Confidential

A

Salem
20th February 1881

Dear Sir

I have to bring the following to your notice with reference to my accounts for August 1880.

1. In Voucher docket dated 24th September 1880. Rs 707-6-0 is entered as wages of daily labor. The right amount is Rs 497-6-0 for this there are Vouchers - Nominal rolls in the office and the Cash books &c show that only this amount was paid. This shows that Rs 210 is missing and unaccounted for.

In the Cash book there is an Entry with no item No (it is believed made in Mr Dean's late Accountant writing) that there was a reduction of an Overseer's Imprest of Rs 200. This is not shewn in the Overseer's Extract of Cash book - nor is it shewn in the other accounts.

There is an Entry in the Cash Book of Rs 10 paid for [illegible] stamps there is no Voucher for [illegible]. There is no [illegible]

As the undersigned [illegible]
[illegible] [illegible]
[illegible] [illegible]
impossible to say for
of only 497-6-0 shown
by the cash books as paid
the difference [illegible]
[illegible] will be [illegible]

-foil for the indent for these stamps or any trace of the purchase in the Treasury Accounts.

It appears that certain receipts that were received by the Accountant were not paid into the Treasury as should have been -

From the above it leads me to believe that Rs. 210 has been misappropriated and that Mr. Dean who prepared the accounts must have done this.

I think it is highly desirable that you or Capt. Carey should examine the books and I shall arrange to meet you at Oossoor any day you name. If you will kindly Telegraph to me addressed

Care of Station Master
Samalpatty Railway Station

then I shall be at Oossoor to meet you or any one you may depute.

Yours &c
Sd/ J. J. Bell.

B.

Madras 22d Feby/81

Dear Sir,

I am in receipt of your letter of the 20th February.

In regard to your Statement that Rs. 210 are missing - I regret to say I cannot draw any proof from what you say, for if only Rs. 497-6-0 appears as paid in the Cash book and the Vouchers work up to that figure the mere entry of the longer sum of Rs. 707-6-0 in a separate document does not prove that the difference is missing - It may be held as arrears but if not shown as paid the Cash must be in your Chest and not with the Accountant as you suppose.

The second case you quote in regard to the stamps is clearer and if you report it officially I will call upon Mr. Dean to give what explanation he can.

Nothing you have said will in my opinion justify my wasting either my time or that of my Deputy in going to Oossoor or putting Government to the attendant expense. You will perhaps permit me to say that if you checked the Entries in your Cash Book with the Vouchers day by day and week by week these difficulties and trouble to all concerned would not occur.

I am &c

(Sd) D. H. Trail

I shall be happy to help you if you make your statements of facts clear.

C.

Salem Divisional Office
No. 134. Oosoor 26th February 1881.

To

The Examiner
P. W. Accounts Madras

Sir,

I have the honor to report on certain discrepancies I find in the Cash book and other accounts of this Division.

The Superintending Engineer having called upon me to make an application for an appropriation to cover the Expenditure incurred on the Avery Perur tank during the Current Official Year I found on Examining the Accounts that the Outlay was in Excess over the Sanctioned Estimate. This led me to call upon the Subordinate in charge of the work for an Explanation and in comparing his Accounts with those of the Divisional Office the latter showed an Excess of Rs 233 over the former as detailed below.—

This statement alone shows that Mr. Hill does not examine the accounts of his

Works — If he had been in the habit of doing so the S.E. would not have been the first to draw his attention to the state of the appropriation & expenditure

The Office copy of the Schedule of Expenditure for August 1880, shows an expenditure of Rs 1003-14-5 against the work in question while the total under Irrigation repairs, which taking the above figure into Account should be only Rs 1679—7—1 gives Rs 1889—7—1 or Rs 210 in Excess.

The Cash Abstract Book (Exr Form No 260) shows also a total of Rs 1889-7-1 under Irrigation Repairs in lieu of the correct figure of Rs 1679—7—1 which latter seems to have been corrected in order to include the Excess amount of Rs 210.

In the Cash Abstract Book (Exr Form No 319) in folio 276 the details of

Expenditure on the Avany Perur Tank as extracted and posted from the Cash Book and Vouchers give only a total of Rs 1003-14-5 but this total also appears to have been erased and altered into Rs 1213-14-5 to include the excess of Rs 210-0-0.

To make up the above difference in the Cash book for August 1880 (at end of folio 69 on the debit side) a sum of Rs 10 is entered in column "Cash" with the particulars "Purchased Service Postage Stamps". This item being a Contingent charge should have been included in the Contingent Bill for August 1880, but it was not done so and the Bill passed by the Examiner for that month is exclusive of that sum. There is neither a Counterfoil of an Indent for Service labels nor any trace in the Treasury accounts of such a purchase. The item No given in the Cash Book bears the same number as the subsequent entry.

Again at end of folio 64 of the Cash Book a sum of Rs 200 is entered in column "Cash" as payment with particulars "Imprest of Overseer Raghava Iyengar reduced to Rs 200". To reduce the Imprest of the Overseer to Rs 200 by showing Rs 200 as Expenditure in column "Cash" the Overseer must have had an imprest of Rs 400 in the previous month but according to the Cash Balance Statement for July the Overseer's Imprest was entered as Rs 300 and even this latter entry in the Cash Balance Statement does not agree with the Overseer's Imprest Cash Account as he had not more than Rs 200 as his Imprest from June to October 1880. Moreover the Subordinate's Imprest Account has not been raised reduced or recouped during the above period.

Overseer Raghava Iyengar's Imprest being only Rs 200 at end of July 1880 it was erroneously entered by Mr Dean in the Cash Balance Statement as Rs 300 and therefore instead of a balance as shown of Rs 85-7-11 at end of month July it should have been Rs 185 as the actual Cash

The E.E. sh'd have noticed this as no modifications sh'd be made in the Imprest amount without his orders & he signs the Cash Bal Statements.

in Chest.

Having first brought forward in August the Imprest Cash balance of Overseer Raghava Iyengar as Rs. 300 instead of Rs. 200 and shews an Expenditure of Rs. 200 with particulars "Imprest of Overseer Raghava Iyengar reduced to Rs. 200" as stated above and further having brought the Overseers Imprest to the correct amount of Rs. 200 at end of August, there is a further sum of Rs. 100 to be accounted for and therefore the Cash in Chest at end of August should be Rs. 233-9-5 and not Rs. 23-9-5 only as shown by Mr. Dean.

	As shown	as should be
At end of July Ovr. Raghava Iyengar	300	200
Divl. Cash Balance	85-7-11	185-7-11
Difference	Rs. 100	
Brought forward in Augt. Ovr. Raghava Iyengar	300-	200
Divl. Cash balance	85-7-11	185-7-11
Expenditure	210-	Nil
	595-7-11	385-7-11
	385-7-11	
	210.	

To satisfy myself regarding the above Entries I obtained the Accounts of August 1880 rendered to your Office and observed that the Outlay for the month on the Avany Perur Tank is shown as Rs. 1213-14-5 against Rs. 1003-14-5 given in the Office copy of the Schedule of Expenditure. The Docket of Vouchers shows (1) Vouchers submitted for Rs. 823-10-3 (2) Petty items not Exceeding Rs 10 for Rs. 182-14-2 both

both which correspond with Imprest accounts and Vouchers, and Cash Book as well, but the item of daily labour shown on the Docket of which no copy was kept in the Office is entered as Rs. 707-6-0 against Rs. 497-6-0 which latter amount only is supported by Nominal rolls and Imprest Accounts, thus causing an Excess of Rs. 210 Exactly.

On further examination of the Accounts regarding the Outlay on the Avany Perur Tank another Erroneous Entry of Rs. 23 has been found in the Cash Book for September 1880 as particularized below.

A sum of Rs. 23 has been wrongly charged to the Avany Perur Tank in the Accounts submitted to the Examiner for September/80, for in the Work Abstract Book Folio 276, Item 38/17 is Entered as Rupees 33 which should be Rs. 10 only as per Imprest Account of Mr. Mahony and in the Book of Debits and Credits. the Excess Rs. 23 is included only in the total & not in the details. The item is neither supported by a Voucher nor is there any Entry in the

Imprest Account or Cash Book as a charge to the Avany Perur Tank.

