M.R.O. 1—39,000—16-10-29.

# MADRAS RECORD OFFICE.

## Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1537 Press Mis. 31-32

Dated 3-11- 1858.

***Not to be folded or roughly handled***

From

The Advocate General

To The Chief Secretary to Government

Fort St. George

Sir,

I have the honor to transmit for the information of the Right Honorable the Governor in Council the following report of the cases in which I considered it necessary to prosecute officially at the late Criminal Sessions, which ended yesterday night.

2. Gholam Mahomed Savee, Gholam Mowlah, Cassim Saib, Thukkee Hoossain and Sheik Hoossain were all indicted for conspiracies to defraud the East India Company and the first and last for obtaining money by false pretences from the East India Company. They were all convicted, the first 3 times, the last twice, the others once each; and were sentenced, the first and last, each to 15 Months Imprisonment with hard labor; the others to 12 Months Imprisonment with hard labor. My only object in having the first and last tried more than once was to secure their transportation. Why so lenient a sentence was passed on them I am unable to say.

3. The frauds arose out of the grant by

by Government of pensions to the family of the Joghiredar of Satampaukum, annexed about 1818 according to one of the statements. The prisoners represented three several females as being entitled to pensions as grand daughters of former pensioners, when, in reality, they were in no way related. In one case it was alleged in excuse that the claimant had been adopted by the real grand daughter; but as the fact was not so stated, and as it was well known that if truly stated it would have been summarily rejected, the excuse was obviously an idle one. Only one of these frauds seems to have been perpetrated during Mr. Cunliffe's tenure of office, and from the experience he has now gained it is not likely that any more of the same sort will be successful. It seems to me only due to Mr. Cunliffe to say that if he had received more assistance in carrying out the inquiries which he set on foot respecting these Yeomiah pensions it appears to me very probable that either the frauds would have been unsuccessful, or that they would have been detected much sooner. I believe the Dewan of the late Nabob knew more of the unfounded nature of some of these claims than was ever communicated to Mr. Cunliffe.

4. I also prosecuted Alexander Polydore Kemp late Supervisor in the Public Works Department under the Collector of Madras for forging receipts of certain Native Workmen, Sauk



Sauk diggers, employed in 1857 to repair the Vasarpady Chetput and Perambore Sauks. These it appears were sanctioned as emergent works; when they were actually executed does not appear, but as the charges were none of them above Rs. 215, and as the money was advanced to the Prisoner by the Quit Rent Amildar (under the Collector of Madras) in October and November 1857, it seems probable that the works being emergent were completed about the end of November 1857.

5. If so it seems singular, and contrary to what I have heard to be the rules of that Department, that the Prisoner's accounts for these matters should have remained not only undosed, but — as the evidence leads me to conclude — unfurnished, so long as May 1858.

6. On the 1st. May 1858, Mr. Brock received Major Lawford's orders to close the Prisoner's accounts. For some days the Prisoner could not be found, but on the 8th. May he attended and received Major Lawford's orders to deliver to Mr. Brock all Papers necessary to enable him to prepare the necessary Bills. On the 10th. May the Prisoner forwarded his Bills, but no Vouchers; nor, though frequently spoken to on the subject, did he forward any till the 20th. June. Those that he did then

forward

forward were the forgeries for which he has been convicted, the detection of which appears to have been solely owing to chance complaints addressed to Major Lawford by some of the Tank diggers whom Kemp had defrauded. It is not likely that the two cases brought home to him constitute the whole of his frauds. He was sentenced to 12 Months Imprison=ment with hard labour.

7. I would respectfully suggest that it might perhaps be useful to communicate this part of my report to the Committee now sitting on the Public Works Department.

8. I prosecuted and obtained convictions in two other cases of serious frauds on the Madras Railway Company, but these were private prosecutions.

I have the honor to be
Sir,
Your Most Obt. Servt.

Fort St. George
12th October 1858

The Hon. Henry Forbes
Advocate General

Pol. Dr to Engd 26th March
n°8 of 1859 Paras 15 & 16.

Replies to by the Secy
of State for India 7th
Decr. n°20 of 1859

1537

5--11-58

Judy. Dept: 5th Nov.
Judicial. 1858. Dept.

From the Advocate
General.

2/12
2/13 Dec/58.

R 1858.

Submits a report of the
cases in which he considers
it necessary to prosecute
officially at the late
Criminal Sessions.

with an Order

Pol. Dr. 29/59.

Pol. Dept. 21st Nov/57 Para 7

n° 1537.

Resolved that a copy of paras. 4 & 7 of the above communication be furnished, through the Public Work Dept., to the Committee for investigating Public Establishments.

The Govr. wd like to learn the grounds on wh the Decision is supported by the Advocate General & how had some Copies.

Copy & plan [illegible] with Copy of Paras 4 & 7 to the
H.C. Solicitor Secy of the Committee of the Yeomanry
Fort St. George Corps. 7 cards.
3d November 1858.

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