

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1082	Press
49-50		~~Mis.~~
Dated	4. 7. 1863.	-19-

48/48

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
4th July 1863.*

Read the following Petition :—

No. 49. To His EXCELLENCY THE GOVERNOR IN COUNCIL, FORT SAINT GEORGE.

The humble petition of TAJOMOORTOOLA
LUTCHIAH, late Head Goomastah of the Dis-
trict Moonsiff's Court of Palasa Zillah, Ganjam.

MY LORD,

1. Dissatisfied with the endorsement made by Government on the 2nd June 1863, on his petitions Nos. 714, 1,192, 1,274 and 1,345 of 1863, to them presented by him, your petitioner presents herewith an appeal memorial to the address of the Right Honorable the Secretary of State for India, against the same endorsement, (in triplicate) which, it is humbly requested, may be directed to be forwarded to that noble authority.

2. It is further requested that the above memorial should, for the ends of justice, be forwarded to the destination with such favorable inferences as can be leniently recorded in consideration of the intrinsic cause, which gave rise to effect your petitioner's utter dismissal from office, and which remained unaltered merely for Criminal matter, which the District Moonsiff set up, since his dismissal.

Shall ever pray.

B. e. S. S.

MADRAS, 10th June 1863.

TO THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA.

The humble petition of TAJOMOORTOOLA
LUTCHIAH, late Head Goomastah of the Dis-
trict Moonsiff of Palasa in the Zillah of Gan-
jam.

SHEWETH,

I. That your Memorialist being aggrieved by the endorsement* made by the local Government of Madras on the 2nd June 1863, on petitions by him presented to them
• No. 1. in Nos. 714, 1,192, 1,274 and 1,345 of 1863, appeals to Her Majesty the Queen, submitting all papers† connected with the case, and prays that the Home authorities will be leniently pleased to do him that justice which was denied to him by the local Government on the following among other grounds, by ordering that your Memorialist may be restored to his office.

II. Your Memorialist confidently believes that His Excellency the Governor, though felt his dismissal to have been ordered by the Agent in a very unjust manner, has not been disposed to interfere on his behalf; for, the Agent has added a Criminal matter which was brought against your Memorialist since his dismissal, and, for, His Excellency is really not authorized to interfere with the petty Criminal matters disposed of by local authorities under the legislation now in force. Had His Excellency the power of meddling with all the Criminal proceedings, heinous and petty, your Memorialist confidently hopes that that noble power would not have seen him become appellant before the Home authorities, as the Agent's proceedings held in Criminal matter to order his dismissal, are so weak and weightless as hereinafter explained. But the Agent having skilfully lengthened his report, when called for by Government on petition No. 714, embodying a Criminal matter, totally omitting to explain on the Civil matter enumerated in that petition, your petitioner in appeal became quite loser of the justice. In such a matter as the present your Memorialist thinking that the local Government being bound by law, are, as the case is now, not permitted to interfere with the local authorities' acts in Criminal matters, and that the Home authorities, who are Sovereigns of all the Nativelands, Islands, &c., shall have no bar of the same Laws and Rules at all, when the fact is made known to them, has therefore taken leave to present this appeal memorial for their fuller consideration and orders giving the succinct future of his grievance from the beginning; however the petitions Nos. 714, 1,192, 1,274 and 1,345 contain almost all the origin of his destiny.

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III. Your Memorialist need not say that he served in the Moonsiffs' Courts as Head Goomastah than referring the Home authorities to the enclosure B and to other testimonials marked C to L. The District Moonsiff who signed the service list B has been appointed to his office in May 1861, and your Memorialist was doing the duties of Head Goomastah under him from that year to the date of his dismissal. This Officer bears testimony for your Memorialist's having acted with diligence and honesty under several District Moonsiffs, and under himself from 1859, and 1861, (up to 1st July 1861). But this Moonsiff who was in good terms with your Memorialist up to the 1st July 1861 (the date of B) began to interfere with the interests of the parties in the suits before him at the ill office of the Vakeels of his Court, and to taste the relish of the unauthorized income, which made him (Moonsiff) to think that carrying on business through the Head Goomastah, (your Memorialist) will prove fatal to himself, and so began to place your Memorialist like a straw, (*i. e.*, without permitting him with the perusal of the records of the suits ready for decision) and delivering the same business to some other inferior Goomastahs who may appear to him to be tamely submissive to him, in contravention to the several Circular Orders and Rules. Your Memorialist stayed quiet witnessing all what was going on nor disclosed the Moonsiff's be-
haviors aforesaid; but at last in or about the month of March 1862 the 3rd Goomastah having taken leave of absence for three months, the District Moonsiff recommended to the Agent's Court one Annapuntoloo Narinna Moorty Puntoloo whose father, elder brother, and elder sister's son are Vakeels in his (Moonsiff's) Court. This nomination was opposed to the Sudder Udalt Circular Orders published in the District Gazette. Your Memorialist by some other Court Diaries passed in reference to Sudder Court Circular Orders, dated 1856 and 1859, and 16th August 1860 (*in the former, that the relations of the Vakeels of the Court cannot be entertained in employ in the same Court; in the 2nd, that the Head Goomastah should be responsible for the due preservance of Records, &c., without allowing Volunteers access to the Record-room; and in the 3rd and last, that the Head Goomastah was to keep accounts of the receipts and disbursements*) was caught with fear at the sight of the District Moonsiff's arrangement as above said, all in breach of the said Circulars, that if he were silent he would at last be asked by authorities why did he not tell the Moonsiff nor to the upper authorities, he mildly and respectfully reminded the Moonsiff of the restrictions, *i. e.*, "nominating the connexions of his Court Vakeels to the vacant office in his Court," but that Officer never listened to his words but recommended to the Agent's Court to obtain sanction for it. Your Memorialist was quiet. Thus being, orders have been received from the Agent's Court intimating that the Pedda Kimidy Talook has been transferred to the jurisdiction of the Berhampore District Moonsiff and directing the Moonsiff to transfer the suits of that Taluq to Berhampore Moonsiff. The District Moonsiff at the instigation of some of his Court Vakeels issued summonses to witnesses in the suits so ordered to be transferred. Your Memorialist seeing this has likewise mildly made known to the Moonsiff that further proceedings in those suits are forbidden in the Court's orders alluded to above, because it was his duty to report as he was doing the Nazir's duties under Sudder Circular of 16th August 1860, to which the Moonsiff gave no attention, but examined the witnesses. This also made him to fear.

IV. In the two matters adverted to, your Memorialist wrote two Arzees (N and O) to the Agent's Court informing under English law the irregularity on the part of his employer (Moonsiff).

V. The Agent laid them aside without orders thereon; but the District Moonsiff knowing that your Memorialist wrote those Arzees gone and spoke to the Agent as suited for the purpose. The Agent confiding in the Moonsiff's misrepresentation which was intended to screen his own ill procedure has on the 20th June 1862 sent an order (P) to your Memorialist returning his two Arzees unnoticed, and warning him not to write similar ones on pain of dismissal; and again on the 30th of the same month sent the order (A) removing your Memorialist from his post of Head Goomastah.

VI. Your Memorialist with a view to appeal to the upper authorities applied to the District Moonsiff and Agent for copies of the papers, but that Officer and Agent refused to furnish them to him, and the Moonsiff with a view to prevent your Memorialist from proceeding to appeal, gave orders to take him under custody and then through his adherents set up three Batta Peons to

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charge him with having evaded them of their pay for some months. The Moonsiff who once before as hereinafter explained disposed the similar complaints as would appear by his Arzee (M) has forwarded the case to the Agent's Court procuring the witnesses to support the invention.

The Agent having referred the case to his Senior Assistant, that authority without weighing the discrepancies in the statements of the complainants and of the witnesses nor the right sense of the Moonsiff's deposition, has passed a sentence on the 16th September 1862 for three months and fined him 14 Rupees, vide the Document R.

