

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 126

Press
~~Mis.~~

12
Dated

6 — 2 — 1857.

Not to be folded or roughly handled

Read again Petition, No. 2277 of 1856, from VENCATASOO, of Chinna Choukoo, Cuddapah.

Read again also Petition, No. 2821 of 1856, from the same.

Read again also Petition, No. 2824 of 1856, from LUTCHEENARASIAH of Cumbum, at present resident in Cuddapah.

No. 1. Read also the following letter from WILLIAM ELLIOT, Esq., Civil and Session Judge of Cuddapah; to J. D. BOURDILLON, Esq., Secretary to Government, with the Governor, dated Cuddapah, 15th December 1856, No. 764.

SIR,

I have the honor to bring to your notice that soon after the Right Honorable the Governor left the Province of Cuddapah, I received a Petition from one Venecatasoo, cultivator or dealer in Indigo, representing that Mr. Fondclair who had come to this place for the purpose of making purchases in that valuable article of Commerce was still indebted to him in a certain amount, and had possession of some accounts belonging to him or other manufacturers; but that having been given to understand that certain other matters, had in a clandestine and unauthorized manner been introduced into the address he presented to the Right Honorable the Governor when at Cuddapah, and that a certain note of mine of which he did not know the contents had been therein enclosed, he wished to represent the circumstance to me. As it appeared strange he should not be acquainted with the contents of his own Petition, although himself unable to read or write, I took a Deposition from him on the subject, by which it appeared that he was not aware what had been written in his address, which had been got up by some other person or persons.

2. A few days afterwards one of the copies of the said note, of which it appears several were made, was handed to me in Court, but what use such note could possibly be to any one, I am not able to discover; though I seldom write guardedly, I never write any thing, I care whether it is made public or not; but it seems from one of the translations herein enclosed that it was considered a valuable acquisition, and accordingly made the means of extorting money from those whose purpose it was supposed or pretended directly or indirectly to answer. As I happened to have by me the note of Mr. Fondclair to which mine was the answer, I beg to submit the same, with a subsequent one about the same repairs. The day of the week being mentioned shows the year to have been 1855. A bill or estimate with receipt are prefixed to the same. The copies or rough drafts of the accounts furnished to Mr. Fondclair do not appear to have been retained; but Depositions taken from the persons who assisted in procuring workmen and materials, are herewith submitted.

3. The said premises generally known as the "three Bungalows" were purchased by me as Treasurer, &c. to the Fund for providing a suitable place of residence for the first Clergyman expected from England under the auspices of the Additional Clergy Society, for 1500 Rupees from the Reverend Mr. Whitford, in 1850. The money was raised amongst the Civilians of the station, together with 350 Rupees for repairs; this sum and much more has been spent on the building and there were really no Funds except what I might myself devote to the purpose, though there was no occasion for mentioning that circumstance to the occupant when repairs or improvements were desirable. The Church money is, I observe, referred to in Enclosure, No. 6, but that Fund was quite separate and distinct.

4. The house being vacant from the absence of the Clergyman, Mr. Fondclair who had been unable to obtain any place of residence, offered to rent the same, which was accepted and

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with the proceeds, the out-houses were to be rebuilt on a site nearer the house. It being supposed that the occupant would feel interested in the satisfactory and speedy completion of the work, I requested Mr. Fondclair to look occasionally after it: this gave rise to his note of the 12th September 1855, and my answer of the same date.

Nos. 6 & 7.

5. Mr. Thomas is Nazir in the Civil and Sessions Court and being the only Protestant in it has ever acted as Clerk or Assistant to the Clergyman when present, or, in his absence, to the Senior Civilian performing Divine Service. With him I latterly associated Mr. Bramblebee, a School Master attached to the London Missionary Society, who also undertook to have certain pews or benches made for the Church. The accounts were generally in his hand writing, a specimen of which appears in Enclosure, No. 4.

6. Mr. Henry Faure de Fondclair was an Officer in the (then Royal) Navy of France and obtained leave to visit his parents at Madura, thereby being the sole Survivor of the Frigate "Berceau" which shortly after foundered, and all on board perished in a storm about the year 1848, off Madagascar. I have known his family ever since I have been in India, and was about 9 years with them in the Province of Madura. Having been seriously ill Mr. Fondclair resigned the Public Service, and when his father died, possessing some property of his own, he in connection, it is believed, with some Firms in Pondichery and Madras, resolved to embark in Commerce, and for the purchase of Indigo came to the best locality in this Presidency, Cuddapah. I am on the same terms with him, as all other Europeans at the station are, and do not see any necessary disconnection between private courtesy and kindness, both to Europeans and Natives, and the strictest discharge of my official duties, or the high and honorable position I have ever here held.

7. Mr. Fondclair may possibly not have closed his accounts with the before mentioned Vencatasoo or any other person here or elsewhere, but this is nothing to me, the lower Courts are open, yet nothing like a Suit seems to have been instituted, or thought of; still I would in no way object to any individual who fancied he had a grievance to redress, or imagined that his claim might be more speedily settled in some other way, making such representations as he might suppose most conducive to his own interests, provided such were fairly and honestly stated; but I do certainly feel it reasonable to object to any of the public servants connected with my own Court or those under me, making a sort of private speculation of another person's real or suppository grievances, and availing themselves of the ignorance or simplicity of the applicants for redress, to introduce matter in their Petitions just to gratify the object of some low intrigue.

8. I have ever myself been most careful of and attentive to the interests of the people, always holding their prosperity and that of the Government identical, and it is perhaps no proof to the contrary that out of the last 400 Decrees passed by me, only 2 have been reversed, one owing my interpretation of Circular Order, S. U. No. 114 A., and the other a matter of rule rather than equity, whilst of more than 6000 miscellaneous Petitions, many of them more difficult than original or appeal Suits, only 7 have been modified or reversed. There are probably few other Courts able to exhibit a similar result.

