

27-3-17

[⁹/₁₁]

ORDINARY, MS.

Public DEPARTMENT.
G.O., DATED *26-7-93*
No. *5-P.*

INDEXED.

When given for copying.

[Despatch Abstract.]

Paper order on
letter from the collector
of Malabar requesting
sanction for the
proposed division of
the treasure found
at the Kuthanur
Shanganti temple in
March 92—

FROM CIRCULATION
WITH ALTERATIONS.

*Subd. to the Col
in person at
Col
2599*

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147

Please see Sec. 12 of Act VI of 1878
which empowers the collector to divide
the treasure according to certain principles
laid down therein. It does not say that
the sanction of Govt is necessary.

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Proceedings of the ~~factories~~ of Malabar.
Kancheepuram - 3rd July 1893.

Read again Proceedings dated December 18,
1892, no. 1423^{P.} ^{sent.} and the records connected
therewith.

Read also G.O. no 59 dated January 30, 1893,
and no 145 dated February 21, 1893 and
the Talukhat Tahsildar's report dated April,
14, 1893, Ref. no. 2684 ^{ms.} of 1893.

There is little evidence to show by whom
the treasure found at the Kuthamur
Bhagavathi temple in March 1892, was
hidden. The Walees allege that it was
hidden by previous Walees, and that the
building under which it was found
is not more than 60 years old. The finder
estimates the age of the building at
100 years. The Tahsildar reports that
inquiries made in the place show that
the building is as old as the temple, which
is supposed to be 1500 years old. It is
probably well over 100 years old.

2. I do not see any reason to suppose
that the treasure was hidden within
100 years by the predecessors of the
present Walees and I therefore declare
it ownerless under Section 9 of the
Treasure Trove Act.

3. The finder failed to give the notice
required.

required, ^{under} section 4 of the Act. His
share therefore vests in the Crown.

4. The Urabers who are owners of the
Place where it was found are 32 in
number. One of them has been convicted
under the penal clauses of the Act.

Three others were present at the finding of
the treasure and there is reason to believe
that the ~~holders~~ ^{Urabers} generally were aware
of it, and joined in appropriating it.

5. Still in the G.O. last read above
the Government has held that the
share of the man, who was convicted,
alone is liable to confiscation, but
at that time the fact that three of
the other ~~holders~~ ^{Urabers} were present when
the treasure was found, was not before
Government; Four thirty seconds of
the share of the holders seem
therefore to be liable to confiscation
under the G.O. just quoted.

6. I therefore direct under section 12
of the Treasure Trove Act that

$$\frac{3}{4} + \frac{1}{8} + \frac{1}{4} = \frac{25}{32} \text{ of the amount be}$$

Credited to Government, and
the remainder made over to the
28 Urabers who have not been proved
to have been present at the finding
of the treasure.

(Signed) Herbert Bradley
ag. Collector.

(True copy).

Herbert Bradley
ag. Collector.

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Malabar Collector's Office.
Calicut - 4th July 1893.

From, H. Bradley Esq.
ag. Collector of
Malabar.

To, The Hon'ble J. F. Pui.
Chief Secretary to Government,
Public Department.
Cotacamund.

Sir,
With reference to G.O. dated 21st February 1893, No. 145 Public, and to Rule 5 of the rules framed under the Indian Treasure Trove Act, I have the honor to forward herewith a copy of my Proceedings dated 3rd Instant, and to request that sanction may be accorded for dividing the treasure in the manner therein described.

I have the honor to be,
Sir,

Your most obedient servant,
H. Bradley
ag. Collector.

From
The Collector of
Malabar.

To
The Chief Secretary &
Govt. Public Dept.
not acknowledged.

NO 661-93
CHIEF SECRETARY
GOVERNMENT OF MADRAS
JULY 1893

Dated 4th July 1893.
Respt.
Recd.

Encl one
subject:

Submitting Copy of the
Collector's Proceedings passed
in the matter of the treasure
found at Kuthamur,
Bhagavate Temple in
Pacchal Taluk in March
1892 and requesting that
sanction may be accorded
for dividing the treasure
in the manner therein
described.

Order 26th July 1893.
No 581.
The Collector for Govt. required

for dividing the treasure referred to, in the
manner described in the Collis Proceedings
of the 2nd July 1893. If however the Collector
decides under Section 126 of Act VI of 1878
to sell the treasure by public auction, he
should submit proposals in reference
to IV of the rules sanctioned in G.O. of
7th September 1878 No 1350, as to the
and place of such sale and the lot
in which the treasure shall be put up for
auction.

2. No portion of the treasure need be
acquired on behalf of Govt.

24/7/93

15/7 80. 3rd Jan. 1893 No 59.

29/7
The Collector of Malabar.

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