M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2149 Press Mis.

292.293

Dated 23 — 11 — 1864.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 23rd November 1864.

No. 292. Read the following Proceedings of the Board of Revenue, dated 7th November 1864, No. 7,274.

Read again letter from the Collector of Salem, dated 9th August 1864, No. 141, in Board's Proceedings, 7th September 1864, No. 5,827.

Read also the following letter from the Honorable D. ARBUTHNOTT, Collector of Salem, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 7th October 1864, No. 194:—

1. With reference to the Board's Proceedings, dated 7th instant, No. 5,827, I have the honor to forward copy of a letter from Deputy Collector V. Ramiengar, stating that his order directing the cash chest to be sent to the Talook Cutcherry has been attended to, but not invariably.

2. A copy of the statement given before V. Ramiengar by his Gumastah, Soobba Row, explaining the cause of his having failed to send the cash chest to the Talook Cutcherry, is herewith sent.

ENCLOSURE No. 1.

From V. RAMIENGAR, Deputy Collector, Namcul Division, to Honorable D. ARBUTHNOTT, Collector of Salem, dated 22nd September 1864.

With reference to your letter of the 17th instant, No. 722, giving cover to the Proceedings of the Board of Revenue, dated 7th idem, I have the honor to state that, as far as I can learn, my order directing the cash box to be sent to the Talook Cutcherry, appears to have been attended to as a rule, but not invariably; because it some times happened that, owing to the Talook Cutcherry being closed earlier than mine, or from my office Peons not being in attendance just at the time when the work of the day closed, the chest was not sent over on some evenings; but such instances were exceptional. Soobba Row's explanation of his having failed to observe the order on the day he took charge of the cash, was sent to you with my letter of the 31st May 1864.

(True Copy.)

(Signed) D. ARBUTHNOTT, *Collector.*

ENCLOSURE No. 2.

Statement given by SOOBBA ROW, Vernacular Clerk on the Establishment of the Deputy Collector and Magistrate in charge of the Namcul Division.

At about half-past 4, on the afternoon of last Saturday the 28th instant, the Head Clerk of this office, who had then obtained a month's privilege leave, made over charge of his office to me according to the Deputy Collector's orders. According to the Chittah of receipts and disbursements of the Permanent Advance Fund of this office, there was, on that date, a balance in hand of Rupees 59-9-6 under that head. There was also another sum in the Head Clerk's hands amounting to Rupees 50-8-9, being the residue of sums placed at the disposal of the Deputy Collector for purchase of office furniture. There was a further sum of 12 Rupees, sent up by the Namcul Sub-Magistrate on the 20th of this month for payment to parties on account of compensation awarded to them under the Criminal Procedure Code. The above three sums, amounting together to Rupees 122-2-3, I received from the Head Clerk. On the same evening, before the close of the office, one of the two persons entitled to the receipt of the compensation having appeared, I paid, in the presence of the Deputy Collector, the amount which had been awarded to him, viz., 6 Rupees, so that the balance left in my hands on the evening of the 28th, was Rupees 116-2-3. This sum I secured in two cloth purses, and placed in a chest containing the Income-tax records, and locked up the chest. The chest has two locks, and its two keys I placed in another box in my possession in the office. The key of this last box I took home to my house when leaving the office. When I put the purses in the Income-tax records chest, there were present in the office, as far as I recollect, besides the Head Clerk who delivered charge, Vernacular Clerk Kistna Row,