9. The individuals who have posted or presented Petitions introducing my name, have been the first to come forward and state the fraudulent entry and shew how and by whom they were got up, and in corroboration of their statements, I beg to enclose a Petition, with a Deposition thereupon by one Bhageeraty who according to his own account was invited to write several of them, because his hand writing was good; also Depositions by two persons named Poollunnah and Lutchminursoo, who explain the means adopted for getting up what are called Mahazurnamahs. Had there been any thing to complain about or redress, the application would have been made to the Court of Sudr and Foudjarry Udalt and not have waited to be put in the Post on the arrival of His Lordship at this Station.

10. Although these matters are doubtlessly of very trifling importance, as they have come to my knowledge, I do not deem it unfair towards myself or any other individual concerned, respectfully to lay them before you, for the information of the Right Honorable the Governor.

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(ENCLOSURE 1.)

M. R. R. S.

To WILLIAM ELLIOT, Esq. Civil Judge of Cuddapah.

The humble Petition of Poloo Vencatasoo, resident of Gandlachoukoo of Chennoor, in the Zillah, Cuddapah.

I beg leave to inform you that Mr. Fondclair, who came on account of Indigo merchandize, allowed time to pass without delivering the amount of Rupees 1058½, that he ought to pay me and the bundle of accounts, though I have frequently asked for the same on account of the Indigo bought from me, on which, when I intend to give a complaint against him, the Sheristadar, C. Kristniah, and Reghoonatharow, the acting Goomastah, &c. send some others and invited me. They assured me that the above amount, bags and Dufters, &c., will be obtained through them, after a few days, he therefore induced me to give complaint to the Governor against Mr. Fondclair, saying that he would not deliver the money, he also said that he wanted a Mahazurnamah with a few signatures and marks on it, so it was done, and enclosed with a Petition and another English note, and ¾ Rupee were given to me with that cover, stating that it was all about Mr. Fondclair, and to put it in the Post, and sent another person along with me. The letter was accordingly dispatched by me to the Maha Rajah Rajasri, the Governor, on the 9th October, trusting it is only about him; but they did not read or explain it to me. After which, when I made enquiries, I was given to understand that the above said persons, your servants, had imposed something against your name, just because they are not able to make unjust collections, by the exercise of your truth, justice and charity to poor persons. They also intended to include me as one of them. But I never intended to say a word against you in my said Petition, nor have I any thing at all to give complaint against your honor. By all this it appears they only intended to deceive me.

| Mark of P. VENCATASOO.

(True translation.)

24th October 1856.

(Signed) W. ELLIOT,
Civil Judge.

(ENCLOSURE 2.)

25th October 1856.

Deposition taken on solemn affirmation from Vencatasoo, son of P. Thiroomala, aged 30 years, resides at Gandlachoukoo, in the Chennoor Talook of the Cuddapah District, a cultivator, of Balajy Caste, language Teloo goo, according to the Act V of 1840.

Q. It is understood that you have given some Petition against me, what complaint have you to make?

A. I did not give any such.

Q. On whom then did you give a complaint, and on what subject?

A. I forwarded a letter to the Right Honorable the Governor by Post when here, stating that I should receive 1058½ Rupees from Mr. Fondclair, on account of Indigo, and also the accounts he received from me.

Q. In what language did you make your complaint?

A. In both English and Teloo goo.

Q. Who wrote them for you?

A. I did not know by whom. They were written in Kristniah's house. The Teloo goo Urzy is given to me by the Sheristadar Kristniah outside of the pial of his house; the English was written by some others with him in the house, and he gave it to me, and as I had a paper with a few signatures by some others prepared on account of a Mahazurnamah which was also given to the Sheristadar's hand, he wrote some other circumstances, prepared another cover, and gave it to me, and I put them in the Post, after which, one of the Sheristadar's persons asked me whether it was given in the Post or not, and from thence I returned home.

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- Q. Is this the Urzy given to my address by you, hear it, as it will be read to you?
 A. I have heard, this is the Urzy which was presented by me on the 24th October 1856.
 Q. Who paid you the money for the postage of the letter?
 A. The above Kristniah paid the same in my hand $\frac{5}{4}$ Rupee.
 Q. Was Reghoonatharow, the son of Custoor Ramachundrarow, present at that time?
 A. Reghoonatharow and the Sheristadar being in one place on the 1st day, invited me, and the rough copy was prepared by them, next day Reghoonatharow was inside at the time when the Sheristadar gave them for the post, I heard only his voice from inside the house.
 Q. Did you then not write any Petition to his Lordship the Governor against me?
 A. No, I never wrote any thing against you. I have heard my Deposition, it is correctly written.

× Mark of P. VENCATASOO.

Taken before me on solemn affirmation, this 25th day of October 1856.

(Signed) W. ELLIOT,
Civil Judge.

30th October 1856.

Further Examination of P. VENCATASOO.

- Q. Who are the "others" mentioned in the Urzy given by you?
 A. Bogum Ramachary, who is in Cuddapah, Coopiah, brother of Sheristadar, C. Kristniah, and others whose names I don't know, but I can point them out; they were with the above three when they invited me.
 Q. What house is that in which Kristniah was, when he gave the Urzy to you to put in the Post?
 A. It is in the house of the Punthooloo, in the bazar, who also lives there.

× Mark of P. VENCATASOO.

Taken before me on solemn affirmation, the 30th day of October 1856.

(Signed) W. ELLIOT, *Civil Judge.*
 (True translation.)

