could be unknown to the farmer, and this seems the more probable as Chellappah Chetty is admitted by Pachaya Chetty to be his partner although he denies that the indigo dust in question was common property which denial may of course be true, but for which an obvious motive suggests itself.

13. Again Pachaya Chetty states that Chellappah Chetty cannot read or write, and therefore did not know where the carts were going.

14. The inference to be drawn from this ignorance is however exactly the opposite

so that put forward by Pachaya Chetty since it renders it still more probable that Chellappah Chetty should have been informed verbally where the carts were going, whilst it accounts to my mind most satisfactorily for the revelation of their real destination, as if he had known that the French papers were granted for Manacoppum, it is highly improbable that he would have declared that the carts were going to Nallathoor, and his subsequent adherence to his original statement after the discrepancy had been pointed out to him is easily explained by the supposition that he was either afraid or unwilling to retract his original assertion.

15. Another statement of Pachaya Chetty is also worthy of notice. It is that his instructions were that his 8 carts of indigo dust should be delivered to one Mooroogappah Moodelly, who lives in Nallathoor and has a factory in that village and also in the adjoining French village of Manacoppum.

16. Now there can be very little doubt that

that an extensive system of smuggling takes place between these 2 villages, & it is to be noted that Pachaya Chetty says that Mooroogappah Moodelly has an empty factory in Manacoppum, which he uses for storing indigo dust and leaves whilst he has no similar store house in Nallathoor. It is true that at first sight this would appear to favour the supposition that the indigo dust was really intended to be stored in the empty factory at Manacoppum, and more especially as if manufactured there, it might be conveyed with greater facility into Pondicherry on a French to French pass; but I believe that at the present time there is a much greater demand for indigo in Madras than in Pondicherry, and therefore it seems probable that the intention of the owners of the indigo dust was really to convey it to Nallathoor to be worked up, as it could thence be transmitted to Madras free of duty, whilst the factory in work at Nallathoor which is stated to be a big one could easily absorb the 10 cart loads

in question.

17. A deposition was taken from Parasurama Chetty at the same time, but for the purposes of comparison it will be more convenient to take next that of Chellappa Chetty, who was summoned by me to appear and give a deposition, but who did not make his appearance till the 14th December.

18. He then stated that he would declare solemnly that he did not know whether the 3 chits which he presented to the Sayer Ameen at Cotta Kappum were French or English.

19. The absurdity of this is patent, as if he had not been aware that the chits were French, he would not have asked for a free pass for the 10 carts, which he knew were coming from a French village. As the ameen says he frequently passes through the Sayer Station with various articles and knows the rules.

20. He goes on to say that these chits or papers were given to him by two of the cartmen Vincatachella Gounder and

and Kally Gounder who told him that Pachaya Chetty and Parasurama Chetty were the owners, and that until they told him so, he was not aware that any of the indigo on the 10 carts belonged to his brother and partner Pachaya Chetty and that he met the carts by accident.

21. This of course needs no remark as it is quite inconceivable that both he and his brother should have been going to Mellaathoor with indigo dust, and that he should ^{only} have found it out by accident.

22. Chellappa Chetty further stated that he never told the Sayer Ameen that the carts were going to Mellaathoor. Now by their own showing Pachaya Chetty and Parasurama Chetty had entrusted the passes and the conduct of the carts to 2 of the cartmen Vincatachella Gounder and Kally Gounder (of which fact no doubt they took good care to inform Chellappa Chetty before he appeared in my office) and therefore if this statement of Chellappa Chetty be true their own accredited agents informed the

on the day. I mean that the carts were going to Mellathoor.

23 But immediately afterwards he stated that he asked the cartmen near the Sayer Station where the carts were going to, and that they informed him the carts were going to Mellathoor, on the strength of which information he declared Mellathoor as their destination to the Ameen.

24 He adds that he never passed through the Sayer Station before, which is a flat falsehood, as the Ameen states that Chellappah Chetty often passes through the station, and again further on contradicts himself further by stating that he never told the Sayer Ameen where the 10 carts were going to, and immediately afterwards repudiates the deposition given by him to the Ameen altogether.

25 His manner throughout the examination was most disingenuous and shuffling, and he was evidently struggling to make his statements correspond with that given 3 weeks before by Pachaya Chetty and Parasurama Chetty.

26 Parasurama Chetty stated to me that he gave the 2 chits for his 5 carts to one of the cartmen Kaniga Soudair telling him that he must exhibit them to any of the Customs officers who might demand them and that the carts were going to Inimacoppin.

27 Now had this been really true, the cartman would of course have come forward at the Sayer Station & declared that these 5 carts were going to Inimacoppin, but as Parasurama Chetty admits that his carts were going to the same destination as those of Pachaya Chetty, there can be no truth that the papers for them also were given to Chellappah Chetty, and that the joint destination of the 10 carts was Mellathoor seems highly probable as Parasurama Chetty states that he had been pre paid for the indigo dust, which had been purchased by Moodappa Madelly of Mellathoor.

28 Both Pachaya Chetty & Parasurama Chetty consented to the sale of the indigo by auction as is attested

by

by their depositions to that effect, and from the circumstances above detailed it is abundantly evident that there was so strong a *prima facie* case against them, that the customs authorities were fully justified in detaining the indigo pending the institution of a full inquiry into the matter.

