1

Revenue Department

nutes of Consultations

21st April 1857

Back No. 21-22-22 A

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der No. 353 dated 16th April 1857

(62 – 81)

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர்

செப்பனிடுவதற்காக எடுத்துக்கொள்ளப்பட்ட நாள் 7/06

செப்பனிட்டு முடித்த நாள் 8/06

8.9.06

சரிபார்க்கும் முதல் மு.நி.பா.எ. கையொப்பம்

சரிபார்க்கும் 2ம் நி.பா.எ. கையொப்பம்

ஆராய்ச்சி உதவியாளர் கையொப்பம்

Fort Saint George, Revenue Consultation of 21st April 1857.

No. 21. Read the following letter *from PALAMUNDA SOOBBA ROW, late Sub-Sheristadar of the Ganjam District; to the Right Honorable FRANCIS ROBERT LORD HARRIS Governor in Council; dated Madras 20th February* 1857.

May it please your Lordship in Council.

As my last resort, I humbly submit herewith a Memorial to the address of the Honorable Court of Directors, with the documents therein detailed in triplicate, which I earnestly entreat may be transmitted to that authority, with the necessary support from Government in my favor. The portion only furnished to me from the Minutes* of Consultation passed in my case, being now submitted with my appeal, I crave that a copy of the entire Minute from the Records of Government may be kindly forwarded with my Memorial for the better information of the Honorable Court.

No. 22. Order thereon, *No.* 353; *dated* 16*th April* 1857.

Ordered that the Memorial which accompanied the above letter be forwarded to the Honorable Court of Directors, and that intimation of its dispatch be made to the Memorialist.

Ordered that the following Minute by the Honorable Mr. Walter Elliot, be recorded.

(Signed) H. FORBES,
Acting Secretary to Government.

No. 22. A. *Minute by the Honorable WALTER ELLIOT, Esq.*

1. Although I concurred in the propriety of the Memorialist's removal from office, I have on more than one occasion expressed an opinion that he ought not to be excluded from the benefit of his claim to a pension.

2. It must be remembered that both the cases on which he was tried were dismissed for want of proof. The accounts seized by the Principal Assistant, Mr. Foord, were pronounced by him to be of doubtful character. "Although the money may have been given" he observes, "some of the dates in the accounts are clearly false." And so far from the information having come to Mr. Foord in a probable shape, the evidence of the informer as given in the Appendix to the Memorial was not confined to an indication of the accounts, but embraces a general accusation of the Deputy Sheristadar on *both* the charges, matters wholly distinct and unconnected with each other and bears every appearance of being prompted by the parties in the first charge who have been long on terms of enmity with Memorialist, as stated by the Collector Mr. Knox in his letter to the Commissioner of the 14th April 1856.

Ext. Principal Assistant's Proceedings 29th May 1855, *Appendix* 43, *J.*

Appendix 40, *A.*

Appendix B.

3. I refer to these points, because stress is laid on them in the letter forwarding the Memorial as if they were entitled to weight, which as far as I can judge they do not possess.

4. I concurred in Soob Row's removal, because I believe all the servants in Ganjam to be corrupt, and his conduct has more than once been brought to notice under circumstances of an unfavorable character. One of these occasions is that referred to in Appendix No. 24 K, in which the charges were brought by the same individuals who have now preferred the accusation in the first case tried by Mr. Foord. All these men are, within my own knowledge, persons of notoriously bad character, particularly the Oorlam proprietor, whose oppressive and fraudulent proceedings came under my observation on numerous occasions when I was in the Northern Circars.

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* *No.* 620, *Revenue Department dated* 18*th June* 1856.

Fort Saint George, Revenue Consultation of 21st April 1857.

5. Looking to the general corruption which has long prevailed in the Northern Circars, and which though scotched in Guntoor, Masulipatam and Rajahmundry, cannot be effectually checked until the many improvements now in progress connected with the survey, enam inquiry, improved remuneration of public officers, &c., shall have been completed, and to the even greater laxity of principle in Vizagapatam and Ganjam, I cannot see that the Memorialist's case presents features of such enormity as should exclude him from a participation in the benefit of the pension rules which he has earned by long and in many respects good service. I consider the circumstances under which he has been removed as presenting features of infinitely less culpability than those of the late Serishtadar of the District who was allowed to retire on the pension of his rank. I trust therefore that the Memorialist's prayer may meet with the favorable consideration of the Honorable Court.

5th April 1857.

(Signed) WALTER ELLIOT.

No. 71 Read the following [illegible]
Letter from Palamunda Soobha
Row late Sub Sheristadar of the
Ganjam District

To
The Right Honorable Francis Robert Lord Harris
Governor in Council

2/353

Received 8th Feby 57 [illegible]

May it please your Lordship in Council.

As my last resort, I humbly submit herewith a Memorial to the address of the Honorable Court of Directors, with the documents therein detailed in triplicate, which I earnestly entreat may be transmitted to that authority, with the necessary support from Government in my favor.

The portion only furnished to me from the Minutes* of Consultation passed in my case, being now submitted with my appeal, I crave that a Copy of the entire Minute from the Records of Government, may be kindly forwarded with my Memorial for the better information of the Honorable Court.

* No. 620
Revenue Department
dated 15th June 1856

Your Lordships' Most Obedient
and Humble Servant.
[illegible]
Signature in Teloogoo of
Palamunda Soobba Row
late Sub Sheristadar of Ganjam
District.

Madras
20th February 1857.

Cons 24th June 58. No 1-2

Copy in a Letter to Eng.d

of 24th April 1857 No 16.

27/4/57

Revenue 1857 Depart.t

D.to Cons 21st April

No 209

From Palamunda Soobba

Row, late Sub. Sherishta-

:dar of Ganjam District.

Dated 20th } February/57.
Received 26th }

3. Enclosures

From D.o D/ 22d May/58 Cho 830

in C: 15 June

Submitting a Me-
:morial to the address of
praying to be restored to his late office,
the Hon: Court with Do-
:cuments in triplicate
of the subject therein
detailed which he en-
:treats may be trans-
:mitted to that autho-
:rity. —

With an order
No. 353. 16th April

No 21+22.

21st April

No 353

Ordered that the Memo-
:rial which accompanied the above
letter be forwarded to the Honor-
:able Court of Directors and that
intimation of its dispatch
be made to the Memorialist.

Ordered that the
following Minute by the Hon.ble
Mr Walter Elliot be recorded

(Here enter 5th April/57)

Fort St. George

16th April 1857

5

6/353

public offences &c

6/353

14

No 22 Minute by the Hon'ble Walter Elliot Esq

Altho' I concurred in the propriety of the memorialist's removal from office I have on more than one occasion expressed an opinion that he ought not to be excluded from the benefit of his claim to a pension.

It must be remembered that both the cases on wh he was tried were dismissed for want of proof. The acc^ts seized by the P^l Ass^t Mr Foord were pronounced by him to be of doubtful character. "Altho the money may have been given" he observes, "some of the dates in the acc^ts are clearly false." And so far fr. the information having come to Mr Foord in a probable shape the evidence of the informers, given in the app^x to the memorial, was not confined to an indication of the accounts but ~~[illegible]~~ embraces a general accusation, of the Dep^y Sir^r, on both the charges, — matters wholly distinct & unconnected with each other & bears every appearance of being ~~two [illegible]~~ prompted by the parties, in the first charge, who have been long on terms of enmity with Mem^t as stated by the Coll^r Mr Knox in his letter to the Com^r of the 1st

1st P^l Ass^ts Pro^s 29 May 1855 Appendix 43

Appendix 40

A

April 1856. ~~Irefer~~

I refer to these Natives because stress is laid on them in the letter forwarding the memorial, as if they were entitled to weight wh. ~~they~~ as far as I can judge they do not possess.

I concurred in Soob Rows removal because I believe all the servants in Ganjam to be corrupt & his conduct has more than once been brought to notice under circ.es of an unfavorable ~~[illegible]~~ character. One of these occasions is that referred to in App. No. 24 in wh. the charges were brought by the same individuals ~~[illegible]~~ who have now preferred the accusation in the first case tried by Mr Foord. All these men are, within my own knowledge, persons of notoriously bad character, particularly the Ootcum pro pr. whose oppressive & fraudulent proceedgs came under my observation on numerous occasions when I was ~~[illegible]~~ in the Nn Circars.

Looking to the general corruption wh. has long prevailed in the Nn Circars, & wh. still ~~existed~~ in Guntoor, Masulipatam & Rajahmundry cannot be effectually checked until the many improvements (now in progress connected with the survey, Inam inquiry, improved

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remuneration of Public Officers &c, & to the very greater laxity of principle in Vizagapatam & Ganjam shall have been completed, I cannot see that the Memorialist's case presents features of such enormity as shd. exclude him from ~~[illegible]~~ a participation in the benefits of the pension rules wh. he has earned by long & in many respects good service. I consider the ~~[illegible]~~ circes under ~~for~~ wh. he has been removed as presenting features of infinitely less culpability than those of the late Serishtadar of the Dist. who was allowed to retain the pension of his rank. I trust therefore that the memorialist's prayer may meet with the favorable consideration of the Honble Court.

Walter Elliot

5/4/57

April

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the many improvements (now in pro
connected with the survey, [illegible] in each, improved

Revenue 1857 Deptt.
D to Cour 21st April

No. 368

Minute by the Honble
W. Elliot Esqr.

Dated 5th } April 1857
Recd. 16 April No. 353.

Observing that although he concurred in the propriety of the Memorialist's removal from office he has on more than one occasion expressed an opinion that he ought not to be excluded from the benefits of his claim to a pension; remarking further, that both the cases on which he was tried, were dismissed for want of proof, and considering the circumstances under which he has been removed, as presenting features of infinitely less culpability, than those of the late Sheristadar of the District, who was allowed to retire on the Pension of his rank, trusts

No 22 A

the Memorialist's prayer may meet with the favorable consideration of the Honorable Court

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Triplicate

To
The Honorable the Court of Directors

7/353

The humble Memorial of
Pandla Munda Sooba Row, late
Sheristadar of the Sub Collector
in the District of Ganjam.—

1. That your Memorialist has been employed in the Company's service for about 34 Years, and Eighteen of this period, in the Office of Sheristadar, obtaining testimonials from all his employers, in respect of the satisfactory discharge of his duties, yet the Government have not been pleased to afford him, a Servant of such long standing, the redress he has sought of them, in the matter of his dismissal by the last of such employers, and he therefore casts himself on the protection of your Honorable Court, in the hope that you will ensure him justice, on due consideration of the record in his case, and of the circumstances hereunder particularly adverted to.—

2. That two false charges of bribery having been preferred against him in 1855, they were formally dismissed, and the fact duly recorded, yet he was not restored to Office, and in the absence of any ground for suspicion, the Collector erroneously entertained a suspicion against him, and proposed to the

Commissioner that he should not be employed in the District, without any intention of creating prejudice to his being employed in Public Service elsewhere. He also recommended in a separate letter, that a pension likewise might be conferred on him. The Commissioner, who approved of the dismissal of the charges, instead of advising your Memorialist's transfer to some other District, as he could have done under the circumstances, reported to Government that he concurred with the Collector in the suspicion entertained by him against your Memorialist, and that he had been dismissed on the ground of such suspicion, though he joined the Collector in recommending your Memorialist for a Pension. The Government whilst recognizing the dismissal of the charges in question, confirmed your Memorialists removal from Office, and have even declined granting the pension proposed by the Collector and the Commissioner.

