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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	161	Press
~~B.P. No.~~		Mis.

Dated 20-7-1874 196 .

Not to be folded or roughly handled

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161/1

Proceedings of the Madras Government, Political Department,
4th July 1874.

No. 13. Read the following Proceedings of the Board of Revenue, dated 9th June 1874, No. 1,399:—

Read the following letter from G. D. LEMAN, Esq., Collector of the Kistna District, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Masulipatam, 31st March 1874, No. 536:—

I HAVE the honor to enclose a letter from M. Ferrier, *Chef de Service* at Yanam.

2. He brings to notice that officers of the British Government take cognizance of cases that arise in French pettah, and asks me why such jurisdiction has been assumed.

3. The pettah is a small plot of ground, 600 square yards in extent; on it are thirty-three native houses and four bungalows, one of which is the Post Office; its population being ninety-three persons.

4. It is rented out for Rupees 208 by the *Chef* at Yanam, and the British Government pay also a yearly sum to the French Government at Pondicherry on condition that the sale of liquor is not permitted. I cannot give the exact sum; it is paid from the South Arcot Treasury.

5. It was restored to the French in 1819, agreeably to the terms of a treaty of 1783.

6. In 1827, the French Commandant of Yanam took exception to the advertisement of the sale of a certain house in the pettah made by the Collector of the district; the objection was withdrawn soon after by the Secretary to Government at Pondicherry; but, in the meantime, the Board of Revenue in a letter to the Chief in Council, No. 439 of 1827, admit that the Collector had not jurisdiction; also in 1845 in their Extract of Minutes of Consultation, No. 619, the Government seem to be of a similar opinion, and that the Magistrate had not power to put a stop to a public nuisance in the shape of a disorderly arrack shop in the pettah.

7. M. Ferrier, in one letter to his renter, says that the French have exercised jurisdiction over it since it was made over to them; but I cannot find any instances of their having done so, nor are any French officials stationed there.

8. At the same time, I cannot find when first jurisdiction was assumed by British officials, though it is a fact that no resident can remember the time when French pettah was held without our jurisdiction.

9. I believe it would be equally awkward to ourselves and the inhabitants of French pettah were any change made, and our jurisdiction there denied. The action of our Civil Courts would be most seriously hampered, and criminal justice would be delayed and impeded by the necessity of an application to the French authorities to give up a criminal escaping there, while the French Government would have to make some provision for the trial of cases.

10. M. Ferrier does not take objection to the course that has been pursued up to now, but merely asks for the reason of it; and, with the Government permission, I propose to answer him that it has been done, as he suggests, with a desire to further the ends of justice.

11. As the question has arisen in this way, it seems now my duty to ask the Board to suggest to the Government to take what steps they may deem necessary to secure the legal jurisdiction of the police and the Courts of the district in

regard to offences arising in French pettah, and to criminals and civil debtors escaping thereto.

ENCLOSURE No. 1.—Letter from M. Ferrier, *Chef de Service* at Yanam.

ENCLOSURE No. 2.—G. O., dated 17th May 1845, No. 619.

SUBMITTED for the orders of Government.

2. The little piece of French Territory in the middle of Masulipatam, to which the Collector refers, might at any moment become a source of great inconvenience, but experience has proved that it will be useless to open negociations in the hope that the French will part with it on fair terms.

3. Inquiries of this sort have often been made before, but a courteous reply has always proved sufficient, and there has been no conflict. The Board think a similar reply should be made now, as proposed in paragraph 10 of the Collector's letter.

(A true Copy and Extract.)
(Signed) J. GROSE,
Secretary.

Transferred to the Political Department.

23*rd June* 1874. (Signed) C. G. MASTER,
Acting Secretary to Government.

No. 14. ORDER THEREON, 4th July 1874, No. 269.

The correspondence which passed in 1870—the last occasion on which the question arose—in this matter between the Government and the Secretary of State will be communicated to the Board of Revenue for information.

To Secretary of State, No. 4, 1870.
G. O., 24th November 1870, No. 376, covering reply of Secretary of State.

2. The French pettah of Masulipatam was restored with the other conquered French possessions in India, by the Treaty of Amiens; but, owing to the early renewal of the war, the restoration did not take effect till long afterwards. There is no objection to a reply being furnished to the French *Chef de Service* at Yanam in the sense suggested by the Board of Revenue; at the same time Her Majesty's Government will again be moved to negociate with the Government of France for acquiring this pettah and the French factory at Calicut by such means as may seem desirable. It is observed that the French have uniformly refused to negociate except on the footing of an unqualified acknowledgment of their full sovereignty over this plot of ground.

(True Extract.)
Acting Chief Secretary.

To the Revenue Department, with one enclosure returned, and papers.

Exd. W. H. French.

Revenue Department
Govt. of {1874} Madras.

POLITICAL.

To THE REVENUE DEPARTMENT.

Dated July, 4th.

Recd. 12/3 Encl.

G.O., 4th July 1874, No. 269.

JULY.
Nos. 13-14.

French Territory in Masulipatam.—The Board of Revenue furnished with the correspondence which passed in 1870 on the subject between the Government and the Secretary of State, and the Board informed that Her Majesty's Government will again be moved to negociate with the Government of France for acquiring this territory as well as the French factory at Calicut by such means as may seem desirable.

No. 161.

Communicated to the Bd. of Revenue

20/July/74.

To Bd of Revenue with a enclosure & papers.