

# MADRAS RECORD OFFICE.

Government of Madras.

*Judicial* DEPARTMENT.

|         |          |           |                 |
|---------|----------|-----------|-----------------|
| 137-138 | G.O. No. | 1108      | Press           |
|         |          |           | <del>Mis.</del> |
|         | Dated    | 12-7-1918 | 4/5             |

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,  
12th July 1867.*

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No. 137. Read the following letter from T. A. N. CHASE, Esq., Magistrate of Kurnool, to the Chief Secretary to Government, Fort Saint George; dated Kurnool, 25th June 1867, No. 44.

With reference to the Proceedings of the Madras Government, under date the 17th May 1867, No. 809, Judicial Department, I have the honor to inform you that the sum of Rupees (127-2-0) one hundred and twenty-seven, and Annas two, has been recovered from Mr. Sharp, the late Head Assistant Collector at Cumbum, through the Collector of Nellore.

2. Mr. Sharp having requested that his explanation on the subject of the theft may be forwarded to Government, I have the honor to enclose copy of his letter, No. 44, dated 17th instant, to the Acting Magistrate of Nellore, for the consideration of the Government.

From F. R. H. SHARP, Esq., Acting Joint Magistrate of Nellore, to the Acting Magistrate of Nellore; dated Ramapatam, 17th June 1867, No. 44.

I have the honor to acknowledge the receipt of your letter, No. 124 of the 6th instant, and of the Government Proceedings noted in the margin.  
In Judicial Department, No. 809, dated 17th May 1867.

2. In accordance with your instructions I remitted Rupees 127-2-0 on the 11th instant to the Kandukur Taluq Treasury, and request you will have the goodness to forward that amount to the Magistrate of Kurnool.

3. As from a perusal of the Government Proceedings alluded to above, I believe that Government have been misinformed as to the circumstances attending the loss of my office cash box at Cumbum in October last, I would take the liberty of submitting the following remarks.

4. The Government have been pleased to hold me responsible for the loss, on the ground that I failed to take reasonable precautions for the safety of the box, and they have been led to this conclusion apparently from Mr. Chase's thinking the reason for not placing the box inside the Treasury unsatisfactory, and from Mr. Robinson's representation that the box was a little one, "small" and "insecure," and "a more casual charge."

5. As I am not on the spot I cannot give an accurate description of the Cumbum Taluq Treasury, but as far as my memory serves me, it is an enclosure of wooden bars, entered by a small door not three feet high, and almost filled up by a large treasure chest. My office cash box (which has since been recovered) will, I think, be found to be a substantial wooden chest, some 3 feet x 2 feet x 2 feet, secured by a lock and a padlock over the lock. I would submit that much inconvenience would have been caused to those who had to resort to the large treasure chest, if it had been necessary for them to remove my cash box from the top of the same every time they wished to open the latter, especially when it is remembered that there is hardly room for persons to turn inside the so-called "strong room."

6. I cannot allege that the smallness of the Treasury cage was the actual reason with the person more immediately in charge of the chest for not placing it inside the Treasury, as without wishing to avoid the responsibility for its loss. I must admit that I did not myself give directions as to where the box was to be placed; but I would ask that Government would be good enough to consider whether, under the circumstances stated above, there was not sufficient reason for not placing the box inside the Treasury.

7. Mr. Robinson and Captain Tennant, in their letters recorded in the Government Proceedings, appear to be under the impression that the Police had not charge of the box at all. It is hardly necessary to refer to the letters of the local Police Officers and to the depositions of the Police Constables, of the very men charged with allowing the disappearance of the chest, to learn how completely

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it is recognized by those on the spot and on guard at the Treasury, that the box was, and had been for a month, entirely in charge of the Police guarding the Cumbum Taluq Treasury. Perhaps the Government would now be pleased to deem that a reasonable degree of precaution was exhibited, by placing a strong bulky box, properly locked and sealed, in charge of a Treasury guard. I may remark that it was as a measure of precaution for its safety that the cash box had been removed from my own office, which was notoriously unsafe, and had been sent down to the Taluq Cutcherry.

8. If then the Government would be pleased to consider that, under the circumstances stated above, there was sufficient cause for not placing the box inside the Taluq Treasury, and that reasonable precaution was used with regard to its custody, I would respectfully request that they will be good enough to re-consider the terms of censure they have been pleased to record regarding me, and to order the refund to me of the sum of Rupees 127-2-0.