3. That the Government at the same time denied to your Memorialist a copy of the Commissioner's report against him, for which he applied in his Petition, for the purpose of his being heard in appeal, accompanied by the records in support of his case, in reference to the statements in such reports, founded in error. And though

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the Government have furnished him with a Copy of Minutes of Consultation recorded on such reports, yet your Memorialist submits for your Honorable Court's consideration, the justice of the denial of access to the said report among other proceedings of Government.—

4. That notwithstanding the disadvantage of such denial, your Memorialist presented a Petition of appeal to Government on the 22d September last, in reference to the imputations against him, shewn in the said Minutes of Consultation to have been made by the Collector and the Commissioner, submitting that such imputations were at variance with the evidence on the record by which such Appeal Petition was duly accompanied, but the Government have only by an order dated 14th October, on such Petition of appeal, declared their former order as above, to be final, a copy of which alone, as far as related to him, they appear to have held as being due to him.—

5. That under such circumstances your Memorialist herewith submits for your Honorable Courts perusal, Copies of his Appeal Petition to Government (No 1) above mentioned, together with an abstract of such appeal Petition (No 2) and Copies of his applications (Nos 3 & 4) for Copies of the said Commissioner's report, and the Minutes of Consultation (No 5) on the above said

Commissioners report; on reference to which Appeal Petition or its abstract and the records therein mentioned, your Memorialist is confident your Honorable Court will be satisfied that the suspicion expressed by the Collector and Commissioner as above noticed is ill founded, as sufficiently shewn by the record on which your Memorialist has duly based his refutation of the charges in question.-

6. That your Memorialist here particularly solicits your Honorable Courts attention to Paras 6. 8. 9 & 10 of the said Abstract of Appeal Petition, and to the records therein referred to, as describing the imputations cast by the Commissioner, and to your Memorialist's answers thereto, in vindication of himself.- Para 3 traces the Origin of the imputations, and Paras 4. 5 & 7. shew the character of such imputations, and the evidence in refutation of them. By Para 11 it will be found that the Memorialist was neither permitted to proceed to make an appeal in the matter, nor Copies of Records were furnished to him.-

7. That whilst the Government could have extended to your Memorialist the benefit at least of a similar order, to that in the cases of the Huzzoor Moonshees Tusildars and others, whose cases in respect

respect of the charge in question, were exactly similar to the Memorialists, in which order they exercised a benevolent Discretion, by directing the employment of these Officers in 39 situations of less emolument, they have withheld from your Memorialist the only provision for him, recommended by the Collector and Commissioner, in the shape of a pension, unmerited as any punishment was, in respect of any delinquency whatsoever imputed to him, which has been duly disproved as already set forth.-

8. That the Copy of Minutes of Consultation furnished to your Memorialist, and submitted with this in No 5. being only a part, he requested Government to forward to your Honorable Court, a Copy of the same, in full, for your Honorable Court's better information.-

9. That your Memorialist, therefore earnestly implores that your Honorable Court will be pleased to take into your humane consideration, the extreme injustice done him in this matter by the Revenue Authorities already mentioned, and the consequent distress entailed on him in various ways, and graciously to order his restoration to Office or at least the grant of a Pension to him, after duly investigating and ascertaining the merits

of his case.-

10. Of the several documents referred to and enclosed in the detailed appeal Petition (No 1) and the abstract thereof (No 2) presented to Government, the few only therein marked in red ink, and hereunder particularized, are now submitted as sufficient for the perusal of your Honorable Court.-

Nos of paras in the abstract of the appeal Petition in which the documents are referred to-	Distinguishing Nos of the documents	Number of documents	
3	40.	1.	Depositions of Codapolla Vencatasamy-
4	7.	1.	Letter written by the Acting Collector to the Commissioner-
"	9.	2.	Copies of Diary of the Assistt Magistrates Office, and of the appeal Petition presented to the Acting Collector.
"	10.	2.	Copies of orders issued in the name of the Mulcovedar of Oorlam by the Assistt Collector and the Collector.
"	12	1.	Extract from a letter written by Mr Ford-
5	35 & 36	2.	Copies of letters written by Mr Frazer
6	17.	1.	Copy of an Answer from the Records of the Moonsiffs Court at Teckallie-
8	39.	1.	Copy of an order relative to the confiscation of the Mulcovedar's lands.
"	43.	1.	Copy of the decision in the Harakavalasa case-
9	24 & 26	2.	Copies of Proceedings by the late Commissioner.
"	27.	1.	Copy of an Urzee by the Yedamapirdy parties
"	45	1.	Copy of an order from Government-
10	18 to 23	6.	Copies of Testimonials by the immediate superiors of the Memorialist.
11	31 & 44	2.	Copies of notes written by Mr Ford-
Total		24.	
Exclusive of 5 Documents Nos 1 to 5 referred to in the Preceding Para		5.	
		29.	

Madras.
20th February 1857

And Your Memorialist as in duty bound shall ever pray-

[illegible]

Signature in Teloogoo of [illegible] Ramanada Soobba Row late Sub Sheristadar [illegible] District.

No. 1

A list showing the substance in
[illegible] of the several Paras of the detailed
Petition which accompanies —

Paras

1 Objection raised by Government

2 Statements made by the witnesses who alleged to have given bribe

3 The original renters of Mabcogaum who alleged to have given bribe were not made defendants Mr. Foord decided the case contrary to the facts in the Records

4 Collector did not approve of Mr. Foords finding and wrote to the Commissioner contradicting his statements

5 Mr. Foord admitted the documents marked A and B. under which the case was found groundless so likewise by the facts of the parties alleging to have given bribe at Chicacole not having gone to Chicacole

6 The parties who made such false statements have thereby rendered themselves liars as also the Accounts referred to are fabricated ones

7 As an illustration of the above the depositions of the 7th witness show clearly that the parties alleging to have given bribe at Chicacole did not go to the place

8 Messrs. Foord & Knox and the Commissioner failing to discover facts from Records committed error

9 The Commissioner's assertion that there was a suit in respect of Rupees 600 in the District Moonsiffs Court between the Inulcoodar and the parties alleging to have given bribe is erroneous the records on the matter were produced.

10 The Commissioner's statement as to the Petitioner's character being bad is erroneous, enclosed Copies of testimonials will show it to be good.

11 The Commissioner's report that the Petitioner acted in the sale of the Palankee estate against the orders of Government is unfounded - the enclosed record will show it to be thus.

12 The opinion expressed by Government that the Collector and the commissioner coincided in thinking that the matter of this case was true is contrary to the facts -

13 The cause of complaint arose in the Magistrate Department with which the Petitioner had no concern whatever

14 The circumstance of Rupees 600 being stated to have been given by poor men as bribe in a matter by gaining which they could expect a profit of 10 or 20 Rupees only deserves due consideration

15.16.17 The Karakavalsa case regarding Rupees 200 is wholly unfounded the records in respect of this may be perused

18 Praying for restoration to Office or for Pension after relieving the Petitioner from the unfounded imputations on due consideration of the case

19 The Papers submitted to be returned

No. 1

13/353

To

The Right Honorable Francis Robert Lord Harris
Governor in Council
&c. &c. &c.

The humble representation of
Polamundoo Soobarow late Sub
Sheristadar of Ganjam District

May it please your Lordship in Council

Having applied to your Lordship in Council for a Copy of the Commissioners report in my case by Petitions dated 15th July and 8th August last in reference to the injustice done me from the very commencement, and with a view to preferring an appeal to your Lordships Government for the better Securing a remedy I regret to have not been favored with the Copy of such report but only of the minutes of Council there on from which I observe, that though I have been acquitted of the charges preferred against me, yet from imputations cast on me in the Commissioners report, inconsistent with the evidence on the record of the case, the Government were led to misapprehend its real merits, I therefore for the better elucidation of these proceed to submit the grounds of my appeal in advertance to the circumstances noticed in the Minutes of Government and the proceedings of the Several Officers in this matter, in the hope that in the event of their not satisfying your Lordships Government of the justice of acceding to my application for reemployment in consideration of services extending over a period of 34 Years which cannot

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I conceive fail to be regarded with peculiar beneficence as those of an old Servant in the decline of life such as I am, the opportunity will not also be withheld from me (but on the contrary be duly afforded by furnishing me with the Copy of the Commissioners report applied for) of submitting further answer to any objections to my re-employment that might be entertained without my having the means of knowing them in Consequence of the report having been hitherto kept back from me.

1 It is noticed in Para 2 of the Minutes of Council that, though both of the two charges against me one in respect to a bribe of 600 Rupees and the other of one of 200 Rupees were dismissed yet the Acting Principal Assistant Collector who investigated them, and the Acting Collector who reviewed them, have reported themselves convinced of their truth; that in the matter of the first charge concerning the bribe of 600 Rupees (which in consequence of the deposition of the 7th witness having contradicted that of the others was rejected by Mr Ford in the first instance) he, on a reinvestigation of the same, found the 7th witness to have only borne false testimony, and in Para 3 of the same minutes, it is further observed, that not only are there proper and valid documents and proofs in respect of the said bribe of 600 Rupees, but that certain proceedings in a case in the Civil Court arising out of it also tend to confirm the truth of the alleged bribery.

2 I now humbly submit in this matter, that the 1st 4th and 5th witnesses namely Savaram Errama Naidoo and others of the Mobagam Village attached to the Oorla estate whose Proprietor is alleged to have bribed me in 1846 stated in their depositions on oath before the Acting Principal Assistant Collector, that in consequence of a summons having been issued against them all (making themselves with such Proprietor, Defendants at the suit of the former contractor, to whom the farm of the said Mobagam village had been originally let for 3 or 4 years but whose being now fraudulently diverted from him in their own favor, was the cause of complaint on his part) they proceeded to Chicacole and gave me the bribe to secure to themselves the enjoyment of

+ Nº 1-2 & 3. their contract. I inclose Copies of the depositions of those three witnesses, for the better proof of their having made such statements.

3 But it being evident from the record, that the former Contractor neither in his original Urzee to the Assistant Collector, nor in his subsequent appeal Petition, preferred charge in respect of which he made Defendants of the parties who represent themselves to have bribed me, that no summons had issued against them, and that they had not come over to Chicacole, I adverted to this circumstances in Para 6 of the defence submitted by me to Mr Ford under date

× Nº 4. the 27th January 1855, of which I inclose a Copy for facility of reference. Had Mr Ford taken such defence into consideration immediatly, this want of truth and the chicanery of the said parties could have been at once recognized by him, instead of his contenting himself with making the truthfulness of the evidence of the 7th witness, the ground for holding that of the others to be false, and dismissing the charge on that ground alone as will be seen from the enclosed Copies of his decision under date the 6th February 1855. He however since chose to entertain a suspicion against me, being misled both by a misrepresentation of facts, and a falsification of records, which were resorted to by Oodiaghery Soobrow, who was a relative of the Head Sheristadar of the Zilla an enemy of mine from the commencement, and who also having been acting for me under Mr. Foord, was actuated by a desire of succeeding me in the event of my dismissal so misled Mr Foord discarded the evidence of the 7th witness, who was a witness to truth and admitting that of the others, who were not, held me to be blameworthy. I enclose Copy of the Second letter to the Collector written by Mr Foord in this matter under date the 27th March.

4 In the letter of the Acting Collector to the Commissioner under date the 14th April 1855 written in consequence the above mentioned letter not only did the former not admit the blame imputed to me by Mr Foord at variance

varrance with the facts of the case as shewn by the record, but having made several remarks expressive of his dissent from Mr Foord's views and dwelling on facts that were in my favor particularly mentioned that he knew very well, that an enmity had for a long time existed between me and the Second witness the Proprietor Basavarajoo and the 6th witness Yeddanapoody Anuntharamiah. But he did not look into the Public record either, that was so important, and referred to in my defence and that positively falsified the

A. 7 No 7. charge against me. I enclose a Copy of the Said letter for your Lordships better information on these points. From such letter it will be evident that the Acting Principal Assistant Collector who investigated the charges and the Acting Collector who reviewed the proceedings, were not convinced of my blameworthyness as declared in the 2d Para of the Minute of Consultation, and that they differed in opinion from each other.

5 Both of them however having omitted to ascertain, whether the charge in question was founded in truth or was fabricated out of sheer hatred, notwithstanding, that this was represented in my defence, as requiring to be looked into at once and as they remarked alone on the discrepancies in the false Statements of false witnesses, I submitted with my appeal Petition to the Collector dated 19th December 1855 four Documents marked A. and B. being copies which I applied for and obtained of the Magistrates Diaries in this matter of 1846 shewing

that the 1st 4th and 5th witnesses who allege themselves to have bribed me had not been complained against or treated as defendents by the former Contractor nor had been summoned nor had proceeded to Chicacole, and the grounds for considering them to be false witnesses were especially adduced in the 1st Para of that Petition. For facility of reference I inclose Copies of such Petition and of the said documents marked A & B. with one of a Memorandum dated 7th January 1856 addressed by the Acting Collector to Mr Foord requiring him to report whether such were genuine documents, and Mr Foord having in Para 2 of his Public answer dated 24th January 1856 admitted that it was true that the record did not shew a Summons had issued against the alleged bribers nor that they had been concerned as defendants in the matter of the Claim to the farming of the said Village and in Para 7 that such was a genuine record I inclose also a Copy of such answer, should your Lordship in Council be pleased to take into due consideration the four documents A and B which were on the records previously to any such charge being originated against me, they will satisfy your Lordship that 1st 4th and 5th Witnesses who pretend to have bribed me never did go over to Chicacole and consequently that the allegation of their having done so was false -

No. 8 9 & 10 No 9 & 10

No. 11.

