

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.

1369

Press
Mis.

231-233

Dated

22-8-

1862
-19-

5/6

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
22nd August 1862.*

Read the following papers :—

No. 231. From J. BAILEY, Esq., Colonial Secretary, Colombo; to the Chief Secretary to Government, Fort Saint George, dated 6th August 1862, No. 47.

I am directed by His Excellency the Governor to transmit to you the enclosed copy of an affidavit made by Alexander Thomas Anderson before Mr. D. E. DeSaram, Justice of the Peace, and copies of the proceedings in the case No. 4,842, charging one Solomon Isaac, late Store-keeper of Messrs. Keir, Dundas and Co. with embezzlement and theft, committed within this Island, together with a Warrant directed to the Magistrate of Tanjore for his apprehension, and as the accused has absconded and is supposed to be at present resident at Tanjore, I am to request with reference to the Act No. VII of 1854, that you will move the Honorable the Governor of Madras in Council to give directions to the proper authorities to take steps for the arrest of the accused.

2. Should he be arrested, I am to request that he may be sent in custody to Ceylon by the earliest opportunity.

Referred for the opinion of the Advocate General, whether the offence charged amounts to an offence under Act VII of 1854.

FORT SAINT GEORGE,
15th August 1862.

(Signed) T. PYCROFT,
Chief Secretary.

No. 232. From JOHN MILLER, Esq., Acting Government Solicitor, Madras; to the Honorable T. PYCROFT, Chief Secretary to Government, Madras, dated 19th August 1862, No. 371.

1. I have the honor to acknowledge the Order of Government noted in the margin and its enclosures.
Dated 15th August 1862, and endorsed on letter from the Colonial Secretary, Colombo, to the Government of Madras, dated 6th August 1862.

2. I submitted them for the consideration of the Advocate General and now forward a copy of his opinion.

3. I likewise return the enclosures above noted.

COPY—OPINION.

I am of opinion that the offence charged is within the provisions of Act VII of 1854, Section XXI, as it amounts to embezzlement.

August 18th 1862.

(Signed) T. SYDNEY SMYTH,
Advocate General.

(True Copy.)

(Signed) JOHN MILLER,
Acting Government Solicitor.

No. 233. ORDER THEREON, 22nd August 1862, No. 1,369.

The papers received with the Colonial Secretary's letter will be forwarded to the Magistrate of Tanjore, as, in the opinion of the Advocate General, the offence charged against Solomon Isaac amounts to embezzlement, and is within the provisions of Act VII, 1854.

2. The Magistrate will inquire into the charge, and report the result to Government.

(Signed) T. PYCROFT,
Chief Secretary.

of rice. I made up the accounts for the month of March, - I credited the accused with quantities issued, for which I found the different orders of Superintendents of Estates, - I struck a balance, - I found that from the 1st to 28th March there were 909 Bushels of Rice issued - There should have been, I find after examining the Accounts, 223 $\frac{1}{2}$ Bushels of Rice, instead of 76 $\frac{3}{4}$ - The accused said he had received no rice during the month of March.

(Sd/ James Barr Stevenson.
(Sd/ D. E. de Saram.

J.P.

Alexander M. F. Anderson sworn.

I am in the employ of Messrs. Luit
Smits & Co in Flandy - I know the accused
was their Storekeeper at Maragatotto for
two years, up to March last, - In March
last we despatched him to that Store 110 $\frac{1}{2}$
Bushels. I hold receipts from the accused
himself (free) acknowledging the receipt
of this quantity of Rice - The accused is
supposed now to be in the Coast in his
own Country. (Sd/ A. J. Anderson.

(Sd/ D. E. de Saram.

N^o 4842

Form of information for a Criminal Office.

District of Kandy.

3 The information of
Alexander Thomas Anderson residing at Kandy,
taken before me David Ernest de Saram Esq, a
Justice of the Peace for the said District, this 14th day
of April 1882, who being sworn deposes that Solomon
Isaac was the Storekeeper of Keis Dundas & Co, &
as such, was in charge of their Store at
Kamagastotte in Hewahette - that, upon
examination it is found, that, about 500
Bushels of Rice or thereabouts, have
not been accounted for by the said
Solomon Isaac, and it is verily believed,
that, he has stolen and made away
with the same.

So help me God
(Sd/ Alex Thos Anderson)
Informant

Taken the day and year first
above written before me

(Sd/ D. E. de Saram)
Justice of the Peace

Warrant
(Sd/ D. E. de Saram)

James Barr Stevenson further examined.
When I found the deficiency in question, I
sent the accused into Kandy, in charge of
two Coolies, to Keis Dundas' Office, but the
man made his escape from them.

(Sd/ J. B. Stevenson)

(Sd/ D. E. de Saram) "True Copy"
J. B. (Sd/ D. E. de Saram)

D. E. de Saram
Justice of the Peace - N^o 4842

Warrant of apprehension

To the Magistrate of Tanjore.

Take into your custody the body of
Solomon Isaac of Attakara Terve, in Tanjore
charged by Messrs Keis Dundas & Co with
Embezzlement and theft and bring him
before me or some other competent Justice
of the Peace forthwith.

Given under my hand at Kandy, Ceylon
this 28th day of July, 1882.

(Sd/ D. E. de Saram)

"True Copies"
Justice of the Peace for the
District of Kandy.

Justice of the Peace Office.

Kandy, June 28. 1862.

N^o 4842.

James Bass Stevenson sworn.

I am Superintendent of the Little Valley Estate, which is under the management of Messrs Keir, Dundas & Co. There is a Rice Store belonging to them at Karagastote - one Solomon Isaac was the Storekeeper there of in March last. I received instructions that month from Keir, Dundas & Co. to measure the Rice in Store and see what quantity they had there. I did so on the 28th of that month, and found 7600 Bushels. I took charge of the Storekeeper's Book - I examined it, - I found no entry in that Book with regard to the receipt or issue of Rice during the month of March. I asked him whether he had not received any Rice during the month of March - He replied that he had not - The Storekeeper's Book has the February Account entered in his own handwriting - According to his own accounts, and statements made to me by him, there should have been on the 1st of March, in the Store, 1111 Bushels of

Proceedings of the Madras Govt.
Read the following letters -

From the Colonial Secretary - Enter 6th Aug. '62 N^o 47.
List / the Govt. 20 do - v 37.
Solicitor

Order - 22nd Aug. 1862 N^o 1369

The papers received with the Colonial Secretary's letter will be forwarded to the Magistrate of Tanjore, as in the opinion of the Advocate General, the offence charged ^{against} Solomon Isaac amounts to embezzlement, & is

is within the provisions
of Act VII-54.

2. The Magistrate will
inquire into the charge,
& report the result to
Govt.

[Signature]

The Magistrate of }
Lauzone - with } Sept 22nd
3 Enclosures. }