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MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	475	Press Mis.
Dated	15-9-1873.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Pension Department,
15th September 1873.*

Read the following letter from H. E. SULLIVAN, Esq., Acting Collector of South Arcot, to the Hon. W. HUDLESTON, Chief Secretary to Government, Fort St. George, dated Cuddalore, 3rd July 1873, No. 43:—

I have the honour, under the provisions of Section 90 of the Civil Pension Code, to submit the following case for the orders of Government.

2. Mr. P. Laurent, who was lately Manager of the Superintending Engineer's

Vide G.O., 14th January 1873, No. 23, Pension Department.

Office at this station, was pensioned on the 1st December last, when the Department of Public Works was reorganized.

Shortly after his retirement from the service he obtained the post of Manager of the Cuddalore Club, and whilst employed in that capacity he misappropriated some of the Club moneys and was convicted of the offence by the Assistant Magistrate, who sentenced him to thirty-one days' imprisonment and to pay a fine of Rupees 500, which was realized by the sale of his property.

3. It now remains for the Government to decide whether his pension is to be withheld or not. I venture to recommend the case for favourable consideration. Mr. Laurent always bore an excellent character whilst in the service, and it was a matter of surprise to every one who knew his antecedents that he should have allowed himself to be betrayed into the commission of the offence of which he was convicted and to which he pleaded guilty. This offence, by the disgrace he has suffered, and the pecuniary loss he has sustained, has, I think, been sufficiently expiated, and I trust that Government will be pleased to sanction the continuance to him of his pension.

4. Mr. Laurent's previous character can be certified to by Colonel Foord, the Inspecting Engineer for Civil Buildings, under whom he was employed for many years.

ORDER THEREON, 15th September 1873, No. 475.

Under the circumstances reported the Government do not consider it necessary to direct the discontinuance of the pension granted to Mr. Peter Laurent in G.O., 14th January 1873, No. 23.

(True Extract.)

Acting Under Secy. to Govt.

To the Collector of South Arcot.
,, Accountant-General.

Exd. J. Wright.

Before Assistant Magistrate of South Arcot.
Calendar Case No. 23, 1873.

Name. J. H. B. Young (Captain)
Father's name -
Caste. European -
Religious Church of England -
Age -
Profession Suptt of Police S. Arcot.
Residence - Buddalne -

Deponent solemnly sworn states
this 4th June 1873.

I am Honorary Secretary to the
Club Buddalne. I know the
Prisoner - he took charge of the
Club accounts as Manager on
the 31st of December 1872. He was
in receipt of a salary of Rs 25
per mensem. As Manager he
was authorized to receive money
paid on account of the Club,
to retain the same in a cash
chest and remit it from time
to

Obt. of 1873

PENSION.

To
THE COLLECTOR OF SOUTH ARCOT,
do., do., do.

Dated September, 1873.

Recd.

G.O., 15th September 1873, No. 47b.

SEPTEMBER.

Directing the continuance of pension granted
in G.O., 14th January 1873, No. 23, to Mr.
Peter Laurent, late Manager of the Superintendent-
ing Engineer's Office, Cuddalore, who was convicted
of misappropriation of moneys entrusted to him as
Manager of the Cuddalore Club.

to time to Mr Fortune Agent to
Messrs Parry and Co at Cuddalore.
There was no rule prescribed as
to the maximum balance to be
retained - he was only authorized
to disburse petty contingent
charges, but not to pay tradesmen's
bills. He is no longer Manager.
On the 27th of May last I directed
him by letter as Manager to
strike his balance and bring
whatever money was in his
hands to me as I was about
to leave the station and deliver
over charge of the Secretaryship
of the Club. He was directed to
appear on the morning of the 28th
May. He appeared on that morn-
ing at my house. I asked for
his accounts and he produced
them. He produced Cash Book
A which is in his handwriting.
I observed in pencil "Rs 82-14-4"
struck as the final balance in
hand to that date. I then asked
Prisoner