The charge of Rs 23 is entered as payment into Treasury at the end of Folio 69 of the Cash Book with an item No. 52 repeated as was done in the case of Rs 10 Service Postage stamps in the month of August 1880 while no such remittance appears to have been made in September 1880 and the amount remitted into the Treasury in that month as per Accounts rendered to you is Rs 155-14-6 which sum is exclusive of the difference Rs 23 now discovered. I may here add that Mr. Dean had the charge of the Divisional Cash Chest while Accountant of this Division. In the months of July and August 1880 owing to the removal of the Office records &c from Salem to Oossoor and the consequent heavy Contingent charges for those months, Mr. Dean necessarily was entrusted with Cash to a larger amount than in other months and as the Accountant of the Division the Miscellaneous Receipts from different sources passed thro' his hands before their remittance to Treasury.

In conclusion I have to point out that I consider the above Entries in Cash Book to be of a serious nature

On receipt No. 13
was requested by
wire to meet
Mr. Boyson [illegible]

requiring your immediate attention.

I have &c.
(Sd) J. M. Bell
Executive Engineer.

No. 430.

True copy forwarded to the Superintending Engineer II Circle for information.

(Sd) J. M. Bell
Executive Engineer

Oossoor
26th Febry/81

No. 442.

Oossoor. 7th March 1881.

To

The Superintending Engineer
II Circle.

Sir,

I have the honor to inform you that with reference to my letter No. 134 of 25th February 81 to the Examiner P. W. Accts of which a copy was furnished to you with Endorsement No. 430 of 26th February 1881, he sent an Accountant to this Office who has gone over those irregularities (a copy of his notes will be sent by tomorrow's post) I brought to notice in my report and has satisfied himself that these frauds have been perpetrated by Mr. Dean, late Accountant in my Office. I am awaiting the Examiner's reply to my letter, but should wish to have your instructions as to what further steps I should take in the matter

I have &c

Sd/ J. Mc Bell

Executive Engineer.

Encl. 4.
N.W. 1878/81

(True copies)

Executive Engineer

D

Endorsement of Examiner on this Office letter No. 134 d/ 25th February 1881

Mr. Boyton is directed to proceed to Cossoor and to report himself to Mr. Bell with a view to his investigating the charges here brought forward. In doing so he will make full and clear notes of any irregularities he may come across and return to the Central Office to resume his duties as soon as possible. The usual manner of making the Divisional payments to Contractors and Departmental labourers should be specially seen to as also the check shown by the papers to have been effected before these payments are authorized. The work done by the accountant if not of a strictly accounts character may be noted. The Executive Engineer is requested to initial the notes taken by Mr. Boyton, in token of their having his approval. Should he object to any of them he is requested to state clearly his objection but on no account is

This was necessary to show what opportunities the accountant had of evading the rules.

Had he done so the after references would have been avoided & the case disposed of ere this.

is Mr. Bayton's remarks to be cancelled.

Madras
1/3/81.

(Sgd) D. H. Trail
Major R.E.
Exr. P.W. Accounts.

(True Copy)

Encl: 3
No. 198/81

Rau
Ex: Engineer
Salem Division

E

Executive Engineers Observations

(2) Item 120 in the Cash Book is amount of Imprest of Overseer Kalianarama recouped for Rs 286-13-5 which is made up of Rs 283-13-11 + Rs 2-2-6 Correctly charged The former to Permagoondu=param Tank under Irrigation Original Works and the latter to Tools & Plant in the Cash Abstract Book what Accountant Mr. Bayton means in para 2 of his Note is not understood & moreover it is observed that the Heads of Account against both the above charges are given in the Imprest Cash Sheet.

Notes on accounts of Salem Division

Item No. 27 in Cash Book for July 1880 Salary of Narraina Row for June 188 The head of Account debite in Cash Book is sick line Stables (i.e. Original Works Imperial Military) In the Cash Abstract Book the amount is debited both to this head and Establishment. In the Account Current however it is shown against the former head only.

Again item No. 120 is debited in Cash Abstract Book (the head of Account debited in Cashbook or Imprest Cash Sheet is not given) to "Contingencie but the amount has been really charged to another head.

The total in Cash Abstract Book against

the different heads of Service do not in many Cases agree with the Accounts Current and in Several instances the column "Head of Account to be debited" in Cash Book is not filled in - Where recoupments of Impress are concerned this column is invariably omitted and the required information is wanting in the impress Cash Sheet also in many Cases, so that it is a matter of some difficulty to trace items thro' the Cash Abstract Book. These defects have however been remedied in recent Cash books.

4 There have been Considerable delays in recouping Cash Sheets as pointed out to the Executive Engineer in

Same

(3) These have been already brought to notice by Captain Carey and the new Accountant is attending to them.

The Impresst sheets were received in the Office while the Executive Engineer was on circuit in the District and the

delay

delay in checking and returning them for recouping has actually been caused by the Accountant. It can only be explained why the 2nd impress was recouped before the 1st was that the Accountant must have overlooked having received the 1st when the 2nd was sent for payment

Same cases the delay extending over a month. In one case an Impress holder was recouped on a Cash Sheet Ending 28th July on the 3rd Augt. While an Impress Cash Sheet submitted by him prior to that date was not accounted for in the Executive Engineer's Cash Book until a third Cash Sheet had been received. The explanation given for this was that as the impress of the Overseer was about to be closed there was no occasion for further recoupment but the Executive Engr. was unable to say how the second Cash Sheet had been recouped before the passing of the first.

The frauds brought to notice by Executive Engr were gone into and found to be as stated in his letter No. 134 of 25th February 1881.

Overseer Ragana Iyengars Imprest at end of May was Rupees 400 and the first Cash Sheet submitted by him since was for the period ending 19th June amounting to Rs 323-15-2 this was recouped on 28th June to Rupees 123-15-2 and his Imprest reduced to Rupees 200, which is correctly shown in Cash Balance Statement. On the 29th July the Overseer closed an Imprest sheet and submitted it to Executive Engineer for Rs 24-6-8 and transferred the balance of his Imprest money Rs 175-9-4 to Overseer Kalyanarama as he went away on privilege leave. Neither this expenditure nor transfer of funds are shown in Executive Engineer's Cash Book. Ragana Iyengar had properly speaking therefore no balance whatever at the close of the month as the amount should have appeared against Kalyanarama but in the Cash Balance Statement for July Ragana Iyengar's Imprest is entered as Rupees 300 thus reducing the actual Cash balance in Ex Engineers Cash Chest by Rupees 100 —

Overseer Ragana Iyengars Imprest dated 29th July 1880 was not recouped as it was intended to reduce the Overseer's imprest but it was the Accountant's omission in not having brought the expenditure of that imprest in the Cash Book in the month in which it was submitted

(b) Kalyanarama sent in no Cash Sheet for recoupment during Ragava Iyengar's absence on Privilege leave And on the latter's return to duty he took back on the 29th Aug/80 the same balance he made over viz Rs 175-9-4

On the 14th September 1880 Ragava Iyengar submitted a Cash Sheet for Rupees 26-10-1 And on the 7th October/80 a further one for Rs 105-15-3 (or Rs 98-15-3 minus a recovery of Rs 7) and both these Cash Sheets together with the one submitted by him on the 29th July before going on Privilege leave Entered in the Divl Cash Book on 9th October 80

but

but no recoupment made So that his Imprest was reduced to Rs 50-- And is Correctly shown in Cash Balance Statement for October /80

It will thus be seen that from the 28th June the date of recoupment of the Overseer's Cash Sheet Ending 19th June to the 9th of October when his 3 Cash Sheets Ending 29th July 14th Septr and 7th October /80 respectively were accounted for in the Executive Engineer's Cash book there were no transactions of his to be recorded in the Divisional Cash Book And his imprest Cash Balance at end of July really was Rs 200 the Entry therefore of Rupees 200 in the Cash

Book for August/80 as a reduction of the Overseer's Imprest to Rupees 200 and taking Credit for this Amount as actual Expenditure during the month is purely fictitious and fraudulent one and as Explained by the Executive Engineer in his letter previously adverted to has been finally charged off to the Avany Perur Tank.