29. You will see therefore that their petition to the French Government is a ~~very~~ ^{correct} statement of the case. The delay in referring it to you for final orders was owing to a desire on my part to sift the matter thoroughly, and give the parties concerned every opportunity of affording any explanation they might have to give before submitting it to you. I was unable to prepare this report between the 1st & 2nd December as I had other work of a more pressing nature.

30. The question therefore for you to consider is whether there was or was not "an attempt made to pass the goods in question across the frontier" in a clandestine manner. (See Section

XIII. Act VI of 44.

31. If on weighing the facts set forth you think that it was really the intention of the owners of the indigo dush and of Chellappah Chetty to convey the indigo dush to Mellaathoor, and deposit it there, can it be so easily shown that the presentation of French papers purporting that the destination of these carts of indigo dush was the French Village of Manacoppum did constitute an attempt to pass goods across the frontier in a clandestine manner and that the said goods are therefore liable to confiscation under the provisions of Section XIII. Act VI of 1844.

32. In refutation of the argument propounded by the French Government that the Sayer authorities along the line of March were the proper persons to detain the carts, and that this could only have been done if the carts were seen proceeding in a different direction to that which they ought to pursue to reach Manacoppum or if they were seen beyond Manacoppum proceeding towards Mellaathoor, it is

sufficient to remark

17. 1st. that if the destination of the carts was Mellaathoor, Kottacappum was the Sayer Station at which the Customs dues were leviable and that if they passed that Station "in a clandestine manner" they were liable to confiscation forthwith and secondly, that to reach Mellaathoor, they must either pass through the English village of Mellaathoor, or that no deviation of course would be perceptible until after the carts had passed through Mellaathoor where they were followed closely from Kottacappum a distance of 20 or 30 miles. They might easily deposit their contents "en passant" without any of the Customs authorities being the wiser.

33. But if on the other hand you consider that the intention of the owners of the indigo dust, and their agents was really to convey it to Mellaathoor, they will of course be entitled to have the value of the indigo dust now held in deposit and amounting to Rs 1200 returned to them.

34. I must say however that it seems to me on mature deliberation & talking into consideration the manner of the parties and the whole facts of the case only reasonable to conclude that the real destination of the indigo dust was Mellaathoor, and both Chellappa Chetty and the cart-men had been informed of the same but that Chellappa Chetty had not been told of the name of the village entered in the French pass and therefore supposed that it would be Mellaathoor, whether he knew the carts were going and either hoped to pass through the Sayer Station without questioning or fancied or fancied that the French pass would be good for Mellaathoor.

35. This last supposition would perhaps at first sight appear to militate against the conclusion that the attempt was clandestine on his part, but even if (which his manner would seem to deny) he frankly believed that the French pass would be good for Mellaathoor, still he would have been an unconscious instrument in the attempt to pass the

indigo sent through the Sayer Station free
of payment, which would in all probability
have been effected had it not been for
the suspicions of the Sayer Ameen which
led him to inquire the real destination
of the carts, which was declared to be
different from that entered in the
French papers presented by Chellappah
Chetty.

36. It would doubtless have been
wiser on the part of the Sayer Ameen
to have sent a Police peon to follow
the carts at a distance, and watch whether
they attempted to deposit the indigo such
in Kollathoor, since had it not been
for the naive declaration of Chellappah-
Chetty (which could scarcely have
been expected) the indigo would
have escaped confiscation. unless
indeed it had been the intention
of the Ameen to follow this course
in case Chellappah Chetty had
stated that the carts were going
to Manacoppam.

37. The estimated value of the indigo
as stated by the French Government
is

is just double its real value.

Indivaram
11th January 1872
Signed / G. K. Chamberlain
Ag. H^d & M^o Collector.

/ True copy /

Reference
Acting Collector

11/1/72
G. K. Chamberlain

Enclosure 10-12

In a letter from
Col. H. E. to the
Dated 10th June 1872

Rec. 2041/72

G. O. 1007
of 28 June 1872

Translation.

From H. E. the Governor of the French Settlements in India to H. E. the Right Honorable the Governor of the Presidency of Fort St. George, Madras, dated Pondicherry, 18th April 1872 N^o. 10.

Regarding the seizure of Indigo leaf by the British Custom House at Cotacoopum.

I have the honor to place before Your Excellency the annexed correspondence which passed between the Collector of Indore & myself, regarding the seizure & sale, by the British custom house at Cotacoopum, of Indigo leaf, belonging to French inhabitants, while in transit over British territory.

Two main facts have been elicited from the statements & inquiries made by the agents of the two governments:—

Feb.

1st. The seizure of the carts which carried the indigo leaf was effected almost at the beginning of their journey, when they were still 13 miles from Manacoopum, their destination, while there exist, along the whole distance, other custom houses nearer & better able to detect, if the article was carried in any other direction than that in which it ought to proceed.

Setting aside the transit permit furnished by the French authorities, ~~off~~ which should have protected the merchandise, the agents who seized

seized it, justify their act by the statement erroneously made by the drivers of the carts, that they were proceeding to the British village of Nallatara, & not to the French suburb of Manacoopum.