(Signed) W. ELLIOT,
Civil Judge.

(ENCLOSURE 3.)

11th November 1856.

Deposition of Poollunnah, son of Naugunnah of the Balajy Caste, Vistnoo sect, aged 26 years, employed as a Peon in the Vempully Moonsiff's Court, residing at Naugarauzpett, in the Chennoor Talook of the Cuddapah District, on solemn affirmation, according to Act V of 1840.
 Q. What do you know in the Case of the Petitioner, Vencatasoo, residing in Gandlachoukoo?
 A. At 6 o'clock on the morning after the day on which Mr. Fondclair went to Madras, there were Putsacayala Narayanasawmy, Vasimthagary Sashiah, who is in Naugarauzpett, and Rungiah, the son of a Sepoy, in the same Village at the three Bungalows where Mr. Fondclair lived; then Veeruppah, a tailor, told Narayanasawmy that he will prepare a jacket for him. At that time the above said Sashiah found a note, which being written by Mr. W. Elliot to Mr. Fondclair, there in the hall of that Bungalow, while he was coming, Rungiah took the note from his hand, and Narayanasawmy took it from Rungiah, thinking there might be some thing in it, and brought it to his house. After which, the above Narayanasawmy was very glad, and said, what is deficient to me in future, the money which Mr. Fondclair ought to give to Vencatasoo is come, and made

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pujah to that note; next day he sent word to Coopiah, the brother of the Sheristadar, by the Peon, Thota Ramoodoo: accordingly he came immediately. Narayanasawmy said to him shewing the note, this is written to Mr. Fondclair by Mr. Elliot: therefore if it be sent to the Governor, there will be some inquiry and trouble to both, and that he will sell the note to him for 200 or 300 Rupees. Coopiah said that he could not pay even 100, but at last he agreed to give 50 Rupees, then Coopiah took Narayanasawmy with him to his house at about 9 o'clock in the morning. Narayanasawmy came home again, receiving 50 Rupees, at about 11 o'clock. It being so, about 4 or 5 days previous to the arrival of the Governor at Cuddapah, the above Coopiah, his brother the Sheristadar, C. Kristniah, Reghoonatharow, Bogum Ramachary, his brother-in-law, whose name is unknown, Thota Ramoodoo, the Petitioner Vencatasoo, Narayanasawmy and Rungiah, the son of a Sepoy, all these persons were in the Pleader Joty Vencatrow's house at 7 o'clock that night, and prepared a rough copy on 4 or 5 sheets of paper, after which it was written in English, some by Reghoonatharow and some was written by the above Rungiah to the address of the Governor. The said Narayanasawmy and Rungiah came to Naugarauzpett after 1 o'clock that night, Rungiah told me all this part of the subject. In the morning of the next day, when at the river side in company with Sashiah, the latter said, that Narayanasawmy gave him a Rupee not to tell any thing regarding the note, which had been found, all the other circumstances I know, as I am living in his house, viz., about the money which was brought by him, the pujah or sacrifice to the note, and about the conversation which passed between him and Coopiah after coming to his house.

Q. Did Rungiah say by whom the rough copies were taken?

A. He said they were all taken by the Sheristadar, Kristniah. When I was going to the Sheristadar's house the day after the arrival of the Governor, Vencatasoo met me near the Post Office about 8 or 9 o'clock, I asked him where he was going, he said to the Sheristadar, Kristniah's house, and I went away, saying, I would also come; when I arrived they were in the oldhouse, viz. the Sheristadar Kristniah, his brother Coopiah, the Head Writer Vencutroyasastry of the Sub Court, and Reghoonatharow, told them he had delivered the Urzy to the address of the Right Honorable the Governor in the Post Office, as he was told, and shewed them the Receipt which he got from the Post Office. Since 4 or 5 days, Narayanasawmy was saying in the house that, if Vencatasoo got any money from Mr. Fondclair, both Kristniah and Coopiah promised to pay 20 Rupees more, and all will have shares in the amount, and that Vencatasoo had received some of the money from some one; and in that amount Coopiah, &c., deceived him without paying 20 Rupees which were promised, which, when I heard, I told him it was not proper to talk to me of such things. I have heard my Deposition, it is correctly written.

ATHALOO POOLLUNNAH.

Taken before me on solemn affirmation in open Court, this 11th day of November 1856.

(Signed) W. ELLIOT,
Civil Judge.

(ENCLOSURE 4.)

MEMO.

	Rs.	A.	P.
To Twine.	0	1	0
„ Iron Hooks.	0	4	4
„ Bamboos.	0	1	8
„ Tape and dyeing the same.	0	11	0
„ Coolies for putting up the ceiling and Punkahs.	2	0	0
„ 7 pieces of cloth for a new ceiling.	7	0	0
„ Dhoby for bleaching new cloths and washing old ceilings.	1	8	0
„ Advance required to complete the other ceilings, the accounts of which will be given hereafter.	10	0	0
„ Advance required for Church pews now in progress.	40	0	0
„ Advance required to repair the Out houses of the Three Taverns as per estimate already furnished.	90	0	0
Total Rupees...	151	10	0

13th July 1855.

(Signed) W. W. BRAMBLEBEE,

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(ENCLOSURE 5.)

4th August 1855.

Amount of eighty (80) Rupees received from W. Elliot, Esq., for the repairs of Reverend Davies' out-houses, &c., in advance.

	Rs.
July 30	30
4th Aug. 50	50
Total...80	80

W. E.

(Signed) J. THOMAS.

(ENCLOSURE 6.)

