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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Judicial DEPARTMENT

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Dated	1. 6. 1884	~~197~~	

B.K.

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GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Read—the following paper :—

From H. BRADLEY, Esq., Acting Collector and District Magistrate of Malabar, to the Chief Secretary to Government, dated Malappuram, 2nd May 1894, Dis. No. 380 M.-Genl.

I have the honour to forward for the orders of Government copies of two reports, dated 3rd March 1894 and 17th April 1894, from the Special Assistant Magistrate, relating to a conspiracy on the part of 12 persons of Angadipuram amsam to murder a Tien, who, having joined the Muhammadan faith, subsequently reverted to his own religion. Copies of the depositions, with translations of those taken in the vernacular, are enclosed.

2. The first intimation of the matter which reached me was the first of the above letters which I received at Cochin on the 7th March on my return from Anjengo. I wired to the Special Assistant Magistrate to ascertain whether he thought it advisable for me to come to Angadipuram and started as soon as possible for Shoranur. On my arrival there I found a letter from Mr. Knapp saying that everything was quiet and there was no excitement, and that for the present he was waiting for further evidence. I therefore went to Calicut for the district board meeting and came back to Angadipuram on the 15th, as previously arranged, for jamabandi.

3. I examined each of the prisoners, but with the exception of Raman they all denied having made any statements before the Special Assistant Magistrate, and asserted that they knew nothing of the conspiracy. They had evidently been advised to do so by their friends outside the jail. I had received information that the knives made for them had been broken to pieces by K. Unnian Kutti and concealed in certain paddy fields, and I hoped to ascertain from the prisoners whether this information was correct. As I could get nothing out of them I made an attempt to discover the broken knives by searching, but was unable to do so. The fields were too large to be searched throughout under two or three days, and as I was anxious to get the jamabandi over, so far as the fixing of the demand went, within the month of March, the last kist month, I left Angadipuram for Cherpalasseri the day after the search. I have not forwarded the statements made before me.

4. Since the recent outbreak I have been informed by the Angadipuram Tangal that the information as to the knives was perfectly correct, and that they were actually in the paddy fields at the time of the search, but they were removed the following night under the orders of Unnian Kutti and taken to the Kolar mines which are now supplied with a good deal of Moplah labour from Angadipuram. The Tangal gave me this information after giving his deposition in the late outbreak, but asked me not to record it because the facts would be denied by Unnian Kutti if I should examine him. I have every reason to believe that it is true, as the Tangal spent some days in endeavouring to persuade Unnian Kutti to acknowledge the truth, and, in fact, on one occasion informed the Tahsildar that he had succeeded in doing so, but Unnian Kutti again withdrew.

5. I have little to add to the Special Assistant Magistrate's report.

6. It may seem curious that the Tien, Raman, should so readily have agreed to join the conspiracy, but it is a fact that a Cheruman who was converted by the gang of Moplahs who were destroyed at the Pallikurup temple, after the outbreak began,

was shot with them in the charge. This is a far stronger case of a convert's fanaticism than Raman's. The localities which I have inspected personally agrees accurately with the story of the prisoners, and there can, I think, be no doubt of the truth of the story. Unnian Kutti's statement, considering his close connection with some of the prisoners, places it beyond question. There is also evidence of the connection between this conspiracy and the recent outbreak—*vide* paragraph 30 of the Special Assistant Magistrate's letter.

6. For the present I think that the whole of the 12 persons should be deported indefinitely. I agree with the Special Assistant Magistrate that the first six in the list given in paragraph 31 of his letter should be deported permanently. With regard to the others I do not think any of them should be allowed to return except with the consent of the District Magistrate for the time being, which should be given or refused according to what takes place in the future. At any rate unless there are distinct signs of Moplah fanaticism dying out—of which there are none at present—they should not be allowed to return. With regard to Anangodan Moidin Kutti, I do not think at the present juncture that it is advisable to allow any Moplah to whom the epithet "all but martyr" is applicable to remain in the district. Raman's case appears to fall under the Moplah Act—*vide* section 3, "Any *person* who shall procure or promote . . . or shall incite or encourage any other person or persons to commit the same," and section 6, "The Governor in Council shall have with respect to the confinement or trial of any *person* charged with or suspected of an intention to commit any offence punishable under this Act."

7. With regard to K. Unnian Kutti, I do not see how he can be fined under the Act and consider that his deportation would be inadvisable. He can, however, be sent for and formerly warned that he has had a narrow escape.

8. Mr. Neill, the Inspector of Police, has also done very good work in the recent outbreak also.

Enclosures.

From A. R. KNAPP, Esq., Acting Special Assistant Collector and Magistrate of Malabar, to the Collector and District Magistrate of Malabar, dated Perintalmanna, 3rd March 1894.

I have the honour to report the discovery in this taluk of a conspiracy among certain Mappillas to commit an outrage. The conspiracy has happily proved abortive; had it not been accidentally discovered, it might have led to most serious results.

2. The history of the events which led to the discovery of the plot is this. On Saturday, the 24th February, on my return from Tirurangadi, I received an anonymous petition stating that certain Mappillas of Angadipuram amsam had formed a plot to murder a Tien named Choyi, now residing at Mannárakkát. The conspirators, after effecting their purpose, were to take possession of Mannárakkát Nayar and die martyrs. It was stated that this Choyi had at one time embraced the Muhammedan faith, but had reverted. The petition went on to say that the plot was discovered by one Unniyan Kutti, brother of one of the conspirators, that he had seized the arms which had been prepared, and had confined some of the conspirators in his house. The petition gave considerable details, and I thought it unsafe to pass it over unnoticed. I therefore forwarded it to the Angadipuram Stationary Magistrate, with a direction to him to make a careful enquiry into the matter.

3. On reaching here on Wednesday, the 28th, I was informed by the Sub-Magistrate and the Police Inspector that the facts stated in the petition were, in the main, true. Three Mappillas had been arrested, and a Tien named Raman, whose connection with the case I will mention later, had been produced by the police. The names of the men at that time arrested are given in the margin.

(1) Koyassan.
(2) Kadr.
(3) Bappi.

4. The Sub-Magistrate took statements from these three Mappillas. One of them, Koyassan, admits that he was a party to such a plot as was mentioned in the anonymous petition. The statement made by him is briefly this. He says that one morning, in Makaram (January) last, Karayal Mammi and Valappil [illegible]din came to the ottupalli (a school-house where the Koran is taught to Mappilla boys), kept by Anangadan Bappi; Koy Assan, Bappi and Kizhissiri Kadr were there present. Moidu and Unni Mammi said that when the former had been to Mannárakkát, following his trade of a timber cutter, he had seen one Choyi, who had at one time become a Mappilla but had since reverted. A proposal was made by Moidu and Unni Mammi that they all should join and murder Choyi, take possession of some house, and wait till the soldiers came and killed them. Koyassan, Bappi and Kadr asked for time to consider. The next day the same two men came and reported that they had secured the adherence of three other men. Koyassan Kadr and Bappi then agreed to join the party. Subsequently, the Tien, Raman, overheard a conversation between Koyassan, Kadr and Bappi on the subject of the enterprise. Raman, having found out the secret, was asked to join in the plan; eventually he decided to do so and paid 4 annas as his share of the expenses. Raman was sent to purchase some iron to be used in making knives. Four knives were made by a blacksmith. Koyassan and Bappi bought some gunpowder and caps at the shop of the licensee in Angadipuram, and also bought 5 annas' worth of lead. Koyassan and Raman went and melted the lead at a place near the ottupalli. Two more knives were also made. After these preparations were concluded, one of the conspirators, Mammi, withdrew. This was on Sunday, apparently the 11th of February. The same evening, Unnian Kutti, Kadr's brother, discovered the plot, seized the conspirators, beat them, and confined some of them in his house. He took possession of the arms and destroyed them.

5. This is the gist of Koyassan's statement. The other two men who were first arrested, Bappi and Kadr, admit that there was such a plot and that they were asked to join, but both deny that they did so.

6. Raman, the Tien, fully corroborates the story of Koyassan, though he throws into the background his own decision to take part in the actual murder. He admits buying the iron and having the knives made.

7. On the 28th February, late in the evening, four more men were brought in by the police. They also admit that they knew of the plot and were asked to join, but they assert that they, for various reasons, refused to do so.

(1) Palapura Mammutti.
(2) Kunjangadan Said Ali.
(3) Valappil Moidu.
(4) Pulikkal Viran Kutti.

8. So far there is nothing but the anonymous petition, backed up by the statements of the Mappillas and Raman, to prove the existence of the conspiracy. There is, however, valuable corroborative evidence. I have examined (1) Ussan Khan, an [illegible]on-seller of Angadipuram, who sold hoop-iron to Raman. Raman told him that he [illegible]s buying it for his master, Choyi, a clerk in the Munsif's Court; (2) Choyi, who s[illegible]tes that Raman's story was untrue; (3) Unnian, an iron-seller, who sold some iron to Raman, who bought it ostensibly for the purpose of making a spade; (4) Kaliappan, [illegible]cksmith, who made 4 [illegible]-iron for Kadr and Koyassan; and (5) [illegible] plot was directed. I have also [illegible]n Angadipuram and [illegible]i. The books [illegible]t is [illegible]

at the katcheri the next day. He failed to do so. I have therefore issued a bailable warrant for him. I am also sending for all the other persons who appear to be in any way connected with the case.

9. The house of Unnian Kutti has been searched, but no trace has been found of the arms which are said to have been seized. One most important discovery has, however, been made. The Police Inspector and the Sub-Magistrate have found some particles of lead near the spot described as that where bullets were made. I have seen the place. There are traces of a fire having been lit under the shelter of a survey stone. The place is secluded and most suitable for such a purpose as this.

10. On receiving information on Wednesday of the facts as thus ascertained I proceeded to Calicut hoping to find you there and report in person on the matter. I also wished to ascertain from the records exactly the procedure to be observed in such cases. While in Calicut I informed the Superintendent of Police of the matter. He is at present here. The Mappillas have apparently committed no offence which can be punished under the Penal Code. It would, however, be obviously most dangerous that they should be left at large. I therefore, acting in anticipation of your orders, under section 7 of the Mappilla Act, have ordered them to be kept in custody. Under the same section, Raman, the Tien, is confined. He was at first examined by the Sub-Magistrate as a witness, but as his own statement shows that he was a participator in the plot, I have committed him also to the sub-jail as an accused. I have the honour to request that my action may be approved.

11. There is at present no danger of any outbreak. The plot seems to have been most effectually nipped in the bud. Most of the persons concerned as conspirators are in custody. They are all young men, and I believe that this plot was not of quite the same nature as those which have caused disturbances in the previous years. As far as I have ascertained at present, the ordinary formalities, such as divorcing of wives and performing the Moiludu ceremony, have not been carried out.

12. I regret the delay in sending this report. I have been very busy here taking statements and making enquiries, and my visit to Calicut on the expectation of finding you made it impossible for me to write sooner. I will report again as soon as any new evidence is forthcoming. I am having the statements made by the accused and witnesses copied. I will forward the copies as early as possible.

From A. R. KNAPP, Esq., Acting Special Assistant Collector and Magistrate of Malabar, to the Acting District Magistrate of Malabar, dated Wandur, 17th April 1894, No. 147-M.D.

In continuation of my letter, dated 3rd March 1894, I have the honour to report in detail upon the recent conspiracy in Pathakara desam of Angadipuram amsam to commit a Mappilla outrage.

2. The circumstances under which [illegible] light have already been [illegible] examining all the [illegible]
My enquiries [illegible]

5. The second batch of men was arrested on February 28th—two or three days after enquiries had been instituted. They therefore had some little time to decide upon their line of defence. They all admit that they heard of the conspiracy, but deny that they joined in it.

6. The third batch was composed of men who apparently fled into hiding on learning that the plot had been disclosed. They were not arrested for several days. They deny all knowledge of the affair.

7. The evidence of Cholayil Koyassan, one of the originators of the scheme, contains a full account of the actions and intentions of the conspirators. He says: "One morning in *Makaram* (January-February) last Karayil Mammi and Vallappil Moidu came to the othupalli* of Anangodan Bappi; Kizhisseri Kadr, Bappi and I were there at the time. Mammi and Moidu said that when the latter was at Mannárakkát he had seen there a Tien called Choyi who had once embraced Muhammadanism but had latterly reverted. They said they were going to cut off his head and that we should go with them. We asked for time to consider. The next day they came again. Bappi and I were then present. They said they had secured the adherence of three other men and asked us to persuade others to join. We then said that we would go and take with us such persons as we could. Mammi said that six big war knives should be made, but that as he was well known I should get them made. He gave me half a rupee to purchase iron and pay the blacksmith. While Bappi Khader and I were discussing the matter at night in our shola (shed for watching the crops), Raman came by. We told him about this and asked if he would join. He said he would tell us next day. He afterwards decided to join. He paid 4 annas to Bappi as his share of the expenses. Bappi sent him to buy iron. He bought 12 pollams of iron and handed it to Bappi. The next day I went to Kulukalloor with the iron and got four big knives made by blacksmith Chami. The knives were secured on the roof of Bappi's school. Two days afterwards I went to Mammi's house. I got from him one-and-a-half rupees to purchase gunpowder. Bappi brought half a rupee. We went to the shop in Angadipuram and bought a rupee's worth of powder, also some caps. We also bought 5 annas' worth of lead. We gave the powder and caps to Bappi. I took Raman with me and we melted the lead in a field and cut a few bullets. We were interrupted there. I went to a blacksmith, Kelappai, at Pathakkara and got two swords which he had made for me. I kept them in a bush. Khader and I had arranged with the blacksmith to make them. The following day, a Saturday, Khader Bappi, Raman and I made 48 bullets and put them in Bappi's house. The next day, Sunday (apparently the 11th of February), I went to Mammi's house to tell him that all was ready. He gave me a letter for Bappi. Bappi read it and said that Mammi was not prepared to come with us. That evening Kizhisseri Unnian Kutti (Khader's brother) and others knew all about the plot. Unnian Kutti [illegible]ed Bappi and me and struck us and made us swear by the feet of the Mambram [illegible]gal that we would not murder Choyi. Bappi and I gave up the powder, caps, [illegible] bullets. The weapons were broken up and thrown away. The powder was [illegible] Khader, Bappi and I were kept in Unnian Kutti's house for two or three [illegible]. Mammi had promised to bring a gun." This extract gives a concise account of the material points of the case. It agrees with the details given in the anonymous petition, and I have every reason to believe the confession to be absolutely true.

* A native school where the Koran is taught.

8. The evidence of Raman corroborates Koyassan's story. He explains his inclusion in the party as follows: He says that he had a watch-shed in the same neighbourhood as that of Koyassan. In Makaram last he noticed that Khader Bappi and Koyassan were in the habit of meeting in the latter's shed. One night he approached, impelled by curiosity, and heard some part of a conversation which was being carried on regarding the proposed outbreak. His presence was discovered. When asked what they were talking of, the Moplahs at first attempted to conceal their plot. Raman, however, told them that he had over-heard some of the conversation and knew its purport. The Moplahs then, partly by threats and partly by holding out to him the prospect of dying as a *Sahid* and reaping his reward in the blessings

of the Muhammadan Heaven, induced him to throw in his lot with them. It was arranged that he should become a Moplah. The incident is a curious one, and is only explicable on the supposition that Raman's story of his accidentally hearing the discussion of the plot is true. Raman was apparently useful to the conspirators as he was able without arousing suspicion to give orders for the manufacture of the knives required for the expedition.

9. Raman has been twice examined at considerable length. His story corresponds so exactly with that of Koyassan that it is not necessary to deal with it at length. One point he mentions, however, which is not alluded to by the others, namely, that it was the intention of the conspirators after having murdered their victim to take possession of the house of the Mannárakkát Nair, a tiled upstair building, where they could expect to find arms. Then they were to await till the soldiers came up and shot them. This decision coincides with what has generally been the practice in similar Moplah outbreaks. A tiled upstair house is a comparatively safe refuge. It is hard to approach and it is not likely to be set on fire.

10. Bappi, a mullah and a teacher of the Koran, gives similar evidence. He agrees with Koyassan in ascribing the responsibility of originating the plot to Mammi and Moidu. He says that he refused to join, as his feet are deformed and he was unable to walk. He admits that he took a considerable part in concealing the arms and the bullets and also that some of the money passed through his hands. He denies, however, that he did more.

11. Khader's statement is on the same lines. He says that he was asked by Bappi and Koyassan to join in the enterprise and he admits that he was aware of the preparations for the outbreak. His story of the way in which he first accidentally discovered the plot, namely, by over-hearing a conversation between Bappi and Koyassan carried on in a watch-shed, bears a striking resemblance to that of Rama[illegible] so much so that it is most probably copied from the latter. Khader says that in [illegible]peated invitations he never promised to join, and that he gave information of t[illegible]spiracy to his brother, Unnian Kutti.

12. This concludes the evidence of the first batch of the accu[illegible]r statements place it beyond doubt that there was a conspiracy to go to Ma[illegible]t and murder the Tien, Choyi, and that the plan was matured and on the point of being put into execution when it was in some way discovered by Unnian Kutti and summarily put a stop to. If any further proof is required it is to be found in the statements of the witnesses examined by me. The shopkeeper, Ussan Khan (deposition No. 14), the coppersmith Bastian (deposition No. 23) and the blacksmiths Unnian, Kelappai, and Chanii (deposition No. 20) prove the purchase of the iron and lead and the manufacture of the knives. The licensed dealer in gunpowder in Angadipuram denies the sale of powder to the accused, but (as I have already pointed out in my former report) he has good reason to do so. Further, the truth of the stor[illegible] the preparation is placed absolutely beyond all doubt by the discovery in the [illegible] pointed out by Koyassan as the place where the bullets were made of the ren[illegible] of a fire and of some particles of lead.

13. Choyi, the unfortunate victim whose death was determined upon, has n[illegible] yet been found. Report says that he was at Mannárakkát, but that he has disappeared. That he did at one time become a Moplah and that he afterwards reverted to Hinduism is proved by the evidence of his father Ayyappan, a wandering beggar. Ayyappan makes one statement which is most important. He says that intimation of his son's reversion to Hinduism was given him by Karayil Mammi, one of the men in custody. There is no reason to consider Ayyappan to be prejudiced. He shows no malice whatever against the accused; in fact, he was by no means willing to say anything about his son. Moreover, at the time when he made this statement, Mammi was not in custody. Ayyappan also says, and in this he is corroborated by Kizhisseri Unnian Kutti, brother of Khader, that Choyi was at one time employed as a servant in the house of Unnian Kutti's father.

14. So far it appears established that there was a conspiracy to commit an outrage and that the four persons already mentioned were concerned in it. The half-hearted denial of complicity by Bappi and Khader can hardly benefit them much. The evidence of Raman and Koyassan against these two men, coupled with their own statements, as well as the indirect evidence of all those who heard of the plot, proves conclusively that they were guilty equally with the others. Bappi's profession—that of mullah and teacher of the Koran—makes it most probable that he had a chief part in hatching the plot. Khader's assertion that he gave information to Unnian Kutti appears to be untrue. Unnian Kutti denies all knowledge of the affair, and neither he nor the other relatives of Khader who were examined have a word to say in the prisoner's favour. If he had really been instrumental in putting a stop to the undertaking, his friends would have been only too eager to mention the fact.

15. The second batch of prisoners consists of those mentioned in the margin. Of these the most important, in my opinion, is Valappil Moidu. He is a sawyer by trade and he appears to be in the habit of going to Mannárakkát and working in the forests. The accounts given by Raman, Koyassan and Bappi point to Moidu as the originator of the plot. The version given by them is that it was Moidu who saw Choyi at Mannárakkát and conceived the idea of murdering him. Moidu himself admits that he knew of the conspiracy. He says, however, that it was not till the 22nd of Makaram (3rd of February), when he was sent for by Bappi and invited to join the others, that he knew what was on foot. He states that he refused to join as he had work to do for one Kaladi Moidutti, a timber merchant. He adds: "Bappi said, 'If you do not join, you must at least not reveal the matter to any one.' I said, 'If I do not give information to the Karanavers (elders), we shall be undone. If I do not tell, we shall also be caught.' I informed Karayil Mammi and asked him to tell Kizhisseri Unnian Kutti. On that day I received a letter from Moidu telling me to go to Mannárakkát. I went the next day, Saturday (that is, the day before the discovery of the plot and its frustration). I do not know the name of the man who was to be killed. His name was Choyi. Bappi told me so."

1. Valappil Moidu.
2. Palapra Moli's son Mammutti.
3. Kanhirangodan Syed Ali.
4. Pulakkal Viran.

16. This statement is obviously the result of some reflection on the part of Moidu. Fearing that a complete denial would be worse than useless, he has framed his defence so as to admit some knowledge of the affair, at the same time absolving himself from all responsibility. His introduction of Mammi's name is significant. The account given by some of the witnesses is that Moidu first communicated his idea to Mammi, and that the two together spoke to Bappi. Now Moidu says that he informed Mammi of the plot at a later date, after it had been set on foot by Bappi, and that Mammi gave information to Unnian Kutti. As will be seen later, Unnian Kutti denies that Mammi gave any such information. There is no doubt that Unnian Kutti is not telling all the truth. Nevertheless I do not think that Mammi is entitled to the credit of having brought the conspiracy to light. If my opinion is correct, Moidu's defence too falls to the ground. Besides the evidence of Bappi, Koyassan and Khader, regarding Moidu and Mammi, there is further an important statement made by Unni Mammi, an elder brother of Khader. Repeating what he has heard, he traces the growth of the conspiracy somewhat in this way: "Moidu saw Choyi and told Mammi. Mammi told Bappi, Koyassan and Khader." Seeing that Unni Mammi makes no attempt to exclude even his son's name, I think his story may reasonably be taken as true. It agrees with the theory which the other evidence in the case had led me to form even before Unni Mammi was questioned. I am convinced that to Moidu is to be attributed the conception of the conspiracy.

17. Moidu was examined by me a second time in order that he might have an opportunity of explaining, if possible, the facts that appeared against him. In his second statement he attempts to withdraw all that he had previously said. I believe that this change of front is the result of certain communication between the accused and his relatives while the former was in jail. Every effort was made to keep the prisoners apart and to prevent their being influenced by their friends and persuaded to

withdraw their confessions, but by some means a communication appears to have been established. Moidu's denial of the truth of his former statement is, however, worthless. He says that what he stated at first was told him by the police, but he fails to explain how it was that he gave details of a conversation with Raman which had not been mentioned by Raman or by any other witness and could not therefore be known to the police. Moreover, if the police had induced him to make a statement at their dictation they would certainly have taken care that he should fully incriminate himself.

18. Of the rest of the second batch of prisoners the most important is Palapra Mammutti, son of Moli. He, like those who were arrested with him, admits that he was invited to join in the enterprise. Knader said to him: "What if Choyi, the Tien, who has reverted from Muhammadanism, were killed?" Mammutti's reply was, according to his own account, most cautious: "Yes, if he is murdered he will die." He adds that he not only refused to join but even tried to dissuade the conspirators. He afterwards went away to Kali Kavu for timber work. He returned and then heard that the plot had been discovered and stopped. This is his own account of himself. Raman's, however, is different. He says that he first saw Mammutti, in connection with the occurrence, consulting with the others near the gate house of Kizhisseri Unni Koya, Kadr's uncle. Kadr and Bappi asked Mammutti for money. He said he had no money, but that if they had arms made he would join them. Subsequently, on the day fixed for the start to Mannárakkát, Sunday, the 4th of the Mappilla month Shabon (February 11th), Mammutti came to Raman's shed about 5 P.M. and asked about the outcome of the conspiracy. Kadr was also present. The latter mentioned that Mammi had withdrawn and that the others were hesitating. Mammutti's reply shows that he at least had made up his mind and that he was annoyed at this failure of his plans. He said: "You have brought me all the way from Kali Kavu for nothing." Kadr said: "Wait till Koyassan and Bappi come. We shall then know whether we are to go out or not." Mammutti is next said to have suggested a meeting that night at Bappi's ottupalli. Mammutti denies that he had this interview with Raman and the others. He admits, however, that the first time that he saw Bappi after his return from Kali Kavu was at the ottupalli, and that Bappi then told him that the proposed expedition must be abandoned. I believe that Raman's version may be accepted as correct. The conversation is hardly likely to be an invention.

19. Kanhirangodan Syed Ali and Pulikkal Viran Kutti were also arrested at this stage of the enquiry. The former says that he heard of the plot from Kadr, Bappi and Koyassan, but that it was only casually mentioned to him and that he refused to join. He went away from Angadipuram and only returned after the conspiracy had been discovered. In further examination he says that he thinks he came back from the forests on a Monday. This statement is suspicious. Monday is obviously mentioned in order that there may be no suggestion of his having been present on the Sunday, when the expedition was to have started. Pulikkal Viran Kutti tells a similar story. He says that he refused to join. The evidence of Raman shows that these two men were present at the consultation of the conspirators in front of Unni Koya's house. Viran Kutti was also seen talking with Kadr and Bappi on another occasion. These two are boys of about 16 years of age.

