

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

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Not to be folded or roughly handled*Ms*

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

Proceedings of the Board of Revenue, dated 14th November 1864, No. 7,424.

Read the following letters :—

From T. CLARKE, Esq., Member of the Board of Revenue, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Tanjore District, Cuttumavady, 11th October 1864.

1. I have the honor, in accordance with the Order of Government dated 8th July 1864, No. 1,196, to forward to you, to be laid before the Board of Revenue, the accompanying packet containing a portion of the Proceedings held by me in the case of the Collector of Tanjore against Mr. D'Monte.

2. The inquiry into the charges which are seven in number, commenced at Tranquebar on the 18th July last, and, excepting that into the fourth charge, the Prosecutor's reply in which has not yet been received, terminated on the 19th September. I commenced the inquiry as soon as the Prosecutor was ready to proceed with it.

3. There has been some delay in the case. The charges at first submitted to me are found in the supplementary packet, and are marked 1. As the inquiry proceeded, I discovered that in each case something more serious was implied than was charged: for instance in the first charge, *with improper intent* was implied, and the same in the second and third charges, and so throughout. I therefore informed the Prosecutor, that I could not allow him in his remarks to go beyond the charge, nor could Mr. D'Monte be called on to rebut anything beyond what was alleged against him in the indictment, nor could he be found guilty on any assumption or probabilities which might be added to, or based on the acts charged, unless such were charged; that the indictment must be complete in itself, and must include both in intention and act all that was proposed to be charged. The Prosecutor accordingly asked that he might be permitted to go to Vellum to consult the Collector on the propriety of amending the charges: he left on Thursday the 4th, and returned with the amended charges on Monday the 8th August. This caused a delay of three days. The amended charges are also in the supplementary packet, and are marked No. 2.

4. On another occasion, the Prosecutor heard of the dangerous and fatal illness of a very near relative by telegram, and begged he might be allowed to visit him. He was absent from Thursday to Monday following, causing another delay of three days.

5. Further, the witnesses required in one single case were never all ready, and fresh witnesses often had to be cited. The necessity for calling for fresh witnesses caused much delay. I have also had to go through a mass of documentary evidence, and to consult a large heap of accounts. Documents too had to be sent for, and much delay occurred in procuring them. Again, the salt servants continually required to consult their records, and time was consumed in their doing so. I was unable to take up each case in order, and dispose of it at once. Some witnesses in one case, and some in another, were examined as they were present, and as time allowed. I attended my office every day (Sundays excepted) at 10 or 11 A. M. as the Prosecutor was ready, and continued at work till 7 or half-past 7 P. M.

6. The course I pursued was the one, I presume, my instructions required. The depositions taken before Mr. Cadell were first read over to the witnesses. I then subjected them to a cross-examination, and after I had examined them, the Prosecutor was allowed to put any questions he might wish. This process occupied much time, and with reticent and prevaricating witnesses, who would not reply to the questions put to them, or endeavoured to evade them, it was a very protracted and tedious one; for I felt I had no power to force a witness to answer, or to fine him for prevaricating.

7. The prosecution was conducted by Mootoosamy Iyer, one of the Deputy Collectors in the District, and I am much indebted to him for his intelligent cross-questions, patient investigation, and lucid summaries.

8. The witnesses examined by me amounted to eighty-seven. The documents filed amount to 157. In the supplementary packet there will be found a general list of all the witnesses examined and documents filed in the case; and a list of such witnesses as were examined, and of

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

such documents as were referred to in each case, is found appended to that case. Each case has been made up separately with the documents and evidence relating to it, and in each the same letters are used on the documents filed, beginning from A. As the cases are kept separate, I trust no confusion will be found to arise from this arrangement. The general correspondence is appended as an Appendix in a separate packet with the original and amended charges, and general list of witnesses and documents.

9. As I propose submitting with each case my view of the nature of the charge, and of the extent to which it has been established or otherwise in evidence against Mr. D'Monte, I will not in this letter do more than give a cursory history of the origin and progress of the charges framed against the accused.

10. Mr. D'Monte left Tanjore for Calcutta on leave of absence on the 3rd October 1863, and returned to Tanjore on the 26th November following. Up to the date of his departure to Bengal, Mr. D'Monte appears to have maintained a character for efficiency, zeal, integrity, and usefulness, and to have succeeded in securing the approval of his superiors to his proceedings.

11. On his return to the District, he was immediately placed under virtual suspension by the Collector, who, in his letter to the Secretary to the Board of Revenue of the 18th January last, No. 69, mentioned that he had deemed it his "duty to make some inquiries into the truth of the reports which were constantly reaching him from various quarters, from Europeans as well as from Natives."

See Mr. Cadell's letter, dated 4th October 1864, No. 1,046, in Appendix.

12. I cannot find that any parties were examined by the Collector up to the 18th of January.

13. In the prosecution of the original inquiries, the Serishtadar of the Collector's office was largely employed. He examined the records of the Deputy Collector's office, brought to light whatever appeared irregular and improper, and prepared statements and accounts to elucidate and bring home any of these irregularities.

14. During the Serishtadar's search he discovered the order (A 3), which forms the basis of charge No. 7.

15. Tagarajah Pundaram, the late Peishcar of Adrampatam, and the present Superintendent of Negapatam, visited the Collector on the 1st January last at Vellum, and on the 2nd or 3rd of that month, he tells us that he went to see the

See deposition of 2nd witness in seventh charge. Serishtadar who showed him the order above referred to (A 3) and his Arzi (A 2) on which it was based, and questioned him in regard to these documents. Tagarajah Pundaram then stated that he had written the Arzi (A 2) in accordance with the wishes and instructions of Mr. D'Monte conveyed to him by Srinivasa Mudali.

16. On the 4th January, an order was issued by the Collector to Ramakistna Pillay, the Peishcar at Vedarniem, to send up Srinivasa Mudali to the Collector's office. This order reached Vedarniem on the 9th idem, and was communicated to Srinivasa Mudali on the same day. He set out on the 10th January, and reached Negapatam on the 12th idem. The Pongul feast occurring at this time, he says he remained at Negapatam on the 13th, and on the 14th January proceeded to Vellum, and on his arrival reported himself to the Collector, and was orally questioned by Mr. Cadell on that or the following day; but as Srinivasa Mudali contradicted the statement made by Tagarajah Pundaram, he was detained till the arrival of Ramalinga Taven, who reached Vellum on the 21st January, having been sent for on the 4th January.

17. On the 18th January, the Collector transmitted his first report on the inquiries he had been making into Mr. D'Monte's conduct. In this letter the Collector's strictures are almost entirely confined to matters connected with departmental irregularities. An allusion was made to the frequency of the complaints which had been made of the trafficking in, and sale of minor appointments in the department, but no specific charges were gone into, or submitted to show that

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

these complaints were either reliable or substantiated. The conclusion the Collector arrived at as the result of his inquiry, after reviewing the several items of irregularity he reported on, was, that while he was "free to admit that all the irregularities are not capable of being proved by direct evidence, I conceive that, taken together as a whole, they afford a very strong presumption that "Mr. D'Monte is not the person to be entrusted with so much responsibility" as was involved in the administration of the Salt Department.

18. Up to the 18th January 1864, there does not appear to have been any specific charge of corruption made against Mr. D'Monte, at least of such a nature as would warrant the Collector in taking action against him.

19. On the 25th January, the very day on which the document A, which forms the basis of charge No. 4, was executed, the evidence of Srinivasa Mudali and Ramalinga Taven, in regard to the matter on which they had been called up on the 4th January preceding, was recorded. This evidence was taken before the Collector about 3 P. M., and on the same evening, a statement was given by Srinivasa Mudali to Mr. D'Monte in regard to alleged promises and threats which, he states, were held out to him while he was being examined. After Srinivasa Mudali gave this statement, the document A appears to have been executed by Mr. D'Monte.

20. This document, Srinivasa Mudali alleges, he did not receive from Mr. D'Monte till the next day the 26th, at 7 A. M.; that he made it over to Mr. D'Monte's Clerk, Ramasamy Pillay, and that he obtained possession of it at 4 P. M. the same day, and made it over in the same afternoon to Chedumbara Pillay. There is, however, much confusion in regard to the time of the execution of the document and its delivery to Srinivasa Mudali.

21. If it was on the afternoon of the 26th January that Chedumbara Pillay got possession of the document, it would appear that he went to Mr. Cadell full of the important intelligence he had to communicate, at as early a date as he possibly could after getting the paper into his hands. Mr. Cadell says, Chedumbara Pillay came to him at 7 o'clock on the 27th January, and was referred by him to the Serishtadar.

22. At this time Chedumbara Pillay was in possession of the document A, but most unaccountably, and contrary to usual practice, though he spoke of it to the Serishtadar, and asked whether it would be proper to produce it before the Collector, he never showed it to the Serishtadar, nor did Vencatasamy Row, the Serishtadar, ask for it, much less insist on its production, though Chedumbara Pillay had been referred to him by the Collector, and it was of the greatest importance, that a charge of the nature implied by Chedumbara Pillay against a high official, should be inquired into and sifted at once before parties had time to concoct and get up charges or counter-charges in the matter. This is one of a series of extraordinary circumstances evolved during the inquiry into this mysterious and strange case; but as the whole will be reviewed separately in the record of the case, I will not dwell further on this part of its history.

23. On the 27th January Mr. Cadell went to Tanjore. Early on the same day, or possibly on the next, Chedumbara Pillay had his interview with the Serishtadar, and after this, he and his associate appear to have followed the Collector and his Cutcherry to Tanjore. Mr. D'Monte appears also to have gone to Tanjore about the same time. On the 29th or 30th January, the Serishtadar reported the nature of his interview with Chedumbara Pillay to the Collector, but no action was taken in the matter, nor was anything done by the Collector or the Serishtadar after the receipt of Mr. D'Monte's letter on the 2nd February following.

24. At Tanjore a series of conferences appear to have taken place between Mr. D'Monte and the confederates, the object of Mr. D'Monte being to regain possession of the document, and that of the confederates to get the money promised in the paper. On the 30th or 31st January, Mr. D'Monte appears to have gone to Negapatam and to have brought back with him, on Monday the 1st February, Samoo Pillay, and the conference appears to have re-commenced, Samoo Pillay acting as Mr. D'Monte's mediator with Srinivasa Mudali to get back the paper.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

25. These conferences having failed of their object, on the 4th or 5th February, Chedumbara Pillay and his confere appear to have returned to Vellum, and early on the latter day produced the document before the Serishtadar, who took it to the Collector. Mr. Cadell's report on this case is found in his letters of the 17th March 1864, No. 79, and the 16th June 1864, No. 207.

26. It is a strange coincidence that just at this time the dispute between the partners in Venkatesa Chetty and Co.'s Firm should arise, and that the books of the Firm should be impounded on the 6th February.

27. It is stated by the merchant Srinivasa Mudali, the seventh witness in case No. 5, that the books of the Firm were brought to the house of Ramachandra Chetty and kept there at the instigation of Srinivasa Pillay, on the evening of the 6th February, and on the plea that an inquiry should be made by arbitrators on the day following into the charges debited to the Company by Venkatesa Chetty. But on the day following Srinivasa Pillay never appeared, nor did any of the partners, and the books which had been taken out of the custody of Venkatesa Chetty were kept in Ramachandra Chetty's house.

28. On the 24th February, while the Collector was engaged in inquiring into the charges preferred by the salt servants Srinivasa Mudali* at Tranquebar, Srinivasa Pillay presented a petition to the Collector, complaining that his partner, Venkatesa Chetty, was attempting to defraud him, by debiting him and the other partners with monies unlawfully paid to Mr. D'Monte, and other public servants, and praying for the Collector's interference. A warrant was accordingly issued, on the 4th March, for the production of the books of the Firm. The inquiry made into this case was also reported on by Mr. Cadell in his letter of the 17th March 1864, No. 79.

29. The first three and the sixth charges brought before me are based on the acts of departmental irregularity reported in the Collector's letter of the 18th January last. The fourth charge refers to document A. The fifth charge relates to Mr. D'Monte's dealings with the Firm of Venkatesa Chetty and Co., and the seventh charge is framed on the suspended order of the 30th May 1863, referred to in paragraph 14 of this letter.

30. I have only glanced rapidly at the history of the origin of the seven charges, as far as I can gather this information from the records of the several cases.

31. Each case will be fully reported on in the letter accompanying the records of that case. I will therefore now proceed to report my opinion on Mr. D'Monte's administration of the Salt Department, so far as I have been able to gather this information from the inquiry held by me, and from an inspection of the four northern divisions of this district.

32. I have no hesitation in declaring that of all the districts I have visited, this one of Tanjore is in the most backward state in regard to the administration of the Salt Department. The formation and laying out of the works; the character of the salt; the state of the communications; the neglect and turbulence of the manufacturers; the facilities for fraud; the ignorance of, and inattention to, their duties on the part of the salt servants, all have impressed me most unfavorably with the condition and progress of the department.

33. But I must premise that most of these evils and defects are of very long standing, and that Mr. D'Monte cannot be held answerable for their origin, though he might perhaps have entirely suppressed some, and introduced improvements in regard to others.

34. Mr. D'Monte, it is to be recollected, was appointed to the charge of the Salt Department of the District of Tanjore on the 31st March 1860, and took charge on the 18th April 1860. He was utterly new to his duties, and had had no experience in administrative work of any kind, having all his life been employed in the Financial

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*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

Department, or in a ministerial capacity in Presidency and Mofussil offices, and was unacquainted with Tamil. I mention these facts, for, I think many of Mr. D'Monte's defects and irregularities are clearly traceable to want of administrative training and experience. He is active, energetic, bustling, quick, and impulsive, and is wanting in deliberation, judgment, and in powers of patient investigation, and of weighing or appreciating evidence. He is utterly ignorant of chemistry or the science of making salt, or any good practical method of producing it. He has worked hard to produce a good article, and to extend the sales of salt, and increase the revenue. The means he has adopted for effecting these ends have not been the most judicious, practical or regular, and at times, I fear, he has reverted to and allowed practices which have been condemned and prohibited by superior authority, and has defended these practices or endeavoured to explain away the part he has taken in reviving or introducing them, in a manner which cannot bear strict scrutiny or be approved.

35. The salt that I have seen in the District is of a very inferior kind, and it could not be any thing else. Water of the ordinary density of sea water has been let into the salt beds to the depth of an inch or an inch and a half, and the next day the salt is scraped up. I believe Mr. D'Monte has by care prevented the discoloration of this stuff, which was white and fair looking.

36. The salt beds are laid out without any attempt at order or regularity, some being found in one part, and some in another of the swamp, without any paths or ridges of any size, so that it would be difficult even for a native to visit these works, and see that the operations of manufacture are regularly and correctly carried on. The salt, instead of being conveyed to the platform, is left in drying yards dotted about in distant and inconvenient positions, and the storage is deferred till late in the year, and is then carried on under the superintendence of very inferior and subordinate servants, it being thought sufficient for the Peishcar to store one heap as a specimen.

37. The storage is proved to have been in excess at Vedarniem, and the Peishcar of Adrampatam has deposed it was so at that division. The witnesses have attributed this excess, to an order issued by Mr. D'Monte in July 1861, prohibiting any wastage. I have no doubt Mr. D'Monte's order might be construed to mean that salt was to be stored in excess, but it has not been shown to have had such an effect. It is clear from the proceedings quoted in the margin, and from accounts, that the practice of excessive

Document U, filed in first charge.

storage existed at Vedarniem long before Mr. D'Monte joined the District, and that in November 1861, Mr. D'Monte did all he could to put a stop to it.

38. I do not believe the excessive storage was actually sanctioned by Mr. D'Monte, but I hardly think it was possible for him to be so frequently at the several salt depots, especially at Vedarniem, and not be aware of it. The excess found in the heaps shipped by him from this latter place should have roused his suspicion, and led him to examine into the way in which the storage had been conducted. I beg to submit, in connection with this subject, a statement* showing the number of heaps throughout the District in which excess was found in the four years preceding, and in the three years succeeding 1861, and those in which there was a loss during the same periods. It will be seen that the statement of the Peishcars, that salt began to be stored in excess in 1862, is not borne out by these statements; the proportion between the number of heaps in which excess was found, and in those in which there was a loss, is not very materially greater after 1861 than it was previous to it. The practice of excessive storage obtained before Mr. D'Monte came into the District, though it did increase in his days, yet, I believe, it has always existed in Tanjore to a very large extent. I am aware of the Collector of Madura having complained of the traders in his District being drawn away to Tanjore by the excessive measurements and other undue benefits held out to them at the salt stores in the latter District, and of his complaints having been very lightly treated by the Collector of Tanjore. I do not advance this in justification of

* Filed in the first charge marked V.

the continuance of the practice. It was the duty of the Deputy Collector to have done all in his power to put an end to it; and this it cannot be said he has done. The practice is one which can be greatly abused, and opens the door to most serious frauds.

39. I will now proceed to review in order the several irregularities noticed in the Collector's letter of the 18th January last. I shall not, however, particularly notice those which form the subject of special inquiry in the charges brought before me.

40. The manufacture at Adrampatam was, no doubt, interfered with to some small extent by the opening of the manufacture at Vedarniem; but I do not believe this was the chief or only cause operating to render it so trifling as shown by the Collector. I believe the constant rain

Paragraphs 3 and 4.

was the chief cause which impeded the manufacture. The distance of Vedarniem from the Adrampatam division is from thirty to forty miles, and within such a distance the variations in the rain-falls in this country are often so marked and great as sufficiently to account for the different quantities of salt made in the two divisions of Adrampatam and Vedarniem in the year in question. No doubt the removal of the Peishcar to Sendalai, and the absence of some of the Adrampatam Mirassidars at Vedarniem and other places in attendance on the Deputy Collector, tended to impede the manufacture, and were causes which contributed with the rain to the production of so little salt in that year; but the Peishcar's removal was the act of the Acting Collector, and Mr. D'Monte cannot be held answerable for the Mirassidars' movements.

41. I am not able to concur with the Collector in considering that the manufacture at Vedarniem drew off any large number of labourers

Paragraph 5.

away to Vedarniem on the promise of high wages. I learn that only four or five coolies were taken from Adrampatam, and that they returned before long to Adrampatam. The wages paid to the workmen were not high; they did not exceed those ordinarily given on the coast and at sea-ports in the districts. In regard to those who opened pans at Vedarniem, it may be found that, after a series of years, the manufacture at Vedarniem is more remunerative than it could be at Adrampatam or in other places; but in 1863 it was an experiment, and therefore a risk, and those who undertook to open the new pans not only were distinctly given to understand that they obtained no Mirassi rights in the pans, and were entitled to no compensation from Government should the works be closed, but they were put to heavy expenses in digging the wells, preparing the ground, forming the beds, purchasing the necessary wood for their picottahs, and in other items incidental to the formation of new works, and I should be much surprised to find that at the end of the first season, the manufacturers had been gainers rather than losers by their enterprise. The capital sunk in that year would be productive in future years, but the original outlay would absorb more than the profits arising from their first year's manufacture. In addition to their labour and loss, the manufacturers were subjected to much inconvenience in migrating to a new place and leaving their houses. I cannot, therefore, understand how the Collector is able to arrive at the conclusion that the manufacturers, who usually cultivate salt at Adrampatam, found the manufacture at Vedarniem more profitable, or that they were enticed away on promise of high wages.

42. I do not attach any weight to the opinion of the Salt Superintendent at Adrampatam.

Paragraph 8.

I have seen much of this man, and a more inefficient and stupid creature I have seldom met with. He never could or would answer a question in a straightforward way, and always was or pretended to be at a loss for information when applied to, and though an old servant, his experience in the Salt Department is not of a character to entitle his opinion or information to be received with authority or weight. It will be seen that his estimate of the cost of a garce of salt at the Vedarniem pans is 6 Rupees; but in this estimate he makes no allowance for the expenditure incurred in 1863 by the manufacturers in forming the beds and all the extraordinary charges incidental to the opening of new works. He simply takes into account the working of formed beds, and assumes that one cooly can work twenty, not ten beds, and that therefore the price of a garce of salt

would be 6 Rupees, leaving a net profit of Rupees 4-10-0 to the manufacturer. He does not at all show that a man could work twenty beds, nor what the produce of these twenty beds would be. It is true that in the Muchilka taken from the manufacturers it is stated the coolies will work twenty beds, but a statement in such an instrument surely was not sufficient to justify the conclusion that this had been done or could be done. It strikes me that there is a strong bias visible throughout the whole of this Arzi, which divests it of much, if not entirely, of the value of any opinion contained in it. But even supposing the Peishcar's estimate to be at all near the truth, I cannot see why a manufacturer of salt at Vedarniem is to be paid less than the usual rate of the district. The rate of cooly hire at Vedarniem is not less than it is at Adrampatam or at other places through the district.

43. I am not able to form an opinion as to the character of the Vedarniem manufactured salt, as I have not yet seen any of it; but I will examine it when on the spot, and report on it.

Paragraph 6.

44. Regarding the way in which the manufacture has been carried out, there were no Mirassidars at Vedarniem, and it was deemed undesirable to create or foster any such class of

Paragraph 7.

proprietors. To the wisdom of such a course I can heartily accord my assent, for I find that the Mirassidars throughout the District oppose most effectually the introduction of improvements in the mode of the manufacture, and are careless and inattentive to their duties. I think, therefore, the effort to introduce another class of labourers, and to do the work by contract, was most wise and judicious, and that the labor and zeal which collected together so many manufacturers, and effected so much in so short a space of time as was done in 1863, entitled Mr. D'Monte to high praise and commendation, rather than to censure and suspicion. To find suitable contractors was, I believe, no easy work, and the energy, zeal, and activity of the Deputy Collector was taxed in no ordinary degree to obtain them. The Collector was of necessity obliged to leave the selection of these labourers to the judgment of his subordinate, and I cannot find that this confidence was abused or converted into an instrument of oppression and wrong. There may have been a few cases in which Mr. D'Monte may have erred in judgment. He may have aided some of his co-religionists; but whatever was done in this direction was recorded and made public. I have not been able to learn that any complaints were preferred against him of having shown favor, and particularly in the distribution of the pans, but that pans were given to all who applied for them. I have questioned Tagarajah Pundaram and all the officers employed at Vedarniem in 1863, and I cannot ascertain from any one of them that any applications for pans were rejected by Mr. D'Monte. I asked the Pundaram to explain to whom he referred in his answer to the sixth question in his Arzi of the 28th October, and No. 4 among the enclosures forwarded with Mr. Cadell's letter of the 18th January, as "the others who were refused pans." He stated he only knew of two cases, and these, so far from having been refused, by his own account, had been granted land, but finding they could not work it, had thrown it up. Their names are Annvyengar and Veduntaiyengar.

45. The old salt in store at Negapatam and Vedarniem when the Railway was opened, was so inferior that it was an unsaleable article. It

Paragraphs 10, 11, and 12.

was small grained and black, and there was much wastage in the heaps, which were usually found from one-quarter to half a garce deficient. Three or four Companies were formed at Negapatam and Trichinopoly with the view of trafficking in salt. In order to increase the revenue and to aid the Railway, Mr. D'Monte was led to recommend to the Collector's consideration the application of these Companies to be allowed to

* Filed in second charge, marked B B.

take new salt while old salt was in store. Mr. Morris in his letter* of the 29th August 1864,

states that he granted the concession and authorized Mr. D'Monte both orally and in writing to allow these wholesale traders to have new salt while old salt was in store. This concession was

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

restricted by two conditions; first, that the new salt should be carried out of the district; and secondly, that old and new salt should be taken in equal quantities.