On the same date and on the 18th September, your Memorialist presented two appeal petitions to the Agent against the said sentence, but that authority never perusing them simply confirmed the said Senior Assistant's sentence referring the office Calendars, &c.

IX. Wherefore your Memorialist proceeded to Madras and presented his appeal petitions to Government in Nos. 714, 1,192, 1,274 and 1,345.

X. His Excellency the Governor has been pleased to call for on the Agent to submit his report.

The Agent considering that, if he were to account for the matters mentioned in the Arzees N, O and Q he would be viewed as having over-passed the irregularities committed by the District Moonsiff, left them untouched, but reported that "he dismissed your petitioner upon District Moonsiff's report, and that after his dismissal he was convicted of embezzlement in his Court" and which was affirmed by him."

XII. On the receipt of the said report from the Agent His Excellency it is believed has not been satisfied with the justness of your Memorialist's dismissal from office for the reasons stated in the Agent's orders P and A, but that it (His Excellency) unwillingly declined to interfere on his behalf as the Agent has added a Criminal matter against your Memorialist.

Thus your Memorialist's appeal to His Excellency having proved effectless, your Memorialist has thought that his appeal to the Home authorities will under all possibility meet their lenient disposition as respects the manner in which he was dismissed for a very trivial matter, *i. e.*, addressing Arzees N and O, and which was not redressed in appeal in consideration of a Criminal matter that was set up against him after he was removed, and will be viewed by them as deserving their deliberate consideration. Your Memorialist has therefore submitted his appeal praying that they should take all the accompanying papers, viz., four Government petitions, Nos. 714, 1,192, 1,274 and 1,345, 1863, as well as their enclosures, A to S, into their consideration and do him justice.

XIV. The case against your Memorialist is in two parts, one is the Civil nature, and the other Criminal one. Your Memorialist begs to state his legal arguments on those two points as follows:—

For 1st point.—1. Because your Memorialist addressing Arzees N and O to the Agent against District Moonsiff is not a fault against him, for, such information against the heads is under all laws and especially under English law, a beneficial act done for State. To show that this is the case your Memorialist would remind the Home authorities that in the years between 1810 to 1820, the British Resident of Lucknow at the ill office of his favorite has acted in some way or other as apparently detrimental to Government. Upon this matter being laid before the Court of Directors they were more than sufficiently satisfied that the Head Resident's acts were all true and detrimental to the State. The Home authorities applauded the informant and had shown towards him great obligations for his having revealed the fact without letting the matter in silence with a view that he cannot write against his head." So your Memorialist reported to the Agent in N and O the irregularity on the part of the District Moonsiff. If the Agent was willing to pass over his acts he may do so, but he is not justified to remove your Memorialist utterly without reprimanding or fining, or suspending him for any period, if he thinks that his doing so was irregular.

2. Because the Agent's adding the Criminal matter against your Memorialist in his report to Government is highly unjust, for it was the matter which was not before him at the time he ordered his removal.

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3. Because His Excellency, though not satisfied with the justness of the Agent's arrangement in ordering your Memorialist's removal, has been necessarily disposed not to interfere with and to order his reinstatement merely on the ground that it has no authority to pass any resolution in Criminal matters, "whether right or wrong," which your Memorialist believes is with the Home authorities (the Sovereigns) considering the justness or otherwise of the Criminal sentence which precluded His Excellency from reversing the Agent's decision in the trivial Civil matter alluded to above. Hence it is prayed that the Home authorities should be leniently pleased to set aside the effect of the Criminal matter as not forming a part at the time of passing the order A and P.

For 2nd point.—1. Because the enclosures in Government Petition, No. 1,274, are in all respects quite unsupported by legal proofs and good and impartial inferences which well qualified Judicial Officers can draw.

2. Because the prosecutors are included in the number (30) who had once before complained, and who were reported by the same District Moonsiff as falsefiers, recommending at the same time that all accounts are correct that the Head Goomastah is honest and fit for his post, &c., vide Arzee M.

3. Because 3 out of 30 aforementioned have been selected by the same Moonsiff after your Memorialist was removed and made to complain that your Memorialist evaded them of their pay for some months.

4. Because the first prosecutor says in his complaint, dated 9th September 1862, that your Memorialist has not paid his pay for December 1861, and January 1862; the second prosecutor, that he did not pay his pay for March 1862; and the third prosecutor, that he did not give his pay for January 1862. Three witnesses were examined including the District Moonsiff. How funny a case is this is to be considered by the Home authorities while the three prosecutors who are said to have complained on the 9th September 1862, were in the receipt of their pay for all months subsequent to December 1861, and January 1862, why cannot they report to the Moonsiff the fact; why cannot they immediately take necessary steps; why can they lay their claim in abeyance for 8 or 9 months. The first and second witnesses are Batta Ameens, and third Acting Goomastah. They speak in so loose a manner that their statements are incredible.

The third witness (District Moonsiff) states the prosecutors complained to him 6 or 7 months before; that the peons are paid in his presence; that he cannot say whether prosecutors have been paid or not; that on his asking the prosecutors why they did not complain already, they replied that the defendant (your Memorialist) promised them to pay; that on complaint made a year before and examined the defendant's accounts, and could not find any mistake, &c. The contradictions or prevarications contained in the Moonsiff's deposition are so unreliable that it must be well rejected as being the tendency of supporting the false charges against your Memorialist. But the Senior Assistant who tried the case has upon District Moonsiff's oral story not given his attention to the nature of the prosecutor's complaint and the discrepant statements of the witnesses, but has passed his sentence (R.) dated 16th September 1862.

XV. Your Memorialist immediately presented his appeal to the Agent, but that authority laid it aside, but confirmed the Senior Assistant's sentence (S) dated 20th September 1862.

The Memorialist's dismissal being first based upon the very trivial civil nature, and his appeal against it not being attended to by the Agent, and further the Agent's explanation on his appeal to Government being swelled with the criminal matter, and by that latter cause, His Excellency, though felt of the injustice done to the Memorialist by the Agent, not being disposed to reverse the Agent's Civil orders in consideration of the criminal matter. Your Memorialist lastly prays that the Home authorities will, in consideration of all the papers, be, for the ends of justice, pleased to order the reinstatement of your Memorialist considering the Criminal matter as after matter.

Shall ever pray.

MADRAS,
10th June 1861.

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4th July 1863.*

No. 50. ORDER THEREON, 4th July 1863, No. 1,082.

The Memorial received with the foregoing petition will be forwarded to the Right Honorable the Secretary of State.

2. Intimation of this will be given to petitioner.

(Signed.) J. D. SIM,
Secretary to Government.

Ed. T. McMoody.

(29)

Translation of an Order issued by
G. S. Forbes Esq: Governor's Agent of
Gujarat dated 30th June 1862 Chatterpur.

Lajomartula Latchia Duntulu
Gomasta of the Dalasa District
Munsiff's Court. —

As the District Munsiff of Dalasa
reported that you are opposing him in
the discharge of the Cirkar duties
by an Arjee of the 17th instant No 50
you are dismissed from the post of
Gomasta in question from the 20th

A. B. Dastak.

Signed G. S. Forbes
Agent to the Governor

Copy a Register of Unconvicted Servants named Tajmootula Lutchia.

Date of appointment	Office	Salary per mensem	Period of service in the month				Remarks
			1	2	3	4	
April 15 th 1847	Goomasta in the Chicaod District Moonsiff's court	7	8	8	18		in has up in Ga irish con M. car Th. he
July 28 th 1856	Asst Goomasta under the Thasildar of Goomisara	10	"	3	18		
June 28 th 1856	Head Goomasta in the District Moonsiff's Court at Palasa	12	6	"	"		
Palasa District Moonsiff's Court 31 st July 1851							
Examined							
Signed Tajmootula Lutchia Head Goomasta							
Signed Puntula Bala Krustama D. G. G.							

A. Gumpin (T. 1847)
 Agent Civil and to the Petitioner
 that he is doing from the 20th June 1852
 30 June 52
 1854 of 1865
 1862

Remark.