Prisoner for this money. To this
Mr Laurent, the Prisoner said
he had not got the money but
would pay it up on receipt of
his pay and pension. He said
he had spent the money. He
led me to believe not on the
Club account. He then left
my house saying he would
try to raise this money. After
he left I examined the account
from the time on which Prisoner
took charge. I found that the
balance Rs 82-14-4 does not
represent the balance which
should really have been in
Prisoner's hands on the 28th May -
the real balance according
to account A written by Prisoner
should have been four hundred
and fifty eight rupees, five
annas, and eleven pice - Rs
(458-5-11)
(Note this is corrected in detail
evidence)

This is accounted for as follows.
the items of receipts for January
1872, amount really on per
account to Rs 1457-13-7, whereas
Prisoner has struck the total
as Rs 1357-13-7, and to make
the corresponding ~~great~~ side tally
the balance in hand is entered
as Rs 96-9-8 whereas it should
be Rs 196-9-8.

Then in March, for February,
the total receipts should be Rs
1137-6-1 and the expenditure
Rs 780-5-4, and the balance
357-9-5 whereas Prisoner has
entered the balance as Rupees
277-0-9.

Then in April for March the
total receipts should be Rupees
1454-6-5 instead of Rs 1274-4-5
and the expenditure should be
Rupees 986-6-8 and the balance
Rupees 467-15-9 instead of Rupees
287-14-2 as entered by prisoner.

Then in May for April the
total

total receipts should be Rupees
1385-15-5 instead of Rs 1095-13-10,
the pencil entry in Prisoner's
writing - the expenditure should
be Rs 914-15-6 and the balance
in hand should be Rs 471-9-11
Four hundred and seventy one
rupees, nine annas and
eleven pies - This last sum
represents the sum total of
Prisoner's defalcation -

On the afternoon of the 28th
May I again saw Prisoner -
I then asked him if the entry
Rs 82. 14-4 represented the
real balance in hand and he
said that it did not. I then
asked what was the real
balance; Prisoner replied in
a doubtful way "two hundred
and eighty two rupees." Prisoner
expressed contrition for having
taken the money. I asked "are
you not ashamed of yourself,"
and he said "I am." Prisoner
said

that he had even found his previous salary of Rs 200 insufficient for his support and how would the sum he was now drawing suffice - or words to that effect - This was the last admission made by the Prisoner to me prior to his arrest. I arrested him on the evening of the 28th May -

I was present on the morning of the 29th May, after Prisoner's house had been searched. The Village Magistrate of Puttur. paliam was present. He asked Prisoner if he had taken about four hundred rupees and by whose permission. Prisoner replied that he had taken about that amount and without permission. The question by the Village Magistrate was in Tamil and was interpreted by Mr Thomas to Prisoner in English - the Prisoner

Prisoner replied in English - Prisoner was provided with an Almirah in which was a Club Book besides a larger one outside to keep his money and papers - Prisoner opened this in my presence - it contained no money -

Signed J. H. B. Young

By Court -

The prisoner did not deliver over any money to me at any time -

Signed J. H. B. Young

Signed C. Hough
Asst. Magistrate
1st Class - I. D.

True Copy

A. K. K. K.

Acting Magistrate

Number of Case 23 of 1873
Charge

I. Charles Kugh Assistant
Magistrate of South Arcat declare
that there is hereby made against
Peter Laurent the charge

That you on or about the 20th
May 1873 at Cuddalore
in South Arcat being employed
as a clerk or servant of the
Cuddalore Club and in
that capacity entrusted with
dominion over money the
property of the Club, committed
criminal breach of trust by
appropriating to your own
use Four hundred & odd rupees
of such money, and that you
have thereby committed an
offence punishable under
section 400 of the Indian Penal
Code

and within my cognizance
And I hereby direct
that you, Peter Laurent, be
tried by me on the said charge.

Signed, C. Knight
Cuddalore Assistant Magistrate
1873.

/True Copy/

A. K. ...
Acting Magistrate

Before Assistant Magistrate of South Arcot
Calendar Case No 23 of 1873

Name Peter Laurent

Father's name. D.

