M.R.O. 1—38,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1691
56-57

Press Mis.

Dated 19-12- 1856

Not to be folded or roughly handled

No. 275.

From

G. A. Stirbes Esquire

Agent to the Governor

in Ganjam

To

T. Pycroft Esquire

Chief Secretary to Government

Fort St. George.

Sir

Para 1 I have the honor to submit

X

P30: dated 23 September 1859 No 1283. Do dated 5th October 1859 No. 1357 ... Do Do 21st Do. Do No 1413 Do Do 22nd Do No 1426 ...

the information called for respecting the State prisoners referred to in the Government Proceedings noted in the margin.

The Six Prisoners at Bellary

1st Tibbo and 2nd Majee employed in the Dundasena sedition, and there was ample moral proof of their having planned and instigated a brutal murder. If legal evidence had been complete, they would have been hanged. I think they should pay

pay the penalty of the life they took, in imprisonment for life.—

3rd Joged Dora ——— Was indicted for murder and rebellion in one case and for rebellion in another, in both of which he was acquitted, from want of sufficient proof for a formal conviction. The Acting Agent however was of opinion that there was sufficient on record to warrant his being kept as a State prisoner for <u>life</u>; but as the prisoner declared that he was acting under Compulsion, and on one occasion did good service in having led a party of Sepoys under an Officer when their own guide lost their way, he suggested to the Foujdaree Adalut that should Kumedy be quiet and the disturbances forgotten in <u>1862</u>, he may then be permitted to return to his Country, and recommended to Government that the prisoner should be

kept as State prisoner, and for the present removed to some distant Jail. I have only to add that I think this recommendation should be adhered to.—

4th Seally Byragee — Was charged with ..... open rebellion; legal proof was however insufficient for conviction. The Seally Dora being at that time minor, this man who is his uncle was acting for him. The Acting Agent however stated that he felt convinced that this individual did take a part in the attack he was charged with and that he made Common Cause with the Dundasenah; and he submitted to the Foujdaree Adalut that there was enough proved to warrant his being kept as a State prisoner for <u>life</u>.— He is a man of much influence and —

J.

I recommend his detention for the next ten years.

5th " Lutchiah Dora — The case against this man is the same as the above. I recommend his detention for a similar period.

6th " Palumbera Dora — This petty Chief also was charged with rebellion. The Acting Agent states that it is difficult to prove that these men were actually engaged tho' he has no doubt that they ..... more or less assisted the Dundasenah; He says that Seelumbara Dora's peons were actively employed against Government; he is a man of much influence and if set at liberty would intrigue — His detention for the same period as in the above cases, is desirable.

1 Poleeta Bijeyee at Chinglepute.
2 Sama Bijeyee at Do. —
1 Bijeyee Narsana Bijeyee at Cuddalore
} 3 These prisoners were charged with affording assistance and shelter to Chokro Bijeyee and Lutchmy Narrain.

The two prisoners at Chinglepute and the one at Cuddalore.

Narrain Bunje (a spurious pretender to the Zemindary of Goomsur) the leaders of a gang associated together for illegal purposes and their followers in Goomsur, the object being to force Government to recognize the claims of the Bunje. — Mr. Onslow considered the guilt of these people to be "as manifest as if it had been proved by such evidence" "as would satisfy a Court of law;" and in his report to Government especially noticed "Poleeta Bijeyee" who ranks the highest of his class in Chokiapaud. — He considered it unsafe to release any of these, and recommended that they should be incarcerated at the places above indicated during the pleasure of Government. — I recommend that the prisoners' application be again reported on in 1861 three years hence.

Rundra.

Kundra Pattion } This individual was — The State prisoner at Chicacole

at Chicacole — and adherent of Chotro Bissoyi, he, together with several others, voluntarily surrendered himself to the Superintendent of the Tributary Mahals in Cuttack, by whom he was transferred to Captain Macdonald's charge; the prisoner did not confess being implicated in any Criminal enterprise: Nor was any specific charge proved against him. Mr Macdonald proposed that he should be released on Security provided he agreed to adopt an honest means of livelihood in the Southern talooks of the District. He was averse to the man settling down again in Goomsur. In forwarding Mr Macdonald's letter to Government, Mr W. Knox recommended that this prisoner should be banished the district and left

left to maintain himself by his labour under surveillance. His detention as a State prisoner was the act of the Government - Vide Extract Minutes Consultation dated 2nd June 1855 No. 408

We may, I think, be released with the proviso that he will be liable to imprisonment if found in Goomsur.