MY DEAR ELLIOT,

I feel so much disgusted at the way the Church money is wasted in building the Godowns of my House, that I write to inform you that should things be allowed to go on as hitherto, these Godowns will cost about three times what they ought to be built for. Not a single Peon is here to superintend the Coolies and Bricklayers; and as an instance of the way these latter work, I will tell you, that four of them are actually sitting round a single pillar, whilst no more than two can by any possibility find room for their hands on a surface of one cubit square. I can do nothing to prevent such abuses, for when I speak to the said Bricklayers, they seem to laugh at my orders, thinking no doubt that, as long as they have Mr. Thomas' favour, they are sure of getting, for the time they spend in gossiping, more even perhaps than what they would be entitled to, for the same space of time of hard work.

Wednesday, 12th September.

Yours very sincerely,
(Signed) H. F. FONDCLAIR,

(ENCLOSURE 7.)

MY DEAR FONDCLAIR,

I am much obliged for your note, and feel glad if you would take the superintendence entirely on yourself. I cannot trust the present party, and will order him to give an account immediately. C. Y. S.† expended and work if sound one will be a great change, and I am sure you will husband our limited resources as much as possible.

† This part is said to be burnt.

12th September.

Ever yours sincerely,
(Signed) W. ELLIOT,

(ENCLOSURE 8.)

MY DEAR ELLIOT,

As you forgot to answer to the note I wrote on Saturday about the stones in the Church compound, will you kindly let me know whether I can have a dozen. I am very anxious to see the stables finished, for I have been obliged to get my horses out of the old stables for fear of their being killed, and the Carpenters there cannot continue to work unless these stones are placed on the top of the pillars.

The Bungalow where I sleep leaks in several places, and I have had several books spoiled last night.

Monday.

Yours very sincerely,
(Signed) H. F. FONDCLAIR,

P. S.—I am told I can get stones similar to those I ask you, within a week, and will therefore be able to return them to you if required, but my object is now to avoid losing time.

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(ENCLOSURE 9.)

8th November 1856.

Deposition given by J. Thomas, Court Nazir, the son of Joseph Thomas, Protestant, aged 42 years, residing in Cuddapah, on solemn affirmation, &c. according to Act V of 1840.

Q. Do you know the house, &c. called the Three Bungalows?

A. Yes, I know the same.

Q. To whom does it belong?

A. Lately it belonged to the Reverend Mr. Whitford, and it was bought from him for Rupees 1500 by the Officers of this Station, on account of the new Clergyman who was expected.

Q. In whose possession is that Bungalow and who superintends it?

A. As it is in the possession of yourself as the Civil Judge of Cuddapah, and it is superintended by you.

Q. By whom is the Maramut done to that house?

A. If there be wanting any repairs, the Judge will tell me of it and it is performed by me with the assistance of the Maistries, &c.

Q. Who pays for those repairs?

A. Payment is made by you as Treasurer to the Church.

Q. Were there any repairs to the above Bungalow last year?

A. There were.

Q. What sort of Maramut was it?

A. As the Cook-room and Stables, &c. were old and useless, the whole was to be re-built nearer the Bungalow.

Q. Was that work completed?

A. It was only partly done and stopped.

Q. Who lived in that house while it was then under repair?

A. Mr. Fondclair lived in it.

Q. Up to what date did you see to the repairs?

A. As long as I had charge, but I have no recollection of the precise date.

Q. How much advance have you received for those repairs?

A. I have received 80 Rupees.

Q. Where is the account for that sum?

A. The account was prepared and handed over to Mr. Fondclair according to your order.

Q. What was the cause of its being given over to Mr. Fondclair?

A. At the time of repair the Bricklayers and Maistries &c., being required on the Public Road Works, as was known to the Judge, he ordered me to prepare the accounts and deliver them to Mr. Fondclair. Accordingly to the order it was prepared and delivered to him.

Q. Have you any copies of those accounts?

A. I have no recollection at present, but will examine and tell whether I have any copies or not.

Q. Who superintended the repairs to that house afterwards?

A. I have not myself after delivering the accounts to Mr. Fondclair. I have heard my Deposition, it is written properly.

(Signed) JOSEPH THOMAS.

(True translation.)

(Signed) W. ELLIOT,
Civil Judge.

(ENCLOSURE 10.)

Deposition given by Mr. W. W. Bramblebee, before W. ELLIOT, Esq., 15th November 1856.

Q. Do you remember any Maramut going on at the Clergyman's dwelling, known as the "Three Bungalows" during the past year?

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A. Yes, I remember superintending some work on your request, connected with the house ceilings, &c., for which I delivered a bill on the 13th of July 1855, and superintended the building of some out-houses and stables, and on your instructions wrote out and gave over to Mr. Fondclair, who was then occupying the said premises, the whole of the expenses incurred up to a certain date, which I do not now remember, but will look over my papers and see if the rough drafts or copies can be found. Since the date of that account, Mr. Fondclair has had the sole management of the repairs and buildings connected with the said premises, some of the posts or pillars were erected when I had charge, but were not finished, the stabling was not then up.

Q. From whom did you receive the money for any repairs carried on in your time?

A. If Mr. Thomas had any balance in hand, from him; if not, from yourself. I believe there are no funds except the money what may be given by yourself, and any rent which may accrue. I cannot remember whether I signed the account given to Mr. Fondclair, but it was all in my hand-writing.

(Signed) W. W. BRAMBLEBEE.

Taken before me, this 15th day of November 1856.

(Signed) W. ELLIOT,
Civil Judge.

(True Copy.)

(Signed) W. ELLIOT,
Civil Judge.

(ENCLOSURE II.)

To WILLIAM ELLIOT, Esq., Civil Judge of Cuddapah.

M. R. R. S.

The humble Petition of Bogum Bhageeraty, resident of Animala, in Camalapoorum Talook, Zillah Cuddapah.