Senkera Row, the Namcul Talook Serishtadar, this office Dufterbund Sashien, Police Private Gopalu, who is one of the two orderlies attached to this office, and Ponniengar, another Clerk of this office, this last being seated at some distance. Next day 29th being Sunday, I did not attend office. Yesterday morning Monday the 30th, I called at the office at half-past seven in order to answer an official Yadast, which had been received the previous day from the Paramanthy Sub-Magistrate, regarding certain batta paid in a Magisterial case, and as it was necessary for this purpose to refer to the Chittah, I opened the chest containing it, *i. e.*, the same as that in which the money had been left by me, and took out the Chittah I did not then see whether or not the money was in the drawer in which I had placed it. In fact I did not think of the money then, and did not look for it, as it was only for the Chittah that I opened the chest, and I had no suspicion of any kind that the money had been abstracted. After taking out the Chittah, I locked up the chest again, and went back to my seat with the keys. In a few minutes afterwards, while looking over the Chittah, two Police Privates came up with five prisoners from Attur in a case sent up by the Sub-Magistrate of that Talook for investigation in this office. The Privates handed me the warrant and the records of the case they had brought. I gave these back immediately, telling them to attend at ten o'clock, at which hour I said the Deputy Magistrate would be at the office. The Privates then asked me to let the prisoners have batta that day. I thereupon went up to the chest with the keys, and opening it, looked for the money in the drawer in which I had kept it, and saw both the purses were missing. I searched the chest carefully, and finding the money gone, I reported the matter to the Deputy Magistrate, Dufterbund Sashien, and Police Private Mustak Sheriff; the other orderly attached to this office was by me, besides the Attur Privates, when I opened the chest the second time. I ought to have sent the money over to the Talook Cutcherry to be kept there, as it was the Deputy Collector's order to do so since the withdrawal of the Police Guard attached to this office; but it was half-past four o'clock when I took charge of the money, and immediately afterwards I had to attend upon the Deputy Magistrate while he was engaged in the investigation of a Magisterial case. I was engaged in this way till half-past five o'clock, when I went back to my seat. Inquiring then, I understood that the Talook Treasury had been closed, and as it was then too late to do any thing, I went home thinking to send the money over next Cutcherry day, *i. e.*, Monday, and it was on Monday morning that I found the money gone.

Given before me this 31st day of May 1864.

(Signed) V. RAMIENGAR,
Deputy Collector.

Namcul.

Re-examined on the same day.

On Monday morning, when first opening the chest for the Chittah, I found the locks all right. I did not see the least appearance of their having been tampered with. They must have been quietly picked.

Given before me this 31st day of May 1864.

(Signed) V. RAMIENGAR,
Deputy Collector.

(True Copy.)

(Signed) D. ARBUTHNOTT, *Collector.*

1. Ordered to be submitted for the information of Government, in continuation of Board's Proceedings, dated 23rd June 1864, No. 3,879.

2. The Board are of opinion that Soobba Row's breach of rule will, under the circumstances, be sufficiently punished by a fine, and that he should not be required to make good the deficiency as proposed by the Collector.

No. 293. ORDER THEREON, 23rd November 1864, No. 2,149.

Miscellaneous.

1. On a perusal of these papers, the Government cannot concur in the opinion expressed by the Board in paragraph 2 of the foregoing Proceedings.

Proceedings of the Madras Government, Revenue Department, 23rd November 1864.

2. Sooba Row ought either to have sent the cash chest to the Talook Treasury as ordered by the Deputy Collector, or, (if as he says this was impossible,) to have applied for a guard to take charge of the same. The money having been lost owing to his adopting neither course, the Government are of opinion that he should be required to make good the amount, viz., Rupees 116-2-3, by instalments. The Board will instruct the Collector accordingly.

(True Extract.)

(Signed) J. D. SIM,
Secretary to Government.

To the Board of Revenue.
„ the Accountant General.
„ the Civil Paymaster.

Exd. S. T. Augustin.

No. 5,827

PROCEEDINGS OF THE BOARD OF REVENUE, ted 7th September 1864.

Read the following letter from the Honorable D. ARBUTHNOTT, Collector of Salem, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Senkagiridrug, 9th August 1864, No. 141 :—

1. With reference to the Proceedings of the Board of Revenue, dated the 23rd June last, No. 3,879, I have the honor to forward the enclosed copies of two reports received from the Superintendent of Police and from the Deputy Collector Namkul Division, from which you will see that the party who abstracted the money from the Deputy Collector's Cash Chest has not been detected, and Captain Storey informs me that there is now little chance of detection.