46. The first condition was fully observed as far as Mr. D'Monte was concerned, but not so the second, as may be seen by the statement† forwarded with Mr. Cadell's letter of the 18th January. From this statement too it

† Marked I in second charge.

will be seen that the Firm of Venkatesa Chetty and Co. appears to have been favored more largely than the others.

47. Mr. Cadell, in the 11th paragraph of his letter, complained that the sale of new salt was "not open to all parties, but has been confined to a certain set of merchants, who, on the pretext of being traders by the Railway, and as such entitled to greater consideration and encouragement, have had the exclusive privilege of purchasing new heaps, and thus had the monopoly of the wholesale trade both at Negapatam and Vedarniem. Excepting these parties, all others were compelled to take old salt."

48. The nature and terms of Mr. Morris's condition led to the sales being chiefly confined to these wholesale traders who applied for the salt for carriage out of the district. The applications for new salt were all made for carriage out of the District, but there was no possible means of detecting an infringement of the condition, or of enforcing its observance. The salt merchants had stores for their salt all down the line of rail, and much salt was sold at Nedamungalum and other places in the District. The new salt was always carried away by rail from Negapatam; in this matter there was no "pretext." After much inquiry I cannot find that new salt was ever sold in Negapatam or in the District; on the contrary, I have learned that it was carried invariably to parts beyond. Neither can I find that any parties whatever, applying for new salt by the heap and for sale beyond the District, were ever refused. It was not easy for others than the Companies or monied men to comply with the requisite conditions laid down not by Mr. D'Monte but by Mr. Morris, and so it was that they practically obtained a monopoly of the wholesale trade.

49. Mr D'Monte did not observe Mr. Morris's second condition as rigidly as he did the first, and is in this respect blameable.

50. I was unable to ascertain that the new salt purchased wholesale was ever re-sold by the buyers on the platform. No doubt salt purchased wholesale was sold retail in the place in

Paragraph 13.

which it was bought, but I cannot trace anywhere any attempt on the part of parties to conduct their sales on the platform. Salt sold may have been carried away from the platforms by retail purchasers; but the sale was not made on the platform, though it may be said to have been completed there by the delivery of the salt from thence, but I hardly think the officers of Government would have been justified in cross-questioning the carters and coolies whether they had bought the salt, or had only come to carry it away; much less would they have been justified in preventing them taking away the salt on learning that they had purchased it by retail from the buyer. Nor could they have refused to give a whole heap to any one asking for it, and producing the money for it. The only true check to this practice of the retail purchasers carrying away the salt they had bought from the platform, instead of from the merchant's godown, was taking care that every heap was removed from the platform within a certain period just sufficient for the purpose of removal.

51. Of course, when there are large wholesale transactions the Government retail sales must proportionately fall off. If the convenience of the public is more met by purchasing salt from wholesale merchants rather than from the Government store, I cannot participate in the feelings apparently current in this district, that in order to save the amount lost to the State by the discount allowed on wholesale transactions, it is desirable to discountenance wholesale sales, except in the case of purchases for distant and inland districts. I believe it is better Government should not interfere in the retail market if possible; and the difference between the sum lost by the discount and that lost by the usual average wastage is so small as in no way to compensate for the grave evils of Government taking a share in the retail sales. The only ground on which retail

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

sales have hitherto been advocated has been, to allow the poorer classes an opportunity of buying small quantities of salt cheaper than they could get it in the market, and so to lessen to them a burthen imposed by the State on one of their necessities of life; but if the people prefer to buy from the wholesale merchant, I hardly think it wise for Government to interpose hindrances to their gratifying their wishes, by withdrawing from local wholesale purchasers the indulgence of the very small discount allowed to wholesale dealers in general, simply because the Government might lose by the transaction one or two thousand Rupees. The better method of effecting a saving, if such paltry saving be a consideration and an absolute necessity, would be, to close the retail sales, and reduce the establishment. The rule obtaining in this District before Mr. D'Monte arrived was that the heap must be removed in the day in which it was purchased, which was ordinarily an impossibility. The rule consequently operated to prevent wholesale sales. In Mr. Ballard's time the rule was relaxed as an experiment for a short period, and retail removals, as they were called, were allowed to a single individual. This indulgence was repeated and afterwards became general throughout the district. I do not find any specified time laid down for the removal of a heap; a month is, no doubt, a very unnecessarily long period for removing a heap of ten garces; that now fixed on, a week, is I should think, ample for the purpose in fine weather. It might be extended to ten days in wet weather.

52. The circumstance alluded to in paragraph 14 of the Collector's report will be noticed in my letter on charge No. 3, and need not, therefore, be further alluded to here than to say,

Paragraph 14.

that I cannot arrive at the same conclusion or hold the same view as the Collector has done and does in this matter.

53. In regard to the irregularity noticed in paragraph 16, Mr. D'Monte's orders to the Peishcars are clear and distinct, and fully authorized them to sell salt wholesale. The

Paragraph 16.

cases referred to in the thirty-four documents are exceptional cases when new salt was required while old salt was in store. The Peishcars, I think, could not have safely had unrestricted authority delegated to them to grant this indulgence, which for a long time was only extended to parties under the direct order of the Collector.

54. There is no doubt, however, that the practice of applying direct to Mr. D'Monte on all occasions, instead of proceeding through the Peishcar, was growing up in the District. If it was more convenient to the parties, and proceeding on the assumption that Mr. D'Monte was an honest, active, and zealous officer, I cannot see that any great evil was done. If Mr. D'Monte was a corrupt man, he, no doubt, could abuse this, as he could any other official act he was empowered to perform.

55. In regard to the Vedarniem spontaneous salt, I find that a strong objection exists to it still through the District. It is found not so well suited to the culinary purposes of the

Paragraph 25.

natives as the manufactured salt. The natives do not boil their salt, but use it in the state they purchase it. The spontaneous salt is a hard, solid, strong-grained crystal, which it is difficult to break up in sufficiently small particles to mix with their food, and is so highly flavoured that they find it difficult to apportion it correctly. I have heard really respectable, well-educated, independent native gentlemen object to it on these grounds, who have also asserted that they were obliged to discontinue its use, as it was found to make them and their families ill. I do not believe the prejudice against this salt owes its origin or force to Mr. D'Monte; nor do I think it is dying out. When no other salt can be procured, Vedarniem spontaneous salt is purchased; but when the purchaser has a choice, he will take any salt in preference to it.

56. I believe I have noticed all the irregularities dwelt upon by the Collector in his letter of the 18th January last, excepting those which form the subject of distinct charges.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

57. I do not think as much has been done for the improvement of the district as might have been done by a more experienced officer, and one possessed of more administrative talents than Mr. D'Monte. I look on him as an active and intelligent man, and one who, I believe, has earnestly desired, and not without some success, to improve the salt administration of this district. I think more should have been done to improve the pans, the platforms, the process of manufacturing the salt, and the mode of storage, and I am of opinion that the practice of selling new salt while old salt was in store, of selling heaps just laid, as well as of excessive storage, were practices which allowed of the most serious abuses growing up and injuring our monopoly. The two first practices were allowed by the Collector under certain conditions, and though, in the first case, the conditions were not fully observed, I do not think that the non-observance of them was to be attributed to fraudulent or evil designs.

58. I think it is to be regretted that Mr. D'Monte, with so little experience, should have been appointed to a district so large, and with such extensive works as Tanjore. I believe Mr. D'Monte has striven to discharge himself of his duties. He has, however, failed to command the confidence, if not the respect, of the Collector; and under these circumstances, if for no other reason, I consider he should not continue to be employed in this district.

59. I have in this latter part of my letter confined myself to a general review of Mr. D'Monte's administration, so far as I have been able to acquaint myself with it. The special cases of irregularity on which the Collector has based charges are dealt with in separate letters.

60. No proof beyond the list submitted by the Collector with his letter of the 18th January has been brought forward, in regard to the charge of Mr. D'Monte's trafficking in minor appointments. I beg to submit a memorandum of explanations furnished by Mr. D'Monte regarding the numerous changes in the location and employment of the peons and other subordinate officers employed under him.

P.S.—As it was not thought desirable to delay the transmission of this letter for the translation of the several vernacular documents put in by the Prosecutor, they are sent in original. There is no translator attached to the office of the Member of the Board of Revenue on circuit, and the Prosecutor has none attached to his office.

APPENDIX.

Extract from a letter from the Collector of Tanjore, dated 4th October 1861, No. 1,046.

Paragraph 3.—“With reference to the questions put by you in paragraph 2, I beg to state that my information as to the corrupt nature of the salt administration, was derived from various quarters, and from both Europeans and Natives; several of these names I could not, however, mention without breach of confidence; but as I have already informed the Board, I was put on my guard regarding Mr. D'Monte, almost immediately after his appointment, and this by the express order of a late Governor. As to the petitions against Mr. D'Monte, they have been numerous; but being for the most part anonymous were at once destroyed. No depositions were taken from any party with regard to such petitions, and there was only one deposition received by post a year since, which seemed to demand attention, and which was received at the time I took over charge of the office a twelve-month since. This deposition I had with me till a few months back, but I regret to say I cannot now lay my hands on it anywhere.

(Signed) W. M. CADELL, Collector.

(True Copy.)

(Signed) T. CLARKE,
Member of the Board of Revenue.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

From T. CLARKE, Esq., Member of the Board of Revenue, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuttumavady, 11th October 1864.

1. I have the honor to forward a packet containing the evidence taken by me in the First Charge preferred by the Collector against Mr. D'Monte.

2. Mr. D'Monte is charged with having at Vedarniem, during the years 1861, 1862 and 1863, systematically and knowingly permitted excess salt to be stored in the heaps in direct contravention of departmental orders, and with a view to serve his own purpose.

3. The evidence for the Prosecution is oral and documentary. Fourteen witnesses have been examined, and twenty-nine documents produced. Six witnesses were examined on behalf of the accused.

4. I do not think there can be any difficulty or mistake in arriving at the conclusion that salt has been stored at Vedarniem in excess of the prescribed standard during the year named in the charge; that is, in 1861, 1862, and 1863; but I cannot find it proved that this was done with the knowledge of Mr. D'Monte during the whole of that period, or that it was done at any time to serve his own purposes. The opinion recorded by Mr. D'Monte on the result of the inquiry made by him into the complaint of Cundasawmy Mudali against Srinivasa Naik, dated 21st November 1861, marked U, goes to show in my opinion that Mr. D'Monte did not sanction the practice of excessive storage up to November 1861; and it will be seen by a reference to the depositions taken in that case, that his order (marked H) passed in the July preceding, was not at that time quoted as sanctioning or necessitating such irregularity. He must therefore, I think, be acquitted both of any knowledge or participation in the practice up to the 21st November 1861.

5. I place more dependence in the evidence of the measurer,* and cooly contractor,† than in that of the higher salt officials employed at Vedarniem. These two witnesses declare that the method of measuring now observed in taking

salt into store is the one that has always been followed. By this method it is not usual to strike the rim of the meral clean of all salt, but to leave a little salt, about an inch in depth above the rim, while in selling the salt the measure was struck clean. The evidence of these two witnesses is supported by the measurements of Mr. Hope, and by the sale returns of the last eight years (marked V). I am not prepared to receive unreservedly Ramachenda Row's measurements of the heaps examined by him. The very striking difference between his results and those found by Mr. Hope, I think, give force to the statements made by the witnesses that his measurement was not fairly conducted.

A meral struck contains about 200 cubic inches of grain; a heaped meral 227 cubic inches. In a heap of 10 garces of heaped merals there would be an excess of 1½ garce over a heap of struck merals, but the excess in the heaps since Mr. D'Monte joined the District has not on an average in any year exceeded half of a garce.

6. The sale accounts most clearly show that salt was stored in excess at Vedarniem in 1862 and 1863; but Mr. D'Monte has failed altogether to show that he took any steps, after November 1861, to ascertain whether the irregularity he discovered in that year still continued to be carried on, or to put a stop to it if it did. It is clear that he often went to Vedarniem. Statement T shows this. He admits he never examined any heaps, and excuses himself for not having done so by the averment that his doing so would have entailed heavy expense on Government.

7. This excuse though a plausible is not a very satisfactory one. But even admitting it to be valid, I do not find it established that he took any other measures in lieu of it, to discover whether the storage was properly made, further than by occasionally being present when the salt was being formed into heaps. He states he was present when heaps were shipped for the Straits, and it will be seen that three out of the only four heaps particularized as heaps shipped by him, contained a large excess of salt; yet Mr. D'Monte has not shown that he took any notice of the conduct of those who had stored those heaps, or that he took any action at all in the matter of the irregularity which he discovered. Though I do not consider it proved that Mr. D'Monte either originated the practice of storing in excess at Vedarniem, or that he knew of the existence

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

of the practice before November 1861, or that his order of the 20th July 1861 in any way contributed, in any very considerable degree, to increase the irregularity; still I find from the accounts, that the practice of excessive storage continued in full force during the whole of his incumbency, and that he took no measures to put a stop to it after October 1861.

8. The Prosecutor has dwelt at some length in his review of the evidence in the first charge, on the effect of Mr. D'Monte's order of the 20th July 1861 (marked *II*); but it is clear from the accounts (marked *V*) that excess to a very large amount was found in the heaps for years before the issue of that order, excess nearly to as great an amount as since its issue. That order then cannot be fairly viewed as the original or immediate cause of the excess. Further, we find that there was as large deficiency after the issue of that order as before; so that order did not, it would appear, produce any effect either in preventing wastage, or in very much increasing excessive storage.

9. I cannot believe that Mr. D'Monte could have been ignorant of the excess in the storage of the salt, though I do not think it was obtained by heaped mercals, but rather, as the measurers depose, by all the mercals not being properly struck. I am aware from experience that to a novice it is very difficult to detect unfair measuring; and when detected it is almost impossible to prevent it. The measurers, under the strictest and ablest supervision, are continually attempting to introduce more salt than ought to be put into the miscal. While watching one man another seizes the opportunity, and forces salt into the measure. When large quantities of salt have to be received, and measuring goes on rapidly at several heaps, it is impossible to prevent excessive storage. It may be diminished, but, I think, can never be put a stop to as long as measuring is kept up.

10. In regard to the salt shipped from Vedarniem for Negapatam in 1863, as it was only sent down to the latter place on estimate, and had not been received into store, but was taken from the beds in a moist, wet, state, I do not think that the excessive measurement of this salt can be fairly made a part of the charge.

11. Though Mr. D'Monte must, I think, have been aware, from the accounts continually placed before him, that salt was stored in excessive quantities, and though I do not find he took any measures, after November 1861, to check this irregularity, I am not prepared to agree with the Prosecutor in the conclusion that he allowed the irregularity to serve his own purposes; that is, I presume, that he did so to benefit himself, and that he secured some unlawful gain by permitting it. The Prosecutor arrives at this conclusion by connecting with the practice of excessive storage "another suspicious feature connected with the sale of entire heaps, viz., that in practice, the Peishcars have not been allowed to sell full heaps."

12. The practice of selling full heaps did not obtain at Vedarniem till October 1862, and was continued under Mr. D'Monte to June 1863; so that if it be this suspicious feature connected with the sale of entire heaps which alone forms the gist and gravamen of the charge, and warrants the conclusion above declared, we are compelled to narrow the time within which the offence could possibly have been committed still further, and instead of fixing December 1861 as the commencement of the charge, we must change it to October 1862, and limit it from that date to June 1863, and we shall find that the quantity of salt sold within that time in full heaps was only 42 heaps or 420 garces. But if we look into the thirty-four documents to which reference is made, to discover whether the statement that the Peishcars have not been allowed to sell full heaps is borne out, I think we shall find it not supported by those documents. The first endorsement runs thus to the Peishcar of Adrampatam:—"Entire heaps may be given to this applicant in accordance with the orders which I have previously given;" and I would also refer to endorsements on Nos. 5, 10, 11, 14, 19, 21 and 22. Three Peishcars depose that the practice with them was not to sell heaps without Mr. D'Monte's order; but, I think, the orders above quoted sufficiently prove that the practice did not originate with Mr. D'Monte, and was not sanctioned by his orders. He distinctly and repeatedly gave the Peishcars authority to sell entire heaps of salt, and the Circular order marked *X*, issued under Mr. Morris's sanction, fully authorized them to do so, and so does document *I*.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

13. I am aware that an order to the Peishcar of Adrampatam (marked *W*) is quoted to show that Mr. D'Monte prohibited Peishcars from selling entire heaps; but I would draw attention to that order. The Peishcar had given full heaps of new salt at Adrampatam, while a large stock of old salt was remaining unsold at Sendalai. The order of the Deputy Collector had for its object the prohibition of large sales of salt at Adrampatam, while the old salt at Sendalai remained on hand, and could not, I think, by any fair process of reasoning, be construed into prohibiting the Peishcars in general from selling whole heaps.

14. In regard to the allusion made in paragraph 25 of the Prosecutor's statement, to the manufactured salt of 1863 having been sold at Vedarniem immediately after storage, and in a few cases to its having been stored to meet the wishes of particular applicants, I would draw attention to the Proceedings of the Board noted in the margin, from which it will be seen that these sales were entirely of an exceptional character, and were carried on with the cognizance and approval of Mr. D'Monte's immediate superior. Mr. Morris's letter, on which the Board's Proceedings were issued, and Mr. Morris's order quoted in the margin, establishes this. Mr. D'Monte perhaps should have used more caution than he seems to have done in the storage of these

Board's Proceedings, 27th May 1863 No. 8,123.

Marked *Z*.

heaps. He should have been present, and taken every means in his power to prevent the privilege granted to the purchasers of this salt being abused. The manufactured salt was sold out of its order of storage and so rapidly, in order to ascertain its market value. It was altogether an experiment, and one which I cannot but think answered admirably, and that entirely owing to the zeal and activity of Mr. D'Monte. The value of Mr. D'Monte's labors in introducing the manufacture of salt at Vedarniem can only be fully appreciated when the canal is opened, and when the railway to Erode is completed.

15. Further, I cannot understand the assumption with which the 25th paragraph closes; "that Mr. D'Monte must have been aware that these heaps contained a large excess." It is this sort of assumption arising from a foregone conviction and conclusion that has so much increased my difficulties in the duty delegated to me by the Government. The prosecution seems to start with the axiom that Mr. D'Monte is a dishonest man, and then proceeds on this axiom to reason that certain irregularities having been established, they are such as a dishonest man, could not but avail himself of, and therefore, that Mr. D'Monte did so avail himself of them. Whereas it appears to me that the duty of the Prosecution was rather to prove that Mr. D'Monte did avail himself of the opportunities offered him by certain irregular practices to commit dishonest actions, that he did commit dishonest actions, and that, therefore, he is a dishonest man.

16. We have another specimen of this sort of assumption and false reasoning in the next paragraph 26, where it is urged, that because there was an excess found in some unsold heaps, "it is easy to conceive what must have been the case with the heaps sold." To this, Mr. D'Monte might reasonably answer, "In some of the unsold heaps there was a large deficiency. I leave it therefore to the Court to conclude what must have been the very great deficiency in the heaps that were sold." The reasoning in the one case would be as just as sound and as conclusive as in the other.

17. I believe there was excess in some of the heaps that were sold, but not in all, and that this excess was the result of a vicious system prevalent in the district long before Mr. D'Monte joined it. I find that Mr. D'Monte was not sufficiently alive to the evil of the system, and that he did not adopt adequate measures to check it; but I cannot go beyond this. I find nothing which will allow me to draw the inference that Mr. D'Monte was acting from corrupt motives in not taking any steps to put a stop to the irregular practice, a whit more than I could draw the inference from the existence of the practice in times previous to Mr. D'Monte's incumbency, that the Assistant specially in charge of the department, was acting corruptly in allowing its continuance.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

18. Judging from the returns of the wastage, shown even in so fine a season as the last, and that under approved officers, to have amounted to 11½ per cent of the salt sent from Vedarniem, it appears to me that when the Vedarniem salt of private traders reached Negapatam, they would have but little excess, if any, to show. Their loss, computed by the standard obtained from the Returns, would amount, in every ten garces, to more than one garce; while the gain from excessive storage hardly exceeded half of a garce, supposing the trader to have been so fortunate as always to secure heaps with excess.

List of papers connected with the first Charge.

Fourteen Depositions (eight for Prosecution, six for Defence.)
Summary of the Prosecution.
Defence.
Prosecutor's Reply.

List of Documents filed.

- A. Mr. Hope's report on his examination of the heaps of salt at Vedarniem.
- B. Statement showing results of do.
- C. Notes by Mr. Hope during the examination.
- D. Ramachenda Row's statement showing results of his examination of salt heaps at Vedarniem.
- E. Report by do. on do.
- F. Moochilkas taken by Ramachenda Row from salt servants at Vedarniem.
- G. Arzi of the Vedarniem Peishcar.
- H. Mr. D'Monte's order against undue wastage.
- I. Statement of heaps examined by Mr. D'Monte.
- J. Statement of Mr. D'Monte's visits to Vedarniem in 1862.
- K. Statement of retail sales at Vedarniem at which Mr. D'Monte was present.
- L. Statement of excess found in heaps when sold by Superintendent of Vedarniem.
- M. List of Mr. D'Monte's visits to Vedarniem from 1861 to 1863.
- N. Srinivasa Mudali's petition against Ramachenda Row's mode of measurement.
- O. Srinivasa Mudali's statement of the results of Ramachenda Row's measurement.
- P. Arzi of the Adrampatam Peishcar to the Collector.
- Q. (Two enclosures.) Arzi of do.
- R. Arzi of the Vedarniem Peishcar to the Collector.
- S. Srinivasa Mudali's explanation to Vedarniem Peishcar about storing salt with unstruck mercals.
- T. Particulars of Mr. D'Monte's visits to Vedarniem from 1861 to 1863.
- U. Mr. D'Monte's proceedings on Srinivasa Naik storing salt in excess at Vedarniem.
- V. Statement showing storage of salt in district for four years before and three years after Mr. D'Monte's appointment to the District.
- W. Mr. D'Monte's order to Adrampatam Peishcar directing applicants for salt to be sent to Sendalai instead of to Adrampatam.
- X. Mr. D'Monte's Proclamation regarding purchase of salt by wholesale dealers.
- Y. Mr. D'Monte's letter to Oliver and Co., stating that the Negapatam and Vedarniem Superintendents had received orders to supply the public with salt without a reference to him.
- Z. Mr. Morris's orders on Mr. D'Monte's application for leave to sell salt newly leaped.
- AA. Board's Proceedings of 27th May 1863, No. 3,123.
- BB. Statement showing out-turn of salt in each heap on examination by Mr. Hope and Ramachenda Row.
- CC. Translation of thirty-four documents sent with Mr. Cadell's letter of 18th January 1864.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

From T. CLARKE, Esq., Member of the Board of Revenue, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuttumavady, 11th October 1864.

1. I have the honor to forward a packet containing the evidence taken by me in the Second Charge preferred by the Collector against Mr. D'Monte.

2. In this case Mr. D'Monte is charged with having in the years 1862 and 1863, commencing with July 1862 and ending with June 1863, allowed new salt to be sold when there was old salt in hand, contrary to the rules of the department, and in contravention of Mr. Morris's instructions conveyed in his letters of the 15th and 17th May 1862 (marked B and D), and that in so doing he favored certain parties to the exclusion of the trade generally.

3. This matter is referred to in paragraphs 11, 12 and 13 of the Collector's letter* of the 18th January, and has been replied to in Mr. D'Monte's letter* of the 10th February in loco.

4. I quite agree with the Prosecution in finding that salt of 1862† was largely sold in Negapatam when the salt of 1861 was on hand; but I do not think the same can be said in regard to the salt of 1863.‡ I find the sales of this salt during the same period were very trifling.