The Enclosures are herewith returned -

I have the honor to be
Sir,
Your Most Obedient Servant

Ganjam District
Governor Agent's Office
Chellerpore 19th November 1859

H. Russell
Asst to the Governor

Proceedings of the Madras Government, Judicial Department, for the month of December 1859.

No. 56. Read the following letter from G. S. FORBES, Esq., Agent to the Governor in Ganjam; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th November 1859, No. 275.

Paragraph 1. I have the honor to submit the information called for respecting the State Prisoners referred to in the Government Proceedings noted in the margin.*

* *Proceedings, dated 23rd September* 1859, *No.* 1283.
Do. do. 5th October ,, ,, 1357.
Do. do. 21st do. ,, ,, 1413.
Do. do. 22nd do. ,, ,, 1426.

The six prisoners at Bellary. 1st. *Tibboo and* 2nd. *Majee.*

2. These men were actively employed in the Dundasena sedition and there was ample moral proof of their having planned and instigated a brutal murder. If legal evidence had been complete, they would have been hanged. I think they should pay the penalty of the life they took, in imprisonment for life.

3rd. *Jogee Dora*—Was indicted for murder and rebellion in one case and for rebellion in another, in both of which he was acquitted, from want of sufficient proof for a formal conviction. The Acting Agent, however, was of opinion that there was sufficient on record to warrant his being kept as a State prisoner for *life*; but as the prisoner declared that he was acting under compulsion, and on one occasion did good service in having led a party of sepoys under an officer when their own guide lost their way, he suggested to the Foujdaree Udalut that should Kimedy be quiet and the disturbances forgotten in 1862, he may then be permitted to return to his country, and recommended to Government that the prisoner should be kept as State prisoner, and for the present removed to some distant Jail. I have only to add that I think this recommendation should be adhered to.

4th. *Seally Byragee*—Was charged with open rebellion; legal proof was however insufficient for conviction. The Seally Dora being at that time minor, this man, who is his uncle, was acting for him. The Acting Agent, however, stated that he felt convinced, that this individual did take a part in the attack he was charged with and that he made common cause with the Dundasena; and he submitted to the Foujdaree Udalut that there was enough proved to warrant his being kept as a State prisoner for *life*. He is a man of much influence and I recommend his detention for the next ten years.

5th. *Lutchiah Dora*—The case against this man is the same as the above; and I recommend his detention for a similar period.

6th. *Neelumbera Dora*—This petty chief also was charged with rebellion. The Acting Agent states that it is difficult to prove these men were actually engaged, though he has no doubt that they more or less assisted the Dundasena. He says that Neelumbera Dora's peons were actively employed against Government; he is a man of much influence and if set at liberty, would intrigue. His detention for the same period as in the above cases, is desirable.

The two prisoners at Chingleput and the one at Cuddalore. 1. *Poteela Bissoye at Chingleput.* 2. *Sama Bissoye do.* 1. *Bissoo Karasana Bissoye at Cuddalore.*

3. These prisoners were charged with affording assistance and shelter to Chokro Bissoye, and Lutchmy Narrain Bunje, (a spurious pretender to the Zemindary of Goomsur), the leaders of a gang associated together for illegal purposes and their followers in Goomsur, the object being to force Government to recongnize the claims of the Bunje. Mr. Onslow considered the guilt of these people to be "as manifest as if it had been proved by such evidence as would satisfy a Court of law;" and in his report to the Government especially noticed "Poteeta Bissoye," who ranks the highest of his class in Chokapaud. He considered it unsafe to release any of these, and recommended that they should be incarcerated at the places above indicated during the pleasure of Government. I recommend that the prisoners' application be again reported on in 1861, three years hence.