To understand the first point, it is necessary to know that Cotacoopum, which is situated $4\frac{1}{2}$ miles to the south of Calapett, ~~and~~ whence the carts set out, is a British village through which they were obliged to pass in order to reach Manacoopum, & that the British custom house at that place need not

not have troubled it-
self about the leaf, if
it suspected that there
was an intention to
smuggle it, because
the other custom houses
nearer this village, were
better able to find that
out.

The custom house of-
ficers at Cotacoopum
ought then to have li-
mited themselves to
demanding the produc-
tion of the transit per-
mit, & in case of doubt,
to have warned those
of the other British vil-
lages situated on the
road by which the
merchandise would
pass, in order that they
might seize it, if instead
of proceeding to Ma-
nacoopum, it had
taken

taken any other direc-
tion, that of Nallatore,
for instance. In that
case, their action would
have been justifiable, &
the intention to defraud
manifest on the part of
the owners. Now the
unavoidable passing
of the carts by Cota-
coopum could not have
given cause for any sus-
picion of fraudulent
importation, since they
had 13 miles yet to
pass over, in order to
reach their destination,
or to be smuggled
into Nallatore, as
smuggling which the
custom houses in the
vicinity of this village
were better able to check
than

than that at Cotacoo-
pums. It was thus on
the declaration only
of the cartmen that it
relied when it made
the seizure of the mer-
chandise. But we pro-
ceed now to examine
what value such a
declaration can have,
in taking up the
second point to dis-
cuss.

One necessarily asks
himself whether, in
the presence of a trans-
it permit emanating
from the French au-
thorities & stating the
real destination of the
goods, the custom-
house at Cotacoo-
pums could act on
the

the simple contrary de-
claration of the cartmen
& proceed to a seizure?
This declaration having
been contradicted by
the owners by means of
the traffic pass, ~~and~~
what grounds had the
British custom house
for suspecting the good
faith of the importers?
Besides, were the cart-
men confronted with
them, & did they per-
sist in their statement
after the production
of the transit permit?
Were the witnesses at the
inquiry of which the
Collector of Andaloore
speaks, called upon
to depose to these cir-
cumstances? Admitting
that they had been so
called

called upon, ought not
an agent of the French
administration to have
been associated in the
inquiry, ~~and the~~ ^{which} prece-
dents in cases of inquiries
interesting the two Governments indicate as the proper
course? Besides was the
oral testimony to which
the Cotacopum cus-
tom house attaches so
much importance, so
entirely disinterested,
for those who gave it
were hired men, ready
to let themselves for gain
on the least promise
of remuneration, in
case of the sale of the
confiscated goods?

I hope, Monsieur
le Gouverneur, that
under

under all these combined
considerations, Your Ex-
cellency will not be
able to refrain from
considering it illegal
the sale & the seizure
by the British custom
house at Cotacopum
of the ten Carts of
indigo leaf on ~~the~~ ^{the} way
from French territory,
& that you will be so
good as to issue in-
structions to the Col-
lector of Cuddalore
for the settlement of
this affair, which has
already lasted more
than 4 months, & for
the payment to the
owners of the confis-
cated property of the
compensation which
would

would be due to them
when the decision of
your Govt. is favorable
to them.

Letter to Mr. Garstin, Collector of South
Arcot, dated Pondicherry, 22nd Decem^r 1871
No. 117.

Regarding the seizure
& sale by the Cotacoo-
pam custom house
of indigo leaf belong-
ing to inhabitants
of Calapett.

The following facts
against the agents of
your Govt., have been
brought to my know-
ledge by the Dept. of
Taxes & Land at Pondi-
cherry.

On the 18th Novem^r. last,
two inhabitants & culti-
vators of Calapett, na-
med Patchaasoolty &
Parasoramachetty,
despatched ten carts of
indigo leaf, which

left that suburb, after
having been furnished with
a transit permit granted
by the Tahsildar of Pondi-
cherry.

The carts proceeded in
the direction of the French
territory of Manacoopam,
& while they were pass-
ing by the British cus-
tom house of Cotacoo-
pam, the drivers were ques-
tioned by the Anceen as to
their destination. These
men ^{having} answered from ig-
norance that they were
going to Nallatore, Bri-
tish territory, their carts
were immediately stop-
ped. In vain did the
owners address their com-
plaints to the Deputy-
Collector at Tiruvana-
mullay, producing
their traffic pass, of
which they were the
holders, & which stated
the

the real destination of their merchandise - all was useless; & the Agent duly authorised, proceeded with the sale of the seized leaf, which, estimated at Rs. 500 include

R. F. C. in, therein charges, fetched only Rs. 242, the sum actually received by the agent of the Cotacoo-

pum custom house.

I shall point out to you, Monsieur le Collecteur, that the carts going to from Calapett to Manacoozum, French territory, must necessarily pass by Cotacoozum.

Could the custom house at that place, on the mere erroneous declaration of the drivers, stop them at that ~~place~~ point which is about

13 miles from ^{the} French territory to which they were going, when there are, along the whole distance, other British custom-houses nearer to Manacoozum & better able to detect, if these carts took any other direction than that which they ought to follow? I do not think so. The proceeding of which they have been the object, would have been justifiable, if they had been seized on the other side of Manacoozum on the road to Vellatore, British territory. Whilst they were passing by Cotacoozum, they could not have given grounds for suspicion of ~~fraudulent~~ ~~importation~~ smuggling.