No. 138. ORDER THEREON, 12th July 1867, No. 1108.

In the enclosure to the foregoing letter Mr. Sharp submits certain grounds for a re-consideration of the G. O., No. 809, dated 17th May 1867, under which he was held responsible for a sum of Rupees 127-2-0 contained in a cash chest under his charge, which was stolen from the Treasury of the Taluq Cutcherry at Cumbum on the night of the 18th October 1866.

2. Mr. Sharp was made responsible for this loss because, after a careful consideration of the case, the Governor in Council was of opinion that Mr. Sharp had failed to take reasonable precautions for the safety of the box.

3. Mr. Sharp represents that the office box in question was not a small box, as described by the Inspector General in his report, for the box measured 3 feet x 2 feet x 2 feet, and that it was secured by a lock and padlock.

That the reason that it was not placed on the top of the treasure chest inside the treasure strong room was to avoid the inconvenience of removing the cash box whenever access was required to the treasure chest.

That the box, as was shown from the evidence recorded in the case, was duly in the custody of the Police and had been so for a considerable time, and that the box had been removed from Mr. Sharp's office to the Taluq Cutcherry for greater security.

4. Under this further explanation Mr. Sharp urges a re-consideration of the terms of censure which the Government have recorded against him, and requests that an order may be passed for a refund of Rupees 127-2-0, which have been recovered from him.

The order, against which Mr. Sharp has thought proper to appeal, was passed after a very careful consideration of the case, and the Governor in Council sees no reason to question the justice of the decision by which Mr. Sharp has been held responsible for the loss of the public money.

Mr. Sharp allowed the cash chest of his office, which was known to contain money, to remain outside the Treasury strong room. In this he exhibited a want of reasonable caution, for which he has failed to show any sufficient justification. This negligence exposed the Police guard and others to a temptation, the creation of which should have been avoided.

(True Extract).

Acting Chief Secretary.

To the Magistrate of Kurnool.

Inspector General of Police.

Ed. J. Tulloch.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

*Read the following letter  
from the Magistrate of Kurnool.  
Here enter 25th June 1867 N. 14.*

*Order 12th July 1867 No. 1108.*

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the foregoing letter Mr. Sharp  
submits certain grounds for a  
re-consideration of the G. O. No. 809  
dated 17th May 1867 under which  
he was held responsible  
for a sum of Rs. 127-2-0  
contained in a Cash chest  
under his charge which was  
stolen from the Treasury of the  
Taluq Cutcherry at Cumbum  
on the night of the 18th October  
1866.*

*2. Mr. Sharp was made  
responsible for this loss because,  
after careful consideration  
of the case, the Governor*

*see last page - a  
supplement or to be changed  
within 10 days*

in Council was of opinion that Mr Sharp had failed to take reasonable precautions for the safety of the box.

3. Mr Sharp represents that the Office box in question was not a small box as described by the Inspector General in his report, for the box measured 3 feet x 2 feet x 2 feet and that it was secured by a lock and pad lock.

That the reason that it was not placed on the top of the treasure chest inside the treasure strong room, was to avoid the inconvenience of removing the cash box whenever access was required to the treasure chest.

That the box, as was shown from the evidence, recorded in the case, was duly in the custody of the Police and had been so for a considerable

considerable time and that the box had been removed from Mr Sharp's office to the Treasury for greater security.

Under this further explanation Mr Sharp urges a reconsideration of the terms of censure which the Govt. have recorded against him and requests that an order may be passed for a refund of Rs. 127-2-0 which have been recovered from him.

The order against which Mr Sharp has thought proper to appeal, was passed after a very careful consideration of the case, and the Governor in Council sees no reason to question the justice of the decision by which Mr Sharp has been held responsible for the loss of the public money.

Mr Sharp allowed the cash chest of his office which was known to contain money to remain outside the Treasury strong room. In this he exhibited a want of reasonable caution, for which he has failed to show any sufficient

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sufficient justification. This negligence exposed the Police guard & others to a temptation which as was to be expected, they were unable to resist.

The creation of which should have been avoided -

Judicial 1869 Department.

No. 1103.

PROCEEDINGS OF GOVERNMENT.

Dated 12 July 1867

6 No. 1103-110 -  
 16/2/67  
 ~ 192-194  
 17/5/67

To the Magistrate of Muzool }  
 - - - - - Secy Genl of Police } dep 17/7