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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue. DEPARTMENT

G.O. No. 863 Press

~~B.P. No.~~ ~~Mis.~~

Dated 28.6.1876 ~~1876~~ .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
28th June 1876.

No. 286. Read the following Proceedings of the Board of Revenue, dated 12th June 1876, No. 1,535 :—

Read again Board's Proceedings, dated 5th and 28th April 1876, Nos. 930 and 1,129.

Read also the following letter from G. D. LEMAN, Esq., Collector of the Kistna District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Masulipatam, 18th May 1876, No. 784 :—

REFERRING to Proceedings, No. 930, dated 5th April 1876, I have the hono to submit copy of a letter* from t District Judge, and to request further instructions.

* 6th May 1876, No. 98.

ENCLOSURE No. 1.

From H. J. STOKES, Esq., Acting District Judge, to G. D. LEMAN, Esq., Collector of the Kistna District, dated Guntoor, 6th May 1876, No. 98.

WITH reference to your letter No. 660, dated 2nd May 1876, reporting under Regulation XI. of 1832 that you are in possession of certain hidden treasure, and offering to forward it to this Court, I have the honor to inform you that I do not think it necessary that the property should be sent to this Court. Under the Regulation (Section 3) it is the finder who is bound to give notice and deposit the treasure. In the present case the finder has forfeited his right, and the Collector has acquired possession of the property on behalf of Government, the ultimate owners of unclaimed property. The Regulation does not appear to me to contemplate or provide for the case that has arisen.

(True Copy.)

(Signed) D. PURUSHOTTAMAYA,
Deputy Collector.

IN his letter recorded in the first of the foregoing Proceedings, the Collector of the Kistna District reported the discovery of nine gold ingots of the estimated value of Rupees 53,240, which, upon a search being instituted in consequence of information received by Mr. Leman, were found buried on the premises of one G. Naraidu.

2. The Collector was directed to proceed under Regulation XI. of 1832, and to report the award in due course, the Board being of opinion that it was the province of the District Judge to adjudicate in the matter. The Collector now reports that the District Judge is of opinion that there is no necessity for any award of the Court, as the finder has forfeited his right and the Collector has acquired possession of the property on behalf of Government, the ultimate owners of unclaimed property.

3. The Board consider that under Section 8 of the Regulation an order of the Court is a necessary preliminary to confiscation, but as the District Judge does not concur in this view, the Board resolve to submit the matter for the orders of Government. Mr. Leman having promised that the claim of the finders to such a share as they would have been entitled to had they given notice as required by law would be supported if they pointed out where the ingots were buried, the Board recommend that the four ingots at first produced by them be restored, the others to which they have no claim, as they denied their existence, being confis-

cated. The Board also recommend that some reward be granted to Mr. Carlier, through whose information the discovery was made.

4. As the District Judge does not concur in the Board's interpretation of the law, the orders of Government are requested as to the course to be pursued, should any similar case arise in future.

(True Copies and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

No. 287. ORDER THEREON, 28th June 1876, No. 863.

Miscellaneous.

As recommended by the Board, the finders must receive four ingots—which constitute, in fact, the remuneration tendered by the Collector, to induce them to make any disclosure whatever.

2. Mr. Carlier should receive Rs. 1,000 for his services.

3. In future cases, Collectors must apply to the Judge for confiscation more formally than Mr. Leman has done. The Judge's reply to his letter is, however, sufficient sanction in the present instance.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.
„ the Accountant-General.

Fxd. W. H. French

Govt. of {1876} Madras

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated June, 28*th*.

Read.

G.O., 28*th June* 1876, *No.* 863.

JUNE.

Nos. 286-287.

Treasure discovered while excavating Channel in the Kistna District.—Ordering restoration of a certain portion of the—to the finder as remuneration; and the payment of Rs. 1,000 to Mr. Carlier for his services. Observing that in future cases, Collectors must apply to the Judge for confirmation more formally than has been in the present case.

No. 930.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th April 1876.

Read the following letter from G. D. LEMAN, Esq., Collector of the Kistna District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Gudivadas, 11th March 1876, No. 434:—

I HAVE the honor to report the following circumstances.

2. About four years ago, a rumour reached me that in the excavation of one of the irrigation channels in the Repalli Taluq, certain tank-diggers had come upon a large number of gold ingots which they had taken possession of. I caused inquiries to be made by the then Tahsildar, who reported that the story had no foundation.