No. 12. No 12

6 The 3d Witness who deposed the others who had not gone to Chicacole to have done so and also that two letters had been put in to their hands and that having taken such letters they

they borrowed 500 Rupees from the 2d ~~and~~ Witness which with 100 Rupees that they had in their own possession making together 600 Rupees he stated to have brought with him to my house in Company with the others, the 2d witness who deposed to have lent 500 Rupees taking it and according to such letters and entering the same in his accounts and the 6th witness who deposed to have settled a dispute between the 2d and 7th witnesses regarding the said 600 Rupees were not only guilty of utter falsehood in those statements but it will be perfectly evident that those letters and the accounts were fabricated by them=selves. To shew that they deposed as above, I inclose Copies of the 3 depositions of the 2d 3d and 6th witnesses -

No. 13 & 15

7 In proof of their falsity, I beg to state further that in the depositions on oath of Sringaram Kistnayah the 7th witness, who was not in a position to be taught or persuaded by myself or the other witnesses being then in the Zilla jail, and who was therefore brought in Charge of a peon attached to such jail to be examined at once as was done, and who was also one of the pretended bribers, he deposed that he had not at all gone to the house of the 6th witness on account of the Complaint in question that the 1st 4th and 5th witnesses who pretended to have bribed me had not at all proceeded to Chicacole, and that no bribes had been received by me through him, that no money was borrowed at the time from the 2d witness - Of that

deposition also a Copy is enclosed and it will be clear therefrom that the 2d witness being an enemy of mine and the others his dependents made Statements at his instigation in utter disregard of truth- No 1

The causes of the fact of the 2d and 6th witnesses being my enemies are set forth in Para 1st to 5th of the defence submitted by me to Mr Foord which will I am humbly confident render the existence of such enmity but the more apparent in the estimation of your Lordship in Council. That defence is the document No 4 already referred to-

8 From the 5th 6th and 7th Paras above it will be obvious to your Lordship in Council that in consequence of Mr Foord and Mr Knox not having originally consulted the important documents marked A and B and the record already mentioned that were in their own Office, they misapprehended the real merits of the cause, and that the mistaking the 7th witness who deposed the truth as borne out by the Public record for a liar, and the others who bore false witness as well as the letters and account fabricated by these to be alone entitled to credit as appears from the circumstances noticed in the 2d and 3d paras of the Minute of Government, is the result of error on the part of Mr Foord and Mr Knox which having escaped also the notice of the Commissioner demands due consideration at the hands of your Lordship in Council

9 It is observed in the 3d Para of the Minute of Council that a Suit between the said Proprietor and Contractors regarding the 600 Rupees in question was also instituted in the Tolook Moonsiff's Court and that the Proceedings therein

therein tend to confirm the truth of the act of the bribery as noticed in the 7th Para of the Commissioner's report - I beg to submit that Sringaram Kistnyah the 5th and 7th witnesses who had a dispute with the 6th Witness regarding a sum of 1200 Rupees admitted in his answer in the Moonsiffs Court of Tekkali in 1851 that this sum was received by the Second Witness (the proprietor) from the parties who pretend to have bribed me on the ground of his being put to additional expenses in consequence of the former Contractor Illum Naidoo having complained to the Collector and his assistant of the farm originally rented to him for 3 years having been since let to the said 1st 4th and 5th witnesses (ie those alleging to have bribed me) from such statement it only appears that the 2d witness himself received the said sum of Money (from the very parties alleging to have bribed me) on account of the expences alluded to. It is not stated in that answer that these parties borrowed the 600 Rupees from the 2d Witness for bribing purposes- yet the 2d Witness getting his said dependents to do as he wanted has deposed that he lent the 600 Rupees to the 1st 4th and 5th witnesses to accomodate them towards a bribe and the 6th witness that he settled a dispute between the 2d and 7th Witnesses regarding this sum in 1849 which Statements are utterly false- The purport of the answer above adverted to was originally noticed by myself in the 8th Para of my defence submitted to Mr Foord for his information and subsequently the document itself which is chiefly conducive to disprove the matter of bribe and beneficial to my cause accompanied by the depositions of the 6th witness were submitted also by myself to the Commissioner repeatedly requesting his attention to the same but the Commissioner viewed them as if they were regarding the 600 Rupees alleged to have been given me as bribe and prejudicial to my case and has never rightly understood their purport at all. I submit herewith, a Copy+ of that answer. That of the 6th witness deposition is No. 15. On perusal of these I humbly trust Your Lordship in Council will be satisfied not only that the matters (noticed in Para 3) as represented against me by the Commissioner were misapprehended but that a Statement that the very second witness who is represented to have been interested in recovering certain Expenses from the 1st 4th and 5th Witness received 200 Rupees from them on that account, lent 600 Rupees to the same parties at the same time is decidedly false.

+A° 1
N° 1

10 It is remarked in the 3rd Para of the Minute of Council that the Acting Collector and the Commissioner represent me to have borne a very bad Character for intrigue and bribery. I have never known the Collector to have made any such statements against me before He having up to the close of his Collectorship always written in praise of me in his Jumabundy reports every year. I beg to enclose four papers+ in support of this fact and to add that Mr. Bannerman under whom I rendered my Services +

+A° 18
N° 18

to the State in Ganjam wrote in my behalf to the Collector of Cuddapah to get me the post of Sheristadar of Cumbum as Mr. Fraser did to Mr. Mathison and Mr. Newill in view to my being appointed to the Head Sheristadarship of Masulipatam and Guntoor respectively and while Mr. Anstruther has publicly recommended me to the Board of Revenue as eligible for appointment as Head Sheristadar of any district whatsoever, Mr. Smollett especially named me for the Head Sheristadarship of Guntoor and Mr. Shubrick for that of the Vizeanagrum Zemindary. These communications are on the records of the Board, and I enclose Copies+ of others for the better information of Your Lordship in Council. Mr. Onslow who had not had me in his Service a single day could not have been enabled to judge of my Character, yet at the instigation of the Head Sheristadar of the district, he forwarded to the late Commissioner proceedings connected with a false charge got up against me in 1850 in a matter with which I could not have any thing whatever to do, and which the Commissioner on due enquiry into the real facts of the case only dismissed. Yet it is this old matter that Mr. Knox refers to in his letter to the Commissioner of the 14th April 1855 as appearing in Mr. Onslows correspondence in impeachment of my Character, and the Commissioner who could alone view any such estimate of my Character under such circumstances to be erroneous, has himself remarked

+A° 22 & 23
N° 22 & 23.

remarked on the Charge as having occurred in Mr.
Knox's time which is still more erroneous My
humble observations in appeal on this point were
Setforth in para 4 of my appeal Petition to
the Collector of the 19th December, but the
Commissioner who is apprized of this fact fails
to look into this matter and merely says that
Mr Knox had written that my Character was
not good and that he is himself of the Same
opinion, which considering that he never
Knew me must, I conceive appear to the
Government (who in para 3 of the Minutes of
Council notice such his opinion) to be but ill
founded. In proof of my unexceptionable
Character, I beg to advert here to another point.
It is now 20 years that I have held the Office
and there have been 3 Talooks Some Salt Catar
posts and Malcordaries (Estates) under my
Surveillance, yet excepting the said 2d witness
Basavarazoo, there has not been up to this
time any other party that has preferred a
charge against me. It was this 2d witness
that in 1850 also intriguingly got his dependent
Illum Naidoo to prefer a false complaint against
me and not only did he bear false witness in that
matter, but made another false charge against
me himself which was however rejected by the
late Commissioner as will be seen by Paras 3
and 4 of the enclosed† proceedings therein. He (the
Said witness) has now equally got his dependants †No 2
the other witnesses to depose to have bribed me
himself joining them in bearing false witness
thus

thus intriguing to fabricate the Charge in question
against me as I trust will be recognized by your
Lordship in Council and has been submitted to
the Commissioner in para 10 of my Memorandum
of the 19th March of this year but as he has not
duly taken the Same into consideration, I enclose
†No 25 the Memorandum† for the information of your
Lordship in Council, adding that if founded
in truth it is a question why he did not make
Known this Charge in 1850, when he got up
another false one himself bearing false testimony
on that occasion, and it is therefore evident that
the present charge has been fabricated afresh
Further having regard to the pensionary provision
that would be of such vast benefit to me in
my old age, I could alone act with steady
perseverance in a proper career of Rectitude,
and accordingly there have been no well sub=
stantiated Complaints against me whatsoever
but on the Contrary I have so long continued
in the Office of Sheristadar and been recom=
mended for promotion by all the gentlemen
under whom I was employed which I submit
is confirmatory of my having borne an unexcep
tionable Character.

11 It is mentioned in Para 3 of the
Minute of Government that I acted in oppo=
sition to the orders in Extract Minutes of
Consultation of the 21st September 1852 No 33
in the Matter of the Sale of the Palakee
Estate

Estate It is declared in those orders that the conduct of the Servants concerned in the Sale should be watched and that in the event of being found concerned in such fraud for the future the parties should be debarred permanently from employment in the public Service. The facts the case are as follows. Yeddanapoody Soorryaprocasa Row and Yeddanapoody Anunthe ramiah who purchased at Auction the two Hoondahs (Estates) Viz. Polakee and Duntha Hoondahs having assigned over the Duntha Hoondah to the Naib Sheristadar of the Ganjam District wrote a Public Urzee to the then Collector Mr. Smollet for the due transfer of the property and the Naib Sheristadar got the transfer made in the name of his Son Afterwards the Said Procasa Row and Anunthanamiah who merely promised to have publicly transferred to me an eighth of the Polakee Estate failed to do so, and this was admitted by the Said parties in an Urzee dated 25th April 1851 to the then Collector, Mr. Bannerman, notwithstanding which my enemy the Head Sheristadar having a bad influence with Mr Onslow got the Said parties with a view to injure me to Complain against me in 1850 to that Collector as having a share in such Estate, and altho I referred that Gentleman to the Urzee already mentioned as disproving the charge, he would not believe it and having acted upon what the Head Sheristadar Said Sent his Proceedings to the Commissioner. I produced to the Commissioner a Copy of the Said Urzee and further submitted my defence in the matter, the consequence of which was that the charge was dismissed as noticed in Para 9 of Proceedings dated 15th November 1851 and other dated 20th March 1854. I solicit a reference to these proceedings. as during the time of Mr. Bannerman who had the charge of the Collectorate previously to Mr. Onslow's, the Yeddanapoody parties admitted in writing the non transfer to me of a Share of the Said property it will be obvious that the contrary statement on their part before Mr. Onslow of my having a Share and the Proceedings of Mr. Onslow in conformity therewith are utterly at variance with truth and consequently that I never before had any Share in the Polakee Estate and that I was not guilty of any misconduct in connection with its sale as therefore I have had no concern whatever in the sale of such properties and other matters of the like nature, Your Lordship in Council will at once perceive that the Commissioner is not borne out in stating that I had contravened the orders of Government. I enclose for reference a Copy of the Said Urzee dated 25th April.

~~+ Vide No. 24 above~~
o No. 26
+ Vide No. 24 above
o No. 26.