It appears from the certificates of this person that he had served Moonsiff Court at Chicchole for a period of 8 or 9 years and that he obtained several certificates from the Moonsiff. It moreover bears that he has diligently served for a period of 2 years and odd in the offices directly under the management of the collector and the Moonsiff. In his business of office he is very diligent and writing very expeditious but in his capacity although he has committed some slight errors yet they are in the opinion of the Moonsiff not committed intentionally and subsequently he is very diligent about his business, therefore his conduct is unquestionable. Moonsiff feels no hesitation in giving good certificate since he behaved respectfully towards his superiors.

Signed Bundera Ramalinga

District Moonsiff

¹¹¹
Character given by the District
Moonsiff Court to Sajumootola
Luteeah the Acting 3rd Goemastha
of this Court.

This man having been appointed by the
Civil Court as 3rd Goemastha of this Court
I performed his ~~entire~~ duties to my
entire satisfaction with propriety.

Chicchole District
Moonsiff Court 11th Signed N. Machiraj
December 1848 District Moonsiff

True translation

82

11/11/1848

Character given by the District
Moon's Court to Yajomantoola
Julemah the Acting 3rd Jemastha
of this Court.

This man having been appointed by the
Civil Court as 3^d Comaster of this Court
& performed his ~~entire~~ duties to my
entire satisfaction with propriety.
Chicago District
Moonsif's Court 11th } Signed N. Machiray
December 1841-8 } District Moonsif
True Translation

Chicago
Municipal Court
Leak

Character given by the District Commis of Chicago
to Jagannath Gutchia the 5th Goornasta of this and
Court he performed very properly and after wards he was appointed
above mentioned employment in this also he acted
the public duties very properly and with very great
care.

Chicago District } Signed M. Machinery.
Moon of boat 15th } District Moon of—
May 1851 } True translation

C. (1886)
Kearney
Testimony of
W. H. H. H. H.
3
Jan 10 7 14 of 1886
107

D. (Part)
Languan

Testimonial

15 May 51.

Chicago
Municipal Court
Seal

Character given by the District M. Council of Chicago
to Sogomootula Leetchia a Joomasta of this
Court that he performed the public duties
of this Court with great zeal and energy
to my satisfaction

Chicago District M. Council
June 1851
Signed: V. J. M. M. M.
District Attorney
M. Council
True translation

Testimonial

11 Dec 7/8

Jan 11/4 of 1863

40/4

E. Knapman
Testimonial
5 June 51

5
Doc 714 of 1853

I do hereby certify that since I took charge of the
Mormon Court of Chicote as acting Mormon, I found
Tajomurtube Lutchiah the 5th Gormastah of this Court
performing his public duties in accordance to the rules and
to my satisfaction and he is a good behaving intelligent
and active public servant.

Chicote Dist Mormon
Court

13th July 1852

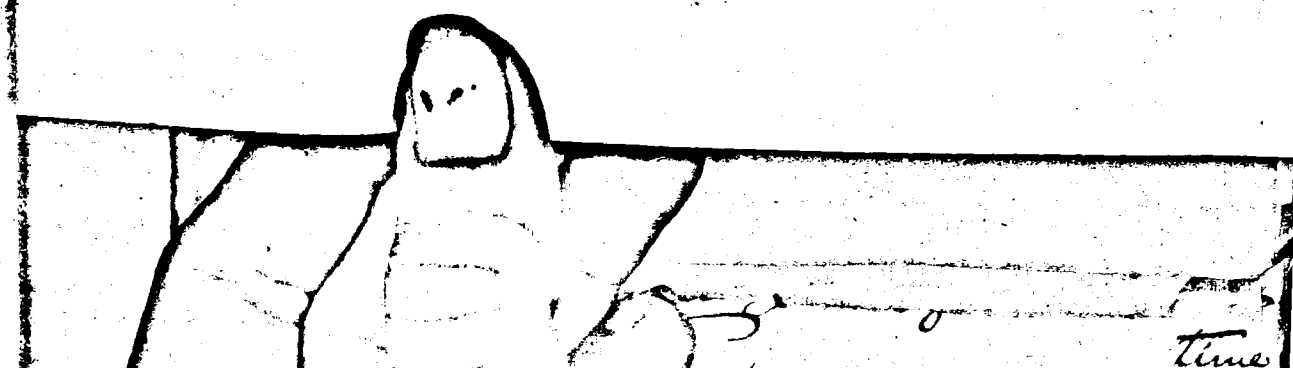
Signy Toiz Mohamed
Acting District Mormon

Testimonial

11 Dec 54

Doc 714 of 1853

407



Time

This is to Certify that I know the bearer & sustain
 ever since I came to this station he seems of deserving
 encouragement for his good behaviour and conduct he
 possesses several good testimonials from his superiors
 and appears to be active and intelligent in his way
 of living.

Whicacole 28th March 1853

C. E. Thompson

Signed as to Missy.

Signed J. Shorehill

Collector and Agent

E. (1st) with
 Testimonial

13 July 52

Whicacole 28th March 1853

Missy

Testimonial

Whicacole 28th March 1853

Missy

13 July 52

Chicago
Municipal Court
Seal

Character given by the District Munsif of Chicago
to ~~James~~ ^{John} ~~Smith~~ ^{Smith} a Gurnast of this Court
that ~~he~~ ^{he} was a Volunteer under the Civil
Record kept in the Civil Court he was appointed
by that Court as active 3rd Gurnast in this
Court on the 15th April 1847 and acted
for some time to the 3rd and 4th Gurnastas
and afterwards he was confirmed in the 5th
Gurnast's employment in the year 1849
Ever since he performed the public duties of
this Court with great zeal and energy to
my entire satisfaction I am therefore
induced to record my wishes that my successors
would promote him -

Chicago District } Signed W. M. Thayer
Municipal Court } District Munsif
August 1853 } True to translation

(1 year)

Testimonial

28 March 53

Wm. M. Thayer

(No 5)

Testimonial

11 Dec 54

Wm. M. Thayer

(No 4)

HI (1847)
Gauguin

Testimonial

26 Aug 52

8

Don. N. 714 of 1863

No. 1

Seal
Moon's Court

12

Character given by the District Moon's of Chicacole
to Tojimonlooka Lutehat a Goomasta of this Court that
while he was a Volunteer under the Civil Record keeping in
the Civil Court he was appointed by that Court as acting 3rd
Goomasta in this Court on the 15th April 1847 and acted
for some time to the 3rd & 4th Goomastas and afterwards
he was confirmed in the 5th Goomastas office in the
year 1849. Ever since he performed the public duties of
this Court with great zeal & energy to my entire
satisfaction I am therefore induced to record my
wishes that my Successors would promote him

Chicacole District

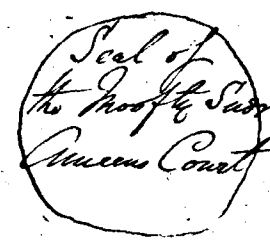
Moon's Court 1st Signed N. Machiraj

May 1847

District Moon's

True translation

1847



I do hereby Certify that I have known
 Sajimurhula Dutchah a Gomasah in the
 District Moonsiff's Court of Chicacole since
 my having taken charge of the Moofly Sub
 Ameen's Court and have also heard from the
 late acting and full Moonsiffs that he
 possesses a good Character, is a poor man
 and well qualified to discharge the Civil
 duties of an Office with Efficiency.

Chicacole
 31st March 1855 } Signed Mr. Yahia Ally Khan
 Moofly Sub Ameen
 Zillah Chicacole.

I have seen
 Leo Kinnaird
 11/11/55
 10/10/55
 10/10/55

10/10/55
 10/10/55
 10/10/55

3. I have known the bearer Tsjoumatala Lutchiah
Dautala for about fourteen months and from the opportunities
I have had of judging of his character and qualifications
believe him to be a very intelligent worthy good man
capable of filling a situation superior to that he now
holds.