* Each cart containing 20 large baskets of leaf chests 40
 These ten carts seized are worth them 400
 Cart hire at 3 1/2 per day per cart for 11 days 48-1-
 Loss of profit 51-7
 Total Rs. 500

The two traders concerned have set forth the injury done them by the seizure followed by a sale at reduced prices, & pray that justice may be done them.

I have the honor, -
Monsieur le Collecteur,
to support their claim which appears to be well founded. The petitioners, who are honest & industrious people, have never been guilty of any infractions of the regulations of the Customs Dept. of the two Gocts. I hope then that it will appear right to you to do justice to their claim, & that you will direct that they be put in possession of the total value of their indigo leaf worth Rs. 500, including

including cart hire & loss of profit.

They had not, as I believe I have demonstrated to you, the intention to defraud: the transit permit, which they have vainly produced, shows their good faith.

Letter to the Collector of South Arcot,
dated Pondichery, 25th January 1872.

Reminder regarding the claim submitted relative to the seizure of indigo leaf by the Cotacoopum custom house.

I had occasion to call your attention, by letter of the 22nd Decem^r last No. 117, to the illegal seizure, by the British custom house at Cotacoopum, of ten carts laden with indigo leaf proceeding from Calapett to Manacoopum, another French suburb.

The

The administration has this day received another application from the injured owners, who pray with importunity that effect may be given to their first petition. Having been obliged to borrow the sum necessary for the purchase of the article which was seized and sold by the agents of your Govt., they are now actually exposed to prosecution by their creditors, & will be bound to pay interest on the capital advanced to them, which goes on increasing continually.

Not doubting that the precarious condition of these cultivators who are oppressed with debt, will

will appear to your worthiness of your Kind attention, I have the honor to request, Monsieur le Collecteur, that you will be so good as to direct that the inquiry already commenced may be actively carried on, in order that the good faith of those who have grounds for complaint may be demonstrated, & that they may receive possession of the sum of R. 500 which represents the extent of the injury they have sustained.

Letter to the Collector of South Arcot dated 4th April 1872 N^o. 24.

Reminder relative to the irregular seizure of indigo by the Cotacopium custom house.
Request for a settlement.

In my letter of the 22nd Decem^r. 1871 N^o. 117, I had the honor to in-
form

inform you of the irregular seizure & sale by the British custom house at Cotacoom of ten carts of indigo leaf, passing on its way over your territory under the leading of Patetachetty and Parasooramachetty, inhabitants & cultivators of the French suburb of Calapett. The injury occasioned by that arbitrary act had been valued, after a careful examination, at the sum of Rs. 500, the reimbursement of which was claimed from your administration.

This letter having remained without result, I reminded you of it in my communication of the 25th January last N^o. 9, to which you replied

replied by informing me of the opening of an inquiry into the facts & brought to your knowledge. You added that you had felt ^{it} necessary to refer to His Excellency the Governor of the Presidency of Madras for enlightenment on a point of law.

Not knowing what has been the result of these proceedings, I come again, Monsieur le Collecteur, to request that you be so good as to ensure an ^{& favorable} early settlement of this affair, (which has already become old) which recommends itself to your kind attention as much by the goodness of the cause of those who have the right on their side, as by their really unhappy

unhappy predicament;
as I already had occa-
sion to inform you, these
two cultivators borrowed
the money required for
the purchase of the in-
digo leaf, which was seiz-
ed & sold; also that they
now find themselves
exposed to prosecution
by their creditors, to whom
they have to pay both
the capital advanced
& the interest of the
debt which goes conti-
nually increasing.

I have no doubt, Mon-
sieur le Collecteur, that
this just claim will, ~~in~~
under the circumstances
which gave rise to it,
meet ~~with~~ from you as
from your Govt. with the
favorable reception so
impatiently desired.

True translation

J. W. Lyons.

French Translator

$\frac{6}{1455} \div 2$

76° 54

Copie

65

From,

J. R. Gardin, Esq^r

Collector of South Coast in charge of
the special Agents Department

To,

His Excellency

Commissioner General, French

Governor of the French Establishments in
Pondicherry.

Sir,

I have the honour to acknowledge
receipt of your Excellency's letter of the 4th
Instant, 76° 34, and in reply to inform
you that no reply has yet been received
from Madras to the reference made
by me on the point of law of which I in-
formed you in a former letter.

Until that point is decided how-
ever I cannot admit the accuracy of the
expression

expression used by your Excellency as to the said seizure being an arbitrary act. The evidence given shows clearly that the transporters of the indigo leaf first stated that they were taking it to an English village and then on finding that it was seized because it was so being attempted to be taken under a French name they altered their statements.

3 It may hereafter turn out that the indigo leaf should not have been seized, but the point is at present a doubtful one, and even if it is decided that it should not have been seized the agent who seized it only did his duty to the best of his ability, while it may turn out that he was right.

4 I cannot guarantee the payment of any compensation even in the event of the sum realized by the sale of the indigo

indigo leaf being ordered to be refunded, but any claims for compensation which may be put forward to me in that event will receive every consideration.