The Entry of Rs 10 for purchase of Service labels during the Same month also appears to be a false one as the Amount has not been debited to Contingencies nor can the purchase be traced in the Treasury Account but regarding the absence of a Counterfoil of Indent alluded to by the Executive Engr. I noticed that the Counterfoils kept in the Executive Engrs Office are not always filled in. The Column "Head of Account to be debited" has not been filled in in the Cash Book. Either for this Entry or the one for Rupees 200 adverted to in foregoing para and the Amount are not shown in the detailed items in the Cash Abstract Book but the total under repairs Irrigation & Navigation is Rupees 210 more than it should be.

The entries in the Cash book appear to be Mr. Deans while the figures in the Cash Abstract Book are
made

(8) The Counterfoils have been in all cases from February to 15th Novr/80 filled in by Mr. Dean with the Exception of one case between March & May 1880 Secondly on the 25th October 1880 and particularly in the month of August/80 two Counterfoils which
represent

represent the purchase of 15 Rs worth Service labels by the Executive Engr's Office in that month have not been filled in.

made by one Manikum Moodeliar the 2d Clerk in the Executive Engineers Office — In the Executive Engineers Office Copy of Schedule of Expenditure (which is in the hand writing of Manikum Moodeliar) the Expenditure against the Avany Perun Tank is entered as Rupees 1003-14-5 and the total charges during the year and total charges to End of month are Correctly shown. With reference to the Expenditure of the month but in the fair Copy of this account Submitted to the Examiners Office the Expenditure is shown as Rs 1213-14-5 And the total Charges during the year and to End of month given with reference to this figure. The Schedule was fair Copied by Annamalay Pillay

(9) Manikum Moodeliar 2d Clerk who writes up the office Copy of the Schedule of Expenditure states that he did show the Correct total under Irrigation repairs viz Rs 1679-7-1 in pencil but the Schedules as well as all other accounts were never inked until Mr Dean as the Accountant was Satisfied with the figures and made Corrections if necessary so in the above case the Correct total Rs 1679-7-1 appears to have been rubbed out and the figure Rs 1889-7-1 entered in lieu for the purpose of being inked. The total in the Cash Abstract Book under Irrigation Repairs was also Correctly entered at first as Rs 1679-7-1 but it has been erased since it is presumed by Mr Dean and altered to Rs 1889-7-1 Mr Boyton has not touched upon the manner in which the accounts were prepared and submitted to Examiner which prevented that Office checking the Expenditure. He was pointed out how the item for daily labor in docket Voucher for Avany Perun Tank has been increased to Rupees 707-6- while there is no voucher in support of Rs 210 in the Office —

Pillay Temporary Store Keeper and he is unable to say how he came to show Rs 210 more than that shown in Office Copy & which has no erasures in respect to the Entries against the work. He also stated that he believed the Office Copy then produced to be the same as that from which he made the fair

The figures as shown in the Office & fair Copies Are as follows —

	Total charges during month	Total charges during year	Total charges End of month
Office Copy	1003-14-5	4110-3-10	9260-12-5
Fair Copy	1213-14-5	4320-3-10	9470-13-5

Altho the Correct Expenditure is shown in Office Copy against the work the total Expenditure under Irrigation and Navigation Repairs is Rupees 210 more than it should be that is the total is Rs 1889-7-1 instead of Rs 1679-7-1. The payment of Rs 23 in September is debited in the Cash Book to "payments into Treasury" but this amount is not shown in the Cash Abstract Book against this or any other head except that the total under irrigation and navigation repairs increased by the amount and debited in the Schedule of Expenditure to the Avany Perur Tank. The details in connection with this entry are correctly stated in the Executive Engrs letters

10) As regards the manner

(10) In many cases the works are not situated near any post Office and as it is often the case that there are many men of the same name in the village it is considered to be the safest way of sending the cheques with bill as prescribed in para 1255 of P W Code

Only such bills for petty sums below Rs 20 such as to suppliers of materials which are paid by subordinates from their imprests are not as a rule accompanied by measurement slips

Arrangements for carrying out work is left to the Executive Engineer to decide & therefore it is presumed

that

of making the Divisional payments to Contractors - they are invariably made by cheque but the cheques are sent thro' Sub Divl Officer or Imprest holders for delivery to Contractors -

This objectionable practice was pointed out to the Executive Engr Bills sent in for payment to the Divisional Officer are accompanied by measurement lists which are checked by Plan & Estimate (altho the Estimators initials are not always recorded in token of his having done so) & arithmetically Bills sent in by Sub Divisional Officer are not accompanied by measurement lists but Executive Engr states that he checks the work done from the measurment Books.

All Bills are prepared in P.W.D. form No. 18 and the transactions detailed again in Petty Contract Account which is unnecessary. There are however some large works in progress and it would be advisable to bring the regular Contract Certificate into use for these. The Executive Engineers objections to bring this form into use are that it would be necessary to Execute hand and that in some Cases it would be beyond his Competency to accept tenders, so to avoid reference to higher authorities he treats all Contractors as petty Contractors or suppliers. The difficulty in getting

good

that the course adopted in this Division is not Contrary to the Spirit of the rule

Day books.

The Subject of Day books has already been remarked by the Deputy Examiner And the requisite orders circulated to the Subordinates for the maintenance of these for all works carried out Departmentally. —

Oosoor }
10th March 1873

Sigd/ J. M. Bell
Executive Engr.

good Contractors was also urged—

Payments for daily labor are made by imprest holders only And the vouchers in Support of the payment are nominal rolls with an abstract of the work done by Sub heads. Measurement lists are not sent in nor are day books Submitted.

There are Departmental works now in progress but no day book has ever been maintained for them nor is there any record kept in the Division of the materials at site of works or of arrears due on account of daily labor Employed.

Mr. Dean as far

as I could ascertain
been employed solely
on his legitimate duties
And has not been
made use of in Carrying
on the general work
of the Office

Sigd/ J. J. Boyton
Accountant P.W.D.

Oossoor
March 5th 1881

(True Copy)

Encl: 2
No 1878/81

No 455 Salem Division Office
Oossoor 15th March 1881

From
The Executive Engineer
Salem Division

To
The Superintending Engineer
II Circle

Encl 3

Sir,

I have the honor to reply to your Memo: No 101/SL dated 11th March/81

In para 2, you state that if I had "exercised the supervision that an Executive Engineer is expected to do it would have not been possible for the serious irregularities and mis:appropriations that have occured to have taken place".

As you have not stated in detail what part of my duties I have omitted to perform, I shall here give a full statement of the case under notice. Last month I met you by appointment in Salem and there [illegible] the frauds which

pos

had taken place in my Office. You advised me to represent the matter under private cover to the Examiner & saw the letter that I sent and you seemed satisfied that as a preliminary report the evidence was sufficient to be acted upon.

See Letter marked A.

In reply to my letter, the Examiner in his letter dated 22nd February 1881 says that "nothing you have said will in my opinion justify my wasting either my time or that of my Deputy in going to Oopoor or putting Government to the attendant expense". On this I submitted a full report officially see letter No. 134 dated 26th February 1881, a copy of which was sent to you with this Office Endorsement No. 430 of 26th February 1881.

Marked B.

Marked C.

✝ Mr. Bells statement of fact in his first para is against the correspondence drawn out [illegible] he was then [illegible] D.O. to make them come [illegible] when a [illegible] would be given.

The Examiner on receipt of this letter telegraphed the following message: "I send Accountant [illegible] case meet him next Friday at Oopoor" and Mr. Boyton, the Accountant promised, arrived at my Office on Friday the 5th and was engaged up to Saturdays afternoon in examining the books, after the close of his work he shewed me the Examiner's Endorsement on my letter No. 134. I wish to point out that the Examiner conveyed his orders to me in what I consider a very objectionable manner, as I had to recieve them through a Subordinate Officer, and further I have to point out that I was asked to sign as token of approval the remarks that his Accountant thought fit to make on the work of this Division. I naturally declined to sign the report until I read it over carefully and Mr. Boyton who promised to send his notes to my Office on Saturdays afternoon, only shewed me them at about eleven O'clock that night as he was passing my house

Correct

Marked D.

There were no orders in the question to Mr. Bell but to Mr. Boyton & this mode of conveying them was in a fair way to avoid the case going into the office. A request was made to Mr. Bell with a view to showing that he agreed to Mr. Boyton's report & thus saving the correspondence involved by Mr. Bell.