Calisapatan
26th May 1855

Signed L. Miller

J. (over)
Testimonial

21st March 55

in No 714/55

11/3/55

The bearer Laymonstate Lutehiah is in my opinion
 a young man deserving of encouragement. He has obtained
 good testimonials of characters from his employers all along
 for several years past and from my knowledge of him
 for a length of time I have no hesitation in saying
 of him that he is intelligent, active, and well behaved.

Chicago }
 9th June 1857 }

Frederic W. Dawson

(Pine)

IX

Testimonial

26 May 55

In No 314/53

10/12

1
 Sectional
 9 June 57
 In No 14 1853
 No 13

Sectional

The Governor Agent Court of Gauran
 Arge addressed by Bandara Panangia
 District Munsiff of Palah.
 I have received the order of your Court
 No 36. 40. 44. & understood their contents. I am
 to report on the subjects therein mentioned as
 following.
 The Explanatory Documents which the head
 Governmentary Court defined on the items of the
 subjects referred to in the above order are
 are herewith forwarded in per list which
 accompanies this Arge.
 The Chetty Accounts & the Book of the distribution
 of Pay for Pastel Pours which are on the records
 of the Court under the signature of the late Miff
 which were the under section 20 of the Rules
 framed under reference to the Circular orders
 of the Court of Madras dated 16 August
 1860, regarding those Pours & Batta distributed by
 the head Governmentary of this Court, are correct,
 and this does not appear any difference.
 It appears from the records of this Court that
 in the suits filed after the Act of 1859
 came in operation, the amount of Batta was
 before hand paid into Court, & that in the event
 of the summons not being served upon parties
 or witnesses, & of their appearing themselves before
 the Court, and in the event of their filing
 Razinama or withdrawals, the same money
 partly or whole as the case may be, was returned
 to

to the parties or their agents, obtaining their
signatures to such payments in the distribution
of the funds for that purpose. The Comptroller who
the other persons of this Court, lodged against
the Head Comptroller, were to the effect that he
has appropriated the said fund for his own
use without it to them, and on explaining
to them that such is not the case with regard
Gomesla they (Peons) never listen to. In
reality they are not entitled to the fund they
claim to. It clearly appears from the records
that the number of suits remaining undisposed
of, on the 1st January 1867 was 1444, & that which
were filed up to the end of June, was 143, that
out of them, 193 suits were disposed of and
94 suits remained undisposed of. It is further
that 249 process have been out, in 100 suits,
& that out of the amount collected for Peons Batta
only Rs 327-10-4 is due to those Peons
after deducting the fund retained by Parties
as aforesaid, and that that sum Rs 327-10-4
has been fully paid off to them.
The 2 & 3 Gomesla have been directed to
refer to the accounts and report to the Court
if in reality there are any sums which should
reasonably be paid to the Batta Peons, is
it is payable. On the 1st June last, 16 Batta
Peons having presented Complaints before against
the Head Comptroller, bringing to notice that
he has appropriated for his own use the money
payable to them, that their suits are the
will be enquired into, but they intend to refer
me to enquire the case immediately in

in default they will not do their service
throwing at same time their Badges on the
ground. Upon my again holding out promise
through their head Peon some retook their
Badges & some gone away without receiving
their. At present the number of Batta
Peons is 23, and the receipts of Batta money
upto this day is only Rs 48-11-2 as the
file is reduced. This amount goes to be
Rs 2-2-10 per person if divided upon the
said number, which rate is scarcely sufficient
for their maintenance. The Rs 23 is enough
in consideration of the present reduced
file. I submit that the number of the
Peon may be increased with reference to the
eventual swelling of the file.
It appears from the signatures of the Peons
present before your honor that 30 Batta
Peons have done, of whom 4 appeared
& denied that they any thing of the matter
it contained & that the signatures are
theirs & delivered by them accordingly.
Which by them is herewith forwarded.
The others state in that Petition that
on their desiring me to give them leave
to go to the Hoogoor, that if they would
not obey his orders I told them that I
will cause the Police Peons to enforce their
attendance. This their statement is quite
untrue - They appear to be bad characters
and falsifiers.
With reference to their statement in the
above

above Petition that the Head Gomestah had destroyed certain records of the Court, upon inspection being made on that point it does not appear from the Memorandum given by the Head Gomestah, & the Head Gomestah that he had Gomestah had destroyed the records. Upon consideration being given to his (Head Gomestah's) behaviour & Character, he appears to be fully competent to carry on his duties but it does not appear that he is of misbehaviour. Therefore I brought this for your honor's notice.

It is requested that the papers which accompany this may be ordered to be returned after perusal.

24 July 1861 - Signed by B. Baranagopoloo

[Faint, mostly illegible handwritten text in the lower left margin, possibly a continuation of the petition or a separate note.]

M. Baranagopoloo (1861)
 Signed by the Court
 29 July 1861
 29 July 1861

To the Governor's Agents Court of Ganjam.

Addressed by Sajomortulu
 Dutchah Head Gomestah of the
 District Mousuff of Calcutta of
 the same Jithah.

Orders of the Nazim have been on the 20th ultimo received directing the Muff to transfer to the Baranagopoloo Muff the suits attached to Poddakindly Taluk the same having been included in the said District. After the receipt of the above Orders the process & Summons having been ordered to be prepared in No. 11/61 and in some other numbers I therefore with reference to the Orders quoted above reminded the Muff not to issue those Documents, but the Muff at the instigation of the Court Waked Annas Juntolos Ramiah who was retained by parties in those numbers, engaged at me, & therefore the appearance of the witnesses were ensured on the 5th & 6th of this month. Even afterwards I reminded the Muff that those witnesses are not liable to be examined by him and that a list was ready

ready for transmission to the Barrackpore
 Mff. The Mff with that angry occasion
 those statements and then on the 4th of that
 month I was told that he addressed an
 Azee to the Hojoor stating some false
 matters against me. The records of the
 numbers so ordered to be transferred to the
 District, are still in this Office and
 if your honor would send for the Diaries
 & small Registries it will be known to
 be the fact. If orders are given I will
 appear in the Hojoor and make known
 the matter at length.

(Signed) Lutchiah
 Head Quarters
 4th June 1862

10th June 62
 12th June 62
 14th June 62
 16th June 62
 18th June 62
 20th June 62
 22th June 62
 24th June 62
 26th June 62
 28th June 62
 30th June 62

Azee addressed to the Governor agent of Ganjam
 by Lajomootooloo Lutchiah Head Quarters
 of the D. Moonsiff Court of Palasah of the
 same District.
 I was appointed to the office of Counselor
 in the Moonsiff Court of Chienole in 1847
 and obtained testimonials from my Employers
 for having discharged my duties upto the
 year 1855. The then Principal Assistant
 agent Mr. Knox forwarding my conduct
 has been pleased to bestow upon him the
 office now I am in, in 1856. Ever since
 I continue to discharge my duties without
 negligence. To the proof of my conduct
 having been regular, the present Moonsiff
 by his Azee No 62 dated 29 July 1861
 bears testimony that I acted with propriety
 in my duties. The D. Moonsiff having
 been employed in the English Department
 for a length of time, he is acting just
 as he did in the Ichapoon talook by
 the advice of certain persons. Hence his
 procedure is not consistent with the
 Rules. Upon 3 Government Commissions Venent
 running pastors of the Court obtaining leave
 of absence, the Moonsiff was desirous
 of making an appointment substitute for
 that Commissions I mildly submitted to the
 Moonsiff that that substitute being an
 elder brother & similar to 3 individuals who
 are bakals in the same Court & the D.
 Gazette dated 5th June 1859 prohibits the

for the intermediate months between sunny and rainy season
 1st Aug 1861
 Time

ready for transmission to the Barrington
 Mff. The Mff with that angry occasion
 those statements and then on the 4th of that
 month I was told that he addressed an
 Arjee to the Hojoor stating some false
 matters against me. The records of the
 numbers so ordered to be transferred to the
 District, are still in this Office and
 if your honor would send for the Diaries
 & small Registries it will be known to
 be the fact. If orders are given I will
 appear in the Hojoor and make known
 the matter at length.