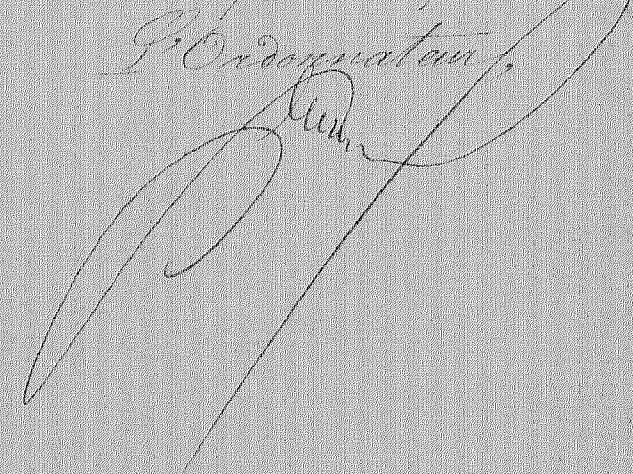
5 I will communicate the result of my reference to Madras to your Excellency as soon as I know it.

I have honor &c

Signed: J. H. Garstin,
Collector in charge of the Special
Agent's Department.

Your copie conforme

P. Ordonnateur.



Cuddalore }
8th April 1872 }

(Copie.)

Bruchberg, le 4. Avril 1872.

N^o 34.

Monsieur le Collecteur,

Rappel de la saisie
irrégulière de feuilles
d'indigotiers faite par
la Douane de Cottarou.
non.
Demande d'une
solution.

5
N^o 1455/72

Par lettre du 22 Décembre 1871, N^o 117,
j'ai eu l'honneur de vous signaler la saisie et la
vente irrégulières, faites par la Douane anglaise
de Cottarou, de dix charrettes de feuilles d'indi-
gotiers passant en transit sur votre territoire et
conduites par les nommés Patchichelly et Parassou-
machelly, habitants cultivateurs de l'aldie française
de Calahit. Le préjudice occasionné par cet acte
arbitraire avait été évalué, après un sérieux examen,
à la somme de 300 roubles, dont le remboursement
était réclamé à votre administration.

Cette lettre étant demeurée sans résultat,
je vous en ai de nouveau rappelé l'objet par ma
communication du 27 Janvier dernier, N^o 9, à la
quelle vous avez répondu en m'annonçant l'ouverture
d'une enquête sur les faits que j'avais portés à
votre connaissance. Je suis néanmoins, en outre, que
vous avez cru devoir en référer à S. E. le Gouverneur
de la Présidence de Madras pour éclaircir un
point de droit.

Ignorant quelle a été la suite de ces dé-
marches, je viens de nouveau, Monsieur le Collecteur,

Monsieur le Collecteur de la Division du Sud d. Brésil,
à Goudeloupe.

vous prie de vouloir bien assurer une prompte
et favorable solution à cette affaire, déjà an-
cienne, qui se recommande à votre bienveillant
intérêt tant par la bonté de la cause, des
agents, droit que par leur position réellement
malheureuse; ainsi que j'ai déjà eu occasion
de vous l'apprendre, ces deux cultivateurs avaient
emprunté l'argent nécessaire à l'achat des
houilles d'indigotier qui ont été capturées et vendues,
aussi se trouveraient-ils aujourd'hui en butte aux
poursuites de leurs créanciers, auxquels il leur
faudrait payer le capital avancé et les intérêts de
la dette qui vont toujours en augmentant.

Je ne mets pas en doute, Monsieur le
Collecteur, que cette juste réclamation, dans les
conditions où elle se produit, n'arrive à trouver,
tant auprès de vous que de votre Gouvernement,
un accueil favorable et impatiemment désiré.

Respectueusement,

Le Commissaire Général Gouverneur,

Signé: Baron.

Pour copie conforme.

L'Ordonnateur,



New 4/55/72

5:20.

Copie.

From

J. H. Garstin, Esq.
Collector of South Arcot
in charge of S. agt. Dep.

To

His Excellency
Commissary General Taron
Governor of the French
Etab. in India
Pondicherry.

Sir,

In reply to your communication
of the 25th January instant, I have the honor
to inform your Excellency that a careful
inquiry has been made into the case therein
noticed.

2.

As, however, a reference to Madras
on a

on a point of law is necessary in connection
with it. I am unable to pass final orders
in the matter until I get a reply to
my reference.

I have, &c

signed J. H. Martin.

Collector in charge of

Special Agents Dep't.

Dear Sir,

I am, &c

Yours very truly,

J. H. Martin

3
N^o 1455/72

Rappel de la réclamation
présentée au sujet de la
saisie de feuilles d'indigotier
par la Douane de Cottacouperi.
compte.

N^o 9.

(Copie)

Pondichéry, le 25 Janvier 1872.

Monsieur le Collecteur,

J'ai eu occasion d'appeler votre attention, par lettre du 22 décembre dernier, N^o 117, sur la saisie illégale, faite par la Douane anglaise, de Cottacouperi, de dix charrettes chargées de feuilles d'indigotier et qui étaient dirigées de Calcutta à Manacouperi, notre aldée française.

L'administration reçoit aujourd'hui une nouvelle réclamation des propriétaires lésés, qui demandent une instance qui suite soit donnée à leur première plainte. Ayant dû emprunter la somme nécessaire à l'achat des marchandises qui ont été saisies et vendues par

Monsieur le Collecteur de la Division du Sud d'Arcat.
à Goudelour.

par les agents de votre Gouvernement, ils sont
actuellement en butte aux poursuites de leurs
créanciers et doivent acquitter les intérêts du
capital avancé qui vont toujours en aug-
mentant.