Caste French European

Religion Roman Catholic

Age 67 1/2

Profession Pensioner of H. C. S. of Madras

Residence Cuddalore

Deponent states the 4th June 1873

Q You have heard Captain Young's
evidence: Can you in any way
explain the discrepancies dis-
closed by the account I kept
in your own handwriting?

A. I can not explain it.

Q Is the account in your writing?

A. It is.

Q The examination of this account
shows that on the 20th May there
should have been a balance
in your hands of Rs 471-9-11-

how do you account for this,
as Captain Young says you
delivered no money.

Money is missing but I (A)
cannot say that it is the
amount missing in that
account.

Do you wish to explain what (2.)
you mean by the word
"missing"?

I mean taken by me (A)

1 Signed P. Laurent
1 Signed C. Knigh
Sis. Magistrate
1st class J. P.

1 True Copy/

At Kulus

Acting Magistrate

15
Calendar No 23 of 1873.

Captain Young (1st witness) proves
by the production of A. the Cash
book of the Cuddalore Club of
which the Prisoner Laurent
was Manager, that on the 28th
May when the Prisoner delivered
over charge of his accounts there
should have been a cash balance
of Rupees 471-9-11 which was
not in Prisoner's hands - the
account is in the Prisoner's
writing - The Prisoner pleads
guilty to the charge -

The Prisoner, a European,
by name Laurent is convicted
on his own plea of guilty, sup-
ported by the evidence of A
a Cash book kept in his own
hand writing of having mis-
appropriated a sum of Rupees
471-9-11 of money under his
control

control in the capacity of paid
Manager of the Buddalore Club.
The prosecutor (Honorary Secre-
-tary) has moved the Court to
deal leniently with the Pri-
-soner, who has expressed con-
-trition. He is a very old and
infirm man and his circum-
-stances are very wretched in
many ways. The Court con-
-siders that a severe sentence
of imprisonment, although
merited, would result in his
death and as moreover prison-
-er's conviction will entail loss
of his pension of Rs 65 per
mensem, therefore resolves
to make the chief penalty a
pecuniary one.

The prisoner's detail statement
is as follows -

"I cannot explain the discrep-
-ancies in Account A. that
account is in my writing. Money
is

is missing but I cannot say that
it is the amount missing in
that account - by the word "miss-
-ing" I mean taken by me -
I plead guilty to the charge read -
I took the money - it was not for
my good - I have no clothes -
the cows eat the money I have
nothing more to say - I told
them what would occur -"

The Court finds that Peter
Laurent is guilty of the offence
specified in the charge viz
that he in the capacity of a
clerk or servant committed
criminal breach of trust with
respect to four hundred and
odd rupees and that he thereby
committed an offence punish-
-able under Section 408 I. P. Code,
and directs that he undergo
31 days simple Imprisonment
and pay a fine of five hundred
(500)

(500) rupees, the fine to be collected
in default under Section 307 C.C.
Procedure. Under Section 308 b.c.P.
the Court directs that of the fine
collected or paid four hundred
and seventy one rupees be paid
to the Honorary Secretary of the
Club as compensation -

/Signed/ C. Kough
Sectt Magistrate
1st Class. J. D.

Cuddalore J
4th June 1873

(True Copy)

W. M. M. M.
Acting Magistrate

South Arcot.

No 53

Magistrate's Office Pondicherry
20th August 1873. N

From

H. E. Sullivan Esq^{re}
Acting Magistrate S. Arcot.

To,

The Officiating Chief Secretary
to Government
Pondicherry.

Sir,

As requested in your Official
Memorandum of the 13th Instant
No 218, I have the honor to submit
herewith copy of the record of the
case relating to Mr. P. Laurent.

I have the honor to be

Sir

Your most Obedt Servt.