(Signed) Lutchiah
 Head Jemista
 4th June 1862

Arjee of the Head
 Jemista to the
 Governor's office
 12th June 62
 10/14/63

Arjee addressed to the Governor's agent of Ganjam
 by Lajomootooloo Lutchiah Head Jemista
 of the D. Moonsiff Court of Palasah of the
 same District.
 I was appointed to the office of Jemista
 in the Moonsiff Court of Chienah in 1847
 and obtained testimonials from my Employers
 for having discharged my duties up to the
 year 1855. The then Principal Assistant
 agent Mr. Knox forwarding my conduct
 has been pleased to bestow upon him the
 office now I am in, in 1856. Ever since
 I continue to discharge my duties without
 negligence. To the proof of my conduct
 having been regular, the present Moonsiff
 by his arjee No 62 dated 29 July 1861
 bears testimony that I acted with propriety
 in my duties. The D. Moonsiff having
 been employed in the English Department
 for a length of time, he is acting just
 as he did in the Ichapoon talook by
 the advice of certain persons. Hence his
 procedure is not consistent with the
 Rules. Upon 3 Jemistah Jemistah Venant
 Jemistah Jemistah of the Court obtaining leave
 of absence, the Moonsiff was desirous
 of making an appointment substitute for
 that Jemista I mildly submitted to the
 Moonsiff that that substitute being an
 elder brother & similar to 3 individuals who
 are bakals in the same Court & the D.
 Gazette dated 5th June 1859 prohibits the

for the intermediate months between sunny and rainy season
 1st sheet
 Time

The Employment of such a person relations
 as may be in the same Court. Cannot be
 taken in his Court. but the difficulty
 attending to the restriction appointed the
 same man and carries the business
 which it at head forward, should -
 The late Mr. [unclear] says that the [unclear]
 should see that the records of the [unclear]
 case be forwarded to the [unclear] -
 Without doing so, the mooniff wrote a letter
 to your honor on the 20 April stating that
 the transcripts of such records was
 delayed by me & requesting that I may be
 excused for it. Entertaining a grudge against
 me, that I wrote a letter to [unclear] not
 to give me the mooniff daily holding
 diaries verbally saying that I will be
 removed and my office, restored to the
 said substitute. I applied for copies of
 such diaries to appeal against them, and
 asked to grant me a leave for two months
 as I did not demand so, or give me leave
 employing others upon half pay pay
 if considered that my business will be
 hindered. but the mooniff refused to grant
 me leave saying that as he is about to
 remove me he cannot grant me the
 leave solicited, but grant me copies
 only of some diaries. With this spite
 the mooniff uses bad language towards
 me and instigates the [unclear] to lodge
 false complaints against me. Besides
 the mooniff takes the records to his house
 thro the said substitute at night - I don't
 know what they are doing as I may be annoyed
 I have therefore kept a record submitted the
 circumstances. 62 / signed J. L.

(L. L.)
 Translation of an Order issued by the Court of
 Governors Agent at Gaujam dated 20th
 June 1862 L. L. the poor

Your Order of the 9 Instant
 stating that the District Mooniff of Salasa
 is carrying on his duties by the advice of some
 persons in the station and another dated
 12th to the Effect that the District Mooniff
 has summoned the witnesses in certain
 civil suits of Bedda Ruidy included under
 the jurisdiction of the Berham-poor District
 Mooniff in contrary to the Orders of the
 Court are herewith returned. If you
 such Orders in future you should
 know that you will be dismissed.

Signed G. S. Forbes
 Acting to the Governor
 Agent

J
 for the intermediate months between [unclear] and [unclear]
 Time

The Governor's Agents Court of Ganjam

Addressed by Rajamontola Lurianarayana

After the District Munsiff having ordered my
uncle Rajamontola Lutchi or the Head Gummasta of the Palasa M. P.
Court to deliver over the charge of his office saying that he received
orders removing him from that office he (my uncle) delivered
over the charge on the 30th ultimo or 1st instant month and demand-
ed the Munsiff to grant him receipt. The Munsiff not granting
receipt has prevented him from going and ill-used him saying
that if he would go with leave, he would cause his attendance in
his Court as a thief, and accordingly committed him to the
custody of Pious. He (my uncle) earnestly besought the Munsiff
that if he furnished him with permission he would appear before
the Mooty and prefer his appeal to which the Munsiff
tells that he will prepare case against him in order that he
might not be reinstated and that he (Munsiff) prepare
fettens for him. I brought this for your notice that my uncle
suffer restraint. I therefore request that your honor will
issue order that my uncle might be sent free & proceed to eq.
Mooty

2nd July 1862 / (Signed) Rajamontola Lurianarayana

1862
JULY 1862
JULY 1862
JULY 1862
JULY 1862
JULY 1862
JULY 1862
JULY 1862
JULY 1862
JULY 1862

P
(Mutt)
Ganjam
Agents Court Order
to the Dist. Court
warning him that
if he would be in
any charge he will
be dismissed
20th June 1862
18
Done 20th July 1862
1862

Extract from the Criminal file N^o 43 of 1862

Prosecutor

1. L. Kenna Garza

2. Slender Appeal

3 Mullapoo Reddy Chenna

Pamali

I Thomas Gordon Moore Lane, Acting
Senior Asst agent do hereby declare that there
is made against the Left Jaymuntotah
Lutichah the charge of being a

That he did in the months of Decr 1861
January & March 1862 (dates not known)
Commit Criminal breach of Trust as public
Servant by dishonestly misappropriating
or converting to his own use certain money which
came to his hands as a public servant for
the purpose of being paid away to the Pro-
secutors as their pay for December 1861
January & March 1862 & that he has thereby
committed an offence punishable by section
409 of & within my competence.

Judgment

From the evidence before it & from a perusal
of the Correspondence between the Agents to the
Governor & the Munsif of Palasa & the records
accompanying it the Court is of opinion that
there is no doubt that Delft is guilty of Criminal
breach of trust.

Finding

The Court finds that Delft Jagannootola
Lataiah is guilty of the offence mentioned
in the charge namely that he had committed
Criminal breach of trust, as public servant
& that he had thereby committed an offence
punishable under Section 409 of the Indian
Penal Code.

The Court therefore sentences the said
Delft to three months simple imprisonment
and to pay a fine of 14 rupees in default of
which payment of fine to one month's further
simple imprisonment agreeably to Section
409 of the Indian Penal Code.

The amount of the fine when paid or
levied by distress or sale to be given to the
Delfts as compensation for the loss they have

Sustained by Delfts Criminal breach
of trust

True Extract

Chittapoor

16th Sep 1862

(Signed) J. P. Lane

Acting Senior Assistant Agent

24

Read Calendar in case No. 43 of 1852
on the file of the acting Senior Assistant Agent.

The Court approve and confirm the sentence passed in the above case

Ordered that extract from these Proceedings be forwarded to the acting Senior Assistant agent, for his information.

(True Extract)

(Signed) G. S. Forbes

agent to the Governor

(True copy)

(Signed) G. S. Forbes

agent to the Gov.

(1724)
 Morgan R
 Andrew Morgan Esq
 No. Seven North
 in the County of
 Dutchess
 1811/11/62
 Page

To His Excellency the Governor in Council
at Fort St. George.

A small Memorandum
from the Honorable Mr. Litchfield
dated 10th of the 2d
of the Court of Calcutta
James Gillies.

The cause which the Governor's
Agent stated in his Order P & A for
the removal was owing
to his having addressed Argee (N & O)
to his quarters regarding the Miff's Act as
dated in his Order to Government
dated 9th March which is now heard to
have been referred to that authority calling
for explanation.

2. As it is a systematic ruling in
giving the local authorities to uphold
their decisions and settle their explanations
(which called for by a great power)
with some other topics which were not
before them at the time they passed their
decision by the Settler is apprehension
that the Agent will sometime swell his
explanation.

James Gillies
Agent to Government
in giving the decision
on the 15th 62

explanations with such the other matters
as could induce the appellate power to
concede in his Orders & A.