+ No. 27 No. 27

12 It is recorded in Para 3 of the Minutes of Government that the Acting Collector and Commissioner who carefully

reviewed the circumstances connected with both the charges, concur in thinking them to be true. But besides my being refused a Copy of Mr. Foord's original decision and leave of absence to enable me to prefer my appeal, the Collector omitted to consult the necessary records originally, and tho' requested to send for the documents marked A and B and other records and after furnishing me with the Copies thereof and receiving my defence then to report to the Commissioner, he in his communications to the Commissioner dated 14th April and 16th June 1855 and 14th February 1856 allowed himself to be led by Mr. Foord's representations to entertain a suspicion against me and in consequence to observe that I should not continue to be employed in the district. He could not have been convinced of the truth of the charge nor has he urged my being debarred from employment elsewhere, on the contrary, he in his last letter recommended a pension being granted to me. I enclose for reference Copies[x] of the said three letters as well as of the Petition dated 1st June and of Mr. Foord's letter and of my Petition to the Commissioner in this matter dated 13th June observing that if, as requested therein the Commissioner had sent for and consulted the records in the first instance in my presence, he would have satisfied himself of the utter falsity of the charges, and it is in consequence of not having done so that I have been dismissed the Service as shewn in the accompanying proceedings of the Commissioner, in disregard of the evidence on the record and of the Collectors letter itself. I have since proceeded to his Huzoor Cutcherry and have five or six times shewn him all the records inclusive of the appeal Petition presented by me to him on the 20th February 1856 in this case, but altho satisfied therewith the Commissioner has not confirmed the recommendation for a grant of Pension to me or viewed favorably my claim to reemployment elsewhere. From some cause or other, he, instead of rectifying the Original errors as above, has reported to your Lordship in Council contrary to the merits of the case as shown by the record, and it is thus to be seen that the opinion of the two Officers are not in perfect unison with those of each other as the Government were led to assume in para 3 of their Minutes. A Copy[x] of the Appeal Petition is enclosed.

x Nos 28 to 32

x No. 33.

x No. 34

13 The Matter in question was in the Magistrate's Department. It is known to all European Functionaries that Revenue Sheristadars have nothing to do with that Department. And the Court of Fouzdaree Adawlut have declared in their proceedings of 3rd April 1855 that charges of bribery in the Magistrates Department cannot be

admitted after a long lapse of time and that they should be the subject of Civil proceedings. yet contrary to such decision has the charge in this case which originated 10 years previously been admitted, tho' Mr. Fraser who investigated it in 1846 has written two letters declaring it to be false. It was represented in Para 3 of my Appeal to the Collector dated 19th December last, that a Charge so weak under such circumstances Could not have been entertained in justice to me and yet the Collector and the Commissioner have wholly failed to take this into consideration; I solicit therefore that it will at least receive the particular consideration of Government. I enclose for your Lordships perusal Copies of Mr. Fraser's letters and of the proceedings of the Fouzdaree Adawlut. No. 35 to 37 No. 35

14 If 600 Rupees had to be given in bribe, they would not have done so unless the gain to them thereby would be greater - yet the 1st 4th and 5th witnesses who pretended to be the parties that bribed me deposed that from the farming of the Village in question there was no larger profit than ten or twenty Rupees, the price of a Garce of grain. This appears from the testimony of the 1st witness on my behalf - I not only mentioned to Mr. Foord and the Collector, but represented in Para 3 of a Memorandum I submitted to the Commissioner of the 19th March 1856 that it deserves consideration why people who had no profit therefrom

therefrom and were themselves poor would give away so large a sum in bribe - Neither of them however have taken the matter into due consideration, which, if accorded by your Lordship in Council will lead to the conviction that the charge originated in pure malice -

15. With regard to the second charge Viz in respect of 200 Rupees it is declared in Para 3 of Minutes of Government that the private accounts of the Proprietor of the Karakalavasa Estate which were suddenly brought up, on the information of a Private individual afforded the chief evidence in the matter, that the Proprietor did not himself prefer the charge nor consent to such being done that there was nothing to shew those accounts not to be genuine or to have been tampered with and that there is no reason to suppose the existence of enmity between me and the said proprietor. My Answers on these points are contained in the defence submitted by me to Mr. No. 38 Foord under date 14th May 1855 and in the Appeal No 2 presented to the Collector under date the 19th December following Para 7 to 14. I humbly trust they will prove perfectly satisfactory to your Lordship in Council in explanation of these matters and particularly that I am

I am an innocent man and yet it may not perhaps be amiss in me to repeat them briefly here. The 1st witness in this matter is the Malcoodar (Proprietor) the 2d his agent Nalam Narasiah, the 1st witness being an inactive man and in the hands of the 2d witness the latter is the party who manages all affairs, and that he is a very bad man is shewn by a Public Record. He is now in jail for having wrongly levied a Sum of Money from the farmer of a certain Village and continues as noticed in Para 10 of my Appeal Petition to the Collector of 19th December to fraudulently usurp the Malcoodar of his property as formerly the Said Malcoodar unlawfully enjoyed for a long time the land in the bed of the lake of the Sylada village (belonging to the Circar) attached to another named Moonagavalusa, it was Zufted on the circumstances connected therewith being made known to Mr. Knox. I enclose Copy+ of the order for its being so Zufted dated 16th March 1852. The 1st and 2d witnesses have borne great enmity to me as having caused the confiscation as represented in para 4 of the defence submitted by me to Mr. Foord. In order to gratify such hatred and in the hope that my name appearing in the Accounts would prove prejudicial

+ No. 39

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prejudicial to me, the 2d witness purposely fabricated the accounts before mentioned and having caused it to be deposited among other Books of account got one Bodugulla a Vencatasawmy a relative of his and of the 1st witness an inhabitant of Chicacole at a distance of 10 Coss with whom he tampered for the purpose to present an information to the Collector in his name in this matter whereupon the accounts were suddenly Sent for by the Collector and the proof of the matter therefrom was undertaken by the 2d witness. The Said Vencatasawmy gave his deposition in writing before the Collector of which a Copy+ is enclosed and it will be seen that if the fact was not as above set forth there would have been no necessity for the 2d witness making known to Vencatasawmy the particulars of the accounts. This is noticed in Para 2 of the defence submitted by me to Mr. Foord under date 14th May 1855 and the fact of the enmity of the Malcoodar in Para 4. A Copy* of that defence is enclosed for your Lordships information.

16 When afterwards the accounts so fabricated were looked into, my name appearing in them, the 1st witness was asked regarding the bribe which he answered be

+ ~~No. 40~~ No. 40

* Vide No. 38 above.

he had not given but that he understood it from the Second Witness to have been given by the latter. He deposed in writing to this effect, and a Copy of the deposition is ×41 enclosed - not only did the 1st Witness not Know whether the 2d Witness had in truth given the bribe or not but has he had not himself given any bribe he was deterred from preferring on oath on his part a charge that involved a doubt and which could otherwise have been duly prosecuted by him if Known to be well founded. This will be perfectly evident to your Lordship in Council. The 2d witness deposed that the bribe was given on the date on which the Same was entered in the Account as having been disbursed but did not recollect at what Village at what time and where it was given and in whose presence. This ÷ deposition is also enclosed. ÷4 If the giving any bribe was true the circumstances would have been duly spoken to. The denial by one who had been managing the Affairs of a Talook yielding 20,000 Rupees, of all recollection of Matters, that occurred a year previously, can only be attributed to a desire to avoid entering into particulars regarding a bribe that had not been given and indeed to cover necessary inability to make that appear as true which was altogether false.

Besides

33

Besides were the entries in these accounts bonafide made from time to time as the transactions they represented arose they would have tallied with dates and places as shewn by public records. Should your Lordship in Council desire to be duly informed on this point, a reference to the account of receipt and disbursements for past years of the Nabob and the great sowcars of this place, as well as the Company's own Cash will be satisfactory as indicating at once the genuiness of the disbursements in them, there being no discrepancies whatsoever, whereas the accounts in question presenting numerous discrepancies can but be recognized, on the contrary to betrary themselves as having been purposely fabricated and therefore unworthy of any credit and it is because they were so got up only in the hope of bringing me into trouble, they did not tally with the dates and places of disbursement of the tent allowance received by the Collector or the travelling allowance paid to me as shewn by Public records. These points will be seen on reference to Para 20 of the decision in the ×case of Haracavalaa Moreover they are not the regular accounts they ought to be, my humble observations on this point are to be formed in para 6 of the said def×ence to which I solicit attention

× No. 43 - W 43

× vide No. 38 above -

attention.

17. From the foregoing explanation it will be clear, 1st That the party who originally filed an information did not do so of his own accord, but at the instigation of the Second witness, 2d That the accounts which were brought suddenly were unworthy of being regarded as the chief evidence, being got up by the exertions of the 2d witness in this respect, 3d. That the first witness not knowing for true the alleged giving of bribe, he was unable to prefer the charge himself and that there was strong enmity between the Said 1st witness and myself.

18. The fact of both the charges having been thus proved perfectly false by means of Public records, having failed to be recognized by Mr. Lord and Mr. Knox and even by the Commissioner, I who have faithfully served the Honorable Company for 34 years (so much so as to be recommended for promotion by every one under whom I was employed, having also suffered much in the well known Skirmish at Kittoor in which, I become entangled and in faith on the rules provided by Government, passed the requisite period of service to enable me in old age to enjoy in comfort with my Children, the bounty of a liberal Government in a pensionary allowance

to an old Servant such as I am) have been exposed to an Amount of injustice that compels me to appeal to Your Lordship in Council, and this I do under the circumstances with the most submissive but earnest request that your Lordship will on perusal of the whole record in this case and on being convinced of my innocence be pleased to vouchsafe orders ensuring either my reemployment in the Public Service or a provision for my support by a pension adequate to the maintenance of a numerous family.

19 As I possess no Copy of the documents No 1 to 43 accompanying this appeal petition, I beg that they may be returned to me after the necessary reference has been duly made to them.

No. 1

Endorsement
No. 2125 of 1856

Final orders have already been passed as to the reemployment of Petitioner in the Public Service and a Copy of those orders as far as related to Petitioner, was furnished to him on 26 July/56

The Govt. are quite unable to entertain Petitioner's application for a Pension —

Fort Saint George }
14 Octr. 1856 }

By order
(Signed) W. Norman
Depy. Secy. to Govt.

No 2

No 2

Abstract of Appeal Petition to the Government of Fort Saint George

Para 1. In the Minutes of Consultation 18th June 1856 with which alone your Petitioner has been furnished in answer to his application for the report of the Commissioner in his case being furnished for his better information as to the precise grounds of his dismissal from Office, Government declare they see no cause to modify that Officer's order of dismissal influenced in such decision by the Character of the two specific cases in which Sorrow is now more immediately implicated and his antecedents and repute as shewn by the reports of the Commissioner and the Acting Collector of the district there noticed.-

2. The Petitioner endeavours to meet these points in the accompanying Petition No 1 which is a translation of One prepared by him in Teloogoo to which translation reference is requested on any point not sufficiently understood from this Memorandum.-

3. It appears from the Minutes of Consultation that the Officer's in question whilst acquitting him of the Charge in both cases on the ground of discrepancies in evidence raising doubts of which he ought to have the benefit have expressed the decided conviction that the Charges were nevertheless true- Petitioner submits, however that their such conviction will be found to be erroneous from the following as the evidence referred to was from Public Records- The first charge is

regarding 600 Rupees connected with the Mabagam estate and the second regarding 200 Rupees in reference to the Karakavalasa Estate, neither of them was preferred by the Accusers of their own accord - the 2d Witness in the 1st Case is Basavarajoo and the 2d Witness in the other is Ranlum Narasiah, at the instigation of these parties, Codagalla Vencatasawmy a relative of the said Narasiah and an Inhabitant of Chicacole appeared as informant before the Collector without being any way concerned himself, they were treated as Government prosecutions - His deposition in these matters is in No. 40.