Ne doutant pas que la position pré-
caire de ces cultivateurs obérés vous paraîsse
digne de votre bienveillant intérêt, j'ai l'honneur
de vous prier, Monsieur le Collecteur, de
vouloir bien ordonner que l'information
déjà commencée soit poursuivie activement
afin que, la bonne foi des ayants cause étant
bien démontrée, ils puissent entrer en possession
de la somme de 500 roupies représentant
l'importance du préjudice qu'ils ont éprouvé.

Fait à Agaña, le 10.

Le Commissaire Général de la Marine,
Gouverneur des Etablissements français
de l'Inde,
Signé: Faron.

Faron

Pour Copie conforme:
L'Ordonnateur,

Re,
P

2
N^o 1155/72

Des sujets de la saisie et
de la vente, par la Douane
de Cotta compound, de feuilles
d'indigotier appartenant
aux habitants de Calapatt.

N^o 117.

Copie

Pondichery, le 22 Décembre 1874.

Monsieur le Collecteur, Les faits suivants, à la
charge d'acquies de votre Gouvernement, ont été portés
à ma connaissance pour le service des contributions et
de Douane à Pondichery.

Le 13 Novembre dernier, les hommes Patchichetty et
Parasuramachetty, habitants cultivateurs de Calapatt,
expédiaient des charrettes de feuilles d'indigotier, qui se
présentaient de cette façon, après avoir eu soin de se munir
d'un passe de haut débit par le Thasileur de Pondichery.

Les charrettes se dirigeaient sur le territoire français
de Maricarupen et, au moment où elles passaient devant
la douane anglaise de Cotta compound, les conducteurs furent
interrogés par le sergent sur le but de leur voyage. Et
ceux-ci ayant répondu, par ignorance, qu'ils se rendaient
à Madurai, territoire anglais, leurs charrettes furent
immédiatement arrêtées. Sur vain les propriétaires adressèrent
des réclamations à M^r le Député Collecteur
à Cinnamara, en présentant le permis de
circulation dont ils étaient porteurs et qui indiquait la
destination réelle de leur marchandise. Tout fut inutile,
et le sergent, d'un air autoritaire, fit procéder à la visite
des feuilles saisies qui, estimées à 500 Roupiers y compris les

feuilles de seringue, valent environ 1000 Roupiers.

Monsieur Garsten, Collecteur de la Division du Sud et d'Arrest,
à Goudelour.

les frais, ont produit que 242 Roupies, somme
actuellement déposée entre les mains de l'agent
de la douane de Cattacoupan.

Je vous ferai remarquer, Monsieur le Col-
lecteur, que les charrettes allant de Calapettan au
coupan, territoire français, devaient forcément
passer par Cattacoupan. La douane de cette localité
pouvait elle, par suite d'une simple déclaration
carrière des conducteurs, les arrêter sur ce point
éloigné du territoire français, où elles se rendaient
de 17 kilomètres (13 milles environ), alors qu'il existe
sur tout le parcours, et autres douanes anglaises plus
proches de Manacoupan et plus à même de véri-
fier si ces charrettes prennent une autre direction que
celle qu'elles devraient suivre. Je ne le puis pas. La
mesure dont elles ont été l'objet n'eût été justifiée
qu'autant qu'elles auraient été saisies au delà de Ma-
nacoupan et se dirigeant vers Mallatour, territoire
anglais. Tant qu'elles étaient en transit à Catta-
coupan, elles ne pouvaient donner lieu à aucun
soupçon d'introduction frauduleuse.

Les deux individus intéressés, en exposant le
préjudice

(1) Une charrette contenant 20 grands paniers de feuilles d'incli-	R. R.
gation, conte	40. "
Les dix saisies valent donc	400. "
Les loyers des charrettes, à 2 1/2 par jour et par charrette, pour six	48. 1.
jours	51. 7.
Manque à gagner	
Total	500. "

préjudice que leur occasionne la saisie, suivie d'une
vente au rabais, demandent que justice leur soit
rendue.

J'ai l'honneur, Monsieur le Collecteur, d'ap-
puyer auprès de vous cette réclamation qui me
paraît fondée, et les auteurs, gens probes et labori-
eux, ne se sont jamais rendus coupables d'aucune
infraction aux règlements sur le service de la
douane de nos deux Gouvernements. J'espère
donc qu'il vous paraîtra juste de faire droit
à leur demande en ordonnant qu'ils soient mis
en possession de la valeur totale des feuilles d'incli-
gation évaluée à 500 Roupies, les frais de transport
et le manque à gagner compris.

Ils n'ont pas eu, ainsi que je crois tous l'avoir
dimenté, l'intention de frauder : le passe-
dout, qu'ils ont vainement exhibé, en fait foi.
Veuillez, &c.

Le Commissaire Général de la Marine, Gouverneur des Etablissements français de l'Inde,
Signé: Faron.

Pour Copie conforme :
L'Ordonnateur,

[Signature]

Gouvernement
des Etablissements Français
dans l'Inde.

Administration
de l'Ordonnateur.

96. 10.

Pondichéry, le 18 Avril 1872.

N^o. 1655/72

Monsieur le Gouverneur

Sur sujet de la saisie des feuilles
d'indigot par la douane anglaise de
Cottécompon.