After the Petitioner was removed
he applies for the Authenticated copy
of papers held in his Cause which were
the District Munsiff (who was at
variance with Petitioner) to think that
he is going to appeal and to commit him
to custody and then that Officer caused
some false complaints to be lodged
against the Petitioner and so the Petitioner
was in custody for some months.

The Petitioner thinks that the
Governor's Agent will sometime sum
up his idea by adding the same circum-
stances with explanation expected to
come from them.

The more Cause for the Petitioner
to address the Order (NVO) was owing
to his having been declared by Court
duty responsible for the safety of the
Court records by virtue of the Judge's
Circular and the District Munsiff
having nomination there of nominated
the

the relatives of the Vakeels of his Court
to the vacant post, he has therefore to
presence his responsibility addressed the
same Argees but they contain no impeach-
ment whatever against that Officer.

Therefore the Petitioner begs to
your Lordship that if the Agent adds
any other matter except what is stated
in the Order (NVO) it must be please
to overrule them on the ground they being
the after recurrence cannot be taken as
a bar to the Petitioner's reinstatement.
This Memorandum is requested to be
considered along with the one presented on
the 9th March.

Shall Ever Pray

Madras }
30 April 1863 }

To His Excellency the Governor in Council
Fort St. George

The humble Memorandum of
Tajamootoola Sutchiah, Head
Governer of the Di Moonsiff's Court
of Palasa, Ganjam District

My Lord,

The sole cause, which the Governor's agent
states in his order P & A for effecting Petitioner's
removal, was owing to his having addressed Argees
(N & O) to his Court as regards the Moonsiff's Act
as detailed in his Petition to Government dated
9th March, which is now heard to have been
referred to that authority calling for Explanation.

2

As it is a systematic ruling in among the
local authorities to uphold their decisions, and
swell their explanations (when called for by appellate
powers) with some other topics, which were not
before them at the time they passed their decision,
the Petitioner is apprehensive that the Agent
will some time swell his explanations with
such the like matters as could induce the
appellate power to coincide in his order
P & A -

3

After the Petitioner was removed, he applied
for the authenticated copies of papers held
in his case, which made the Di Moonsiff
(who was at variance with Petitioner) to think
that he is going to appeal & to commit him
to custody, and then that officer caused some
false complaints to be lodged against the
Petitioner

Petitioner and the Petitioner was in custody for some months.

4 - The Petitioner thinks that the Government Agent will some time sum up his idea by adding the same circumstances in the explanation expects to come from him.

5 - The mere cause for the Petitioner to address the Agent (N & O) was owing to his having been declared by Council Diary to be responsible for the safety of the Council Records by virtue of the Lord Council's Circular, and the Thooniff having in violation thereof, nominated the relatives of the vakeels of his Council to the vacant posts, he has therefore to preserve his responsibility, addressed the same Agent but they contain no impeachment whatever against that officer.

6 - Therefore the Petitioner beseeches your Lordship that if the Agent adds any other matter except what is stated in the orders P & A it must be pleased to over rule them on the ground "they being the after recurrence cannot be taken as a thorn to the Petitioner's reinstatement". This memorandum is requested to be considered along with the one presented on the 9th March.

Madras
30th April 1863

I shall ever Pray
Yours
J. P.

1845 of 1863.

The Double Portion of
 1845 of 1863.

As the Double Portion of
 1845 of 1863.

may also in this explanation
 something new which is
 not contained in the order.

By order
 of the Court.

1845 of 1863.

Chief Clerk
 of the Court.

By order
 of the Court.

1845 of 1863.

1845 of 1863.

1845 of 1863.

1845 of 1863.

1845 of 1863.

1845 of 1863.

1845 of 1863.

(1st 1/2)
No 1345/63
From T. Lutchiah
Dated 20 May 63

No 167
Forwarded to the
Secretary to Govt
Revenue Departt.
for report.

By order
Chun Devisan Col.
Acting Pri. Secy.
Govt House
Gumby Park
20th May 1863

Understanding that
the Agent has sent
his report regarding
petitioner's dismissal
from his office
prays that on the
perusal of the
said Report he
may be ordered to
be restored to his
office as he has
been waiting
here for the last
3 months to
obtain redress

as he has been waiting
here for the last three
months to obtain
redress

No 1 (1st 1/2)
No 1345 of 1863

From Tejamoorti
Lutchia Puntulu late
Head Gumasta of
Palasa District Moon
diffs Court in the
Zillah of Gungjam

Dated 18th May
Recd. 21st May } 1863

Understanding that
the Agent has sent his
report regarding petitioner's
dismissal from his office
prays that on the perusal
of the said report he
may be ordered to be
restored to his office

for the intermediate months between January and the present
1st Aug
1863

N^{os} 714-1192-1274-1345 of 1865

The Government learn
that, since his dismissal, the Petitioner
"has been convicted of embezzlement
"after full enquiry in a Court of Justice
"and under these circumstances they
"see no grounds to interfere on his
"behalf."

Fort St. George
2^d June 1863.

By Order

M. M. M.
Adj. Dy. Secy. to Govt.

To His Excellency the Governor in Council
Fort St. George

The humble Petition of Tejomoolah
Lutchiah, late Head Gouastah of the
District Moureeff's Court of Palasa
in the Zillah of Ganjam

My Lord

Under section XXVIII No. 1 and section XXVII No. 2
of the appendix of the Rules for the guidance of
Governor's agent, your Petitioner presents this Petition
to your Lordship on the matter in which he is aggrieved
by the order of the Governor's agent of Ganjam
in ordering his dismissal from the post of Head-
Gouastah in the District Moureeff's Court of
Palasa on no grounds whatever except in consideration
of some undecorated reports of the District Moureeff's
a circumstance never heard of in any Company's
Courts, as herein after explained, and which
he thinks your Petitioner sees no other alternative
than throwing himself on the mercy of Government
with a prayer that they be pleased to refer
to the accompanying papers, and do him
that justice which he deserves from their
sincerity, and issue instructions that he
might be reinstated in his office.

As

As the dismissing order shows that your Petitioner was dismissed as having opposed to the District Moonsiff's order, it is therefore necessary for him to show whether the agent was justified to listen to the District Moonsiff's oral fables, whilst your Petitioner's conduct and activity is supported by several of his employers and particularly by the present Moonsiff on whose report, he was unjustly made victim of the deprivation of his bread.

To show that your Petitioner's activity, conduct, and attention to his duties were so satisfactory, as he should not be treated as at present was, the accompanying testimonials are submitted for inspection, viz.

B, C, D, E, F, G, H, I, J, K, & L.

The B, Copy of the service list, bears testimony by the present Moonsiff himself that your Petitioner was in service for 10 years with due punctuality in his duties -

The testimonials C to L bear testimony of several of his employers that your Petitioner was honest, attentive and diligent in the duties of his office -

That

That while your Petitioner was thus doing his duties to the entire approbation of the District Moonsiff and particularly of the present Moonsiff, some of the Balla Peons complained against your Petitioner that he appropriated the Balla money for his own use, and that he destroyed some records, on enquiry of which, the present Moonsiff dismissed their plea being of opinion in his arge to the agent marked M, that some of them denied that they signed the complaint, and that it does not at all appear to him that the Head Goomastah (your Petitioner) was in no way guilty of what they charged him with, and that all the records are in their good orders; and further that your Petitioner does not appear to be of his misbehaviour. &c.