Mr. Boyton had power to enquire into any procedure which bore on the case for the information of the Exr & eventually of Govt.

He did not sign at all & declined to do so under any circumstances.

house on his return to Bangalore. At this late hour I could not look into the matter and told Mr. Boyton that I would return his report to him next day (Sunday) by post & my reply would follow. As I had to go over the books Mr. Boyton had examined to follow his remarks, I sent my reply on the 10th instant, copy of which was supplied to you.

Marked E.

It will be seen from this that I have not in any way delayed in furnishing the facts of the case. If the Examiner had only attended to my request which had your approval, considering the urgency of the case, in coming himself or sending his Deputy there would have been no occasion for the unusual procedure on his part which has delayed the investigation.

Had Mr. Beale's statements not apparently been contradictory steps would have been taken sooner and was not a day was lost on receipt of an intelligible statement of facts.

The procedure is by no means unusual & has proved very effective

I beg to submit that I consider the Examiner has throughout in this matter slighted my official position.

In

8

13

In the latter part of his letter dated 22nd February 1881, he states that if I "checked my cash book with vouchers day by day, week by week these difficulties & trouble to all concerned would not occur." With reference to this remark, I beg to point out that it is not possible for an Executive Engineer in charge of a Division to do this: and also that even if this was done it would not have prevented the present frauds as the entries have clearly been made after I had examined & signed the cash book for that month.

I entirely disagree the Exe Engr. is the officer responsible to Govt. for the expenditure of their money & he must check the first outgoing of the cash by seeing there is value in return & afterwards check the entries in the cash book with his the counterfoils vouchers &c. - Had this been done the fraud would not have been possible.

The cash book has been made up with false balances on both sides of the Account - that is, the total were not added up correctly but included the sums which Mr. Dean intended entering afterwards. The false entries have, either no item no., or the subsequent entry number repeated, which could only have been done after the other entries had been

The Cash Book does not bear this out but even if true Mr. Beale is responsible for signing the Cash book without check -

If time had been

written and further these entries are all made at the foot of a page where there is generally a little space left, and the writing in a different style and ink than the rest of cash book which confirms what I have stated above.

If these entries had been there when Captain Carey examined the Office in November 1880 and carefully inspected the books &c it would have been impossible for him not to have discovered these frauds and it is quite possible that these were entered after the Examination and probably just before Mr. Dean handed over charge to Gnanamoothoo Pillay, the new accountant.

I do not know if you consider it is the part of the duties of an Executive Engineer to add up all the items of accounts when an Accountant is specially detailed for that work. I have always considered it my duty before signing the Cash book to go over each item.

the case the Cash book would not have borne its present appearance — Mr Dean evidently calculated on no Scrutiny on Mr Bele's part.

It is quite possible that Capt Carey may not have noticed the entries. His inspection was not one of verification of accounts but to see that the general account procedure was correct. Had his eye fallen on the Entry of a deduction of imprest in the cash Col: he would undoubtedly have noticed & remarked upon it —
The books do not bear out Mr. Beles suggestion.

If this had been done the false Entries would have been noticed at a much earlier date.

10 As the working of this division kept me the most time of the month on circuit, I was unable to return to Head Quarters oftener than for a few days at a time.

11 I trust you will find after careful perusing the accompanying papers & this letter that the frauds brought to notice have not resulted from want of check on my part but by fraudulent entries made after closing the books.

12 As the Examiner is laying this matter before Government, I should wish this letter and its enclosures to be sent to the Chief Engineer for his information.

I have the honor to be
Sir,
Your most obdt. Servant.

H. Bee
Executive Engineer
Salem Divn

From

The Executive Engr

Salem Division

Encl. 1

No. 1878/81

Dated 15 } March/81
Recd 3 }

No 455.

Enclo: 3.

Misappropriation of Public money in the Division Office

Forwards Correspondence Connected with the Case of ____

(A B & C [illegible] / Encl

Enclosures 1 to 6. 4

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of C.No 1878

In a letter No. 122 of 22nd March 1881 from the Supg. Engineer, 2nd Circle.

Original letter No. 455 of 15th March 1881 from the Executive Engineer Salem Dn. to the Supg Engineer 2nd Circle, with Enclosures A.B. C.D & E.

Confidential

Superintending Engineer's Office 2nd Circle
Camp Ootacamund 22nd March 1881.

No. 122

From

The Superintending Engineer
Second Circle

To

The Chief Engineer
P. W. Department
Madras.

Sir

Enclosures
1 original letter
No. 455 S.L. of 15th
March 1881 from
the Ex. Engineer
Salem Division
with
5 enclosures.

I have the honor to submit for information of Government, the marginally noted papers shewing that Mr. S. W. Dean, late Accountant of the Salem Division Office and now an Accountant in the Examiner's Office, has made fraudulent entries in the Divisional Cash Book and thereby misappropriated Government money in respect of three sums, viz., Rs 10; 200, (in August 1880) and Rs 23 (in September 1880) which aggregate to Rupees 233.

2. The fraud is briefly stated as follows

I Entry of Rs 10.- In the Cash Book for ~~an~~ August 1880 (at the end of folio 59 on the debit side) a sum of Rs 10 is entered in column "Cash" with the particulars "Purchased Service Postage Stamps". This item being a Contingent charge should have been included in the Contingent Bill for August 1880 but it was not done so. There is neither a counterfoil of an Indent for

Service labels (as a voucher) nor any trace in the Treasury Accounts of such a purchase. The item No given in the cash book for the entry is the same as that borne by the immediately next entry.

II. Entry of Rs 200. At the end of folio 61 of the Cash Book for August 1880 a sum of Rs 200, is entered in Column "Cash" as a payment with particulars "Imprest of Overseer Raghava Iyengar reduced to Rs 200." To reduce the Imprest of the Overseer to Rs 200 by showing Rs 200 as expenditure in column "Cash", the Overseer must have had an imprest of Rs 400 in the previous month, but according to the Cash Balance Statement for July (the preceding month) the Overseer's Imprest was entered as Rs 300 and even this entry in the Cash Balance Statement does not agree with the Overseer's Imprest Cash Account as he had actually not more than Rs 200 as his Imprest from June to October 1880. Moreover the Overseer's Imprest Account was not raised, reduced or recouped during the above period. Thus the Overseer's actual Imprest of Rs 200 at the end of July 1880 remained unchanged during August 1880. whereas Mr Dean has fictitiously entered Rs 200 in the Cash Book for August 1880 as payment from the Overseer's Imprest and pretended to reduce the Imprest from Rs 400 to Rs 200 when it was really Rs 200.

III

III Entry of Rs 23. At the end of folio 69 of the Cash Book for September 1880, a sum of Rs 23 is entered as payments into Treasury while no such remittance appears to have been made in that month. The amount remitted into the Treasury in the month was Rs 155-14-6 as per Accounts rendered to the Examiner which amount does not include the said sum of Rs 23 which is now discovered as falsely charged to Avany Perur Tank.

3. The above mentioned three entries have been charged in the Abstract Books and Account Current to head "Repairs" under "Irrigation and Navigation, Works for which Capital and Revenue Accounts are not kept". The name of the work debited with the amount, as entered in the Schedule of Expenditure is Avany Perur tank and the description of the charge to the work is "Labour". This irregular and fraudulent course was evidently adopted by Mr Dean (who appears to have entered the Cash Book himself) with a view to avoid the detection in the Examiner's Office of the fraud committed by him, by debiting cunningly such charges to a work under "labour" (for which charges vouchers are not furnished to the Examiner but filed in the Executive Engineers Office) instead of to the proper head, viz "Contingencies" (Service Postage Labels) and Payments into Treasury for which charges the Examiner would demand

Vouchers. The vouchers (Nominal Rolls) in support of the charges in August 1880 for labour on the work 'Avany Perur tank' do not include or account for Rs 210 fictitiously charged by Mr Dean.

4 Moreover, considering that one of the false entries bears no item No. and that each of the two remaining entries bears the same item No. as that borne by its next entry and also considering that all the three entries are inserted each at the end of a folio, it is thought that the entries may have been inserted after the Cash Book was closed and signed by the Executive Engineer. Thus the fraud had escaped the scrutiny of the Executive Engineer, at the time.