20. I now come to the third batch of prisoners arrested on the 7th and 8th of March. The first is Anangaton Moidin Kutti. According to Raman's story he was suspected by Kadr of having given information to Mammad Kutti of the plot. He denies all knowledge of the affair. Nevertheless his reply to my question shows that he knows more than he is willing to say. He was asked: "What do you know about the knives?" His reply was: "I did not know that any were *made*." Now, nobody suggested to him that the knives were manufactured and not purchased, though such was really the case. I believe that this man was at least cognisant of the conspiracy.

1. Anangaton Moidin Kutti.
2. Palapra Mammutti, son of Aliammu.
3. Mundath Syed Ali.
4. Karayil Mammi.

21. Palapra Mammutti and Mundath Syed Ali assert that they know nothing of the proposed outbreak. They are implicated by Raman, who says that he heard

that they had joined the conspiracy. They are also mentioned as concerned by Koyassan and Kadr. There is no reason to doubt the truth of the evidence against them.

22. The last of the accused to be arrested was Karayil Mammi. Like the others he denies all knowledge of the conspiracy. It was unfortunate that he managed to elude pursuit for so long a time. Had he been arrested earlier, it is at least possible that he would have confessed. I consider him the most important of all the prisoners. I have already pointed out that he is said to have been first informed by Moidu of the existence of the Tien, Choyi. The evidence shows that Mammi and Moidu then went together and broached the subject to Bappi, Koyassan and Kadr. Now Mammi is the most respectable and richest of all the conspirators. He is also the oldest and I think the most intelligent. Under these circumstances he must be held to be responsible in a very large degree for what took place. There is ample evidence against him. There is no reason to disbelieve Koyassan's confession. It is stated there that Mammi not only first mentioned the idea of committing an outrage and dying a martyr's death, but also provided most of the money spent in the preparations. Koyassan adds that most of the less prominent conspirators were brought in by Mammi, that Mammi had promised to bring a gun and that he suggested the purchase of the powder and caps. Bappi corroborates part of this story and Raman and Kadr mention Mammi as a participator in the plot. Mammi is also named as one of the ringleaders and his part in the plot pointed out by Kizhisseri Unni Mammu. Unnian Kutti, regarding the value of whose statement I shall have later to make some remarks, also says that he heard that Mammi was concerned.

23. To meet these charges Mammi has little to say. He was examined after most of the evidence had been recorded, and he was given an opportunity of explaining away, if possible, the facts appearing against him. He contented himself with a simple denial of his complicity. When asked why he had absconded, he replied that he had gone to Calicut on business and did not know that his presence was required. His account of his movements gives rise to a strong suspicion that he was trying to avoid the police. He went first to the Malapuram Nercha where, owing to the very large number of Mappillas collected for the feast, he was comparatively safe from recognition by the police. Thence he travelled to Calicut, but instead of going to the nearest railway station, Tirur, he moved by a roundabout route to an out-of-the-way station, Edakkulam, to which there appears to be no public road. When asked whether he wrote the letter already mentioned to Bappi, declining at the last moment to start on the expedition, he hesitated. He was naturally on the horns of the dilemma, seeing that a denial would cut off his escape in case the evidence of his complicity were believed. Eventually he replied that he could not remember. I consider that the evidence against him, coupled with the unsatisfactory nature of his own statement, makes it clear that he took part—and a very large part—in the plot. Indeed, I consider him one of the ringleaders. His comparative wealth, his age and his intelligence must naturally have weighed much with the extremely youthful and ignorant coolies who form a large proportion of the prisoners. The only point in Mammi's favour is his withdrawal at the last moment, but seeing that he had worked up the plans withdrew, not because he thought the project unlawful or wrong, but to save himself, I do not think he deserves much credit for his change

now dealt in detail with the evidence against each of the persons at body. It will be observed that only 8 witnesses have been alluded to examined. The remaining 13 give no evidence of any great value. of them examined with a view to ascertaining how far the conduct of s in this case coincided with what is known to have been the customary rmer Moplah outbreaks. It has usually been found that Moplah fana- they have resolved to sacrifice themselves, have abandoned their ordi- have divorced their wives, and have paid more attention to their religious ly in respect of the "Moiluth" ceremony, which was generally performed the commission of an outrage. I questioned the women connected with cused and the male relatives of others. Two of the prisoners, Khader

and Mammi, have for a short time past been living apart from their wives, but I have no evidence to show that there was any divorce. Neither could I find that the conspirators had abandoned their ordinary occupations. Unnian Kutti, however, whom I partly disbelieve, says that Koyassan was absent from his work for some days just at the time when the plot was being hatched. As for the "Moiluth," the wife of the Khader says that just before she left her husband's house, there was such a ceremony conducted by Bappi. No one else was present. The "Moiluth" appears to be a ceremony generally in use among Moplahs and I do not think that it can fairly be assumed that the ceremony on this occasion had necessarily any connection with the present conspiracy. On the other hand the depositions of the women, and indeed of all the neighbours whom I examined, were given with a caution which showed clearly that they had been warned to make no statement prejudicial to the accused. It may therefore well be that this "Moiluth" was attended by others besides Bappi and that the ceremony was intended as a material part of the preparation for the execution of their project. I have not been able to find anything to show that the Moplahs received or intended to receive a Tangal's blessing before setting out, though this is always considered a necessary preliminary to outbreaks such as this was intended to be.

25. One other point in this connection is worth mentioning. There was a strong and persistent rumour in the neighbourhood that for some time before the discovery of the plot the accused had been heard singing Moplah war-songs. I found out the Nair from whom the rumour appeared to have originated. He, however, apparently fearing to give evidence which would embroil him with his Moplah neighbours and friends, denied that he had actually heard the singing. He admitted that he had himself heard the rumour which was to the effect that the prisoners, or some of them, had on several nights been heard singing such songs in a watch-shed in the fields. He also mentioned the fact that on one of these occasions the accused are said to have been seen dancing, singing and crying out "Which is the way to obtain the favour of God?" or "Which is God's way?" Another Hindu speaks of the existence of the same report. As evidence against any particular man the rumour is, of course, valueless; the truth of it is however not only consistent with what is known of the conspiracy but even probable.

26. Before going further, I must deal with the evidence of Kizhisseri Munian Kutti, the elder brother of Khader, the employer of Koyassan and the patron of Bappi, the mulla and schoolmaster. On the 26th of February his house was searched for the arms and ammunition mentioned in the anonymous petition. He was present then and was told by the Stationary Magistrate to attend the next day at his court for the purpose of giving evidence. As subsequent events showed, it was most unfortunate that he was not at once questioned. He failed to present himself the next day and disappeared altogether from the neighbourhood. He was at length produced on a bailable warrant issued by me. When brought before me he denied that he had heard anything of the plot previous to the day on which his house was searched. The information contained in the petition and the evidence of the fir showed that Unnian Kutti had effectually put an end to the plans of that so far from being an accomplice he was really deserving of g failed, it is true, to give information to the police, but considerable a made for him seeing that the conspirators were so intimately conn He was therefore questioned simply as a witness with a view to obta details, which would corroborate beyond doubt the confession of th Unfortunately he had been alarmed by the search in his house, and, under bad advice, had fled in terror from the place, fearing that he w as an accomplice. He was told, in so many words, that he had and that what he had done already was of great service. He was un shake off his fear and he resolutely denied that he had even discovere During his absence he had prepared an explanation of his treatm He declared that he beat Koyassan because the latter tried to run He says—and it may be true—that Koyassan had been missing from h days and had only returned on the Sunday (February 11th) when th made. He also says that Khader never told him of the plot. Wher

opinion of the case he admitted that he thought it tr e. He then proceeded to relate what he knew of the details of the plot, insisting, however, on the fact that he had only learned them subsequently to the search. He does not mention his brother Khader as one of the conspirators, but he makes no attempt to plead for him. Like his father, Unni Mammi, he appears to wish that his connection with Khader should be kept well in the back-ground; he desires to acknowledge no interest in him. At the close of a long examination Munian Kutti at length admitted that he had absconded because he was afraid; up to that time he had maintained that he had merely gone away on business.

27. This man was frequently questioned as to the whereabouts of the knives or pieces of them which he is said to have disposed of. He refuses to speak. He appears to have at length become possessed with the idea that, as his evidence is so much sought after, the case must necessarily depend a great deal upon it. This, however, is not so. The discovery of the knives would, of course, be a further corroboration of the story of the conspiracy, but it is by no means essential. Unnian Kutti knows perfectly well that he will not be punished for complicity if he speaks the truth; it cannot therefore be fear alone which has closed his mouth. He is now doing his best to impede the course of the inquiry and to shroud the accused. All the people of the desam, even down to the school children, appear to have been tutored. The latter I questioned about Bappi's movements. Almost before my questions were put they were all ready with the invariable answer "I know nothing." This tutoring appears to me to be the work of Unnian Kutti, the only man of any weight in the neighbourhood who has any object in preventing the facts from coming to light. The disappearance of the Tien, Choyi, too, may be his doing. There is not sufficient evidence, however, to justify one in laying the blame at his door. A search was made for the broken knives in one of Unnian Kutti's fields, where they were said to have been buried. No trace of them, however, was discovered, though there is reason to believe that the information upon which the search was made was substantially correct.

28. Looking at the whole case, as it appears from the evidence, it would seem that it differs in some respects from the former outbreaks of fanaticism among Moplahs, which have proved a source of great trouble and danger in this district. The conspirators in this case are most of them young. They do not appear to be by any means strict Muhammadans. On the other hand, they had no personal quarrel with their victim. His offence in their eyes was solely his reversion to Hinduism. There was, it seems, little of the usual formality about the preparations for the expedition. From the evidence given by Raman as to the inducements held out to him to persuade him to join in the undertaking, a fair idea can be gained of the hopes which impelled the Moplahs to do as they did. Raman was told that, having murdered t apostate and died as a martyr at the hands of the soldiers, he would be taken str to heaven, where he would experience all the blessings promised to Muhamm ahids. These delights are, as is well known, almost exclusively sensual, and I oubt that it was this prospect, much more than the desire to avenge a slight their faith, which gave rise to the determination of the Moplahs to ge.

gravity of the occurrence it is hardly necessary for me now to speak. its have, I venture to think, relieved me of the necessity of entering as to the explanation of the feelings which prompt the Moplahs of fanatical outbreaks. The outbreak which has just been quelled will, ade the subject of an exhaustive investigation. This, and the fact that ming of April I have been myself incessantly engaged in connection outbreak, must be my excuse for thus presenting merely a very bald c facts of this case. I regret also the delay in submitting this report. g it when news reached me of the trouble in Pandikkad.

ly remains for me to sum up the evidence against each of the partici- plot and to make recommendations as to their punishment. The ave committed no offence against the ordinary law. The only course

therefore which appears open to deal with them under Act XX of 1859—the enactment specially passed for one purpose. A similar course was adopted under similar circumstances in 1854. In consideration of the failure of their plans and the tender age of some of the fanatics, I had been inclined to think that the conspiracy might be somewhat leniently dealt with. I have now, however, been compelled to abandon that opinion and that for two reasons: In the first place it appears from the evidence already recorded in connection with the present Pandikkad outbreak that this later movement was suggested by this Angadipuram conspiracy. One of the fanatics wounded at Pallikurup gives direct evidence on this point. He says: "It was hearing of the Angadipuram conspiracy which made us think of going out. We wanted to kill a Tien-Choyi at Mannárakkát." It also appears that some of the accused in the present case were sawyers who were in the habit of working at Kali Kavu, a place frequented by the leaders of the Pandikkad outbreak. I consider that this evidence is quite trustworthy, and that the present accused have a good deal to answer for. I would strongly urge that they should be punished accordingly. My reason for changing my mind with regard to the more youthful of the conspirators is the fact that boys of even more tender age were among the fanatics who rushed from the temple at Pallikurup and charged upon the soldiers. Under the circumstances it is never safe to assert that a Moplah is too young to be dangerous. Even the relatives of the prisoners admit that they consider that the conspirators were thoroughly in earnest in all that they did. I have now no hesitation in saying that it was only the accidental discovery of the plan by Unnian Kutti which prevented an outbreak similar in every way to those which have, both before and since, disturbed the peace of Malabar.

31. The names of the conspirators, with the main facts appearing against them and the punishment which appears to me most suitable for each, are given below;—

(1) *Valappil Moidu, aged* 21, *Sawyer.*—He went to Mannárakkát and saw Choyi. He undoubtedly conceived the plot.

(2) *Karayil Mammi, aged* 25, *Cultivator.*—He was taken into confidence by Khader and with him broached the subject to the others. He is the oldest and the richest of all the conspirators. He produced money and promised to bring a gun. He withdrew at the last moment.

(3) *Choliyil Koyassan, aged* 18, *Cooly.*—By his own confession he had the knives made and was a prominent member of the gang.

(4) *Anangadan Bappi, Mullah, aged* 18 (*looks more*).—The weapons were concealed in his school. He is proved to be equally guilty with Koyassan. As a mulla he may safely be considered to have been one of the ringleaders. He is one of the most dangerous of the gang.

(5) *Kizhisseri Khader, aged* 18, *Cultivator.*—Took the same as Bappi and Koyassan.

(6) *Palapra Mammutti, aged* 19, *Sawyer.*—He appears to h implicated. He is said to have come to the meeting place on th the expedition was to start and to have been disappointed at the f

These six men I would strongly recommend for permanent heaviest punishment which can be inflicted under the Moplah Act. been free from disturbance for nearly nine years. It is essential th fresh outbreak of fanaticism—should be put down with a strong h my suggestion will appear severe. I feel, however, that a heavy pu on those who have plotted an outbreak may, when combined with t of those who fell in the Pallikurup affair, have some effect in in Moplahs a wholesome fear which may do much to prevent further tro

(7) *Kanhirangadan Syed Ali, aged* 16, *Cooly.*—Admits that plot. His statement as to his movements is most suspicious. He w conference held in front of Unni Koya's gate. Implicated by Koyas

(8) *Pulikkal Viran Kutti, aged* 16, *Cooly.*—Also admits tha plot. He was present at the conferences. Implicated by Koyassan

(9) *Palappara Mammutti* (says he is 15, but looks 18) *Sawyer.*—Disappeared when the enquiry began. Implicated by Koyassan, Raman and Khader.

(10) *Mundath Syed Ali, Trader,* says he is 15, looks 18 or 19.—Disappeared on the day in which the enquiry began. Mentioned by Unni Mammi, Koyassan, Raman and Khader.

(11) *Anangotan Moidin Kutti, Cultivator,* aged 16 (looks 20).—Mentioned by Unni Mammi; suspected by Khader of having revealed the plot to Unnian Kutti—therefore evidently informed of it.

(12) *Chembratodiyil Raman, aged* 20, *Domestic Servant.*—Admits that he agreed to become a Moplah and join in the outrage, and that he took a large part in the purchase and manufacture of the knives.

Numbers 7, 8, 9 and 10 are all, in my opinion, equally guilty. I would suggest that they should be deported. I had intended to recommend that their period of deportation should be a short one. I believe, however, that in the present, any half measures will be inadvisable. I therefore beg to suggest that they should be removed from the district for a period of 20 years.

Number 11 was evidently concerned in some way. His courage apparently failed him. I would warn him and let him go or better bind him over to be of good behaviour. As for Raman, both for his own sake and in the interests of peace and justice, it is most necessary that he should leave the district permanently. I therefore recommend that he should also be removed. He is not a Moplah, but he had promised to become one, and he may fairly be held liable to be dealt with under the Moplah Act.

32. As for the conduct of Kizhisseri Unnian Kutti, I venture strongly to represent that it calls for some notice. His action at first was creditable. His subsequent refusal to say, what it is certain that he knew, has considerably obstructed and delayed this enquiry. It is by no means advisable that he should be left with the impression that by a persistent refusal to answer, he can baulk the authorities and get escape scot free. I would recommend that, if it is possible, a small fine should be inflicted in his case. I am not, however, certain that a fine can be inflicted in a case where there is only a conspiracy to commit an outrage, and no actual outrage has taken place. In former cases Moplahs have been deported on slighter evidence of co-operation with fanatics. If a fine is not practicable, I beg to recommend that he should be severely warned and informed that it is only his original frustration of the plot which has saved him from being charged as an abettor of the crime.

33. I submit herewith all the records connected with my enquiry.

34. I should like to mention in this connection the excellent work done by the Angádipuram Police Inspector Mr. Neill while tracing the accused and witnesses and generally conducting the enquiry before me.

Order—dated 1st June 1894, No. 1333, Judicial.

The delay on the part of the District Magistrate in reporting the facts now brought to the notice of Government should have been explained. Section 7 of the Moplah Act, 1859, provides that arrests made thereunder shall be reported to Government at once; but, in this case, some two months have been allowed to elapse between the arrests and the report.

2. The circumstances which have now been brought forward, when considered in connection with recent disturbances in Malabar, are sufficiently grave to justify Government in resorting to severe measures and it has been therefore resolved to

deport the twelve persons concerned as proposed by the District Magistrate. The Special Assistant Magistrate makes a distinction between the prisoners, in that he recommends that six of them should be punished with especial severity. The distinction seems just, although the proposal to permanently deport these six individuals is not in consonance with the law and cannot be acted upon.

3. The Government accordingly directs that (1) Valappil Moidu, (2) Karayil Mammi, (3) Choliyil Koyassan, (4) Anangadan Bappi, (5) Kizhisseri Khader and (6) Palapra Mammutti shall be placed in confinement in the jails at Coimbatore, Salem, Vellore, Rajahmundry, Trichinopoly and Tanjore, respectively, and that (1) Kanhirangadan Saiyid Ali, (2) Pulikkal Viran Kutti, (3) Palappana Mammutti, (4) Mundath Saiyid Ali, (5) Anangotan Moidin Kutti and (6) Chembratodiyil Raman shall be detained under police surveillance at Chatrapur, Vizagapatam, Masulipatam, Bellary, Cuddalore and Madura, respectively.

The District Magistrate of Malabar will arrange for the deportation of the twelve men under suitable police escorts. The prisoners for Rajahmundry, Chatrapur, Vizagapatam, Masulipatam and Bellary will be handed over at Madras to the Commissioner of Police who will arrange for their conveyance thence to their several destinations. A monthly allowance of Rs. 6 will be granted for the maintenance of each of the six persons who are to be kept under police surveillance only.

4. As regards Unnian Kutti, the Government considers that a severe censure from the District Magistrate will suffice; in some respects his conduct was meritorious.

5. The District Magistrate does not make any comments upon the conduct of the blacksmith who manufactured arms for the conspirators; he should report whether they have rendered themselves liable to punishment under either the Moplah Act or the Arms Act. The Government also desires to know whether, in the opinion of the District Magistrate, the provisions of the Arms Act in regard to the carrying of knives and other weapons are strictly observed by the Moplahs in the disarmed taluks.

6. The following letters and warrants will be issued.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the District Magistrate, Malabar.
" Inspector-General of Police.
" Inspector-General of Jails.
" Commissioner of Police, Madras.
" Accountant-General.

No. 1334.

Letter—to

The Superintendent of the Central/District Jail at

Sir,

I am directed by the Governor in Council to forward to you direct a warrant for the detention in your custody, as a State prisoner, of who was implicated in a recent Moplah plot in Malabar and who will be sent to you shortly in the custody of the Police.

2. You will receive him according to the warrant herewith sent and will detain him as a State prisoner under Regulation II of 1819.

3. You will not subject him to any needless rigour but will adopt the most careful precautions against escape or attempt to escape. You will treat him in all respects as State prisoners under Regulation II of 1819 are usually treated, and will not put him to labour or place him in irons unless he is refractory or attempts to escape.

4. You will furnish the periodical report on the man required by section 3 of Regulation II of 1819 to Government regularly through the Inspector-General of Jails.

I have the honour to be,
Sir,
Your most obedient servant,

Ootacamund, *1st June* 1894.

J. F. PRICE,
Chief Secretary.

WARRANT

To the Superintendent,

Central/District Jail,

Ootacamund, dated 1st June 1894.

Whereas the Governor in Council for good and sufficient reasons has seen fit to determine that shall be placed under personal restraint at the Central/District Jail, , you are hereby required and commanded in pursuance of that determination to receive the person above named into your custody and to deal with him in conformity to the orders of the Governor in Council and the provisions of Regulation II of 1819.

(By order of the Governor in Council.)

J. F. PRICE,
Chief Secretary.

No. 1335.

Letter—to

The DISTRICT MAGISTRATE of

Sir,

I am directed to forward to you a warrant for the detention in your custody, as a State prisoner, of , who will shortly be forwarded to you from Malabar in the custody of the Police.

2. You will receive and detain him as a State prisoner under Regulation II of 1819. It is not the wish of Government that he should be actually imprisoned but you will take measures for his safe keeping in under police surveillance. You will not subject him to any needless rigour but will adopt precautions against his escape.

3. The periodical reports required by section 3, Regulation II of 1819, should be furnished to Government regularly through the Inspector-General of Jails.

4. You will assign to the State prisoner a sum of Rs. 6 *per mensem* for his maintenance.

I have the honour to be,
Sir,
Your most obedient servant,

Ootacamund,
1*st June* 1894.

J. F. PRICE,
Chief Secretary.

WARRANT

To the DISTRICT MAGISTRATE,

Ootacamund, dated 1st June 1894.

Whereas the Governor in Council for good and sufficient reasons has seen fit to determine that shall be placed under personal restraint at , you are hereby required and commanded in pursuance of that determination to receive the person above named into your custody and to deal with him in conformity to the orders of the Governor in Council and the provisions of Regulation II of 1819.

(By order of the Governor in Council.)

J. F. PRICE,
Chief Secretary.

No. 1336.

Letter—to

The INSPECTOR-GENERAL of JAILS
POLICE'

Sir,

I am directed to forward to you copies of letters and warrants addressed to the Superintendents of the Jails at Coimbatore, Salem, Vellore, Rajahmundry, Trichinopoly and Tanjore and the District Magistrates of Ganjám, Vizagapatam, Kistna, Bellary, South Arcot and Madura.

I have the honour to be,
Sir,
Your most obedient servant,

Ootacamund,
1*st June* 1894.

J. F. PRICE,
Chief Secretary.

No. 1337.

Letter—to

The COMMISSIONER of POLICE,
Madras.

Sir,

I am directed to forward to you warrants for the detention of the marginally-noted State prisoners and to request that you will arrange for their speedy despatch under suitable escort to the several destinations shown against their names. You should inform the District Magistrates and the Jail Superintendent concerned of the dates of departure of the prisoners from Madras.

Anangadan Bappi *for* Rajahmundry Central Jail.
Kanhirangadan Saiyid Ali *for* Chatrapur.
Pulikkal Viran Kutti *for* Vizagapatam.
Palappana Mammutti *for* Masulipatam.
Mundath Saiyid Ali *for* Bellary.

I have the honour to be,
Sir,
Your most obedient servant,

Ootacamund,
1*st June* 1894.

J. F. PRICE,
Chief Secretary.

Moses.

Govt. of {1894} Madras.

JUDICIAL.

Issued

Recd. Encl.

G.O., &c., 1st June 1894,
Nos. 1333-1337.

JUNE.

Moplah Conspiracy.

Passing orders on reports regarding a — to murder a Tyan who having joined the Muhammadan faith subsequently reverted to his own religion.

22/1

Judicial Dept 1894

2127.

1-9-1894

17-10-79

21/8/94

9,27,568—17-2-76.

[G/14]

Confidential No. 110

1894.

Judicial DEPARTMENT.	
G.O., DATED	22-8-94
No.	~~2023~~ 2023
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Confidential.