I also find that the salt of 1861 and 1862 was sold at Vedarniem, while the salt of 1860 was on hand.

5. I further agree with the Prosecution in the opinion that Mr. Morris did lay down as conditions under which the new salt was to be sold, that the old and new salt were to be sold

in equal proportions, and that the new salt was to be carried without the district. It is clear from the statement I that the first condition was not observed, and that its infraction is most marked in the case of Venkatesa Chetty and Co., and Toppya Pillay and Co. There is also a clear infraction of it in the case of Messrs. Oliver and Co. I think too it is proved in case No. 5 that Mr. D'Monte had pecuniary dealings with the Head Partner of the first of these Firms, and that he had borrowed money from one of the partners of the Firm of Oliver and Co. This loan is alleged to have been contracted before the Salt Firm of Oliver and Co. had any existence, though the money was not repaid till after it had been some time carrying on a trade in salt.

6. Mr. D'Monte has not shown that the salt revenue of the district increased during his incumbency notwithstanding all this indulgence shown to the traders, while the statement§ put in by the Prosecution shows that, during the

three years of his administration, the quantity of salt sold was less than that sold in the previous three years; the accidental circumstance of increase in the price of the salt having increased the revenue, is one which cannot affect Mr. D'Monte's argument.

7. I cannot agree with the Prosecution in considering that Mr. D'Monte either originated or sanctioned the practice of depriving the Peishcars of authority to sell full heaps of salt, and the order quoted by the Prosecution (marked AA) appears to me to support the view taken by me of this matter in Case No. 1. It may be fairly urged by Mr. D'Monte that his orders to the Peishcars about selling full heaps referred to the exceptional cases in which new salt was sold out of its order, and that it was not safe to delegate to these inferior officers general powers to depart from the rules in force.

8. I believe that many of the references made by the Salt Deputy Collector in Mr. Morris's time were made and disposed of orally, and Mr. Morris's letter of the 29th August (marked BB), confirms this view. If this be a correct view, it creates the presumption that Mr. D'Monte, though acting strictly under the orders of his superior officer, is unable to show his authority, for his proceedings in all the acts which have been impugned.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

9. It will be seen that the salt referred to in paragraph 12 of the Prosecutor's summary was sold under Mr. Morris's direct order (marked W), the object in view in selling that salt being to vacate a shed. Mr. D'Monte, in bringing the matter to the notice of the Collector, makes no allusion whatever to the salt being carried beyond the district, and Mr. Morris has given his sanction to the sale without any such restriction or condition. The salt was to be cleared away, and the sooner the better. Messrs. Oliver and Co. could not purchase the salt; it was, therefore, sold to the Brahmin Pitchu Sastry or Ramien; but it is to be recollected that this man is *alleged* in Case No. 4 to have lent Mr. D'Monte 140 or 210 Rupees through Srinivasa Mudali.

10. In this case Mr. D'Monte has, it appears to me, transgressed Mr. Morris's orders in not compelling the salt traders to take old salt in equal proportion with the new.

11. The Statements *H* and *I* show that Messrs. Oliver and Co. and Venkatesa Chetty and Co. did obtain in the abstract larger quantities of new salt than the other traders; but this was natural and very simply accounted for by the fact that they had the largest command of capital, and were, therefore, better able to enter into larger transactions. Had they taken equal quantities of old salt, I can see nothing wrong in the large purchase of new salt. The largest dealers must always take the largest quantities; but it will be seen from Statement *I*, that Venkatesa Chetty has been allowed to take a larger proportion of new salt compared with old, than any of the other wholesale traders. It does not appear that the other merchants complained of, or that they were injured by this indulgence; nor can I find that any parties wanting new salt under the conditions laid down by Mr. Morris were refused it. Still, the apparent favouritism is a point Mr. D'Monte has not explained, and it is one which tells against him, especially as the extraordinary indulgence was shown to one with whom he carried on pecuniary dealings. This circumstance taints with suspicion both the indulgence shown to the Chetty and Mr. D'Monte's dealings with the Chetty, and forces the mind to entertain the fear that the indulgence resulted from the pecuniary transactions, or that the pecuniary transactions were the fruit of the indulgence. At least Mr. D'Monte's conduct in this matter cannot be viewed with that satisfaction which is desirable, nor can it be characterized as perfectly pure and disinterested and honest.

List of papers connected with the second Charge.

Three Depositions.
Summary of the Prosecution.
Defence.
Prosecutor's Reply.

List of Documents filed.

- A. Mr. Morris's letter, dated 20th December 1862, No. 44.
- B. Do. dated 15th May 1862, No. 419.
- C. Mr. D'Monte's letter, dated 10th May 1862.
- D. Mr. Morris's Memorandum, dated 17th May 1862, No. 430.
- E. Mr. D'Monte's Memorandum, dated 14th May 1862.
- F. Mr. Morris's letter, dated 2nd February 1863, No. 106.
- G. Mr. D'Monte's letter, dated 27th January 1863, No. 13.
- H. Statement of new salt sold at Negapatam and Vedarniem for Home and Inland consumption.
- I. Detailed Statement of ditto, from July 1862 to June 1863.
- J. Statement of parties who have purchased salt at Vedarniem from November 1862 to October 1863.
- K. Mr. D'Monte's order to Negapatam Peshcar to sell a heap of salt to Srinivasa Iyengar.
- L. (Among 34 documents) Endorsement granting Venkatesa Chetty new salt at Negapatam.
- M. (Do.) do.
- N. (Do.) do. to Toppya Pillay and Co.
- O. (Do.) do. to Nynappa Mudali.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

- P. Mr. D'Monte's proclamation offering new salt if old is taken together.
- Q. (Among 34 documents) Endorsement granting new salt to Toppya Pillay and Co. at Negapatam.
- R. (Do.) do.
- S. (Do.) do. to Nynappa Mudali.
- T. Yadast from Negapatam Peishcar to Vedarniem Monigar.
- U. Mr. D'Monte's endorsement allowing Venkatasamy Rajah to take another heap of salt in lieu of that first taken.
- V. Mr. D'Monte's order to Vedarniem Peishcar for sale of 75 garces of salt stored in a shed.
- W. Mr. Morris's order to Mr. D'Monte for sale of 75 garces of salt in a shed to Messrs. Oliver and Co.
- X. (Among 34 documents.) Mr. D'Monte's order to Adrampatam Peishcar for sale of salt to Mr. Kohlhoff.
- Y. Mr. Morris's order for sale of new salt to Ramalinga Pillay.
- Z. Statement of salt revenue for seventeen years.
- AA. Mr. D'Monte's order granting Messrs. Oliver and Co. new and old salt from Vedarniem.
- BB. Mr. Morris's letter of 29th August in reply to queries connected with this charge against Mr. D'Monte.

From T. CLARKE, Esq., Member of the Board of Revenue, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuttumavady, 11th October 1864.

1. I have the honor to submit the record of case No. 3.
2. In this case Mr. D'Monte is charged with having in the years 1862 and 1863, fraudulently and to serve his own purposes allowed at the stations of Vedarniem and Adrampatam, the purchasers of salt wholesale to retail the same on the platforms.
* In Government Proceedings of 4th May 1864, No. 777, sent with general correspondence.
3. The subject is treated of by Mr. Cadell in paras. 13, 14 and 15 of his letter* to the Board of Revenue of the 18th January last, and Mr. D'Monte has submitted his explanation † In Government Proceedings, 4th May 1864, No. 777, sent with general correspondence. on the Collector's remarks made in the above paragraphs, in his letter† of the 10th February last.

4. It has not been proved at all that salt was retailed by private parties on the platforms, though, I think, it may be fairly pronounced that salt was retailed by wholesale purchasers while it was on the Government platform. Private sales of salt are not shown ever to have been conducted or to have taken place on the platforms, and all the evidence adduced in the case most clearly proves the contrary, and shows that no private sales were ever made on the platform.

5. Two specific instances are cited by the Prosecution to prove the charge, one of which is stated to have occurred at Vedarniem, and the other at Adrampatam.

6. The only suspicious feature in the first case is the endorsement appended to the petition of P. Venkatasamy Rajah and Co. (marked A), in which it is asked which of the servants was present when the salt alleged to have been retailed by Venkatasamy Rajah was sold. The answer, however, removes this suspicion, and so does the deposition of Rajaviengar,* the Acting Peishcar as well as that of Venkatasamy† Rajah.

* 1st Witness.
† 3rd Witness.

7. I cannot agree with the Prosecution or the Collector that in either case it is in the slightest degree established, that salt was sold by the wholesale purchaser retail on the Government platform. There can be no doubt that both Venkatasamy Rajah and Venkatesa Chetty retailed the salt while it was on the platform; that is, that they sold the salt by retail to the parties who went to the platform and carried it away.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

8. It has not been shown that Mr. D'Monte sanctioned the practice of allowing the salt sold wholesale to remain on the platform for a month. There are a few cases in which sold heaps were allowed to remain for long periods on the platform. It will be seen by the letters marked O and P, that Mr. Ballard first allowed one party to remove his salt by degrees (in this district, termed "by retail") from the Government platform. This privilege was only granted temporarily and for a limited period to one party. It was afterwards extended by Mr. Morris to the same party. When and how it was extended to others, and whether it at length grew into a general practice through the district, is not shown. By the statements marked G and L, it does not appear that the heaps of salt purchased wholesale were generally kept any long time on the platform. In five cases it is shown at Adrampatam to have exceeded a month; three heaps were left three weeks on the platform; one heap was twelve days, and three were a week or under. The indulgence of not removing the heaps was most markedly shown to a Mr. Kohlhoff, a European merchant of Tanjore, and to merchants from Trichinopoly. At Vedarniem, it will be seen from the accounts, there were only two instances of this kind of indulgence having been allowed, one is the instance of Mr. Kohlhoff, and another, the case of Pitchu Shastry who purchased eight heaps and who was three months in removing them. The time allowed in the last case was not any thing very extraordinary; it was about eleven days for each heap. Considering the stringent orders given by Mr. Ballard and Mr. Morris, that Mr. D'Monte was to be very careful that the privilege of removing the salt by (what I cannot but think a misnomer likely to mislead), retail, was not abused, I do not think Mr. D'Monte was careful enough in this respect. He was bound to have used special caution that the salt was removed within a fair period.

9. I am not able to take the same view as the Collector and the Prosecution have done in regard to the case of Venkatesa Chetty referred to in paragraph 5 of the Prosecutor's summary and paragraph 14 of the Collector's letter of the 18th January. Venkatesa Chetty had purchased certain heaps at Adrampatam, and it will be seen from the Statement G that with the exception of one they were removed in a week. He had disposed of the salt by retail to parties taking it to different outlying villages, and he wanted to grant the purchasers, chits or permits in the shape of Rowanahs. The Peishcar doubted whether he had the power to allow Venkatesa Chetty to do so, and referred the matter to Mr. D'Monte who, I think very properly, answered that the Government had nothing to do with a private merchant issuing permits to those who bought salt retail of him. However, to guard against mistakes, he at the same time, and on the same day, sent an order to the Peishcar to allow no sales on the platform, and he added, nor can chits be issued to retail dealers on the platform. Subsequently Venkatesa Chetty, who had purchased a heap of salt for sale at Puttuootai, wished to be allowed to sell it at Adrampatam, the Peishcar would not grant the authority; and on Venkatesa Chetty applying to Mr. D'Monte he granted the request, and on the Peishcar still demurring he himself altered the name of the place for which the salt was bought in some of the accounts and receipts. I can see nothing wrong or improper in these transactions, nor do I think that, in any of the acts above stated, the Deputy Collector committed in any way the offence charged against him.

10. The granting to Venkatesa Chetty five full heaps (a grant cancelled by Mr. Morris) of salt at Adrampatam after the Peishcar's Arzi* of the 11th December 1862, No. 39, and his own order thereon of the 16th December 1862, No. 14, and after the Peishcar's remonstrance†

* Marked Q.

† Marked F 3.

of the 22nd February 1863, No. 55, was certainly an act of irregularity and a piece of favouritism which was highly improper, and which, I think, lays Mr. D'Monte's proceedings in respect to Venkatesa Chetty open to suspicion; but I am unable to see that in his order of the 31st January 1861, declaring that the Government have nothing to do with the issue of the chits, or in altering the place of the sale of a heap sold to Venkatesa Chetty, Mr. D'Monte was transgressing any order, much less rendering himself obnoxious and liable to the complaint made against him in this charge.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

11. In regard to the remark in paragraph 10 of the summary, that Venkatesa Chetty was allowed to sell the salt he had purchased wholesale from Government, retail to such purchasers as would otherwise have bought it from the Government stores, I do not see how Mr. D'Monte or any Government officer could have prevented the wholesale merchant selling his salt retail to whomsoever he could induce to purchase it, nor that Mr. D'Monte was in any way responsible or to blame for such sales. Private enterprise is generally more active than Government agency, and I do not understand it to be the wish of Government to interfere with retail sales by private parties. Government cannot of course allow retail sales to be made and conducted on their platforms, but beyond this the officers of Government or not called on to interfere, much less are they authorized to endeavour to stop the current of private trade, and hamper and impede its development, as would seem to be advocated by the Prosecution and the Collector.

12. That salt which had been sold to the wholesale dealer was carried away from the Government platform by the retail dealer, I do not doubt; but in this I can see nothing improper, and certainly nothing at all approaching the offence charged in this case.

List of Documents connected with the third Charge.

Five Depositions. (1 for the Defence.)
Summary of the Prosecution.
Defence.
Prosecutor's Reply.

List of Documents filed.

- A. Mr. D'Monte's Endorsement on Venkatasawmy Rajah's Petition.
- B. Venkatasawmy Rajah's Petition.
- C. Mr. D'Monte's Endorsement on Vedarniem Peishcar's Arzi.
- D. Adrampatam Peishcar's Arzi and order thereon.
- E. Mr. D'Monte's order to Adrampatam Peishcar against retail sales on Government platform.
- F. (With two enclosures.) Adrampatam Peishcar's Arzi.
- G. Statement of sales at Adrampatam.
- H. Adrampatam Peishcar's Arzi to the Collector.
- I. Mr. D'Monte's order to Adrampatam Peishcar for sale of salt to Mr. Kohlhoff.
- K. Mr. D'Monte's order to do. do.
- L. Statement of salt sold at Vedarniem, wholesale and retail.
- M. Receipt given by Shroff to Venkatesa Chetty.
- N. Police Rules by Mr. D'Monte.
- O. Mr. Ballard's letter for removal of wholesales of salt by retail.
- P. Mr. Morris's letter extending the above privilege to one month.
- Q. Adrampatam Peishcar's Arzi, and Mr. D'Monte's order thereon.

From T. CLARKE, Esq., Member of the Board of Revenue, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuttumavady, 11th October 1864.

1. I have the honor to submit the record of case No. 5, together with my remarks and opinion on the evidence by which it is attempted to establish it.

2. Mr. D'Monte in this case is charged with having while in charge of the Salt Department and during the years 1862 and 1863, had improper pecuniary dealings with certain Salt Companies carrying on trade in the name of Venkatesa Chetty and Co., and Oliver and Co. This matter is referred to by the Collector in paragraphs 22

to 26th of his letter* of the 17th March last.
* Vide Proceedings of Government, dated 4th May 1864, No. 777, sent with general correspondence.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

3. I quite agree with the Prosecutor in arriving at the conclusion that Mr. D'Monte's pecuniary dealings with Venkatesa Chetty and Co., so far as we have any knowledge of them commenced on the 3rd March 1863, and terminated on the 12th May of the same year; that any transactions which may have occurred before that date between the parties, partook more of the character of acts of private friendship than those of an Agent or Banker and his constituent. Mr. D'Monte has entirely failed to show that he banked with Venkatesa Chetty previous to March 1863, or that he had any other dealings with him than those described by Venkatesa* Chetty in his deposition.

* 1st Witness.

4. It is clear, therefore, that Mr. D'Monte's pecuniary dealings with Venkatesa Chetty and Co. began after the establishment of the Firm of which Venkatesa Chetty was the chief and active Partner, and who, as the Prosecutor has alleged, enjoyed greater privileges than any other parties or Firms embarked in the salt trade.

5. I cannot but view these pecuniary dealings with an individual brought into such intimate connection with Mr. D'Monte in his official capacity, as "highly improper," and seriously irregular.

6. In reference to the allegations and assertions made in the 8th paragraph of the Prosecutor's summary, and which appear to have been suggested by the remarks of the Collector in the 24th paragraph of his letter, I have looked carefully at the book No. 1, and it does not appear to me that any pages have been torn out of it. The binding has given way a little, but the pages have certainly not been tampered with at all. The paper of which the book has been formed formerly belonged to some books recovered from a wreck, and which had been injured by the water. Such part of the original book as was uninjured appears to have been re-bound, and instead of beginning at the first page, we have now the book beginning at page No. 23. Further, the way

† 3rd Witness.

‡ 1st Witness in 4th charge.

in which the books were impounded, suggested no doubt to Srinivasa† Pillay by the same scheming head that suggested to Srinivasa‡ Mudali the obtaining from Mr. D'Monte the document A, precludes the idea or possibility of the books having been tampered with. The books were impounded in the house of a mutual and common friend of all the partners under the pretext of a quarrel, though what the nature of that dispute was it is difficult to determine from the evidence before me. They were brought from the house of Venkatesa Chetty to be laid before the mediators who consented to settle the dispute; and when the books had been securely placed in the house of one of these mediators, so far from any settlement being attempted or asked for, the partners never re-assembled, but the impounder goes to the Collector and gets the books seized. I have seen no reason to doubt that all the books of the Firm have been produced; without all the books the proposed settlement could never have been effected; but from not having the key by which the books are read, or the way in which the accounts are kept, it may be impossible for the uninitiated to understand or to extract from them what is desired, and probably there is really nothing to extract from them.

7. It will be seen from the Statement I in charge No. 2, that when Mr. D'Monte opened his accounts with Venkatesa Chetty the dealings of the Firm of which he was chief were anything but brisk. They had been so six months previously, but at the date Mr. D'Monte placed his money in Venkatesa Chetty's hands they were very slack. In March 1863, the Firm purchased six heaps of new salt; in April, one heap; and in May, four heaps; whereas, in the former months, the purchases had been six and seven heaps regularly every month.

8. The Prosecutor when he made his remarks in paragraph 12 of his summary had not seen Mr. Morris's letter of the 29th August, which reached me some few days after he had put them in. That letter shows that Mr. D'Monte acted with authority in all that he did, except perhaps in not requiring the merchants to take an equal share of old salt with the new.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

9. The Prosecutor in paragraph 5 endeavours to make a great deal of two expressions found in a letter* written by Venkatesa Chetty to his partner Srinivassa Pillay, and put in by the

• Marked B.

latter. The expressions may be suspicious in themselves, or they may bear the interpretation placed on them by the writer; but I cannot admit that it is possible to construe those expressions as in any way fairly affecting Mr. D'Monte but by a dangerous, illogical, and forced process. Generally through these charges, it is by such unusual and inadmissible process of reasoning on doubtful acts and words that guilt is attempted to be proved against Mr. D'Monte.

10. There are two statements made in this letter which are remarkable; first, that the salt heaps purchased by the Firm instead of containing any excess were deficient; and second, that the Vedarniem salt was more expensive than the Negapatam salt.

11. Venkatesa Chetty most positively swears that the 1,000 Rupees credited to Mr. D'Monte was money paid in by Mr. D'Monte to him, and did not come out of his (Venkatesa Chetty's) assets, or out of those of the Firm, and there is no proof of any kind to shake or rebut this asseveration. The statement alleged to have been made to Srinivassa Pillay, that the Firm had spent above 2,500 Rupees in payments to salt servants, is not at all proved, and the evidence on this point is in my opinion most suspicious. It is strange, if the statement be true, that all the partners, especially Srinivassa Pillay, who was a kind of travelling agent for the distribution and sale of the salt of the Firm, should have been wholly ignorant of the payments if any such were really made. Such an idea displays a mode of conducting business which is not usual among natives, and it is not probable for an instant that Srinivassa Pillay, so active in impounding the books of the Firm and bringing them before the Collector, should, if he had been aware of such improper transactions, deny all knowledge of them.

12. That there was a dispute between the partners of the Firm is not to be doubted; but what the nature of that dispute may have been it is difficult to conjecture; whether it related to the profits and charges of the salt concern, or to pearls kept back by two of the partners, cannot be safely asserted.

13. It does not appear to me that the Prosecutor is justified in making the statement he hazarded in paragraph 18 of his summary.

+ 8th Witness.

The deposition of Ramasamy† Chetty shows that he had lent Mr. D'Monte some money a year and half before he had anything to do with the salt trade, and that he was repaid in 1863 with interest. The statements of Ramasawmy Chetty are not very clear, and certainly warrant the suspicion that he is not speaking the whole truth; but I do not think that they quite warrant the Prosecutor's inference.

14. In stating‡ to the Board that Venkatesa Chetty has been his Banker for a long time previous to the opening of the Salt Firm, Mr. D'Monte has most clearly stated what was not the fact, and this for the purpose of misleading

† Vide Mr. D'Monte's defence, dated 10th June 1864, paragraph 10, sent with general correspondence.

the Board, and making his transactions with Venkatesa Chetty appear in a less improper light than they would without that explanation.

15. It is not proved that Mr. D'Monte's transactions were with the Salt Firm. They could not be so while all the partners were ignorant of them. Nor is it proved that the transactions in themselves partook of anything suspicious or improper further than the impropriety of a high officer having pecuniary dealings and being under obligations to a native merchant thrown into such close official relationship as Venkatesa Chetty was with Mr. D'Monte.

List of papers connected with the fifth Charge.

Six Depositions given before the Collector.

Ten depositions given before Mr. Clarke.

Summary of the Prosecution.

Defence.

Prosecutor's Reply.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

List of Documents filed.

- A. Srinivasa Pillay's complaint to the Collector against Venkatesa Chetty.
 - B. Venkatesa Chetty's letter to Srinivasa Pillay.
 - C. Venkatesa Chetty's receipt for 1,000 Rupees received from Mr. D'Monte.
 - D. Mr. D'Monte's order on Venkatesa Chetty granted to Ramasamy Chetty.
 - E. Memorandum of privilege remittances granted Mr. D'Monte.
 - F. Agra Bank's acknowledgment of the receipt of 2,000 Rupees from Mr. D'Monte.
 - G. Account particular of Mr. D'Monte's travelling in March 1863.
 - H. Translation of Mr. D'Monte's accounts with Venkatesa Chetty.
- One account book belonging to the Firm of Venkatesa Chetty and Co.

From T. CLARKE, Esq., Member of the Board of Revenue, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuttumavady, 11th October 1864.

1. I have the honor to submit the record of case No. 6, and proceed to record my opinion on the extent to which the Prosecutor has succeeded in establishing his case.
2. The charge is, that on the 29th September 1863, and when about to leave for Calcutta, Mr. D'Monte did fraudulently, and with a view to show undue favor to one Sheik Tambi Mercayan, pass an order making over 500 salt pans at Adrampatam to the said individual, notwithstanding that he had been told that the rights of certain parties to those pans were under inquiry, and professing at the time to be awaiting the Collector's orders on the subject.

3. This matter is referred to in paragraphs 20, 21, and 22 of the Collector's letter* of the 18th January last, and is replied to in loco in M. D'Monte's letter of the 10th February following.

* In Government Proceedings of 4th May 1864, No. 777, sent with general correspondence.