[illegible] of [illegible] are [illegible] & do not [illegible] have an item No —

The totals however have not been altered & have been carried from the end of month to end of month so the entries must have been made before E E signed

Capt. [illegible] report shows a want of proper scrutiny on the part of the Ex Engr —

5. In September 1880, I requested the Examiner to inspect and examine the accounts of the Salem Division, which was accordingly done by one of his Deputies in November 1880. and nothing was known of the fraud at that time. The falsification of Accounts and misappropriation of public money was at last discovered by Mr Bell and brought to the notice of the Examiner in February 1881 after examination by the Deputy Examiner in November 1880.

6. The above observations and the detailed Reports contained in the accompanying papers clearly established the misappropriations and

frauds

frauds committed by Mr Dean. I therefore request that the Examiner may be instructed to prosecute Mr Dean criminally, there appears to me ample evidence against him.

7. At the request of Mr Bell, Executive Engineer, I forward in original his letter No 455 dated 15th March 1881 and enclosures and have to report that on the 18th of February 1881 when in Salem, Mr Bell reported verbally to me his suspicions that a serious fraud had been made, after two days delay waiting for the receipt of some papers from the Examiner's Office. I directed him to report confidentially to the Examiner, the facts of the case, as far as his knowledge went and to request that he or his deputy might at once examine the accounts. This report I saw and approved of, it was not so explicit as I could wish but it was I consider sufficient to show that a serious fraud had been committed. The Examiner did not however consider it sufficient to justify an examination of the accounts being made, in this I think he was wrong.

Therefore I do not see what [illegible] & [illegible] / I requested Mr Bell to state his facts clearly which / I forwarded to [illegible] him — his official letter the / this & I at once deputed Mr Boyton to [illegible] / [illegible] to Mr Bell at once —

Mr Bell's statement in the first para of his D.O. would go to prove that the Rs 210 had not been made away with & says that the Cash book shows that only Rs 457-6 was fraud. I cannot therefore agree with [illegible] — The entry purchase of stamps is by E.E's statement clearly false but [illegible] a [illegible] in Mr Bell's [illegible] [illegible] [illegible] [illegible] [illegible] such [illegible] matter [illegible]

8. On the 25th February 1881 Mr Bell having returned to Head Quarters as directed by me made a special report to the Examiner giving more details and on the receipt of this the Examiner sent Mr Boyton, an Accountant to investigate the case (I on the receipt of a copy of Mr Bells report requested the Examiner

to have a special examination made.) I have requested the Examiner to give me his opinion of the case but as yet have had no reply.

9. The facts of the case, I have already given, I consider that Mr. Bell had not exercised that supervision that he should have done but I cannot agree with the Examiner that an Executive Engineer should check his cash book day to day and week by week with vouchers, as during his absence from Head Quarters it is impossible for him to do so. and further if Mr. Bell's supposition that the fraudulent entries were made after Captain Carey's examination is correct this would not have prevented the fraud.

10. A clever Accountant, must have great power for evil and in this case it appears to me that Mr. Dean has managed to deceive both the Executive Engineer and the Deputy Examiner, Captain Carey who examined the books last November and reported them as neatly and clearly kept it appears that he noticed 2 cases of reduction and increase of impress having been entered in the cash book. It is possible that these are the ones that are fraudulent entries, if so Captain Carey himself must have seen them and passed them without suspicion.

11 I request that Mr. Bell may be allowed to see the Examiner's report before orders are passed on the case

I have the honor to be
Sir
Your Most Obedt. Servant
M M Mead Major R.E.
Superintending Engineer 2nd Circle

× Major Mead did not probably think that he did not care for the case the appears as he did not see what good it would do. There was no [illegible] in my office during his recent visit. However there was nothing more to tell him than that I had reported

* Mr. Dean the Accountant. If the Ex. Eng. does not check them at any rate before he submits his acct. to whom is he to look for the proper expenditure of the money. This responsibility must rest with the Ex. Eng. for I as Supt. cannot pretend to make the accountant do. The E.E. should know from the cheques he issues the total amount expended during each [illegible] he knows the purpose for which he issued. Before he signs his acct. he should [illegible] satisfy himself that they are for the correct amount.

Mr. Dean is not a clever accountant & only the utter want of supervision on the part of the E. Eng. could have enabled [illegible] D. to have made the entries he is charged with

Confidential

P.W. C. No. 1878

From
The Supg. Engineer,
Second Circle.

Dated 22d.
Despd: 24th } March 1881
Received 25th

No. 122.

Enclo: ~~6~~. 4

Misappropriation of Public Money in the Salem Dn.

Submitting for information certain papers showing that Mr. W. S. Dean late Accountant of the Salem Dn. has made fraudulent entries in the Dn. Cash Book & has thereby misappropriated Government money to the extent of Rs. 233.

342 N
25-3-81.

To C
For note.

Office No. 18 with file.
6/4/81.

D.J.W.

W

Mr. Bell sent me about the 22d. Feby. a D.O. request that I shd. proceed to Oosoor personally but the conclusions he arrived at were not supported by the facts he stated so I could not think of leaving important duties here to follow what appeared possibly a wild goose chase. He was therefore requested to make his statements of fact more clear when assistance was promised. Mr. Bell's Official report No. 134 of 26th Feby. gave clearer information when I at once on receipt requested him by wire to meet Mr. Royston at Oosoor. Mr. Royston's report I fear substantiates Mr. Bell's charges against his accountant. Mr. Dean was called upon for his defence & after putting off for a week finally said he could not make one without seeing the Books & accounts. His request was granted but he was at once placed under suspension.

The accounts & Books have been received from Oosoor & shown to Mr. Dean whose defence will not be received until after my relief. I have consequently made such marginal notes in pencil as I think may be necessary for the disposal of the case. Major Mead & his Executive Engineer have taken up a position in regard to the responsibility of a Division Officer in regard to checking his Cash Book with the counterfoils of his Cheque Book & Vouchers, against which I would protest most strongly as being likely to undermine the whole chain of responsibility & to open the door to all kinds of irregularities. The Ex. Engineer is the Officer to whom the Govt. must look for the proper expenditure of their money & if he is relieved from the responsibility of checking his Cash Book [illegible] available [illegible] it is difficult to [illegible]

Guarantee Govt have
against the perpetration
of frauds even of a still
more grave nature than
those under investigation.
From para 1472 & 1473. Madras
Code it will be seen the
responsibility for the expenditure
rests with the Ex Engr - While
he is provided with an
Accountant "to abstract
& condense the whole
Cash & other transactions of
the Division for each month
into one account" for submission
to the Examiner for audit -
In passing orders on the
present case I would
suggest the imperative
necessity for making
this point clear to the Dept.
Generally -

Dm
30/3.

Mr. Dean has submitted
a letter dated 1st Instant,
in which he says that
the entries of Rs 200, Rs 117 -
& Rs 23 are not his entries,
that the books were written
up by Manicum Moodelly,
& that corrections &c are
not made by him (Dean).
He winds up by stating
that "all this has occurred
owing to the Ex Engr having
taken up so much of my
time in work that was
not my legitimate duty".

There is apparently
sufficient prima facie
evidence to support the
accusation - The question
as to who should be the
Prosecutor in the case is
one for the Govt. Solicitor
to determine - It seems to
me that the Examiner
would have no "locus
standi".

DCJ 4/4/81

Mr. Dean's letter
is forwarded herewith -
DCJ

GOVT. OF MADRAS. } 188 . { P. W. DEPT.

SECRETARY.

Chepauk, 13th April 1881.

OFFICE NOTE.

To W.

Letter No 122 dated 22nd March 1881 from Supg Engineer 2nd Circle — together with note on the same by the Examiner P. W. Accounts —

Mr W. S. Dean late accountant of the Salem Division has made fraudulent entries in the Divl Cash book and has thereby misappropriated Government money to the extent of Rs 233 —

The Examiner considers the accusation supported by sufficient evidence for a criminal charge to brought against the Accountant — he suggests that the Govt Solicitor be requested to determine who should be the Prosecutor; as the Examiner would have no "locus standi" —

The Superintending Engineer 2nd Circle, and the Executive Engineer Salem Division would appear to consider that the Ex Engineer of a division is not obliged to

Check all entries in his cash book.
This the Examiner protests against most strongly; And requests that in passing orders on the subject, ~~this point may~~ the responsibility for all expenditure in his Division resting with the Ex. Engineer may be clearly pointed out to the Dept. Generally —

It is evident from the Examiners notes on the letter from the Superg Engineer 2nd Circle. that he considers that the Ex Engineer of the Salem Division did not ~~[illegible]~~ give a sufficient amount of scrutiny to the accuracy of the entries in his Cash book.