This being, the Governor's agent sent some orders to the present Moonsiff that the Poddahindiy Salug having been incorporated with the District Moonsiff of Burhanpore, the suits already filed in Palasa District Moonsiff's Court, should be transferred to that former District. The present Moonsiff without doing so, at the instigation of some Vakils, issued summons to certain parties to appear before his

his Court. Thus your Petitioner submissively made known to the Moonseiff that it was repugnant to the agents orders quoted above; but not listening to your Petitioner continued still to follow his repugnant form - Thinking that it was a rule for the inferior servants, or in other words, imperative on them to bring the Circumstances of their employers if it were attended with informality, to the notice of the upper authorities; your Petitioner did so in his argee N dated 12th June 1862 - The present Moonseiff knowing that your Petitioner wrote the argee N, began to be in bad terms with him, and to carry on the business through some of his deputies, and at the same time having likewise attempted to appoint the relations of some vakils of his Court to be substitute for 3^d Goomastah, your Petitioner also mildly made known that such relations of the Vakils of the Court should not be retained in the same Court under the restrictions contained on the District Gazette of the 5th June 1859 - This too the Moonseiff having neglected to observe, and was appointed such the relations to be substitute, and then began to

to write false argee to the agent against your Petitioner upon vague matters, your Petitioner has therefore addressed the argee marked O, reporting the said Moonseiff's Circumstances 8th -

Before any order being passed by the agent on your Petitioner's two argees N & O, the District Moonseiff verbally spoke to the agent in some way or other, and that authority without giving the justice of the matters therein reported, but satisfying with the Moonseiff's oral exaggerated false things, sent an order P on the 20th June 1862, returning his two argees (N & O) and warning him on pain of dismission if he writes any argee hereafter -

At last the agent on the 30th June 1862 sent his order dismissing him from office without stating the same cause in his book, that is the verbal false story told by the present Moonseiff -

The Moonseiff, having, after your Petitioner detained charge, detained him under restraint, that he should go and appeal to the agent; his uncle presented a Petition Q to the agent on the 2^d July 1862, bringing the undue retention of your Petitioner, it was returned unanswered.

Your

Your Petitioner was ever since retained in
agents office for enquiry in some vague matters
created by the Moussiff through the Betta Pems
who renewed their former complaints, until
December last. On your Petitioners presenting
Petition to the agent it was never attended
to, nor written Endorsement made thereon.

Therefore your Petitioners appeals against
the agents order & that in consideration
of so many testimonials of good conduct
as alluded to above; the agent is not
justified to remove him from office

for reasons;—

- 1 Because the testimonials are too favorable
in his behalf.
- 2 Because it is due for your Petitioner
to bring the infirmities of his employers
to the notice of the upper power, under
English Law.
- 3 In the event of reporting such matter
being considered unhandsome; the
punishment which may be awarded to
him will be sufficient to reprimand
him or impose any slight fines, or
suspend

suspend for few weeks.

Because the ~~order~~ removal of your
Petitioner is ~~very~~ ^{highly} unequal for the deed
supposed to have been done by him
I am, Sir, very truly
Yours

W. Adams }
9th March 1863 }

W. Adams
Jm

STAMP DEPARTMENT
28 JULY
1862
CANJON

Received
of the
1/8 of the
of the
of the

time. I did not tell the Moonsiff because Defendant
put me off from day to day, saying he would give me the pay
of the 2 months, that were due - when I get my pay, it is
customary for me to touch the pen, instead of marking or
signing my name, in the Pay List. I did not touch the pen,
for my pay for the months of December 1861 and January 1862.
I did not do so, because, I did not get the pay for those months.
Some 30 Pious complained in 1861 that Defendant did not
give us our pay properly the Defendant quieted us then. —
2. Prosecutor on solemn affirmation on the 9th September 1862
States. The Defendant did not give my pay for last March.
As to 2-7- I asked him, but he put me off by promises. I after-
wards informed the Palasa Moonsiff. I gave him a large
deposition and sent them to the Collector, the Defendant
became sick, whilst he was so, I received my pay for the
months following March, up to the present time. I think
I gave the large in the month of April. —
3. Prosecutor on solemn affirmation on the 9th September
1862. States - I have not received my pay for last January.
I gave an large to the Palasa Moonsiff about 2 or 3 months
ago, before Defendant was dismissed the service. I have
not yet received my pay for January 3-8- on 3-6-1. I
cannot tell which the Civil Commissioner knows - the Moonsiff
2. Sheet
M
told

Handwritten signature

told Defendant, to give my pay. I do not know what he said to the Moonsiff. I was present when the latter asked Defendant to give me, my pay - the Defendant wrote something on a piece of paper and gave it to the Moonsiff - as his answer to my letter. I have received my pay for the intermediate months from the Defendant. I have been in the habit of touching the pen, when receiving my pay - last year we complained to the Moonsiff / decessed / that Defendant did not give us our pay regularly - we were on the point of going to the Collector to complain - when the Defendant gave us our pay and quieted. I did not tell the Moonsiff that Defendant had settled with us - we complained to the Moonsiff, not to the Collector -

1st Witness Batta Ameen Saradheepunda on solemn affirmation on the 9th September 1862 States - I and or was the Defendant's Batta Ameen. he told me that 1st and 3^d. Prosecutors had been paid by him, their pay for December 1861 and January 1862, that they had touched the pen, and directed me to put their mark opposite their names in the Pay List. I did so. I asked them afterwards if they had received their pay for December and January, they said they had not. 3^d. Prosecutor said his pay for December had been paid to him through his brother in-law - I told this to Defendant he said

RECEIVED
 DIRECTOR
 2000
 1800
 1800
 1800

he had had their marks put in the Ray List by mistake, that
he had the Prosecutors' pay - I told the Mooniff - he said if
Prosecutors would Complain, he would inquire into the complaint
the 2^d Prosecutor asked a defendant for his pay for March on the
30th June or July on the day, that the order dismissing defendant
arrived he / defendant / said he would settle with every one
before he went away. the Prosecutors then gave an Urzee to the
Mooniff 1st and 3^d Prosecutors before defendant was dis-
-missed, 2^d Prosecutor on the day for day after it / on which
Defendant was discharged. the Mooniff directed in his Diary
myself and Volunteer Umapuntala & Paraimamorthy, to
state what we knew of Prosecutors Complaints & accordingly
gave the Mooniff a written statement on the subject. Prosec-
-utors' pay for December 1861 is 5 Rs. and for January 1862. 3-4-^{Rs as 10}
2^d Prosecutors' pay for March 1862. 2-7-^{Rs as 10} 3^d Prosecutors' pay
for January 1862. 3-4-^{Rs as 6} total 13-15-^{Rs as 10} defendant was in the
habit of paying the Peons, sometimes in my presence, at
other times in my absence sometimes to the Peons themselves,
another to their relatives - one day he gave me 240 papers to
enter having been returned on the back of them. I did so,
he put a Peon over me, until I had finished this work,
I afterwards, employed myself, in other work in the
Mooniffs' court - I gave the Mooniff an Urzee stating that
Defendant, prevented me performing my usual work: the
4th sheet

4th Street

DEPARTMENT
2nd JULY
1862
GANJAM

Received of
Mr. [unclear]
the sum of
Rs. [unclear]
for [unclear]

Moonsiff then told me, to attend to other business in the court. The Moonsiff called upon Defendant in his Diary to state why he had prevented me, performing my regular work. Defendant replied he could not trust me, that a complaint had been given to him against me, that I had not entered certain articles, in a List of attachments - it is about 5 or 6 months ago, since this complaint was made against me. I told the Moonsiff that Defendant's statement was false that no such motion or complaint had been made against me. Moonsiff said he would inquire into the matter. I made the Prosecutors mark in the Pay List, because the Defendant was my superior and desired me to do so - Uma pramthula & Haraimoorthy and others were present when Defendant told me to make Prosecutors mark in the Pay List - this occurred in the Moonsiff's Cutchery when examined by the Moonsiff I mentioned to him, what I have now stated. I wrote my statement and gave it to the Moonsiff - who has stated about the Defendant's having given me the papers to return occurred about a month before he was dismissed. The Batta was always given over into Defendant's charge. -
2. Uma pramthula & Haraimoorthy on solemn affirmation on the 9th September 1862 states - I was acting as D. Goomasta in the Moonsiff Court when the Prosecutors came to Defendant and complained that they had not received their Pay - I was present. Defendant ^{then} he would give them their Pay - he told them so twice, he afterwards told them that their marks was in the Pay List, that he would not give them their Pay, 5th sheet that