Il m'est l'honneur de placer sous
les yeux de votre Excellence la
correspondance, ci-jointe, échangée
entre M. le Collecteur de Pondichéry
et moi, au sujet de la saisie et de
la vente par la douane anglaise
de Cottécompon de feuilles d'indi-
gote appartenant à des habitants
français et passant en transit
sur le territoire anglais.

Deux faits principaux résultent
des constatations et informations
auxquelles ont procédé les agents
des deux Gouvernements.

A Votre Excellence le très humble Gouverneur
de la Présidence du Sud de l'Inde.
A. Madras.

1^{re} La saisie des charrettes qui transportaient les feuilles d'indigotier a été opérée presque au début du voyage, alors qu'elles étaient encore à 13 milles de Manacoupou, lieu de destination, et qu'il existait, sur tout le parcours, d'autres bureaux de douane anglaise plus rapprochés et plus à même de vérifier si la marchandise prenait une autre direction que celle qu'elle devait suivre.

2^{de} Malgré le passe-débout délivré par les autorités françaises et qui devait protéger la marchandise, les agents qui l'ont saisie se sont appuyés sur une déclaration même des conducteurs des voitures et d'après laquelle ils devaient se rendre au village anglais de Mattatou et non à l'Alde française de Manacoupou.

Pour bien apprécier le premier point, il importe de savoir que Cottecoupon

Cottecoupon, situé à sept milles et demi au sud de Calapatt, où étaient parties les charrettes, est un village anglais qu'elles devaient forcément traverser, pour se rendre à Manacoupou, et que la douane anglaise de la localité n'avait pas à s'inquiéter de la contrebande, en supposant qu'on ait eu l'intention de la faire, puisque d'autres bureaux de douane, plus rapprochés du village, étaient mieux placés pour la constater.

Les douaniers de Cottecoupon devaient donc se borner à veiller à l'observation du passe-débout et, en cas de doute, prévenir ceux des autres villages anglais situés sur la ligne que la marchandise devait suivre, afin qu'ils fussent à même d'en effectuer la saisie, si, au lieu de se rendre à Manacoupou, elle avait pris une autre direction, celle de Mattatou, par exemple.

Cane

Dans ce cas, l'uraction eût été ju-
stifiable et l'intention de frauder
manifeste de la part des propriétaires.
Mais le transit forcé des charrettes
à Cottéouperre ne pouvait donner
lieu à aucun soupçon d'introduction
frauduleuse, puisque elles avaient
encore 13 milles à parcourir, soit pour
arriver à destination, soit pour être
introduites en fraude à Mattatou, l'in-
troduction que les douanes voisines
de ce dernier village étaient plus à
même de contrôler que celle de
Cottéouperre. C'est donc à la seule
déclaration des charretiers que celle-ci
s'en est rapportée, pour opérer la
saisie de la marchandise. Or, nous
allons examiner quelle valeur une
telle déclaration pouvait avoir, en
abordant le second point de la
discussion.

On se demande, forcément,
si, en présence d'un passe-début,
emanant de l'autorité française,

et indiquant la destination réelle
de la marchandise, la douane
de Cottéouperre pouvait s'en tenir
à une simple déclaration contrai-
re des charretiers, pour procéder
à la saisie? Cette déclaration ayant
été démentie par les propriétaires
à l'aide du passe de circulation,
sur quoi la douane anglaise s'est-
elle fondée pour suspecter la bonne
foi des instructeurs? D'ailleurs,
les charretiers ont-ils été comparés
avec ceux-ci et ont-ils persisté
sans leur dire, après la production
du passe-début? Le témoin
de l'enquête dont parle M.
le Collecteur de Loudebourg
ont-ils été appelés à déposer
sur ces circonstances? En admettant
qu'il en ait été ainsi, un agent
de l'administration française
n'aurait-il pas dû être adjoint
à cette enquête, comme le voulaient

des précédents en matière d'informa-
tions intéressant les deux Gouverne-
ments? D'ailleurs, la preuve testi-
moriale à laquelle la douane de
St. Othéoupoem a attaché une si
grande importance, était-elle com-
plètement démentie, alors que
ceux qui la faisaient, étaient des
gens à gages susceptibles de se laisser
gagner par la moindre promesse
de rémission, en cas de vent
des marchandises confisquées?

J'espère, Monsieur le
Gouverneur, qu'en présence de toutes
ces considérations réunies, votre
excellence ne pourra s'empêcher
de considérer comme illégales, la
vente et la saisie, par la douane
anglaise de St. Othéoupoem, des
deux charrettes de feuilles d'indigotier
provenant du territoire français,
et qu'elle voudra bien adresser
des instructions à M. le Collecteur

De

de Condé-sur-Meuse, pour le règlement
de cette affaire, qui remonte déjà à
plus de 4 mois, et le paiement aux
propriétaires de la marchandise saisie
des indemnités qui leur seraient dues,
dans le cas où la décision rendue
par votre Gouvernement leur serait
favorable.

Veuillez agréer, Monsieur le
Gouverneur, l'assurance de la haute
considération avec laquelle j'ai
l'honneur d'être,

De votre Excellence,

Le très-obéissant serviteur,
Le Commissaire Général de la Marine,
Gouverneur des établissements français de l'Inde

Jaxon

Revenue 1872 Sept.