4. There can be no doubt, as the Prosecution observes, that an order was passed by Mr. D'Monte on the 29th September 1863, making over 500 pans to one Sheik Tambi Mercayan at Adrampatam. The point to be decided is, did he pass the order under the circumstances specified in the charge? I do not think fraud or favoritism has been proved against Mr. D'Monte.

5. What is called the salt village of Adrampatam is situated in the two villages of Poodocotta and Palanjur. In the former village the only salt manufacturers are the said Mercayan and two other Mahomedans and the priest of the Mahomedan Mosque. In Palanjur he holds shares in the salt pans with other manufacturers.

6. In the salt village of Adrampatam, Sheik Tambi and his family hold one-fourth of the pans; so that if it were determined to open 2,000 pans, this family would be entitled to 500 pans. Sheik Tambi had represented to Mr. D'Monte that he had assigned to him by the owners their right in 600 pans at Sendalai; and there is no doubt that, so far from the decrees† produced by Sheik Tambi Mercayan having no reference whatever to the waste salt lands of Adrampatam, there was the clearest *prima facie* case made out by these decrees, that a large portion of such land was his, and equally conclusively did they shut out any pretensions which the Mirassidars of the village, or the Rajah Muttum Chuttrum might set up to the land as belonging by Mirassi right to either the one or the other party.

† Marked No. 2 F. and No. 3 F.

† Marked No. 3 F.

therefore, that he possessed a quantity of waste.

§ Marked No. 1 F.

was passed, and it was patent that he had held the lands in question under the decrees since 1813

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

or for forty-four years, and therefore any claim under the plea of general village Mirassi was shut out altogether. The land had been held for more than forty-four years by the Mercayan under another and different title than Mirassi. His title has not been challenged or set aside, and though the village Mirassidars had not been parties to the suit, yet by their silence they had allowed the Mercayan a prescriptive right which they were by the Law of Limitation barred from questioning at so late a date as 1864.

8. The Prosecutor has laboured in paragraph 14 of his summary to show that Sheik Tambi's father held only a share in the contested land, and that he was acting as the agent and representative of other shareholders, and therefore that he could not possess a right to the whole of the waste salt land in Poodocottai. It is no doubt true that at the time the decree was passed others had a share in the pans of Poodocottai and of the waste lands belonging to those pans; but as Mr. D'Monte must have known the pans had passed away from the other shareholders and all belonged to the Mercayan's family and the other Mahomedans above mentioned, it was fair to conclude that the waste belonging to the pans and attached to them had also passed away. But without dwelling on this point, still, enough remained to show that Sheik Tambi possessed sufficient waste salt land in the village of Adrampatam, to allow of his opening 500 salt beds, and that as holding one-fourth of the pans at Adrampatam, he was entitled to one-fourth of the 2,000, or 500 new pans intended to be opened in that village. In therefore assigning to him 500 pans, I cannot see that any undue favor was shown to Sheik Tambi Mercayan, or that the right of any other party was invaded or set aside by this allotment, that is, always supposing it was intended to open 2,000 and odd new pans at Adrampatam, as Mr. D'Monte states it was, and had been agreed upon by Mr. Morris. It will be seen too, that this is the number given in Mr. D'Monte's Yadast* to the Collector.

* Vide Enclosure 2 B.

9. It appears to me that if this number had been decided upon, Mr. D'Monte acted most justly and properly in assigning 500 of the new pans to Sheik Tambi Mercayan, and that had he given him a fewer number, or thrown difficulties in the way of recognizing his claim to the land in question, he would have done him an act of gross injustice and wrong. The claims of the other applicants for pans still remained to be decided and settled; but there was no reason because the proportion due to them or other matters connected with their pretensions could not at once be settled, that a decision should be withheld or deferred in the case of the Mercayan whose proportion and rights admitted of no question.

10. Mr. D'Monte seems to have considered that the assertion of Sheik Tambi, that 600 of the panholders in Sendalai had resigned their right in the closed pans of that village to him, was sufficient to justify him in accepting it, and that this assertion strengthened the Mercayan's claim to new pans. No person but one so inexperienced in administrative work as Mr. D'Monte would have fallen into these errors; but I find no reason for believing that in advancing these pleas Mr. D'Monte was not acting *bona fide*. I think too, that this explanation that he did not pass the order in Sheik Tambi Mercayan's favor on what he believed to be the eve of his departure to Calcutta, deserved more consideration than it received. I see no reason to doubt that Mr. D'Monte submitted his proposal† that he should postpone his visit to Calcutta and not avail himself of his

† Marked U.

medical leave of absence till after my departure from the District, with the full intention and under the conviction that it would be accepted and acted on.

11. That Mr. D'Monte acted precipitately and without that close, full and formal inquiry which he was bound to make, I am free to admit. He ought not to have accepted without inquiry Sheik Tambi Mercayan's statements in regard to the transfer to him by the pan holders of Sendalai of any rights they might possess in the salt pans of that village. He has not satisfactorily shown that it had been determined by competent authority to open 2,000 and odd new pans at Adrampatam. The quantity and exact position of the land held by the Mercayan under the decrees in

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

his possession were all points which ought to have been examined into and recorded in the usual way. There was a great and marked want of respect evinced towards the Collector in not waiting

* Vide B, K, F, J, L, and M.

† Vide document W.

for his decision on the several points alluded to in the correspondence* which passed between Mr. Cadell and Mr. D'Monte. Mr. D'Monte has asserted† that he considered what took place at the personal conference he had with the Collector in August, justified him in disposing of the case, and therefore, that as soon as he had heard‡ from the Peishcar that the Karayurans could produce no documents in support of their claim, he passed his order. But I do not think he should have passed an absolute order in the case without making known his decision to the Collector, and leaving it to that officer to decide whether it should be issued or not.

12. It is not very clear what did take place at this interview. Mr. Cadell maintains that he could not have granted the authority claimed by Mr. D'Monte. But however this may be, I think it was undoubtedly due to the Collector that Mr. D'Monte should have passed no order in the case without first acquainting Mr. Cadell with its tenor and the grounds on which it had been passed.

13. It is, however, clear to me that most of Mr. D'Monte's errors and irregularities in this case arose from want of special training and habits fitting him for the discharge of the duties of his office, rather than from premeditation or from any design to act in direct opposition to the Collector's wishes, much less did Mr. D'Monte dream of disrespect.

14. In the offices he had filled, Mr. D'Monte had learned that despatch and smartness were acknowledged high qualifications. All his acts while Deputy Collector seem to be tinged with this idea, haste and despatch without deliberation. No sooner is a notion conceived that it must be put into action, however jejune and crude. I have, during the time I have been holding the inquiry, been struck with Mr. D'Monte's hasty, impulsive character, and his utter ignorance of the manner in which judicial inquiries are conducted, or of the requirements of the parties in a trial. He showed gross ignorance and incapacity as to what he should do in meeting or exposing the adverse points of his case, and suggested irrelevant and useless questions.

15. At the time it was proposed to open new pans at Adrampatam, Mr. D'Monte's first impression seems to have been that compensation was due and must be made to the pan holders of Sendalai; when he found that these parties were not willing to proceed to Adrampatam, he was then prepared to give the land at that place, which he seems to have looked on as Government waste, to any one who asked for it as he had done at Vedarniem. But when he was shown that this could not be done, he appears to have been struck with the production of the decree by Sheik Tambi Mercayan, and considering it an unassailable muniment of title, at once to have granted pans to the holder of it.

16. I do not think the Prosecutor has shown, that at the time and under the views then current in the District of retaining Adrampatam as one of the chief places of manufacture, that no new pans were necessary at that place, or that there was no urgent necessity for opening them. I think Ramasamy

§ 4th Witness.

Iyen's deposition clearly proves the contrary. The stock of salt in hand when Mr. D'Monte granted the pans was very small indeed, and was consumed before the new salt of the next year had all been stored. The quantity now in

¶ Vide deposition of 4th witness.

store at the old Adrampatam station is very small. It is true no salt could be manufactured in October, and a little further delay till the Collector's orders could have been received would not have very seriously impeded the getting the pans ready by the opening of the next manufacturing season; but the hasty, ill-regulated mind of Mr. D'Monte would brook no delay, and he complied with the request of the petition before him under the plea that if pans were not immediately given the next season would be lost.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

17. Though M. D'Monte has been wanting in respect and deference to the Collector, and has been guilty of irregularities in deciding on matters pending before that officer, and shown an unbecoming haste and precipitancy, I cannot see that any act of wrong or injustice or partiality was committed to other manufacturers in granting the 500 pans to Sheik Tambi Mercayan, much less can I see ground for the imputation of fraud.

List of papers connected with the sixth Charge.

Five Depositions.
Summary of the Prosecution.
Defence.
Reply of the Prosecutor.

List of Documents filed.

- A. Monigar's statement of waste lands at Adrampatam.
- B. (Three enclosures.) Yadast from Mr. D'Monte to the Collector.
- C. Petition of Sheik Tambi and Nina Tambi Mercayan, for 500 pans at Adrampatam.
- D. Petition from Sheik Tambi Mercayan offering to produce Court decrees in support of his right to certain lands at Adrampatam.
- E. (One enclosure.) Depositions of Sheik Tambi and Nina Tambi before the Monigar of Adrampatam.
- F. (Three enclosures.) Mr. D'Monte's letter to the Collector submitting decrees produced by Sheik Tambi Mercayan.
- G. (Fifteen Petitions.) Adrampatam Peishcar's Arzi to Mr. D'Monte, stating that certain Mirassidars wish to open fresh pans.
- H. (One enclosure.) Adrampatam Peishcar's recommendation for grant of pans to certain Mirassidars.
- I. Ramalinga Taven's Petition to Mr. D'Monte.
- J. Yadast from the Collector to Mr. D'Monte.
- K. Do. do. do.
- L. Do. do. do.
- M. (Two enclosures.) Yadast from Mr. D'Monte to the Collector.
- N. Adrampatam Peishcar's Arzi to Mr. D'Monte about Sheik Tambi Mercayan and others entering into terms for opening pans.
- O. (Two enclosures.) Adrampatam Peishcar's Arzi about Verappa Taven and others opening pans.
- P. Sheik Tambi Mercayan's accounts showing pans belonging to him and partners.
- Q. Sheik Tambi Mercayan's Petition to the Collector for pans at Adrampatam.
- R. Plan of Adrampatam salt works.
- S. (Three enclosures.) Arzi from Puttucottai Tahsildar regarding Adrampatam pans.
- T. Mr. D'Monte's request for advance of pay and allowances to avail himself of his leave.
- U. Mr. D'Monte's letter to the Collector proposing to avail himself of his leave after Mr. Clarke's visit to the District.
- V. Ellava Tamby Mercayan's answer in Original Suit No. 559 of 1815, in Sudder Dewany Adalut of Combaconum.
- W. Mr. D'Monte's replies to the Collector's queries.
- X. Collector's request to Mr. D'Monte for explanation on certain subjects.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

From T. CLARKE, Esq., Member of the Board of Revenue, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuttumavady, 11th October 1864.

1. I have the honor to submit the record in case No. 7, with my opinion on the evidence adduced in the case.

2. Mr. D'Monte is charged with having on the 30th May 1863, on a false and fraudulent recommendation of which Mr. D'Monte was the author, passed an order in favor of Ramalinga Taven, making over to him 600 pans in the village of Adrampatam, the right to those pans being then under inquiry, and Ramalinga Taven having no right whatever thereto.

3. It will perhaps lead to a better understanding of this case if I first pass in review the circumstances which gave rise to the charge.

4. The Serishtadar of the Collector's office was required by the Collector to collect the papers connected with the sixth charge, the granting of certain pans to Sheik Tambi Mercayan at Adrampatam, and to submit a report upon them. While he was having the papers connected with case No. 6 read to him, one of his Clerks brought to his notice, about the end of June 1863, the suspended order which had been passed by Mr. D'Monte in this case, and which was found among the records of Mr. D'Monte's office. The Serishtadar immediately took it to the Collector, who desired that it might be kept for future consideration. On the 2nd or 3rd of January 1864, Tagarajah Pundarum, the Peishcar of Adrampatam, visited the Serishtadar, and was shown the order of Mr. D'Monte A 3, and his own Arzi A 2, and required to explain how he came to write the Arzi A 2. He told the Serishtadar that he wrote the Arzi at Mr. D'Monte's request and recommendation. The Serishtadar immediately reported the matter to the Collector who, on the 4th January, issued orders to the Peishcar at Vedarniem and the Tahsildar of the Taluk in which Adrampatam is situated, to send Srinivasa Mudali and Ramalinga Taven to his office. Srinivasa Mudali arrived on the 14th, and denied that he had carried any message from Mr. D'Monte. He was desired to wait till Ramalinga Taven arrived. Ramalinga Taven reached the Collector's office on the 21st, and was formally examined on the 25th January, and after his deposition (marked K) had been recorded, it was read over to Srinivasa Mudali, who said it was all correct, except that part which declared that he, Srinivasa Mudali, had gone to Adrampatam at Mr. D'Monte's requisition. Ramalinga Taven stated that Srinivasa Mudali did recommend his case to the Peishcar. The order passed by Mr. D'Monte granting 600 pans to Ramalinga Taven, is dated 30th May 1863, and is written on an Arzi of the Peishcar's, dated the 28th May previous.

5. On the 29th May, another Arzi marked (I) was sent by the Peishcar of Adrampatam exactly similar in character with his Arzi A. 2, and an order was passed on it by Mr. D'Monte, a counterpart to A. 3, the one passed in Ramalinga Taven's case. This order (I) was suspended in the same way as the order in Ramalinga Taven's case, but it was not noticed in the Serishtadar's Office at the time Ramalinga Taven's order was discovered, nor shown to Tagarajah Pundarum; and it is remarkable, that though the Arzi and the order were exactly similar in character, object, and purport as that other in Ramalinga Taven's favor, and though the orders in the two cases were the same and were treated in the same way, no improper motive has been imputed as leading to or originating that former order. Was it because the former was not seen by Tagarajah Pundarum?

6. I may here observe that it is no where shown that Tagarajah Pundarum's recommendation was a false one, however improperly it may have been obtained, if we believe the case for the prosecution, which I am not inclined to do. I view that case as altogether worthless. I consider Tagarajah Pundarum to have originated the idea of this charge. His evidence is most unsatisfactory, and he was quite at a loss and perturbed when his attention was drawn to the second Arzi and order marked I. This witness prevaricated throughout and retracted almost every thing he said. It is clear that Srinivasa Mudali went to Sendalai for his pay, and that he received it on that occasion, and this accounts for his being there at the time Ramalinga Taven was there, while Mr. D'Monte's suspension of the order immediately on its execution, and then leaving it

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

for five months unnoticed in his records, are circumstances wholly inconsistent with, and opposed to, the supposition that he took so great and active an interest in Ramalinga Taven's success, or that he had adopted the dangerous and unusual course of sending one of his public servants to an officer not very friendly to him, with a message of the character imputed in the charge.

7. The action of Tagarajah Pundarum in Udamah Mercayan's case, which was treated by him exactly as Ramalinga Taven's was, without any interference or message from Mr. D'Monte and the issue of an order in that case granting the applicant's request, and its subsequent immediate suspension, are in my mind fully explained by the statements made by the Clerk Ramasawmy Iyen,* that Mr. D'Monte had issued orders in both cases, granting the applications on receiving the Peishcar's Arzis recommending that their requests should be complied with, but that when the numerous other applications were brought to his notice, and the intricate question connected with them put before him, he suspended the execution of his orders till he should visit Adrampatam and be able on the spot to go into the whole matter of the claims of the several parties.

* 4th Witness.

8. With reference to the remarks made by the Prosecutor in the 4th paragraph of his summary, it appears to me that all the inconsistencies and irregularities therein pointed out are accounted for by Mr. D'Monte's natural character. They are just such as a man of his order of mind would fall into. Undisciplined, impulsive, active, and taught to look on rapid and immediate action and decision as a virtue, without judicial or administrative training or experience, quite new to the nature of the intricate and exceptional tenure on which land is held in this District, the errors noticed by the Prosecution are such as he would naturally commit.

9. His first idea was to make compensation to the holders of pans in the closed division of Sendalai. He learns from the Tahsildar of the Taluk in which Adrampatam is situated that the salt land he proposed to employ was unoccupied waste. He immediately considers it Government property. Ramalinga Taven tells him many of the panholders in Sendalai are indebted to him, and if these pans are closed he is without means of redress. The Peishcar informs* Mr.

* Vide A 2.

D'Monte, that Ramalinga Taven is capable of opening and working 1,200 pans, and recommends his case as he did that of Oodmah Mercayan to the Deputy Collector's favorable consideration. The order is immediately given for these two parties to open 600 and 500 pans respectively. This was the course he had been pursuing with so much success under the instructions of the Collector at Vedarniem. But no sooner are his orders written and signed than the Clerk draws his attention to numerous other similar applications, and probably also informed him of the tenure on which land is held in this District, and that the two parties to whom he granted the privilege of opening pans held no lands in Adrampatam, that the other applicants seemed to possess better title to consideration. Immediately Mr. D'Monte suspends his orders, and resolves to visit the place and make an inquiry into the several conflicting rights set up by the various applicants. This object he never accomplished. The orders, therefore, passed by him lay dormant among his records, and would have done so had not one of them been brought to light by the Serishtadar's Clerk, and had not the interpretation been put upon it recorded in the charge. I cannot find any ground whatever for the imputations raised in his charge, and I reject the evidence in support of it as wholly false and fabricated.

List of papers connected with the seventh Charge.

Five Depositions.

Summary of the Prosecution.

Defence.

Prosecutor's Reply.

List of Documents filed.

A. (With two enclosures.) Correspondence between Mr. D'Monte and Adrampatam Peishcar for grant of pans to Ramalinga Taven.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

- B. Mr. D'Monte's reference to Puttucottai Tahsildar on Ramalinga Taven's applications for pans.
C. Ramalinga Taven's Petition for pans at Adrampatam
D. Do. do. do.
E. Puttucottai Tahsildar's reply to Mr. D'Monte's reference on Ramalinga Taven's application for pans.
F. (Two enclosures.) Adrampatum Poishcar's Arzi to Mr. D'Monte.
G. Petition of Mahomed Abdul Mercayan and others for pans at Adrampatam.
H. Petition of Mahomed Tambi Mercayan for do.
I. (One enclosure.) Adrampatam Peshcar's Arzi recommending grant of pans to Udmah Mercayan.
K. Ramalinga Taven's deposition before the Collector.
L. Mr. D'Monte's letter to the Collector, dated 11th January 1864.

From T. CLARKE, Esq., Member of the Board of Revenue, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuttumavady, 11th October 1864.

1. Since concluding my general report on the charges preferred against Mr. D'Monte and his administration of the Salt Revenue of the District, I have the honor to state that I have visited Vedarniem, and have examined the salt and heaps at that station. The manufactured salt of 1863, though not the finest salt that I have seen, is not to be compared with the Negapatam ordinary salt; the latter was little better than sand and mud, while the Vedarniem manufactured salt was a good, substantial crystal, well formed and heavy. It certainly did not equal in whiteness the specimens sent to the Board by Mr. Morris; but that was hardly to be expected after the exposure to which it had been subjected in a season of more than ordinary rain and moisture.

2. I have also examined four heaps while at Vedarniem. The results are given below:—

Number of Plat-form.	Number of heap.	By whom examined previously.	Results of such examination.	Results of Mr. Clarke's examination.	
No. 3	No. 26	Ramachend Row.	G. M. M. 11 0 21	G. M. M. 9 163 0	Mer.
"	No. 27	Mr. Hope	9 265 0	8 318 0	+ 275 shipped to Negapatam = 10 19
"	No. 36	By none		9 124 0	
"	No. 6 of 1864	"		9 408 0	

One of these heaps had been examined by Mr. Hope; one by Ramachenda Row, and two had not been examined at all. The heap that Ramachenda Row examined was not a whole heap, a portion of it alleged to amount to 275 Mercals, was shipped to Negapatam. I do not place much credit in the returns of salt shipped to Negapatam. Negapatam is only about thirty miles north of Vedarniem, and with a fine southerly wind, such as is said to have prevailed during the carriage of the salt from Vedarniem, can be reached in five or six hours, and yet the returns show a wastage of 61 garces in 548 garces, or 11 per cent. This is preposterous, and I cannot but believe that the returns of salt shipped have been purposely made to show that the heaps contained an excess. It is strange that all the whole heaps examined by me have shown a deficiency, and that a large one; and that the only heap that showed an excess was the one of which a part was said to have been previously shipped, and which part added on to the portion examined by me showed a small excess.

3. The salt was fairly measured in my presence just as it should be when sold—fair, just measurement. The Board are aware that a heap can be measured to show an excess or a deficiency, by difference in the mode of manipulating the salt or the measures.
14th November 1864.

Ordered that the above lie over pending the receipt of Mr. Clarke's report on the 4th charge against Mr. D'Monte.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

Read the following papers:—

Proceedings of the Board of Revenue, dated 10th December 1864, No. 7,913.

Read again letter from T. CLARKE, Esq., Member of the Board of Revenue, dated 11th October 1864, with enclosures, in Board's Proceedings, dated 14th November 1864, No. 7,424.

No. 199. Read also the following letter from the same Officer, dated Shoilgoody, 12th November 1864.

1. I have the honor to submit the record of case No. 4, with my opinion on the evidence adduced to establish it.

2. In this case, Mr. D'Monte is charged, with having, between the months of February and October 1863, in prospect of the revision of the Salt establishments, corruptly and for his own purpose, received certain sums of money, amounting in the aggregate to Rupees 430, or thereabouts, through one Srinivassa Mudali, as a consideration for retaining certain parties on the new establishment.

3. The case has given me much painful and anxious consideration. The amount of perjury and false evidence that has been adduced on both sides, to bolster up stories concocted and got up, has made it a matter of very great difficulty to arrive at any satisfactory conclusion on any one point in the case.

4. The story on which the charge in the case is founded, embraces circumstances which occurred at three different and distinct periods. The first period refers to the alleged payment of the bribes; the second, to the alleged restitution of a part of them by Srinivasa Mudali, to three Peons; and the third, to the execution of paper A.

5. These different parts, cleverly interwoven, are made to appear intimately connected the one with the other; but the first part is clearly the most essential to the establishment of the charge; if it break down and be discredited, whatever presumptions, unfavorable to Mr. D'Monte, may arise from the establishment of the other two parts, I hardly think it would be safe to found, on such presumptions, a verdict of guilty against Mr. D'Monte, for, unless it be proved that Mr. D'Monte did receive the bribes alleged to have been paid him, the other portions of the charge, though most clearly and indubitably established, may afford ground for theorising and derogating from the character of Mr. D'Monte; but they cannot alone prove the fact that he had taken bribes from a number of his subordinates to serve them.

6. If the first portion be, on the contrary, clearly and conclusively established, the other parts also if established, come in as corroborative proof, and bring home guilt more clearly, while the failure to prove them would not lessen Mr. D'Monte's offence, or the value of the evidence by which it was established.

7. I have deemed it right to make these remarks, because there seems to me to be a strong and very improper tendency, on the part of the Prosecutor, to rest his case wholly on his ability to break down Mr. D'Monte's explanation of the circumstances under, and the object for which the paper A was executed. Having done this it would seem to be implied that no other alternative remained, but to believe the rest of the story advanced by the prosecution, highly improbable and inconsistent and inconclusive as it is, as the only possible solution for the existence of the paper A.

8. It may be possible that Mr. D'Monte has not only failed to prove, but may even have been convicted of falsehood in the explanation he has offered of the circumstances under which, and the person in whose favor he had drawn out the paper in question; yet, if the prosecution also fails to prove their case, and entirely break down in their efforts to establish it, I do not think we are bound to accept their story a whit more than we can accept Mr. D'Monte's.

