

1880
Judicial (193) Department.

Copy SERIES.

G.O. No. 1594

DATED 5. 7. 1880.

Confidential

[Despatch Abstract.]

Rangoon Commissariat
Fraud Case

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Confidential

Order 5 July 1880 No 1594

Forwarded to Col. I. Wilson -

A 3780

*By Col. I. Wilson -
on special duty, Rangoon - depd 5/7.*

3/7/80

Directing that Colonel Stansfield be removed from the Commissariat Department, and that his services be replaced at the disposal of His Excellency the Commander-in-Chief.

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*Confidential
General 1880/1881
Rangoon Committee 1880/1881*

MILITARY.

THE ADJUTANT-GENERAL.

R. D.

3 JUL 80

Dated June 21st.

Recd.

30/6/80

Encl.

G.O., 21st June 1880, No. 3877.

S.

JUNE.

Nos. 311-321.

No 2219

Confidential

Order 5 July 1880 No 1594

Forwarded by Col. I. Nelson.

A 3780

By Col. I. Nelson.

on Special Duty, Rangoon - despatch 5/7.

1/7/80

Directing that Colonel Stansfeld be removed from the Commissariat Department, and that his services be replaced at the disposal of His Excellency the Commander-in-Chief.

JUNE.
Nos. 311-321.

No 2219.

To
THE ADJUTANT-GENERAL.
R. D. ^{Secy} _{Secy}
3 JUL 80
Dated June, 21st.
Recd. *20/7/80*
G.O., 21st June 1880, No. 3877.
S.

MILITARY.

Govt. of (1880) Madras.

*Capital of the
Province (1880) Madras
Rangoon Committee (1880)*

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

21st June 1880, No. 3877.

Commissariat-Contracts.

Read the following papers:—

- No. 311. Proceedings of Government, Judicial Department, dated 24th March 1880, No. 682.
- No. 312. From the Adjutant-General, dated 20th March 1880, No. 218.
- No. 313. Proceedings of Government, Judicial Department, dated 24th March 1880, No. 683.
- No. 314. Order of Government, Military Department, dated 25th March 1880, No. 1983.
- No. 315. From the Commissary-General, dated 5th May 1880, No. 1201.
- No. 316. Docket from the Judicial Department, dated 9th June 1880, No. 1214.
- No. 317. Minute by His Grace the PRESIDENT, dated 18th May 1880.
- No. 318. Minute by His Excellency the COMMANDER-IN-CHIEF, dated 1st June 1880.
- No. 319. Minute by the Honorable W. HUDLESTON, dated 7th June 1880.
- No. 320. From the Adjutant-General, dated 14th June 1880, No. 168.
- No. 321. ORDER THEREON, 21st June 1880, No. 3877.

These papers relate to an accusation against Colonel Stansfeld, Deputy Assistant Commissary-General, of having received illegal gratification, in the form of money and other presents and gratuitous supplies for household use, from the Commissariat contractors with whom he was brought in official contact in Burma.

2. The accusation arose from certain entries in the accounts of Cohen and Co., which, in consequence of the insolvency of the firm, became disclosed in the Recorder's Court at Rangoon. Evidence on oath was given confirming these entries during proceedings in the same Court, in connection with the insolvency.

3. This evidence was given in presence of Colonel Stansfeld, who declined to avail himself of the opportunity afforded to him by the Recorder, to enter the witness-box and deny on oath the imputations made.

4. Government have therefore to consider the effect of the evidence given in Court, the statements received by the Court of Inquiry which sat to investigate the alleged malversation in the Commissariat Department in Burma, and Colonel Stansfeld's written statements.

5. Colonel Stansfeld has afforded no information as to dates and amounts of any remittances made by him, their form, or numbers of currency notes.

6. Admitting that notes may have been received from Cohen and Co., for remittances, he alleges, they were all obtained in exchange for cash.

7. He denies the accuracy of the accounts, treating them as fictitious and made for a dishonest purpose.

8. The Government find that the book-entries and the evidence are to a certain extent corroborated by independent testimony. The Treasury records prove the issue to Cohen & Co., by the Treasury, of currency notes of corresponding amounts with the alleged presents. One of the notes so issued and alleged to have been given has been traced by the Police in Calcutta to the hands of Messrs King and Co., the Agents of Colonel Stansfeld, by whom it appears to have been remitted immediately after the alleged gift by Cohen and Co.

9. Colonel Stansfeld called three witnesses to prove payments of cash for the notes, but they are unable to fix dates of the transaction or transactions they describe. Colonel Stansfeld speaks of payments for notes for remittances appearing in some accounts, but does not produce the accounts referred to.

