

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	763	Press
		~~Mis.~~
11-12		
Dated	9-6-19	858

Not to be folded or roughly handled

9/12

1 ✓

Fort St. George, Judicial Consultation, 15th June 1858.

No. 11. Read the following letter from J. D. ROBINSON, Esq., Special Commissioner, North Canara; to T. PYCROFT, Esq., Chief Secretary to Government, dated Camp Juggibett, 28th May 1858, No. 313.

SIR,

I have the honor to enclose for the consideration and decision of Government a letter* from Captain Schneider, on the subject of certain money and ornaments which fell into his hands under the circumstances therein detailed.

* No. 53, dated 21st April 1858.

2. The prisoner who produced this property has since been tried, and acquitted of the charge of aiding and abetting rebellion, it having been proved that both he and his brother (still it is supposed in their custody) were seized by the rebels and kept under restraint and that he (prisoner) was only finally liberated on the promise that he would return and pay the ransom demanded for himself and brother, the latter being detained as a hostage until the money was forthcoming.

3. It appears however from a Memorandum found on prisoner's person that in this amount are several sums of money collected from other parties in his village. As however these parties fearful doubtless of compromising themselves by the admission, deny having made any such contribution (voluntary or compulsory) the probability is that prisoner did, with a view of ingratiating himself with his captors and thus more easily securing his own and brother's liberation, undertake the collection of other contributions promised under much the same circumstances as his own.

4. Had the sum been merely the ransom paid for his own and brother's life, there might be some question as to the propriety of restoring it to prisoner, but by undertaking as the entries on the Memorandum would indicate the agency of a transaction which had objects independent of his own and brother's safety, he has, I consider justly forfeited the whole amount (his own and others' contributions inclusive).

5. If Government concur in this view of the case the only point which will remain for their decision is whether the money and ornaments of which there is now question should be carried to the public account or whether Captain Schneider in whose hands they still remain be authorised to distribute them among the party of his men who effected the capture.

6. This latter course I beg earnestly to recommend for adoption as the Saventh Warree Local Corps have from first to last shewn a zeal and activity in the service in which they are engaged that I cannot too highly extol.

From Captain F. SCHNEIDER, on Special Duty; to J. D. ROBINSON, Esq., Special Commissioner, North Canara, dated Camp Tullawady, 21st April 1858, No. 53.

SIR,

I have the honor to address you on the subject of the money and ornaments worth about four hundred and fifty Rupees, which fell into my hands on the arrest of Gunish Prubhoo of Kalsay, North Canara, now a prisoner I believe at Soopah.

2. You will, I think remember the circumstances under which this money was obtained, but as they may have escaped your memory, I will briefly recapitulate them.

3. On the 20th Ultimo, I proceeded to Diggy with a considerable party of my men and a few Dharwar Police and in the evening bivouacked in the jungle at the foot of the Ghat. While there, Gunish Prubhoo came up to a Sepoy of the Saventh Warree Local Corps who was in undress, and being ignorant of the presence of any Government Troops in the neighbourhood (none having up to that time penetrated so far into the disturbed districts and having an enlarged idea of the strength of the rebels, he thought the Sepoy must be one of the latter, and at once questioned him as to where he should find Baba Dessai, the chief. The Sepoy at once saw the mistake and taking the deluded party introduced him to a Jemadar, who, he was told, was a confidential servant of Baba's. Ultimately the Jemadar said that as he was going to see Baba Dessai the next day it would be useless for him, Gunish Prubhoo to go there also, and that if he had any thing for Baba, he, Gunish should give it to him, the Jemadar, for delivery and write a note in explanation.

Fort St. George, Judicial Consultation, 15th June 1858.

4. To this Gunish consented and gave up the property now under notice which was secreted in his own and servant's persons; and at the same time, he wrote a letter to Baba Dessai, a copy of which I enclose.

5. The money and ornaments in question having been clearly intended for the rebels, and recovered, by what may be considered a sharp ruse, I submit that it should be considered the lawful prize of the party engaged.

6. The prisoner may say that the money was intended as ransom for his brother, whom he declares to have been detained by the band, but if all he says is true, I am humbly of opinion his story can only be received in extenuation of the crime of aiding and abetting the rebels.

7. Should any other view be taken it would always be open to a rebel at heart to place his brother with the band and then openly to assist them on the plea of the life of his brother being in danger.

8. However this is all a matter for your consideration, and I confine myself to begging that if the money should be ultimately confiscated, you will recommend that it be given to my party as an incentive to further activity for I am well aware that you consider they have hitherto done good service.

(True Copy.)

(Signed) J. D. ROBINSON,
Special Commissioner.

No. 12.

ORDER THEREON, No. 763; dated 9th June 1858.

Under the circumstances represented by the Special Commissioner, the Government authorize the money and ornaments in question being left with Captain Schneider for distribution among his men.

(Signed) T. PYCROFT,
Chief Secretary.

Judicial Department

No 987

From J. D. Robinson Esq^r
Special Commissioner - North Canara
Dated 28 May 1858.

For Orders.

I am disposed to give him money
wh distributed amongst the
troops - as recommended by Mr
Robinson -

It
I do like to have seen James B. Robins
letter & the proceeds on his trial. From
Capt Chandlers letter I am disposed
to doubt the truth of his story & in that
case we have no pretensions in allowing
the property to become prize. But whether
part of the money was really collected
for ransom or not

7.0.

State the four main views of
the case - as the Prisoner has clearly
mixed up other collections, I feared
that he said the whole, with his sheep
pen down money. Should I distribute
the whole & distribute it as asked

7 June Well.

In Dy. & Court: 15 June.
Judicial 1858 Sept 4th

Exchanged in date 15/6/58.
Judicial 1858 Sept 4th
7th Sept 1858 of 1858
Para 204

The Special
Com. N. I. his men -
J. P. Robinson - 9/6/58.

From
J. A. Robinson, Esq.
Special Commissioner
North Carolina -
a 3/3/58.

Enclosing for the consider-
ation and decision of Gov.
a letter from Capt. J. A. Robinson
on the subject of certain
money and ornaments
which fell into his
hands at the arrest of
Laurie & Butler of
Halifax now a prisoner
at Norfolk.

Encl. 1 No 907

With an order

Under the circumstances represent-
ed by the Special Commissioner it
is authorized his money and orna-
ments in question being up with Capt.
Schneider for distribution among
his men -
J. P. Robinson - 9/6/58.

They cannot be accounted
 for as they are the same
 as the first lot of the
 same kind and are
 of the same quality

is now given to the
 public to the public account
 in order that they may
 be able to see the
 same and to see the
 same as the first lot

The first lot of the
 same kind and are
 of the same quality
 as the first lot of the
 same kind and are
 of the same quality