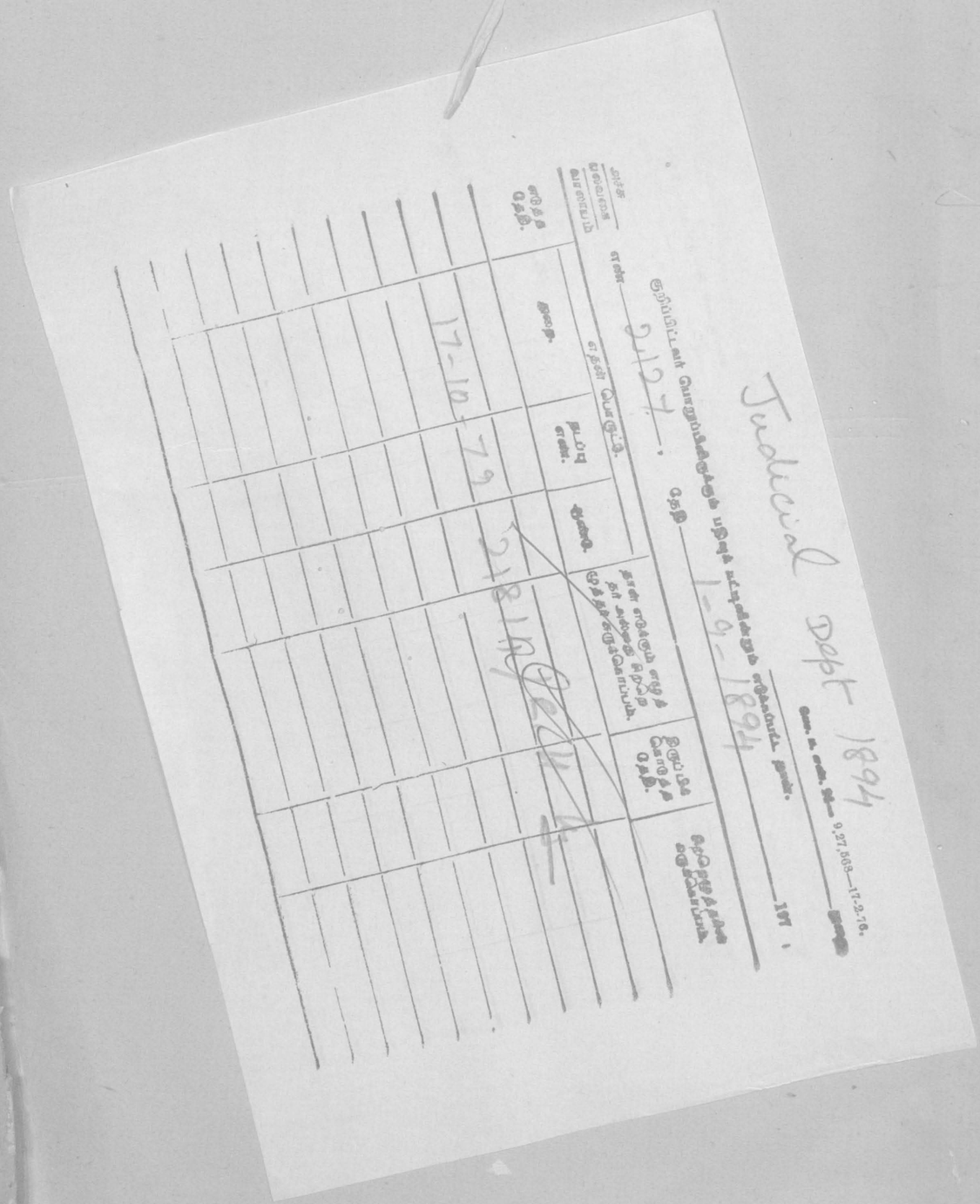
First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Raja of Ramnad :- Requesting the advocate General to advise Govt. whether a prosecution could be successfully instituted against the — for giving a bribe to the late Dy. Tahsildar & 2nd class magte of Tiruvadanai



tion to adopt anything new, a well known trait of the Indian ryot.

Legal Intelligence.

THE MADRAS HIGH COURT—16TH JULY.

(Before Sir T. MUTTHUSAWMY Iyer and Mr. JUSTICE BEST)

THE KALAHASTI ZEMINDARY CASE.

The petitioner—The widow of the late Rajah of Kalahasti. The Hon'ble the Advocate-General, instructed by Mr. R. Sadagopa Chariar, appearing on behalf of the petitioner, sought for leave to bring in the Law as the legal representative in a certain appeal brought by the late Rajah in the High Court, pending which he died. The widow's claim to be made a representative was supported by two of the late Zemindar's brothers, who were represented by Mr. Norton, instructed by Mr. D. R. Balaji Rao. The facts of the case were as follows:—A brother of the late Zemindar of Kalahasti brought a suit in 1890 for partition of the Zemindary against the late Zemindar and his other brothers and his own son whom he described as the adopted son of the Zemindar. The Zemindar denied the adoption and contended that the Zemindary was impartible. This suit was compromised and a consent decree was passed in 1893 under Section 375 of C. P. C. The Zemindar appealed against this decree on the ground that in it were incorporated certain items which were entirely beyond the scope of the suit. Pending this appeal the Zemindar died. It was alleged that the Zemindar adopted a few days before his death the very boy whose adoption he denied in the lower Court, and the question arose as to who is to be the legal representative for the purpose of prosecuting the appeal instituted by the late Zemindar. It was contended for the widow that, as she denied the adoption, and as she was undeniably the heir to the separate property she was entitled to be brought on the record for prosecuting the appeal. The two brothers of the Zemindar supported the Ranee's contention, and Mr. Norton on their behalf said that their interest was also substantially affected by the terms of the Razi decree. It was clear that if the original plaintiff were made representative it would be to his best interests to withdraw the appeal at once, as such a course would give finality to the compromise decree and establish his rights to the Zemindary. Mr. V. Kristnasawmy contended for the adopted son that the Ranee could not come in under any view of the case; Mr. S. Subramania Iyer appeared for the original plaintiff and urged that he had a right to come in if the adoption of his son should be found false. Their Lordships delivered judgment this morning recognising the widow as the legal representative of the deceased-appellant for the purpose of prosecuting the appeal.

Wednesday, 18th July.

(Before the Hon'bles the CHIEF JUSTICE and (Mr. Justice PARKER.)

RECEIVING AN ILLEGAL GRATIFICATION.

Mr. Srinivasa Chari, appellant, by Mr. Willie Grant and Mr. K. Srinivasa Iyengar, Mr. E. B. Powell, Public Prosecutor, for the Crown. Their Lordships this morning delivered the following judgment in this case:—

The appellant is the late Deputy Tahsildar and Second Class Magistrate of Tiruvadanai, in the Madura District and has been convicted by the Sessions Court of Madura under Section 165 of the Penal Code of having received a sum of Rs. 2,000 without consideration from the Rajah of Ramnad. The evidence leaves no doubt in our minds that the Rajah sanctioned the sum of Rs. 2,000 nominally as a gift to Iya Iyengar who had been a Devasthanam Amin in his Zemindary. The order for the payment of that sum was cashed at the Rajahsingamangalam Treasury on the 28th of February by Muttukumara Pillay, the 3rd prosecution witness. This man was accompanied from Tiruvadanai to Rajahsingamangalam and back again by Sundararaja Iyengar, a Second Class Vakil, practising in the Sub-Magistrates' Court. The evidence further establishes that this sum of Rs. 2,000 was changed for 4 notes of Rs. 500 each at Tiruvadanai on the 29th February, we find it impossible to believe that this present was really intended for an Amin on Rs.20 a month. Iya Iyengar had been for some years an Amin in the Zemindar's service, but at the time of the order was no longer in the Rajah's service. The present amounted to nearly eight years' pay, while we find the former present given to him by the Rajah in the preceding year on the occasion of a marriage had only been Rs. 150. The Rajah states that Iya Iyengar had been recommended for this present by two of his Tahsildars, neither of whom had anything to do with the Devasthanams. There are other Amins, in the Rajah's service drawing larger pay, but not one among them nor was the Superintendent of the Devasthanam recommended for a present, but only this man who had left the service; ing a demand to pay a monthly sum by way of maintenance to his wife, she having sued him for an order of support on the ground that he had taken a second wife without proper reason, was set aside. Mr. Hutchins remarked, "As a Hindu the petitioner is not debarred from marrying a second wife, and the mere fact that he has done so does not entitle the first wife to a separate maintenance. The present case may be a hard one, but the law is clear. The order for separate maintenance is hereby quashed." An even "harder" case, we may remark, was decided just a few months before the above case, by Justices Kernan and Muthusawmy Iyer (I. L. R. VI. Madras, 371) in which their Lordships held the same view on the subject of "cruelty" and the Indian Criminal Law of Maintenance. Their Lordships held that an offer by a Hindu having two wives, to maintain his first wife by allowing her to live in his house and by supplying her with grain to be cooked and eaten separately, coupled with a refusal to live with her as husband and wife, was not conduct that would come under the proviso in the Criminal Procedure Code which justified a woman living separately and suing for alimony. In the case now before the Chief Presidency Magistrate, His Worship promised to consider the plea of cruelty urged, and to deliver his decision next Saturday.

THE PITTAPORE CASE.

(*From our own Correspondent.*)

(Before Mr. H. T. Ross.)

Rajahmundry, 14th July, 1894.

Plaintiff—Kumara Rajah of Pittapore represented by Messrs. Rajah T. Rama Rao and Rai Bahadur P. Ananda Charlu.

Defendants.—The Court of Wards on behalf of the minor Rajah of Pattapore, represented by Dewan Bahadur S. Subramania Iyer, C. I. E., and Rai Bahadur the Hon'ble V. Bashyam Iyengar, instructed by Mr. P. Subramania Iyer.

Yesterday, Mr. P. Ananta Charlu, Vakil for the plaintiff, called his 21st witness, K. N. Venkatarangam Chetty, who deposed to the following facts:—

He had no occupation at present but owned lands and other property. His family at present consisted of himself and his two sons-in-law, one of whom was a Zemindar getting Rs. 15,000 per annum. He became acquainted in 1875 with the late Rajah of Pittapore at the house of the Hon'ble Mr. R. S. Ellis at Madras, where the Rajah had come to get an introductory note to a good doctor for treating him. Mr. Ellis gave a note to Dr. Stanborough and asked the witness to take the Rajah to the doctor. Accordingly he took the Rajah to Dr. Stanborough who after examining the Rajah declared him to be impotent. He also stated that Dr. Stanborough treated the Raja's first wife with the assistance of Mrs. James, Matron of the Lock Hospital. From Madras the Rajah went to Srirangam with his first and third wives. He came back after a few days and stayed in Madras for about 10 days. During that time he used to visit the Rajah daily and also saw Dr. Stanborough paying many professional visits to the Rajah. Then the Rajah went away to Pittapore. Six months after the Rajah paid a second visit to Madras. He stayed then for some time in Tenayampeta Villa and afterwards in Landon's Gardens. He became more intimate with the Rajah and the Rajah told him that he got diabetes from taking Dr. Stanborough's medicine. In spite of his saying so he continued to take medicine from Dr. Stanborough. During the third visit of the Rajah to Madras he was examined by Dr. Mohidin Shariff who also declared him to be incurably impotent. The witness was appointed as the Rajah's Agent at Madras on a salary of Rs. 150, and afterwards of Rs. 100 per mensem during that visit, and continued to be the Rajah's agent till his death in 1890. Witness produced certain letters from the late Rajah wherein he had been asked to see Doctors Stanborough and Sheriff and send him medicines. He described the Rajah's condition when he first saw him as being a very corpulent and unwieldy man requiring assistance in his movements. The Raja appeared to be a very sickly man. At every subsequent visit of the Rajah his health got worse and worse. On his fourth visit the Rajah was examined by Dr. Brockman who also found his case to be incurable. On his fifth visit to Madras the Rajah was very ill-disposed towards his adopted son viz., the plaintiff and through the mediation of Messrs. Carmichael and Wedderburn made a settlement upon his adopted son for his maintenance. From Madras the Rajah went away to Calcutta. On his sixth visit the Rajah sent for Dr. Gould to examine his teeth. When Dr. Gould came the Rajah instead of allowing him to examine his teeth pressed him to prescribe something to better his deplorable condition. But Dr. Gould said that he was only a dentist and that he could not do any thing for the Rajah in that way. After examining and prescribing for the Rajah's teeth, Dr. Gould went away.

The Court rose at 5 P. M. and will resume its sitting on Monday, at 12 noon.

Ragaviah Garu, Mr. T.—The Board of Revenue has granted one month's privilege leave to Mr. T. Ragaviah Garu, Deputy Collector, Tiruvallur Division, Chingleput District.

SALT AND ABKARI DEPARTMENT.

The following officers have been granted leave:—

Sewell, Mr. E. H. D., Assistant Inspector, leave without allowances for fifteen days, from or after the 20th July, 1894.

Shreeve, Mr. J. W., Acting Assistant Inspector, privilege leave for two months and twenty days, from or after the 15th July, 1894.

The following transfers have been ordered:—

Enright, Mr. W. P., Assistant Inspector, from the Bodoni Circle to the Calingapatam Circle.—To join on relief by Mr. E. Green.

Dairianada Pillay, Mr. A., Assistant Inspector, from the Calingapatam Circle to the Konada Circle.—To join on relief by Mr. Enright.

Bower, Mr. E. J., Assistant Inspector, from the Voyalur Circle to the Iskapalle Circle.—On Mr. St. John's joining the Circle.

Parameswariah, Mr. U., Assistant Inspector, from the Aska Circle to the Ganjam Circle.—To join on relief by Mr. T. K. Sivarama Sastri

The following appointment has been made—

Sivarama Sastri, Mr. T. K., a candidate selected at the last Competitive Examination, is promoted to Assistant Inspector, 3rd Grade, on probation, and posted to the Aska Circle.

POSTINGS.

The following postings are ordered:—

Hollingsworth, Conductor H., Sub-Engineer, 3rd Grade, to the II Circle.—To join on return from leave.

Government's Military Orders.

Ootacamund, 17th July, 1894.

APPOINTMENTS.

Districts Staff.

Prendergast, Colonel J. H., Indian Staff Corps, Colonel on the Staff, Commanding Bhamo, to Command a District of the 2nd Class, with the local and temporary rank of Brigadier-General, *vice*: Brigadier-General G. Rowlandson. Dated 11th July, 1894.

FURLOUGH AND LEAVE.

The undermentioned Officer has been permitted by the Right Honourable the Secretary of State for India to return to duty:—

Moore, Surgeon-Captain T. C., Indian Medical Service.

The undermentioned Officers have been granted extensions of leave by the Right Honourable the Secretary of State for India:—

Moore, Surgeon-Captain T. C., Indian Medical Service, 3 days, u. p. a.

Bryce, Lieutenant D. G., Indian Staff Corps, 3 months, m. c.

The undermentioned Officer is granted leave to proceed out of India on private affairs under the Leave Rules for the Staff Corps; the specified period to count from the date of being struck off duty:—

Quin, Lieutenant-Colonel E., Indian Staff Corps, for one year. Pension service,—31st year, commenced 9th June, 1824.

Nathan, Lieutenant W. S., R.E., Executive Engineer, 4th Grade, temporary, Military Works Department, is granted furlough out of India (u. p. a.), for nine months, under the Leave Rules applicable to Officers of the British Army serving in India.

Kelly, Lieutenant and Assistant Commissary J.—The leave granted to Lieutenant and Assistant Commissary J. Kelly, Public Works Department, Madras, in G. O. G. No 384 of 1894, has effect from the 6th May, 1894, and not as therein notified.

PROMOTIONS.

NATIVE ARMY.—

"Queen's Own" Sappers and Miners.

Muttusami, Havildar, to be Jemadar, dated 1st June, 1894

26th Regiment Madras Infantry.

Nagalingam, Jemadar, to be Subadar, dated 11th March, 1894.

Farid Khan, Havildar, to be Jemadar, dated 11th March, 1894.

TRANSFER OF SERVICES.

Quin, Lieutenant-Colonel E.—With reference to Political Department Notification No. 5, dated 11th July, 1894, the services of Lieutenant-Colonel E. Quin, Indian Staff Corps, are replaced at the disposal of His Excellency the Commander-in-Chief.

VOLUNTEER CORPS.

APPOINTMENT.

Nilgiri Volunteer Rifles.

Fitzpatrick, Surgeon-Captain J. F., (Surgeon-Lieutenant-Colonel, Indian Medical Service) to be Surgeon Lieutenant-Colonel, under the provisions of clause 49, Indian Army Circulars, 1894.

TRANSFER.

Bellary Volunteer Rifles.

Boys, Captain J. W., is transferred from the Supernumerary to the Unattached List, with effect from 25th April, 1894.

THE NEW RULES AS TO LAWYERS' FEES.

22/1

Four per cents.	...	...Rs. 103-4 to 10-
Three and half per cent.		...Rs.102-12 to 103-4
Bank of Madras Shrs. (Rs.500)		...Rs. 1,010 to 1,015
Coml: & Land Mortg. Bk. (Rs.100)		Rs. 150 to 155
Sovereigns, each	...	...Rs. 18-6-0 to 18-12-0
Bank Bills on London	6 m.'s ...	1s. $0\frac{23}{32}d$.
Do.	do. 4 ,, ...	1s. $0\frac{25}{32}d$.
Do.	do. on *Demand*	1s. $0\frac{25}{32}d$.
Do.	do. at 6 m.'s ...	1s. $1\frac{1}{32}d$.
Credits	do. 3 ,, ...	1s. $0\frac{31}{32}d$.
Do.	do. 6 ,, ...	Nominal.
Documents	do. 3 ,, ...	Do.
Do.	do.	Do.
Ex. on France 3 m.'s Credits ... 1-38.		

The Madras Mail.

WEDNESDAY, JULY 18, 1894.

Lord Brassey on the Navy.

ALTHOUGH JUST AT THE PRESENT MOMENT, the question of the Naval Defence of the Empire is not of such burning interest as it was some few months since, yet it is one that holds the attention of subjects of the Queen all the world over, and the prominence that was lately given to it at home by eminent speakers and high authorities helped to dispel the ignorance that clusters thick round the mind of the stay-at-home Briton and to bring home to him the vital importance that a large Navy, at the highest pitch of efficiency, is for preserving the integrity of the Empire in times of war. Once the interest begins to wane, it is wonderful, however, how soon people forget and how easily they lapse back in their former state of mental blankness, a deplorable circumstance when such an important question as Imperial Defence is concerned. What is needed to prevent these conditions of mind are publications where the subject is dealt with by a master-hand and at the same time by one, who knows how to make his remarks attractive to the general reader. No better example of this method can be given than a work recently brought out by Messrs. LONGMAN and Co., entitled "Papers and Addresses—Naval and Maritime," by Lord BRASSEY. These two handy volumes cover a period of twenty years, from 1872 to 1893; they comprise a selection of Lord BRASSEY's Papers and Addresses on Naval and Maritime affairs extending over that time, which have been arranged and edited by Captain S. EARDLEY-WILMOT, R.N., who, as we said last January, is one of our ablest naval essayists. These selections include papers or speeches on nearly every subject connected with the British fleet and the mercantile marine, in addition to other questions relating to the Defence of the Empire. They are volumes not only to peruse but to keep at hand for reference, as there is not an ocean track, a fort or coaling station which England may have need of in the future, when danger is at hand, on which the author does not afford some information. Captain EARDLEY-WILMOT writes in the preface :—"The Author has not only taken a great interest in these important matters, but having served in the Naval Administration, and also acquired by long practical experience a knowledge of all that relates to the sea, he has qualified himself to speak with an authority which few civilians can claim to possess." The qualification will be readily acknowledged. Not only has Lord BRASSEY sat on various Committees connected with matters marine for twenty years and more, but for four years he was a Lord of the Admiralty and for a further year Secretary of the Admiralty, thus acquiring a close insight into the working of the Naval Administration, and it is clear from these volumes that he has inherited his father's capacity of business, for throughout he regards the questions before him not as an enthusiastic patriot but as a man with cool head and shrewd brains, capable of weighing the true value of costly additions or improvements. Here are a few sentences he spoke in 1876. "I shall accordingly break ground by laying down certain axioms, which, however familiar they may be, cannot be too constantly present to the minds of those who have to control or criticise the management of the Navy. There must be a limit to expenditure. Even when the nation may be anxious to vote lavish sums for the Navy, a wise statesman will deem it to be his duty to keep in check the impulses of patriotism; for he knows full well that a prodigal outlay on our part will probably arouse the jealousy of Foreign Powers, and lead to a proportionate expenditure on their own armaments." He has steadily kept this axiom before him and it is this circumstance which so greatly enhances the value of his opinions. The work by the way is divided into four parts; the first of which deals with "Admiralty Administration." In the second we have "Shipbuilding," the third is devoted to "Naval Reserves and Merchant Seamen; Naval Artillery Volunteers and a Colonial Naval Volunteer Force," while in part IV "Auxiliary Cruisers; Colonial Defence and Coaling Stations; Naval Training and Education, and Naval Manoeuvres" are touched upon. Any one who wishes to keep himself well posted up in the subject of the defences of the Empire could not expend ten shillings to better advantage than in the purchase of these volumes. One great advantage that they possess is an index for ready reference.

Echoes of the Week.

[*By* GEORGE AUGUSTUS SALA.]

ON SUNDAY, THE 24TH JUNE, when the members of the Latin Union were commemorating the anniversary of the battle of Solferino by a grand banquet in Paris, and the Chairman read a telegram from one hundred and forty-two Italian members of Parliament of every shade of political opinion expressing a wish for the greatness and prosperity of both France and Italy, "which the blood of martyrs had for ever united"—on this very same Sunday Marie Francois Sadi Carnot, President of the French Republic, was stabbed to death at Lyons by an assassin, said to be of Italian extraction. Of course, the crowd surrounding the carriage of the murdered President became at once infuriated against Italy, and the Italian Consulate had to be protected by the police against mob-outrage. An immense audience had filled the Grand Theatre at Lyons waiting for the arrival of the President; but the box prepared for him was entered by the Prefect of Lyons, who in a voice broken with sobs, made known the dreadful tragedy which had just occurred. The announcement caused the utmost horror among the audience, and cries of "A mort," "Vengeance," were heard from all parts of the auditorium. "A mort!" "A mort!" "Vengeance!" when did I hear those cries last? It was at Tours, in the spring of 1870, at the trial of Prince Pierre Bonaparte for the murder of Victor Noir. The shouts of "A mort" came from the body of the court, and from a knot of extreme Republicans headed by one Henri Rochefort. [illegible] Grafton Galleries, and has publicly expressed his admiration for pictures by English artists which he there beheld. An authority on art, M. Arsene Houssaye, while holding that M. Rochefort goes a little too far in praising English painters agrees with him in attributing "the delicious pearliarity of Watteau" with his having lived in England for a long time, when there was a great English school of painting in its prime. This last statement is somewhat of a curiosity one. According to Horace Walpole, Watteau came to England very late in his career, and stayed only a short time. He visited our shores in order to consult Dr. Theade, for whom he painted two pictures. The good doctor took a fancy to the ailing Frenchartist; paid him liberally for his work; received him into his house and restored him to temporary health. But after a few months sojourn in London, in 1720, he returned to France to die in the following year, of consumption. As to the assertion that any great English school of painting was in its prime in 1720, the assertion is so much moonshine as Hogarth had scarcely begun to make himself heard of. The best known English painter of the time was Sir James Thornhill, a feeble follower of Verio and the fashionable portrait painter was Sir Godfrey Kneller, a German.

One of the shirts of Napoleon the Great—guaranteed to be authentic—was sold the other day at the auction mart of the Hotel Dronot. The price asked was sixteen pounds; but the garment was ultimately knocked down for six pounds. Possibly the bidders were not perfectly satisfied with the guarantee, which was only a piece of paper signed by a notary at Chateauroux Box, the birth-place of Maribal Bertraud. The notary testified that he had received the shirt as a souvenir from the brothers and sister of M. Alphonse Bertraud, who had inherited the chemise from his father. I think that the shirt should have fetched more than a hundred and fifty francs, for what may be called the St. Helena shirts of the Exile of Longwood are exceedingly rare. He had saved a few uniforms and state dresses, including the blue cloak of Marengo and the sable and green pelisse of Eylau, but for body linen he was miserably off. Of that linen I have a list. Of shirts he had only six, and the same number of pocket handkerchiefs, cravats, silk stockings, and woollen stockings. He had six flannel waistcoats, two pairs of cambric sheets, two pillow cases, and one pair of braces. Poor man! If he had had two pairs he might have utilised the supplemental suspension by hanging himself in them.

There are certain giants that obstinately decline to be laid in the Red Sea, and among these irrepressible phantoms is that of the eccentric Duke Charles of Brunswick, the discrowned son of the Black Brunswick, who fell at Quatre Bras, died at Geneva, and bequeathed his fortune to the city to the prejudice of the Comte de Civry and other interested persons. The Tribunal of The Seine was solicited to annul the will, but the City of Geneva raised the question of jurisdiction. The First Chamber of the Paris Court has now ruled that the case shall come before the Tribunal of the Seine inasmuch as the Duke was domiciled at the time of his death in Paris, where he had a large detached residence, and that he only

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who feel they have the ability for entering the legal profession, though they cannot afford the costly course at the Madras Law College. There is of course the preliminary difficulty of learning Latin—a knowledge of which is necessary at Matriculation as well as in the Intermediate in Laws and Bachelor of Laws Examinations—but I am sure it will not be shirked, seeing how essential a mastery of that language is to one who would pursue the higher branches of Law.

14th July. V.

☞ The L. L. B. Degree Examination of the London University is, we believe, held in Madras only on application by candidates through the Government of Madras. It does not, we think, entitle a man to practise either in England or in India.—ED.

Medical Subordinates.