10. Colonel Stansfeld admits that supplies were obtained from Cohen for the household; he denies, however, that they were obtained in such quantities or with the regularity stated, and asserts that all supplies were paid for at the time.

11. No accounts were produced except a few fragmentary bills of insignificant amount, nor any witnesses called to prove payments, and Colonel Stansfeld asserts that all bills and vouchers from Cohen and Co. were destroyed.

12. In order that Colonel Stansfeld might have full opportunity of supplementing his statements before the Court of Inquiry by additional explanation or other matter, he was on arrival at Madras so informed, and submitted accordingly the further explanation dated 1st May.

13. His Grace the Governor in Council, on a full and anxious consideration of all these papers, is of opinion that Colonel Stansfeld has entirely failed to rebut the imputations made against him, and accordingly directs that he be forthwith removed from the Commissariat Department and his services replaced at the disposal of His Excellency the Commander-in-Chief.

14. The Government, with the concurrence of His Excellency, further direct that he be detained unemployed at Madras until the orders of the Secretary of State be received.

(True Extract.)

Michael

Colonel,

Secretary to Government.

To the Adjutant-General,
" Commissary-General,
" Judicial Department,

with 3 spare copies

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Confidential

Order 5 July 1880 No 1595 3986

Forward to Col. I. Weldon.

to Col. I. Weldon.
1/7/80
a Special Duty. Rangon - Supd 5/7.

A378

Passing orders on the case of Major Berkeley,
Sub-Assistant Commissary-General, who incurred
debts with Messrs. Cohen Brothers, Commissariat
Contractors at Thayetmyo.

Weldon

JUNE.
Nos. 421-423.

No 2220

S.

G.O., 25th June 1880, No. 8984.

Date June 25th.
Recd. 27 July
Encl.

3 JUL 80

R. D.

cc.

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THE ADJUTANT-GENERAL,

MILITARY.

Subd. of 11801 Madras.

Confidential
Official Report
Rangon Commis's Head

R. D. CONFIDENTIAL.

3 JUL 80

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

25th June 1880, No. 3984.

Commissariat—Contracts.

Read the following papers :—

No. 421. *Docket from the Chief Secretary, dated 8th June 1880.*

No. 422. *From the Commissary-General, dated 15th June 1880, No. 2397.*

ABSTRACT.—Regarding the debts incurred by Major E. S. Berkeley, Staff Corps, Sub-Assistant Commissary-General, 2nd Class, with Messrs. Cohen Brothers, Shop-keepers and Commissariat Contractors at Thayetmyo.

No. 423. ORDER THEREON, 25th June 1880, No. 3984.

From these papers it appears that during the year 1871, while Major Berkeley was serving as Sub-Assistant Commissary-General, 2nd Class, at Thayetmyo, he incurred debts with Messrs. Cohen Brothers, Shop-keepers and Commissariat Contractors, amounting to Rs. 2,000, which he left unpaid on quitting Burmah, giving them a Promissory Note for that sum.

That Messrs. Cohen Brothers were Commissariat Contractors with whom Major Berkeley had official relations.

That Major Berkeley did not reduce the debt or make any great exertions, between 1871 and 1879, to redeem his bond.

That in the latter year he returned to Burmah as Sub-Assistant Commissary-General, 1st Class, still owing the money, which remains still unpaid.

2. It was entirely inconsistent with Major Berkeley's position, firstly, to incur such a debt with a Commissariat Contractor at all; and, secondly, to resume duties in Burmah with an undischarged obligation hanging over him, to the principal contractors with whom he would have to deal.

3. Major Berkeley's conduct through the whole transaction merits the gravest censure; but His Grace the Governor in Council on a careful review of the case, is disposed to believe that the debt was, in the first instance, honestly incurred, and that Major Berkeley never intended to repudiate it; for this reason His Grace refrains from now ordering Major Berkeley's removal from the Commissariat Department.

4. The Commissary-General will communicate the above to Major Berkeley, and will require him forthwith to pay the amount, with any accrued interest, to the Official Assignee of the firm through the principal Commissariat Officer at Rangoon, who will obtain and transmit the Promissory Note and receipt to the Commissary-General; and Colonel Moore will further submit, for the consideration of Government, a draft rule for insertion in the Commissariat Code forbidding officers of the department incurring obligations to contractors.

(True Extract.)

Minister

Colonel,

Secretary to Government.

To the Adjutant-General.
" Commissary-General.
" Judicial Department. ✓

3 more copies will follow