I beg leave to represent that the Sheristadar Kristniah and myself often spoke on the subject of my Suit, when one day he told me Mr. Fondclair had received a Bond for 1000 Rupees by my son, Nursigadoo, the Appellant, that his own intentions will not be successful, but will become good when the Governor comes here. After a few days, the Sheristadar Kristniah spoke to me on the subject of my Case and that of the Zungalapulla, and the Case of an Oilmonger and some other circumstances, and made me to write an Urzy by my own hand, as he said the Governor was coming. Another Urzy was also caused by him to be written by me in the name of one Poloo Vencatasoo; in that Urzy the above mentioned subjects were entered, besides some thing about a Cumbum Murder Case and of a note your honor wrote to Mr. Fondclair and other matters, the rough drafts of which were made by the Sheristadar and being given into the hand of a Brahmin boy, I wrote them from his reading. Up to that time I did not know who the above said Poloo Vencatasoo was, and he was not even present at that time. I took my own Urzy to put in the Post, and returned to my village. After which there was rumour there that I will be punished about such Urzy given to the Governor by me. On which I was afraid, and have come to tell your honor what really took place; but such was not done by me of my own accord, only by the instigation of the Sheristadar, as he is a person of high rank.

(Signed) BOGUM BHAGEERATY.

4th December 1856.

(True translation.)

(Signed) W. ELLIOT,
Civil Judge.

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(ENCLOSURE 12.)

4th December 1856.

Deposition given by Bogum Bhageerathy, son of Sunguppah, Bogum Caste, Vishtnoo religion, aged 56 years, residing at Animala, in Comalapoorum Talook, Zillah Cuddapah, living by cultivation and by merchandize, on solemn affirmation according to the Act V of 1840, language Teloogoo.

Q. Have you written any Urzy to me?

A. Yes, I presented one this day.

Q. What have you written in it?

A. My son, Nursegadoo, sued me in the Sub Court, as a pauper, and it being there decided in my behalf, he appealed in the Civil Court, on which I use to go to the Sheristadar C. Kristniah's house often to speak on the subject, then he told me Mr. Fondclair had received a bond for a thousand Rupees from my son, therefore it is impossible for him to carry on the subject, but will become good after the arrival of the Governor at this place, and made a rough Teloogoo draft by himself and gave it to a Brahmin boy to dictate to me, and accordingly it was written.

Q. What did you write on his dictating?

A. I wrote just as he dictated, on the subjects of my Suit, as was mentioned above in the rough draft made by him; besides this, I have written on the subject of Gondla Sooblumnah, and of Zungalapullah, and a few other circumstances which are not in my remembrance at present, besides this C. Kristniah made me to write also an Urzy on the name of Poloo Vencatasoo, saying that my writing is good, and that it was also concerned with the above subject; it was further written in this Urzy that there were some discrepancies in the Cumbum Murder Case, and about a note which you wrote to Mr. Fondclair, and some other matters which are not in my remembrance. After which the Urzies were received by the Sheristadar Kristniah.

Q. Do you know Poloo Vencatasoo?

A. I do not know him.

Q. What have you done with the Urzy which was written in your name, according to the draft of C. Kristniah?

A. It was put in the Post on the same day, and I returned to my village.

Q. Why have you come here now?

A. After my son came to the village, he made a rumour that I shall be punished for giving such an Urzy to the Governor, which had been referred to you from thence, and is now under enquiry, therefore I was afraid and came to you to reveal the cause of the above subject. The above Urzy was written to the Governor solely at the instigation of the Sheristadar, he being a person of high rank; but it was not done so of my own accord.

Q. You have said that you were afraid on hearing the said report as the Petition had come to me for investigation, and you therefore came to tell what passed, lest you should be fined or punished. How could you suppose you will have any punishment?

A. The Sheristadar, C. Kristniah, having entered a few other subjects besides my own, I was afraid, thinking that I will sustain some injury when it cannot be proved, and it is unjustly written on your name, so I was alarmed, and came to inform you the whole truth of the subject.

I have heard my Deposition, it is properly written as I have stated.

(Signed) ANIMALA BOGUM BHAGEERATHY.

Taken before me on solemn affirmation, this 4th day of December 1856, in open Court.

(Signed) W. ELLIOT,
Civil Judge.

(True translation.)

(Signed) W. ELLIOT,
Civil Judge.

Fort St. George, Judicial Consultation, 6th February 1857.

(ENCLOSURE 13.)

18th November 1856, Tuesday.

Deposition of Poolunnah, a Peon of the Vempully Moonsiff's Court, son of Nagunnah, aged 25 years, resident of Naugarauzpett Talook, Chennoor, in the Cuddapah District, Balajy Caste, Vistnoo religion, on solemn affirmation, &c. according to the Act V of 1840.