C.C.R. 8/4

Soon

D. W.

The Govt. Solicitors Opinion must be taken at once

By Incl 13 / 6746 / 7

/ The subsidiary questions will be referred for the orders of Govt. when this point is settled

— I have myself no hesitation in saying ~~that~~ the Ex: Engineer must necessarily be primarily responsible for the entries in his cash book, and this must be clearly affirmed

13/4/81

P. W. D.

No. 981. d/ 14th April 1881.

Memorandum.

Letter from the Supdg. Engr. 2nd Circle No. 122 d/ 22nd March 1881 with 4 enclosures and notes by the Examr. of P.W. Accounts.

Forwarded to the Government Solicitor for early opinion.

(By order)

(Sigd.) C. C. Rawson Captn. R.E.

Ag. Under Secy. to Govt. P.W.D.

[illegible] 12 / 6746

Memo: No. 981 d/14th April/81

No. 183.

Madras 27th April 1881.

From,

Ernest Barclay
Government Solicitor
Madras.

To

The Acting Under Secretary to Government
Public Works Department
Chepauk

Sir,

1. I have to acknowledge receipt of your Official Memorandum dated 14 instant No. 981. with its enclosures.

2. I have carefully perused these enclosures, and I am of opinion that if any one is to prosecute in respect of the misappropriation of money in the Salem Division Office it should be the Executive Engineer who has departmentally preferred the charge. The money misappropriated being the property of Government, it is not really of very much importance what officer of Government is the nominal prosecutor, but it would be as well if it were some officer acquainted with the facts. The Executive Engineer apparently has that knowledge; and, as Mr. Dean was his subordinate, Mr. Bell would, I think, be the best person to prosecute.

3. So far as I can understand the matter from the papers, and without seeing the account books and understanding the whole system of accounts, the case does not to my mind seem very clear

against the late Accountant, his denial that the false entries in the books are in his handwriting is very important as it is in direct contradiction to the Executive Engineer - Of course it will be absolutely necessary to prove that the false entries are in Mr. Dean's handwriting - This point being established, there is certainly a case of strong suspicion against Mr. Dean There is another point however which is not made very clear from the papers, and which it will be necessary to establish; and that is, that Mr. Dean had such command of the Government money, that by making the false entries, he would be able to misappropriate the monies in respect of which he will be charged -

4. It will probably be necessary to obtain the orders of Government for the prosecution of Mr. Dean before any prosecution is commenced but whether necessary or not I should strongly advise that such orders be passed, so as to avoid any question on the point at the trial -

5. I return the papers which accompanied your Official Memorandum and

I am Sir,
Your Obedient Servant
Ernest Barclay
Government Solicitor

B/Genl/ 5748/10

P.W.C.W. ~~2588~~.

From the Govt. Solicitor

No 183

Dt 27th }
R 28th } April 1881.

Confidential

C

Before moving further in this case I must ask you to record your opinion in regard to the two points adverted to in para 3 of the Government Solicitor's letter of the 27th inst.

1st whether the false entries are in Mr. Sleain's hand writing

2d whether he had such command of Govt. money as to be able to misappropriate it.

If unable personally to dispose of both points please refer "Confidential" to Mr. Bell so that there may be no possible mistake regarding either.

30/4/81

No. 128 of 7/5/81

To **W**

I forward my remarks (on your queries) in the Confidential letter to Mr. Bell, & his replies & remarks -

6/5/81

DCG
G

Madras. 2nd May 81

T. M. Hall Esq.,
Ex: Eng. Salem Dn.
Hosur.

Sir.

In submitting the papers in Mr. Dean's case to the Government Solicitor, that Officer attaches importance to the following points which will have to be established –

1st. whether the false entries are in Mr. Dean's handwriting.

2nd. whether Mr. Dean had such command of Govt. money as to be able to misappropriate it.

2. Colonel Sankey has asked me to send my opinion on the above, & says that if personally unable to dispose of both I am to refer confidentially to you.

---

1)

I am quite convinced that the entries including all corrections in Cash Book for the months transactions referred to are in Mr. Dean's handwriting. No other member of the Office had charge of the Cash Book & no one but Mr. Dean was allowed by me to make any entry.

2) I don't see that Mr. Dean had more facilities for misappropriating money than Accountants of other Divisions. – He managed it by falsifying accounts that were in his charge. The only monies that were entrusted to him for disbursement, as he was holding the post of Head Accountant, was for Official Stamps & other small amounts for

3. As to the first point — Not having the Book &c before me, I cannot give a strong opinion. When I examined the entries which are the special subject of enquiry, I was of opinion that they were made by the same person as were the previous & subsequent entries in very many instances, but that the Cash Book was not posted throughout by one individual. The "P." & "O." in words as "Purchased", "Paid", "Overseer", "Office", & so forth, tho' not formed in one stereotyped fashion were repeated of the same form in various lines. The figures altered in some instances were not similar to what were said to be Mr. Dean's figures, e.g. the figure "8" is sometimes formed "8"; this latter not being (as I am informed) Mr. Dean's mode of making the figure.

4. On the question of handwriting, therefore, you are no doubt much better able to give an opinion than I am.

5. As to the second point — There is no doubt that Mr. Dean had ample opportunity to misappropriate money. Every cheque issued for replenishment of the Cash Chest was at his mercy. I assume that when you were in the District, the Accountant obtained cheques from you, ~~& that~~ though he may have sent you documents or statements purporting to support the aggregate amount for which a cheque was required

---

Office Contingencies, & a Cheque was issued to him on Statement he used to send to my Camp of the probable requirements. He had the receiving of house rent & other miscellaneous receipts for remittance into Treasury as is the duty of an Accountant.

The removal of records during the months of July & August from Salem to Oossoor owing to change of Head Quarters was entrusted to him with funds to defray the necessary expenses as he being then the chief man in Office.

It was never the rule in this Dn., during my time, to allow the Accountant to have other disbursements than for petty Office Contingencies & Salary of Office members when I was out in the District. He was never made use of to recoup imprests or make disbursements to petty Contractors or Daily labourers etc as supposed by you. These payments were either made by Cheque from me or disbursed by regular imprest holders.

If you have received any defence from Mr. Dean in this matter it would guide me to clear any doubts you may have.

I would refer you to the reports regarding this Accountant's case, as given in this Office letter No 134 d. 25th March /81.

Observations dated 10/3/81 on Mr. Knytons notes of examination of this Office

5/5/81.

EXAMINER
6 MAY 81
ENG
P.W. ACCOUNTS

[illegible]

it was not practicable in all cases to issue cheques payable directly to persons claiming the money, such for instance imprest recoupments, or petty contractors, daily labourers &c & that the cheques that were for Cash to be placed in Chest to be disbursed through the agency direct or indirect of the Accountant-

6. I shall be obliged if you will kindly return this with such additional remarks as may seem to you required to satisfy the points raised by the Govt. Solicitor, so that I may forward the whole of our remarks to Colonel Sankey-

Yours affly
D.C. Gordon
Examiner

Madras-
2nd May 81

No 162

P.W. Secretariat
Ootacamund May/81.

Confidential

Office note by the Examiner P.W.A. of 2nd May 1881 with marginal replies by the Ex: Engr: Salem Divn. of 5th May in regard to Accountant Deane's case.

Forwarded, with previous correspondence, to the Govt. Solicitor with reference to the two questions upon which information is asked in his letter No 183 d/27th April/81.

An early opinion on the case will oblige.

12th May/81.

(Sd) R.H. Sankey Col. R.E.
Secy to Govt P.W. Deptt.

To
The Govt Solicitor Madras

with papers in original to be returned.

Despd 12/5/81.

Br Jun 9
6748

No 226

Madras 18th May 1881.

From,
Ernest Barclay
Government Solicitor
Madras.