The State Prisoner Kundra Naik at Chicacole. } *Kundra Naik at Chicacole.*

4. This individual was an adherent of Chokro Bissoye, he (together with several others) voluntarily surrended himself to the Superintendent of the Tributary Mahals in Cuttack, by whom he was transferred to Captain Macdonald's charge; the prisoner did not confess being implicated in any criminal enterprise; nor was any specific charge proved against him. Mr. Macdonald proposed that he should be released on security, provided he agreed to adopt an honest means of livelihood in the Southern Talooks of the District. He was averse to the man settling down again in Goomsur. In forwarding Mr. Macdonald's letter to Government, Mr. W. Knox recommended that this prisoner should be banished the district and left to maintain himself by his labour under surveillance. His detention as a State Prisoner was the act of the Government. Vide Extract Minutes Consultation, dated 2nd June 1855, No. 408. He may, I think, be released with the proviso that he will be liable to imprisonment if found in Goomsur.

No. 57. ORDER THEREON, 19th December 1859, No. 1691.

The Agent in Ganjam reports on certain State Prisoners from his district imprisoned, Nos. 1 to 6 at Bellary, Nos. 7 and 8 at Chingleput, No. 9 at Chicacole and No. 10 at Cuddalore.

1. *Tibboo.*
2. *Majee.*
3. *Jogee Dora.*
4. *Seally Byragee.*
5. *Lutchia Dora.*
6. *Neelumbara Dora.*
7. *Poteelo Bissoye.*
8. *Sama Bissoye.*
9. *Kundra Naick.*
10. *Bissoo Karsana Bissoye.*

2. Government can pass no orders as regards Tibboo and Majee.

3. Jogé Dora may be released at the beginning of 1860, if Kimidi be *then* quiet.

4. The Honorable the Governor in Council is pleased to direct the release of Kundra Naik on the condition recommended by the Agent in Ganjam. The Session Judge at Chicacole will be careful to warn this man, before setting him at liberty, that, if found in Gumsúr, he will be liable to imprisonment.

5. His Excellency in Council directs that the Agent in Ganjam will, two years hence, or at the end of 1861, report again respecting the other Prisoners, Nos. 4 to 8, and 10.

6. The Session Judge of Cuddalore and the Subordinate Judge of Bellary will communicate to the State Prisoners, who have submitted petitions through them, such parts of the present orders as affect them respectively.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 265

Subordinate Criminal Court,
Bellary, 17th August 1859.

From,

J. R. Kindersley Esqre,
Acting Subordinate Crimal Judge of Bellary.

To,

J. Rohde Esqre,
Inspector General of Prisons.

Sir,

I have the honor to enclose two petitions from certain state Prisoners confined in the Bellary Jail under Warrants of the Agent to the Governor in Ganjam, praying for their release.

2. The Warrant for the commitment of 1 Jogee dora, 2 Seally Byragee Dora, 3 Wunnah Lutchiah Dora, and 4 Neelumbara Dora, is dated the 20th Novr 1857, and that for the imprisonment of Tibboo, and Majie, is dated the 20th Febuary 1856.

3. I believe that the above prisoners have always behaved well since they have been confined in this Jail, and I beg that if you see no objection to such a course you will submit their case to the favorable consideration of Government. I am told that they have never petitioned before, and I believe that they are now encouraged to do so by

by observing that the rebel prisoners from Rauchoie have been released by orders of Government.

I have the honor to be

Sir.

Your most obedient Servant.

J Henderson

Acting Subordinate Judge.

To.

J. Rohde Esqre

Inspector General of Prisons

3E

Filed in court this 17th August 1859.

J Henderson

Acting. S. C. Judge

Judicial (1859) Department

From J. H. Henderson Esquire

Acting Subordinate Judge of Tillia

To J. Rohde Esquire

Inspector General of Prisons

Dated 17th August 1859.

Received 22nd

No 2016.

Enclosures 2

Forwarding two Petitions from Certain State Prisoners praying for their release.

UE

To

The Subordinate Criminal Judge

of Bellary

The humble Petition of the State Pri-
soners Tipoo, and Mungoo.

We came to this gillah Said 3 years and 3 months
ago, we know nothing of our examination. We beg
your honor will have the kindness to write to the
Government to release us from the Said, and inform
us of the orders which you may receive.

Mark of Tipoo

17th August 1859. " of Mungoo

(True Translation

J Sandilands

Acting Subordinate Interp.

Comm

Filed in court this 17th August 1859

J Bendelsley

Petng. S. C. Judge

To,

The Subordinate Criminal Judge of Bellary.