2. The Dufterbund referred to in Captain Storey's letter was an acting one, and is no longer employed.

3. A copy of Ramiengar's letter has been sent to the Superintendent of Police, drawing his attention to the conduct of Police Private Gopalu.

4. The Deputy Collector is of opinion that Gumastah Sooba Row's carelessness should be visited with a fine ; but in this I cannot concur. The money was in Sooba Row's custody, and lost apparently from his carelessness, in not placing it in the Taluk Treasury. There is, moreover, no actual proof that the money was stolen. The lost money ought therefore in my opinion to be recovered from Sooba Row.

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ENCLOSURE No. 1.

From Captain E. J. STOREY, Acting Superintendent of Police, to the Honorable D. ARBUTHNOTT, Magistrate of Salem, dated Salem 2nd July 1864, No. 398.

1. Adverting to your letter, No. 36 of date 3rd ultimo, I have the honor to report the following circumstances connected with the inquiry made by the Police into the case of theft committed in the Deputy Collector's Office on the 28th May last.

2. It appears that a sum of Rupees 110-2-0 was locked up in a box by Gumastah Sooba Row on the evening of the 28th May, and that on the morning of the 30th the money was found missing.

3. On the night of the 28th and 29th May, Dufterbund Gooroosawmy and his father were sleeping close to the box with certain others named in the margin.

Police Constables.
Mustapha Sheriff, No. 377, and
Gopaul Naidoo, No. 725.
Deloyet Vurdapah Naik.
Jangheer Saib.

4. The Deputy Collector first suspected Police Constable Gopaul Naidoo, No. 725, who was employed as his office orderly, and who was sleeping in the office with others. He was arrested, and his house was searched on a warrant, but nothing was discovered. From the strict inquiries made regarding the Police Constable nothing was proved to implicate him, and he was released by the Deputy Magistrate as innocent.

5. Suspicion was afterwards directed towards the Dufterbund and his father, whose house was also searched on a warrant, but nothing was found in their house. The extraordinary circumstance that presented itself at the time was that in the house of these individuals when searched not a single pie in ready cash was to be found. This leads me to think that they may have removed every thing out of the house previous to the search.

6. I cannot understand how the Dufterbund's father, who holds no appointment, was allowed to sleep in the Deputy Magistrate's Office where public records and money (contrary to orders of Deputy Magistrate) it would appear were in the habit of being kept.

7. The subsequent conduct of the Dufterbund in attenpting to make jewels of the value beyond his means, and inquiring for valuable cloths, go to confirm the suspicion attached against him. I have directed the Police to keep a watchful eye upon this individual.

8. The office orderlies had no business to sleep in the Deputy Magistrate's office. They should return to their station as soon as the office is closed. I have directed an order to this effect to be carried out in future.

9. The property stolen being ready money, I fear there is little chance of detection.

10. The enclosures received with your letter are herewith returned.

(True Copy.)

(Signed.) D. ARBUTHNOTT,
Collector.

ENCLOSURE No. 2.

From V. RAMIENGAR, Deputy Collector of Namkul Division, to the Honorable D. ARBUTHNOTT, Collector of Salem, dated 23rd July 1864, No. 62.

1. I have had the honor to receive your letter of the 20th instant, No. 501, calling for information on certain points on the subject of the money abstracted from my office cash chest.

2. The Dufterbund you refer to, named Dorasamy, was appointed by myself to act in that office in September last, on the occasion of the permanent incumbent borne on the Moyen Zabitah, viz., Sashien being appointed, with reference to your Yadast, No. 63, dated 19th September 1863, Clerk for the Valavandi estate, which was then under attachment. At the time he was thus nominated to act as Dufterbund, Dorasamy was a volunteer in my office. His father is a native of Namkul, possesses a house of his own, holds lands assessed at more than 50 Rupees, and is besides the owner of some Inam lands. He has a brother and a nephew employed as Vakils in the District Munsiff's Court at this place, and I have never heard any thing unfavorable to the character of this man, or of his son Dorasamy.