To
The Secretary to Government
Public Works Department
Ootacamund

Sir,

1. I have to acknowledge receipt of your Official Memo dated 12th instant No 162 with its enclosures.

2 In my letter of 27th Ultimo No 183. I merely pointed what seemed to me two very important points to be proved in case any proceedings should be instituted against Mr. Dean; first, that the alleged false entries were in his handwriting; and, second, that he had such a command of money as would enable him to commit the defalcations with which he would be charged.

3. As to the first of these points Mr. Bell is, apparently, from his remarks on the Examiner's letter of 2nd instant, prepared to swear that the entries are in Mr. Dean's handwriting; for Mr. Bell says that he is convinced that the entries, including all corrections in Cash Book for the months transactions referred to are in Mr. Dean's handwriting. If Mr. Bell is convinced of the fact, I suppose he is prepared to swear to it. Of course, if any other evidence corroborating Mr Bell on this point is obtainable, it would be as well that it should be forthcoming at the trial.

4. With regard to the second point the evidence is not quite so clear. Mr. Bell says he does not see

that Mr. Dean had more facilities for misappropriating money than Accountants of other Divisions - This however is hardly the point. The question is had Mr. Dean such Command of Government money as to be able to misappropriate the moneys in respect of which he will be charged - Mr. Bell says he, Mr. Dean, managed it (the misappropriation) by falsifying the accounts. This is hardly possible unless Mr. Dean had such a Command of the Government money, as, after falsifying the accounts, would enable him to put part of that money into his own pocket. Mr. Bell says that the only monies entrusted to Mr. Dean for disbursement were for official Stamps and other small amounts for Office Contingencies and that a Cheque was issued to him on a statement he used to send to Mr. Bell's Camp of the probable requirements. Mr. Bell also says that Mr. Dean had the receiving of house rent for remittance into the Treasury, and that on the removal of records in July and August from Salem to Oossoor, funds were entrusted to Mr. Dean to defray the necessary expenses - From this it appears that Mr. Dean had the Control of certain Government moneys, but Mr. Bell does not, unfortunately, give any idea of their amounts; so that it is impossible to say that Mr. Dean had such Command of Government money as to have been able to misappropriate them to the extent with which he will be charged - I do not quite understand how Mr. Bell proposes to prove the charges he has made against Mr. Dean unless he can show that Mr. Dean had sufficient Government money under his control to be able to misappropriate the sums Mr. Bell accuses Mr. Dean of misappropriating.

5 I return the papers which accompanied your Official Memorandum under reply and

I am, Sir,
Your Obedient Servant
Ernest Barclay
Government Solicitor

Political
6746/16

Confidential

C

From the manner in which Mr. Bell replied to the last reference made to him in Mr. Dean's case I felt it necessary to make a further reference to the Government Solicitor from whose reply No 226 of the 18th instant (herewith) it is perfectly clear that unless Mr. Bell is in a position to deal distinctly with the two points which I have marked, and substantiate these in a satisfactory manner it is useless to go on with the case.

In a criminal trial it is needless to say that the smallest doubt upon any material point will suffice to throw the case out of Court — and very properly so

As regards the first question about the handwriting no remarks are called for

With reference to the second I cannot understand the position taken up by Mr Bell – He may himself be to blame or not for placing Mr Dean in a position to have the command of money, but this is altogether apart from the real question at issue, which is ~~not~~ simply one of fact, viz: When Mr Dean committed the supposed defalcation was he in a position to do so as regards his command of Government money? – There must be a perfectly clear answer yes or no to this question and Mr Bell must be prepared for cross examination on the point

If he is not able to bring forward & support his evidence on both the points adverted to it will be necessary to abandon the prosecution at once

As the previous reference passed to Mr Bell ~~through~~ you I think it best to follow the same course now

Should Mr Bells reply be still wanting in distinctness one way or another I request ~~that~~ you will have the goodness to return the file to him so as to save further loss of time

23/3/[illegible]   Petto

Madras 27th May 1881.

J. M. Bell Esq
Ex: Engr: Salem Dn
Attoor

Sir -

I beg to forward to you the papers returned to me with your note of 5th Instant, (this latter also herewith), a letter in original No. 226 of 18th Inst from the Govt. Solicitor to the Secy to Govt. P.W.D. and a confidential memo from Colonel Sankey to me -

You will see that some definite opinion from you is absolutely necessary to establish the fact that Mr. Dean had sufficient Govt money at command to be able to misappropriate any of it

I would suggest that you trace from the counterfoils of your cheque books for the months from January '80 to the date Mr. Dean left your division, (i) the cheques issued in Mr. Dean's favor, (ii) the cheques payable "to bearer" which passed through Mr. Dean's hands, (iii) the cheques issued to yourself (either "to order" or "to bearer") which by endorsement, or without endorsement, passed thro' Mr. Dean's hands, & from which he could have obtained the cash—

If also you can, at this late period, ascertain from your Cash Book or from any other record what rents &c by [illegible] means paid, i.e. cash or Cheques or Transfer Receipts, were received by Mr. Dean, we should be able to arrive at, at all events, an approximation of the sums which passed in cash thro' his hands—

If you would arrange these items by months, it would show that in July & August possibly he had more money than usually in his power, & also what his ordinary coin transactions amounted to—

Any other remarks which may occur to you as necessary to lead to a settlement of the case, please give, after perusal of the papers now sent—

Kindly return this memo & all the enclosures, with your reply, for submission to Colonel Sankey—

Yours affly
D. C. Gordon
Examiner

Pr Sub 6 / 6746 /7

Salem District. 1

Oostoor

31st May/81.

D. C. Gordon Esqr

Examiner P. W. Acct

Madras

Sir

With reference to the papers* forwarded with your D.O. of the 27th inst, I have to state that I can swear it is my belief that the entries made in Cash Book during the months in which the irregularities have taken place, are in Mr. Dean's hand writing.

* herewith returned.

I forward a statement of the Cash which passed thro' Mr. Dean's hands from January/80, to November/80, from which it will be seen that he had funds ab—

P.W. Rail 5 / 6740 / F

No. 272.

Madras 17th June 1881.

From,

Ernest Barclay
Government Solicitor
Madras.

To.

The Secretary to Government.
Public Works Department.
Ootacamund

Sir,

1. I beg to acknowledge receipt of the order of Government Public Works Department dated 11th instant, No. 1460 with the file of papers accompanying same.

2. As the Crown Prosecutor would have to conduct any proceedings which might be instituted in Madras against Mr. Deane, I thought it advisable to refer the papers to that officer. He agrees with me in thinking that if any proceedings are commenced, they must be taken either at Salem or at Oosoor, at whichever place the offence was committed. Whatever was done, was done either at Salem or at Oosoor, it does not appear very clearly which, but there does not appear to have been any offence committed in Madras, so as to give the Magistrates here

jurisdiction

Command to be able to misappropriate the sums he is charged with

Yrs faithfully

J. Rose

Sub Insp Dr 26

To W

File returned with Mr. Kelli's last reply –

DCJ
C
1/6/81

(1881) Department.

From [illegible] 6746/15
The Government Solicitor
Madras.

To
The Secretary to Govt.
Public works Dept.
Ootacamund

No. 272.

Dated 17th }
Recd. } June 1881

Returns the file of papers sent with order of Government P.W.D. dated 11th instant No. 1460, and states that proceedings against Mr. Deane could not be taken here as the offence appears to have been committed at Salem or Osoor and the case should be referred to the Government Pleader at Salem.

Salem
30th June 81

To
The Executive Engineer
Salem Division.

From
A. Danasagarayam Pillay
Pleader - District Court - Salem

Sir.

With reference to the enquiry made of me regarding the intended prosecution of one Mr. Deane on certain charges of embezzlement of government money, I have the honor to report that the post of government pleader at the Mofussil Courts has been abolished some years ago, and that I am only authorized to prosecute criminal cases before the Sessions Court. As for my fees in case I am to proceed to obtain [illegible] to prosecute the jurisdiction to entertain any charge. The case should therefore be referred to the Government Pleader at Salem.