The humble Petition of State Prisoners Mullada Jogee Dora, 2 Sally Byragee, 3 Lutchiah Dora, and 4 Neelumbara Dora.

We came to this Gillah Jail one year and six months ago. We know nothing of our examination. We beg your honor will have the kindness to write to the Government to release us from the Jail, and inform us of the orders which you may receive.

17th August 1859.

Mark of Mullada Jogee Dora
—"— Sally Byragee
—"— Lutchiah Dora
—"— Neelumbara Dora

(True Translation)

J. Lindesay
Actg. Sub. Jud. Ft.

Cuttack

To His Excellency the
Governor in Council
Fort Saint George
Petition presented by
Bijee Ramsawmy
Bijeeyea a State
Prisoner in Jail.

Sheweth that your Petitioner was not punished either for theft or Dacoity, but the Government being under the impression that Petitioner had rebelled against the State Petitioner has been banished to this Jail to await the pleasure of Government. It is now 9 years since Petitioner came to this Jail. Petitioner has not done any thing against the State. Petitioner has conducted himself in obedience to the Orders of Jailer and Deputy Jailer & Duffadars. Petitioner will hereafter conduct himself in Jail. No Orders have yet been issued by the Government in my Case. If a reprieve be made to the Duffadars and others as stated above my

Consent

my Conduct will be Approved. I am
quite sorry for my not being yet
released & this Govt have passed
and on account of Government
not being pleased any final Order
respecting it. On a petition being
submitted by me to the Inspector
General of Prisons, he was pleased
to pass an Order stating that he
has no Authority to interfere in
the matter of the petitioners
Confinement and that I should
address an Application to the
Government. I therefore pray His
Excellency the Governor
in Council will be pleased to
take my Case into Consideration
and direct my release.

15th October
1859 / Signed / Bijo Hansma

Bijoy

(True Translation)

Signed

Officiating Interp

Remarks by the Honble
the President-

If Kinidi continues quiet
to the end of next year, I see no advantage
in keeping her incarcerated longer. The
Agent should, in my opinion, furnish
an Annual Report upon this State Pris-
oners. I have seen a great deal of the
management of such Chiefships as
these, and never have I seen them man-
aged by such an arbitrary system
as this-

/ Signed C. E. F.

By the Honble
V. Elliot-

I concur in the above recommendations. The course of indefinite and arbitrary imprisonment adopted towards these men is, I admit, open to objection, but the circumstances which have led to it are peculiar and such as require an exceptional policy. The Prisoners belong to a turbulent and rebellious race, who are encouraged in clinging to their lawless habits by the difficult nature of their Country, which is so unhealthy that the inhabitants of the plains cannot exist in it. The Gunsus insurrection cost us two, or I believe it was three Campaigns employing

I concur in the above recommendations. The course of indefinite & arbitrary imprisonment adopted towards these men direct the release of Tumdra

=ing some 6,000 or 7,000 men, the whole of whom were completely disorganized by sickness and many Officers died. The same results in a less degree attended the Gohkond a and Bilkhond a rebellions, and tho' the Dundasinde outbreak was nipped in the bud, it is from such small beginnings that all these fatal commotions have sprung. A turbulent and dangerous man can always find refuge in places to which he cannot be followed, and there can hatch, in security, the plan of a new outbreak. It is this circumstance alone, that has led to the indefinite incarceration of such persons.

/Signed/ W. E.

By the Honble W. Morehead.

I agree with Mr. E. Too much caution cannot be exercised in regard to these men. the consequences that may follow any mistaken line of policy in regard to them are too serious to be lightly incurred.

/Signed/ W. M.

By His Excellency the Commander in Chief

I entirely agree with Mr. Elliot and Mr. Morehead. and I would go further and never, while they live, release one of these troublesome miscreants to whom have

have involved the Govt: in heavy expences and caused the loss of vast numbers of valuable lives.

/Signed/ P. G.

/Signed/ H. Kemaretk

I concur in the above recommendations. the course of indefinite arbitrary imprisonment adopted towards these men

direct the release of Kunadra

Remarks by the Honorable the President.

I do not consider this order correct. The recommendations agreed to by the Members of Government were those made by the Agent- and not the Presidents.