H. E. Sullivan

Acting Magistrate

H

In a letter from
the J. P. Magistrate
of South Arcot dated
20th August 1873
No 53

Copies of the
records of the
case relating to
Mr. P. Laurent

Letter from As Magistrate of
South Arcot
of 20th Aug 1873
No 53

^{a European}
Mr. Peter Laurent was Manager
of the Superintending Engineer's Office
at Cuddalore until the 30th Nov
1872 when the post was abolished
and he received a compensation
pension of Rs 66-10-8 per annum
being 1/3 of his former pay of Rs 200.
Shortly afterwards he obtained
the post of Manager of the Cud-
dalore Club and about the 28th
May last it was discovered
that he had appropriated
a sum of Rs 400 odd
belonging to the Club. On
his being charged before the
Asst. Mag. Mr. Kemp he pleaded
guilty - and was sentenced
to 31 days simple imprison-
ment and a fine of Rs 500,
the Asst. Mag. stating in his
judgment, as one of his reasons

I have called
the draft

10

From

The As Magistrate of
South Arcot

To, The Chief Secretary
to Govt. of Government
Madras.

Dated 20th Aug 73
No 53

Encls. 1.

I enclose the receipt
of the case relating
to the 1st document as
sent to the
Comptroller of Enclaves
in view of money
submitted to him
as manager of the
Cuddalore Club.

for not passing a severe
sentence, that prisoners
conviction would entail
loss of his pension. - In

making this statement ^{See 90 -} Future good conduct is
Mr Knapp was not strictly an implied condition in every
correct ^{as the withdrawal} seems to itself the right of
of the pension is optional withholding a pension, if the
with Govt and the ~~dictated~~ pensioner is convicted of
serious crime -

The Collector recommended
its continuance on the
~~for~~ account of the ex-
cellent character which
Mr Laurens has while in
Govt service. The draft
order was prepared in
accordance with this
recommendation. *SL*

Maddalore
3rd July 1873

From

H. E. Sullivan Esq^r
Acting Collector of South Arcot.

To

The Hon^{ble} W. Huddleston
Chief Secretary to Government

Sir,

I have the honor, under the provisions of Section 90 of the Civil Pension Code, to submit the following case for the orders of Government.

2. Mr. P. Laurent who was lately Manager of the Superintending Engineer's Office at this station was pensioned on the 1st December last when the Department of Public Works was re-organized. Shortly after his retirement from the service he obtained

Vide G. O.
44th January
1873, No 23
Pension Deptt.

Mr. Laurent's claim
for Pension
Pursuant to the
Hon^{ble} Secy's
order - with
reference to his
wound on the
draft order

Disputed
but
✓

C No 475 of 73

C. 9/9/73.
A10-4

obtained the post of Manager
of the Cuddalore Club, and
whilst employed in that capa-
-city he misappropriated some
of the Club monies and was con-
-victed of the offence by the
Assistant Magistrate who sen-
-tenced him to 31 days im-
-prisonment and to pay a fine
of Rupees 500 which was realized
by the sale of his property.

3. It now remains for the
Government to decide whether
his pension is to be withheld
or not. I venture to recom-
-mend the case for favorable
consideration. Mr. Laurent
always bore an excellent cha-
-racter whilst in the service,
and it was a matter of surprise
to

to every one who knew his antece-
-dents that he should have
allowed himself to be betrayed
into the commission of the offence
of which he was convicted and
to which he pleaded guilty. This
offence, by the disgrace he has
suffered and the pecuniary
loss he has sustained has, I
think, been sufficiently expiated,
and I trust that Government
will be pleased to sanction the
continuance to him of his pension.

4. Mr. Laurent's previous cha-
-racter can be certified to by
Colonel Ford the Inspecting
Engineer for Civil buildings un-
-der whom he was employed for
many years.

I have the honor to be
Your most Obedt Servt.
M. S. S. S. S.
Acting Collector

C9-8-Q 13-8

16/1st
15/4/85
Govt. of 1873 Madras.

Pension

To The Collector of
South Arcot.

Dated 15 September

Recd.

Encl.

G. O. 15 September, 1873, No. 475

Nos.

Directing the continuance
of pension granted in G.O.
14 January 1873 No. 23 to
Mr. Peter Laurent. Late
Manager of the Superinten-
ding Engineers Office, Cudd-
alore who was convicted
of Misappropriation of monies
entrusted to him as manager
of the Cuddalore Club.