Vide deposition of Nursimmiengar, marked No. 1.

3. I understand that both Dorasamy and his father did sleep in the Kacheri with the Police Privates and Deloyet on the Saturday and Sunday preceding the day on which the money was found missing. Dorasamy says that, as acting Dufterbund, and responsible for the Dufters, he used to sleep in the office with the Deloyets; and his father, as appears by his own statement, and that of Deloyet Jangheer Khan, was also in the habit of sleeping with his son. This was not by permission. The fact is, it does not appear to have occurred to the Police Privates or the Deloyets as anything objectionable, and was not brought to my notice.

See enclosed Depositions, Nos. 1 and 2.

See enclosed Depositions, Nos. 1 and 3.

4. As soon as it became known that the money was gone, suspicion very generally pointed to Private Gopalu; not indeed because he slept in the office, for so did the other Private Mustak Sheriff, Deloyet Jangheer Khan, and the acting Dufterbund and his father; but because of his demeanour at the time, and of his reputed character as a spendthrift, indulging in liquor and frequenting brothels. I confess no suspicion entered my own mind regarding the Dufterbund or his father, till Inspector Konaty Naidoo informed me that he had heard a rumour that Dorasamy was getting some jewels made, and bargaining for some cloths. I then immediately inquired into the truth of these rumours, and I learnt from the goldsmith, who was said to be making the alleged jewels, that *prior* to Sooba Row receiving charge of the money from the Head Clerk, and therefore *previous* to its abstraction from the cash chest, Dorasamy had given the goldsmith 15¾ Rupees for making a gold ring. As regards the cloths, on my asking the Inspector to produce before me the cloth merchant with whom Dorasamy was said to be in communication about the cloths, he told me that he had himself inquired about it, and found the rumour unfounded. I have now taken depositions both from the Goldsmith and Cloth Merchant, and enclose them for your perusal. Notwithstanding that my inquiry into the rumours brought to my notice as above stated, thus failed to raise any presumption unfavorable

Marked Nos. 4 and 5.

to the acting Dufterbund or his father, I still deemed it expedient, under the circumstances, to cause their house to be searched, which was accordingly done, but without any trace of the stolen property being found.

5. The Superintendent of Police is mistaken in supposing that "I first suspected Police "Constable Gopalu Naidu, No. 725," and afterwards "released him" as "innocent." My suspicions still point chiefly, if not wholly, to Gopalu Naidu. The other Police Private Mustak Sheriff, who has been associated with Gopalu Naidu for nearly three years, suspects him, as do also my Deloyets and other Kacheri servants. After the loss of the money, Gopalu Naidu was closely watched for some days, and it was not till certain suspicious circumstances had transpired, and the Police formally communicated to me their suspicions, that he was arrested. I released him subsequently from custody, not because I considered him "innocent," but because the Police Inspector more than once represented to me the impossibility of finding any thing out while Gopalu Naidu was kept confined, and of the necessity of watching his conduct and movements; and the release, I should add, was not made till the party had entered into bail. An Oilmonger, said to be Gopalu Naidu's banker, and a dancing girl in his keeping, were also arrested and their houses searched, though no property was found in them.

Vide Occurrence Report, No. 6

6. My impression till I read the Superintendent's letter was that Gopalu Naidu was still strictly watched. Only last evening, the Head Constable in charge of the Namkul station with whom, since the occurrence of the robbery, I have been in constant communication on the subject, reported to me that Gopalu Naidu's conduct and demeanour since the abstraction of the money almost confirmed him in his suspicions against that Private, and he hoped soon to detect the crime, now that Gopalu was laid up with a venereal disease, and would have to provide himself with money, which would afford an opportunity of observing whence he got his supplies. On the very day that the money was found missing in the Kacheri, Gopalu Naidu was preparing to send off to his native country a widowed daughter, who had been living with him, but he suddenly gave up the design to all appearance, probably because he thought he was suspected and watched. Altogether, as far as I am at present informed, and can judge from appearances, I think it quite as necessary still to keep a watchful eye upon Gopalu Naidu as upon any others whom the Superintendent may have reason to suspect.