3. I apprehend that the Officer who conducts the prosecution will require a good deal more information than can be gathered from the file of papers sent me. My query as to what opportunities Mr. Deane had of misappropriating Government money has not been fully answered; to put the question more plainly, did Mr. Deane balance his cash at stated periods; and, if so, did he, about the time of the alleged frauds, distinctly debit Government with the sums he never paid? If so, then the inference is plain that he retained the money for his own purposes, but there must be something of this kind plainly put forward on behalf of the prosecution. Wrong entries alone will not be enough, it must be shewn that the accused got the money. Making false entries might be assisting some one else to get money fraudulently, and so make the offence abetment and not the substantive offence. No doubt that is not the offence in the present case, but criminal Courts will infer nothing. It must be clearly shewn when and how the accused obtained the money, and that no doubt was by his, at some time or other, shewing a less balance as due by him to Government than was really due.

4. I return the file of papers which accompanied the above order of Government and

I am, Sir
Your Obedient Servant
Ernest Barclay
Government Solicitor

the case, I have the honor to subjoin the fee and expenses which I would accept as in ordinary cases.

Fee for first trip to Oossur Rs 250 —

2nd class fare for me & 3d class for one servant from Salem to ~~Oossur~~ Mallur and back ——— }

Cart hire from Mallur to Oossur and back ——— }

Day fee of Rs 25 every day after the 3rd day —

Every other trip to Oossur, at the same rate of 25 Rs per day besides charges of travelling as for first trip —

Batta at 2 Rs per day after the first trip.

I have the honor
to remain Sir
Your most Obedt. Servant
A Dausarayagm
Pleader. Dt. Court. Salem

Pr. Encl. 3 / 6746 /p

Confidential

No. B / 297

Salem Division Office
Salem 30th June 1881

From
The Executive Engineer
Salem Division

To
Col. Sankey R.E.
Chief Engineer & Secretary
to Govt. P.W. Department

Sir,

With reference to your memorandum No. 189 dated 20th June /81 on G. O. No. 1460 W. dated 11th June 1881 relative to the prosecution of Mr. Dean, late Accountant in this Office, I have the honor to inform you that I personally saw the Pleader x at Salem, who is generally retained on Government cases, & he told me

Encls: 1
one letter

x Dawosagayam
Pilly

me that he was kept only to prosecute in the Sessions' Court and that he could not attend before the District Magistrate unless he got sanc:tion from that Officer.

On representing this to the Magistrate he told me that he could not authorize the Pleader to take up the case, as there was no Government Prosecutor entertained, but referred me to Savadagayam Pillay to state what his terms would be & I enclose his reply.

I may mention that there is no qualified Pleader at Ossoor who could manage the case satis:factorily and also all that can be done in the District

would

would be a preliminary enquiry & committal to the High Court as the Defendant I presume would demand the privileges of a European British born Subject. Awaiting your instructions.

I have the honor to be
Sir
Your most obedt. Servant

Executive Engineer
Salem Divn

Pr/Works
6746/81

From

The Executive Engineer
Salem Divn.

Dated 30th } June 1881
Recd. }

No. B/297

Encls: 1

Regarding prosecution of Mr. Dean, late Accountant, Salem Division Office.

Requests instructions—

Confidential

Oossoor
4th July/81.

From
Executive Engr
Salem Dn.

To
Col. Sankey R.E.
Chief Engr. & Secretary
to Govt. DPW.

Sir

With reference to your telegram of the 2nd inst. requesting me to reply to the points raised by the Government Solicitor in his letter No. 272 dated 17th Jany/81 I have the honor to report as follows:—

Enclosure— file of correspondence recd. with your Memo No. 189 d/ 20th Jany/81.

The opportunities Mr. Dean had of misappropriating Govt. money, have been explained in my D.O. dated 31st May/81. with which a statement particularized the monies he received & amounts spent

+ To Examine

against them & shewing what sums had been misappropriated in each month. It would make the matter much clearer if I was allowed to explain to the Govt. Solicitor in person with the books & acct., how the sums have been charged off & the accounts prepared. Mr. Dean has balanced & signed the Cash Book at end of the months in which the frauds have occurred & has debited to Govt. as shewn in entries: —

Month date	Folio	Item No	Particulars	Amount Rs.
August 3rd	59	29	Purchased Service Postage Stamps	10
Do - 16th	61	Nil	Imprest of Overseer Rajaram Iyengar reduced to Rs 200	200
Sept. 11th	69	52	Paid into Treasury	23

As already explained in my report No 134, dated February/86.

to Examiner, the first item was never ~~entered~~ incurred in purchase of Stamps.

Of the 2nd item a sum of Rs 100 has been misappropriated in July by shewing the Overseers imprest to have been Rs 300 when it was actually Rs 200 only, thus reducing the Dl. Cash balance by Rs 100, as all Subordinates imprests are lumped up with it.

As it is shewn in Cash Book that Overseer Rajaram Iyengar's imprest is reduced to Rs 200 & debiting Govt. with the amount when this transaction never took place, the fraud is clearly Rs 200. In the vouchers to support the charges for the month the above items Rs 10 + Rs 200 = Rs 210 has been charged against an irrigation work "Repairing Avengaram Tank" as payment for daily labour for which no voucher was rendered to Examiner.

In the transaction of Septr. Rs 23, is entered in Cash Book as paid into Treasury. This has not been done & hence the money has been retained by Mr. Dean. To square the expenditure Mr Dean has shewn this amount also against the same irrigation work as payment for daily labour.

I have again to refer you to the Statement sent with my D.O dated 31st May /11; the monies which came into Mr. Dean's hands were certain miscellaneous receipts such as house rent etc. which were not all paid into Treasury.

I may here remark that what I have already mentioned in my previous report that these fraudulent entries were made by Mr. Dean in his own hand writing after the Cash Book was balanced, is borne out by the other books of the Office. When abstracting the Cash Book into the Work abstract & Cash abstract Books, the Deputy Accountant who was entrusted with that work did not come across these entries, & hence they have not found a place in these Books as particularized in Cash Book

I have the honour to be
Sir
Your most obdt Servt

Executive Engr

From [illegible]

Executive Engr.
Salem Dn.

To

Chief Engr. & Secy. to Govt.
D.P.W.

Dated 4th July/81.

Subject.

Replies to the points raised by the Govt. Solicitor in his letter No. d. 17th June/81 with reference to Dean's case

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No. 369.

Salem Divisional Office
Salem 15th November 1881.

From,

The Executive Engineer,
Salem Division.

To,

The Secretary to Government,
P. W. Department,
Madras.

Sir,

(2) Copies of letters marked A.B.C.D.E.
(3) Mr. Bell's letter No. 455 / 15-3-81
(4) S. Engr. 2nd Circle's No. 122 / 22-3-81
(5) C's office notes No. 19 / 6-4-81
(6) No. - Do - 13-4-81
(7) C.E. No. 981 Dt. 14-4-81
(8) Govt. Solicitors letter No. 183 Dt. 27-4-81
(9) Office Notes to C Dt. 30-4-81
(10) Mr. Bell's letter Dt. 2-5-81
(11) C.E. No. 162 Dt. 11-5-81
(12) Govt. Solicitors letter No. 226 Dt. 18-5-81
(13) Office Note to C Dt. 23-5-81
(14) Mr. Bell's letter Dt. 27-5-81
(15) Do. Dt. 31-5-81 with statement
(16) Govt. Solicitors letter No. 272 / 17-6-81
(17) Dt. Pleader's Salem letter Dt. 30-6-81
(18) Mr. Bell's letter No. 30-6-81
(19) - Do - Dt. 4-7-81.

I have the honor to return the marginally noted Original papers furnished to me with your Confidential Letter No. 260 Dt. July 1881 and to State that the document No. 1 viz Mr. Dean's letter Dt. 1st April 1881 and the Statement which accompanied my letter Dt. 31st May 1881 were made over to the Government Solicitor during the Sessions. I shall return them when received back with the other papers &c. filed in the Court.—

I have the honor to be

Sir

Your most obedient Servant

Executive Engineer

P.J.

5.

From

P.W.C. No. 6746

The Executive Engineer
Salem Division.

Dated 15th } November/81
Recd 17th }

No. 369

Encls: 18.

Entd. in Receipt Regr.

Mr. Deans case. —

Returns the original papers regarding —

[illegible] 596 Wa/18.11.81

Recorded.