

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2390.

Dated 20<sup>th</sup> Nov 1895.

INDEXED.

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[Despatch Abstract.]

EXEMPTION FROM THE ARMS ACT.

Declining to reconsider the orders already passed in G.O., No. 899, dated 3rd. May 1895, stating that Dharmapala Heggade of Dharmastala, South Canara district, must take out a license for the possession of his guns.

*Mich*

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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# FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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To

His Excellency the Right Honourable

Lord Wenlock, G.C.I.E.,

Governor in Council, Fort Saint George,

MADRAS.

Humble Petition of Dharmapāla Heggade of  
Dharmasthala at Mullaramadi Village, Pajiradka Magne, Uppinangadi Talook, South  
Canara District. Dated the 13th July 1895.

May it please Your Excellency,

That Your Excellency's Petitioner is the present sole manager and muktēsar of the richest and very famous Temple of Sri Manjunātha Dēvaroo at Dharmasthala in Uppinangadi Talook of South Canara.

2. That Your Excellency's Petitioner succeeded to the office of trustee of that renowned Temple in August last, when his grandfather M. R. Ry. Manjayya Heggade Avargal, the late Trustee, died at the age of 77. That Your Excellency's Petitioner was the helpmate of his aforesaid grandfather during his old age, and the following few facts will satisfy Your Excellency's Government of the undoubted loyalty of Your Petitioner and his predecessor.

3. That the said Manjayya Heggade Avargal received the Durbar Certificate of 1st January 1877. He took a prominent part in the celebration of the Jubilee in the Temple, and headed the list of subscription to the Memorial Fund by subscribing Rs. 1,100 (vide page 76 of the Narrative of the Celebration of the Jubilee of Her Most Gracious Majesty Queen Empress, compiled by Sir Charles Lawson, and also page 12 and 62 of the Narrative of the Celebration of the Jubilee in South Canara, by Rao Bahadur N. Shiva Rao). The charities and chatrum of this Temple are so well known that though the name of the village is Mallaramadi, the locality is known as Dharmasthala (*i. e.* place of charity).

4. That the pagoda has jewels, precious stones and various other jewels of great value, besides continuously receiving every year large sums and valuables as presents from the pilgrims visiting the Temple annually from the various parts of India.

5. That the Temple has a tastik allowance by Government of Rs. 330 per annum, and Your Excellency's Petitioner pays an assessment of over Rs. 5,500 per annum and is of approved loyalty and of good position.

6. That the treasure of the Temple needs to be guarded against thieves and burglars day and night, and to meet this need, the late manager used to keep armed watches day and night, especially because the Police Station of the locality consists of only 4 Constables with one Head Constable.

7. That while Your Excellency's Petitioner continuing the same state of things in virtue of his office as successor of the said Manjayya Heggade, the District Magistrate ordered that he may continue to keep guns without license till the orders are passed by the proper authority.

8. That therefore Your Excellency's Petitioner applied to the Collector on 21st September 1894 for exemption, and the endorsement to his application was passed on 16th October 1894 to the effect that the Government can alone grant exemption.

9. That then Your Excellency's Petitioner requested the local District Magistrate to forward Your Excellency's Petitioner's application, dated 27th December 1894 for exemption, to the Local Government, which passed the following order No. <sup>899</sup>/<sub>95</sub> on 3rd June 1895.

"The Government considers that the Petitioner may be exempted from the prohibitions of the Arms Act in so far as relates to his pistols, but he must take out a license for the possession of his guns."

10. That the recent plunder of the immense jewelry of the temple at Kollur in this District has rendered Your Excellency's Petitioner to apprehend that the Temple riches etc. are always in risk unless carefully guarded by arms, such as guns etc., especially as the Temple is in a remote place surrounded by jungles and in the slope of the Western Ghats like the Kollur Temple.

11. Under all these circumstances it is most respectfully prayed, (1) that Your Excellency in Council will be graciously pleased to direct and declare that Your Excellency's Petitioner is permitted to keep arms (consisting of five muskets) without license in virtue of his office of Dharmasthala Heggade, and being a landlord of approved loyalty and of good position coming under Rule I. Clause (10) of the Notification and Rules made by the Governor General in Council under "The Indian Arms Act 1878", Notification No. 518, Home Department, Public, dated 6th March 1879; (2) that, if necessary, Your Excellency's Petitioner's exemption under section 27 of the Arms Act may be recommended to H. E. the Governor General in Council.