7. I very much regret that Dorasamy's father should ever have been allowed access in the Kacheri at nights with his son; but the circumstance, as I have already said, was not reported to me, and I have since taken steps to prevent a recurrence of such practice. Dorasamy is no longer in the office, as, owing to the restoration of Valavandy to the guardian of the Minor Proprietor under the orders of the Civil Court, Dufterbund Sashien has reverted to his own appointment.

8. Sooba Row is greatly to blame for having neglected to send the money over to the Taluk Treasury directly he took charge, and I am of opinion that he should be punished for such neglect by a moderate fine.

9. I take this opportunity of requesting that you will ask the Superintending Engineer to expedite the building now under construction for my office, as I feel the present arrangements, under which I provide accommodation for the Kacheri, to be inconvenient, and to entail great responsibility, owing to the want of a proper building at Namkul for the office, as you are already aware.

10. The Superintendent's letter received with your's is returned.

(True Copy.)

(Signed) D. ARBUTHNOTT,
Collector.

Pro. 2nd July 62 No. 33/34

Rev. 1864. Department.
Pro. of Govt for Nov.

No. 2951.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 7th November 1864.
Dup. 11 Do —
Rec. 12th
Pl.

No. 7,274.

Submitting for information letter from the Collector of Salem forwarding copy of a letter from Deputy Collector V. Ramiengar stating that his order directing the cash chest to be sent to the Taluk Cutcherry has been attended to but not invariably.

Written Order.
No 2149. 23rd Nov.

For Orders —

Soobba Row ought either to have sent the Cash chest to the Taluk Kacharry or (if as he says) he was unable to have applied for a guard. It seems to me that as the money was lost owing to his adopting neither course he should make good the amount viz Rs 116-2-3 This is the only way of enforcing Attendance to orders.

L & S

No 292 & 293.

16 Nov/64 Rep.

Before coming to a decision in this case, the Board desire to see Soobba Row's explanation of his having failed to send the cash box to the Taluk Cutcherry as ordered, which explanation is referred to in paragraph 2 of the Deputy Collector's letter dated 31st May 1864. The Deputy Collector should ascertain and report whether his order had been regularly observed up to the time of Soobba Row's taking charge of the cash.

(True Copies and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To Honorable D. Arbuthnott, Collector of Salem.

Endorsement on the Pro. of the Bd of Revt to the Collr Govt. Dt. 7th Nov 1864 No. 7274.

1864. Department.

Rev. 29th Nov 64

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 7th September 1864.

No. 5,827.

Desiring to be furnished with Soobba Row's explanation of his having failed to send the cash box from which money was stolen to the Taluk Cutcherry as ordered.

Pro. 23 Nov 64
D 2149
D 292-293

1. Ordered to be submitted for the information of Government, in continuation of Board's Proceedings, dated 23rd June 1864, No. 3,879.

2. The Board are of opinion that Sooba Row's breach of rule will under the circumstances be sufficiently punished by a fine, and that he should not be required to make good the deficiency as proposed by the Collector.

(True Copies and Extract.)

Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.,
with copy of Board's Proceedings, 7th September 1864, No. 5,827.

Copy to Honorable D. Arbuthnott, Collector of Salem.

Exd. J. Wright.

No. 2149.

On a perusal of these papers, the Government cannot concur in the opinion expressed by the Board in para 2 of the foregoing Proceedings.

Sooba Row ought either to have sent the cash chest to the Talbot's Treasury as ordered by the Deputy Collector, or, (if as he says this was impossible) to have applied for a guard to take charge of the same.

The money having been lost owing to his adopting neither course, the Government are of opinion that he should be required to make good the amount, viz Rupees 116-2-3, by instalments. The Board will instruct the Collector accordingly.

Fort St. George
23rd November 1864

14 Bds. & Rec'd 24th Do.
Abstracted & Paymaster