4 The Witnesses for the 1st Charge concerning 600 Rupees, are 1st Savara Ennamah Naidoo the Reddy of the Mabagam Village, 2d Basava Rajoo the Mulcoodar (Proprietor of Estate) 3d Jayanthe Lutchminarasamma the Mulcoodar's Gomastah 4th Savara Acrooloo Naidoo, the Reddy of the same Village 5th Sungaram Balaramiah the Curnum of the same Village, 6th Eddanapoody Annonthoramiah relative of 2d Witness; and 7th Sungaram Kistnah Son of the 5th Witness, of these the 1st, 4th and 5th Witnesses in their depositions on oath before the Acting Principal Assistant Collector, deposed that in consequence of the farm of the Mabagam Village which the 2d Witness had given to Mendu Issem Naidoo and Yalla Ellamah Naidoo for 3 or 4 Years having been taken away from these parties and rented to themselves, the original farmers made defendants

of

of themselves and the Mulcoodar in filing a plaint against them and that a Summons issuing in consequence against them, all they went over to Chicacole, and in order to secure the farm to themselves gave me a bribe of 600 Rupees in 1846 the 2d Witness deposed that agreeably to a letter written by the 3d Witness, the Money was lent to the said parties on a bond and an entry duly made in the Accounts and the 3d and 6th Witnesses Confirmed such Statement - But the 7th Witness who could not be tampered with by any body else, he being in Jail while the Accounts were suddenly called for and looked into, deposed that the alleged bribery was utterly false - In the defences submitted subsequently, I drew attention to the falsehood resorted to by the said parties and to the necessity of referring to the records of the Case, but instead of doing so the truth of the evidence of the 7th Witness was made the ground for regarding that of the others to be false and dismissing the Charge - Yet Mr. Ford a few days afterwards wrote a second letter to Mr. Knox stating that on inspecting the bond and Accounts and a letter in the possession of the 2d Witness he found them to be such as to convict me - Those papers are contained in No. 5 & 6. Mr. Knox also who tho' in a letter to the Commissioner dated 14th April 1856 stated that he well knew that there was a feud between me and the 2d and 6th Witnesses in partly disagreeing with Mr. Ford in respect of the conclusion arrived at by the latter as to my guilt, did not care to entertain

a

a Suspicion against me, notwithstanding his failure to duly consult the record. This letter is contained in with my Appeal Petition since presented to the Collector, stating that the 1st 4th and 5th Witnesses were not defendants in the matter adverted to by them, that no summons were issued to the same parties and that their Statements were utterly false, I enclosed 4 public papers Nos 9 & 10 marked A & B which being sent for investigation to Mr Ford by Mr Knox, the former accordingly admitted in Para 2 of a letter under date 24th January that it was true that no summonses had issued to the parties alleging to have bribed me and that the record did not shew they were made defendants in the case in respect of the farming of the Village, Yet he failed to do justice. No 12 is the letter of Mr Ford just alluded to and a reference thereto and Nos 9 & 10 already described will lead to the futility of the Charge being the more perfectly apparent.

5. The Matter in respect of which the charge for a bribe of 600 Rupees was now brought had been disposed of in Magistrate's Department 10 Years ago, and is one with which I had nothing to do as will be recognized by the Members of Government. It has been declared by Proceedings of Sudder and Foujdary Adawlut under date 3d April 1855 that cases of bribery in that Department ought not to be admitted after great lapse of time and that they should be prosecuted

in the Civil Courts. It was therefore in opposition to such proceedings that the Charge was entertained against me as above, and Mr Fraser the Assistant Magistrate who investigated the same matter in 1846 wrote two letters declaring the Charges against me to be false. They were contained in Nos 35 & 36. It is declared in the 3d Para of Minutes of Consultation that by the proceedings in the Talook Moonsiff's Court in a suit between the Mulcoordar and the farmers regarding the sum of Rupees 600 the Charge of bribery is confirmed. I beg to state that the 5th and 7th Witnesses who pretend to have bribed me in their answer in 1851 in the suit above mentioned, only admitted that in consequence of the 2d Witness having taken away the farm of the said Village from the Original farmers Isseam Naidoo and Sallum Naidoo to whom it had been first let for 3 Years and having given it to others the 1st 4th and 5th Witnesses who pretend to have bribed me, the Original farmers preferred a Complaint to the Collector which led to Certain charges being incurred by him the 2d Witness to meet which he received Rupees 1200 from the 1st 4th and 5th Witnesses, and that a dispute also arose regarding that sum in presence of the 6th Witness. There is nothing whatever in that answer regarding the 600 Rupees said to have been given me in bribe but in my more than once drawing the attention of the Commissioner to this fact, he merely mentioned that the matter of the 600 Rupees was noticed in that answer. In order to gain being informed whether it be really so, I enclose the original answer as in reference to which, the Commissioners Statement will be found to be untrue.—

7. If a bribe of 600 Rupees had to be given it could be so only to secure some larger Amount of gain but the parties pretending to have bribed said the receipts from the Village were only to the Value of 10 or 20 Rupees— They were moreover poor men, and in taking into consideration how they could pretend to have paid me so large a sum when they could not calculate on a profit to themselves, it will be obvious that the charge was got up by the 2d Witness an adversary of mine.—

8— In respect of the 2d Charge about 200 Rupees, the Accounts of the Rara Kavalasa Estate are described in Para 3 of the Minute of Council as forming the chief evidence and not to be open to a suspicion of having been fabricated or tampered with— and that the charge was not preferred by the Mulcoodar and that there existed no enmity between him and myself as represented in Para 3 of this Petition, the substance of the same Accounts which in reality were fabricated was made known by an informant Vencatasawmy and therefore made matter of a Government prosecution— The Witnesses are 1st the Mulcoodar Venkiah, 2d his agent Ramlum Narasiah 3d Panthiah the Mulcoodars Gomasta— The 1st Witness, the Mulcoodar,

being an indolent man and in the hands of of the 2d Witness it is the latter that does every thing Connected with the affairs of the Estate as he likes— That he is a Man of very bad Character is shewn by the record— In consequence of having unlawfully levied a Sum of Money from the farmer of a Certain Village he is now in Jail— He acted in revenge towards me in the matter under consideration for having caused the confiscation of certain Lands which lie in the [illegible] of a Circar Village named Syladri attached to a large Village named Dinagavalasa belonging to the said Mulcoodar and which for a great length of time continued to be improperly enjoyed by him— The confiscation was effected in 1852 by Mr Knox on the part of the Circar on the facts connected therewith being brought by me to his notice— a Copy of the order on this subject is enclosed as No. 5 great was the ill feeling towards me on the part of the 1st and 2d Witnesses in consequence of such confiscation, to gratify which ill feeling the 2d Witness purposely fabricated since the date of the above Confiscation— the Accounts in question and caused them to be deposited among others as if they had been genuine Accounts of the Estate like the rest and Caused an information of this matter to be given by means of one Vencatasawmy to the Collector, upon which, this Authority sent for these Accounts and transmitted them to Mr Forel; on inspection of which this latter Officer finding our names therein, questioned the 1st Witness regarding them when he denied having given any bribe and deposed that he only understood from the 2d Witness that such had been given: not only did the 1st Witness not know whether the 2d Witness had really given or not the bribe which had not been given in person by himself the 1st Witness, but as he was deterred from stating on oath on his own part what he had only to suspect from the communication made by the 2d Witness, he preferred no charge, he would, no doubt have done it otherwise. The 2d Witness deposed that the money was paid on the date on which it was alleged to have been but did not recollect at what Village, at what time and in whose presence it was. If these Accounts were genuine they would have tallied with public records in respect of dates and places, but not doing so Mr Forest in Paras 20 & 24 of his decision 29th May 1855, declared that the testimony of the 1st 2d & 3d Witnesses was not to be credited in effect pronounced the Accounts in question to have been fabricated and to have been improperly made use of while in fact he dismissed the Charge, a Copy of which Paras No [illegible] is herewith submitted.

9. It is mentioned at the conclusion of Para 3 of the Minute of Council that I was concerned in the sale of the Palakee estate. What Mr Onslow in this matter had written against me at the instigation of the Head Sherustadar who was unfriendly to me was on investigation discarded by the late Commissioner in para 9 of his proceedings of 15th November 1850 and in those of 10th March 1854 which are contained in the enclosures Nos 24 & 26. In an Urzee to Mr Brunneman who was the predecessor of Mr Onslow, dated 25th April 1846 from Yerdanapoody Soorsapregasa Row and Anainthramiah, they admitted they had not given me a share in the Palakee estate; that Urzee is enclosed No 27, from which it will be evident that I never at any time had any share in the Palakee estate. Copy of para 3 of the orders of Government under date 4th October 1852 No 27 is enclosed in No 15 in opposition to which order I have not since had any thing whatever to do with the sale of such Estate proprietors and thus that I have not been guilty of any misconduct as alleged, will appear from the records.

10. And in respect to the allusion to my Character being bad for intrigue and Corruption, I refer in the enclosed Petition to the favorable testimony ever borne on my behalf by my several employers as well in their Zummabundy reports from year to year as on other occasions both in public and private correspondence, and particularly to my having been recommended by many of them for appointment as Head Sherustadar as shewn by the enclosed papers No 18 & 23. Mr Onslow who did not have me a single day in his service, yet at the instigation

of his Head Sheristadar an enemy of mine
wrote against me to the late Commissioner
in the Matter of certain Inam lands
with which I could have nothing to do
moreover which on investigation, was
duly dismissed by the latter, by Proceedings
under date 15th November 1830 herein en=
closed as No. 24 - The Statement to my
prejudice (in a Matter so disposed of)
of the Acting Collector and of the Commissioner
who never knew me are therefore noticed
as being but founded in error.—

11. Mr Ford, notwithstanding he
dismissed the charge against me, wishing
to employ a dependant of his own in my
situation, otherwise failed to render justice,
refusing me both leave of absence and
Copies of records to enable me to appeal
to Superior authorities - His letters on
this subject are enclosed [illegible]
from which it will be evident that Mr
Ford was ill disposed towards me and
Mr Hurst and the Commissioner who
were next appealed to by me in the en=
closed Petitions Nos 30 & 32 having been
equally wanting in a disposition to afford
me redress, appointed as proposed the
Head Gomastah on the establishment of the
Collector of Vizagapatam to fill my place.
I submit for consideration the justice
of such having been done whilst yet
my appeal to Government had not
been

been finally disposed of by them - The Com=
missioner's Proceedings above alluded to
are enclosed No. 33.

12. In consequence of the omission
to dispense justice on the part of the author=
ities as already noticed, I have been
exposed to the loss of my Salary hitherto
I therefore pray that in Consideration
of my Services extending over a period
of 36 years and having earned the appro=
bation of all my Superiors in Office so
as to entitle me to a pension and in Consider=
ation also of the hardships troubles and
privations endured by me during the
Kittoor fight, I an old Public Servant
may be protected either by being required
to be re-employed in the Public Service
or by being favored with a pensionary
provision in accordance with the
recommendation of the Collector and
the Commissioner, adequate to the support
of a numerous family with which I am
surrounded.—

28th September }
Madras 1836 }

Signature in Teloogoo
of P Soobba Row
late Sub Sheristadar
Ganjam District.—

No. 3

To

The Right Honorable the Governor
in Council

My Lord &c &c &c

No. 1
28th September 1855
No. 2.
17th January 1856
No. 3
1st March 1856

All matters connected with the injustice done in my case are already known to your Lordship in Council from the three representations noted in the margin. Having explained to the Commissioner all things on my behalf with due references to the Public Records on the subject of my case I was in reply verbally informed by the Commissioner that a report under date 5th May last in my favor was sent to your Lordship in Council. on my begging to be favored with a Copy of the report referred to, the Commissioner was pleased to say that it cannot be conveniently done. As it appeared that there may be necessity for my submitting in person certain explanations connected with the subject of the Commissioner's said report before the necessary orders may be issued thereon, I addressed two letters dated 10th May & 11th June last reporting my intention to come down to this place as well as the circumstance of my having in fact reached Rajahmundry with this view. Having now arrived at the Presidency, I beg to state that should there be no

objectio

No 3

objection to furnish now a copy of the Commissioner's Report. for my perusal I would submit such explanations as my case may admit of.

Humbly hoping that my prayer may be indulgently acceded to.—

I beg to remain
My lord
Your Lordships most
obedient & humble Servant
(signed) in Telugu
Palamunda Soobarow late
Sub Sheristadar of
Ganjam District

Madras
15th July
1856

No 1486 of 1856

By the endorsement on his former Petition, the Petitioner was referred to the Commissione Northern Circars to whom the orders of Govt. on his case have been communicated. A copy of these orders is now furnished to the Petitioner for his information.—

Fort Saint George— 30th July 1856

By order
(Sd) G. N. Taylor
Ag Chf Secy to Govt.

No 4

To
The Right Honorable the Governer
in Council
&c. &c. &c.

My Lord

1 With profound respect and submission I take the liberty of mentioning that I arrived at Madras in conformity with my former report to your Lordship in Council stating my intention to do so in the event of my failing to obtain due redress from the Commissioner and applied to Government on the 15th ultimo for a copy of the Commissioners report on my case, to enable me to prepare an appeal whereby to obtain justice from your Lordship in Council: but I was furnished only with a copy of minutes of Consultation+ passed upon the said report.

+ Revenue Dept No 620 dated 18th June 1856.

2. From the above minutes of Consultation it is apparent that Government believe that the Ag Collector & the Commissioner concurred in opinion that the charges agains me were true & other matters.

