

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1312

Press
Mis.

15-17

Dated

2-7-1861.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
2nd July 1861.*

No. 15. Read the following Proceedings of the Board of Revenue, dated 23rd May 1861,
No. 2,622 :—

Read the following letters from the Magistrate of Madura, dated 18th May 1861, Nos. 133 and 135.
(In Cons. 22nd May 1861, Nos. 3,118 and 3,119 respectively).

Ordered to be submitted to Government in continuation of the Board's Proceedings of
17th April 1861, disposed of in the Proceedings of Government, dated 19th April 1861, No. 890,
Revenue Department.

(A true Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 16. Proceedings of the Board of Revenue, dated 24th June 1861, No. 3,288 :—
Read the following letter from V. H. LEVINGE, Esq., Magistrate of Madura, to J. D. SIM, Esq.,
Secretary to Government, Revenue Department, Fort Saint George, dated Madura,
19th June 1861, No. 154.

SIR,

1. I have the honor to report that I have closed the inquiry into the charges preferred
against Mr. Hayes, which were enclosed in my letter to the Board, No. 133, dated 18th May 1861.

2. I did not make any inquiry into the charges
Dated 18th May 1861, No. 76. preferred in No. 7, as Mr. Hayes in a letter to me admitted

the purchase of the 4 per cent. 20,000 Rupees Bond.

3. Mr. Hayes asks for one month's time to put in his defence, but I have told him that
I consider such a period unreasonable, and that 15 days from the date on which I closed the
inquiry on the 11th instant sufficient.

4. The charges preferred in No. 4 broke down in the most extraordinary way. Vellasamy
Chetti the Plaintiff deposed, that on the 7th January 100 Rupees on account of Ramnad
Town improvement was extorted from him; that at the same time he paid Rupees 18-0-6
Income tax for which he got a receipt; that his return was rejected by Mr. Hayes; that he
had to get a fresh return written out by a Volunteer in Mr. Hayes' office, and that he paid
1 Rupee to the writer the next day through one Chedumbrum Pillai.

5. As witnesses to the payment of the 100 Rupees, he named the Dresser and the above-
mentioned Chedumbrum Pillai, and he himself produced the rejected return and his receipt in
proof of payment of his Income tax on the 7th January.

6. The Dresser denied all knowledge of the payment of the 100 Rupees. Vellasawmy
Chetti cross-questioned him, "Did you not on the recommendation of Mr. Hayes, get at Cowle for
a village from the Manager of the Zamindari, which Cowle you afterwards sold for
2,300 Rupees." The Dresser admitted he got the Cowle for his attendance in the palace, and
sold it for said sum; but denied that Mr. Hayes had any thing to do with the transaction.

7. I examined the Manager on this. He deposed that Mr. Hayes himself put the Dresser's
Petition into his hand, and recommended the grant, and that Mr. Hayes had twice desired his
Sarishtadar to hurry the preparation of the Cowle. The Sarishtadar deposed to the same effect.
Mr. Hayes cross-questioned the Manager, "Is it not customary to see your Medical advisers?"
The Manager's answer was, "Yes; before the Cowle was given I gave the Dresser 400 Rupees of
the Rance's money at your (Mr. Hayes') own request for his attendance on your sick child."
Mr. Hayes remarked that he had no more questions to put him.

8. The rest of the inquiry on this point proves clearly that the 2,300 Rupees was paid to
the Dresser in Mr. Hayes' own house. Mr. Hayes produced evidence to show that he ordered
the money to be taken away, and that it was taken out of his house by the Dresser; but his
witnesses, all his own Catcherry servants, on cross examination grossly contradicted each other.

9. Before the Cowle was made out, before the Dresser laid out one pice on it, he got
2,300 Rupees for it, and this money is traced into Mr. Hayes' house and Mr. Hayes' evidence as
to its being taken away is totally false.

*Proceedings of the Madras Government, Revenue Department,
2nd July 1861.*

10. The above sum, with the 400 Rupees mentioned by the Manager, makes 2,700 Rupees proved to have been paid to the Dresser through Mr. Hayes' means within the period of one year.

11. What makes the business of this Cowle worse is that the man who purchased it for 2,300 Rupees would have been injured by its being held by any one except himself, and that to make him give this 2,300 Rupees, a man was set up to bid 2,000 Rupees for it.

12. Vellasawmy Chetti's second witness, Chedumbrum Pillai, deposed that he saw the 100 Rupees town fund paid, and 18 and odd Rupees Income tax; this man purposely gave his deposition in a way to divest it of all credit.

13. Mr. Hayes produced a note in Chedumbrum Pillai's hand writing, dated the 8th January, to the direction of one of his Munshis to the following effect:—"I herewith send you 18 Rupees '1 Anna and 6 Pice, Vellasawmy Chetti's Income tax, which was settled yesterday.'" On this being shown to Chedumbrum Pillai by Mr. Hayes he admitted the chit was in his handwriting, and said that, now the circumstance was brought to his notice, he remembered that the man did not pay his Income tax and that he had been security to Mr. Hayes for it.

14. Mr. Hayes explained that by the greatest good luck three days before he found this chit amongst his papers, he stated that having been most anxious to send a large Income tax remittance to me on the 7th January, and as Vellasawmy Chetti had no money with him, he Mr. Hayes paid Vellasawmy Chetti's tax, and that Chedumbrum Pillai was security that Vellasawmy would repay the money next day.

15. I have not got Mr. Hayes' written defence, but it will be that Vellasawmy Chetti's complaint is a conspiracy got up by Deputy Collector Ram Ráu.