SIR,—In furtherance of the object in your correspondent "A Civil Apothecary's" letter of 7th July, kindly allow me to add, if the designation "Apothecary" was not suitable for *Military* Medical Subordinates, who mainly work under the immediate direction and control of Surgeon, the term is to a far greater extent a misnomer in the case of *Civil* Medical Subordinates. The latter are mostly in independent charge of hospitals and do nothing else but Surgeon's work, being solely responsible for the treatment of all kinds and phases of disease and for the performance of surgical operations. Moreover, many of them hold the L. M. S. degree and for the past few years there have been no stipendiary students to recruit this branch. It is therefore sincerely to be hoped that our present Surgeon General will change our designation to Civil Assistant Surgeon. The fact that there exists a separate class of Assistant Surgeons may be considered a slight difficulty. This class may be designatted in some other way; say "Deputy Surgeon" or "Senior Assistant Surgeon." Or if both classes of Civil Medical Subordinates were made into one general class and the pay of the higher be held out as a promotion for those of the lower class, just as the former Military Apothecaries had a prospect of attaining to Honorary Surgeoncies, the service would be more attractive. Trusting these suggestions, respectfully given, will be favourably viewed by the Surgeon-General, and that he will remove the misnomer and improve the status of

A CIVIL MEDICAL SUBORDINATE.

The Lawrence Asylum Press.

SIR,—In your article on the Lawrence Asylum Press in your issue of the 17th instant, when speaking depreciatingly of the way in which the Press has replenished the funds of the Lawrence Asylum at Ootacamund, you omitted to mention the fact that in 1892, the year under review, the Press gave to the Asylum Rs. 10,200. In speaking also of the reforms introduced into the Press you omitted to mark the striking contrast as follows :—

Paid to the Lawrence Asylum.

1891	... ...	Nothing.
1892	... ...	Rs. 10,200.

It is right that those interested in the Lawrence Asylum should have these facts placed before them, and I trust therefore you will not refuse to insert this letter.

BEHIND THE SCENES.

☞ We admit that there is a striking contrast between "nothing" as the income from nearly four lakhs of rupees, and Rs. 10,200, but even the latter sum is but a very poor trade return upon the large amount invested in the Press. The total gross profit upon nearly four lakhs is shown in the balance sheet as being Rs. 12,258. Of this amount Rs. 10,200 was devoted, as our correspondent wishes to point out, to the Lawrence Asylum, Ootacamund, Rs. 739 to the "Principal and Secretary, Lawrence Asylum, Ootacamund, for work done gratis," whatever that may mean, and Rs. 440 to the "Secretary, Military Female Orphan Asylum, Madras, for work done gratis," leaving Rs. 878 net profit. Any business firm who found that its annual return upon nearly four lakhs amounted to Rs. 12,258 would probably consider the game hardly worth the candle. The Rs. 10,200 alluded to is entered in the balance sheet as a "charitable contribution!" It is simply the earnings of money supplied by the Lawrence Asylum. The Bank of Madras might as well enter interest paid to depositors as "charitable contributions."—ED.

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of maintenance to his wife, she having sued him for an order of support on the [illegible] had taken a second [illegible] with the action of the Government of India was not to ignore the claims of Madras as a Presidency town, but solely on account of the delay.

As regards the proposal for the extension of time the Government of India regrets that it is not possible to comply with the request on the legal ground that a letter of bond is discharged by publication of the notice of discharge after three months. The terms of the Conversion being, technically speaking, an offer on the part of Government to make a new arrangement, which to each holder is of greater advantage than he is entitled to claim under the terms of the Note, the Government is bound in the interest of the State to select times and methods in such a manner as in its judgment will most effectually secure the Conversion." Recent Conversions are then published showing that in none of these cases was time allowed for postal communications between an agent in this country and the principals in England, and the action of Government in this case is in accordance with precedent. Finally, as regards communications between principals in England and the agent, the date of the Notification was, it is urged, such that all three Presidency towns were placed precisely on the same footing.

Sanitary Reports.

SIMLA, *17th July.*—The reports on the various sanitary administrations are now being prepared by the Government of India having been fully approved of in the Home Department.

A Block at Khojak.

Owing to heavy rain the mouth of the Khojak tunnel on the Chaman side has been blocked, and through running will not be restored for some days. Shelabagh station yard has also been considerably damaged.

The Lahore Durbar.

No plans or details are yet settled regarding the programme of the Lahore Durbar, and nothing definite will be arranged for some weeks to come. The date has still to be fixed although the Durbar will be held during the last week in November. The only further details yet known are that all the Plains' chiefs will be present at Lahore to meet the Viceroy on arrival, and they will also attend the Durbar. It has been finally decided now that the Punjab Imperial Service troops will be stationed at Mian Mir during His Excellency's visit.

ALLAHABAD, *17th July.*—The Viceroy on conclusion of the Lahore Durbar will pay a four days visit to Delhi and then halt one day at Cawnpore. He will probably proceed to some other towns of interest in the North-West Provinces and Oudh, arriving at Calcutta on the morning of 15th December.

The late Professor Robertson Smith.

The *Pioneer* understands that Mr. Michie Smith, Government Astronomer, Madras, will deal with the manuscripts and letters of his brother, the late Professor Robertson Smith, in conjunction with Dr. Sutherland Black, one of the Professor's most intimate friends and fellow-workers.

The Bareilly Hindu Memorial.

At Bareilly on Monday, the Commissioner of the Division opened an inquiry under instructions from the Government of India into various matters dealt with in the memorial recently sent up by the Hindus of the place. Witnesses were examined with the view of proving the memorial, and the inquiry was then adjourned.

The Juma Masjid Struck by Lightning.

LAHORE, *17th July.*—The Juma Masjid Delhi has been struck by lightning and

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Shipping Intelligence.

JULY	ARRIVALS	FROM
18,	*M. Meanatchy*, s.	Rangoon.
,,	*Putiala*, s.	Negapatam.

Madras Arrivals and Departures.

Arrivals.—Per s. s. *Meanatchy*, to-day :—

From *Rangoon*—Mr. and Mrs. Barclay, Miss Barclay and Master Barclay, Mr. and Mrs. Williamson, Mrs. C. White, Mrs. Curtis, Mr. Dickinson, Mr. O. H. Woolarton, Mr. Rolston, Mr. A. Basch, Mr. C. Wagner, Mr. A. E. F. Green, Mr. J. A Armstead, Mr. W. Gardiner, Mr. Lawler, and Mr. Bride.

Steamer Report.

LONDON, 16th July.—The *Clan Graham* arrived here this morning.

COLOMBO, 17th July, 6.31 A.M.—The Mail Steamer *Bengal*, from Calcutta, arrived.

SUEZ, 17th July.—The *Dilwara* left here this afternoon, homeward bound.

TELEGRAPHIC COMMUNICATION.—Madras, 18th July.—Madagascar and Reunion Mail closes at Mauritius at noon on Monday, the 23rd.

Latest dates of Foreign Telegrams received at Madras from the United Kingdom at 1 P.M. to-day :—

Via Teheran	17th	8-33 P.M.	Time*	0 53
Via Turkey	17th	9-33 P.M.	,,	0 40

* Occupied in transmission (Difference in Longitude allowed for.)

Madras Military Movements.

Arrivals.—Lieut.-Col. N. Arnott, R. Engineers, at Madras; Lieut. C. D. Field, 28th Regt. M.I., at Madras; 2nd Lieut. H V. Firth, 27th Regt. M.I., at Madras; Lieut.-Col. J. Proudfoot, I. Staff Corps, at the Elphinstone Hotel; Surg.-Major R. H. Cama, I.M.S., at the Branch Elphinstone Hotel; Captain F. B. Pearce, 2nd W. York Regt., at the Buckingham Hotel; Captain Brown, 6th Regt. M.I., at Madras; Lieut. Brown, 6th Regt. M.I., at Madras; and Lieut. A. W. H. Lea, 16th Regt. M.I., at 27th M.I.

Departures.—Captain Brett, 6th Regt. M.I., to Bangalore; and Lieut. C. D. Field, 28th Regt. M.I., to Trichoor, Malabar.

Postal Notice.

PROHIBITION OF THE USE OF POSTAGE STAMPS DEFACED BEFORE POSTING BY THE IMPRESSION OF RUBBER OR OTHER STAMPS.

On and from the 1st day of November, postage stamps defaced before posting by the impression of rubber or other stamps will not be recognised by the Post Office in payment of postage.

This rule is not intended to prevent the perforation of postage stamps with initials traced in minute holes.

The Madras Observatory.

Mean Meteorological Results.	*16th July.*	*17th July.*
Reduced atmospheric pressure	29·746	29·699
Mean temperature of air ...	80·4	82·1
Do. of evaporation ...	75·6	77·5
Per-centage of humidity ...	79	81
Maximum solar heat *in vacuo.*	110·1	142·2
Do. in shade	89·0	90·0
Minimum in shade	74·6	73·3
Do. on grass	73·5	72·0
Daily velocity of wind in miles	156	162
General direction of wind ...	W. S. W.	SW. by W.
Depth of rain in inches ...	0·32	0·04
Per-centage of cloudy sky ...	98	70
Hours of bright sunshine ...	Nil	6·1

General weather on the 16th ...Overcast, with light showers. On the 17th...Passing clouds: Distant thunderstorm.

At 8 A.M.	*17th July.*	*18th July.*
Unreduced barometer reading	29·884	29·862
Attached thermometer ...	80·0	82·6
Reading reduced to 32° F. ...	29·747	29·718
Rain since midnight ...	0·04	None

C. MICHIE SMITH,
Offg. Government Astronomer.

The Weather in the Bay.

The following is the state of the weather to-day in the Bay of Bengal :—

Coast Line.	Weath.	Barom.	Wind.	Force.	Sea.
Tavoy, Moulmein & Rangoon	Ordny.	Falling S	Var'ble	Moderate	Rough
Bassein & Diamond Island..	Slig'tly	Do.	S. W.	V. Strong	Do.
Akyab, Chittagong & Barisal	Do.	Steady	S. E.	Strong	Do.
Calcutta, Saugor Island, Balasore, False Point & Puri..	Do.	Rising S	Do	[illegible]	[illegible]
Gopalpore, Vizagapatam & Coconada ..	Do.	Falli-	[illegible]	[illegible]	[illegible]
Masulipatam & Nellore	Do.	[illegible]strong	Do.	[illegible]	[illegible]
Madras, Cuddalore, Negapatam & Pamban	[illegible]	[illegible]	[illegible]	Do.	[illegible]
Galle & Trincomalee	S. W.	Strong	Do.	[illegible]	[illegible]
[illegible]	W.	Moderate	[illegible]	Do.	[illegible]
[illegible]	Do.	[illegible]	S. W.	Strong	Do.
[illegible]	Steady	[illegible]	Do.	Do.	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[illegible]HORLORS.—A lady editor com[illegible]ition to bachelo[illegible]s with the fol[illegible] you poor, miserable, lonel[illegible] fractional parts of animated [illegible]nd be talked to.

THE MADRAS MAIL, WEDNES[illegible]

THE [illegible]

6

Existence in these ... we are all depressed by ... public and private finances, a... in devising means for reducing expen...

The hot weather has driven all game to great distances that sport is practically mono polised by those lucky few whose light duties admit of their taking ten days' leave. Captain Trevor has beaten the record here by bagging, within a few days of each other, two markhors, the horns of one of which measured fifty-six and the other fifty-two and a half inches. The lengths were certified to by a committee, to avoid all chance of scepticism.

There still appears to be a little uneasiness amongst the Indus Valley tribes, but they could never attack Chilas Fort with any reasonable hope of success. Its command is so great that its fire would sweep the country all around it. The quarters and barracks within the fort are well and solidly built, and would be comfortable, only that the temperature goes up to 96 degrees in the room daily and only falls to about 92 degrees at night. So Chilas will never rank high as a hill station, in spite of its swimming tanks and fringe of *chinar* trees. Not more than 150 people have returned to Chilas village, although every inducement has been held out to them to do so. Consequently there is still land lying barren for want of labour. Captain C. H. Powell, 1st Gurkhas, who has done great things in settling the place, and bringing ground under cultivation, is expecting shortly to go home on furlough. His departure will certainly diminish the fruitfulness of the country, and will be all the more severely felt, because Surgeon-Captain Lane, the other pillar of Chilas bucolicism, will probably also be leaving for India soon after. At present one wing of the 23rd Pioneers is in Chilas and the other at Thak, half way between Chilas and the Babusar Pass, where they are improving the road. The regiment will be relieved by the 32nd Pioneers, at Astor, early in August, and will then return to India by the Burzil route. The Babusar Pass has been clear of snow for some time; but, up to a few days ago, there were still five miles of snow on the Burzil. However, laden animals continually cross the latter pass by travelling at night.

It is probable that the 32nd Pioneers will spend six months, from the middle of September next, in making a thoroughly good, broad road, between Ramghat—at the junction of the Astor river with the Indus—and Chilas. The existing road, although good and well aligned, is narrow, and, in many places, there is not sufficient breadth for two laden animals to pass one another.

On the 24th instant a heavy storm broke between Bunji and Gilgit. The centre of violence was about half way between Gilgit and the Indus Bridge (Pertabpul). A cloud burst on the hill, on the right bank of the Gilgit river, directly overhanging the main road. The torrents, in several places, disregarding the usual channels, cut new grooves for themselves straight down the face of the hill, to a depth of ten or twenty feet and the old established *nallahs*, not to be outdone by any impudent outbursts, put forth their best rush of water, and burrowed deeper than ever into the earth. So the results to the road are most disastrous. For a distance of five miles there are more than a dozen serious breaches, varying from five to fifty yards in length, besides innumerable minor obstacles. With difficulty laden animals might be led up and down more or less precipitous banks, and thus get through; but, for a convoy of any size, the road is, properly speaking, at present impassable.

However, Messrs. Spedding and Company's ... are on the spot, so probably the damage ... put right in a couple of weeks.

... delay was consi... Department, particularly in Eastern ... they have no power or influence to get them in, against the Babu minority which has monopolised the machinery of the Local Boards, and goes solid for its own friends on every occasion. Such is the working of representative institutions on the ground floor; and going upstairs to the Municipality, and then to the Council, we shall find the same process in active operation on each storey. The edifice reared for national purposes has been quietly appropriated as office quarters by a particular section of Hindus: and the worst fault of all political buildings of this type is that when the occupants are once in it it is almost impossible to dislodge them except by pulling down the whole structure.—*Pioneer.*

A SCOTCH HUMOURIST.

Dr. Macgregor, M.P., deserves recognition as an unconscious Scotch humourist, and a bit of a comic artist of the music-hall type. In the course of his speech on Wednesday, supporting the exemption of Scotland from the new spirit duty, the following entertaining episode is worthy of reproduction:—

He objected to the proposal from three points of view—as a Scottish nationalist, as a consumer—(loud laughter)—and as a medical, and therefore a temperance, man. As a Scottish nationalist he protested against this duty because it was a disadvantage to Scotland. For Scotland it was found that spirits were better than beer. (A laugh.) In many parts of the country the water supply was peculiarly adapted to the distillation of whisky, and in many parts also the soil was well suited to the cultivation of barley. For these and other reasons the manufacture of whisky had become an industry in Scotland, and to tax that industry unfairly threatened to crush it. The annals of Scotland furnished an illustration of this. Before the time of the Union the beverage of the Scottish people, especially the better class, was claret. Little or no whisky was distilled; but after the Union the Englishman at once had his eye upon Scotland, and he insisted on taxing it heavily and imposing on the people, against their will, port, which would bear a higher duty. Hume, the historian, in a moment of irritation and sarcasm, had immortalised this historical fact in the following couplet:—

"Stern and erect the Caledonian stood,
Old was his mutton and his claret good.
'Let him drink port,' the English statesman cried.
He drank of poison, and his spirits died."

(Here the hon. member produced from the bottom of his hat, which was lying by his side, a glass of pale yellow liquid, which he quaffed amid general laughter.)

Dr. Macgregor afterwards apologised for the disconnection and incoherency of his remarks, which he attributed to a chill he had caught in the lobby on the previous night; but the general opinion in the House seems to have been that the honourable member was far more amusing in his incoherent than in his collected moments. Sir Wilfrid Lawson, who makes his jokes on cold water, will have to look to his laurels, for if it should be demonstrated that the Doctor's source of inspiration provided a better entertainment than the unadorned liquid, the success of temperance doctrines may be gravely compromised.

THE IMPERIAL PARLIAMENT.

HOUSE OF LORDS.—*Tuesday, June 26.*

The Assassination of M. Carnot.—The Earl of Rosebery, who was received with subdued cheers, rose to move the following Address, and his rising was likewise a signal for all the noble lords present to remove their hats:—"That an humble Address be presented to Her Majesty, to convey to Her Majesty the expression of the deep sorrow and indignation with which this House has learned the assassination of the President of the French Republic; and to pray Her Majesty that, in communicating her own sentiments on this deplorable event to the French Government, Her Majesty will also be graciously pleased to express the part of this House their abhorrence of crime, and their sympathy with the Gov...

... London University.

... whether Bachelors of ... are allowed to practise ... or any other ... degree ...

HENRY P. DELANEY.

... with their help. This ... old weapon of Ravaillac, Clement, and Gerard. It represents no special scientific faculty, it represents none of the known divisions of political opinion; it is a mark of some strange madness which has taken hold of the more excited and irritable intellects of a half-educated class, and it is pregnant in the future with all the disturbance that must be due to the suspicions which it will create and the precautions which must necessarily be taken. I earnestly ... with the noble lord in the aspiration that, by ... open grave of the President, parties will for ... their bitterness, and that a new era of reconciliation may await us. But we must not blind ourselves to the possibility that we may be entering upon an epoch of new dangers which may require from us and from other nations a fresh display of those qualities by which Western civilisation has been created.

The Address was then agreed to.

HOUSE OF COMMONS.—*Tuesday, June 2...*

The Chancellor of the Exchequer rose to move the following resolution:—"That an humble Address be presented to Her Majesty, to convey to Her Majesty the expression of the deep sorrow and indignation with which this House has learned the assassination of the President of the French Republic; and to pray Her Majesty that, in communicating her own sentiments on this deplorable event to the French Government, Her Majesty will also be graciously pleased to express on the part of this House their abhorrence of the crime and their sympathy with the Government and people of France." The right hon. gentleman said: Mr. Speaker, in moving this Address to the Crown praying Her Majesty to convey to the Government and people of France the sentiments of horror and indignation with which this House regards the fearful crime which has been perpetrated upon the person of the ruler of a great and friendly nation, I feel that I am expressing the universal sentiments of this House and of this kingdom. (Cheers.) It has been well said that of all British interests the greatest is that of peace, and the first condition of peace is the maintenance of the most cordial relations and the most friendly feelings of goodwill between this country and France. (Hear, hear.) Since the close of the great war, nearly eighty years ago, we have always been the friends, and sometimes the allies, of the French nation. That these relations of close amity may be for ever preserved is the foremost desire of every statesman and of every patriotic Englishman. (Cheers.) It is necessary, therefore, sir, that we should approach the people of France on this terrible event with a heartfelt expression of our detestation of the crime, and of our sympathy with the nation. I think it is in public as it is in private life that the presence of a great disaster obliterates all thoughts of trivial events, and sweeps away all minor feelings by which the surface of things may have been ruffled. A great sorrow brings together the society of nations as it does the society of men. On occasions like this we have but one thought, and that is the desire to evince our feelings of sorrowful good-will towards a great and a friendly neighbour. Sir, we have witnessed with admiration and respect the fortitude, the resource, and the perseverance with which that brave, ingenious, and indomitable people have repaired the consequences of immense misfortunes, and vindicated for France the place she has always held among the first nations of the world. (Cheers.) The Republic in France has now outlasted in its term each of the systems of Government which have ruled in that country since the great convulsion at the end of the last century. It has shown by its stability the hold which it possesses on the confidence of the people, and has by its energy and resource restored its own affairs, while in its relations with other States it has maintained the dignity of a great people and the priceless blessings of peace. Among those who have contributed to this great and noble work there is no one who has played a more illustrious part than the President who has just fallen by the hand of the assassin. No worthier representative of a great Republic, whether at home or abroad, could have been desired than was found in the person of M. Carnot. He has added fame to a famous name—a name which is among the most notable that appear upon the annals of France. He ...

... at hand for ...'s menagerie, consisting of ocean track, a fort ... camels, mules, donkeys England may have ... started on its first trip, when danger is at hand, to Gilgit, Bunji, and does not afford some ... the district. They EARDLEY-WILMOT writes in ... as they "The Author has not only ... to one interest in these important ... It is having served in the Naval Admin... two and also acquired by long practical ... ence a knowledge of all that relates ... sea, he has qualified himself to speak with authority which few civilians can claim to possess." The qualification will be readily acknowledged. Not only has Lord BRASSEY sat on various Committees connected with matters marine for twenty years and more, but for four years he was a Lord of the Admiralty and for a further year Secretary of the Admiralty, thus acquiring a close insight

Contents of Pages 3 and 6.

Page 3.—Shipping—Dawk News—Jail Manufactures—Village Implements in Bellary—Legal Intelligence—Fort St. George Gazette.
Page 6.—New Rules as to Lawyer's Fees—Affairs in Gilgit—A Remarkable Criminal—Discouraging to Mahomedans—A Scotch Humourist—Imperial Parliament—General News.

Calendar—July.

Day of Week	Day of Month	Sun Rises.	Sun Sets.	Moon Rises.	Moon Sets.
Wednesday	18th	5 44A M	6 28P M	7 5P M	5 48A M
Thursday	19th	5 44 ,,	6 28 ,,	7 47 ,,	6 39 ,,
Friday	20th	5 44 ,,	6 28 ,,	8 25 ,,	7 28 ,,
Saturday	21st	5 44 ,,	6 28 ,,	9 2 ,,	8 16 ,,
Sunday	22nd	5 45 ,,	6 28 ,,	9 37 ,,	9 3 ,,
Monday	23rd	5 45 ,,	6 28 ,,	10 12 ,,	9 49 ,,
Tuesday	24th	5 45 ,,	6 27 ,,	10 48 ,,	10 37 ,,

The Weather.

Observations recorded at 8 A.M. to-day.

Station.	Wind. Pressure S.A.M.	Wind. Directions.	Wind. Miles per hour.	Tempre. in shade. Max. of past 24 hours.	Tempre. in shade. Min. of past 24 hours.	Rainfall. Past 24 hours.	Rainfall. 1st April to date.	Rainfall. Average 1st April to date.
Diamond Isld.	29·695	S. W.	18	82·5	79·9	0·33	63·02	48·31
Rangoon ..	29·709	W.S.W.	5	84·2	75·4	0·20	47·07	40·78
Akyab ..	29·619	S.	6	81·2	77·7	0·61	91·39	85·60
Sangor Island	29·489	S. E.	25	84·2	79·0	0·31	21·66	24·43
Chittagong ..	29·590	S. E.	7	87·7	77·1	0·81	50·40	46·88
Gopalpore ..	29·411	S. W.	13	82·7	76·6	0·25	16·79	13·97
Vizagapatam.	29·476	W.	1	90·3	81·9	..	5·56	9·51
Rajahmundry	29·553	W.	?	89·5	78·1	0·05	13·90	13·46
Cocanada ..	29·528	W.S.W.	12	90·5	79·0	..	11·19	11·39
Masulipatam.	29·581	W. S.W.	6	91·1	77·1	..	10·57	10·66
Kurnool ..	29·674	Calm	7	89·2	72·4	0·77	10·47	9·31
Bellary ..	29·678	W.	14	83·4	73·4	..	5·99	5·06
Cuddapah ..	29·666	S. W.	?	91·5	75·8	0·14	10·22	8·33
Nellore ..	29·634	N. W.	9	93·2	78 1	..	3·29	?
Madras ..	29·672	S. W.	9	90·6	79 3	..	3·60	7·03
Cuddalore ..	29·702	S. S.W.	1	93·3	77·7	..	7·47	?
Salem ..	29·755	S.	4	90·4	74·9	0·03	5·97	12·56
Coimbatore.	29·760	W.	8	81·9	70·3	0·13	2·78	6·44
Wellington ..	24·137	W.	5	72·2	5·1	0·10	12·51	12·75
Trichinopoly.	29·728	W.	15	97·6	78·8	..	8·42	7·02
Negapatam ..	29·731	W.	10	94·7	79·8	..	1·35	5·21
Madura ..	29·742	N. W.	0	94·4	77·9	..	7·44	7·51
Pamben ..	29·755	S.S. W.	17	87·3	80·2	..	2·47	?
Tinnevelly ..	29·766	N. W.	6	95·2	78·9	..	1·46	?
Trevandrum ..	29·81	W.	6	81·0	76·0	0·08	14·52	?
Cochin ..	29·813	E.	5	82·7	72·7	1·75	46·21	59·23
Calicut ..	29·802	N. W.	5	80·3	73·1	3·27	74·91	63·71
Mangalore ..	29·758	W.N.W	4	85·8	73·4	0·97	75·52	66·71
Mercara ..	29·866	W.	14	67·6	62·3	3·41	43·47	60·17
Bangalore ..	29·758	S. W.	11	82·0	66·3	0·06	15·67	11·25
Hassan ..	29·761	W.	6	77·3	66·6	0·36	17·94	?
Secunderabad	29·624	W.	9	81·6	71·4	0·02	6·39	5 97
Belgaum ..	29·681	W.S.W.	?	74·3	66·8	1·63	25 25	20·94
Bombay ..	29·61e	S. S.W.	8	81·4	76·5	1·50	32·60	39 82
Karwar ..	29·711	S. W.	10	81·6	73·6	5·26	47·21	67·19
Marmagao ..	29·683	N. W.	10	81·0	73·4	4·47	48·95	?
Colombo ..	29·850	S.W.	12	83·0	78·0	0·43	28·05	35·41
Trincomalee.	29·837	S. W.	15	94·0	79·0	..	5·09	?