Q. See this Urzy, is it the one presented by you on the 17th Instant?

A. It is.

Q. What is the subject, state the particulars?

A. When I was going to the Bazar on the morning of the 17th November, there was some noise in the garden of the Bogum Curnaty Ramachary, and I went there to see what it was, and found there were some travellers and Police Peons, it seemed they were from the Chitwaul and Coodree Talooks, there were also a few Police Peons who brought the Talook remittance. The brother of Ramachary gave them all something intoxicating to drink. Half an hour after this was over, he brought a pen and ink with a paper, in which were figures and names, and said to put their marks; they asked for what purpose it was. He said that it is going to be forwarded to the Officers for their information, shewing they are not persons of bad conduct, but carrying on great trade, on which some of them placed their marks, and a few signed their names; after which Lashunnah, brother of Ramachary, took that paper in his hand. I saw all this and went away to the Bazar, returning again through the same street to my house. Lutchmee Nursoo, a Native Doctor, who lives in Naugarauzpett, being told by the Sheristadar, C. Kristniah, that he wanting some copies made, Lutchmee Nursoo said if he paid him for it he would write them. So the above Kristniah said if any one stood security, he will pay any thing. He then mentioned my name to the Sheristadar, when I went to the Sheristadar's house, he told me this subject, and paid me 2 Rupees, after 4 or 5 days in this Court, which I paid to him (Lutchmeenursoo); and last night at 8 o'clock, whilst I was at supper, Thota Ramoodoo and Goolam Hoossain who were with him came to my home and said that Kristniah wanted me. I told them I would come after supper, and to go before me; I thought it was probably about the 2 Rupees given to Lutchmee Nursoo, so I went to Kristniah's house, he then sat down with his brother Coopiah, Custooray Reghoonatharow, Vencatroysastry, the Head Writer of Sub Court, Moolabeagala Vencutrow the pensioned Tahsildar, Bogum Ramachary, Sub Court Criminal Record keeper, Lutchminursoo, his brother, Codunda Ramiah, and Soondara Ramiah, the Javabneiss of Sub Court, besides there was at the gate a summon Peon named Upmuthkham, and I don't know the names of a few persons inside, that sat down along with him. Then I asked him why he called me, he said, stop and I will tell, on which I sat down there on one side. Then, Kristniah asked me what Lutchminursoo said; I answered that he told he will give the copies, and I will bring them as soon as received. Kristniah then brought a paper containing 200 or 300 signatures and marks, and gave into my hand, and said to place my signature in it, but it was without any heading. I said as there was a great talk about a Mahazurnamah being concocted how can I sign in such, I shall be liable to blame. On my saying this, Reghoonatharow asked him why have you given that paper to him, he is a companion of Coomarasawmy Moodliar, the Civil Record Keeper, to which Kristniah said if I give it him he will never divulge the subject to any one. Then Kristniah and his companions told me not to say any thing to any one outside and I returned to my house. Kristniah then ordered Ummuthkham to look out that no one come near the place. I do not know how long they all remained there, as I did not stop. I have heard my Deposition, it is correct.

(Signed) A. PULLUNNAH.

Taken before me on solemn affirmation, this 18th day of November 1856, in open Court.

(Signed) W. ELLIOT,

Civil Judge.

(True translation.)

(Signed) W. ELLIOT,

Civil Judge.

Fort St. George, Judicial Consultation, 6th February 1857.

(ENCLOSURE 14.)

19th November 1856.

Deposition given by V. Lutchmee Nursoo, son of Gopalarow, Valama Caste, Vishtnoo sect, aged about 32 years, a Doctor, resident of Naugarauzpett, in the Chennoor Talook of Cuddapah, on solemn affirmation, according to Act V of 1840, language Telooogo.

Q. Have you lately presented any Urzy to the address of the Court?

A. I gave an Urzy on the 15th of November.

Q. What are the subjects you have written in that Urzy?

A. Uddala Poollunnah, Peon of the Vempully Moonsiff's Court, about a month ago, told me to come, as the Sheristadar C. Kristniah wanted me. On my asking for what purpose, he stated that, as I had given an Urzy to the Magistrate with Iyauaruppah, against the Curnums in the Cumbum Case, I was to bring all the papers and documents, and then he will pay me as much as I require; that Iyauaruppah had been sent to Madras with expenses, concerning that subject, and the above Poollunnah told me that he said it would be good, if I also agreed to go to Madras. I went to C. Kristniah's house about 10 days ago, in order to know what this was all about, and there was Kristniah with the above said Poollunnah at that time; then Kristniah observed to me that as I came with Iyauaruppah in the Cumbum Case, he had sent Iyauaruppah to Madras, giving him an Urzy and necessary expenses, that the said Urzy had been written by Reghoonatharow, and it will be good if I go quickly, and that he will give me for expenses as much as required, and asked what good I could have in this medical business; but if I brought the papers which I had, he will prepare the Urzy by Reghoonatharow, and furnish me with money for my expenses, and get me an employment after I return from Madras, when opportunity occurred, so Kristniah told me, promised me 2 Rupees, and I returned home. After two or three days, he sent me, through Poollunnah, 2 Rupees on his security for my present expences. When Kristniah was speaking to me, he said, the Prisoners were released without punishment, unjustly by the Sessions Judge in the Murder Case of Cumbum, by hearing the words of Mr. Fondclair, and that Iyauaruppah was sent for this purpose, to complain against the Sessions Judge, and that I must give a complaint with him as a 2nd Prosecutor to assist him against the Sessions Judge; but thinking it highly improper to enter in such a rascally subject, I was quiet, and I did not go to him with any copies, &c. It being so, Poollunnah came again to me and said, as you have not given any copies to Kristniah, he told me to bring back the money, and as he bothered me in the Court and every where he met me, I told him I would neither give up the copies nor the amount, and that as he said before me I was to have the same for my expense, and sent the same by you, it is expended. Though I told him so, yet he annoys me to bring either the copies or the amount.

This is the subject I have written in the Urzy to your address.

I have heard my Deposition, it is properly written.

V. LUTCHMEE NURSI AH.

Taken before me on solemn affirmation, this 19th of November, in open Court.

(Signed) W. ELLIOT,

Civil Judge.

(True translation.)

(Signed) W. ELLIOT,

Civil Judge.

No. 2.

ORDER THEREON, No. 126; dated 28th January 1857.