9. There may be many and various explanations, besides the story of the prosecution, to account for the document being found in the hands of the prosecution. If Mr. D'Monte is required to show, by indubitable proof, that his version of the circumstances under which the

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

paper issued, is the true one, surely the Prosecutor is equally bound to prove, by evidence, to be tested by the same rules and laws, applied as vigorously, if not more rigorously than they are applied to the evidence of the accused, that his version of the story is the only correct and true one.

10. I purpose in reviewing the case, to deal with the third part, which relates to paper A first, and then to proceed to the other two parts in the order in which they stand.

11. Whatever view we take of the case, no doubt, it is beset with difficulties, and these difficulties arise solely from the falsity and unreliable character of the evidence.

12. The principal witness, in this case, is Srinivassa Mudali, who represents himself to be a kind of agent of Mr. D'Monte's, and without whose aid the Deputy Collector is alleged never to have acted, and through whose instrumentality, it is pretended to have been a necessity that all the alleged bribes should be procured and paid. This man is not only tainted as a *particeps criminis*, but his evidence to my mind, is utterly worthless and untrustworthy. His evidence is inconsistent with itself, with experience, and with probabilities. It is at variance, in material points, with the evidence of the other witnesses produced by him to corroborate his story, and who were alleged by him to be parties to, or witnesses of the transactions described by him.

13. Another material witness is one Chedumbara Pillay, who springs up at the close of the drama, as the guide and mentor of Srinivassa Mudali, and a harder false swearer I have seldom met with. It was impossible to obtain a straightforward, simple answer to any question from this man. I wasted twenty minutes in ascertaining from him whether he could read English. I believe that, through this man, the whole of this case has been mainly got up and concocted.

14. In proceeding to deal with the part of the case which refers to the execution of paper A, out of which the charge has arisen, I would premise that the document is not a complete instrument. It is drawn out in the form of a Bill of Exchange or Hoondie, or Promissory Note, in favor of Negapatam Alagapa Chetty, but has not been accepted by the drawee, and is therefore a worthless bit of paper. No consideration has been paid by the drawee or received by the drawer from Alagapa Chetty, nor in fact, is it satisfactorily shown who this Alagapa Chetty is.

15. Beyond the fact that this paper was written by Mr. D'Monte, I am forced to record my opinion that nothing whatever has been proved in this case by any reliable evidence.

16. The paper is in Mr. D'Monte's handwriting, and he admits it to have been written by him. Srinivassa Mudali declares it was written by Mr. D'Monte in the presence of Chedumbara Pillay of Negapatam and Ramasamy Pillay, writer in the office of the Deputy Collector, and given to him, Srinivassa Mudali. Both of these alleged witnesses contradict Srinivassa Mudali's statement most flatly. Ramasamy Pillay declares that the paper was drawn out, on the morning of the 25th January, by Mr. D'Monte when no one was present but himself and Mr. D'Monte, and that Mr. D'Monte showed it to him, and told him it was prepared for the purpose of obtaining some money to send for his family, while Chedumbara Pillay declares he was not present at all at Mr. D'Monte's quarters.

17. I cannot discover by legal proof why the document was executed, or to whom it was executed.

18. To account for its existence and its coming into Srinivassa Mudali's or Chedumbara Pillay's possession, the Prosecution has set up one story, the Defence another; but I feel that I have been entirely baffled in arriving at the truth regarding these points. I am unable to accept the story of either party. I believe that both are got up for the occasion, though I must admit that the story for the Defence is the more plausible, and the one which is surrounded by the fewest difficulties, inconsistencies, and contradictions.

19. My own view of the case is, that Mr. D'Monte was entrapped into giving the document A; but I have not been able to ascertain the means by and manner in which he was tricked. I might suggest a thousand hypothesis wholly at variance with that set up by the Prosecution, and

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

yet not be one whit nearer the truth than I now am with that elaborate and clumsily got up tale of the Prosecution. The paper might have been given in payment of the price agreed on for the two written Statements (marked B and C) delivered by Srinivassa Mudali to Mr. D'Monte; and this supposition is perhaps as near the truth as any suggestion I can submit. It is remarkable to observe the connection that appears to exist in the minds of both Srinivassa Mudali and Chedumbara Pillay, as shown in their depositions taken before the Collector and me, in regard to these documents and the paper A. It is further remarkable, that the sum expressed in the document, is exactly equal to Mr. D'Monte's salary for one month. The Government are aware that it is a common practice, in this country, to regulate presents or offerings by the amount of one or two months' salary. Secondly, it may have been given as a reward to Srinivassa Mudali for speaking the truth before the Collector. Thirdly, it may have been extracted from Mr. D'Monte under the suggestion that the amount would serve as hush money to the Sheristadar, Nelliapa Mudali, or any other native official whom Mr. D'Monte may have suspected to have been the most actively engaged in getting up evidence against him; or fourthly, it may have been given for

Vide documents S and GC.

some private reason which Mr. D'Monte did not wish to divulge; but whatever may have been the reason which led to its execution, we are forced, if we reject Mr. D'Monte's solution of the matter, to the conclusion, that it was given for an object which prudence suggested should not be made public, and Mr. D'Monte must bear the consequences not only of the necessity for this reticence, but also the consequence of having offered an explanation regarding it, which can only, I fear, be termed false.

20. The object for which the paper was given may or may not be one which affects Mr. D'Monte's public character and official integrity; but the false plea set up in the defence to account for its being in the hands of the confederates, though it may not in strict equity justify, certainly suggests the idea that it was given by Mr. D'Monte to cover or relieve himself from some official difficulty.

21. Having tricked Mr. D'Monte into giving the paper, the rest of the story was easily trumped up. No one who has ever had any official experience in this District can fail to discover in the story of the Prosecution all the elements of a Tanjore got up story. This District is noted above all others, for manufacturing evidence, and for concocting pleas. Even discrepancies are put in to make the tale less like fiction and more like truth. "A Combaconum" is a bye-word, and Combaconum stories are got up with great cleverness to simulate truth.

22. Srinivassa Mudali and Chedumbara Pillay being at Vellum and Tanjore from the date of the execution of the paper A to its production before the Collector, is not in my opinion an insurmountable difficulty in the way of the hypothesis that the story of the bribes is got up. I found at Vedarniem in the Salt Department, a very clever Brahmin, lately a Gumashta in the Dastram or Sheristadar's office, who had been sent down as a Clerk in January; and any clever person as an agent could easily trump up the tale.

23. I would draw attention to paragraph 82 of the Prosecutor's summary and the documents therein referred to, as showing how easily evidence is got up at a distance in the District of Tanjore. These two documents were alluded to in the evidence of Srinivassa Mudali to prove a part of the story for the Prosecution, viz., that certain jewels had been mortgaged by Srinivassa Mudali to pay some of the bribes asked of the Peons by Mr. D'Monte, and that the two or three rings given him by Gurusamy Iyen were at the time he deposed before the Collector, in his (Srinivassa Mudali's) possession. I sent for these

* Marked I

documents. One* of them, it will be seen, was drawn up, as its date shows, while I was at Tranquebar making the inquiry, and the other (document J) like it in newness of writing, &c., was, I am sure, got up at the same place, and by Srinivassa Mudali, and sent to Vedarniem, and thence brought to me. I was happily able to get Srinivassa Mudali to fix the date of the execution of the second document by some occurrence, and it is clearly shown

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

to be a forgery. He states it was drawn up on the date Mr. Cadell reached Vedarniem, or the following day. Mr. Cadell states he arrived at Vedarniem on the 7th June 1864, and the document is dated 2nd June, or the date on which Mr. Cadell was at Negapatam, as may be seen by the depositions included in his letter of the 16th June 1864, No. 207.

Vide Board's Proceedings of 2nd July, No. 4,071.

24. Now had this document (marked J) been drawn up at the time it professes to have been executed, the correct date would have been assigned to it, and there would have been no danger of the mistake; but Srinivassa Mudali on his inquiry before me, having heard read his deposition before Mr. Cadell, and finding he had said the rings given him by Gurusamy were in his possession, and that the parties who were alleged to have received articles in pawn, &c., were sent for, immediately sets to work to get the articles out of the hands of the party he had on his cross-questioning before me left them with; so these olais are written, and in the hurry a wrong Tamil date is fixed on.

25. It has been seen that the witnesses cited by Srinivassa Mudali to prove that the document A was executed for, and given to him by Mr. D'Monte, have entirely failed him, and I think if we examine his conduct and the circumstances of the case as they are made to appear in evidence, that we are hardly justified on his unsupported testimony, in giving credit to the account of the manner in which he became possessed of it. He says that the object for which the paper was given by Mr. D'Monte to him, was to enable him to repay himself the amounts he had refunded to three Peons who had paid gratuities to Mr. D'Monte to secure situations in the public service for themselves, and to pay back other amounts which had been paid as bribes, or had been lent to Mr. D'Monte through him (Srinivassa Mudali,) and which amounts the payers and lenders were continually pestering him (Srinivassa Mudali) to re-pay.

26. Srinivassa Mudali's account of the paper is this:—Addressing Mr. D'Monte he said, "All the people" (mentioned in the deposition before the Collector) "are giving me trouble; give me money to pacify them." He (Mr. D'Monte) said, "I have some pay to receive, wait, and I will give it to you." I then said, "Well, give me the money when you receive your pay, but now give me some document by which I can quiet their clamours." He (Mr. D'Monte) said he would give me an order on Samoo Pillay. As I did not know Samoo Pillay I said I would not consent to a bill on him. He asked me to mention some one else, I asked it to be given in my name. He said he would not give it in my name, or in that of any of my relations. At Vellapoliem is a house opposite mine; there resides there a Natkottai Chetty called Alagapa Chetty. I asked it to be drawn in his name. He said, "I will prepare and give it to you; come to-morrow morning." Though I was satisfied at first with the promise of payment at the end of two months, yet, because I was not paid immediately I became alarmed and complained. I heard too that Mr. D'Monte was going to take six months' leave. I heard this both before and after I received the Promissory Note. I expected by complaining the Collector would recover the money for me."

27. Now, if Srinivassa Mudali's story be true, if it really were a consideration with him to be re-paid the amounts which he said he had paid and was answerable for, and surely it would be a very serious consideration for a man in his position to lose 430 Rupees, and if, as he states, he were asked to wait for the money, and were satisfied with the promise made by Mr. D'Monte, and only wanted the paper to satisfy others, should we not be able to trace out in his actions something corresponding with and bearing out his assertions to Mr. D'Monte? Should we not see him showing the paper to some of those who were pressing for payment? Should we not find him waiting at least till the expiration of the two months named in his paper, if we did not find him endeavouring to get the paper cashed by his alleged friend, the Natkottai Chetty?

28. Instead of this, is not the whole of his behaviour, and are not the whole of his proceedings, in direct variance with the plea under which he alleges he obtained the paper? Instead of showing this paper to any one of the parties he declared he was desirous of satisfying, he shows

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

it to those who never could and never would recover for him his money, and had no object in doing so though he might believe they would overlook his villany and provide for his future.

29. He further tells us that the paper was first committed to the keeping of Ramasamy Pillay, the Clerk of the Deputy Collector, and that immediately afterwards, it was transferred to the care of Chedumbara Pillay, who, if he did not take it directly he had received it to the Sheristadar, went at as early an hour as he possibly could the next morning to the Collector, by whom he was referred to the Sheristadar, and to whom he communicated the intelligence that a bill had been given by Mr. D'Monte to Srinivassa Mudali in order to enable the latter to refund bribes paid through him to Mr. D'Monte.

30. If the money was what Srinivassa Mudali wanted, and if we believe his story at all, it certainly would have been his first, his chief object to secure his money. If this had been his object, would he have acted as he and his witnesses declare he did? If he had really stripped his wife of all her jewels to repay the bribes paid to Mr. D'Monte, would he have cut off for ever every chance of recovering the sums paid by him, and the jewels he had given away? and would he have branded himself as a low go-between without some corresponding counter-balancing advantage?

31. And even if he had discovered that it was hopeless to expect the paper would be cashed by Mr. D'Monte, (but surely he had no sufficient ground for arriving at such a conclusion,) unless he had some substantial ground for believing he would secure for himself some advantage from the course he was pursuing, would he, while he was blasting his character, and proclaiming himself a creature capable of committing the meanest actions, have turned to play the bully towards Mr. D'Monte? And after getting the document in his possession, threatened instant exposure? And that always in the presence of Chedumbara Pillay who, the Sheristadar has stated he was sure, was acting in the matter under the conviction that if he should prove the case against Mr. D'Monte he would get a situation, though no promise was made to this effect.

32. It has been urged that the paper was obtained in good faith and for the object avowed, but that Srinivassa Mudali was led to change his mind after he had received it, and that he was worked on by Chedumbara Pillay to forego looking for the payment of it, and instead to produce it in evidence against Mr. D'Monte. Not only is there no proof of any such change, but I would ask, what advantage had Chedumbara Pillay to offer Srinivassa Mudali as a set off against the loss of his money, or what plea could he use to induce Srinivassa Mudali to forego a present advantage in the possession of the paper, for a very doubtful future benefit in the way of promotion?

33. Supposing we assume such an idea tenable for argument sake, Srinivassa Mudali must have known that in pursuing the course alleged to have been suggested to him by Chedumbara Pillay, he should proclaim himself a thorough villain, and that such declared rogues were not the characters usually supposed to prosper in the Government service, and therefore if he changed his mind, he must have received some more trustworthy assurance than that of Chedumbara Pillay; but even the most reliable assurance would not, I think, weigh with a native against the payment of a debt of such a character as is alleged by Srinivassa Mudali to have been due to him from Mr. D'Monte. If on the contrary the plea under which Srinivassa Mudali got the document from Mr. D'Monte be a false one, I think a reliable assurance of future advancement would have availed to induce him to join in the cabal against Mr. D'Monte, especially as he was at the time holding a Government appointment, and therefore had nothing to lose but every thing to win by yielding to the pressure put upon him. I therefore look on the idea set forth by the Prosecution that Srinivassa Mudali changed his mind after receiving the document, as an untenable one.

34. Again, this change in Srinivassa Mudali's purpose was too immediate to allow of such an hypothesis being for an instant entertained. The change was too immediate—instantaneous. There was no breathing time allowed between the getting the paper and the laying the information regarding it before the authorities, and lest it might be supposed that Chedumbara Pillay in going to the Sheristadar on the 27th January, acted in this matter independently of Srinivassa Mudali, I

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

would draw attention to Chedumbara Pillay's statement that Srinivassa Mudali told him (Chedumbara Pillay) at Vellum before he proceeded to the Collector, that if he were not immediately paid he would go to the Collector; thus showing that from the first it was Srinivassa Mudali's purpose to produce it before the Collector, and not to recover the monies supposed to be due to him.

35. Neither do I see Chedumbara Pillay at any time or in any way using his influence to bring about such a change in Srinivassa Mudali's mind. Srinivassa Mudali does not allow, nor allude to such a course of proceeding, nor does Chedumbara Pillay. In fact, he and the other witnesses prove the reverse, and show that when Srinivassa Mudali had got the paper he was unrelenting and unbending in his purpose of exposing Mr. D'Monte.

36. I would also draw attention to Srinivassa Mudali's first statement before the Collector, that the bond was executed by Mr. D'Monte in the presence of Chedumbara Pillay. This statement was made by Srinivassa Mudali either mistaking or forgetting his lesson, or it was afterwards thought better to keep Chedumbara Pillay's name in the back-ground during the first scene of the drama. His presence at the execution of the document would show too prominently that he had been acting on Srinivassa Mudali before the execution of the paper, and might lead to his being suspected to be as he really was, the prime mover in this affair, instead of being the party who only led to Srinivassa Mudali changing his mind after he had got the paper, and found it was to him a worthless instrument.

37. It will be seen that in the first deposition this man, Chedumbara Pillay, not only denies having been present at the execution of the paper, but he likewise takes great credit to himself for having refused large offers of bribes made to him to give it up, and would wish it to be believed that but for him the case would have failed.

38. I doubt too whether the paper was ever left with Ramasamy Pillay. The only evidence we have on this point are the statements of Srinivassa Mudali and Chedumbara Pillay, and their evidence is so grossly false and unreliable that it is even put out of Court by the Prosecution, unless supported by other evidence. In this instance it is opposed by that of Ramasamy Pillay and Ramasamy Iyen. The arguments for the Prosecution in paragraph 4 of the summary to prove that Ramasamy Pillay had charge of the paper, are to me, most weak and inconclusive. Ramasamy Pillay getting his situation from Mr. D'Monte is certainly not a sufficient motive to lead him to become a perjurer; nor do I think the other facts stated by the Prosecutor show that he was taken into Mr. D'Monte's confidence.

39. A consideration of the evidence shows that there was less reason for Ramasamy Pillay to be declared a perjurer by the Prosecutor, than for many of the witnesses of the Prosecution being so characterised. Ramasamy Pillay did owe his position in the service in one sense to Mr. D'Monte; so did Chedumbara Pillay. But let us look at the record, and assuming that we cannot assign an equal weight of credence to two directly opposite statements regarding the same fact, that one of those statements must be true and the other false, we find Chedumbara Pillay and Srinivassa Mudali making statements most unequivocally contradicted by Mr. Cadell and the Sheristadar. Now, when we find the testimony of another witness opposed to that of Srinivassa Mudali, are we to accept the testimony of this perjurer or that of the man who, though his evidence may be opposed to that of Srinivassa Mudali, is, as far as we are able to judge, not found guilty of perjury. I must confess I would rather believe Ramasamy Pillay than Srinivassa Mudali, especially when the only ground which can be urged against this man is that Ramasamy Pillay owed his situation to Mr. D'Monte. I believe Srinivassa Mudali's and Chedumbara Pillay's statements about Ramasamy Pillay have been made with a view to implicate, in the ruin of Mr. D'Monte, a man who was supposed to be his partisan, and to be acquainted with all his misdoings, but who would not join in the hue and cry against him. But even supposing this statement regarding the delivery of the paper to Ramasamy Pillay were at all true, it might be assumed that the paper was left with Ramasamy Pillay to lull Mr. D'Monte's suspicions regarding the object of the confederates in getting the paper from him. But I altogether reject the statement as utterly false, and can find nothing in the record which would justify me in believing that it has even the semblance of truth.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

40. Having succeeded in tricking Mr. D'Monte to give the paper, there immediately rises the difficulty of how it is to be proved, on evidence, that this document* was given to Srinivassa Mudali, or that he is any way connected with it. This difficulty is met after a perfectly native fashion. Mr. D'Monte must be got to pay the amount of the paper to Srinivassa Mudali in the presence of Chedumbara Pillay, (who is now always found in close attendance on him, with the paper in his keeping,) and if possible, in the presence of other witnesses. So these confederates are next, if we believe their story, making vigorous efforts to induce Mr. D'Monte to pay them the amount of the paper, and nothing will satisfy them according to their own tale and that of their witnesses, but the amount and the whole amount of the paper, and that too, paid into their hands by Mr. D'Monte.

* Document A.
Received from Natkotian Allagapa Chetty, resident merchant at Negapatam, the sum of Rupees (410) four hundred and ten, promising to pay the same in two months from this date.
Vellum, 25th January 1864. (Signed) A. D'MONTE.

41. It is curious to read the depositions of Srinivassa Mudali, Chedumbara Pillay, Arunachellam Pillay, and Katha Pillay, on this point. It is asserted that jewels were offered in pawn if the paper were restored, the title deeds of a house, a cheque, the payment of the whole amount in Negapatam by Samoo Pillay, a part on the spot by Mr. Chinnery and others, and a large present to Chedumbara Pillay, if he would bring about the restoration of the paper to Mr. D'Monte.

42. Now, if the recovery of the money paid away by Srinivassa Mudali were the object he had in view, here were abundant and large offers by which he might have secured his object and have avoided all loss. But the payment of the money was not what was wanted. What was really wanted was evidence to show that the paper had been given to Srinivassa Mudali or Chedumbara Pillay by Mr. D'Monte, and that neither of these parties had come into possession of it by force or theft, but that it had been received from the executor of it; but in this part of their plan the confederates could not succeed. Probably Mr. D'Monte's suspicions had been aroused either by the bullying and boasting of the confederates, or by information given him, and he was on his guard and allowed them no opportunity of carrying their purpose into effect. When the Collector therefore returned to Vellum they went back with him, and finding their efforts unavailing, they on the 5th February produced the paper before him.

43. Mr. D'Monte, it will be seen, applied for his salary about this time; whether it was with the object of paying the money and getting back his paper, or whether it was to carry out his own line of defence when he found he could not get it back, is a mystery. In either case, I do not think it helps the case for the Prosecution at all. If Mr. D'Monte's object in asking for his pay was, to have available assets by which he hoped to get back the document, it only shows how long his suspicions were lulled, and how long he remained ignorant of the design of his enemies. It does not prove that Srinivassa Mudali's story is true, for we have seen that before Mr. D'Monte's application was written, assurances of payment and substantial ones too had been made to the confederates.

44. It would appear as if Srinivassa Mudali's strength of will and purpose were suspected by the concoctors of the plot, and lest he might be won over to restore the paper, it was retained by Chedumbara Pillay, a most accomplished character, who can quote his slokas in justification of any act however base he may purpose to perform, and who, while he is plotting the deepest scheme of ruin, can look his victim in the face and lull him to sleep with his apothegms and moral saws.

45. I would draw particular attention to paragraphs 58 and 59 of the Prosecutor's summary in which he adverts to the motives under which Srinivassa Mudali and Chedumbara Pillay may be supposed to be acting to induce them to pursue the course they did, especially in regard to the statements made about Srinivassa Mudali's motives. They give the Prosecutor's view of the motives under which the confederates were acting, and strong ones they are in support of the hypothesis I have set forth, while they are not such as would strengthen the case of the Prosecution. I should be sorry to say that Srinivassa Mudali had received an assurance from Vencasamy

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

Row that say what he might, and that however damaging his statements might be to his own character, he was not to draw back as he had nothing to fear; that anything he might say against himself would be condoned by his statements and evidence against Mr. D'Monte; but the difference in the treatment of this man, of Ragaviengar, and of Ramasamy Pillay, would give a very

See documents III and JJJ.

strong handle to one desirous of hazarding such an assertion.

46. Hardly any one could paint Srinivassa Mudali blacker than he has painted himself; a low, degraded go-between ready for any dishonorable and discreditable work; first a declared helper in carrying out Mr. D'Monte's alleged ill-practices, and then his betrayer by a kiss, courting his favor while he is plotting his destruction. Yet, this man is retained in office, and ordered to return to his employment, while Ragaviengar is suspended and removed from employment on mere suspicion of having aided Mr. D'Monte; and Ramasamy Pillay had no sooner

Vide deposition of Ramasamy Pillay, 3rd Witness.

given his evidence in which he refused to join in the hue and cry against Mr. D'Monte, than he was immediately sent off to Mayaveram. Such treatment is not likely to raise the character of the evidence tendered in such cases as these, and even if it should prove successful in eliciting information, such information ought to be of so suspicious a character as to lead to its being received with the greatest caution and only after the strictest cross-examination. All the evidence in chief in this case is tainted and most highly suspicious, using the mildest language possible concerning it.

47. In connection with this part of the story, I cannot omit to notice here the inexplicable conduct of the Collector's Sheristadar, as it is made to appear by the evidence on record.