The pressure has increased very rapidly at Saugor Island and briskly at Trincomalee and decreased elsewhere. The fall has been brisk in Bombay and locally at Rangoon and slow to moderate over the remaining parts of the reporting area. The barometric readings are highest in Ceylon, lowest at Gopalpore and below the normal average everywhere. The abnormal deficiency is moderate to considerable in the Circars. The winds are south-easterly in Bengal, southerly to west south-westerly in Burma and south-westerly to north-westerly elsewhere excepting in Malabar where they are variable. The force has been strong at Diamond and Saugor Islands, Pamben and Marmagao and moderate to fresh elsewhere.

The temperature has increased in Ceylon and at all the North Madras stations and changed irregularly elsewhere. The mean ranges between 88·2 at Trichinopoly and 70·6 at Belgaum. The highest maximum reported was 97·6 at Trichinopoly and the lowest minimum 66·6 at Hassan. The day temperatures were in slight excess of the average over the Circars and in defect elsewhere. The humidity has increased over the West Coast and in Burma and decreased slightly over the other regions. The skies are cloudy to overcast everywhere. Heavy rain has fallen on the West Coast and light to moderate showers at most of the other stations. The chief amounts registered were 5·26 inches at Karwar, 4·47 inches at Mormagao, 3·41 inches at Mercara, 3·27 inches at Calicut, 1·75 inches at Cochin, 1·63 inches at Belgaum and 1·50 inches at Bombay. The storm in the north-west of the Bay appears to have crossed the Coast about 100 miles south-west of Saugor Island and travelled north-westy by westerly at the rate of nearly 15 miles an hour. At 8 A.M. this morning the centre lay nearly 200 miles due west of Saugor Island. Strong monsoon winds are blowing on the West Coast, in Ceylon, and Burma. Elsewhere the weather is unchanged.

E. Isis Pogson,
Meteorological Reporter to the Govt. of Madras.

Simla, 17*th July (By Telegram).*—The following are summaries of Tuesday's observations:—The pressure has given way rapidly during the past day in Orissa and South-West Bengal and the storm in the north-west of the Bay has developed considerably and is now of moderate intensity and steep gradient more especially in the eastern quadrant. The storm has apparently travelled in nearly a due north direction with slighw westerly tendency and the centre at 8 A.M. was approaching the Orissa Coast near Balasore. The pressure has given way generally, except in North Punjab where it has risen briskly. General rain fell yesterday in Burma, South and East Bengal and Assam, the largest amount being 5 inches at False Point. Moderate rain has fallen in the Hill and Sub-Montane Districts of the Punjab. Cherat and Mussoorie had each 3 inches, Ludhiana and Khushab 2 inches. Light to moderate, but fairly general rain has fallen in the Deccan, Central Provinces and the West Coast Districts. The chief feature now is the storm advancing northwards through North Orissa into the Eastern Districts of Chota-Nagpur; it will give moderate to heavy rain in South and Central Bengal, Chota-Nagpore and Orissa during the day.

Stocks, Shares, and Exchange.

into the working of this great Spending Department. But wherein, as an authority on Naval affairs, he stands so far above his fellow civilians, is that he has familiarised himself with the farthest corners of the Empire and has studied each subject *in situ*. There is at the present day hardly another man, if indeed there is one, outside the Navy whose personal knowledge of the waterways and seaboards of the world is so extensive. Lord Brassey it was, who eight years ago projected the *Naval Annual*, which he still edits, a substantial and valuable volume which enables its readers to keep fully abreast of the times.

Turning from the author to the book, we find it hard to do justice to it in a short article, so wide and varied are the subjects it treats of. Two facts, not by any means new but still liable to be forgotten, which a persual of these volumes drive home are, in the first place, that the needs of our Navy are no new phase of Party Government; Conservative and Liberal alike ignore them so long as the nation will permit it, and then when this ceases, profess the greatest anxiety to remedy them. And the other is that while the needs ever remain old, the necessities are always new; in other words that such rapid changes have during the last twenty years been made in the construction and defence of fleets that each year witnesses an invention of some nature which it is necessary for England to obtain in order for her to keep level with her rivals. The last selection in Volume I is a paper on the "Future Policy of Warship Building" read at the Institution of Naval Architects in 1891. Lord Brassey commenced with this prediction:—"The time must shortly come when a further programme of shipbuilding must be considered and the Administration of the day will once more address itself to the difficult task of deciding between the conflicting views of eminent authorities." The day has come and gone of which Lord Brassey then spoke, and the Admiralty has now sketched out a programme, which is being carried into effect but which has not been published up to date. It will be of interest, therefore, to see what Lord Brassey proposed as a five years' programme, for it would be nothing surprising should it be found that the Admiralty had adopted in the main his proposals. His programme was the building of ten battle-ships, six armoured coast defence vessels, monitors; six armoured rams, Polyphemus type improved; forty cruisers of the first class; thirty look-out ships, and fifty torpedo gun vessels. Should these proposals be carried into effect in their entirety our Naval strength would consist of forty-two first class battle-ships and seven armoured rams attended by forty-nine look-out ships, and seventy torpedo cruisers. For the defence of the Channel and British coasts there would then be eighteen coast-defence ironclads and a torpedo flotilla. Property exceeding one hundred and fifty millions of pounds sterling in value is always afloat under the British flag, and for the protection of this commerce there would be thirteen second-class battle-ships, eighteen armoured cruisers, fifty-one protected cruisers of the first class, and forty-six of the second class, together with eleven ships of the "C" class. Of the distribution of this force, according to Lord Brassey's views, we have not the space here to tell in detail. So much we may say that in his opinion it is on the route of the East and to South America that British commerce will most need the protection of the Navy. So far as the Suez Canal is concerned, in the event of hostilities breaking out with a F[illegible] M. de Fonvielle, who was forthwith taken into custody for contempt of court. The cries, it was understood, were distinctly levelled not only against the man in the dock, but against the Imperial régime. "A mort!" "A mort!" Our neighbours are continually yelling death to somebody or something.

An American friend told me once that, over a shop front in Jersey City, U. S. A., he had read the announcement "Tompkins and Father." An amusingly suggestive proclamation, in all likelihood, designed to inform the public that Old Man Tompkins was "played out;" that the cheque-book and the key of the safe had come under the control of his son; and that the ancient "cuss" was now only a junior partner in the firm. The possibility of an arrangement somewhat on the "Tompkins and Father" lines seems to have occurred to the fertile imagination of Sir William Vernon Harcourt, who, in the course of the discussion on the apparently inexhaustible topic of Death Duties, incidentally mentioned that a proposition had been brought under his notice for dealing with eldest sons. It was suggested, so the vivacious Chancellor of the Exchequer told the House, that, at a certain age, the limit of which he refrained from fixing, the father should withdraw from the active control and enjoyment of his estates and should live on the allowance which he had been accustomed to make to his eldest son. There is nothing new under the sun and the adoption of the "Tompkins and Father" system would only be a development of a very grand scale of the experiment made by Charles V, when he surrendered his crowns and his dominions to his son Philip. But was there not another experiment of a similar kind essayed, once upon a time, by a certain British King, who, retiring from the active concerns of government, changed the style and title of his firm to "Goneril, Regan and Father?" Did any of my readers, I may ask, ever see or read a pathetic old drama called the "Lear of Private Life?" It might with advantage be revived at the Theatre Royal, St. Stephen's, and be played on "off" nights to relieve the intolerable wearisomeness of the Budget Bill debates.

What's in a name? In the opinion of the Registrar of the Bromley-by-Bow District there is a great deal in one, or rather in two names, since the official in question recently refused to register the name of the newly-born grand-daughter of an old gentleman connected with the Great Eastern Railway, who forthwith complained to the Magistrate at the Thames Police Court of the high-handed behaviour of the Registrar. It appeared that a lady in Australia had promised to leave some property to the child providing her Christian name was registered the same as her own—viz., Roseanne. The official declined to enter it in that manner, saying that it was two words. The Magistrate could only give the applicant the cold comfort of telling him that he could go to the High Court of Justice, and get a mandamus to compel the Registrar to register the name, after which the court would issue a writ ordering him to show cause why the name should not be registered in the way wished. But how about the costs? The "law," once said Horne Tooke, "is open to everybody, and so is the London tavern." But why should not a child be called Roseanne? We have Maryanne, Marianna. We have Juliana and Georgiana. Furthermore we have Rosamund a compound word, meaning "rose of the world"—the rose and mundi of the world. There is an old French opera, of which the heroine is "Rosiaife." Naturally if the Bromley-by-Bow Registrar had been asked to insert the child by[illegible] a Rabelaisian name "Rostegg[illegible]" he [illegible]

Hand-in-Hand Race: 2 Prizes.

1st Heat.—Miss Mackenzie and Mr. Smyth; Mrs. Walker and Mr. Lane; and Captain and Mrs. Woodham.
2nd Heat.—Mrs. Young and Mr. Campbell.
3rd Heat.—Mrs. Forman and Mr. Moore; and Miss Rowlandson and Mr. Percy.

This was originally to have been run in three heats, but Mr. and Mrs. Uniacke retired, or rather the claims of duty prevented Mr. Uniacke competing. The thing then really boiled down to 2 heats "Miss Rowlandson" being too much of a professional to count. The 1st heat was won by Captain and Mrs. Woodham; the 2nd heat by Mrs. Forman and Mr. Moore, and this couple won the final easily.

Bareback Competition: 2 runs each.

Mrs. Bachune *vs.* Mr. Percy, 31 points.
Mrs. Eardley-Wilmot *vs.* Capt. Eardley-Wilmot, 28 points.
Mrs. Forman *vs.* Mr. Moore, 28 points.
Mrs. Walker *vs.* Captain Holloway, 23 points.
Mrs. Youngerman *vs.* Surgn.-Major Youngerman, 22 points.

This competition consisted of first a hurdle, then a cut at a head, then another hurdle, then pick up a handkerchief with sword, then another hurdle and finally a peg—a wooden one. In the first run Mr. Moore distinguished himself by scoring 3 points above the others though both Mr. Percy's and Captain Eardley Wilmot's performance were very good. In the second run Percy came to the front in fine style with 27 points, and Moore dropped behind considerably. The prize went to Percy with an excellent score of 31, both Captain Eardley-Wilmot and Mr. Moore running him close with 28.

Postilion Race: 2 prizes.

1st Heat.		*2nd Heat.*	
Mr. Moore ...	1	Captain Woodham ...	2
Mr. Campbell ...	0	Mr. Sanders ...	0

This was an amusing contest but not much of a struggle. The finals were between Mr. Moore and Captain Woodham. The former won riding *Biff Baff* and leading *Blue Ruin*.

Jumping Competition.—2 runs each; 3 prizes.

Sergeon-Major Lucas' Jumbo, Owner ...	... 1
Major Stevens' Eccles, Owner ...	... 2
Colonel Handford's Hyderabad, Mr. Percy	... 3
Mr. Percy's Bella, Owner ...	... 0
Mr. Hughes' New Moon, Owner ...	... 0
Mr. Norwood's Midnight, Owner ...	... 0

Mr. Norwood's Midnight, Owner 0

This was a real good jumping competition and despite the heavy rain the ground was not half as bad as might have been expected. It led off with an in and out hurdle to negociate; then came a 4 feet 2 inch mud wall, then a hurdle and 10 foot water jump. There was any amount of inches among the "gees" and the take off of 10 feet was cleared easily. *Jumbo* especially distinguishing himself. *Midnight* gave a lot of trouble with refusals, and Mr. Percy's performance on Colonel Handford's *Hyderabad* was excellent, but his gee was a bit too small to compete against such stuff as *Jumbo* and *Eccles*. The former won in excellent style.

Letters to the Editor.

The Goldfields of Burma.

Sir,—With reference to "Subscriber's" request in your issue of the 14th instant, so far back as 1886, in the month of October, Messrs. O'Hearn and Benjamin Flamant obtained a license for prospecting for gold in Upper Burma. They confined their operations to the Big Youra range and the banks of the Sittung, and I know for a fact that gold was found in paying quantities by them. The death of B. Flamant from dysentery in the very unsettled state of the country at the time, put a stop to anything further being done. The following extracts from a private letter received by me by last Mail may be of some interest to "Subscriber." "Do you know that licenses are being granted to prospectors U. B. Wunthoo. Some appear very enthusiastic over the prospects." From my own knowledge and observation I can state that Burma is far richer as a goldfield than India. The entire absence of [illegible] and the abundance of water are features that must not be forgotten in connection with gold mining in Burma. The vast gold field of Wynaad is lying [illegible] practically useless now on account of refractory ore and want of [illegible] separator.

Henry P. Delaney.

Madras, 17th July.

Degrees of London University.

Sir,—Kindly inform me whether Bachelors of Law of London University are allowed to practise as Vakils of the Madras or any other Indian High Court. The course of study embraced for the London Degree is, if anything, much more advanced than that prescribed for the corresponding Degree at any Indian University. There seems to be

TELEGRAMS.

[Reuter's Telegrams.]

Parliamentary Intelligence.

The Destitutes and Conspirators Bill.

London, 18*th July*.—The House of Lords have read a second time the Bill, introduced by Lord Salisbury, to exclude destitute aliens from Great Britain and to expel all foreign conspirators, by a majority of 52; after Lord Rosebery had stated that Government cannot accept the principle, but that it was ready to consult the Powers as to the best means to prevent outrages.

The "Times" on Indian Finance.

London, 17*th July*.—The *Times*, in commenting upon the Blue Book which has been issued on the progress and condition of India at the end of 1893, considers the reduction of the military and civil expenditure of India not feisible, and that the imposition of an import duty on cotton goods, is the first and most obvious measure to avert a possible financial collapse.

The Earthquakes in Turkey.

The Amount of Damage.

Constantinople, 17*th July*.—The damage done by shocks of earthquake here is estimated at six million Turkish pounds. Over two hundred persons have been killed in Constantinople alone. His Highness the Khedive is staying on board his yacht.

The New South Wales Elections.

Sydney, 18*th July*.—The elections which took place in New South Wales have resulted in 58 Freetraders, 39 Protectionists, and 28 Labour candidates being elected.

[From our own Correspondents].

The Conversion of the Fours.

Simla, 17*th July*.—The following is the statement of conversions of the Fours in England up to Friday last:—

Four per cent. rupee Loans converted into 3½ per cents. up to 13th July, 1894, in England:—

Loan of 1832 33 ...	...	Rs. 76,500
1835-36 ...	...	,, 34,700
1842-43 ...	...	,, 53,29,800
1854-55 ...	...	,, 22,16,800
1865 ...	...	,, 10,61,800
1879 (Reduced) ...	...	,, 4,15,600
Total ...	...	,, 91,35,200

A considerable amount of the Loans other than that of 1842-43 is coming in.

The Madras Chamber of Commerce.

The Protest about Conversion.

Simla, 17*th July*.—The following is the Government of India's answer to the Madras Chamber of Commerce regarding the non-issue of the Notification of the 4 per cent. Loans at Madras:—

"This arose solely from the distance of Madras from the head-quarters of Government. The details of schemes such as the present one have to be mainly settled by telegraphic correspondence with reference to the current state of the market and within a very short space of time, and once settled it is of the utmost importance that actual operations should not be delayed. The legal obligation of Government according to the tenour of the promissory notes is discharged by the publication of a Notification in the *Gazette of India* at Simla. On the present occasion, if the Notification had been issued in Madras, as well as in Calcutta and Bombay, the Government of India must have postponed the issue of the notification till the 2nd July at least, and such delay was considered impossible under the circumstances for commercial [illegible] other than Bombay and Calcutta. The main features of the scheme were supplied to newspaper correspondents in Simla. It is stated by the Chamber of Commerce that no official intimation was received in Madras till 4th July, but it is presumed that the *Gazette* published in Bombay on the 30th June arrived in Madras on 2nd July

damaged. The dome of the south minaret is said to have been destroyed. The Mahomedans are greatly concerned about the incident.

The Cantonment Act.

The following Bill was introduced in the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 12th July, 1894:—

No. 9 of 1894.

A Bill to amend the Cantonments Act, 1889.

Whereas it is expedient to amend the Cantonments Act, 1889; It is hereby enacted as follows:

1. (1) This Act may be called the Cantonments Act Amendment Act, 1894.

Title, extent and commencement.

(2) It extends to the whole of British India; and

(3) It shall come into force at once.

2. To Section 26 of the Cantonments Act, 1889, the following shall be added, namely:

Addition to Section 26 of Act XIII of 1889.

"Provided that no such rule shall contain any regulation enjoining or permitting any compulsory or periodical examination of any woman by medical officers or others for the purpose of ascertaining whether she is or is not suffering from any venereal disease, or is or is not fit for prostitution, or any regulation for the licensing or registration of prostitutes, or sanctioning the practice of prostitution, in any cantonment."

3. After the last-mentioned section the following section shall be inserted:

Insertion of new section after Section 26 of Act XIII of 1889.

"26A. Any public servant who shall subject any woman to compulsory examination for any of the purposes mentioned in the proviso to Section 26 shall be liable, on conviction thereof in a summary way before the Cantonment Magistrate, to fine which may extend to one hundred rupees, or to such imprisonment in default of payment thereof as is provided by the Indian Penal Code, Section 67."

Penalty for subjecting a woman to compulsory examination.

Statement of Objects and Reasons.

On the 26th July, 1888, the Government of India, in compliance with a despatch from the Secretary of State dated the 14th June, 1888, issued certain orders with a view of putting an end to the registration and compulsory examination of prostitutes in cantonments. It has been discovered that these orders have not in all cases proved effectual for the purpose, and the Secretary of State in Council has directed that theBill to which this Statement is annexed should be introduced in the Legislative Council for the purpose of prohibiting under penalties such examination for the future. The Bill is submitted accordingly in compliance with the directions of Her Majesty's Government.

Military Notes.

With reference to the recommendation of the Madras Government to appoint a separate medical officer for the Native Infantry Depot at Pallaveram and to make the charge of the Depot, as regards pay and allowances, equivalent to that of a Native Infantry Regiment, the Government of India has postponed the further consideration of the question pending the unification of the three Presidency medical establishments.

The Government of India has sanctioned, as an experimental measure the appointment of two qualified regimental officers as assistant instructors at the School of Musketry in the Madras Presidency on the understanding that no extra expense is caused thereby, and, that the officers selected are fully qualified, and in the opinion of the Commander-in-Chief, competent to maintain the efficiency of the School. The permanent adoption of the proposal will be considered if the results are satisfactory, and the Controller of Military Accounts has been requested to report the result at the end of this year's class.

Commercial.

London Telegram.

Reuter's] London, 16th July.

The Liverpool Cotton Market quiet.
Good Westerns Cotton ... ... 3⅛d.
M[illegible] Coffee ... ... 3⅛d.
Bar Silver ... ... 28⅛. Consols ... 104.
Rupee Paper 4 p.c. 60½. 4½ per ct. Unquotable.
Sterling Loan 108⅜
Manchester Market quiet. [illegible]s for India.
The demand is for light qual[illegible]

and week to Madras, per S. S. Nowshera, leave on 29th May Rs. 200.
Coast Ports. (on board)

For CALCUTTA *via* COAST.

S. S. *Nawab*, will sail about 26th July.

FOR BOMBAY *via* COAST.

S. S. *Kohinur*, will sail about 31st July.

For further particulars, apply to
WILSON & Co., Agents,
Madras

"Anchor" Line.



DEPARTURES FROM BOMBAY TO MARSEILLES, LIVERPOOL AND LONDON, 1894.

Vessels.	Tons.	Commanders.	Departures from Bombay.
Arabia	3544	...Geo. Read	...July 18th.
Nubia	3551	...T. Knox	...August 22nd.
Asia	3560	...Jas. Laird	...Sept. 26th.
Persia	3544	...R. Hutchison	...Oct. 13th.

Passengers can book through to London (Overland from Marseilles) on favourable terms.

The Railway journey from Marseilles to London occupies about thirty hours.

Each Steamer carries a duly qualified Surgeon and an experienced Stewardess, and is fitted out with every comfort

All the Cabins are on the Upper Deck.

PASSAGE MONEY :—To Liverpool (all the way by sea) or to London (Overland from Marseilles 1st Rail) Rs. 600.

To Marseilles only : Rs. 550. Other ports on application to

W. & A. GRAHAM & Co., Agents,
Graham's Buildings, Bombay, May 7, 1894.

INDO-AMERICAN EXPRESS.



MESSRS. LATHAM & Co. have now completed arrangements enabling them to accept Parcels for transmission to NEW YORK at the rate of

Rs. 2-0 per cubic foot,

minimum Rs. 6 inclusive of Freight and all Shipping Charges.

Particular as to free delivery charges in New York, and parcel rates to any interior town of the United States to be had on application either at Esplanade Road, Bombay, or Bunder Road, Karachi.

THOMAS COOK AND SON,
BANKERS & ARMY AGENTS.



PASSAGES PROMPTLY ENGAGED by P. & O. MAIL and all other Steamers, including non-liners,

FREE OF CHARGE FOR COMMISSION.

FAVORABLE ARRANGEMENTS for securing berths according to individual requirements.

FREE RAILWAY TICKETS between Madras and Bombay issued to P. & O. passengers.

THROUGH booking to America, Canada, Australia and to all parts of the Globe.

CONTINENTAL TRAVELLING TICKETS issued available by any route and allowing breaks of Journey at all places of interest.

PASSENGERS with COOK'S Tickets met and assisted at Bombay, London, Brindisi, and all Chief Continental Ports and Cities.

OUTWARD PASSAGES engaged and Tickets supplied from any part of the World to India.

SPECIALLY REDUCED FARES to Europe *via* China and America. HOTEL COUPONS available at 1,200 Hotels.

HEAVY BAGGAGE forwarded and insured.

CIRCULAR NOTES, LETTERS OF CREDIT issued, Current and Deposit accounts kept. Interest, Pay or Pensions collected and every description of Banking business undertaken.

Handbook of information free.

BOMBAY :— 13, Rampart Row.
CALCUTTA :— Old Court House Street.

Situation Wanted.

A YOUNG lady with several years' experience in teaching, desires a situation as Assistant Mistress in a School; private tuition, or Zenana work. All particulars regarding certificates held, on application to "M. M.," care of Manager, *Madras Mail*.

The Duke of Clarence Camp Cot,
Folding in a canvas bag, Rs. 12.
WENLOCK & Co., Mount Road, Madras.

Sunday Comic complained of, was annexed to the information. The informant stated that, although he asked Mitchell in the notice to apologise to him for the statement which informant said was "entirely false" and made "maliciously" to injure him, his reputation, and career, and to harm him in the estimation of his friends and in the eyes of his employers, Mitchell had not done so. The Magistrate ordered a summons to issue against Mitchell on a charge of defamation.—T. I.

BENGAL.

COURAGEOUS CONDUCT OF A BRAHMO LADY.—A correspondent writes to us in praise of a young Brahmo lady, Miss Kumudini Ghose, who, at Naihati, the other day, saved the life of a little boy who had been bitten by a cobra. The two had gone for a walk, and when they were nearly a mile from home a cobra suddenly coiled round the leg of the boy and bit him near the ankle. When Miss Ghose saw that it was a cobra that had bitten him, she on the spur of the moment tore her *saree* and tightly bound the boy's leg just below the knee-joint. Then she sucked the poison from the wound, and carried him home on her back. The boy is now quite well. —S.

PATENTS.—Applications in respect of the undermentioned inventions have been filed :—Edward Waller Stoney, Civil Engineer, Madras Railway, Madras, for "E. W. Stoney's Points and Signals Locking, Detecting and Controlling Slot Device;" Richard Clarkson Scott, of 24, Drury Buildings, 21, Water street, Liverpool, England, manufacturer, for improvements in treating or ageing spirit; Samuel Telford Dutton, Civil Engineer, of Marl Bank, in the City and County of Worcester, in England, for improvements in interlocking pulley-over levers and apparatus for operating switches on railways; Arthur William Macleod, Civil Engineer, Free School Parsonage, Calcutta, for an electrical punkah-pulling machine; and Sidney Straker, Civil Engineer, and the Central Cyclone Company, Limited, Manufacturers, both of 37, Pomeroy-street, New Cross, in the County of Surrey, England, but formerly of 32, Graham-street, City-road, in the County of Middlesex, England, for improvements in machines for grinding, crushing, or disintegrating grain and other materials.—S.

CEYLON.

A CEYLON CRICKET TEAM FOR BURMA.—Mr. George Vanderspar is to captain a Ceylon Team to go over and play at Rangoon during next Christmas holidays; the list is already nearly full and interesting matches may be expected. We do not hear much of cricket in Burma; but with so many military men, there ought to be good players enough in that Indian Dependency, to make a strong team. The trip will be a pleasant and interesting one in itself, and will serve to draw nearer the ties between the two countries—so that Burma residents may come to look on Ceylon as the proper resort for them, to recruit on short leave; while an interesting holiday trip for Colombo residents may well be found in the sea voyage to Rangoon and a few days or weeks in the land of the Burmese.—O.