Resolved that the foregoing letter and its enclosures be forwarded to the Sudder Udalt, who will be pleased to direct enquiry into the existence of the alleged intrigue among the Public Servants connected with Mr. Elliot's Court and those Subordinate to the same; to which end it will be necessary that the investigation commenced by the Civil Judge should be extended, under the orders of the Sudder Udalt.

Fort St. George, Judicial Consultation, 6th February 1857.

2. The Government desire to be informed of the result of the enquiries now ordered. They are further desirous to know what has been done in the matter of the
 Nos. 2269, 2334, 2380, 2277, Petitions marginally noted, which from time to time have been referred
 2409, 2286, 2937, 2824, and to the Sudder Court, especially in the Case of No. 2277 of 1856 above
 2821, all of 1856. recorded, wherein the Proceedings of the Head Assistant Magistrate were impugned, as well as the
 Order of the Sessions Judge in Appeal.

(Signed) T. PYCROFT,
 Chief Secretary.

+ This part is said to be
 sent - Mx
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My Dear Hon'd Sir

I am much obliged for your note & feel glad if you would take the superintendence entirely on yourself. I cannot trust the present party & will order him to give an account immediately. C. G. & expended & work if sound one will be a great change & I am sure you will husband our limited resources as much as possible.

Ever yours sincerely
 12th Sept. (Signed) W. Elliot

చా జ్ఞాపకమునకు బసపు ప్రసాదమును
 వరముగాను నిర్ణయము ప్రసాదమును
 వీరికి నాపకుం గాము జ్ఞానము ననకుం
 ఎవరైనా నష్టములకు లోబడిన వారైనా నా
 నష్టములకు లోబడిన వారైనా నా

Read again Petrus No 2269^{from} Tywarupak of Cuddapah.
 No 2334, from Seshiah, Gunasta of C. Wasupak of Tungal.
 - pulled in the Talook of Jummale-madupur, Cuddapah -
 No 2380, from Russiah, of the town of Cuddapah. No 2277,
 from Venkatasam of Chenna Chouko, Cuddapah -
 No 2409 from Peharathay, of the Camalapuram Talook, in
 Cuddapah - No 2286, from Sankajee ofootacoon, Cuddapah.
 No 2937, from Sektaramewamy, of the town of Cuddapah.
 No 2821, from Venkatasam aforesaid - No 2824, from
 Subchinnarasiah of Camhoo, at present resident in
 Cuddapah.

Read also an Anonymous Petition, not numbered, recd
 by the Governor, at Cuddapah.

Read also Est. M. C. dated 3^d Novr 56, and the
 replies furnished thereto by the Pundit Adulak & the
 B^d Rev. respectively.

Read also letter from the Civil & Sessons Judge of
 Cuddapah (then under 15th Decr 56).

1. Of the Petitions, numbered
 above, all but two, charge the
 Civil & Sessons Judge of Cudda-
 pahn with receiving bribes, chiefly
 through the hands of one Mr. Ford-
 bain, a Frenchman, engaged
 in trade at Cuddapah - In fluenc-
 ed by these bribes, Mr. Elliot, it is
 stated by the Petitioners, is in the

habit of perverting his time - at one time rushing up a murder case com-
mitted for trial before the Sefmors Ct,
at another passing a decision in a
Civil suit, without any reference to
the merits of the matter in litigation
but, solely as he may be directed by
the French trader aforesaid, who
is handsomely paid by one or
other of the parties; showing the
perversity of his agency, subsequently
with the Civil Judge.

2. In No 2277, he writes, one P.
Venkataswami, states that Mr. Foul-
clain is indebted to him on account
of produce received to the extent of
upwards of 1000 Rs., that, owing
to the great friendship existing be-
tween Mr. Foulclain & the Judge,
he, Petitioner, feels it is utterly hopeless
to get any redress in the cases
wherein the former may be concerned;
as an instance of which he alludes
to a charge brought against him by
Mr. Foulclain before the 1st Ad-
miral, whose irregular decision
in the same the Sefmors Judge no
doubt refused to disturb.

This petition was referred to the
Foulclain Adalat for enquiry and

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report - the other Petitioner being
sent to the same authority for such
notice as they might deem proper.
3. Petition No 2821 - 2824, are
not of the same nature as the fore-
going - The first is from the same
Venkataswami - He now states that
he has no accusation to bring against
the Judge in the matter of the debt
due to him by Mr. Foulclain or in
any other case; but, being an ignorant,
unlettered man, he was induced to
ask the assistance of the Sheristadar
of the Civil Ct. of Cuddapah to prepare
a petition, for presentation to the
Governor on his visiting that locality,
complaining of the delay & evasions
practised, to his great injury & loss,
by Mr. Foulclain - and that he
now finds that the contents of the
letter - entirely without his knowledge
were made to reflect on the high
character of Mr. Elliot.

No 2824 is from one Subbena-
rao, who is desirous that the Govt. should
know the source of the numerous peti-
tions defamatory of the same Justice.
- names - They have been concocted, he
states, by the Sheristadars of the Civil &
Sub Courts, the Magistrate of the Civil Ct.,
and some other officials & persons of
unblessed character, whom he names at
length - The fraudulent plans of his

- crew, and their irregular practices in the Courts are checked at every turn by the Judge - whose removal & despatch they have accordingly set themselves to accomplish.

4. The Anonymous Petition is a sweeping condemnation of the officials employed in Mr. Elliot's Court. They are declared to be corrupt and incapable - one of them, Canchy Krishnak, is stated to have been formerly dismissed from the public service by a predecessor of the present Judge - and to have been stigmatised as unworthy of employment under Govt, while serving under the same Mr. Elliot some years ago in the Zillah of Madras.

5. This document was referred to the sudden death & the Board of Revenue - and the result of the enquiries made by those authorities is that the first statement is an ingenious perversion of the truth - and that of the second there is no public record whatever.