48. Viewing the document as one extracted from Mr. D'Monte by a trick, and with the object of founding on it the story of the Prosecution, (and is any other hypothesis at all sustainable with the story of the Prosecution?) it would have been the most natural course, and one, I am sure, that would have been followed in most places, for Srinivassa Mudali or Chedumbara Pillay to have taken it immediately on getting it into their hands, to the Sheristadar who was known to be sifting and preparing evidence in proof of Mr. D'Monte's supposed delinquencies in the Salt Department, especially as Chedumbara Pillay was known to have been acting under the conviction that if he brought home the charge against Mr. D'Monte he would get a situation; but the Sheristadar has declared that he did not come to him in the evening, but on a morning.

49. It will be observed that in his first statement Vencasamy Row has made no allusion to Chedumbara Pillay's having been to the Collector before he came to him on the morning of the day (which we must presume was the 27th January) on which he reported to him that Mr. D'Monte had given Srinivassa Mudali a bond for the re-payment of the bribes paid to Mr. D'Monte. He does not account for this reticence, and he only admits the fact of this first visit having been the result of the Collector's order after the Collector had volunteered his statement of the 26th August. It will be seen from Mr. Cadell's statement, that Chedumbara Pillay went to the Sheristadar on the first admitted occasion under Mr. Cadell's orders. At that visit he tells the Sheristadar that one of the salt servants, Srinivassa Mudali, had received from Mr. D'Monte an instrument by means of which he was to refund bribes paid to Mr. D'Monte through Srinivassa Mudali.

50. The Collector was absent from Vellum when this information was communicated to the Sheristadar at that place. Mr. Cadell had gone to Tanjore, seven miles distant. The official conduct of Mr. D'Monte was, at the time of Chedumbara Pillay's visit, the subject of inquiry; only two days before a deposition had been received in a case brought to light by this same Sheristadar, and in which Vencasamy Row's course of proceeding, as we shall see presently, was the very reverse of what it was on this occasion. Having received the intelligence communicated by Chedumbara Pillay, the Sheristadar considers it enough to tell him to endeavor and persuade Srinivassa Mudali to bring the document before the Collector. It is to be observed that, according to Chedumbara Pillay's statement, he was at this time in possession of the document. The Sheristadar neither sends for Srinivassa Mudali, nor does he go to the Collector for two days.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

51. On a former occasion the Sheristadar had been desired by the Collector to collect the papers together connected with the charge in case No. 6, and submit a report on the whole matter. While reading the papers a Clerk of his brought to his notice that an order had been passed by Mr. D'Monte granting 600 pans to Ramalinga Taven in case No. 7, but had not been issued and was found among his records. This order is no sooner produced than the Sheristadar carries it to the Collector, who tells him to keep it for the present, and that an inquiry shall be instituted in regard to it; but the Sheristadar cannot recollect the date of this occurrence. On the 2nd January, when Tagarajah Pandarum, the Peishcar of Adrampatam came to see him, he questioned that Officer about this paper, and his Arzi on which it was issued, and how he came to recommend the case of Ramalinga Taven for favorable consideration. The reply was that Srinivassa Mudali had been sent by Mr. D'Monte to him with a message that he was to recommend the case. Immediately the Sheristadar goes again to the Collector, and orders are forthwith prepared for the appearance of Srinivassa Mudali and Ramalinga Taven. Srinivassa Mudali appears and is examined; but he contradicts the Peishcar's statement, and is kept about the Cutcherry till Ramalinga Taven arrives. He made his appearance on the 21st, and was examined on the 25th. His deposition was read to Srinivassa Mudali, who admitted the truth of it, with the exception of that part of it which declared that he (Srinivassa Mudali) had been the bearer of a message to the Peishcar. After making this statement, Srinivassa Mudali went to Mr. D'Monte and gave the Statement B, and on the delivery of that statement, the document A was executed.

52. In this instance we see the Sheristadar act with promptitude and energy. He directly goes to the Collector and does all he can to bring to light the facts of the case when there appears to be any shadow of a suspicion against Mr. D'Monte; but in the case we are now considering, how different his conduct, though he had intelligence brought him under orders from the Collector, that a document of a most damaging character had been given by the Deputy Collector to a suspected public servant in the Salt Department. He does nothing. He does not send for the party in whose possession the document is supposed to be. He does not go to the Collector. He does not even write to him one line. How can we account for this strange conduct so different from his former zeal, activity and rapidity of action? Can it be accounted for? It can, I think, be very satisfactorily accounted for, on one supposition, and on one only, and that is, that the Sheristadar had seen the document A, and was aware of its contents. What could be done with such a paper? There was nothing in it connecting Srinivassa Mudali or Chedumbara Pillay with it. Efforts must be made to get proof on this point, or Mr. D'Monte might give an explanation which would frustrate all the well-laid plan. Supposing, for instance, Mr. D'Monte had said that he had written the paper intending to place it in the hands of a man of business who would negotiate it for him, and whom he had understood to say that some one bearing a name like the one he had written would lend him money, but not being certain of the name, he had written the paper and left it on his table, and that it had been lost; either the wind had carried it away, or it had been taken up by those parties who had frequently visited him. Here would have been an explanation, which, however suspiciously it might be viewed, was at least plausible and unanswerable, and which at once would have thwarted the scheme or plot, and therefore it became necessary to connect Srinivassa Mudali or Chedumbara Pillay with the paper: for this purpose, time was wanted, and should be granted. On this supposition, the conduct of the Sheristadar in doing nothing and taking no further steps after Chedumbara Pillay's visit, is intelligible; but on the hypothesis that he had not seen the paper, and was wholly ignorant of its contents and purport, his proceeding is to me quite irreconcilable with his character and previous behaviour, and quite inexplicable, but not only on this occasion, but when Mr. D'Monte's letter of the 2nd February marked S is received, and when there would be fair ground, if the Sheristadar knew no more than he tells us he did, to apprehend that the confederates were colluding with Mr. D'Monte, no steps to counteract their efforts are taken, but we find a course of conduct pursued, which further justifies the conclusion that the Sheristadar had seen the paper, that he

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

and the confederates were acting in harmony with a previously settled plan, and that he felt the prey was sure, and time only was needed to secure it.

53. This part of the case has, I am compelled to confess, awakened strong feelings in my mind that the Sheristadar has not acted openly and straightforwardly in the evidence he has given in this case, as the Collector has been led to believe. I beg here most distinctly to declare that I throw out no imputations, nor do I entertain the slightest shadow of a shade of suspicion, that the Collector has in any way been made acquainted with these preliminary proceedings of the confederates. I even shrink from making this avowal lest my motive in doing so may be misunderstood, and lest it may be said that if there were no ground for suspicion there would be none for the avowal. I repeat I entertain no suspicions derogatory at all to Mr. Cadell. I believe he has throughout in his proceedings against Mr. D'Monte been actuated by the highest and purest motives, convinced in his own mind from the rumours which reached him of Mr. D'Monte's corruption and unfitness for his post. He has endeavored to bring home guilt to him, and this in the most straightforward and open way. I am not prepared to endorse all Mr. Cadell's opinions or views against Mr. D'Monte. I believe he has viewed and weighed Mr. D'Monte's conduct with a strongly biased and prejudiced mind, but all in an honest way. I am not prepared to say the same of the subordinates in the Collector's office, and I am more strengthened in this view since I have been at Vedarniem, and been able to see the place, and have examined the salt and some of the heaps at that place.

54. I beg here also most distinctly to disavow my having been influenced by any remarks of the accused in arriving at my view of the conduct of the Sheristadar. Whatever view I have taken of this Officer's conduct has been formed from the nature and character of his evidence, and his conduct in this inquiry as deposed to by himself and the Collector. I do not suppose that Vencasamy Row lent himself to get up the whole of this case against Mr. D'Monte; but I see reason to believe that he must have seen Chedumbara Pillay if not Srinivassa Mudali before the execution of the bond. I fear he may have compromised himself by permitting Chedumbara Pillay to believe that he would be rewarded by a situation if he brought home guilt to Mr. D'Monte, and may have suggested the best line to take if he did not actually give any promise to them of reward. I also believe that Chedumbara Pillay went to the Sheristadar directly he got the paper A, and took his advice as to how he should act in regard to it.

55. But to revert to the case: I am strongly impressed with the conviction that the motive or object assigned by the Prosecution, as that under which the paper A was obtained, is not the true one. Had Srinivassa Mudali's object in getting it been the securing for himself the money he had paid away, had he been, as was alleged, the friend of Allagapa Chetty, all he had to do was to induce Allagapa Chetty to cash the Hoondce, leaving the Chetty to look to Mr. D'Monte for payment. This course he never even appears to have tried, or we should have heard of his having made some efforts to get the money. That Mr. D'Monte would have met the demand had he done so and paid the Chetty, we may conclude by his applying for his salary and by the peculiar nature of the transaction. The paper was a Hoondce; it only remained for the drawee to acknowledge it and pay it. This the Chetty would probably have done on being assured by Mr. D'Monte that he was running no risk, or simply on his acting on the credit of Mr. D'Monte's character. If we believe the story for the Prosecution we are driven to believe that the paper A was never presented to Allagapa Chetty for payment.

56. One little incidental point of proof is brought out by this paper and the circumstances connected with it. It refutes, in my opinion, the idea that Mr. D'Monte was capable of, or had been trafficking as has been alleged, in minor appointments, and therefore that it was not given to repay such bribes. Had Mr. D'Monte been trafficking in appointments, we must conclude, after reading the whole of the evidence in the case, that at Vedarniem at least he would have employed Srinivassa Mudali as his agent or go-between in collecting the assignments on the several servants employed at that place. If so, Mr. D'Monte must either have paid back the other bribes through Srinivassa Mudali, or they remained unliquidated. If we adopt the former hypothesis, then

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

Srinivassa Mudali had evidence enough before him, to give him confidence that Mr. D'Monte would pay him the 410 Rupees mentioned in paper A, and there was no necessity for the adoption of the course pursued by him to recover, as he pretends he believed he would, the money by going to the Collector. On the contrary, had the other bribes not been re-paid, why was not their amount included in the paper? Srinivassa Mudali was as much answerable for all as he was for one bribe, and he stood on as dangerous ground if one was not paid as if all were not paid. It will be seen from the evidence, that some of the parties who were alleged to have paid bribes, did not ask for a return of them, and yet their names are included in the list furnished by Srinivassa Mudali to the Collector. I am led, therefore, from a consideration of all that is advanced above, to the conclusion that Mr. D'Monte was tricked into giving the paper A, that the plea under which it was obtained from him has not been truly stated.

57. The paper certainly was never taken to pay back the bribes, or to satisfy the importunities of the bribe-payers, for it never was shewn to any of the latter, nor was any money paid after the receipt of the paper. The payment of the money promised on the paper therefore was not the moving cause of its execution. The object with which the paper was got was Mr. D'Monte's ruin, and it was obtained in order that on it might be engrafted the trumped up tale to which we shall have to revert hereafter. This I believe to be the why of the paper's execution.

58. As to the when, the time at which the paper was given to Srinivassa Mudali by Mr. D'Monte, I believe we cannot go far wrong in fixing the date of that transaction at the 26th January, for it was, Mr. Cadell says, the following morning or the 27th January on which Chedumbara Pillay came to him, and on which he directed him to go to the Sheristadar. The document was dated 25th. There is no reason for supposing a false date has been fixed to this instrument, and there is such a close connexion in the minds of Srinivassa Mudali and Chedumbara Pillay as seen from their statements made before me and Mr. Cadell, in regard to the affair of Ramalinga Taven and this paper A, that one cannot but suppose that document A was the price of Srinivassa Mudali's favorable testimony, and of his subsequent written Statement given to Mr. D'Monte, marked B. If so, the deposition of Ramalinga Taven was given in the afternoon of the 25th January, after it was recorded Srinivassa Mudali seems to have written the statement B; after statement B was drawn out paper A appears to have been executed, and was perhaps next day, 26th January, given to Srinivassa Mudali, and when given was probably immediately taken to the originators of the plot and shewn to them, and then perhaps, it was taken to the Sheristadar for his advice.

59. The next day, 27th January, Chedumbara Pillay went very early to Mr. Cadell, and was sent by him to the Sheristadar, who, had he not seen the paper before, or at the time of the visit, would at once have sent for Srinivassa Mudali, and taken all the parties to Mr. Cadell with the paper. But there was no use in adopting this course if my hypothesis be a correct one that the Sheristadar knew the contents of the paper. While efforts were being made by the confederates to obtain palpable and available proof of the document A, having been given by Mr. D'Monte to Srinivassa Mudali or Chedumbara Pillay, others were engaged in getting up the rest of the plot, i. e., the story about the peons and the re-payment to them of a portion of the bribes received from them.

60. It is to be recollected that at the time the plot was hatched important changes were being made in the Salt Department, which in themselves perhaps suggested the nature and character of the plot, and no doubt furnished the tools employed in it, while a clever party deputed to Vedarniem could easily get together and frame both the direct testimony of the evidence in chief, that of the peons, and also prepare and obtain what is termed the indirect proof the evidence of those who are brought forward to substantiate some incidental parts of the story of the alleged bribe-givers. Time was wanted for all this, and therefore it did not signify whether there was a little delay in drawing Mr. D'Monte into paying down the amount of the paper. Nor did it signify if Mr. D'Monte got possession of the paper. It had been seen by the Sheristadar, and perhaps others; they would always testify to its existence and nature, while the money in the hands of Srinivassa Mudali or Chedumbara Pillay would prove that though given in a Natkottai Chetty's name, the paper was intended for one of them.

61. As to the party to whom the paper was given, it is all conjecture. There is no proof whatever to establish to which of the confederates it was given. It may have been given to either Srinivassa Mudali or Chedumbara Pillay, though probably it was given to Srinivassa Mudali; the records shew that Mr. D'Monte had more to do with him than the other party, and perhaps the suggestions in paragraphs 38 and 49 of the Prosecutor's summary on this point may be accepted as a probability, and as indicating something on which a vague assumption may be based; but I admit with me it is all conjecture.

62. We have seen that Srinivassa Mudali has utterly failed to establish by evidence that the paper was given him for the reason assigned by him, and we find that his own conduct, subsequently to the getting of the paper, utterly falsifies such a plea. Let us now proceed to review the evidence adduced to support the story of the bribe-givers. I have said that I altogether reject the testimony of Srinivassa Mudali and Chedumbara Pillay as utterly worthless and incredible, and that I do not at all believe their story that the paper *A* was given by Mr. D'Monte for the purpose or under the circumstances which it has been alleged to have been given. I further discredit the whole of the evidence of their witnesses, because the story about the bribes, &c., is surrounded with so many grave improbabilities, if not impossibilities, so many gross and palpable contradictions and glaring inconsistencies, so much perjury and falsehood, that it is utterly impossible to place any reliance whatever on the statements of the several witnesses cited by the Prosecution in favor of it.

63. And here, I cannot but contrast the ability, minuteness, and severity which mark the analysis of the evidence of the Defence by the Prosecutor, with the absence of these qualities in the analysis of the evidence for the Prosecution. Had this evidence been subjected to the same severe treatment, I should have had nothing left me to do but to have referred the Government to the Prosecutor's analysis.

64. I have endeavored to assign my reasons for not believing the story by which the Prosecutor has striven to account for the paper, it being in the possession of the confederates. Let us now look a little at the history of the circumstances preceding and giving rise to the execution of the document as found in the records; they may help us in coming to a decision in regard to this case. On the 18th January, the Collector submitted a report to the Board of Revenue unfavorable to Mr. D'Monte, and recommended his removal from the District; but there were no distinct charges nor any legal proof; all was rumour, report, and surmise.

65. On the 14th January, the Collector had questioned Srinivassa Mudali on his share in the case of Ramalinga Taven (case No. 7). Srinivassa Mudali denied that he had taken any share in that case. His denial was not recorded, nor was he allowed to return to his duty, but he was detained at Vellum, and was in daily intercourse with Chedumbara Pillay, who was "seeking employment and hoping to obtain it by bringing home a charge against Mr. D'Monte." The trafficking in appointments was a point on which great stress had been laid in the Collector's report.

66. It was probable, therefore, that this part of the report suggested the course of action to be taken on the idea of getting a paper from Mr. D'Monte, and who so fit a tool for this purpose as Srinivassa Mudali? He had been much thought of by Mr. D'Monte, and had been promoted by him and employed in responsible duties, and had been recommended for a high post, but had been appointed by the Collector in the revision to a very subordinate one. Mr. D'Monte would probably not be again employed in the District; nothing was to be expected from him; and so he had better join in a plot against him, and secure for himself immunity from further degradation if not promotion. He consented, and in order to effect the proposed purpose the better, he pretended to aid Mr. D'Monte by making statements which bear falsehood on the face of them, regarding the Collector. Mr. D'Monte accepted these statements as favoring his view that he was persecuted, and that plots were being matured against him. He is induced to give a paper to Srinivassa Mudali, but the form in which it is given puzzles the schemers. It is in that of a bill of exchange, which being unaccepted by the drawee remains a dead letter. This

paper, it is alleged, was first given to Mr. D'Monte's writer, and is then transferred to Srinivassa Mudali, and is immediately handed by him to Chedumbara Pillay, who carries it off. If a plot is supposed, the next step would be to take it to the Sheristadar, whose advice would be obtained and the document would then be produced the next day before the Collector. But we are told Chedumbara Pillay did not go to the Sheristadar, but went the morning after he got it very early to the Collector, being full of important information, but so full that he is unable to divulge it. He is then told by the Collector to go to the Sheristadar, whom he simply informs that the Collector desired him to go to him, and communicate some information he is possessed of. He tells the Sheristadar that a document had been given by Mr. D'Monte through Srinivassa Mudali. The re-pay certain bribes, which had been received by Mr. D'Monte through Srinivassa Mudali. The Sheristadar is content with receiving this information, and tells Chedumbara Pillay to go and try to persuade Srinivassa Mudali to produce the paper before the Collector; and he waits for his next visit to the Collector as the fittest opportunity for informing him of the nature of Chedumbara Pillay's communication. There is, I must confess, something very strange in this course of proceeding, and as I have stated above, it is not at all consistent with the Sheristadar's antecedents, his zeal, activity, and intelligence, nor even with his previous conduct and behaviour. It is not natural. It is not according to experience. Natives are not usually so slow in action against one in whose disgrace or downfall they are interested, or have been actively engaged, unless there be a reason for slowness. The sight of the document *A*, and a knowledge of its nature and purpose would solve the difficulty and account for the slowness, and nothing else would. The document is in Mr. D'Monte's handwriting, and was supposed to be in Srinivassa Mudali's possession; but there was nothing in it to connect Srinivassa Mudali with it. It was drawn out in the name of a Natkottai Chetty of Negapatam. The native method of obtaining proof to shew that the paper had been given to, and was prepared for Srinivassa Mudali, would be, as I have shewn, for Srinivassa Mudali to obtain the payment from Mr. D'Monte of the exact sum mentioned in the paper, and if possible to secure the payment of the money in the presence of witnesses; at all events an amount of money exactly tallying with the amount specified in the document obtained by Srinivassa Mudali, and taken immediately to the Collector would be deemed impregnable proof in native eyes that the paper was given to Srinivassa Mudali; the proof they needed. It is the sort of proof so commonly produced in this country, that I believe there is hardly a gentleman of experience in the country who has not had cases of the kind brought before him. And if the paper were lost, having been seen by the Sheristadar and perhaps others, they would testify to its character and existence, while the money would bring home proof against Mr. D'Monte of having given a document for a corrupt purpose; and there was also time allowed for getting up the rest of the case.

67. If this hypothesis be correct, we have a solution of the difficulty which would otherwise arise from the extraordinary want of action on the part of the Sheristadar when Chedumbara Pillay appeared before him, and the delay which was allowed to take place in the production of the paper *A*. In no other way can this delay be satisfactorily accounted for; and we find the conduct of the chief actors in this case quite consistent with and supporting the hypothesis.

68. We find Chedumbara Pillay and Srinivassa Mudali endeavoring to obtain payment of the sum mentioned in the document, and satisfied with nothing short of the whole amount. Mr. D'Monte is equally anxious to regain possession of the paper. Conferences are accordingly held for some days. A mediator is brought up from Negapatam. Promises are made on the one side, threats are held out on the other, and neither party succeeding, the paper is taken and produced before the Collector. Of course before matters had proceeded to this length, the confederates had prepared all their materials, their evidence in the case of the bribes either directly by writing or through other agents.

69. Much, however, depended on Mr. D'Monte's explanation of how the paper had got into the hands of the two informants. Mr. D'Monte gives this explanation, and it is found on inquiry in some points to be weak and assailable; the evidence for the prosecution is recorded. The inquiry is not a deep and searching one, and the blots, the improbabilities, the extravagancies, the

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

inconsistencies, and the contradictions are not brought to light. But such there are in the case, more numerous and more hard to be reconciled than those for the defence; and when I took up the case, these inconsistencies and contradictions were increased by the long time which had elapsed between the getting up of the story and the cross-examination.

70. But let me now proceed to analyse the first part of this strange incongruous story. I have already noticed the last part as fully as it needs noticing.

71. The first part of the story, divested of all questionable and debatable matter is, that at a time when a reduction in the establishment of salt peons was being made in consequence of the Police being substituted for the salt peons as the guardians of the salt in the pans and the stores, Mr. D'Monte seized the opportunity to demand from three Peons named Tadi Verasawmy Naick of Vedarniem, Paramanan and Kurtha Rungasawmy Naick of Negapatam, the payment through Srinivassa Mudali of the sums of 30, 15, and 25 Rupees respectively, in order to retain them in the service, and that the three peons paid the amounts required of them to Srinivassa Mudali who paid them to Mr. D'Monte.

72. That three Peons who had been reduced in the Adrampatam Division, viz., Ramasawmy Naick, Govinden, and Seethapathy Naick went to Vedarniem to endeavor to get situations; that Mr. D'Monte required one to pay him 25, and the other 20 Rupees; that Govinden having no money and being unable to raise the amount, obtained a letter from a money lender in his village, to the Peishcar of the Division, Ragaviengar, requesting him out of the money due by him to the said money lender, to pay 20 Rupees to Govinden; that the Peishcar not having the money at hand promised to give it when his pay became due, and in the meantime to stand security for the payment of the money; that Srinivassa Mudali accepted this security and mortgaged jewels belonging to his wife and obtained 20 Rupees which he paid Mr. D'Monte; that on the payment of the sums demanded of them the two Peons Ramasawmy and Govinden got an order of appointment through Srinivassa Mudali; that both Peons were appointed by one order, but that their names were not mentioned in that order; that Sabapathy Naick was asked to pay 25 Rupees; that he brought and paid the amount to Srinivassa Mudali who took it to Mr. D'Monte; that when it was paid he was told it would be credited to his brother, who was not removed from his office, and that he must pay another 25 Rupees in order to get a belt for himself; that he remonstrated, and was told if he did not do so, his brother would be dismissed; that he went back to a relation and scraped together 22 Rupees; that he paid this sum to Srinivassa Mudali, who paid it over to Mr. D'Monte; that this amount did not satisfy Mr. D'Monte, and he was told to bring more; that being unable to get more money from his relations and friends, he went to the Peishcar Ragaviengar, a friend of his father's, and begged him to lend him 3 Rupees, which he promised to do, and that on his security and promise to pay the 3 Rupees, he obtained his order of appointment; that Srinivassa Mudali paid the 3 Rupees by a mortgage of some of his property. Srinivassa Mudali says that in order to avoid further delay in securing his appointment, Sabapathy volunteered to pay 13 Rupees, and that it was this amount for which Ragaviengar stood security, and which he, Srinivassa Mudali, paid Mr. D'Monte for Sabapathy.