THE INDO-CEYLON RAILWAY.—This Mail brings us an opinion in favour of this scheme from a public man and politician of much influence in the Railway world. He points to the great diversion of traffic which the railway has brought from Eastern India to Bombay since its harbour and docks have been completed. He infers that the same process, at the expense of Madras ports, must occur, if Colombo were united by rail with Southern India in view of the completion of our grand harbour and an adequate dock at this port. Here is the expression of opinion we refer to, which dates from the House of Commons, June 22nd :—"You have got hold of a big thing in Railway development in Ceylon, and you ought to stick to it until it is realised. The connection by rail with Southern India, and the assimilation of tariffs between India and Ceylon, could work nothing but good to both countries. You will find a good vein to work in the amount of traffic diverted from the whole Eastern side of the Madras Presidency to Bombay, since the development and perfecting of the Bombay Dock system. Madras is, and always will be, an impossible port. Mr. Shelford is an old friend of mine, and I will get hold of him some day soon, and talk the whole question of the Railway extension over with him, and see if anything can be done to prod the Government up a bit. I have not yet had time to read the report of your Currency Commission. It is difficult while the House sits to get to any very serious matter outside its radius." One of our oldest planters in writing to us about our Railways on the 9th instant, says :—"We sadly lag behind India as regards mileage. No doubt the great Northern line will come in time, but I quite agree with you that it must be carried out independently and by contract, as it is quite beyond the means of either or both Governments." —O.

* S. (*Spectator.*) D. P. (*Daily Post.*) M. H. (*Mysore Herald.*) C. A. (*Cochin Argus.*) T. I. (*Times of India.*) S. (*Statesman.*) O. (*Observer.*)

clear employment for convicts. The ... General proposes that all consuming ... ments shall be required to send to his ... least one month before calling for ... ders for woollen, cotton, or coir goods, ... ments of their requirements along ... samples, and to enquire whether ... Department is prepared to supply the ... in accordance with sample at the price ... being actually paid or at the price last ... the same. The Government approves ... proposal and stringent orders will now be ... to all heads of Civil Departments drawing ... attention to paragraphs 7 and 8 of Hon ... partment Resolution, dated the 7th May ... No. 10—605-18, Judicial, and directing the ... tion of the plan advocated by Mr. Cardew. The Inspector-General of Jails will also be requested to report to Government any cases of neglect of these orders which may come to his notice. With regard to the Military consuming departments, the necessary representation will be made to the Government of India in the Military Department."

TILLAGE IMPLEMENTS IN BELLARY.

(From a Correspondent.)

The ryots of the cotton soil villages pay particular attention to time their tillage operations with the seasons with a view to improve the physical character of their soils by the aid of natural forces. The ordinary implements used for this purpose are :—

1. The *peddamadaka* or the huge wooden plough, the dead weight of which is generally over 200 lbs. It is generally dragged by 6 pairs of strong bullocks. Its work chiefly consists in stirring up the soil to a depth of about 10 inches and in leaving it *in situ*. It corresponds to what is known as sub-soiling in English farming. It is considered as a preparatory work undertaken with the object of facilitating the work of the *peddaguntika* which is always intended to follow the huge plough.

2. The *peddaguntika* is of very simple construction, the whole apparatus not costing more than 5 or 6 rupees. It consists of a heavy log of wood from 3 to 4 feet in length and from eight to ten inches in girth, to the middle of one end of which descend obliquely two wooden pegs which carry on their tips horizontally a share-like knife 3 to 4 spans in length and about 3 inches in breadth. Two wooden shafts are strongly fixed to the middle of the log of wood which also forms the body of the implement and are attached to the yoke of the first pair of cattle. Its chief work consists in breaking up the antiquated portions of the soil left by the plough, in extirpating the big clods turned up by it, in extirpating the weeds which escaped the plough and in rendering the surface of the field even. It is generally drawn by 6 pairs of strong cattle and completely moves the earth loosened by the plough. This huge implement is sometimes weighted to the extent of a ton or 120 lbs. when its work is considered to be the most laborious of all the tillage operations.

3. Four other kinds of ploughs and *guntas* are also kept. They are all of different sizes but substantially of the same shape and essentially made of the same parts. They are generally drawn by one, two, three or four pairs of cattle according to the size of the implement or the nature of the work they are intended to do.

4. The *badigorru* or the *naked* seed-drill is generally used on clear lands as a substitute for the small plough whenever the stress of the sowing season or the mildness of the cultivating ryot does not permit the use of the plough. The *gorru* when complete of its hopper and *cumbu* tubes simply consists of 3 or 6 small native ploughs fitted to a wooden frame and is drawn by one or two pairs of cattle. It is considered to be eminently suitable for mixing the manure and for other operations of cultivation preceding the sowing.

5. Pick-axes are freely used for removing *natlu* or patches covered with a thick growth of deep rooted grasses like the harialy. With the aid of pick-axes blocks of soil are raised and turned over with the roots of grasses. The beneficial effects of pick-axe digging is said to last over 10 years.

6. The hand and bullock hoes are used to remove weeds and to loosen the surface soil to facilitate the passage of air to the roots of the growing crops. The latter kind of hoes can only be used for interculture

(By the Mail of 29th June.)

GENERAL NEWS.

ADVERTISEMENTS.

Simla Dak Rs. 7-8. Double Dak Rs. 9-8.

AY EVENING, JULY 18 1894.

call for the records in the Criminal case
Sub Judge—appeal case
Trichy
Copies of Mr. Ch. Judgment
Refer to the Advocate Genl for
Opinion as to whether
a
are

No. 1498 of 24-7-94

To the Hon. the C. J. & Puisne Judges

Hon. Sir,

I am directed to request that the Hon. the Judges will be so good as to furnish Govt. with the records of the trial before the Madura Sessions Court of Sriniváza Chári, late Deputy Tahsildar of Tirumadanai, for an offence under sec. 165 I.P.C., and (2) Manuscript a copy of the Sessions Court judgment & (3) three copies of the High Court judgment rejecting Sriniváza Chári's appeal.

I have the
honour
to be
Sir
Your most obedient
servant
25 July

Note

I am not sure if Govt. want only the printed record of the Sessions trial or the original, but the latter has been called for in the draft.

Coast Ports.
For CALCUTTA via COAST
S. S. *Nawab*, will sail about 26th
FOR BOMBAY via COAST

Please issue here. This may be treated as a ref^{ce} and numbered accordingly

24/7

IN THE SESSIONS COURT OF MADURA.

SESSIONS CASE VIII OF 1894.

(MARCH SESSIONS).

Committed by the Joint Magistrate, Dindigul (R. C. 3 of 1893).

Prisoner :—M. Streenivasa Chari—Defended by Messrs. Fischer, French and Gopaliengar.

Charge :—Public servant obtaining a valuable thing (viz, Rs. 2,000) without consideration from a person concerned in any proceeding or business transacted by such public servant, Section 165 I. P. C.

Caste of :— 1st assessor :—Brahmin.
2nd Do. :—Naidu (gentu).

Opinion of :— 1st assessor :—Guilty.
2nd Do. :—Guilty.

Finding of the Judge :—Guilty.

Sentence :—One (1) year's simple imprisonment and 2,000 Rs. fine, in default of payment of fine, six (6) months' simple imprisonment in addition.

JUDGMENT :—The accused, M. Streenivasa Chari whose native place is Mohanur in the Namakal Taluq of the Salem District and who is now the Deputy Tahsildar and Superintendent of Sea Customs at Paumben, is charged under Section 165 I. P. C. with having, on or about the 29th February 1892 while he was Deputy Tahsildar and Sub-Magistrate of Tiruvadanai, accepted or obtained the sum of Rs. 2,000 without consideration from the Rajah of Ramnad. This prosecution has been instituted under sanction given by the Board of Revenue in its proceedings dated 28th April 1893 (Exhibit GG).

2. The following are the undisputed facts of the case. The accused was Deputy Tahsildar of Mudukulathur from the 24th April 1890 until the 10th November 1891. He was then appointed Deputy Tahsildar of Tiruvadanai and continued in that appointment until the 23rd August 1892, when he left Tiruvadanai on transfer to Paumben. Both Mudukulathur

and Tiruvadanai are situated in the Ramnad Zemindary which comprises six taluqs. Four of these taluqs are Mudukulathur, Kamudi, Rajasingamangalam and Tiruvadanai. One of the Zemindari Devastanams is at Tiruvadanai, within the jurisdiction of the Deputy Tahsildar of that place and was managed by an ameen named Aiya Aiyengar. On the 3rd February 1892 this ameen Aiya Aiyengar received an order, dated 1st February 1892, from the Seemai Peshkar or chief manager of the Rajah of Ramnad, on the Zemindari treasury at Rajasingamangalam, which is also in the jurisdiction of the Tiruvadanai Sub-Magistrate, directing the payment to him of Rs. 2,000 as a present according to the Rajah's instructions (Exhibit F). The order was also communicated to the Rajasingamangalam treasury (Exhibit A) and was cashed on the 28th February 1892 by Muthukumaru Pillai, the ameen Aiya Aiyengar's clerk, who presented a yadast and a receipt written by the ameen and also gave a receipt himself (Exhibits B, C and D). Muthukumaru Pillay obtained the amount of the order in rupees and returned to Tiruvadanai with the money on the 29th February 1892, having travelled to Rajasingamangalam and back in company with one Sundararaja Aiyengar, a second grade pleader practising in the Deputy Tahsildar's Court at Tiruvadanai. On the evening of the 29th February 1892, the sum of Rs. 2,000 was exchanged at the Government treasury at Tiruvadanai for four notes of Rs. 500 each by a certain person who professed to act on behalf of the ameen Aiya Aiyengar (Exhibit O). The number on one of those notes was T. 30. 24638 and on another T. 2. 96857. On the 31st March 1892, the latter note, T. 2. 96857 was exchanged at the Tiruvadanai Government treasury for four currency notes of Rs. 100 each and cash. Of the four notes thus issued on the 31st March, one was numbered T. 36. 44329. All money transactions connected with the post office at Devakota, 12 miles from Tiruvadanai, were conducted on behalf of that post office by Nagalingam Pillay the Sub Postmaster at Tiruvadanai, as there was no treasury at Devakota, and on the 25th March, two currency notes for Rs. 100 each, were issued to Nagalingam Pillay or his post office peon in payment of a money order cheque on account of the Devakota post office. The numbers on those notes were T. 36. 54817 and T. 36. 39867. Then in April 1892, the second grade pleader Sundararaja Aiyengar conveyed four currency notes, one for Rs 500 and three for Rs. 100 each, to Madura on behalf of the accused. These currency notes were forwarded on the 16th April 1892 by Sundararaja Aiyengar's brother Seshiengar to Sundara Raghava Aiyengar at Mohanur, in accordance with the instructions which the accused had given. The packet was insured and the declaration (Exhibit S) shows that the number on the currency note for Rs. 500 was T. 30. 24638 and the numbers on the currency notes for Rs. 100 each were T. 36. 44329, T. 36. 54817 and T. 36. 39867. Thus the first of these notes of which the accused was in possession before the 16th April 1892 was one of the four notes into which the Rs. 2,000 received in payment of the order issued by the Rajah of Ramnad in favor of the ameen Aiya Aiyengar were converted on the 29th February 1892, the second was one of the notes obtained in exchange for another of the said four notes on the 31st March 1892 and the third and fourth were issued to Nagalingam Pillay the Sub Postmaster on the 25th March 1892. The packet was duly delivered on the 18th April (Exhibit T) to the addressee, who is admittedly (Exhibit CC) the prisoner's undivided nephew, lives in the prisoner's house at Mohanur and is a boy 12 or 13 years of age. On the 9th May 1892 the Head

Assistant Collector called upon the Rajah of Ramnad to submit a list of presents he had made in order that the recipients might be assessed to income-tax. This list (Exhibit Y) was not furnished until the 26th August 1892, but a notice, dated the 9th May 1892 (Exhibit G), was issued by the accused to Aiya Aiyengar calling on him to declare his taxable income. This notice was received by Aiya Aiyengar on the 27th May 1892. He entered in the declaration the sum of Rs. 2,000 now in question and his salary and obtained the amount payable, Rs. 58-6-4, from Nagalingam Pillay the Sub Postmaster on the 28th August 1892 (Exhibit J). A demand for payment (Exhibit H) was issued by the Head Assistant Collector on the 31st August 1892 and Aiya Aiyengar paid the tax on the 22nd September 1892 (Exhibits K and L). The original complaint in the case (Exhibit AA) was presented by one Kalimuthu Servai to the Collector on the 7th September 1892 and the formal complaint (Exhibit VI) was laid by the public prosecutor on the 18th October 1893.

3. On these facts the theory of the prosecution is that the present of Rs. 2,000 made by the Rajah of Ramnad nominally to the ameen Aiya Aiyengar was really intended for and was actually received by the prisoner. The defence made is that the money was appropriated by the Sub Postmaster, Nagalingam Pillay, and that the prisoner obtained the notes from Nagalingam Pillay in exchange for Rs. 800 which had been left in his charge by a relative Soumia Narayana Aiyengar for whom he intended the remittance addressed to his nephew at Mohanur.

4. It is admitted by the prosecution that the complainant, who is the 12th witness and whose attendance had to be secured by a warrant and by attachment of his property, is nothing but a name lender. Throughout the case it has been obvious that all the witnesses who took part in the transaction itself feel that they themselves are implicated and there is not the slightest doubt that none of them has spoken the whole truth. The prosecution was however bound to examine them and has necessarily discredited them on various points. This was inevitable from the nature of the case, but it does not follow that the whole mass of testimony offered against the accused must be rejected. The truth must in the first place be sifted from the falsehood, so far as this is feasible and in the next place it must be considered whether such statements as appear to be true are corroborated by independent facts.

5. Since the accused is specifically charged with receiving the money from the Rajah of Ramnad, the first question which arises is whether the gift of Rs. 2,000 was with any sincerity intended by the Rajah of Ramnad for the ameen Aiya Aiyengar or whether the ameen's name was used as a cloak for a currupt gift to the Deputy Tahsildar Streenivasa Chari. On this point the ameen himself, examined as the 2nd witness for the prosecution, swears that he had not asked for any money, directly or indirectly, and that the order bestowing on him the sum of Rs 2,000 was altogether unexpected. He adds that under these circumstances he felt doubts as to whom the money was really intended for and therefore he took no steps to cash the order at once. His salary was only Rs. 20 a month and the defence attempted to show by cross-examination that he was in need of money. If so, there was all

the more reason why he should lose no time in appropriating the unexpected gift: but in any case the sum of Rs. 2,000 was of very great importance to a man in his position and it seems impossible to explain his dilatoriness in realising it by any other reason than the one he himself has given, that he did not believe the gift was intended for him. Hence it appears that there was some secret understanding in the matter and this view is supported by the following statements, which the Rajah of Ramnad made in his letter to the Head Assistant Magistrate dated 6th May 1893 (Exhibit Z) and to the truth of which he now swears—"The Seemai Peshkar told me that the money I had sanctioned for Aiya Aiyengar at the recommendation of Chinniah Naidu and Krishna Aiyengar was really intended for Streenivasa Chariar and that it had been actually paid out of the treasury in virtue of my order to Aiya Aiyengar (in name) and actually to the Deputy Tahsildar." * * * "I am ready to depose to what I know, viz, that the Seemai Peshkar *did* in unmistakable terms tell me that the sum I sanctioned for Aiya Aiyengar was actually paid to the Tahsildar."

6. The Rajah of Ramnad (who is the 9th witness for the prosecution) now states in evidence that the Seemai Peskkar told him "that it was well known at the time the recommendation was made that it was intended for Streenivasa Chari" but seeks to explain the word "intended" in the passage quoted as "intended by those who made the recommendation" and it must now be considered whether he acted in good faith on any recommendation. According to his present evidence, Aiya Aiyangar had been recommended by Kesava Sami Aiyar, the Seemai Peshkar, by Sundararaja Aiyar, the Superintendent of Devastanams, and by the two Zemindary Tahsildars of Kamudi and Mudukulattur, Krishna Aiyengar and Chinniah Naidu. Neither is the Seemai Peshkar nor is the Superintendent of Devastanums mentioned, in the letter referred to above, as having made any recommendation in favour of Aiya Aiyengar. The Seemai Peshkar, who flatly contradicts his master the Raja of Ramnad on other points, was not questioned on this one, but the Superintendent of Devastanams, the 2nd witness for the defence, while stating that he had made a verbal recommendation, admitted that his recommendation related to all the Devastanam ameens, of whom there were four including Aiya Aiyengar, and that he did not make any special recommendation regarding Aiya Aiyengar. The other three ameens draw more salary than Aiya Aiyengar and yet their services were not recognized by any special act of bounty. It is further remarkable that according to the Rajah of Ramnad's own statement the Zemindary Devastanams had passed out of his management into the hands of lessees some months before February 1892 and Aiya Aiyengar was no longer in his service. So far, therefore, it is clear that the Rajah of Ramnad favoured Aiya Aiyengar without any particular recommendation. Then as to the recommendations said to have been made by the Zemindary Tahsildars of Kamudi and Mudukulathur the Rajah of Ramnad states that he had confidence in them. By way of showing his appreciation, he gave Chinniah Naidu, the Tahsildar of Kamudi, Rs. 4,000 on the 19th October 1891 and Rs. 2,000 in March 1892 and bestowed Rs. 3,000 on Krishna Aiengar, the Tahsildar of Mudukulathur in February 1892. But it is proved that neither of these officials had the slightest connection with, or concern in, the Devastanam ameen Aiya Aiyengar's conduct or duties. Hence they were not in a position to form or to express any opinion regarding his

merits or demerits. But their position with regard to the accused is worthy of note, because part of the taluq of Kamudi and the whole of Mudukulathur were in his jurisdiction as Deputy Tahsildar and Sub-Magistrate of Mudukulathur. Krishna Aiyengar, who is now the Tahsildar of Kamudi and is the 3rd witness for the defence, was Zemindary Tahsildar of Mudukulathur and Chinniah Naidu, who is now Zemindary Tahsildar of Mudukulathur was Tahsildar of Kamudi when the accused was Deputy Tahsildar and Sub-Magistrate of Mudukulathur. In addition to these facts the Rajah of Ramnad states that when Aiya Aiyengar himself applied for help about a year before the events now in question, he gave him Rs. 150 or 200 and it is unintelligible why, in the admitted absence of any application by Aiya Aiyengar and for no better reason than a recommendation made by two individuals who had not at the time and never had any business with Aiya Aiyengar, the Rajah of Ramnad should on this occasion have deemed Aiya Aiyengar worthy of a gift ten times greater than his former gift. The Raja of Ramnad declares that he did not know the money on this occasion was intended for any one other than Aiya Aivengar and that if he had known it was intended for the accused, he would never, out of consideration for his own safety, have consented to the payment. It is perhaps possible that the Rajah of Ramnad was not informed in so many words that the money was really intended for Streenivasa Chari, but even after the disgraceful admission made by Kesava Sami Aiyer, the Seemai Peshkar, to the Rajah of Ramnad himself, that it was well known that the money had been really intended for and had been actually paid to Streenivasa Chari, the Deputy Tahsildar, the Rajah of Ramnad retains Kesava Sami Aiyer as his chief manager. I cannot think that this is the conduct of a man perfectly innocent of conniving at the corruption of a public servant and in my opinion the Rajah of Ramnad must have known that the payment he ordered was not intended for Aiya Aiyengar. If it had been intended for any one other than a public servant, there was no reason for masking it and the only conclusion which can be drawn is that the Rajah of Ramnad knew the money was destined for the Deputy Tahsildar of Tiruvadanai and therefore intended that it should be paid to him.

7 The next question is whether the money intended for the accused was actually paid to him. It is admitted by the defence that the four currency notes which the accused sent to his nephew were obtained from Nagalingam Pillay the Sub Postmaster, but a consideration of the evidence as to how they came into Nagalingam Pillay's possession and thence passed into the hands of the accused is necessary. On this point there is great contradiction as to details, because each of the persons concerned seeks to evade responsibility himself and saddle it on another. Aiya Aiyengar says that he visited the accused casually some 10 or 15 days after receiving the order on the Rajasingamangalam treasury and that the accused, stating he had heard of the present made to Aiya Aiyengar, said he wanted to get his daughter married and asked for the amount of the present. As Aiya Aiyengar did not comply with the request at once, the Postmaster, Nagalingam Pillay and the vakil Sundararaja Aiyengar, the 5th and 6th witnesses for the prosecution, came to his house on the 28th February 1892 and said the Sub-Magistrate wanted the money urgently. Aiya Aiyengar replied that he could not go to Rajasingamangalam then but would do so later. Thereupon Sundararaja Aiyengar

said he would go, if Aiya Aiyengar would send one of his men with a letter to the treasury. Aiya Aiyengar accordingly wrote the letter and a receipt (Exhibits B and C) and gave them to his clerk, Muthukumaru Pillay, the 3rd witness for the prosecution, who started for Rajasingamangalam with Sundararaja Aiyengar. Next day these two persons returned to Tiruvadanai with the money and Aiya Aiyengar ordered Muthukumaru Pillay to give the money to the vakil and the postmaster and to tell them to give it "on their own responsibility" and "as a loan" to the Sub-Magistrate. In the evening Muthukumaru Pillay informed Aiya Aiyengar he had paid the money to Nagalingam Pillay. But Muthukumaru Pillay swears he gave the money to Aiya Aiyengar and does not know what was done with it. Similarly Sundararaja Aiyengar swears he only knows that the money was brought to Tiruvadanai but does not know what became of it and adds that as he was going to Rajasingamangalam on his own business, he took Muthukumaru Pillay with him at Aiya Aiyengar's request. He denies that he ever went to ask Aiya Aiyengar for the money. Nagalingam Pillay states that the Sub-Magistrate asked him to speak to Aiya Aiyengar about the money and that he accordingly went and told Aiya Aiyengar the Sub-Magistrate wanted the money as a loan. But he denies that he had any thing to do with transferring the money to the Sub-Magistrate. His account is that one evening he saw a man whom he cannot name changing Rs. 2,000 into four currency notes for Rs. 500 each at the Tiruvadanai Treasury on behalf of Aiya Aiyengar and that about 7 o'clock one evening while he was at the Sub-Magistrate's house Aiya Aiyengar came and showed him four currency notes for Rs. 500 each. The Sub-Magistrate who was present asked what they were and Aiya Aiyengar handed him the notes. Nagalingam Pillay wishes it to be believed that his connection with the matter ceased at this point, but a circumstance which must now be partly considered and will have to be dealt with again later on is that Aiya Aiyengar was served with an income-tax notice on the 27th May 1892 and entered in it the sum of Rs. 2,000, and his salary, which became taxable in consequence of that sum. The accused left Tiruvadanai on the 23rd August 1892 and his father-in-law Kuppan Aiyengar, the 5th witness for the defence, admittedly (Exhibit EE) arrived there on the 25th August 1892. Then Aiya Aiyengar, complaining that the Sub Magistrate had left the place without paying the income-tax on the Rs. 2,000 he had taken, induced Nagalingam Pillay to pay him the tax amounting to Rs 58-6-4 with Kuppan Aiyengar's consent and gave Nagalingam Pillay a receipt in the following terms :—

"Office Deputy Clerk Muthukumaru Pillay had been sent to the Rajasingamangalam "Taluq with a yadast to obtain and bring Rs. 2,000, the present referred to in order No. 9 dated "the 1st February of the current year of the Simai Peshkar of the Ramanadapuram Samastanam; "Sundararaja Aiyengar vakil of the Tiruvadanai Sub-Magistrate's office had also been sent with "him (Muthukumaru Pillay) for help. The said sum of Rs. 2,000 was received and brought and "was given to you to be paid to the said Sub-Magistrate × ~~Avergal~~ ; and you accordingly paid "it. The amount of income-tax imposed on me × and for my pay also is Rs. 58-5-4, which "with one anna for this receipt comes to Rs. 58-6-4. This is the receipt for my having

(Initialled) Aiya-Streenivasa Chariar (Initialled)-Aiya

(Initialled) Aiya—for the said amount (Initialled) Aiya-

"received the said sum of Rs. Fifty-eight, annas six and pies four from you according "to the verbal transfer made by the said Sub-Magistrate Streenivasa Chariar Aver-"gal's father-in-law Kuppan Aiyengar."