Jogar Dora is therefore not to be released, until the end of '62- and then only, if Kinedy continues quiet—

(Signed) W. W.

By His Excellency the Commander in Chief—

Quite right in my opinion.

(Sgd.) R.G.

I concur in the above recommendations. The course of indefinite arbitrary imprisonment adopted towards these men direct the release of Kinedy

Judicial.

12 E

Proceedings of the Madras Govt.

Read letter from the
Agent in Ganjam — Enter 19th Novemr 1859 —
No 275.

Order — 19th December 1859 — No 1691.

1. Tibboo.
2. Majee.
3. Jogee Dora.
4. Seally Byragee.
5. Sutchiah Dora.
6. Neelumbara Dora.
7. Poteela Bissoye.
8. Ba[illegible]w Bis-oye.
9. Kundra Naick.
10. Bis-oo Karsana Bissoye.

The Agent in Ganjam reports on certain State Prisoners from his district imprisoned — Nos 1 to 6 at Bellary — Nos 7 & 8 at Chingleput — No 9 at Chicacole — & No 10 at Cuddalore.

If Kimidi continues quiet to the end of next year I see no advantage in keeping No 3 incarcerated longer. The Agent should, in my opinion, furnish an annual report upon his State Prisoners. I have seen a great deal of the management of such Chiefships as these and never have I seen them managed by such an arbitrary system as this —

I concur in the above recommendations. The course of indefinite & arbitrary imprisonment adopted towards these men

2. Govt. can pass no orders as regards Tibboo & Majee.

3. Jogee Dora may be released at the beginning of 1860, if Kimidi be then quiet.

4. The Hon'ble the Governor in Council is pleased to direct the release of Kundra

us, I admit, open to objection but the cases which have led to it are peculiar & must in future ensure an Exceptional policy. The Pres.y belongs to a turbulent & rebellious race, who are encouraged in clinging to their lawless habits by the difficult nature of their country, which is so unhealthy that the inhabit of the plains cannot exist in it. The Jungoor insurrection took its rise, or I believe it was there carried on, employing some 6000 or 7000 men, the whole of whom were completely disorganized & sickness & many deserted. The same result in a less degree attended the Gokulkonda & Palacondah risings, and that the Dandasinas outbreak was stopped in the bud, it is for the small beginning that all these fatal commotions have sprung. A low subtle and dangerous man can always find pitfalls in Ol plains where no cover can hatch, no security the plan of a new outbreak. It is this care alone that has led to the indefinite incarceration of such persons.

W.C.

I agree with Mr E. too much caution cannot be exercised in regard to these men — the cases of Jungoor that may [illegible] every mistake has its [illegible] penalty, unpaid to those who are [illegible] the [illegible] incurred.

W.M.

I entirely agree with Mr Elliot & Mr Morehead — and I would

Hundra Naik on the condition recommended by the Agent in Ganjam. The Sessions Judge at Chicacole will be careful to warn this man, before setting him at liberty, that, if found in Gunjam, he will be liable to imprisonment.

His Excellency in Council directs that the Agent in Ganjam will [illegible] at the end of 1869, report again respecting the other prisoners Nos. 4 to 8, & 10.

The Session Judge of Cuddalore & the Subordinate Judge of Bellary will communicate to the State Prisoners who have submitted petitions thro' them

G. Farther are aware, that the Chittoor Mirasdars who have evaded the Court in the appeals are causing the loss of Rs[illegible] annually

them, such parts of the present orders as affect them respectively.

J.P.

[illegible] Govt in 54 / 10th Nov

The Inspector General of Jails.
" Sessions Judge } Bellary.
" Sub Judge }
" Sessions Judge, Chingleput.
" do ——— Chicacole.
" do ——— Cuddalore.
" Agent, Ganjam.

desp.d 22nd

Procs of Govt 20 Dec.

Judicial 1859 Dec & c.

No 1691

Proceedings of Govt

9/19 Dec. 59

Sec. 50/60 20 Jan. 60 - 324
" 868/61 2051/64
" 289/62
" 643/63

Pass Orders on the
reports submitted by the
Agent at Ganjam or Arta
State Prisoners from his
District imprisoned
at Bellary Chinglepu
Chicacole and Cuddalo

56 & 57

C. Select
213.