73. That about the same time one Seethapathy Iyen, a Salt Curnum of Adrampatam, who had been twice appointed acting Samprathy at Vedarniem, was told in conversation by the Peishcar of Vedarniem, Ragaviengar, that he would not be confirmed in his post, unless he, like the other servants, paid a bribe to Mr. D'Monte; that he went to Vedarniem and had a conference with Mr. D'Monte, who told him he must pay 100 Rupees; that he tried to get the amount reduced, but being unable to do so, he received from his father 60 Rupees, which he had been collecting for five years in order to get him (the witness) married, and 10 Rupees which he got from his father's brother, witness' uncle; that he took these 70 Rupees, and offered them to Mr. D'Monte, who called Srinivassa Mudali, who received the money and paid it to Mr. D'Monte, but that Mr. D'Monte told him he would not appoint him unless he paid the remaining 30 Rupees; that having failed to do so, he was reduced again, and only got appointed Samprathy by an appeal to the Collector, to whom he mentioned nothing about the bribe.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

74. That on a Volunteer in his office, Rajahmadam Gurusamy Iyen, having asked for a post, Mr. D'Monte told him he would give him one if he paid him 50 Rupees; that not having the money, he spoke to Srinivassa Mudali who took two rings from him valued at 35 or 40 Rupees, which he pawned for 30 Rupees, and further pawned some of his own jewels for 20 Rupees, and paid the amount to Mr. D'Monte, when he, Gurusamy Iyen, was appointed Curnum of Adrampatam; that after his appointment Srinivassa Mudali, visited Adrampatam, when he borrowed 15 Rupees and paid them to Srinivassa Mudali, but that he never paid him the remaining 5 Rupees.

75. It is further alleged that Srinivassa Mudali borrowed some money for Mr. D'Monte from a Brahmin of Vedarniem, one Pitchu Shastry, who had purchased a large quantity of salt wholesale at a large discount. This amount Srinivassa Mudali says was 140 Rupees, but Pitchu Shastry says it was 240 Rupees.

76. This is the first part of the story. The sums alleged to have been paid are aggregated in the margin, and amount to 430 Rupees. It is of importance that each of these sums should be proved to have been paid, for it will be found that it was for them in the aggregate that the paper A is alleged to have been given; the difference of 20 Rupees between the amount paid and that of the bill it is alleged, Mr. D'Monte promised to see about at some future time.

	Rs.
Tadi Verasawmy	25
Paramanan	15
Kurtha Rungasawmy	30
Ramasawmy	20
Govinden	60
Sabapathy	20
Seethapathy Iyen	50
Gurusawmy Iyen	140
Pitchu Shastry	430

77. It is desirable also here to draw attention to the declaration made by Srinivassa Mudali, that at no time did Mr. D'Monte get through him any other sums of money under any pretence, name, or color, than those mentioned in the margin of paragraph 76. Can we believe this declaration? Is it consistent with the low, degraded, and shameless conduct imputed to Mr. D'Monte by this witness and the others? If Srinivassa Mudali's statement be true, Mr. D'Monte is too hardy enough to peril his position, his character, and his means of support for the paltry sums named by the Prosecution. If we do not believe this statement, what has become of all the others who paid bribes? Had they received back the amounts taken from them, or were they content to leave them with Mr. D'Monte. In either case, why was no mention made of them? If they had received back their money why were not their receipts produced? If such instruments were not taken from them, why were they taken from the three Peons Rungasawmy, Ramasawmy, and Paramanan? It will be recollected that Ramasawmy Naick said he never asked for the return of his bribe, yet his name is included in Srinivassa Mudali's list. If it were so included on the contingency that he would some time or other ask for his money, how was it ascertained that others who had not been re-paid would not require back their money? Or, what was there peculiar in the case of the parties named, that they only should be included in the list for re-payment?

78. Before proceeding to analyse the evidence recorded in support of this part of the case, and to notice the serious and material discrepancies which invalidate and weaken if they do not destroy such evidence, I may perhaps be permitted to make a few general remarks on this part of the case.

79. There is certainly nothing novel or extraordinary in the idea of a corrupt native official taking advantage of great and radical changes in the establishment of the office presided over by him, and using the opportunity to aggrandize himself and make unlawful collections from those whom he promotes, retains in office, or newly appoints. Such seasons, I am afraid there is good ground for believing, are unhappily too frequently made the harvest time of a very plentiful crop of bribes by influential native servants, and if Mr. D'Monte be the dishonest and corrupt man he is supposed to be, there is no reason why he should not have fallen into the temptation to which so many of his countrymen have yielded. But the point on which this probability hinges is that Mr. D'Monte is corrupt and dishonest, and this point must not be assumed, but must be

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

proved. The evidence to be considered below is that which is produced to prove the point. Is it sufficient to raise even a suspicion of guilt? If not, are we to assume that simply because the charge is preferred there must be guilt? This would be a most dangerous doctrine to promulgate, but not more dangerous than unsound.

80. It is an axiom in many parts of the country that peons and other inferior servants do pay for their situations, either to the Head Native Officer under whom they serve, or to some common fund shared in by a certain number of the Officers in the Court or the Cutcherry, and therefore there is nothing startling in the statement that Peons and Curnums and Omeedwars in danger of being discharged, or actually discharged, or seeking employment, did offer to pay and did pay money to retain or obtain office; but it strikes one as strange that the sums of money asked for are so various, and that peons have no difficulty in these hard times in realizing at a very short notice what cannot but be considered a large sum for them—two years', one year and six months', and four months' salary.

81. After an experience of many years gained in the Southern Districts, in the trial perhaps of a larger number of cases of corruption and bribery and other official offences than falls to the lot of most public officers, I must confess that there are novelties in this case which tend in my mind to raise the strongest suspicion that it has been got up by Srinivassa Mudali, or his ally and friend Chedumbara Pillay, or some man of that class to serve some purpose of their own.

82. Mr. D'Monte is represented in more than one instance to have parleyed with the victims of his cupidity, and to have settled with them without the intervention of Srinivassa Mudali, the sums of money they were to pay him, and yet, in no instance, does he receive the money directly from them. Srinivassa Mudali must be called in even when absent, and must be the medium of payment. This is very strikingly illustrated in the case of the Brahmin Seethapathy Iyen, who having higgled with Mr. D'Monte as to the amount he is to pay, and having in Srinivassa Mudali's absence brought a portion of the money required to be paid, Mr. D'Monte declines to receive it, but calls for Srinivassa Mudali or awaits his arrival, and then tells him to take it as if it were more dangerous or disgraceful for Mr. D'Monte to be seen by these his partners in guilt, receiving the money directly from themselves than from Srinivassa Mudali. The bribe-giver and the go-between turn aside a little, while Mr. D'Monte goes into the tent; the victim pays his money to the go-between, who takes it in to the Deputy Collector, who declares it to be either sufficient or insufficient. What the object or advantage of this mode of proceeding is, I cannot divine, unless it be to secure in each case the presence of a witness in addition to the giver and receiver, or it may be a clumsy burlesque on the practice of employing go-betweens who negotiate in secret and separately between the giver and receiver, in order that detection and clear proof against the receiver may be rendered impracticable, as the principals are never seen by, nor hold any communication with each other. If Mr. D'Monte could higggle with peons and others for the paltry sums which it is alleged he received, why should he scruple to receive directly from them the sums he had been higgling for? Or why should he wish to make the act of receiving less secret than the scene of the parley? Any additional witness to the payment of the bribe only increased the chances of detection, and placed Mr. D'Monte at the mercy of one who could turn against him with a power that no single bribe-giver possessed.

83. A go-between in the ordinary method of proceeding among natives acts as a buffer, a scape-goat, a screen. In the novel method alleged to have been adopted in this case, he is simply a spy and second witness, likely to prove troublesome and dangerous.

84. We have a further novel characteristic brought to notice in connection with this worthy go-between. Though hard and unrelenting at one time in carrying out to the utmost extreme the wishes and exactions of his master, at another time we find him the very cream of amiability, tenderness, and generosity, and when his victims cannot pay, he denudes his wife and children of their jewels and pawns them to pay Mr. D'Monte on behalf of a comparative stranger and an inferior subordinate, a bribe, which if the party from whom it was demanded did not pay, he could have been kept out of the situation offered him.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

85. This alternating acerbity and rigour on the one hand, and generosity and tenderness on the other, contrast strongly and are novel characteristics in the habits and proceedings of native bribe-takers.

86. In one instance we are told that Sabapathy Naick, a Peon, was desired to pay 3 Rupees, but was unable to raise this small amount, having already given 47 Rupees, and yet, in order the more surely and quickly to secure his appointment, he volunteers to pay 13 Rupees instead of 3 Rupees, and this too after having already been once tricked, and made to pay 47 Rupees instead of 25 Rupees. But unable to procure the 13 Rupees, he goes to the bankrupt Peishcar Ragavi-engar who, almost a stranger to him, although said to be a friend of his father's guarantees and promises payment, and a second time the generous go-between Srinivassa Mudali, pawns some more of his own jewels to pay, not the 3 Rupees only, but the 13 Rupees which this peon had not been required, but which he volunteered to pay. It is needless to add that to be in keeping with this extraordinary case, neither the peon nor his alleged generous friend, the Peishcar, ever redeem their pledge, or pay to Srinivassa Mudali the 13 Rupees or even the 3 Rupees.

87. Again; a Peishcar is twice found ready to pledge his word and promise to pay bribes for two peons. His word is accepted by a poor penniless man who is ready to pawn his wife's and children's jewels a second time to pay a large sum of money on the strength of a promise, which former experience must have taught him, would not be kept.

88. Peishcars are not usually so obsequious towards peons and ready to help them, nor, with so easy an alternative as withholding the appointment not paid for, can I credit the readiness of Srinivassa Mudali to pledge his own property to help these indigent peons, the seekers of his favor, or rather of Mr. D'Monte's?

89. But let us now analyse and compare the evidence given in this part of the case more in detail, and it is to be recollected that before any witness was subjected to a cross-examination, he had heard his previous deposition given before the Collector read over to him. But as these statements are in my belief made up of pure inventions, and do not relate to actual facts and occurrences, we find the witnesses in their second examination not only contradicting themselves and forgetting the more immaterial attendant and subsidiary circumstances of their story, but contradicting even the important main facts. A peon for instance, tells us at one time he sold a cow, at another a jewel, to obtain the money paid to Mr. D'Monte. Now, it is not likely he should forget the possession of, and sale of his cow or his jewel, if the transaction were a real one; but if the story he had been telling were a mere concoction, he may easily afterwards forget his lesson, and may vary in putting a cow for a jewel, and a jewel for a cow; and the testimony of new witnesses supporting the last and not the first version of the story, shews to my mind not only that in general these witnesses were false, but that the fresh ones too have been got for the occasion. For, admitting for an instant that the peons are true witnesses and their story true, which account would be most likely to be the true one? The one given soon after the occurrence of the thing related, or that made eight months later? I see therefore great reason to disbelieve the stories of these new witnesses, adduced to prove that the peons sold or mortgaged to them their property. We shall find in this case, "a peon tells Mr. Cadell one story as to how he got his money, and me another." They had got up a lesson, but after nine or ten months, taken by surprise, they had forgotten it, and the witnesses adduced by them to confirm their testimony support the last story. A peon having but one or two buffaloes, or perhaps a few jewels does not easily forget the sale and loss of a large portion of his little all. He must recollect what he was deprived of. He may not recollect all the concomitant circumstances, but he cannot forget the main and leading acts so materially affecting his welfare and his enjoyment; but in this case we see the concomitant facts pretty well recollected but the main facts forgotten.

90. I will begin with the evidence of Peon Tadi Veerasawmy, and compare what he has said before me and Mr. Cadell, with Srinivassa Mudali's version of the same story, as given before Mr. Cadell and myself. This peon most positively denies having ever given either directly or indirectly through Srinivassa Mudali, or through any one else, any money to Mr. D'Monte in order to be

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

retained in his situation. He states that he was transferred to Vedarniem some time in September or October 1862, the day previous to Srinivassa Mudali's departure from thence to Adrampatam; that Srinivassa Mudali returned to Vedarniem in February 1863; that he, during eight or nine months beginning with April or May 1863, and terminating a few days before the Deepavally, a native feast which occurs in October, on eight, nine, or ten occasions lent Srinivassa Mudali small sums of money amounting in all to 40 Rupees, that he first received back 15 Rupees, and a month after the Deepavally 25 Rupees; that these 25 Rupees were not all paid back in coin, 8 Rupees being returned in a cloth; that on receiving back this last instalment of 25 Rupees, he gave Srinivassa Mudali a receipt which was written by Srinivassa Mudali, and that the transaction was witnessed by Cundasawmy Mudali, the Salt Curnum.

91. This man confirms generally before me what he stated before Mr. Cadell. There is some confusion in the dates on which the loans were said to have been made by him, and he also varies in the dates regarding the commencement of the loans and the time of Srinivassa Mudali's return from Vedarniem. He says he began to lend Srinivassa Mudali in February or March when he lent him 10 Rupees which were re-paid when Srinivassa Mudali received his salary in March; that he lent him 7 Rupees in April, and for eight months from 1 to 10 Rupees at a time, till the whole of the 40 Rupees that he had were expended; and that his last loan, one of 7 Rs., was made in Aipasy when the whole of his 40 Rupees were paid out; that 15 Rupees were re-paid in May 1863, and the remaining 25 Rupees in November or December, when 17 Rupees were paid in coin, and 8 Rupees in a cloth; that he gave no receipt for the first amount, but that he gave one when the last was paid, and this not for the whole amount of 40 Rupees, but for the last instalment.

92. He says he never lent Srinivassa Mudali 25 Rupees at one time, and that the largest sum he ever lent him was 10 Rupees.

93. Srinivassa Mudali states regarding this peon before Mr. Cadell, that in February or March 1863, he forgets the exact date, orders were received to reduce some of the peons; that Mr. D'Monte, therefore, gave out that he would reduce this peon; that he offered the Deputy Collector 25 Rupees if he would retain him in the service, that the Deputy Collector told him if he did not pay this amount he would lose his appointment; that finding it necessary he agreed to pay the amount, and brought it, when the Deputy Collector ordered him, Srinivassa Mudali, to receive it; that he received it, and on the same day gave it to the Deputy Collector at Vedarniem.

94. On being cross-questioned, Srinivassa Mudali stated before me that he could not recollect at what place in Vedarniem the 25 Rupees were given him by Tadi Veerasawmy, nor could he recollect who were present; that on the day the order was received to reduce the establishment, he cannot recollect the date or time; this peon asked Mr. D'Monte in his tent whether he would be retained in the service; he was told he would be retained if he paid 25 Rupees. He begged Mr. D'Monte to reduce the amount demanded, but that Mr. D'Monte would not abate anything, and told him to pay the whole sum to him, Srinivassa Mudali; that after two days Veerasawmy brought the money to him, the witness, on the platform, and counted it into his hands; that no one was near at the time; that he cannot recollect the time of this transaction, nor on what side of the tent it occurred; that he (witness) went inside the tent, Veerasawmy remaining without, and paid the money to Mr. D'Monte from whom he got no receipt, nor did he give any to the peon.

95. I believe it was part of the programme that this peon should deny having given a bribe, but his story was to be so cleverly disguised, that his very divergence from the main story would only add to its probability and strengthen our belief in it. Now, had this peon's story been true, why was a receipt necessary on the last payment, and not on the first? And even if one receipt were sufficient, why was not the whole amount received by him from Srinivassa Mudali included in the receipt? Of course in order indirectly to prove the truth of the man's story, and then to bolster up this apparent and intentional blot. As urged by the prosecutor, it is improbable that a peon should be able to lend so large a sum or that Srinivassa Mudali should borrow of so inferior a subordinate.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

96. The Peon Paramanan is adduced as a witness to the payment of the bribe. Paramanan stated before the Collector that Veerasawmy Naick paid 25 Rupees to the Deputy Collector, through Srinivassa Mudali; that this took place near the tent, and he adds that he was present when Mr. D'Monte asked him to pay the said sum.

97. In regard to this transaction, Paramanan, in his cross-examination before me, stated that he was Mr. D'Monte's Tyne or peon in attendance; that in 1863, he cannot recollect the month or date, but one day, one or two days before he gave his money, at 12 o'clock, while he was standing near Mr. D'Monte's tent on the north side, he saw Srinivassa Mudali and Veerasawmy coming towards him talking; that when about two yards from where he was standing, Veerasawmy took out of his waist 25 Rupees and counted them into Srinivassa Mudali's hand; that Srinivassa Mudali took the money into Mr. D'Monte's tent on the south side; that after he had paid the money, he came out and went about his business, and Veerasawmy went about his.

98. There are apparently in favor of the Prosecution the receipt given by this Peon Veerasawmy for 25 Rupees, the alleged loan of this sum to Srinivassa Mudali about the time the bribe is said to have been given; on the other hand we have the denial of the witness, and his assertion that this money with more was lent to Srinivassa Mudali, the receipt given not for the whole amount said to have been lent, but only for a part. The peon says the receipt was given when he was asked to give it, and it is to be observed that the receipt was not taken till after Mr. D'Monte was actually suspended from his duty, and that the plea on which it was alleged by Srinivassa Mudali to have been taken is a false one. It is also to be remembered that he acknowledged no other payments. The Peon, Paramanan, comes in most opportunely to hear this Peon Veerasawmy and another, Rungasawmy, who also denies having paid any money to Mr. D'Monte, asked by Mr. D'Monte to give a bribe, and also to see them pay it.

99. This witness is called by the Prosecution an adverse one, but I cannot find any of this hostility. I believe his evidence is given as it was intended to be given. The receipt given by him to Srinivassa Mudali bears a date subsequent to Tagarajah Pundarum's visit to the Sheristadar at the beginning of the year, and even subsequent to the issue of the order calling on Srinivassa Mudali to come up to Vellum, and is dated a day or two before Srinivassa Mudali left Vedarniem; and yet Srinivassa Mudali does not take it with him when he goes to Vellum. Then what was its use? Its only use was to be produced in evidence in such a case as this. The witnesses who attest the receipt saw no payment made, and their story differs from that of this witness. The Prosecutor has in his abstract made use of the very argument which I anticipated. Though an adverse witness his admission of the genuineness of the receipt and of the payment prove the truth of Srinivassa Mudali's statement. There are other minor points worthy of note. Instead of paying in coin the whole sum due, Srinivassa Mudali only pays a part of it in money, the rest in cloths. Is it likely the peon would receive these? Srinivassa Mudali tells him how he obtained his money, and asks a friend to pay 10 Annas as interest; the receipt is said to be given in the house of a party who denies all knowledge of the transaction, though said to be present. The giving a receipt for a bribe is a novel proceeding, and one not likely to be resorted to, as it would be standing evidence against the parties, while it would answer no end. The payment of a bribe could not be claimed back. What would be the use of a receipt? It could not be brought forward in Court. There was no bond given by Srinivassa Mudali on the payment of the money, so no receipt of its re-payment was needed. It could be only useful to shew Mr. D'Monte; and this object was not kept in view.

100. There are marked discrepancies between Paramanan's account of the payment of the money and that of Veerasawmy and Srinivassa Mudali, and all cannot be speaking the truth; but, as I have before said, I believe their discrepancies are not natural ones, but are intentional lest the tale should shew too many marks of fabrication.

101. Paramanan's testimony as to his being present during the payment of the money is diametrically opposed to that of Srinivassa Mudali, who says no one was present when Veerasawmy

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

was asked to pay the bribe, nor when he paid it. Dates are invariably ignored by Srinivassa Mudali and by the bulk of the witnesses; but when we can at all fix them, we generally find some weak point which can be exposed; but while dates are invariably ignored, this peon strangely enough recollects with much precision the time of the occurrence, and his position and that of the other actors in the scene. However, it may be urged, on the other side, that if this was a got up case, Srinivassa Mudali would have taken care that Paramanan would not have been represented to have been present during the time Mr. D'Monte was asking them about their bribes, and also during the periods of payment. This is a difficulty no doubt; but it is to be accounted for. It was thought desirable not to be too exact, and to have some occurrence in the story which, while it might appear to contradict, was in reality strengthening the story. So we have two peons taught to say they had lent money to Srinivassa Mudali, and had not paid bribes to Mr. D'Monte; but the time of the loan, the amount, the re-payment all tally and make it appear that it was really a bribe if it was anything that was paid by these men; and then we have Paramanan brought in as it were to strengthen the story. It is not unworthy of remark here that, while the Prosecutor can see and dwell with much force on the incongruity of peons lending money to Srinivassa Mudali, he cannot see the greater incongruity of peons borrowing from a Peishcar and getting the Peishcar to stand security for them, and Srinivassa Mudali pawning his jewels for them.

102. We now proceed to the Peon Rungasawmy. This peon states before Mr. Cadell that four or five months before he gave his deposition, which would be in September or October 1863, he lent 30 Rupees to Srinivassa Mudali to take his family to Vedarniem; that when he lent the money no one was present; that he received back 21 Rupees of this amount in two pay receipts; that the salary of one month was paid at Vedarniem, and that of the other at Negapatam, for which he gave a receipt to Srinivassa Mudali; that Tadi Veerasawmy knew of his giving the money and receiving the two months' salary.

103. Before me he says, he did not say before the Collector that Veerasawmy knew of his lending the money to Srinivassa Mudali, but that he knew of the re-payment of the loan and the execution of the receipt by him. He also adds he was to receive $1\frac{1}{2}$ Rupee as interest on the loan, but that this was not specified in the receipt; that he never gave Srinivassa Mudali the money to be paid to Mr. D'Monte; that he never either paid or lent Mr. D'Monte any money directly or indirectly, nor had he even lent Srinivassa Mudali any money before.

104. Before the Collector Srinivassa Mudali made the same general statement regarding this peon that he did in reference to Tadi Veerasawmy; that Mr. D'Monte told him and another that the only way they could hope to retain their situations was, by paying him something; that this man thereon agreed to pay 30 Rupees which he brought, and which he, Srinivassa Mudali, was told to receive; that he received it, and, the same day, paid it over to the Deputy Collector.

105. Before me Srinivassa Mudali said that before Veerasawmy and Paramanan were asked for any money, he found Rungasawmy talking with Mr. D'Monte, and that Mr. D'Monte called him and told him to receive 30 Rupees from Rungasawmy; that this peon then went to Negapatam, and after three days returned with the money, which he paid into his (witness') hands; that nobody was present at the time he took the money, nor when he paid it to Mr. D'Monte, who was alone in his tent; that he only received the money as he was told, and knew nothing of any previous communication with Mr. D'Monte.

106. In this instance too Paramanan comes to the rescue. He saw Rungasawmy give the money to Srinivassa Mudali for Mr. D'Monte. He does not recollect the date or month, but four or five days before he gave his own money, one day at 4 P. M., Rungasawmy Naick gave 30 Rupees into Srinivassa Mudali's hand, on the north side of Mr. D'Monte's tent, at four yards' distance from where he (witness) was standing. No one was present but the two actors in the scene, the giver and the receiver, and himself. He stood close by and heard Rungasawmy count out the Rupees. Srinivassa Mudali took them in his open hands into the tent by the southern door. He and Rungasawmy remained on the north side. On Srinivassa Mudali's return, he said he had paid

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

the money. Rungasawmy asked if he might return to Negapatam. Permission was granted; he went to Vedarniem, and thence to Negapatam. He (witness) did not at that time see him after he left the tent.

107. Before the Collector this man gave this general statement:—"Rungasawmy," who "was then a fellow peon with me, paid 30 Rupees and Veerasawmy 25 Rupees to the Deputy Collector through Srinivassa Mudali. This also took place near the tent. I was present when "D'Monte asked them to pay the said sums." This is denied by Srinivassa Mudali, who said nobody was present when Mr. D'Monte asked Rungasawmy to pay, nor when this peon paid the amount agreed to by him.