3. On the Contrary. I beg humbly to assure that in reports dated 14th April & 6th June 1855 & 14th February 1856 to the Commissioner the Ag Collector disproved various points referred to in Mr. Foord's Report and recommended me either for transfer to another District or for Pension

The

No. 4

4 The Commissioners report however seems to be contrary to this & and other facts on the records of the case. As I am an old servant of Government, I beg that I may be kindly allowed a copy of the full report from the Commissioner referred to, to enable me to prepare an appeal to Government in due form in which I wish to adduce such documentary proofs as would convince Government regarding my own innocence.

I beg to remain
My Lord
Your Lordship's most ~~and~~ obedient
& humble servant

Madras }
8th August }
1856 }
(signed) in Teloogoo
Palamunda Soobarow late Sub
Sheristadar of Ganjam District

Endorsement.

Returned under para 4 of the Petition Rules with reference to the orders of Govt. on the Petition –
No. 1486 of 1856

(Signed) G. A. Taylor
Ag. C. & Secy.
to Govt. –

No. 5

Revenue Department

No. 620

Extract from the Minutes of Consultation under date the 18th June 1856

1 The Commissioner Northern Circars reports the circumstances under which P. Soobarow Acting Sub Division Sheristadar of Ganjam was dismissed from employment last year. The report is submitted in reply to orders on two Petitions from Soobarow complaining of the dismissal

2 Two charges of the corrupt receipt of money were brought against the Petitioner, one for receiving 600 Rupees from certain parties in order to obtain a favorable decision in a dispute respecting the rent of a village in the Oorlum Zamindary; the other for receiving 200 Rupees at various times from the Kurkavulsa Zamindar. In both cases the accused was acquitted of the charge, on the ground that there were discrepancies in the evidence which raised doubts of which he ought to have the benefit but both the Acting Principal Assistant who tried the cases, and the Acting Collector who reviewed the Proceedings, expressed the decided conviction that the allegations were nevertheless true. In the first case, that of receiving 600 Rupees, it is remarkable that Mr Foord, who at first pronounced an acquittal almost wholly on the ground that the evidence given by one witness (the 7th) contradicted that of the others, afterwards declared himself

fully satisfied, on further investigation of the circumstances that the statements of this witness were wilfully false and were made to favor the accused

3 Both cases have received careful consideration from both the Acting Collector and the Commissioner and both those Officers concur in the opinion that the charges were true. The chief evidence in the second case that of receiving 200 Rupees was the private accounts of the Kurkavulsa Zamundar which were seized by order of the Acting Collector apparently on intelligence received from some informer. This Zamundar was not the complainant and refused to prosecute; it is stated that there was nothing whatever in the appearance of the accounts to lead to a suspicion that they had been fabricated or tampered with, and that no motive was apparent for enmity on the part of the Zamundar against Soobarow and the other Office Servants whose names were found in the accounts as having received money. In the 600 Rupees case case there were corroborative documents and evidence independent of that directly produced, and a suit in the District Moonsiff's Court between the Zamundar and the Renters also arose out of the transaction the proceedings in which, as exhibited in the Commissioner's letters, (Para 7) tend to confirm the belief that the story of the bribe was true. The Government see no reason to question the correctness of the opinion arrived at by the Acting Collector

and

and the Commissioner as to the merits of these two cases. Further, the character of P. Soobarow is stated by both Gentlemen to be extremely bad for intrigue and corruption, and he was unfavorably brought to the notice of Government on a former occasion, in connection with the sale of the Palanky Estate and a decided opinion was then expressed (Extract Minutes of Consultation 21st September 1852 No. 933) as to his complicity in the intrigue

4 Such being the character of the two specific cases in which Soobarow is now more immediately implicated and such his antecedents and his repute the Government see no case to modify the order passed by the Commissioner on the 9th July 1855 directing his dismissal from the Office of Acting Sheristadar of the Sub Division or to interfere otherwise in the Petitioners behalf

A true Extract

(Signed) G N Taylor

Ag Dt Secrt to Govt.

No. 4

True translation from Teloogoo Paper

Deposition given upon oath on the 6th November 1854 before the Acting Collector of Ganjam by Venketasawmy of Chicacole, son of Gooda Gulla Veeriah, Caste Gavara Comity Religion Sevatenet profession Trade age about 30 years

Question In what language you allow the deposition to be written

Answer In the Teloogoo language

Question State the particulars mentioned in your English Memorandum presented to me on the 25th October 1854, stating whether they were seen with your own eyes or heard by you in person or you know them from hearsay or what proof you have regarding them?

Answer Yalla Illuma Naidoo of the Village of Makeepvalasa told me at Chicacole about 30 days ago, that when a Complaint was made to the Assistant Collector of this Zillah name not known regarding the circumstance of the Village of Mabogaum attached to the Oorlahoondah Division having been rented by the Proprietor to a Second Party after it had once been rented to the said Yalla Illuma Naidoo, Rupees 600 were given by the Second renter to Palamunda Soobaron Sernstadar of the Sub Division with a view of the Village being allowed to remain under himself supposing that the Collector may cause the same Village to be given to Yalla Illuma Naidoo the first renter. Regarding this matter Jayuthee Lutchmee Narrana who is the Gomasta of Conthoocoory Veerabasoova Rajoo garoo, the proprietor of the rented Village also wrote a letter to him (the Proprietor) that should 600 Rupees be given the matter will be fully settled. To the same effect also Kistnayah house name not known wrote a letter to the said

Proprietor. all the particulars connected with this affair are known to Conthoocoory Veerabasoova Rajoo gauroo, the proprietor, who is now here present. These things are also known to Ednapoody Annundaramiah gauroo of Chicacole

Question.- How these things came to be known to Ednapoody Annundaramiah?

Answer.- The proprietor himself and his un renters had a dispute regarding this Money and regarding the Village rent in presence of Ednapoody Annundaramiah who then adjusted the dispute inconsequence of which he knows the matter.

Question.- Whence was the Money brought and given?

Answer.- The Proprietor himself sent it.

Question.- How was it known that the Money was sent by the Proprietor?

Answer.- This was mentioned to me by the above named Illuma Naidoo, but should the Proprietor be sent for on enquiry he would admit this

Question. State what you have mentioned in your Memorandum regarding the Matter connected with Caracavalasa?

Answer. About a month ago at Chicacole Nalum Nursiah the Gomosta of the Proprietor of Caracavalasa (Division) told me that in each of the 4 years since he entered into the Service, his Master was in the habit of bribing the Cutcherry Servants of the Sub Division. namely the Serustadar Palamunda Soobarow Punthooloo Gauroo, Revenue Moonshee Nyaputty Streenevassa row Punthooloo Gauroo Civil Head Gomasta Goondoomulla Venktarama

dassoo

dassoo Punthooloo Gauroo, Tasildar of Wadada Talook Chutty Nursingarow Punthooloo Gauroo Hoozoor Daffadar of the Sub Division Ramsing and others and that this transaction is entered in the Accounts of the aforesaid Proprietor.

Question. Why did he thus bribe them?

Answer. Nursiah told me it was customary every year Serustadar Palamunda Soobarow Punthooloo, Nyaputty Streenevassarow Punthooloo and Goondoomulla Venkataramdass Punthooloo received Rupees 150 under a (threatening) that an Ameen would be sent to their Talook and notwithstanding this, an Ameen was sent to the place. in fact, whiles the Money was not returned to the Proprietor who therefore was displeased.

Signed in Teloogoo
Cooda Gulla Vencatasawmy

No 69

From
William Knox Esqr.
Acting Collector of Ganjam

To
J Goldingham Esqr.
Northern Circars Vizagapatam

Sir

1 I have the honor with reference to my letter reporting the suspension of the Sub Division Sheristadar to forward Copy of Mr. Foord's decision and a memo of mine and his reply stating that tho' in the first instance he had acquitted P. Soobbarow, he felt on a further consideration satisfied of his guilt.

2. The defence set up by P. Soobbarow is that in/49 he brought the Conduct of the Oorlam Proprietor to the notice of Mr. Lushington who was very angry with him for refusing to swear as he at first said he would do. Since this, the Proprietor has frequently brought and instigated Complaint against him, that this was a Magistrate one with which the Sheristadar had nothing to do and that the Proprietor brought a Claim of 1200 Rupees against these men for the expenses incurred in adjusting their Claim of which however he gave up 600 Rupees that the letters are forgeries as he would not have asked for 400 Rs. & taken 600 Rupees.

3. I have gone carefully over the record and do not feel authorized to disturb the 1st finding of acquittal. I agree with Mr. Foord that the Circumstances of the case are most suspicious, Still, I have observed several discrepancies to the Evidence which may give rise to doubt of which the accused should have the benefit. I will mention a few in the first place, the Savara Yerramanaidoo stated before me that the proprietor sent them 600 Rupees, before the acting Principal Asst. Collector he said it was 500, and that the Proprietors Goomastah had 100 thus making his story Tally with what the Goomastah afterwards stated, they do not agree as to who took the bag to the Sheristadars. There is also a difference in the account given of the proceedings of Akulnaidoo, the man who brought the 500 Rupees from Oorlum. These are petty matters in themselves and it is not to be expected that after 8 years all the parties should be able to recollect exactly what was done but the fact of the Proprietor and Yeddanapoody family having been for years at feud with the Sheristadar is well known. I

No. 7

3 I do not lay much stress on the fact of the Proprietor not having mentioned this case when he formerly complained as it would be tantamount to giving up his claim to the 600 Rupees, which he could not recover in a Court of law the money having been given for an illegal purpose.

4. I think Mr. Foord's estimate of the value of the 7th witness evidence very correct but I must in justice to the Sheristadar send the accompanying letter from Mr. Fraser for your consideration.

5. The letters appear to me to be bonafide what they profess to be had it not been so, I think they would have been prepared more in accordance with the evidence produced. I send copies of the translations forwarded by Mr. Foord.

6. After a most attentive consideration of the case altho there may not be sufficient evidence to convict P. Soobbarow of a criminal act, I think there is quite enough to justify his removal from his present office, if not from public employ. He is I know a very superior revenue officer and a clever intelligent man but his name has been so mixed up in intrigues as you will see in Mr. Anslow's correspondence and his General character is such that I think it very desirable that he should leave this district.

(Extract)

Chutterpoor
14 April
1836

(signed) W. Knox
Ag Collector

A

40/353

No. 9

Extract from the Diary of the assistant magistrates Office of the District of Ganjam

Names of the parties and places of their residence	Purport of the Urzee with its dates	Date of receipt of the Urzee	Purport of endorsement made on the Urzee	date of the endorsement
Plaintiffs 1. Menda Yesummа Noidoo of Mobagam 2. Yalla Yellama Noidoo of Makeewalasa Defendants 1. Kundoocoory Vyappah proprietress of Oorlam Koonda 2. Basava rauzoo son of do. do. 3. Jainthee Lutchmeenarayana Goomastah of do do. The above reside in the village of Oorlam	Plaintiffs complain that the cowl contract given by the 1st defendant was broken by the 2d and 3d defendants 30th September 1846. (Sigd) C. B. Foord	17th October 1846	As the Plaintiffs did not conform to the terms of their agreement in writing the complaint has been dismissed	17th October 1846

A

Extract from ~~an~~ appeal petition addressed to R. A. Bannerm
collector of Ganjam under date 9th December 1846

Plaintiffs	Defendants.
1 Yalla Yellumma Noidoo an inhabitant of Makeevalasa of Oorlam Hoonda	1. Cundoocooree Viyapp proprietress of Oorlaum Hoonda
2. Minda Issama Noidoo of Mobagam of do. do.	2. Basava rauzoo the son do. do.
	3. Jainthee Lutchmeenara the Goomastah of the 1st Defendant.

Requesting orders that the 3 years cowl contra of Mobagam given by the 1st defendant and broken by the 2d and 3d defendants may be continued.

Signed in Teloogoo Yalla Yellam
" " Minda Issama N

No. 10

B. Translation from Teloogoo 40
41/357

Extracts of the Hookooms passed from the collectors Office in the appeal Petition presented by Yalla Yellama Noidoo & others against C. Vyappah & others. dated 21st & 23d Decr./46

1. On the appeal petition of 9th December 1846 presented by Yalla Yellamma Noidoo and Minda Yessama Noidoo to the address of Mr. Bannerman an order on the 11th December 1846 was passed in the name of Only C. Viappah proprietress of Hoorlam enclosing the appeal petition in question and requesting to inform the reason of the matter complained of.