This receipt was produced by Nagalingam Pillai when, as shown in the prisoner's own statement, his house was about to be searched by the Head Assistant Magistrate and according to its terms, the sum of Rs. 2,000 had been directly handed over to the accused by Nagalingam Pillay. He now attempts to explain the words by stating that Aiya Aiyengar said that as the money had been paid in his presence, the statement that he himself paid it did not matter. This explanation is too foolish for consideration and the acceptance of the terms of the receipt, which was corrected by Aiya Aiyengar as it now stands and which he admits he read with the correction before he accepted it, is tantamount to an admission that he did actually pay the amount to the accused. The inference that he did is very strongly corroborated by the evidence of the 4th witness for the prosecution, who was treasury clerk at Tiruvadanai in February 1892 and whose evidence is admittedly unimpeachable. This witness produces the register of currency notes (Exhibit O), and swears that the individual who exchanged Rs. 2,000 in cash for four currency notes of Rs. 500 each on the 29th February 1892 in the name of Aiya Aiyengar was none other than Nagalingam Pillay himself. He also swears that it was Nagalingam Pillay himself who brought one of the same notes to the treasury on the 31st March 1892 and exchanged it for four currency notes for Rs. 100 each, taking the balance in cash. Under these circumstances it appears to me beyond doubt that the Rs. 2,000 which were ostensibly intended as a present to Aiya Aiyengar and which were brought from Rajasingamangalam to Tiruvadanai by Muthukumaru Pillay in company with Sundararaja Aiyengar were converted into currency notes by Nagalingam Pillay and by no one else on the 29th February 1892 and that one of these notes was exchanged by him for notes of less value on the 31st March 1892. Except by Nagalingam Pillay, whose statements on the point are proved to be false, no attempt has been made to show that any of the four notes obtained in exchange for the Rs. 2,000 was ever in the possession of the ostensible owner, Aiya Aiyengar, and it is not denied that one of these notes as well as three others which Nagalingam Pillay obtained from the treasury passed direct to the Sub-Magistrate from Nagalingam Pillay's hands.

8. In this connection three letters, (Exhibits P, Q and R) which were found when Nagalingam Pillay's house was actually searched show that Nagalingam Pillay's relations with the Sub-Magistrate were so close that parties used to write to him for assistance in cases pending before the accused. One of these letters (Exhibit R) is from a Nattukottai Chetty and is dated 13—3—92, another, dated 9—7—92, (Exhibit Q) is from Nagalingam Pillay's uncle, who is the Devastanam Superintendent at Mugilithagam, one of the Rameswaram Devastanam villages and within the jurisdiction of the Tiruvadanai Sub-Magistrate, and asked Nagalingam Pillay to have a warrant issued against a certain person accused of embezzling Devastanam funds, and the third letter (Exhibit P) was written by Sundararaja Aiyengar, the 6th witness, from Madura on the 24th April 1892. Therein Sundararaja Aiyengar asks Nagalingam Pillay to have some cases in which he is engaged adjourned by the accused. The admission of these letters was objected to by the defence. The accused was certainly no party to them

and no reference is made in them to any common intention regarding the matters now in question. But it had been proved, the day before the letters were tendered in Court, that it was Nagalingam Pillay who exchanged the Rs. 2,000 for the four currency notes on the 29th February 1892, and converted one of those notes into smaller ones on the 31st March 1892. It was the case for the prosecution that Nagalingam Pillay gave one of the original notes and one of those obtained on the 31st March 1892, as well as two others obtained by him on the 25th March 1892, to the accused who sent them to his nephew in April 1892. It is impossible to believe that Nagalingam Pillay, a Sub Postmaster, was possessed of Rs. 2,000 on his own account and considering the facts previously proved, it appears to me that the letters are facts which prove an intimate connection between the accused and Nagalingam Pillay and, in the circumstances of the case, render it highly probable that Nagalingam Pillay was the prisoner's go-between. Hence in my opinion the letters are admissible under sections 7 and 11 of the Indian Evidence Act.

9. The theory advanced by the defence, that Nagalingam Pillay misappropriated the gift intended for Aiya Aiyengar, is based solely on the facts connected with the collection of income-tax from Aiya Aiyengar and the receipt (Exhibit J) which he gave to Nagalingam Pillay. Those facts have already been stated and it is first argued that since the accused served Aiya Aiyengar with an income-tax notice the accused could not have had anything to do with the sum of Rs. 2,000. But it is remarkable that the notice, which was not served on Aiya Aiyengar, a resident of Tiruvadanai, until the 27th May 1892, is dated 9th May 1892, the day on which the Head Assistant Collector called on the Rajah of Ramnad for a list of the presents he had made. The accused took no steps to actually collect the income-tax from Aiya Aiyengar and the Rajah of Ramand's list of presents was not furnished until the 26th August 1892, after the accused had been transferred from Tiruvadanai. It cannot be believed that in the interval the Head Assistant Collector's call for information and its object and consequences had not become known to all concerned. Under all the circumstances of the case it appears to me that the issue of notice to Aiya Aiyengar by the accused was not an act of good faith, but was necessitated by the action of the Head Assistant Collector and was intended as a means of self protection and escape.

10. The next argument on the subject is that as the demand for payment was not made until the 31st August 1892 and as Nagalingam Pillay advanced the money on the 28th August 1892, it was Nagalingam Pillay who had really appropriated the two thousand rupees and falsely implicated the accused in his absence. But, as has already been stated, it is admitted that Kuppan Aiyengar the father-in-law of the accused arrived at Tiruvadanai on the 25th August, the accused having left the place on the 23rd idem. Kuppan Aiyengar stayed at Tiruvadanai two days and went away on the third day. The evidence shows that in the interval he was settling his son-in-law's affairs and selling his store of paddy. The statement made by Kuppan Aiyengar that he sent his son-in law's store of rice and dholl (he denies that there was any paddy) to Mohanur, when Tiruvadanai is 60 miles by road from Madura, the nearest railway station, is incredible and there is no doubt that paddy was sold on behalf of

the accused and that Nagalingam Pillay actively assisted Kuppan Aiyengar in the adjustment of accounts and other business. The occasion therefore gave Aiya Aiyengar a fitting opportunity for obtaining the amount of income-tax. Altogether I think that Aiya Aiyengar's claim was adjusted in the manner set forth in the receipt given to Nagalingam Pillay and that the receipt and the circumstances under which Nagalingam Pillay advanced the amount due for income-tax to Aiya Aiyengar do not show that Nagalingam Pillay was the real recipient of the sum of Rs. 2,000 but do show, in connection with the other facts of the case, that the accused was the actual recipient and that Nagalingam Pillay was the channel through which the money passed to the accused.

11. It has also been urged in argument that if the money had been given to the accused as a loan, he is not criminally liable for the transaction. But if the transaction had been a loan, there would most certainly have been substantial evidence forthcoming and there is none. Moreover, this argument is inconsistent with the principal defence made, which is that the accused obtained the four currency notes he forwarded to Mohanur from Nagalingam Pillay in exchange for cash left with him by a relative.

12. The name of this relative was not mentioned in the original explanation (Exhibit EE) given by the accused and adopted as his statement in this trial. In that explanation, the relative to whom the money belonged is said to have left it with the accused on going to bathe at Rameswaram. Now one Soumia Narayana Aiyengar, the 6th witness for the defence, swears that his elder brother, who has practised as a physician for 20 years at Devakota arranged for his marriage there, came to Mohanur and took away Rs. 800 in cash for the marriage expenses. The witness followed him to Devakota and as his marriage fell through, he went to the accused, his cousin, at Tiruvadanai, carrying with him eight hundred rupees. Thence he went to Rameswaram to see another brother about his marriage and asked the accused to send the Rs. 800 to Kuppusamy Mudali, the 9th witness for the defence, at Madura, where he would call for it. As the money had not reached Madura when he arrived there, he went away to Mohanur asking Kuppusamy Mudali to forward it. That there is not a particle of truth in this story is shown not only by the fact that no notice was taken of it when the Court and the assessors were addressed on behalf of the defence but also by the fact that the money was remitted, not to Soumia Narayana Aiyengar the alleged owner and an adult, but to the prisoner's undivided nephew a boy. The fact that this boy is the prisoner's undivided nephew was admitted before the Joint Magistrate (Exhibit CC) and he has not been called to prove that he handed the notes over to Soumia Narayana Aiyengar.

13. The remainder of the evidence for the defence is intended to show that the accused obtained the currency notes from the Postmaster Nagalingam Pillay in exchange for cash. In his original explanation the accused stated that he sent a copyist and another man with the eight hundred rupees to get currency notes from Nagalingam Pillay. But the copyist who is one Krishna Aiyengar and is still alive, has not been examined, while the 7th and 8th witnesses for the defence swear that they went and got the notes and that the copyist did not

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go. The 7th witness is now a clerk in the Tiruvadanai Devastanam and was formerly a clerk under the vakil Sundararaja Aiyengar. The 8th witness is a Nattukottai Chetty's agent. Neither of these witnesses was named by the accused in the beginning and I think their testimony may be dismissed from consideration with the remark that the Court and assessors have not been asked to believe it.

14. There is no doubt that the witnesses who took part in the transaction in respect of which the accused is charged stand in the postion of accomplices and that their evidence is tainted not only by this fact but by falsehood in details. Nevertheless the statements that the sum of Rs. 2,000 was from the beginning intended for the accused and not for Aiya Aiyengar and that the accused actually received the amount are independently corroborated by the admitted facts which I have already set forth regarding the four currency notes aggregating Rs. 800 which the accused caused to be sent to his nephew. In my opinion, therefore, it is conclusively proved that the Deputy Tahsildar and Sub-Magistrate, Streenivsa Chari, received the sum of Rs. 2,000 in respect of which he is charged from the Rajah of Ramnad without consideration. There is no question that the Rajah of Ramnad had many cases in Mudukulathur Court and it is also admitted generally that the Rajah had cases in the Tiruvadanai Court (Vide Exhibit BB). The accused had, as already stated, been Sub-Magistrate and Deputy Tahsildar of Mudukulathur and was actually Deputy Tahsildar and Sub-Magistrate of Tiruvadanai when he received the Rs. 2,000 from the Rajah of Ramnad. He must therefore have known that the Rajah of Ramnad had been and was likely to be concerned in proceedings and business conducted by him as a public servant. Hence concurring with the assessors I find the accused guilty of an offence punishable under section 165 Indian Penal Code and sentence him to simple imprisonment for one year and to pay a fine of Rs. (2,000) Two thousand, in default of payment of fine, to a further term of simple imprisonment for six months.

Madura Sessions Court,
12th March 1894.

W. DUMERGUE,
Sessions Judge.

Serial Number.	Description of the accused.						Date of.					Explanation of delay.
	Name.	Father's name.	Caste.	Occupation.	Residence.	Age.	Occurrence.	Complaint.	Apprehension.	Commencement of trial.	Close of trial.	
1	2						3					4
S. C. 8 of 1894.	M. Streenivasa Chari.	Narasimha Chari.	Brahmin.	Sub-Magistrate.	Madura.	36.	29—2—92.	18—10—93.	14—11—93.	7—3—94.	10—3—94.	

ENCLOSURE I (A).

In a letter from the Sessions Judge of Madura,
dated 27 April 1894 No. 292

High Court Criminal Appeal No. 132 of 1894

Copy of Session Judgment in Session
Case 8 of 1894.

R. C. 3 of 1893 on
the file of the 1st Class
Joint Magistrate of Dindigul

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	12th " Kalimuthu Ser	
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5	*Record of oral evidence for Defe*	
	1st Witness K. M. Ramasa	
	2nd " Sundara Raja	
	3rd " Kristniengar	

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Narayana
Magistrate.

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IN THE SESSIONS COURT OF MADURA.

Sessions Case No. 8 *of* 1894.

Charge.

M. Srinivassa Chariar ... ... Accused.

That you M. Srinivassa Chariar being a public servant, that is to say, a Deputy Tahsildar and 2nd Class Magistrate, accepted or obtained, on or about the 29th day of February 1892, for yourself rupees 2,000 without consideration from the Rajah of Ramnad a person whom you knew to have been, or to be, or to be likely to be concerned in proceedings or business transacted or about to be transacted by you as Deputy Tahsildar and 2nd Class Magistrate and that you have thereby committed an offence punishable under Section 165 of the Indian Penal Code and within the cognizance of the Court of Session

(Signed) W. DUMERGUE,

7th March 1894. *Sessions Judge.*

Sessions Case No. 8 *of* 1894.

Prisoner's plea.—

Not guilty.

MADURA, 7—3—94 } (Signed) W. DUMERGUE, *Sessions Judge.*

Prisoner is defended by Mr. Fisher, Mr. French and Mr. Gopala Iyangar.

[Signed) W. DUMERGUE,

7—3—94. *Sessions Judge.*

Note:—Counsel for defence represents that the presence of Sivagnanam Pillay a defence witness is necessary. A medical certificate purporting to be signed by the Hospital Assistant at Rameswaram has been sent by the witness and it is said therein that Sivagnanam Pillay was suffering from asthma on the 27th February. To this certificate I attach no value and if there had been any real reason for it, it would have been forwarded at once instead of being delayed so that it did not reach this Court till the 5th instant. A warrant for the attendance of the witness will issue at once.

MADURA,
7—3—94. } (Signed) W. DUMERGUE,
Sessions Judge.

IN THE SESSIONS COURT OF MADURA.

Wednesday, the 7th day of March 1894.

Sessions Case No. 8 *of* 1894.

Name of the accused

M. Srinivasacharri

The charge under Section 165 of the Indian Penal Code having been read and explained to the accused he pleads not guilty.

Mr. M. S. Narayanasami Aiyar the Public Prosecutor, conducts the prosecution. Accused is defended by Messrs Fischer, French and Gopalaiyangar.

Assessors. { Rajaram Aiyar (Brahmin)
Rajaram Naidu (Naik).

1st Witness for the Prosecution.

Name	... ...	Vethivelu Pillay.
Father's name	... ...	Chokkalingam Pillay.
Village	... ...	Rajasingamangalam.
Taluk	... ...	Ramnad Zemin.
Occupation	... ...	Taluk Sheristadar.
Caste	... ...	Vellala.
Age	... ...	53.

Having made the prescribed solemn affirmation. Saith:—

I am the Sheristadar of the Rajasingamangalam Taluq. That Taluk forms part of the Ramnad Zemindary. I am employed

W. L. DM.

by the Ramnad Rajah. There are about 300 villages in the Rajasingamangalam Taluk. Most of these villages are in the jurisdiction of the Tiruvadanei Sub-Magistrate. There is a Taluk named Kannangudy in the Ramnad Zemindary. Most of the villages in that Taluk are in the jurisdiction of the Tiruvadanei Sub-Magistrate Rajasingamangalam is 12 miles from Tiruvadanei. There is a Zemin Treasury in Rajasingamangalam. I am in charge of the Treasury and there is the Tahsildar above me. There is a Devastanam at Tiruvadanei appertaining to the Ramnad Zemindary. I know Ayya Aiyangar who was the Ameen of that Devastanam. An order was received from Ramnad directing the payment of rupees 2,000 as a present to the Ameen Aiyangar. This is the order; it is signed by the Seemai Peshkar, Kesavasami Aiyar: he is employed under the Rajah; he has all power; he is the chief servant of the Zemindar. The order is dated 1st February 1892 and was received in the Taluk on 4th February, 1892. The Tahsildar has receipted it, and has writen "Sheristadar" on it, this means that the Sheristadar was to pay the amount according to the order. I received the order after the Tahsildar had written this word Sheristadar on it (order filed as *Exhibit A*). Muttukumaru Pillay, a clerk in the Tiruvadanei Devastanam office came to receive the money, I forgot the date on which he came. I must look at the yadast. He brought a yadast from the Ameen. This is the yadast [filed as Exhibit B 28—2—92]. He also brought the Ameen's receipt. This is the receipt (filed as Exhibit C 28—2—92). On referring to B, I say that Muthukumaru Pillay came to Rajasingamangalam on the 28th February. I and the shroff paid the amount on the same day. I must look into the Chittah. I took a receipt from Muttukumaru Pillay for payment of the amount. This is the receipt [filed as Exhibit D 28—2—92]. A Chittah is kept in the taluk for receipts and payments. This is the Chittah [filed as Exhibit E]. I have debited the payment of this amount in the Chittah on the 28th February 1892. The amount was paid in whole rupees. Muttukumaru Pillay came in a cart [*witness adds*—there were some persons standing out side). I have known Muttukumaru Pillay for 7 or 8 years. I know Nagalingam Pilly who was Postmaster at Tiruvadanei in 1892, when Muttukumaru Pillay came to Rajasingamangalam. He and Muttukumaru Pillay are both Vellalas. I do not know if they are related to each other.

With permission of the Court the following examination as to his former statement is made:—

I was examined by the Head Assistant Magistrate. I stated before him that Muttukumaru Pillay and Nagalingam Pillay

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were related to each other and that I had known their family for a long time.

They are not connected with each other, they must be bandhus. The statement I made before the Head Assistant Magistrate is true. How can I say it is not true.

Cross-examined:—There is no Zemin Treasury nearer to Tiruvadanei than the one at Rajasingamangalam.

No re examination.—

MADURA, 7—3—94. } (Signed) W. DUMERGUE.

Sessions Judge.

2nd Witness for the Prosecution.

Name	... ...	Ayya Aiyangar.
Father's name	... ...	Venkatarama Aiyangar.
Village	... ...	Ramnad.
Occupation	... ...	Ameen.
Caste	... ...	Brahmin.
Age	... ...	53.

Having made the prescribed solemn affirmation saith:— I am out of employment now. I have had no employment for the last month and a half. I am a native of Salem District, of Senkeridroog. I have heard that there is a village named Mohunur in Salem District. I don't know how far it is from Senkeri—it may be 3 or 4 kadams. I knew the accused at Ramnad. I knew him 7 or 8 years ago when he was a clerk in the Head Assistant Collector's office. Before a month and a half ago, I was Superintendent of Annavasal in the Rameswaram Devastanam for about three months. Before that I had no employment for 5 or 6 months. Before that I was Ameen at Tiruvadanei. My salary as Ameen was rupees 2 . The Tiruvadanei Devastanam appertains to the Ramnad Samasthanam. Naraniah was Sub-Magistrate of Tiruvadanei when I went there first and then Srinivassa Chari came as Sub-Magistrate. I know the present Rajah of Ramnad. I don't remember if I applied to the Rajah for a present either personally or by agent. I did not ask him for any present. I did not expect to receive any present from him, This paper is an order I got from the Seemai Peshkar informing me that a present of rupees 2,000 had been ordered for me. This is dated 1st February 1892 and I received it on 3rd February 1892 (filed as Exhibit F). The present was altogether unexpected. I got this order

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and kept it because I had doubts about it, as I had not applied for any present and I did not know if the present was intended for me or some one else. So I kept the order and waited. I went to the Sub-Magistrate's house about 10 or 15 days after I received this order. I used to go and see him once in 10 or 15 days and had no particular object in going on this occasion. The prisoner was the Sub Magistrate then. He said there was to be a marriage in his house and that it appeared I had received an order, and he asked me to give the amount to him. I did not answer him but came away. I forget if any one else was present at the time. Seven, 8 or 10 days after this Vakil Sundararajaiyangar and Postal writer Nagalingam Pillay came to me and said "It seems you have received an order for rupees 2,000 and that the Sub Magistrate asked you for that sum. You had better give it at least as a loan." I said I was unwell and the road to Rajasingamangalam was bad and I could not then go but I would get the money later on and pay it. Vakil Sundararajaiyangar said "I will go; give me a yadast and send one of your men. The gentleman wants the money urgently." I then wrote a yadast to the Tahsildar of Rajasingamangalam in favour of my clerk Muttukumaru Pillay. This (Exhibit B) is the yadast. I also sent a receipt with the yadast. This (Exhibit C) is the receipt. Muttukumaru Pillay took the yadast and the receipt and the Vakil Sundararajaiyangar also went as it was Sunday. At 8 A. M. next day Muttukumaru Pillay come to me and said the money had been brought and the cart was standing in front of the Post Office. I said to my clerk Muttukumaru Pillay "The Sub Magistrate wanted the amount for a marriage, give the amount to Sundararajaiyangar and Nagalingam Pillay who asked for it on his behalf." I told him to tell them to give the money on their own responsibility as they had come and asked for the money and as they frequented the Sub Magistrate's house I expected them to return the money to me. As they had asked me I gave the amount to them as a loan. I did not make any arrangement as to interest. It was arranged that the money was to be repaid on demand. They did not tell me to whom the money was to be repaid and I did not ask them. They did not say it was to be repaid to me. I did not take any voucher from the Sub-Magistrate or the Vakil Sundararajaiyangar or Nagalingam Pillay. I did not myself go to Ramnad or write to Ramnad or send any one to Ramnad to have my doubts cleared as to whom the money was intended for. I did not feel anxious to go and get payment from the Treasury before I gave the Yadast. Two thousand rupees were a large amount for my means. The Post office is as far from my house as that pillar is from here (47 feet). I saw the cart standing near the Post Office. I don't know

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whose cart it was or to what village it belonged. I did not pay the hire for the cart. I don't remember if I paid the hire. I saw Muttukumaru Pillay again the same evening. I asked him and he said he had given the money to the Postal writer Nagalingam Pillay. 2 or 3 days after that I saw the Postal writer and the Vakil. I asked the Postal writer if he had paid the money to the Sub-Magistrate, and he said he had. I did not go and convert the rupees 2,000 into notes at the Tiruvadanei Treasury nor did I send Muttukumaru Pillay to do so. Four or 5 months afterwards I received an income tax notice in respect of this amount of rupees 2,000. This is the notice [filed as Exhibit G 9-5-92]. I received the notice from the Tiruvadanei Sub Magistrate's Office. I have receipted it on 27th May 1892. On receiving the notice I filled up the particulars as to the rupees 2,000 and returned it to the Sub Magistrate's Office. Then I received a notice directing me to pay rupees 52 and odd for the rupees 2,000. This is the notice [filed as Exhibit H [31—8—92]. After this I went and said to Sundararajaiyangar and Nagalingam Pillay " I have been served with a notice to pay income tax , I paid you the rupees 2,000, I get only rupees 20 a month ; how am I to pay the amount ? " I went and spoke to Sundararajaiyangar and Nagalingam Pillay only after I received the second notice H. Nagalingam Pillay said " The Sub Magistrate is not here now ; I will now give you the income tax amount alone, you must give me a receipt for it." I hesitated about giving a receipt, but he went and wrote a receipt in the Post Office and brought it with a stamp affixed at 9 P. M. and asked me to sign, saying " unless you sign this you won't get the money ". I signed and gave the receipt that day. Next day the Vakil Sundararajaiyangar paid me the income tax on the amount and also on my salary. I read the receipt before I signed it. I might have made some corrections in the wording. This is the receipt I gave and this is my signature. [filed as Exhibit J 28—8—92]. The words " avergal idam " have been scored out and the words " Srinivasachariar idam " have been written instead. This correction bears my initials. The words " Melpadi togaikkim " in red ink have been interpolated between the words " income tax " and " en sambalattukkum". That interlineation is in my handwriting. I have initialled it. I did not take objection to the terms of the receipt although I objected to giving a receipt. I first said " why do you want a receipt from me now ? you did not give me a receipt when he took the rupees 2,000. " I signed the receipt on the night of the day it was written. My salary alone is not liable to income tax. I paid rupees 52 and odd into the Sub Magistsate's Treasury on one

W. L. L'M.

occasion and rupees 2 and odd on another occasion. I got receipts from the Sub Magistrate's office. These are the receipts (filed as Exhibit K, 22—9—92, Exhibit L 22—9—92] one (Exhibit K) is the receipt for payment of income tax on the rupees 2,000 and the other (Exhibit L) is the receipt for the payment of income tax on my salary. I was asking Sundararajaiyangar and Nagalingam Pillay after this about the rupees 2,000. I said " you took the money as a loan; you paid me the income tax alone ; where is the balance ?" They said " the Sub Magistrate is not here, we will get the amount and pay you." I have never yet received the amount. I have never sent any written notice either to Sundararajaiyangar or Nagalingam Pillay or Srinivasa Chariar demanding payment of the amount. I went to Ramnad once after resigning my appointment. I went to Ramnad 10 or 15 days after paying the income tax into the Treasury. I did not see any one there. I saw the Seemai Peshkar 4 months ago, two months before the Joint Magistrate of Dindigul examined me. He said " the money was paid to you and was intended for you—why have you brought all this about ?" I said that I had received no intimation and I had doubts, that the Sub-Magistrate came and asked me for the money on account of the marriage and so I had paid it. The Devastanam villages were under the Rajah's superintendence when I received the takeed, Exhibit F.

With the permission of Court the witness is examined as to previous statements:—The Head Assistant Magistrate examined me at Tiruvadanei. He came and examined me in my house first at 3 or 3. 30 p. m. Until he came I did not know he was coming or that he was going to examine me. I forget whether I told him that I had given the amount as a loan. I may have told the Joint Magistrate that the two men asked me for the amount as a loan. I forget if I made the statement now read to me from my deposition before the Joint Magistrate. " Five or six days later Sundararajaiyangar a Pleader and a Postal writer Nagalingam Pillay came to me and said ' some money has come for you: the Sub-Magistrate wants it for marriage expenses; you should give it". I said I would give the amount only after ascertaining if the money was intended for me or for any other matter." I did not ask either Sundarajagaiyangar or Nagalingam Pillay on what terms the money had been given to the Sub-Magistrate. Nor did I ask the Sub-Magistrate. I don't remember if I asked Sundararajaiyangar and Nagalingam Pillay about the income tax after I received the first notice (Exhibit G). I hear the statement now read " I asked the Vakil and Postal writer for the amount, as I had paid the rupees 2,000 to the Sub-Magistrate through them and the income tax was

W. L. D'M.

on that amount. I had been asking them for it ever since I received the first notice Exhibit G." I don't remember if I made that statement. (Deposition given before the Joint Magistrate is filed under Section 288 as Exhibit M (14-11-93.)