16. I cannot credit Mr. Hayes' defence; it is most improbable that such a chit should have been preserved for five months. Vellasawmy Chetti is a wealthy man; his house is about a quarter of a mile from Mr. Hayes; he could have got his 18 Rupees in twenty minutes from his own house.

17. Mr. Hayes made no remittance to me till the 9th January, and the books prove that Vellasawmy Chetti's Income tax was not remitted till the 29th January.

18. Vellasawmy Chetti's Income tax for the half year was Rupees 18-0-6. The chit says Rupees 18-1-6 is sent, being 1 Anna too much. My impression is that when fabricating this chit the one Anna excess crept in through want of memory, the parties not having access to the books or accounts.

1. Ordered to be submitted for the information of Government in continuation of the former correspondence on this subject.

2. The Board would suggest to Mr. Levinge the propriety of deferring any official expression of his opinion on any one of these charges while under inquiry before him, until he has taken Mr. Hayes' defence, and closed his proceedings in the particular case.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, Secretary.

No. 17. ORDER THEREON, 2nd July 1861, No. 1,312.

1. These papers refer to the charges preferred by Mr. Levinge, the Collector, against Mr. Hayes, Deputy Collector and Magistrate of the Madura District.

2. Some of the charges, it is observed, are of a very serious character; but the Government will entirely abstain from any expression of opinion until Mr. Hayes' defence and the Magistrate's final report are before them. They concur in the Board's remarks in paragraph 2 of their Proceedings dated 24th June, that Mr. Levinge should reserve his opinion till the case is closed.

3. Mr. Hayes' demand of a whole month for the preparation of his defence is unreasonable. Mr. Levinge has allowed a fortnight, which seems quite sufficient, especially as Mr. Hayes is relieved from all duties pending the orders of Government on the result of these inquiries.

(Signed) J. D. SIM,

Secretary to Government.

These papers refer to
the serious charges
preferred against
Mr. Hayes - Deputy
Collector & Magistrate of the
Madura District.

Some of the
charges are of a
very serious character.
But I conclude for
will entirely
~~must~~ abstain
from any expression
of opinion, until
Mr. Hayes' defence
is before them. He is
now virtually under
suspension, so that
no objection could be
joined by any
-parties. The final re-
port of the Collector with
the record.
Mr. Hayes &c.

Yes Mr

-There must not be doubt
on this point.

Mr

mand of a whole
month for the pre-
paration of his
defence seems
unreasonable - Mr
Leving has allowed
him a further 40
he can show cause
for more time, if he
likes.

There can be
no doubt that Deputy
CJs are debarred
from pecuniary
dealings with natives
within their juris-
diction - They make
the same declaration
as Covenanted Civ-
ilians under Reg
of 1803 - and are
under the same
rules as holding
lands. Still I can-

- It will be well to look
through the Bengal rules
regarding Deputy Collectors on
this point - & our Revenue
Circular Orders respecting
Jaildars & other Revenue
servants - If I mistake not
they are forbidden clearly
to trade or have money
transactions within their
ranges. J. M.

3
not find any ex-
press order to this
effect - It would
be well perhaps
to direct the Jd
& issue a Circular
informing all
Deputy Jrs that in
this respect they are
subject to the same
rules & penalties
as members of the
Covenanted Service.
This can be done as
a separate affair,
after the conclusion
of this case.

I propose there-
fore merely to
say on these pages
of the Rpt that
Rt will await
the Mr. Smith
Report - and that

They can see in
the 18th volume in
page 2 of these
papers of 14 with -
is that Mr. Levinge
should receive his
reimbursement till the case
is closed -

Mr. Haigh

Yes Mr

Rev Dept

No 13/2

Proceedings of the Madras Government
under date the 2^d July 1851.

Read the follow-
ing Proceedings of the
Board of Revenue.

Submitting in continuation
of the Board's Res. of April 1851
two letters from the Magistrate
of Madras reporting on the
charges preferred against Mr
Haigh by Mr. Levinge.

Submitting with remarks
in continuation of former cor-
respondence, a letter from
the Magistrate of Madras
reporting on the charges
preferred against Mr. Haigh
by Mr. Levinge.

1. These papers refer to
the charges preferred
by Mr. Levinge, the former
against Mr. Haigh,
Deputy Collector and
Magistrate of the
Madras District.
2. Some of the charges
it is observed, are of a
very serious character,
but the Govt. will
entirely

entirely abstain from
any expression of opi-
nion, until Mr Hayes'
defence and ^{the} Magistrate's
final report are be-
fore them. They
concur in the Board's
remarks in para 2
of their Proceedings
dated 24th ~~Jan~~ ^{June} 1864
that Mr Levinge
should reserve his
opinion till the case
is closed.

3. Mr Hayes' demand
of a whole month
for the preparation
of his defence is
unreasonable. Mr
Levinge has allowed
him a fortnight,
which ^{seems} quite
sufficient; but even
Hayes can show
as many as

especially as Mr
Hayes is who is
from all parties, ready
to ^{order} ^{off} ^{the} ^{result}
the ^{of} ^{the} ^{enquiries}

J. D.

time, if he likes -

4. The question
raised in these papers,
as to whether Deputy
Collectors may, or
may not, have pe-
cuniary dealings
with parties residing
within their jurisdic-
tion, will be brought
separately disposed of

111 Copies

To Mr Board of Revenue.
with 21 Encls
Dip. 22.

12-

Relating to the charges
preferred against Mr
Haber Hayes.

332
17-18

Reverie 1861 Sept 15th
No: of Govt for July

NE 1312.

One of the black
Government.

27th July 1861.

For the 12th July/57 or 1394.

Board's Proceedings

Regarding the charges made
by Mr. Levinge against
Mr. Hayes. No bill of the
Madame with witnesses
thereon.

1855 at 47

2.