2. Afterwards the said proprietress sent to Hoozoor a Mootchilica given by Minda Yessama Noidoo & others and the Extract of the Diary given by the Assistant Magistrate, then an order was issued to the Malkoodar on the 23d December 1846, returning therewith the said enclosures.

(Signed) R. A. Bannerman
Collector of Ganjam.

No. 10

B-

Translation of an order under date 3rd October 1846 issued to Cundoorsoorne Vijayappah proprietors of Oorlam Koondah

With regard to the complaint made against you by the renter of Mobagam you are to send in to my hoozoor your Vakeel with a Vakalutnamah to answer the charge.

8th October 1846

(sigd.) J. Fraser
Asst. Collector Ganj

No. 12

No. 11 Received 28th January 1856

From E. B. Foord Esqr.
Acting Pl. Asst. Collector
Chicacle

To
William Knox Esqr.
Acting Collector of Ganjam

Sir,

Petitioner states in para No. 1 and 2 of his Petition that as no order was issued for the attendance of the parties who gave evidence against him that they gave him a bribe of 600 Rs. in the Mabagam case and that as their evidence was not required as they were not included in the Complaint regarding the rent of the said village the charge against him should be considered false. It is true that the records of this Office do not show that they were summoned or that they were included in the Complaint (as defendants) regarding the rent of the said Village, but they were the ryots who suffered by the rent being again granted to the parties who complained and as the Malookd (1st Defendant in the Complaint was intereste in having his Settlement of the Village Confirmed by the Revenue Authorities it is to be Considered probable that (as state in the evidence) he advised the ryots to bribe petitioner to get their rent

Confirmed, lent them the money for that purpose (as is also Stated) and Sent them to Chicacole to pay the Sums to the petitioner instead of taking direct Concern in the Affair.—

(Extract)

No. 35

Ebrampatam
28th March 1855

43/(25)

Soobbarow

one of the first things I did on seeing Mr. Lushington was to tell him that I wished to appoint you as my Sheristadar. At the same time, I told him that sundry charges against you, which I beleived from what I had heard of them to be false, were being investigated by Mr. Food & that I Cuto write both to him & Mr. Knox to know the result. which I should let him know. I have heard both from Mr. Knox & Mr. Food & have sent their letters to Mr. Lushington to read - stating also what I know of the Charges - Mr. Lushington declines to Confirm my nomination of you which I regret - so I have been obliged to offer the appointment to another person. I hope to hear from you that the charge regarding the Kurkavalsa accounts has been dismissed - I received the letter you wrote me lately with Copies of Sundry Orders.

I am

Your Sincere Friend

(Signed) J.

No 36

Nundegam
27th April

Soobbarow

I have received your last letter. In writing to you that I had been obliged to offer the post of Sheristadar in my Cutcherry to another person, I did not say I believed the charges of receiving bribes one of 100 Rs. and one of 600 Rs. to be true. On the Contrary, I beleive both of them to be false. When I nominated you to Mr. Lushington, I of Course had to mention that there were charges pending against you. but I also told him my opinion of them. I said I would write to Mr. Knox & Mr. Foord on the matter to know the result of the Examination and it was of Course necessary to let him know what they said in reply, which I did. Mr. Lushington was averse to my nomination of you from the first. and as the Confirmation of the appointment rests with him, and I saw this feeling on his part after speaking to him two or 3 times, I Could not press the matter further and was therefore obliged to Choose another Person

I remain
your well wisher

(signed) J. Fraser

No. 17

Translation from Teloogoo

Esctract from the answer presented by Balarameiah 7th witness & Sringarum Kistniah Defendants in a suit in the District Moonshiff Court at Teikallie No. 1 of 1851 -

43/353

Proprietor of Corlam Hunda Plaintiff
Sringarum Balarameiah 5th witness & Sringarum Kistniah his son & 7th witness. } Defendants

1. The Contract of Inaboogam Village was given to us the 5th & 7th witnesses and other parties who alleged to have given bribe to P. Soobarow & to whom the possession of Inaboogam was given ~~to them~~ Contrary to the terms of the Contract ~~for 3 years~~ which had been previously given for 3 years to Issama Naidoo & Illama Naidoo by the proprietor of Corlam Hoonda Plaintiff

2. The said Issama Naidoo & Illama Naidoo preferred a Complaint against the plaintiff to the Collector. The Complaint was referred for enquiry to Mr. Fraser who sent a summons to the Plaintiff (proprietor) upon this he (Plaintiff) sent for us (above shown Defendants) and stated that he had expenses on account of this matter and the kistee for which the time arrived and therefore desired us to procure some money for which he will give credit in the Contract accounts of the Village at a future adjustment. Accordingly we borrowed at different times from Sowkars 1200 Rs.

No. 17

and Paid them to the plaintiff. At the time, when the grain was ready for sale in the first year we reminded the proprietor that the sowkars were pressing for a repayment of the sum advanced either in Cash or grain, when he told us that he Could not pay the principal that year but the interest due thereon and accordingly he received that year from us his share of the grain as also money to the full amount of the rent for our Contract of the Village less Rupees 121-8-" for which he took Credit in our names under interest for the above principal.

Signed in Teloogoo Arnigarum Kistnayya
2d Cogt. & Vakeel to the 1st Deft.

X X X

Signed in Teloogoo Buchoo Vencatar
Moonsiff

46
353

No. 39

Translation from Teloogoo

Extract from an Order No. 680 under date 16th March 1852 issued by W Knox Esqr. Principal Asst. Collector of Ganjam District in the name of Thumma Sitaramah Punthooloo Taseldar of Vadauda Talook.

The Auchana Accounts or Accounts containing an estimate of produce &ca. yielding to the Villagers of Moonagavalasa under Karakavadasa Koonda by the incroached lands lying in the bed of the Tank of Sylauda Condavalasa for the current year Fusly 1262 have not yet been sent. On the receipt of this Order, not only the Accounts above refered to should be sent the whole of the produce yielded by those lands should be kept under Justtee of the Cirkar until further orders.

An Account showing the extent of the lands in the bed of the Tank according to the measurement in Fusly 1229 was sent by the late Taseldar. Necessary measures should be promptly taken for preventing the lands included in the measurement from being ploughed by the people of Moonagavalasa Jommavalasa and other Villages for the ensuing Fusly. Should the lands be ploughed by any body without my orders. You will have to be blamed and an order suitably to it will be made. An account showing the period of cultivation of the lands and the quantity of grain they yielded each year to the Mulcoodar of Karakavalasa should be forwarded by the earliest opportunity.

(Signed) W Knox
Principal Asst. Collector
Ganjam District

D° N° 13

Extract from Mr. Foord's decision on the Harakavalasa case regarding an alleged bribe of Rs. 200 dated 29th May 1855. No. 2.

20 With regard to the 1st defendant the statements of the 1st and 2d witneſses are to vague to be admitted as evidence and the only remaining witneſs (the 3d) as in the second defendants case made statements so clearly false as to throw doubt as to the truth of the whole of his testimony in the case added to which the public records show that on the dates first defendant is alledged to have received the sums of money as mentioned in the charge he was at places which although not very far from the place mentioned by the 3d witneſs yet the fact of his being in those places on those dates with the cutcherry raises a doubt to the benefit of which he is entitled.

a. 24 In no part of the enquiry or in the accounts is it shown that any sum said to have been given to any defendant was given for any specific reason or that it was given for the purpose or under pretence of securing any undue gain benefit or advantage to the giver thereof. If therefore it had been clearly proved (which is far from being the case for although the money may have been given som of the dates in the accounts are clearly false) tha the defendants had really received the mon I should have been unable to convict the of corruption according to the regulation un which they have been tried I have theref dismissed the case as not proved.

(Signed) E. B. Foord
Ag. Prin. Asst. Collect

No. 24

48/357

Revenue Department

Extract from the Proceedings of the Commissioner for the Northern Circars dated 15th. November 1850.

Read letter from the Collector of Ganjam dated 24th. Augt. submitting the circumstances attending the purchase of a certain piece of land in the Village of Mabagam in the Taalook of Wadadah originally the property of Yella Illama Naidoo and now stated to belong to P Ram Row as they affect the Share taken in the transaction of P Soob Row Deputy Serishtadar of the District.

(Here enter No. 78.)

Read also letter from the Collector of Ganjam regarding Soob Row's connection with the Polakey & Dundah Estate.

(Here enter No. 85.)

Read also Petition from Soob Row

Here enter No. 3 of 1850 & Nos. 1 & 3 Supplemental to No. 3.

The Magistrate having dismissed the charge of extortion, the only point for consideration is whether Soob Row is directly or indirectly concerned in the purchase on his own account. That the land was bought and is now in possession of Ram Row and that Soob Row acted as an Agent on behalf of his brother in several matters connected with the property is admitted on all sides. and so far there is nothing calling for remark. But the former charge is so involved with the alleged original purchase and subsequent supposed collusive transfer of the land to Ram Row by Soob Row, that it is impossible to treat of the latter points without entering in some measure into all the circumstances of the Case.

2. On an attentive consideration of all the evidene it appears to the Commissioner, that there is no room to doubt the bona-fide purchase of the land in question on account of P. Ram Row who is described as the divided brother of Soob Row - That the latter was much mixed up in the transaction is very apparent and in fact is not denied - But there is nothing to show that he had a greater interest in the transaction than would naturally be felt by a person under ordinary circumstances in behalf of a relation - The nature of the transfer of the property from Kodunda Ramiah to Nursingarow or Ram Row is not clearly set forth in the evidence and admitted of much clearer elucidation than it has received - None of the 10 witnesses to the deed of sale of Yella Illama Naidoo's land have been examined except one whose evidence is entirely in favor of Soob Row's version but the Collector, for what reason is not apparent, thinks much stress cannot be laid on it - Neither has the testimony of Kodunda Ramiah been obtained, who would have been an important witness particularly with reference to the assertion of Baswaraz (in Cº 11) that Soob Row had *forced* him (Kodunda Ramiah) to sell *his* land -

3. The principal witnesses on whom the Collector relied are this Baswaraz and M Nursimloo, the former the son of the Oorlam Proprietor, the latter a Hoozoor Moonshee

Soob Row objects to both of them, the former as having been convicted and punished for malpractices by the late Principal Assistant during the settlement of 1259 Fusly which was conducted by Soob Row under that Officer - the latter as belonging to an adverse party in the Office - and as himself lying under charges of misconduct and abuse of authority -

Letter of Civil Judge to the Principal Asst. Magistrate dated 29 May 1849 - produced by Soob Row -

4. The testimony of the former seems certainly to be tinged with partiality - Soob Row denies the Story of the Cowle for the transfer of some sery lands in the Oorlam Hoondah contiguous to the Samahoolov Maneyem altogether, and adduces evidence from official documents to show that he was not at Mabagam until the day after the date specified in the draft Cowle produced by Baswaraz, which after all is not drawn out in Soob Row's name, but in that of Sunjeeva Row who must be considered to have acted either for his brother Nursinga Row or for Ram Row - Of the feud in the Native Establishment of Ganjam and of the lengths to which it has been carried every one acquainted with the distict must be aware - The evidence of the partisans of either faction must therefore be received with very great caution - M. Nursimloo deposes to the details brought forward in the charge of Y. Illama Naidoo with extraordinary precision and one of these points appears to be successfully rebutted by Soob Row Vizt. that regarding the restraint imposed on Y. Illama Naidoo by placing him incharge of a peon, who appears not to have been with the Cutcherry at all but remained behind sick at Chicacole -

See Receipt taken by Condaparty Sinarain Police Ameen of Chicacole from appeal Peon & letter of Cadeem Moonsiff Sreeniah

5. Of the intercepted letters and documents, No. 4 is the only one of the former bearing on the matter at iſsue. This Soob Row *alleges* to have been mutilated since the day on which he saw it at Purlah Kimedy by the erasure of 3½ lines which as they stood before, conveyed an impreſsion more favorable to his own Statements. In the English translate the directions about the writing as rendered, state that the inside was to be written in a feigned hand and the addreſs outside to be in another hand, deferring in this respect from the Telugo Copy produced by the accused, which states that the addreſs only was to be written in a strange hand as a precaution ([illegible] now alleged) against its interception at the Post [illegible] a fate which had befallen former communication. The Commiſsioner does not see any thing improbable or suspicious in these directions under the circumstances as explained by Soob Row. The general subject of the letter Vizt the Conduct of the Suit is such as might be expected to be written in confidence on a matter of family interest and nothing can be more natural or probable than that a person should undertake the cause of an absent brother and talk and act in the matter as if it was his own, without his having any direct interest in the iſsue. The only document which carries a suspicious look is the receipt to Y. Illama Naidoo for repairs to a tank adjacent to the Samabroloo Enam by Soob Row confeſsedly made on his own account and as he states with a charitable object. The trans-action by itself carries an appearance of the existence of a deeper personal interest in the land itself than is admitted, but the whole of the rest of the evidence so clearly shows the land to have been bought and conferred by Ram Row on his *Son in Law*, a connection in which Soob Row can have no poſsible interest, as to neutralize the suspicious look of the transaction.