Cross examined.—I have known the Rajah of Ramnad for 20 years. I have spoken to him on various occasions about my work. I was Peshkar at Thiruppalani for 10 or 11 years. The Rajah used to come to that temple often. Srinivasa Murti Aiyangar belongs to Bavani. (Question was "Is he your relative ?"). He is my relative. He is my aunt's son. He was the Zemindar's guardian in the Zemindar's minority. I had often written to the Zemindar asking him for promotion and a change from Devastanam to Ayan work. The Zemindar was pleased with my management of the Thiruppalani Devastanam and so he transferred me to Tiruvadanei on the same pay, a year before I received the order for rupees 2,000. I have an younger brother named Kesava Iyangar. He is Manovarthi Head Clerk under the Zemindar on rupees 35. I was appointed by the guardian Srinivasa Murthy Iyangar. I have never applied to the Zemindar for land on cowle. I don't remember if I ever applied to the Zemindar for money for my brother's daughter's marriage. The marriage took place 7 or 8 months ago. I know Sundara Raja Iyer, the Devastanam Superintendant. He is my official superior. Before I received the order Exhibit F I had not asked for any money. So I had doubts as to whether the money was really intended for me. My doubts arose simply because I had not asked for money. How can I say if it is usual in the Zemindary for orders for money to be sent as this was to me, the money being really intended for Government Officials ? I don't know if there is such a custom. I did not receive any instructions from the Peshkar or any one else as to what I was to do with the money. No one came to me and I did not receive any written instructions. I waited to see if any letter was coming from head quarters but none came. It was only after the Seemai Peshkar told me that my doubts were removed.

By Court:—I had doubts because I had not asked for money at any time in the past year and therefore I did not at once appropriate this money although it was said to be a present for me.

Cross-examination resumed.—My doubts were not removed when I paid the money on the 29th to the Vakil and Postal writer as a loan. They asked for the money as a loan and I gave it relying upon them. I did not give the amount as a present to the Sub-Magistrate. I thought it was my money on the 29th and I paid it.

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I did not distribute sugar after I received the money either on the 28th or the 29th February. I did not go and draw the money at once because I was not well. The Sub Magistrate himself opened the conversation about the money when I went to see him. I did not ask him how he knew about the matter. I did not then make up my mind whether I would part with the money or not. The Postal writer and Vakil came to my house when they asked me to lend the money. No one else was present, I had known the Postal writer for 5, 6, 7 or, 8 months. At that interview I agreed to give the loan. I don't remember if I told my clerk to get a voucher from the Vakil and the Postal writer for the amount. I never saw Nagalingam Pillay in the Sub Magistrate's house at any time. I did not show any currency notes to him at any time in the SubMagistrate's house. I never told Nagalingam Pillay, I had paid the money to the Sub Magistrate according to Zemindar's orders I may have told Nagalingam Pillay that all the particulars should be entered in the receipt because the amount had been paid to the Sub Magistrate in his presence. I asked him to mention the matter because he had received the amount and paid it to the Sub Magistrate. Nagalingam Pillay wrote the receipt and brought it and I asked him to set out in it how the money had been paid to the Sub Magistrate as it was through him that payment had been made.

By Court.—The first correction. Srinivasachariar is not in my writing. I initialled in red ink.

Cross-examination resumed.—It was intended that the income tax should be deducted when the rupees 2,000 was repaid to me. I do not know Shanmugam Pillay of Tiruvadanei. I know Chokkalingam Pillay. There were two men. Chokkalingum Pillay and his brother-in-law one Shanmugam Pillay had come there trading in paddy and I gave them Devastanam paddy. I don't know if the Postal writer had any connection with the sale of paddy ; they used to go to his house. Chokkalingum Pillay used to go to Nagalingam Pillay's house. The paddy merchants had deposited rupees 1,000 and taken 300 or 400 kalams of paddy. I know the SubMagistrate's father-in-law Kuppan Iyengar. I never asked him to pay income tax for the Sub Magistrate. I never saw him at Tiruvadanei when I paid the income tax. He did not come to me on that occasion. The SubMagistrate had left Tiruvadanei on transfer to Ramnad, 10 or 15 days before I signed the receipt, Exhibit J. I never asked the Postmaster to get the income tax amount from Kuppan Iyengar. I don't know who wrote the receipt, Exhibit J. I filed the

order Exhibit F among the records. I know the Sub Magistrate's house at Tiruvadanei caught fire. I forget if the Sub Magistrate asked me to prefer a complaint against the Police Inspector. I did not attempt to recover the money because this case came on. I don't know if the Police Inspector and Sub Magistrate are on good terms or not.

Re-examined.—Srinivasa Murty Iyengar died 3, or 4 years ago. He ceased to be the Zemindar's guardian 10 years ago. I don't know if the Zemindar has left anything on record to show that he was pleased with my work.

There are 3 Ameens besides myself. All those 3 Ameens are paid more than I am.

By Court.—I was on duty when I received the order Exhibit F. I was ill but I was not confined to bed.

MADURA,
7—3—94. } (Signed) W. DUMERGUE,
Sessions Judge.

3rd Witness for the Prosecution.

Name	... ...	Muttukumaru Pillay.
Father's name	... ...	Muthuvijaya Pillay.
Village	... ...	Tiruvadanei.
Taluk	... ...	Ramnad Zemin.
Occupation	... ...	Gumasta.
Caste	... ...	Vellala.
Age	... ...	39.

Having made the prescribed solemn affirmation saith:—I am a clerk in the Tiruvadanei Devastanam. I have been a clerk for the last 20 years. My pay is rupees 10 a month. My native place is Nayanar Koil. Ayya Aiyangar the Ameen sent me to Rajasingamangalam with a yadast to the Taluk and he also gave me a receipt. I went to Rajasingamangalam in a cart Vakil Sundara Raja Iyengar went with me in the cart. I gave the yadast and receipt to the Taluk Sheristadar. This is the yadast (Exhibit B). This is the receipt (Exhibit C). The shroff paid me rupees 2,000 under the Sheristadar's order in whole rupees. I gave a receipt. This is it (Exhibit D). I received payment on 28th February. I took the money to Tiruvadanei, where I arrived at 11 or 12 next day. I brought the money in the same cart I had taken to Rajasingamangalam.

W. L. D'M,

The Vakil Sundara Rajaiyangar came back with me. I did not hire that cart. It had been brought from Rajasingamangalam for the Vakil. I did not pay the cart hire. I gave the money to the Ameen the same day. I was not at Tiruvadanei when the Head Assistant Magistrate enquired into the matter, I was at Ramnad. I received a summons from the Head Assistant Magistrate while I was at Ramnad. I appeared at Kaliar Covil in obedience to the summons. I went to Kaliar Covil through Tiruvadanei. There is a good road from Ramnad to Kaliar Covil through Sivaganga. The road from Ramnad to Kaliar Covil through Tiruvadanei is sandy. I know Nagalingam Pillay who was Postmaster at Tiruvadanei. I knew his father Pandia Pillay who was Sub Magistrate of Tiruvadanei for a year or a year and a half so far as I know.

Cross-examined:—Nagalingam Pillay and I are of the same caste; there is no other connection between us. Pandia Pillay was Sub Magistrate about 20 years ago. I knew 5 or 6 days before I went to Rajasingamangalam that an order had been received for the present. I don't know if the Ameen distributed sugar after receiving the present. The Ameen sent me to get the money. He said "the Vakil's cart is going, I will give you a yadast and a receipt, go with him and get the money." The Vakil said he was going to Rajasingamangalam about a case. He said so when I got into the carriage. I forget if it was Sunday or Monday. We reached Rajasingamangalam at 3 P. M., The Vakil went away. I don't know where he went. I slept in the Taluk Cutcherry itself. The Vakil came and joined me when the cartman was yoking the bullocks to the cart. The cart was left near the Cutcherry. The Agraharam is close to the Cutcherry. Every one knew that an order had been received for the present as it was a Cutcherry matter.

Q.—Why did not the Ameen go himself?

A.—He trusted me and therefore he sent me.

Q.—Why did he send you?

A.—He might have had some other business himself.

Q.—Was he sick?

A.—Yes, he was sick. He is a sick'y man unwilling to travel in carts. On coming back to Tiruvadanei, we stopped the cart in front of the Ameen's house. It was then day time. The Ameen was alone, he had just had his meals. I did not notice if any one was passing in the street at the time, I took the money out of the cart and carried it to the outer pial of the Ameen's house. The cartman

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knows I did so. I then said I was hungry and wanted to go. The Ameen said I could go. The Ameen did not tell me to take the money to the Postmaster and Vakil Sundara Rajaiyangar. I *swear* he did not. The Ameen did not ask me that evening If I had given the money to the Postmaster and I did not tell him I had. I forget if the Ameen asked me 5 or 6 months afterwards to go and get the income tax from the Postmaster. I would not have got rupees 52 and odd from the Postmaster for income tax and I don't remember. I don't know if I saw Kuppan Iyengar the prisoner's father-in-law at Tiruvadanei, If I see him I can say whether I saw him in the Sub Magistrate's house or not. I don't know if the accused has a father-in-law. I don't remember if I wrote a receipt at the dictation of the Postmaster. I would not have drafted a receipt. I know that Ayya Aiyangar had to pay income tax on the rupees 2,000. I forget if I ever to a receipt for the Postmaster in Ayya Aiyangar's name; it is not likely that I did. I know Chokkalingam Pillay and Shunmugam Pillay paddy merchants trading at Tiruvadanei. I don't know if the Postmaster had any concern with that trade. The Devastanam was not in the Zemindar's superintendence when the present was made in February 1892. The Devastanam passed to lessees in August 1892.

Re-examined:—It is Ayya Aiyengar's duty to go on circuit to the villages. He used to go very seldom—once in 4, 2 or 3 months. He used to walk and used to go to villages only a mile or two from Tiruvadanei. He became ill only after he came to Tiruvadanei. I don't know if he was ill before or not.

By Court,—I can write.

Note.—Witness writes part of Exhibit J to dictation—filed as Exhibit N).

I see Exhibit J. I don't know whose writing it is.

MADURA, 7—3—94. } (Signed) W. DUMERGUE,
Sessions Judge.

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4th Witness for the Prosecution.

Name	...	...	Venkatachariar.
Father's name	...	...	Narayana Aiyengar.
Village	...	...	Tiruchuly.
Occupation	...	...	Gumastah, Dy. Tahsildar's Office.
Caste	...	...	Brahmin.
Age	...	...	25.

Having made the prescribed solemn affirmation saith:—I am now a clerk in the Tiruchuly Dy. Tahsildar's Office. I was employed as a clerk in the Tiruvadanei Dy. Tahsildar's Office from March 1890 to May 1892. The accused was Sub Magistrate of Tiruvadanei from November 1891, so long as I was in that taluq. I don't know how long he continued there after I left. At Tiruvadanei I was Duftarband for some time and then attended to Treasury business. A register of currency notes received and issued is maintained. It was my duty to receive and issue notes and register them. This is the register from April 1889 to 31st March 1892. On the 29th February 1892 there is an entry that rupees 2,000 were received in cash and that 4 notes for rupees 500 each were issued. One of the notes was T/30/24633. There is an entry to the effect that the money for the notes was received in silver, (Register filed *as Exhibit O*). I remember that Nagalingam Pillay Postmaster of Tiruvadanei brought the rupees to the Treasury at 4 or 4-30 P.M., and asked for notes aggregating rupees 2,000 for Ayya Aiyangar. I said it was too late to test the coin and it must be brought next day. I was responsible for the correctness of the cash in the Treasury. It would take about an hour to test rupees 2,000. Thereupon Nagalingam Pillay said "The Deputy Tahsildar has given orders, why should you object? given the notes." I then went and told the Deputy Tahsildar who was in the office that the Postmaster was asking for notes for rupees 2,000 and he ordered me to give notes. I went back to the Treasury room and tested the money and gave the notes. I have written in the register that the notes were given to Ayya Aiyangar. This is because Nagalingam Pillay said the notes were wanted for Ayya Aiyangar. The routine in the office was to write the names of those on whose behalf notes were applied for. The Postmaster had money transactions in our Treasary. On the 29th February, the same day, there is an entry of a transaction with Nagalingam Pillai the Postmaster relating to the Post Office. There is a Post Office at Davakota 12 miles from Tiruvadanei. The transactions of that Post Office were also conducted at our Treasury. These transactions were conducted through the Tiruvadanei Postmaster. The

with the accused. I don't know what the man did after getting the notes. I was attending to my own business. I then saw Ayya Aiyangar in the Sub Magistrate's house. I can't say how many days after the notes had been given. I was in the Sub Magistrate's house when I saw Ayya Aiyangar. I had gone there first. I saw him there at 7 or 7-30 P. M. I and the Sub Magistrate alone were in the house when Ayya Aiyangar came there. Ayya Aiyangar brought some papers in his hand. He came and sat by me on a bench. He took some papers and placed them in my hand. They were currency notes-4 notes for rupees 500 each. The Sub Magistrate asked what they were. Ayya Aiyangar took the notes from my hand and gave them to the Sub Magistrate and said "These are for you." The Sub Magistrate took them and looked at them and said he would go in and come back. Then I said I would go and I went away. I did not speak to the Sub Magistrate or Ayya Aiyangar about the notes. After the Sub Magistrate was transferred to Paumben Ayya Ayyangar came and told me that the Sub Magistrate had gone without paying income tax on the rupees 2,000. I can't say how long this was after the Sub Magistrate left for Paumben, it was about a week. I asked Ayya Aiyangar what the income tax was for. Ayya Aiyangar said that as he had given the Sub Magistrate the rupees 2,000 which had been sent to him as a present by the Rajah of Ramnad, the income tax was for that amount. I said "He has been transferred to Paumben, write to him and he will send the amount". He then went away. The Sub Magistrate's father-in-law whose name I don't remember came to Tiruvadanei after the Sub Magistrate had left. The Sub Magistrate's wife and family were at Tiruvadanei when his father-in-law came. The Sub Magistrate's father-in-law was selling some of the Sub Magistrate's things. He sold some paddy belonging to the Sub Magistrate. Many persons came and bought the paddy. I also bought 3 kalams for rupees 20 and odd. One or two others also bought paddy. Shanmugam Pillay and others. The father in-law said he did not know them and would not deliver the paddy to them. Then Shanmugam Pillay and the others said I knew them and they would pay the money through me. The father-in-law asked me if I would pay the money. I forget how much paddy was sold. Four or five others bought paddy. I bought for myself and came away and don't know how much was sold. I undertook to collect and pay under rupees 100 from Shanmugam Pillay and the rest. I can't give the exact amount. The Sub Magistrate's father-in-law came and asked me for the money the same day or next day. I said my money was ready and their money had not been received and I would pay

after it had been received. He asked me to collect that amount also and to give the whole. He then went away. Ayya Aiyangar came to me and said "I hear you have got some money. You must pay the income tax out of that money." I said, I would not give it without the permission of the Sub Magistrate's father-in-law as the money was the proceeds of the sale of paddy. He asked me to speak to the Sub Magistrate's father-in-law and pay the income tax. I refused and told him to speak to the father-in-law himself. Ayya Aiyangar and the Sub Magistrate's father-in-law came to me and the father-in-law told me to pay the price of the paddy at once. I said I had not received it and I would pay as soon as it was received. The father-in-law said "when you get the amount pay Ayya Aiyangar rupees 58 and odd." I said I would do so, and I gave the amount to Ayya Aiyangar that same night. I took a receipt from Ayya Aiyengar. This (Exhibit J) is the receipt. It was executed in my favour, because I had paid the amount. I read the terms of the receipt when I obtained it. Those terms were inserted because Ayya Aiyangar said if they were not inserted the Rajah would think he had appropriated the money himself and had not given it to the Sub Magistrate. I don't know who wrote the receipt. I was not present when it was written. After getting the receipt I placed it in my box. The Head Assistant Magistrate came to Tiruvadanei and examined me on the matter in his tent. He examined me at 7 P. M. I did not produce the receipt before him then. He asked me about it and I said it was in Madura. I produced it next day before the Head Assistant Magistrate in front of the Post Office where I lived. I don't know if the Head Assistant Magistrate had brought a search warrant when I produced the receipt. The Police were with the Head Assistant Magistrate. I don't know if the Tiruvadanei Police Inspector was in Tiruvadanei then. I am a public servant. I know it is improper for one public servant to get a bribe for another. It is stated in this receipt that I received rupees 2,000 from Ayya Aiyangar and paid them to the Sub Magistrate. The Head Assistant Magistrate came and examined me about a month after I had obtained this receipt. I don't know when Sundara Rajaiyangar came to practise at Tiruvadanei. He came only after I went there. He and I were friends. He went to Madura once from Tiruvadanei I forget on what day. I was not accustomed to speak to the Sub Magistrate about the cases in his Court. Sundara Rajaiyangar wrote me a letter from Madura. [Defence objects to admission of the letter on the ground that nothing has been shown to connect the accused with the letter so as to make it binding on the accused—by the latter phrase it is apparently meant that the letter is irrelevant.

Objection is overruled as the letter is clearly relevant to the theory of conspiracy on which the prosecution relies.

(Admitted under Sections 10, 11 and 7).

Examination in chief:—The whole of this letter is in the handwriting of Sundara Rajaiyangar [filed as Exhibit P, 24-4-92]. The letters P. M. G. mean Post Master General and B. P. M. mean Branch Post Master. By Superintendent is meant Superintendent of Post Offices. The words "my brother" refer to Srinivasa Iyengar, the Head Clerk in the Superintendent's Office. After receiving this letter I sent for the Vakil's clerk Ramasami Pillay and asked him to go and tell Vakil Ramasami Pillay. The "gentheman" mentioned is the "Sub Magistrate". I did not do anything with regard to what is written in the letter. I did not go and speak to the Sub Magistrate about the adjournment of cases. I know it would be improper if I say that I went and spoke to the Sub Magistrate about the cases. I went to the Sub Magistrate's house after I received the letter. I did not speak to him about this letter. The Devakotta Sub Magistrate brought a search warrant and took this letter from my house at Kandanur after searching my house. He took some other letters from my house also at the search. This is one of those letters. It is from my maternal uncle Sivaguana Pillay who was Superintendent of the Rameswaram Devastanam at Mugilitagum when he wrote the letter. Mugilitagum is about 7 miles from Tiruvadanei and is in that Sub Magistrate's jurisdiction. The letter is written and signed by my maternal uncle.

Letter is objected and is admitted on the same grounds as Exhibit P (The letter is filed as Exhibit Q,) 9—7—92.

The warrant there mentioned is a warrant from the Tiruvadanei Magistrate's Court. By the phrase "you must cause a warrant to be brought" is meant that I should arrange with the Vakil to have a warrant sent. The case referred to was one of breach of trust of the Rameswaram Devastanam by a servant. The Devastanam was prosecuting the case before the Tiruvedanei Sub-Magistrate. I don't know if it was Sivagnana Pillay or some one under him that was prosecuting. I don't remember who the Devastanam Vakil was. The Devastanam Vakil could read and write. I am not asked to go and represent matters to the Vakil. I was never paid by the Ramesawaram Devastanam to look after its affairs in Tiruvadanei. This letter is also one of those

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taken from my house at the search. It is a letter I received from one Chokkalingam Chetty, a Nattukottai Chetty, in Madura. It is dated 2nd Panguni o the year Kara. *Same objection and same ruling as in the case of Exhibits P. and Q.*

(Letter filed *as Exhibit.* R, 13 *March* 1892). The case referred ot in this letter as coming on on the 4th was a case before the Tiruvadanei Sub Magistrate. It was an income tax petition I don't know if it was an objection petition or what it was but it was a matter pending before the Tiruvadanei Sub Magistrate. Of this I am positive. I am not paid to conduct the Chettiy's affiairs before the Sub Magistrate. The Chetty lives both in Madura and Devakotta. Devakotta is 14 miles from Tiruvadanei. The gumasta referred to in this letter is a gumasta in the Sub Magistrate's Office. I did not see and speak to the Gumasta I think it would be improper if I say that I saw and spoke to the clerk.

Cross-examined:—I took charge of the Tiruvadanei Office before Tei Pongal, i. e. before 13th January. I can say how often I may have spoken to the Sub Magistrate before he spoke to me about the money. I used to go to the Sub Magistrate's house both on business and as a friend. I used to go and inform the Sub Magistrate at his house that I was sending a peon with cheques and that he should order payments to be made soon. These were Post Officecheques The day the Sub Magistrate spoke to me about the money I went to him on a friendly visit. He did not then say how much money he wanted for the marriage. He did not say how much money I was to get from Ayya Aiyangar. He did not say anything about interest or the time when the money was to be repaid. I did not then know how much pay Ayya Aiyangar was getting. I did not know how much money he had. I only heard from Ayya Aiyengar afterwards that he had received a present. I did not know of it on the day the Sub Magistrate spoke to me about the money. Ayya Aiyangar told me only when he applied to me for the income tax. I may or may not have seen Sub-Magistrate after I spoke to Ayya Aiyangar about the loan. I did not tell the Sub Magistrate that Ayya Aiyangar said he had no money because I had no time. I did not tell the Head Assistant Magistrate that it was Mutukumaru Pillai who paid the rupees 2,000 and I got the notes. I hear the statement now read that Mutukumaru Pillai brought rupees 2,000 and got them changed into 4 notes of rupees 500 each. I did not say it was Mutukumaru Pillay.

(Deposition filed as Exhibit 1).

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Sometime long before the present
Volunteered evidence. was given Ayya Aiyangar asked me for
some help for his daughter's marriage.

It was within a year before I told him I would consider it. When I said Ayya Aiyengar had not asked for a present I had forgotten this fact. The present was sanctioned on the recommendation of Chinnia Naidu and Krishna Iyengar. The latter was then Tahsildar of Mudukulathur. I had a conversation with Mr. Francis on this subject. I don't remember having said anything about the Devastanam Superintendant in that conversation. As far as I remember I told him I sanctioned it on the recommendation of Chinnia Naidu and Krishna Iyengar. I don't remember telling Mr. Francis I was surprised and disappointed at the Sub-Magistrate deciding cases adverse to the interests of the estate even after receipt of the present. As far as I can remember I made no present to Krishna Iyengar, Tahsildar of Mudukulathur. Krishna Iyengar has been in service of the Samastanam since my father's time. I can't say how long.

Reserved.

M. Bhaskara Setupati.

Read over and admitted to be correct,

16—11—93. *Acting Joint Magistrate.*

Exhibit V.

Kalimuthu Servai on solemn affirmation states :—

I am a ryot and bandy driver of Devakkttai. Some 45 or 50 days ago I took one Buthia Chetti of Devacottai to Tiruvadani in my bandy. When there I got the information on which I wrote this petition now shewn (Exhibit E). I saw the quarrel described in para 5 myself, and I know the facts in para 6 personally. Witnesses 1 and 2 quoted at the end of para 7 were present at the quarrel. No. 3 was the bandy man who took Ramasami Pillai to Madura to see the Sub-Magistrate, No. 4 went with Sub-Magistrate, I put

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my—? to this petition. It is the one I sent to the Collector. It was written for me by a petition-writer in Madura. No one told me to put it in, or gave me a note of the things I was to say in it. I put it in because I thought that such Sub-Magistrate's as this one would give no justice to poor men. I don't remember whether I said anything about the Devastanam records in it. I may have done. It is sometime ago now and I have forgotten. I don't know any one of the name of Muttukumaru Pillai. I don't know who the clerks in the Devastanam office at Tiruvadani are. I don't know if I put the name of Muttukumaru Pillai in my petition as a witness. I have forgotten now. I remembered the names at the time and I told the man to write this. I don't now remember what he knows about this. I can't now give the name of the "Post Office writer" at Tiruvadani I have stated it in the petition. I remembered it then, I have now forgotten. I soon forget things. I don't remember, either the name of the Amin at Tiruvadani or the "Vakil Aiengar" I have spoken about to day. I knew their names when I had the petition written but have since forgotten them. I remember now that I got a Chetti in Tiruvadani to write me the names on a cadjan leaf. He only wrote the names and nothing else. I don't know the Chetti's name He wrote it near the temple in Tiruvadani. I came here today from Devacottah at the same time as a Chetti, Buthia Chetti, whom. I have mentioned above his not the Chetti who gave me the names.

Mark of Kalimuthu Servai.

Taken by me, read over to deponent in Tamil which he understands and acknowledged by him to be correct.

Camp Tirungampett, W. FRANCIS,

14—10—92. *Ag. Head Assistant Magistrate.*

W. L. D'M. Cr. A. 132—27