

MADRAS RECORD OFFICE.

Government of Madras.

Official DEPARTMENT.

G.O. No.	428	Press
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Dated	29 — 3 — 1918	

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 1st April 1859. A

No. 3. Read the following letter from J. D. ROBINSON, Esq., Joint Magistrate of Canara ;
to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated
10th March 1859, No. 120.

SIR,

I trust I shall not be considered troublesome if I refer for the consideration and orders of Government one point more connected with the confiscations directed against the property of persons sentenced under Act XIV of 1857.

2. On a reference *made by Mr. Ballard Government were pleased to observe that they "saw no objection to the omission of the additional sentence of forfeiture of property and effects" in cases where the enforcement of the full penalties prescribed by the Act, would press heavily on the families of the poorer classes of Political criminals.

3. On the discretion so allowed Mr. Ballard freely acted omitting from the majority of his sentences these additional penalties.

4. This latitude however was only prospective and affected decisions made subsequently to the receipt of the above quoted order.

5. The question I would now ask is, whether that discretion may be allowed retrospective effect and a partial or entire remission of the additional penalties be made in sentences of which they already formed a portion, the cases having been disposed of previous to receipt of the Government order. I have said "partial" because in so far as personal effects are concerned these sentences have already been enforced and the proceeds of sale amounting to some 1,400 Rupees carried to Government account.

6. My question therefore relates almost exclusively to the disposal of land attached under the original sentences.

7. These holdings are so small, so minutely sub-divided among the several branches of the family, in whose name they stand, and are withal so unmarketable that I beg respectfully to ask for myself the same discretion in regard to their disposal as was granted to Mr. Ballard under similar circumstances.

8. The heads of these families having already paid a heavy penalty to the State in the loss of their personal liberty and property, it would be, I am humbly of opinion, a graceful act on the part of Government to leave their households (for the most part very poor) in the enjoyment of the land to which they have principally to look, as a means of present and future support.

9. Under the impression that Government will concur in these views I have not enforced the rule in the case of these petty holdings, but contented myself for the present with carrying to account the proceeds of the sale of personal property amounting as before stated, to some Rupees 1,400.

10. I may observe when on this subject that the only persons who had saleable land of any amount were precisely the three who made voluntary submission before the 1st January 1859. I do not speak here of course of the property of those, who, having rejected all terms, are again in open rebellion with Sidi Bastian and his brother Benove ; but of that of the poorer members of the former Bund, who are now expiating in their own persons the offences of which they were convicted in connection therewith.

11. To place the matter more fairly before Government, I append a list exhibiting the details of landed property for which I now beg exemption.

Fort St. George, Judicial Consultation, 1st April 1859.

Statement showing the particulars of landed property under attachment belonging to prisoners sentenced in the Commissioner's Courts, North Canara.

No.	Names of Prisoners.	Land where situated.	Name of Village.	No. of Wary.	Extent.		Assessment on the land.		Remarks.
					A. ca.	G. A.	R.	A. P.	
Mogonyy Sanyah.									
1	Kankonkar Vittoba and his younger brother Bimbo.	Nugary.	Nugary.	2	10	38 11	31	110	
2	Birjee Devan.	do.	do.	1	2	36 11	15	1	
3	Potol Choodha Desai his younger brother Vittoba Desai.	Halikamley.	Halikamley.	1	8	15 0	14 14	4	
4	Pator Dary.	Vituly Jodey.	Vituly Jodey.	2	10	18 11	47	3 0	
5	Somah Gowdih.	Khoddy.	Khoddy.	1	1	1 8	3	0 0	
6	Goonah Gowdih.	do.	do.	1	1	1 8	3	0 0	
7	Naraina Meernay and Gumba Meernay.	do.	do.	1	0	31 10	17	3 3	
8	Kozakar Bhicke, Mahaleva and Mandan.	do.	do.	2	16	8 13	1	0 3	
9	Naraina Mullick.	Vagay.	Vagay.	1	2	21 3	15 11	3	
10	Jhoolpa and Doolba.	Kozalul.	Kozalul.	1	1	18 1	15 11	3	
11	Shaba Desai, Kalupa Desai, Apoo Desai and Sonthing Desai.	Jialataly.	Jialataly.	2	10	3 1	47	8 1	
12	Jora Mullick.	Noojee.	Noojee.	2	3	19 2	8	0 0	
13	Goodseuth Thumajee.	Gogoda.	Gogoda.	1	1	5 0	28	6 0	
14	Noojee Vittob Mullick.	Noojee.	Noojee.	2	12	18 1	11 1	4	
15	Kherdo Valeef.	Dhangarwada.	Dhangarwada.	1	3	0 0	13	9 6	
16	Anumdrao Desai.	do.	do.	1	1	16 0	13	9 6	
17	Bhickary Mullick.	do.	do.	1	1	5 12	13	1 1	
18	Dhongerwada Nilha Desai.	do.	do.	1	3	3 0	13	2 1	
19	Singergram Gumba Desai.	do.	do.	1	8	8 6	13	2 1	
					116	8 3	301	12 3	

Joint Magistrate's Office, on Circuit,
Koovery, 10th March 1859.

(Signed) J. D. ROBINSON,
Joint Magistrate.

No. 1 ORDER THEREON, No. 128, dated 21st March 1859.

The Government are of opinion that the sentence of confiscation of landed property here adverted to may be remitted in favor of the families of the rebels concerned, in pursuance of the ruling of the Governor General in His Excellency's instructions to the Chief Commissioner of the Punjab, para. 14; copy of which was furnished to this Government, as I circulate through Commissioners in this Presidency with Extract Minutes Consultation No. 19, dated 7th January 1859.

(Signed) T. PYCROFT,
Chief Secretary.

order No. 128.

The Govt are of opinion that the sentence of confiscation of landed property here adverted to may be remitted in favor of the families of the rebels concerned, agreeing to the ruling of the Govt. Genl. in his Excellency's instructions to the Chief Commr. of the Punjab, para 14; copy of which was furnished to his Govt, & circulated to all Commissioners in the Presidency with M.O. No 19 d/ the

To the Mag of Canara {dtd 7th Jan 3/59 - J.P. S.H. 23/3/59
To the Mag of Canara {dtd 27th March 1859 - J.P. S.H. 23/3/59