3. This Tahsildar died, and was succeeded by the present man who, after some inquiry, informed me that the story was true, so far as the finding of the ingots was concerned; that rumour had it that 120 or so had been found, and that their value was about nine lakhs of rupees; that the man who had found them and his sons had them buried about their premises.

4. As they had not observed the procedure necessary under Regulation XI. of 1832, I directed him to use his best endeavours to discover where they were that I might claim them for Government, and he and other officers in the district have been most zealous in trying to get information as to the whereabouts of them.

5. The finders were, I believe, at the first under the impression that the ingots were brass, and they parted with some under that impression; these have, I believe, found their way to Madras.

6. At Christmas last, the Tahsildar informed me that he thought Mr. Carlier, Overseer, Department of Public Works then, now acting Range Officer, could give me good information; but nothing came of it until I was at Mangalageri on the 10th February last, when he informed that he could point out two places in the compound of the place where the finder and his sons lived, where I should find the greater part of the ingots; he said 80 or so.

7. I accordingly went to the place; the finder G. Naraidu and his four sons G. Kistama and G. Pulliah, Venkatachellum, and Panakalu were there. I told them why I had come; and at once I was told that they had found ten ingots but had thrown them away in a field!

8. I explained to them the Regulation and, in the hopes of finding the quantity of ingots promised, told them that I would, if they showed me where they were buried, request the Government to leave them in the same position in regard to their claim to a share as they would have been in if they had, on finding them, proceeded accordingly to law.

9. On this the old man and his eldest son dug up four ingots which they gave me and said was all they had. Mr. Carlier instructed by his informant then pointed out another place, where we proceeded to dig; and after a commencement the other sons said that is not the place and proceeded to dig about 2 feet distant and produced four more; these were all buried 4 feet deep or so.

10. This they again alleged to be all they had; but instructed by Mr. Carlier I ordered two more holes to be opened. We found nothing more; but while the digging was proceeding, the husband of the daughter of the family came up and produced another ingot, which he dug from under the fireplace in his hut.

11. I was very disappointed that I did not find more; I have never believed that as many as 120 were originally found, though I am the only person who has made inquiries, who is sceptical as to the number; but still I hoped for a number sufficient in value above the lakh of rupees to make it worth the while of the Government to leave the finders in possession of the lakh.

12. The place where the ingots were buried was a compound surrounded by a mud wali about 30 yards square; in it were three huts, a cow shed, various dung and rubbish heaps, &c., and it was quite clear to me that if the people had not pointed out to me the exact places to dig, we should never have found one ingot. Mr. Carlier's informant was not aware of the exact spots or the depth, and without that knowledge we might have dug over the whole space and still missed them.

13. I believe all were found that were in that place. The family were in a state of the most intense excitement till the last ingot was found, when they calmed down and sat complacently watching the operation of enlarging the two holes made on Mr. Carlier's information in which we found nothing.

14. When they were quiet, I asked them about the finding; and they told me that they found twenty-two ingots; that they buried them first in a cholum field; and that a man named Kottaru Seshaiah when ploughing found thirteen which he carried off, and that the rest were given up to me. They lied so throughout the whole affair that it is not possible to believe any thing they say, and from the fact that they have, as they admitted to me, buried near their houses Rupees 800, I feel sure that there is at least another ingot that they have got rid off and have not told me of.

15. Whatever be the truth, the matter is now so "blown upon" that I do not expect to find any more. I put the Repalli Tahsildar on the alert as quickly as I could; but up to date he has not found anything. The ingots weigh and have been valued as follows by the Treasury Deputy Collector and his Shroffs :—

No.	Weight in Pagodas as marked on Ingots.	Weight in Rupees or Tolas.	Remarks.
		Rs.	
1	1,000	370	Value in Rupees 53,240½ at Rupees 16 a Tola.
2	1,022	378	
3	998	367	
4	1,000	370	
5	986	365½	
6	997	370	
7	1,001	370	
8	988	367	
9	994	370	
	8,986	3,327½	

16. It is said that the place where they were found is the site of the house, where in former times a dancing girl lived. I believe it is the merest rumour; for no one attempts to give her name or anything else about her, but there is no doubt that the place was an inhabited house once from the debris of tiles, &c., about.

17. Taking the finder's own story to be true and the average of the ingots (they say the others were all about the same size), they found 22 × 370½ × 16 Rupees worth of gold or 1,30,513½, and there is no doubt that, by their non-observance of the procedure laid down in Regulation XI of 1832, the Government is a loser of Rupees 30,513½ at least.

18. I would, however, beg that, in giving orders for their disposal, the Board will request the Government to bear in mind my promise to the finders, and to excuse them for not acting up to a law of which they were ignorant.