N^o 1455

From

H. E. the Governor
of the French Settlements
in India

Dated 18 April 1872

Recd. 24

N^o 10

Enclosures 5 with Translation

Referred to the Affair of
Shrestha's early report -
in continuation of

20. 31. May 72

Re. the Govt. of Pondicherry
likewise informed accordingly.

L. D. D. D. D.

Sec. & Govt.

21. June 72

Submitting correspondence
which passed between the collector
of S. Arcot & himself regarding
the seizure of Indigo leaf by
the British Custom House
at Colacoopam -

Approved

G.O. No 1007 of 28 June
1872

Rev. 1872 Sept.

N^o 2041

From

Collector Wpl Agent
Cuddalore

To

The Secretary to Govt
Fort St. George

Dated 10th

Recd 19th June 1872

N^o 80

Enclosures 10

Reporting on the sub-
ject of the seizure of
indigo leaf referred
to in Government Order
dated 31st May 1872
N^o 855.

N^o 306

S.O. N^o 1007 28 June 1872.

Revenue Dept.

N^o 1007.

Pros of the Madras Govt

Under date the 29th June 1872.

Read the following
letter from the collector and
Special Agent, J. Arcot.

Reporting on the subject
of the seizure of Indigo leaf
referred to in G.O. 31st May
1872, N^o 855.

H. E. 10 June 1872, N^o 80

1. The facts of this case
are briefly thus

2. On 18th November last
Chellappa Chetty halted 12
carts laden with Indigo
"dust" or dry leaf, before
the Kottakuppam Customs
station. He produced
2 British passes for 2 of
the carts (which were his
own property) stating that

the

The indigo was proceeding
from the British village
of Munnimedu to the
British village of Mullaion.

3. For the remaining 10
carts he produced French
passes certifying that the
goods were being conveyed
from French territory to the
French village of Mana-
kuppam (which adjoins
Mullaion)

4. He stated however that
all 12 carts were bound
for Mullaion (in which
case 10 of them would
have been liable to import
duty at the rate of Rs. 4-
per cart) and he was
supported in this statement
by one of the cartmen.

He

He repeatedly deposed
to the same effect, and his
deposition (as he could neither
read nor write) was attested
by this cartman and by the
Head Constable of the station.

5. Subsequently Pachap-
-pa (Chetty the brother of
Chellappa Chetty and owner
of the contents of 5 of the
carts appeared, but on
hearing what his brother
had stated he refused to
confirm it. He eventually
deposed before the As. Mag.
Apt. that the indigo was
to have been delivered
in Manakuppam to the
purchaser - one Mungap-
-pa Mudali of Mullaion
who has factories in
both

both villages, and that
the passes had been
entrusted to the cart-
man. Parasarama
Chetty the owner of the
remaining 5 loads de-
posed to the same effect.

6 It would appear
that Chellappa Chetty
had started with his
2 carts from a dif-
ferent point and
had joined the
other 10 carts en route.

The

7 The Customs Su-
perintendent had
received information
that he was in the
habit of evading the
duty, and it was
assumed that on
this occasion, he
had been told to
take all the carts
to the British village
of Nullator, but
to produce the French
passes.

passes, and declare
their destination to
be Manakuppum so
as to evade the payment
of duty. The circum-
stantial evidence was
held to support this
view, and the Indigo
which had been sold
after seizure, by con-
sent of the owners,
rather than have it stored,
was declared confiscated.
Its estimated value was
Rs. 250. It was sold for Rs. 242.
It

It has to be decided
whether the facts of the
case are incompatible
with freedom from inten-
tion to defraud and
on this the Govt observe
that Manakuppum and
Nullatoor appear to be
adjoining villages, that
the road to the former
passes thro' the latter
which is 30 miles dis-
tant from Kottakuppum
that Chellappa Chetty
who can neither read
nor write halted the
carts at the custom's
station of his own ac-
cord and produced the
passes which were in-
consistent with his
own statement and that
the

The cartmen who ^{must} ~~must~~ in any case have had to pass thro' Nullatoor to reach Manakuppum may have really told him, as he deposes, that they were to accompany him.

9. His statement, it is to be observed, would if ^{accepted} ~~adopted~~, have led to the collection of duty on goods which ^{are} ~~are~~ not liable to the charge if really intended for Manakuppum.

10. It is impossible to prove what the intention of the owners of the goods may have been, but it is equally impossible to say that Chellappa Chetty's action

action in bringing the carts to the Customs station and making a declaration of destination which rendered the goods liable to duty was an attempt to cross the frontier clandestinely.

11. Under these circumstances the Govt. have ~~as an alternative~~ ^{resolved} ~~to~~ ~~cancel the confiscation~~ and to direct that the estimated value of the goods ^{Rs 30} be paid to the owners with interest from date of seizure at the rate of ¹² per cent per annum.

12. The Collector of South

12 per cent interest
very high. A.Y.

I shd be disposed to pay
12 per cent. W.S.

South Arcot will dispose
of the case accordingly.

3. His Excellency the
Governor of Pondicherry
will be informed of this
decision with reference
to his letter of 18th April 1872.

L.R.

To the Collector in charge
of the Spl Agents Dept.

South Arcot

45 Copies Dec. 8th July 1872.

14 Head of Revenue

6 Acc. General —

*Depd in Mt. 29th June 72.