6. The Statements of the Complainant are throughout of the most improbable character and bear evident marks of inconsistency and falsehood. The attempt to recover the Manyem land by bringing forward his brother to claim it as sold without their consent, has all the marks of a collusive transaction. It is hardly poſsible to conceive that the sale, conducted in the Village itself in the most public manner, before many witneſses and the removal of the suit from the Moonsiffs file, could have been kept from the knowledge of these interested parties. Illama Naidoo's version too of the manner in which he obtained poſseſsion of the documents DD 1 @ 4 is wholly at variance with probability. According to his Story Soob Row's son might have entrusted him with the letter No. 4 but why he should show him those marked 1, 2, 3, confined to strictly private and familiar communications is inconceivable, and renders it far more likely that they were obtained in some clandestine and improper manner or purloined as maintained by Soob Row. Illama Naidoo's aſsertion that the land was sold for leſs than its value is equally untenable. The price paid amounted to eight years

Note. The true nature of Illama Naidoo is not clearly explained. He can only claim 4 garces out of the 15 of which Samabroloo Shroa consists and these appear to have been more of the nature of a gratuity for cultivating given by the Manyemdar than a bona fide grant. His right was never admitted by Kodunda Ramiah & seems afterwards to have been yielded on the original condition and he was again allowed to resume the cultivation of the whole of the land.

produce which is fully equal to, and in some cases, more than the terms of transfers of land which have lately come under notice-

7. With reference to the Collector's remarks on Soob Row's manner in para 15 of his letter, the Commissioner must observe from his own knowledge that this person has a singularly verbose and involved manner of explaining matters of the simplest nature and it is not likely that his perspecuity would be greater on an occasion of such vital importance to his future prospects- More stress has been laid on his forgetfulness of the name of the great man or as it may equally be rendered "respectable individual" (the Arasavilly Curnum) who first negotiated the purchase of Ollama Naidoo's land, than the circumstance deserved- The fact has nothing improbable in itself and the transaction was fully narrated in the subsequent examination of the 30th July, besides having been long before recorded in a document drawn up by Soob Row himself many months previous, and then on the Collector's records-

8. The interference of public Servants with the purchase or transfer of land in their own districts is highly reprehensible, but the abuse had long prevailed in Ganjam as elsewhere and the renewed responsibility of parties engaged in such transaction only commenced on the 28th August 1849- The Commissioner does not perceive that Soob Row was called on to enter the acquisitions of

of his brother in his own Schedule of property- The purchase of the Samudhoolor Istiva by Ram Row appears to have been made openly and without apprehension, its disposition for the maintenance of his Son-in-law was duly reported to the Collector and if it had been purchased by Soob Row himself so early as 1848 there seems no probable reason why he should not have included it with his other possessions in the return of lands held by public Servants rendered in 1849-

9. The alleged interest of Soob Row in the Polakey Sale rests on the unsupported Statement of the purchasers, and the investigation does not seem to have been carried beyond assertion contained in their Petitions-

10. The Commissioner is of opinion for the various reasons above stated that no substantial case of misconduct has been established against Soob Row- He should therefore be relieved from Suspension and directed to return to his duty-

(True Extract)
(Signed) Walter Elliot
Commissioner

(A true Copy)
(Signed) W. Knox
Acting Collector-

No. 26

No. 126 Extract Revenue Department

From an Extract from the Proceedings of the Commissioner for the Northern Circars dated Vizagapatam 20th March 1854

Read the following letter dated 15th October 1851 from the Collector of Ganjam

(Here Enter No. 153)

Read also the following letter from the same officer dated 1st November 1851

(Here enter No. 159)

× × ×

2. The Commissioner sees no reason for changing the opinion formed by him on the previous Correspondence and regrets that the matter should have been brought forward again on such insufficient grounds.

(True Extract)
(Signed) H Newill
Asst. Commissioner

(True Extract) for
(Signed) W. Knox
Ag. Collector

For the information of the Sub Division Sheristadar
Chicacole

No. 2

Translation - from Teloogu

Extract from an urzee addressed by Eddanapoody Sooria prakasa Row & Anuntha Ramiah to Mr. Bannerman under date the 25th April 1846

Palamunda Soobarow Sub Sheristadar of Ganjam. requested us to give him a fourth of the Polaukee Talook for sale but we have not agreed to do so. The eight Hoondahs Waudada &c. &c. being subject to the Division to which Sooba Row belongs, from spite on account of our refusal of his request he determined to oppress us and ruin our Talooks. And a great disturbance was caused by sending 4 or 5 Peons to each of the Villages in the Polaukee Talook to raise a supply of Straw for the use of the salt Kotars at Nowpadda While the Peons continue to exact from half a Rupee to a Rupee daily for expences on account of their provisions & to ill treat to the utmost every male or female by beating &c. whom they meet in the places - notwithstanding an abundance of straw can be easily procured in the eight Hoondahs of Waudada and other Talooks under Proprietors no supply at all is raised therein -

(Signed in Teloogoo E. Sooria
Prakasa Row
— do — E. Anuntha Ramiah

No 145

Extract from an Extract from M. C. under date 21st September 1852 No 933

Advertising also to the strong suspicions which attach to the Conduct of some of the native Revenue Servants in Connection with the Sale of the property in 1844 at least, if not on the recent occasion, the Government desire that the Collector and his Principal Assistant will keep a watchful eye over the parties and will warn them, that Complicity in such intrigues for the future will on detection inevitably intail dismissal and permanent exclusion from public employment.

(A true Extract)

(Signed) T. Pycroft

Secretary to Government

No. 18

Extract from letter No. 178 of 20th Octobe
1851 from the principal Assistant Collecto
W. Knox Esqr. to the Collector of Ganjam.

5/317

Para 48 - In conclusion, I hav
to acknowledge the assistance I have
received from the sub sheristadar
Palamunda Soobbarow Puntooloo durin
the settlement, his knowledge of the Countr
and People was of the greatest use an
his zeal and assiduity were highly
Commendable.

(A True Extract)

(Signed) W. Knox

Principal Assistant Collecto

No 19

Extract from the Jamabundy Report
of the Talooks under the sub Division
in the District of Ganjam for fusly 1262.

× ×

56/353

Para 39 In Conclusion I am happy to be able to bring to notice the sub Division Sherestadar Pala:munda Soobarow Puntooloo whose exertions in inducing ryots to take up land after the Tahasildar had failed were highly Commendable and whose General Conduct has been quite satisfactory.

(Signed) W. Knose
Pl. Asst. Collector

(True Extract)

Ganjam Destrict
Pl. Asst. Collrs
Office Chicacole
18th November 1854

(Sgd) J. Fraser
Ag. Pl. Asst. Collr.

56

No 20

Extract from the Jamabundy Report of the Talooks under the sub Division in the District of Ganjam for Fusly 1263.

× × ×

31/353

Para 38 In Conclusion I beg to state that having had nothing to do with the settlement myself I cannot say any thing regarding the assistance rendered by the sub Division Sheristadar Palamundat Soobarow Puntooloo but I have been much indebted in preparing my report on it to the lucid statement, regarding its details which was drawn up by him for my information and which is indeed no more than I expected from one of whose qualifications as a public servant I have for long entertained a high opinion.

Ganjam District
Pl. asst. Collectors
Office Chicacole
18th November 1854

(Signed) J Fraser
A. P. a Collr.

(True Extract)
(Signed) J Fraser
A. P. a. Collr.

No. 21

No. 88

Copy
From W. Knox Esqre
Pl. Asst. Collector
Chicacole

To 58/35

A. P. Onslow Esqre
Collector of Ganjam

Sir

The Sub Division Sheristadar having applied to me for the increase of Pay which he originally received out of the Revenue of Kimedy when that Estate was under the charge of former Sub Collectors I beg leave to solicit your instruction on this point and to forward Copies of two letters shewing the grounds on which this arrangment was first made & of Mr. Bannerman's Order stopping it. I may add that since Soobarows return I have found him regular and energetic in the perform:ance of his duties and that his Conduct has given me General Satisfaction

I have &c. &c. &c.
(signed) W. Knox
Pl. Asst. Collr.

Kimedy
Pl. Asst.
Collr. office
18th June 1851

True Copy

(Sd.) W. Knox
Pl. Asst. Col.

Chicacole
My Dear Mathison 22nd June 1847.

The Sub Collector's Sheristadar in this District by name P. Sodoraw tells me he has heard that the Head Sheristadarship in the Masulipatam District is likely to become vacant & has asked me to write to you on his behalf - This I have much pleasure in doing - He has been attached to my Cutcherry since February/46 with the exception of a few months & since then I have had charge of 2 Revenue Talooks so that I have had an opportunity of judging of his abilities - I have found him very hard working and zealous, an excellent accountant, trust worthy & Generally speaking to have a most thorough and practical knowledge of Revenue duties. I also fully believe him to be perfectly upright in his Conduct. I know Smollett had a Good opinion of him, for he told me so & I believe Bannerman has the Same. I shall be very happy if he can meet with the promotion, I believe him fully to merit -

Believe me
Yours very Sincerely
(signed) J. Fraser

No. 23

My Dear Newill

The person who writes enclosing this P. Soobarow has been under me for about 18 months in the Capacity of Sheristadar – I have had a tolerable Revenue Charge ever since January 1844 and had opportunity of seeing how he understands his work and I must say that I never saw any one better up to it and as far as I can judge he is perfectly upright – I gave him a character as he calls it sometime ago on his own request as he was ordered back to the Collector's Cutcherry for a few months to assist in doing the Jamabundy of Goomsur and he thought he might not be under me again. All the after experience I have had of him only Confirms what I have stated in that; and Bannerman also had a very high opinion of him. Smallett also thinks well of his abilities if you can speak a good word for him to Mr. Stokes I hope you will and I shall be obliged by it

Believe me
Yours sincerely
(signed) J. Fraser

Chicacole
25th August
1845

(True Copy) J. Fraser

No 267

From E B Foord Esqr

62/353

No 31

61/353

6-

Soobarow

I cannot give you permission to Proceed to Chuttrpore.

(Signed) E B Foord
A P A C

17th June 1853.

To Ry.
Palamunda Soobarow
Puntooloo

---

to altho' he has had copies of

No 267

From E B Foord Esqr.
Ag Pl. Asst. Collector

To W Knox Esqr.
Ag Collector of Ganjam.

Sir

With reference to the Commissioner letter dated 5th Instant and its Enclosure I have the honor to Explain in answer to Palamunda Soobarow's 1st allegation — (that I detained him at Chicacole) that before proceeding from Chicacole to Chettrapore with my Cutcherry about the middle of June last P. Soobarow asked me whether he might accompany me and I refused him permission to do so. as I did not think the presence of a Suspended Sheristadar with my Cutcherry at all desirable but no other restraint whatever has been placed on his movements.

2. With Regard to the 2d. allegation I find that by an oversight he has not been furnished with a Copy of my decision in the case he alludes to, altho' he has had Copies of other

papers Connected with the Case for which he applied. I regret this Circumstance as it looks as if I wished to obstruct his appeal which I need not say is far from being the Case.

3. He shall be furnished with a Copy as soon as it Can be prepared.

Ganjam District
Pl. Asst. Collrs.
Cutcherry on
Circuit at
Nursunnapettah
17th December
1855

I have the honor to be
Sir
Your most Obedient
Servant
(signed) E B Fox
A. Pl. Asst. Collr.

Triplicate.

63/353

R 209/57

21 Apl/57