19. A reasonable time must, of course, be allowed for claimants, if any exist, to come forward and claim them; and perhaps it will be best they should remain in my Treasury, where they now are, for safe custody.

THE Collector has overlooked the fact that under Regulation XI of 1832 it is the province of the District Judge to adjudicate on claims to hidden treasure. He should accordingly proceed under the Regulation and report the award in due course, whereupon the Board will consider what recommendation should be made to Government.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

To the Collector of the Kistna District.

Exd. F. R. Bantleman.

1876.

Board of Revenue,

MADRAS.

PROCEEDINGS, 5TH APRIL 1876, No. 930.

Encl.

Received

APRIL.

No. 930.

Gold Ingots — discovered by certain tank diggers while excavating one of the irrigation channels in Repalli Taluq, Kistna District.— Issuing instructions regarding adjudication of claims to —, and requesting Collector to report the award in due course.

No. 1,129.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 28th April 1876.

Read the following letter from G. D. LEMAN, Esq., Collector of the Kistna District, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Masulipatam, 10th April 1876, No. 554:—

WITH reference to the Board's Proceedings, dated 5th April 1876, I have the honor to reply that Regulation XI. of 1832 was not overlooked by me. I understand Section 3 to refer to the original finder, and I claimed the ingots on behalf of Government because the original finder did not proceed under the section.

2. Under these Proceedings, I shall now notify to the District Judge, and I request the Board will instruct me under Section 5 what claim I am to put forward on behalf of Government.

ALTHOUGH Section 3 of the Regulation refers to the original finder, it is clear from Section 8 that an order of the Court is a necessary preliminary to confiscation, and the Collector should, in accordance with that section, claim the ingots for Government on the ground that the original finders have not complied with the provisions of the law relating to treasure trove.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

To the Collector of the Kistna District.

Ex'd. W. J. Lewis.

1876.

Board of Revenue

MADRAS.

PROCEEDINGS, 28TH APRIL 1876, No. 1,129.

Encl.

Received 26

APRIL.

No. 1,129.

Gold Ingots—discovered by certain tank-diggers while excavating an irrigation channel in Repalli Taluq, Kistna District.—Issuing instructions as to the ground on which the Collector should claim the — on behalf of Government.

GO 20 June 76 C 8 63

No. 1,535.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 12th June 1876.

Read again Board's Proceedings, dated 5th and 28th April 1876, Nos. 930 and 1,129.

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REFERRING to Proceedings, No. 930, dated 5th April 1876, I have the honor to submit copy of a letter* from the District Judge, and to request further instructions.

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(True Copy.)

(Signed) D. PURUSHOTTAMAYA,

Deputy Collector.

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4. As the District Judge does not concur in the Board's interpretation of the law, the orders of Government are requested as to the course to be pursued, should any similar case arise in future.

(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,
with copies of Board's Proceedings, dated 5th April 1876,
No. 930, and 28th April 1876, No. 1,129.

Copy to the Collector of Kistna District.

Exd. W. H French.

Revenue Department
Received 29 June 1876

1876.

Board of Revenue,

MADRAS.

PROCEEDINGS, 12TH JUNE 1876, No. 1,535.

Ordered,

Endt.

Despatched 22 June 1876.

Received 27 June 1876.

JUNE.

No. 1,535.

Gold Ingots—discovered by certain tank-diggers while excavating a channel in Kistna District.—Requesting orders as to how claim of Government should be asserted in this and similar cases, and recommending restoration of a portion of the treasure to the finders and grant of some reward to Mr. Carlier, through whose information the discovery was made.

No 863 dy 23 June 1876

R. D.

Proc. Bd Rev. dy 12th June 176

No 1535

I presume that, as recommended by the Bd, the finders must receive four ingots — We constitute, in fact the bribe tendered by the Collr, to induce them to make any disclosure whatever —

2dly. As to Mr Carlier — how much shall be given to him ? I find he gets a salary of 250 Rs a month. Four months pay gives the next round figure of 1000 Rs.

3dly. We may tell the Bd that in future cases, Collectors must apply to the Judge for confiscation more formally than Mr Lemon has done. The Judge's reply to this letter is, however, sufficient sanction in the present instance.

F. S. C.

June 26/6.

2nd Copy to the Board of Revenue 23 June
14 Enclosures Copies &c. to Govt
6 To the Accountant Genl Revenue Branch

Treasure Three -

Case of

Cork

despatch and delivered
Capt Bell with his pass to
27 May 6

C-22? June/96. R 27: June