6. In his letter above recorded, Mr. Elliot brings to the notice of Govt, that shortly after the Governor left the province of Andrapur, a letter was addressed to him (Mr. Elliot) by one P. Venkatasen, (stating the person above mentioned) stating that the writer's name had been used without his consent in certain charges made against

Mr. Elliot in a letter addressed to the Governor during his stay at Giddapah - Upon this information, Mr. Elliot held an enquiry - the deposit was taken in the course of which he has now submitted to Govt - The case appears to be as follows.

7. Mr. Fondclair, with whose family in Madras Mr. Elliot has long been intimate, came, it is stated, to settle in Giddapah a few years ago - He here occupies a house purchased by the late a clergyman as forced from the Court, out of certain funds contributed by the Civilian of the Station, and of which Mr. Elliot is Treasurer. Some repairs, it appears, are being carried on in the premises - which has naturally led to some correspondence between the tenant and the quasi land-lord.

On the 12th September 1855 Mr. Fondclair writes to Mr. Elliot, complaining of the extremely slow and inefficient way in which the repairs are made. Mr. Elliot promptly replies - He says "I am very much obliged for your note and I feel glad if you will take the superintendence entirely on yourself - I cannot trust the present party - and will order

" him to give an account immediately.

x x x x x

" I am sure you will have had our
" limited resources as much as
" possible ".

No 3.
8. This letter, it appears from the
evidence of a person of the name of
Polummah, was picked up near
Mr. Fondclair's residence, by one
Leshiah, from whom it passed into
the hands of one Narayana Swamy
who showed it to one Coopiah, a
broker of the Civil & Marine traders.

This Coopiah appeared to think the
note a very valuable paper - for he
forthwith purchased the property herein
for the sum of fifty rupees -

The foregoing transfer took place a
short time before the Governor's arrival
at Cuddalore - Four or five days before
that event took place - and here the
evidence becomes hearsay - Coopiah,
his broker, Canahy Kristiah the
Deputistadar, Rajahmattarow a witness
and others met at the house of a Vakeel,
one John Venetrow, and here concocted
& drew up the petition presented to
the Governor - in the name of Venetrow -
This petition contained the original
letter - and also, to the great distress

of Petitioner, on his coming to
know of it - he charges against Mr.
Elliot, which he now utterly repudi-
ates, & denies all knowledge of -

The presumed object of the alleged
conspirators in enclosing Mr. Elliot's
letter was to excite the Governor's sus-
picion - and to lead him to suppose
that the intimacy between the
writer and the addressee is very
great indeed - and indeed it must
be allowed that the note, taken by
itself, is, as was formerly perceived
by those concerned, of a nature emi-
nently calculated to bring about the
end in view - The statement that
the writer cannot trust the present
party - the allusion to the accounts
of the said party - the request to
Mr. Fondclair to "superintend"
matters in future, and the closing
in function to "husband our limited
resources" - these terms, it is clear,
if not seen in Mr. Elliot's
power to explain being away, might
very well be considered to indicate
the existence of a very close connection,
perhaps even to the extent of a part-
nership in the Indigo line, between
that functioning and the French
traders.

9. In conclusion, Mr. Elliot has remarked that while he has no wish to complain of any individuals, who, as Venkatasen, may choose to apply to the Govt. instead of the ordinary tribunals in respect of any matter in which he may think himself aggrieved, he does certainly "feel it reasonable to object to any of the Public servants connected with his own C.E. or those under him, "making a sort of private speculation "of another person's real or supposed "grievances, and availing themselves of the ignorance or simplicity of papers to have him taken in by the officers of his own Court."

The complaints against Mr. Elliot appear by these papers to have been made by the officers of his own Court. The applications for redress, to introduce matters in their Petitions just to gratify the object of some low

These men might "intrigue" - Of the existence of which we are furnished, such a conspiracy among the officers. If the fact can be proved about Mr. Elliot - from whatever source to which - further cause it has arisen, on however long enquiry is required. It has been in organisation - on the subject. I have not seen to be very little room for doubt.

Appare - this had to mind. Mrs. the Sudder.

D.H. 8/1-56.

At

The Sudder two might be asked what they have done in pursuance of the orders forwarded the Petitions for their disposal - surely some sort of enquiry must have instituted to them.

from Venkatasen of Chenna Choukoo, Cuddapah.

Read again also Petition No 2021 from the same. 1856

Read again also Petition No 2026 from Lutekeenaratiak of Cumbum, at present resident in Cuddapah. 1856

Read also taken from the Civil & Sudder Judge of Cuddapah.

(See entry 15th Decr 1856)

Mem.

These Petitions have already been sent to the S. C.

At

At

Resolved that the foregoing taken & its enclosures be forwarded to the Sudder Adalat, who will be pleased to direct enquiry into the existence of the alleged intrigue among the public servants connected with Mr. Elliot's Court of those subordinate to the same; to which end it will be necessary that the investigation commenced by the Civil Judge should be extended, under the orders of the Sudder Adalat.

2. The Govt. desire to be informed of the result of the enquiries now made. They are further desirous to know what has been done in the matters of the Petitions marginally noted which from time to time have been referred to the Sudder C.E., especially in the case of No 2277 1856 above recorded - wherein the proceedings

- * No 2269 - 2334,
- 2380 - 2277
- 2409 - 2286
- 2937 - 2824
- and 2821, all of 1856

Copy to Sudder Adalat for copy of the proceedings & the orders of the Sudder Judge in appeal. - do. Civil & Sudder Judge 28/1-57

172.

Further 160th of 5th
of 188th January 57.

188th 188th

As by 16th Dec: 188th 188th 188th