[illegible]

and March 1862. —
 "Defendant pleads not guilty."
 Defendant states the Moonsiff of Malacca has brought this charge against me
 I paid the Prosecutors in the presence of the Moonsiff. I request that the urgee
 written, by the Moonsiff to the Agents Court, regarding a former Complaint made against
 me by Prosecutors and others that he had not given them their pay may be read also
 the urgee written by Moonsiff in the month of December, '58 also record in Extra
 Petition of 1861. I have no witness. The Cons. will not give evidence in my
 behalf, as I have been dismissed. —
 B. Sundaroo Ramanoojah, on solemn

behalf, as I have been dismissed. —
Witness of the Court Palanca Inosig Brundaro Ramanogiah, on solemn
affirmation on the 16th September 1862 states — The Prosecutors complained to me
that they had not received their pay — The Defendants would not agree to my
inquiring into the complaint I called upon Defendants to give me a reply to the
wages presented by the Prosecutors, Defendants did so, I forwarded these wages
and Defendants reply to the Agents for the last 6 or 7 months, the Peons
are paid in my presence I cannot say whether the Prosecutors have been
paid or not I cannot say whether the Peons have ever been paid in my
presence. I asked 1st and 2^d Prosecutors why they had not complained
before, they replied, that Defendants had constantly promised to
pay them which promises kept them quiet about a year ago, my Court
Peons complained that they had not received their pay — I had
Defendants accounts examined I could find no mistake
of the sheet

Ag: ^{ML} Tr. a pte. a gual

[illegible]

and March 1862. —
 "Defendant pleads not guilty."
 Defendant states the Moonsiff of Malacca has brought this charge against me
 I paid the Prosecutors in the presence of the Moonsiff. I request that the vergee
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Ag: ^{ML} Tr. aff. agust

STATION DEPARTMENT
23 JULY
1862
GANJAM

Received
of
2000
1862
of

in them the Pious had complained in the first instance
to the Agent. I did not hear how the matter was settled
I do not recollect whether the Pious ever complained
to me before the time I have mentioned and which has
given rise to these proceedings. I do not know of any
falling out, between Prosecutors and Defendants, or
unless it be on account of their former Complaint - as
told the Defendants to enter always the dates of dis-
bursement of pay, this he has some times done, at
other times neglected to do - the marks in the Pay
List appear to have been made by Defendants and
by his Goomastha.



True Extract of
Maul
by: Draft Agent
yth and last sheet
M
by: Draft Agent

DEPARTMENT
29 JULY
1862
GANJAM

*Received of the
Governor of the
Presidency of Fort St. George
the sum of Rs. 1000/-
on account of the
salary of the
Commissioner of
the District of Ganjam*

29 July 1862
(1862)
His Excellency the Governor of Council
Fort St. George

The humble Petition of
James Litchfield Esq
Secretary of the District of Ganjam
of Calcutta in the District of Ganjam

Gentlemen

With reference to the explanations
called for from the Governor's agent of Ganjam
on my Petition dated 9 March 1862 I have
to bring to your Lordships notice that I am
given to understand that that authority
submitted his explanation to the effect
that "he has removed me upon Staff
report, & that after my removal, Lewis
in custody for some days on a charge
of bringing in some British Papers -
If I was not mistaken of the Governor's
agent's explanation as at present known
I would respectfully submit that the
Governor's agent thinking that if he were
to dwell upon the points mentioned
in the Annex N & O referred to in my
Petition there will be no reason at all
except what I stated in my above Petition

Public Office
of the
District of Ganjam
29 July 1862
Enclosed
for the
Governor of Council
Fort St. George
the sum of Rs. 1000/-
on account of the
salary of the
Commissioner of
the District of Ganjam

has been disposed to leave them untouched
but concluded his explanation by adding
~~some~~ recurrence of my being in Custody
on some vague & vexatious charge
as he afterwards explained
which was springing from the Duff's strategy
in order to put a stop to my proceeding
to other appellate places.

While the Governor's agent is silent
in his explanation
as to the origin of the address of the
Argee N & O, Your Lordship will, it is
humbly inferred, conclude that that authority
thought it proper to leave the matter
in silence than explaining any, because
if he would, it ^{will} prove fatal to the Duff.
& defect in his supervision. Hence
I may be considered as legally exonerated
from the act of addressing the said Argees
N & O which are the visible cause in the
order marked P & A.

Then it only remains for me to explain
on the additional point of my being in
Custody after my dismissal on some
Complaint of the Batta Peons. This I say
in a tone of solemn affirmation upon
Your Lordship that that Complaint was
of a nature which was once before my
dismissal heard & determined by the same

same Mousieff and declared as futile
in his Argee marked M which is now
before Governor. On reference to this said
Argee M. Your Lordship will find that
about 30 Peons complained against me
to the Governor's agent, that on its being
referred to the same Duff he the same
Mousieff was justly of opinion to the
effect that the Charge therein imputed to
the Ad. Mousieff has never been proved,
that all the items of Batta Peons salary
are correct & that the head Mousieff is
competent in every respect.

I would here point out that the same
Duff has after my removal set off £3
Peons out of the 30 mentioned in the Batta
Peon to lodge Complaint against me as
if I did not pay wages for Decr 81 & Jan
1862 proving likewise among his Cowit
servants.

The public Copies of the Depositions of
Batta ameen, 3 Mousieffs & Duff taken in
the said matter are herewith kept.

The two first mentioned witnesses have
stated that the Complainants asked me for
their pay that I promised to pay them.
It is not rare for the 3^d Mousieff to speak
lie because his case forms the subject

my Arge O. ~~the~~ The D. H. H. deposition
is the more weighty than the other two
in the said Case that authoritatively admits
that the distribution of pay to Bata Beans
was has been made in his presence that
none of the 3 Complainants had even made
known to him that they did not receive
their pay, that the Complainants are
included in the No. of Beans whose case
is mentioned in the Arge IV. By
the loss of the evidence of the said
two witnesses by the fault of that
of the District Juff it would appear that
my Confinement for some days after
my discharge is the fraudulent measure
adopted on purpose to stain my prospect
which I would meet in appeal -

Considering the I therefore solicit your
Lordship with consideration of the foregoing
explanation as regards the Confinement
for some days after my removal
of the Agents leaving the subject of the
Arge N & O unexplained, be pleased to
declare me eligible for my post thinking
that my remaining so long without employ
is enough for the fault which I may
appear to have committed in addressing
the Arge N & O -
13th May 63 *W. H. H.* I shall remain
Yours truly

W. H. H.

Case

(1. Lett)
N 1274 of 1863-

Prays that on a mature consideration of the points, he may be declared eligible to the post & restored to it.

From Latchia late Head Gumaata in the District Munsiff's Court of Palasa in Ganjam

Dated 13 May 1862
Recd 15

With 1 Enclosure.

Refers to his former Petition regarding his dismissal from the post by the Agent on the misrepresentation made by the District Munsiff.

States some discrepancy in the explanation called for from the Agent in his

Judicial. 10. 44

Proceedings of the Madras Court

Read the following Petition from Tajamartola Latchiah late Head from Mastah Munsiff Court Ganjam Zillah.

Here enter dated 10 June 1863
Petition 221517 of 1863.

Forwarding a memorial for transmission to the Secretary of State for India appealing from the order of Govt. passed in his case on the 2nd inst.

Order thereon N 1082 of 4 July 63.

The memorial received with the foregoing petition will be forwarded to the H. H. the Secretary of State.

Intimation of this will be given to Petitioner - W. B. H.

JP

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Good. B. to Eng. 7 July
N. 27 of 1863.
Rep. to - 1226 4/12/63.

Pro. Mr.

Judicial 1863 De, rank

N. 1082

Proceedings of Gov?

D/L. Mr. 13.

Forwarding to the Secy of
State the Memorial of J.
Lutcher late the Governor
in the District Mooniff's Court
a Paluca praying that he
may be re-instated in his
post.

49.50

C27 June
A30 "