For which act of justice and kindness Your Excellency's Petitioner shall, as in duty bound, ever pray.

*Handwritten signature in Devanagari script.*

*It was originally seven. (petitioner)  
Go. 899/  
3-5-95*

Judicial Dept.  
 CURRENT NO. 4771  
 The District Magistrate  
 South Canara

1885: 29.7.95 Wms  
 89983-5.95-Mis  
 & paps.

Exemption from Arms Act.

To,  
 The Chief Secretary  
 to Government  
 Judicial Department  
 Fort St. George

For orders.

Date 1<sup>st</sup> }  
 Received 9<sup>th</sup> } October 1895.  
 Recd 10<sup>th</sup> }

Reference to C. 862/95  
 - 9 OCT. 1895  
 CHIEF SECRETARY  
 GOVERNMENT OF MADRAS  
 Encl. 1.

Subject.

Submitting the petition of  
 Dharmapala Heggade of  
 Dharmastala in Lippinangadi  
 Taluk addressed to His  
 Excellency the Governor  
 Madras.

9/10/95  
 1/11

Annulment  
 Pamp  
 2/11/95  
 (over)

In G.O. 899 Judd of 3 May last the pet.  
 was exempted in so far as his pistols were concerned.  
 & he was also informed therein that he must  
 take out a license for the possession of his guns.  
 He now prays that he may be permitted to  
 keep arms without license & if that is necessary,  
 he may be exempted under sec. 27 of the Act.  
 Submitted that pet.'s position as  
 a temple trustee & grandson of a  
 Damber Certificate holder has already  
 been amply recognized by the  
 exemption in the case of his  
 pistols. The fact that he is  
 afraid the temple may be robbed  
 is no reason for exempting him  
 from the Arms Act rules under  
 sec. 27. or otherwise. He can  
 take out license for his guns, &  
 is refusing exemption from Govt. Will  
 not be leaving him defenceless.  
 It is for the D. Magt. to decide  
 whether he may have as many as  
 five guns on license  
 The pet. wishes an exemption & for  
 the reason stated but for  
 his personal protection. It  
 seems to be a fair thing: the fee for license  
 is 20

1895  
 Judd  
 4771

South Canara Dt. Magistrate's Office  
Mangalore, 1<sup>st</sup> October 1895.

Reference on C. No. 2962/95  
Magt.

From

CURRENT NO. 4771  
W. H. Welsh Esq.  
District Magistrate.  
South Canara.

To,

The Chief Secretary to Government  
Judicial Department,  
Fort St. George.

Sir,

In submitting herewith petition of  
Dharmapala Heggade of Dharmasthala in  
Uppinangadi Taluk of this District, addressed  
to His Excellency the Governor, I have the  
honour to state that Petitioner's exemption was  
not recommended in this office C. No. 66  
dated 31<sup>st</sup> <sup>2<sup>nd</sup> Feb</sup> January 1895. because his <sup>Magt.</sup> uncle's  
exemption was merely personal as that of  
Grandfather Durbar Certificate holder.

Sp 899  
3.5.95

I have the honour to be

Sir,

Your most obedient servant.

*[Signature]*

For Dt. Magistrate.

Ind. DEPARTMENT.

Papers to be read in proceedings:—

|                   |                |        |
|-------------------|----------------|--------|
| Again G.O., dated | 189            | , No.  |
| Again G.O., dated | 189            | , No.  |
| Current No. 4771  | of 1895, dated | , from |
| " "               | " 189 , "      | , "    |
| " "               | " 189 , "      | , "    |

ORDER. Of 20 Nov: '95 No. 2390.

ms

The Govt. sees no reason

to reconsider the orders

already passed in G.O.

Dated 3.3.96 No. 899. J.

M. W. N. G. S. (from orders)  
18/11/95

To the Secy, P. P. dated 22/11/95  
copied in file

*Arms Act Recusation*

or copying \_\_\_\_\_  
red \_\_\_\_\_  
189 .

IN G.O. No.  
189

DATED

*Q.*

*(from orders)*

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILMED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- F = Copy abstract only.
- Q = Copy heading only.