108. Next let us look at the statements of this Paramanan regarding what he did. Before the Collector he says that in June or July 1863, he was informed by Mr. D'Monte in Srinivassa Mudali's presence, that only four peons would be retained in the salt establishment there, and that he would be dismissed; that he advanced his poverty, when Mr. D'Monte told him he would retain him if he paid 20 Rupees; that he at last got Mr. D'Monte to consent to his paying 15 Rupees; that he had to mortgage the jewel that was in his house to raise the money; that he did mortgage the jewel for 15 Rupees on the eighth day after he had been asked for the money, though he cannot recollect the exact date, and paid the amount to Srinivassa Mudali as directed by Mr. D'Monte; that the payment was made outside Mr. D'Monte's tent, and the money taken inside by Srinivassa Mudali.

109. Before me this witness stated that when Mr. D'Monte asked him, before 10 A. M. for the money to secure his situation, no one, not even Srinivassa Mudali, was present, and that on his remonstrating about the amount Mr. D'Monte consented to reduce it from 20 to 15 Rupees, and he agreed to pay this last amount, and was told to pay it to Srinivassa Mudali; that in the evening when Srinivassa Mudali came to the tent Mr. D'Monte told him to receive 15 Rupees from witness, but did not enter into further particulars, though he told Srinivassa Mudali on going out why he was called on to pay the amount; that he mortgaged a pair of earrings valued at 15 Rupees, belonging to his wife, for 10 Rupees to one Sawmy Gounden, and with that money, his pay, of $3\frac{1}{2}$ Rupees and $1\frac{1}{2}$ Rupees, which his wife had with her, he paid Srinivassa Mudali 15 Rupees eight days after he had been asked for it, at 2 P. M., having arrived from his village at half past 1 with the money; that though he arrived at the tent before Srinivassa Mudali and saw Mr. D'Monte lying down in his tent, he did not speak to him nor tell him he had brought the money; but that when Srinivassa Mudali came and was standing near the tent, he gave him the amount, which Srinivassa Mudali took into the tent, and came out without the money and said he had paid the 15 Rupees to Mr. D'Monte.

110. Srinivassa Mudali on the contrary says he was present when Mr. D'Monte asked Paramanan for 20 Rupees; that he declared his inability to pay so large a sum and offered 10 Rupees, which offer Mr. D'Monte would not accept; that he then offered 15 Rupees, which amount Mr. D'Monte agreed to receive, and told him (witness) to take it; that he and Paramanan were alone present with Mr. D'Monte; that after two days (not eight as Paramanan said) he brought the money, and paid it to him while standing near the tent door.

111. It will be observed that Paramanan said before the Collector he mortgaged the jewel that was in his house for 15 Rupees, the only thing that he, a poor man, could convert into money, the only thing of value in his house. We see him afterwards becoming bolder and waxing richer. Before me he is possessed in addition to the jewel or Mailadi, of a pair of earrings, which are valued with the Mailadi at 15 Rupees, and these he mortgaged for 10 Rupees, and made up the balance from his pay and from money in his wife's possession.

112. Sawmy Gounden, the party to whom he says he mortgaged his earrings and jewel deposed that he was Paramanan's next door neighbour, but though he was acquainted with him for a year he did not know what his situation was; that he brought a pair of Mailadis and a pair of capocs, the one worth 10 Rupees, the other 4 Rupees, and obtained from him 10 Rupees. He cannot tell when all this occurred; that on both occasions this peon came alone.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

113. Here are discrepancies material and numerous. The peon says his interview with Mr. D'Monte was quite private. Srinivasa Mudali says he was present and received Mr. D'Monte's order at the time to take the money; the peon says he was told to receive the money at a subsequent period. Srinivasa Mudali varies his story a little about Mr. D'Monte bargaining with the peon about the sum to be paid. Looking at Srinivasa Mudali's story before the Collector, it would appear as if the three peons had all been asked at the same time, and paid the money at the same time. Again; before the Collector, Paramanan most distinctly stated he got 15 Rupees on the jewel he pawned; before me he asserted he borrowed 10 Rupees from his neighbour on a pair of earrings and a ear ornament valued at 15 Rupees, and he gets a witness to support not the first story, and the only one likely to be the true one, as it was given so soon after the occurrence, but the latter story. But his friend says he brought a pair of ear ornaments, not one ear ornament, and a pair of earrings; that the former were worth 10 Rupees, and the latter 4 Rupees, on which he advanced 10 Rupees. The peon says it was eight days between his being required to pay the money and his doing so; while Srinivasa Mudali says it was two days. All avoid dates and months.

114. Now, I would ask is this discrepancy about the jewel a material and important discrepancy, or an immaterial one, such as can be fairly accounted for by lapse of time, loose habit of observing and relating things inaccurately, and without precision so peculiar to natives? Is it not an unmistakable mark of a got-up story? The man had forgotten his first lesson, and his witness supports his second story, not his first. Is the property of this man so large that he can forget what part of it he disposes of? Especially with that marked and significant allusion in his first deposition, to his great poverty; his parting with his only jewel, the only one in his house?

115. Besides speaking to the peons Rungasawmy and Veerasawmy being asked and paying bribes, Paramanan goes on to speak of monies paid by salt manufacturers whom he does not know, nor is he able to name a single one of the party; so his testimony on this point cannot be tested and stands singly. And again; he testifies to 600 Rupees having been paid by one Pitchu Shastry through Srinivasa Mudali, and to his accompanying Srinivasa Mudali to the Shastry's house, and bringing this amount on three occasions. His testimony is contradicted by both Srinivasa Mudali and Pitchu Shastry's agent, though there is a suspicious entry in Pitchu

Vide leaves marked G. 4, leaf No. 10.

Shastry's accounts to the effect that 560 Rupees were spent as sundries, which, in some degree, bears out this last statement. But Pitchu Shastry is dead, and every one else ignores the account, the entry in which is further neither conclusive nor clear; for the name is blurred, and it is impossible to say it is Mr. D'Monte's. I look on this peon's evidence as altogether fabricated and worthless; it is contradicted and negated on all material points by all whom he alleges were actors in the scenes he describes, and is at variance with itself.

116. It will be observed that none of these three peons ever lost their situations; that two of them most unequivocally and freely deny having ever given anything to Mr. D'Monte to secure their situations. I do not even credit their statements or believe that they ever had any dealings with Srinivasa Mudali, who however, appears to be in constant difficulties in regard to money. The idea of getting receipts from these peons on the alleged re-payment of the bribes, and using them as substantial proofs of the delinquency of Mr. D'Monte, was no doubt a clever one, but clumsily carried out. The receipts could only be of use to show to Mr. D'Monte as assurances that Srinivasa Mudali had paid back part of the bribes received. But when Srinivasa Mudali went to Vellum, where Mr. D'Monte was, he did not take the receipts with him, but leaves them at Vedarniem from whence they are carried to Ayapatam. Now, had Srinivasa Mudali taken the receipts for the purpose for which he alleges he got them, would he, when he was going to Vellum, where he knew he would meet Mr. D'Monte, leave them behind him, or would he, had he forgotten to take them with him, have failed to send for them. Except to prove

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

to Mr. D'Monte the payments made by Srinivasa Mudali, the receipts could be of no earthly use, unless indeed they were, as I suppose, taken to be used in such a case as this.

117. We next come to the three peons who did lose their situations in the reduction of the establishment; and first Ramasamy Naick.

118. This man stated before Mr. Cadell that, in May 1863, he lost his appointment at Tambikanallavancottai; that he and another peon (Govinden) went to Vedarniem where Mr. D'Monte was at that time; that having heard during the ten days he was there that some two or three persons had got situations, he went to Mr. D'Monte and asked him pressing for a place; that Mr. D'Monte told him there was no vacancy; that he saw Mr. D'Monte the next day when he was desired to go to Srinivasa Mudali, which he did; that Srinivasa Mudali told him Mr. D'Monte wanted 25 Rupees, and unless he brought it he would not get a situation; that he went to his village, sold all his jewels and obtained 20 Rupees with which he went one night at 8 o'clock to the house of Srinivasa Mudali at Vedarniem, and paid him the money; that next day, Srinivasa Mudali took him to Mr. D'Monte's tent, and went in while he remained without; that he came out and said he had paid the money, and the same day received an order of appointment as peon at Negapatam.

Before me this peon varied in several of the statements he made before the Collector. He says first, he asked Mr. D'Monte on his arrival, for a place, and after pressing him for four or five days Mr. D'Monte told him to go to Srinivasa Mudali, who told him he must give 20 Rupees if he wanted a place, and that he and Govinden then returned to their village, but he mentioned nothing of what had occurred to Govinden; that when he arrived at his village he sold a cow for 10 Rupees to a barber, and mortgaged his wife's necklace for 10 Rupees to a Police Peon named Alaghiri Naick; that he returned to Vedarniem at sunset, the day or date he does not recollect, and finding Srinivasa Mudali alone in his house, paid him the amount and went and slept in the next house, and at 8 A. M. the next day Srinivasa Mudali took him to Mr. D'Monte's tent, and left him outside while he himself went in; that he did not see whether Srinivasa Mudali had the money which he had tied the previous evening in his waist with him, nor did he see him pay any money to Mr. D'Monte who was alone in his tent; that two days after, he got his situation; that he never asked Srinivasa Mudali to return him his money, and never gave any directly to Mr. D'Monte; that he never received back his wife's jewels, but that Alaghiri Naick, to whom he had first pledged them, asked him for the money; that he borrowed 10 Rupees from his brother-in-law, his sister's husband Narraina, and paid them to Alaghiri Naick with one Rupee as interest, and got back his jewels, which he placed in pledge with his brother-in-law, to whom he pays no interest. He stated in regard to the discrepancies pointed out in his deposition, that what he had said had been incorrectly recorded before the Collector.

119. Srinivasa Mudali's statement before the Collector is certainly very different from the above and from what he deposed before me. He says before the Collector that Ramasamy and Govinden who had lost their situations, brought Mr. D'Monte a letter from one Ragaviengar, the then Peishcar of Vedarniem, and waited on him; that about ten days after, two appointments falling vacant at Negapatam, the Deputy Collector prepared a Takeed to the Peishcar at Negapatam, leaving space for the names of the persons who might be appointed, put it in a cover, and gave it to the writer Ramasamy Pillay; that on his going to the Deputy Collector, he ordered it to be given to him, which was done; at the same time the Deputy Collector desired him, the witness, to get 20 Rupees each from the two peons in question; that in his presence and in that of Ragaviengar, Ramasamy Naick paid 20 Rupees, but on Govinden saying he had no money, Ragaviengar promised to pay the same to him, Srinivasa Mudali, and requested him to pay 20 Rupees to the Deputy Collector; that he borrowed 20 Rupees and gave the Deputy Collector in all 40 Rupees, and gave the cover to the above two peons.

120. Before me this man says that some time last year, the date he cannot recollect, "Ramasamy and Govinden came together to Vedarniem, having lost their appointments, and waited 10 or 15 days on Mr. D'Monte and asked for a situation; Mr. D'Monte told me to ask them what they would give; they said they would each give 20 Rupees. Mr. D'Monte did not speak with

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

them. The same day that I asked him Ramasamy paid me 20 Rupees," (Adrapatam is forty miles from Vedarniem,) "and I paid them to Mr. D'Monte; no one witnessed this. Mr. D'Monte gave me a cover and told me to get the money from Ramasamy, and when I had got it, to give him the cover. I did so and he went off with the cover and got his situation." Now these statements are all irreconcilable with each other; the differences are not slight ones, and it is clear that both the witnesses are deposing to what is not true. But let us look a little more into the way in which the money was raised by Ramasamy Naick.

121. Alaghry Naick, a Police Peon who said he was very poor and had no means, says he was in the habit of putting by one anna or two annas a month out of his pay in order to carry out a vow; that Ramasamy asked him to lend him some money, that he told him he had no money; but there was this sacred money, and if he liked he might have that; that he took 10 Rupees and left a necklace and capoo of his wife's in pledge, and was charged interest; that after four or five months he brought back 10 Rupees and took away the jewels; that he offered to pay half a Rupee and was told that he might do as he liked, and that he put half a Rupee with the ten into the subscription box. Now, this part of the story about the charity box is not very like the truth. It is too romantic, too liberal, too free from superstition to be native life-like, and there is a discrepancy about the amount of interest between the witnesses who depose to this fact. But then again, let us recollect how this peon first explained the way in which he collected the money by which he paid his alleged bribe. "I sold all my jewels by which I was able to realize only 20 Rupees." In his second story, he mortgages not all, but specific articles of jewelry for 10 Rupees, and raised the other 10 Rupees by the sale of a cow. Now is this discrepancy between his first and second statement owing to a loose way of stating facts, or to imperfection of memory, or to want of observation? Does the man possess so much property that he cannot distinguish whether he sells a cow and mortgages a jewel, or sells all his little property. He conjures up a cow and declares he sold it, and instead of selling his jewels he only mortgages them to a holy man, and then puts them in the keeping of a relative. All these parties might be able to corroborate this second statement; but the witness does not corroborate his own statement, but contradicts it. Which are we to believe? the latter one because it is supported by the numbers, or the former one because it was first given? or are we not forced to reject the whole tale as false and made up.

122. The next person is Govinden, who lost his place at the same time that Ramasamy lost his. We have seen what Srinivasa Mudali deposed before the Collector regarding this peon; let us see what he himself says;—That after his arrival at Vedarniem he saw Mr. D'Monte alone and was told by him in an angry tone that he would not give him a post; that seeing him the next morning, at 9 o'clock on the platform, Mr. D'Monte told him to go to Srinivasa Mudali who would speak with him; that Srinivasa Mudali told him at the salt pans that Mr. D'Monte wanted 25 Rupees and desired him to bring that amount; that he went to a merchant named Nadumutta Chetty at Adrapatam and asked him for a loan of 20 Rupees; that he said Ragaviengar, Salt Peishcar of Vedarniem, owed him money, and gave him a letter to him saying he would pay him the money; that he gave the letter to Ragaviengar at Vedarniem who asked him why he wanted the money, and when he told him it was for Mr. D'Monte, Ragaviengar sent for Srinivasa Mudali to his house and told him he would pay him 20 Rupees on Govinden's account, and asked him to pay it to Mr. D'Monte; that next day Srinivasa Mudali took him to Mr. D'Monte's tent, and leaving him outside, went in, and after speaking with Mr. D'Monte, came out and told him (Govinden) that Mr. D'Monte would give him the appointment; that Srinivasa Mudali received the order of appointment, and gave it to him and he got his place. He said he had not at the time of his deposition re-paid the Chetty who gave him the letter without any bond as he trusted him; that he knew Ragaviengar had promised to pay the amount, but he did not see the payment.

123. Before me this witness stated that the letter he received from Nadumutta Chetty was on Goa paper, placed in an envelope and wafered and sealed with the Chetty's seal; that he did not see the contents, but was told that on presenting it he would receive 20 Rupees; that Ragaviengar told him on receiving it he had no money, but would pay the amount in three or four

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

days, but told him to call Srinivasa Mudali; that he did so, and Ragaviengar told Srinivasa Mudali he would pay the 20 Rupees; that next morning at 8 o'clock Srinivasa Mudali went to Mr. D'Monte's tent and came to him and said, "Mr. D'Monte says he will give you a situation;" that after waiting three days he reminded Srinivasa Mudali of his promise, pleading he had no money for his expenses; that on the next day he received an appointment and went to Negapatam; that he did not see Mr. D'Monte, nor did he hold any communication with him; that two or three months after he heard it rumoured at Negapatam that Ragaviengar had not paid Srinivasa Mudali the money he promised to pay; that about four or five months after, he went to Adrapatam and was asked by the Chetty to give him a bond; that he told him he had heard that Ragaviengar had not paid the money, and that he would find out and settle the matter; that about four days after, he went to Ragaviengar and asked him whether he had paid the money, and on being told he had not, he returned to Negapatam; that being afterwards appointed to Tambikanallavan-cottai, he went to Adrapatam and told Nadumutta Chetty that Ragaviengar had not paid the money. Afterwards, on Ragaviengar coming to Adrapatam he asked Nadumutta Chetty to inquire from him whether he had paid the money to Srinivasa Mudali. He did so and found that the money had not been paid. He further stated that after he went to Negapatam neither Mr. D'Monte, nor Srinivasa Mudali ever asked him for the money; that he never saw Srinivasa Mudali again till he saw him at the Collector's office in February.

124. Is this story, I would ask, a credible or a natural one? A peon wants money to pay as a bribe; a Chetty, a mere acquaintance, who does not lend him nor wish to accede to his request, gives him a letter of credit on a Peishcar; the Peishcar has not got the money, but volunteers to stand security for the amount and promises to pay it, and the go-between strips his wife of her jewels, which he mortgages and advances the sum, and never asks for it again. There is a striking contrast between the peon's first story and Srinivasa Mudali's, and the peon's second is inconsistent with his first and with Srinivasa Mudali's first story. In Govinden's deposition before Mr. Cadell there is no allusion to the non-payment by Ragaviengar, the rumours, the interviews with the Chetty and Ragaviengar. There he implied he was accountable to the Chetty for the sum advanced by him. But before me all this is changed. He now states he knew early in the day that Ragaviengar had never paid the amount he had promised, and he implies that the sum was never to be paid at all, at least so far as he is concerned.

125. Srinivasa Mudali's story before me varies greatly both with his former story and with the peon's account. He says Mr. D'Monte never spoke to this peon about giving him money, but told him (Srinivasa Mudali) to ask both Govinden and Ramasamy what they would give; that they each promised 20 Rupees; that Govinden went away and brought a letter to Ragaviengar from a Chetty; that Ragaviengar then spoke to him and promised to pay the 20 Rupees for Govinden; that he mortgaged some of his jewels for 50 Rupees and paid 20 Rupees to Mr. D'Monte for Govinden. He says both peons received their order of appointment and went away to Negapatam together; that Ragaviengar never paid him his money, and that though he asked Govinden for it on two occasions, he only put him off.

126. Ragaviengar states that the peon brought him the letter and told him it was to pay Srinivasa Mudali; that he told him he had no money just then, but would pay Srinivasa Mudali when his pay came, and that afterwards seeing Srinivasa Mudali, he mentioned this to him; that he did not know the money was wanted to pay Mr. D'Monte; that he never either directly or indirectly paid any money to or for Mr. D'Monte; that he never paid Srinivasa Mudali the 20 Rupees; that above a month ago, or in July 1864, when at Adrapatam, Govinden brought the Chetty and asked him in the Chetty's presence whether he had paid the money to Srinivasa Mudali, and when he said he had not done so he was requested not to do so; that he did not know how the peon came to learn that he had not paid Srinivasa Mudali, that he never saw him from the time he brought the letter till a month ago.

127. Nadumutta Chetty, a small Shop-keeper in Adrapatam, knows Ragaviengar and his father Desha Iyengar, with the latter of whom he has pecuniary dealings, Desha Iyengar owing him something between 200 and 300 Rupees; he states that Ragaviengar owes him nothing,

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

but when the peon Govinden came and begged him to lend him money, he at length consented to give him a letter of credit on Ragaviengar because he hoped he would not pay him the money. He cannot explain why he should give it on Ragaviengar and not on Desha Iyengar who was on the spot, and who had dealings with him. The peon told him, he says, that he had lost his situation, and that he wanted the money for his expenses. He describes the letter he gave differently from the peon. Two months after, meeting Govinden he asked him if the money had been paid him; he said it had not. After this he had no conversation with either the peon or Ragaviengar about the money. Shortly after, this witness retracted this statement, and stated that in June 1864, when Ragaviengar came home about a marriage in his house, he asked him about the letter, and he told him he had received it but had paid no money on it. He made no entry in his accounts of the loan to Govinden, because he received no advice of its payment.

128. The next party who is alleged to have given a bribe is the Peon Sabapathy. There are discrepancies in this man's two statements as to the time and circumstances under which he first went to Srinivasa Mudali. Before the Collector he states it to have been after eight or ten days he asked him to recommend him to the Deputy Collector. Before me he said he went to him on his arrival, and that the next day he was taken to Mr. D'Monte by Srinivasa Mudali, and recommended by him; that Mr. D'Monte told him to go to Srinivasa Mudali, and that he was asked by Srinivasa Mudali if he understood what Mr. D'Monte meant when he told him to come to him, and he was desired to bring 25 Rupees. Before the Collector he says he sold all his jewels and a cow, and after two days brought the money. Before me he says he was absent four days, and sold one jewel and a cow and calf; before the Collector, that the money was paid and he was told the order of appointment would be given. After waiting four or five days he asked when he was to get his appointment. Before me he says he was told the appointment would be given in three days, but after waiting ten more than three days he again spoke to Srinivasa Mudali about the appointment. Before the Collector he states that when he asked Srinivasa Mudali for the appointment, he was told the 25 Rupees paid were on account of his brother, and if he wished to be employed he must bring 25 Rupees more; that he remonstrated, and asked if it were right to take money for one purpose, and apply it to another, when he was told if he did not pay a further sum he would be employed and his brother dismissed; on which, being afraid, he consented to bring some more money, and went to Tritapoondy where he borrowed 22 Rupees from Ramasawmy Taven, and returned to Vedarniem in two days with the money;—before me, that when he asked Srinivasa Mudali at the end of thirteen days, when the appointment would be given, he said, "you are a froward, troublesome fellow; the money you gave was for your brother; you must bring 25 Rupees for yourself or you will lose the place and the money too." I said I am poor, and you are always asking me for money, when he went to Tritapoondy and borrowed 25 Rupees of his brother-in-law.

129. Before the Collector he says that after the second payment, when Srinivasa Mudali came out of the tent he said, "Mr. D'Monte wants the remaining money;" before me he said, "When Srinivasa Mudali came out, I told him I was hungry, and would go home; when he came home in the evening he asked me why I was waiting; I might go and the order of appointment would be sent;" but when he set out in the morning, Srinivasa Mudali asked him for the remaining 3 Rupees, and said he must pay it. Before the Collector he says the Sunnud of appointment came two days after he reached his village; before me he says it was four or five days. He never asked for and never received back any of the money he paid. His first appointment was through Mr. D'Monte, on which occasion he was not called on to pay for it. He does not know of any others having paid anything to Mr. D'Monte. He admits that Ragaviengar was a stranger when he asked him for the loan of the 3 Rupees though his father attended on Ragaviengar's family as a physician. When he told his brother what he had done, he told him he might get back the money; he would not pay it; this is confirmed by the brother.

130. He says further, that Ragaviengar never paid the 3 Rupees he promised to Srinivasa Mudali, and that Srinivasa Mudali when he came to Adrampatam, asked him for it, and as he then had no money he was unable to give it to him.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

131. Srinivasa Mudali's version of this story before the Collector is a very different one. He says, in the new arrangement, the Deputy Collector retained only Ramasawmy Naicken, and dismissed Sabapathy Naicken. The latter then came to Vedarniem and waited on Mr. D'Monte, when the Deputy Collector told him if he would give him 25 Rupees to retain his brother in the service, and 25 Rupees more for a situation for himself, he should be re-employed; that the peon said he had only 47 Rupees, which the Deputy Collector told him (witness) to receive, which he did; but as even after getting that amount Sabapathy did not get a situation and troubled him, he spoke to the Deputy Collector, who told him to take something more from him; that Sabapathy said he had no more money, but he got Ragaviengar to stand security for 13 Rupees, which sum he (Srinivasa Mudali) borrowed and paid to the Deputy Collector, after which Sabapathy was appointed to Adrampatam, but that he (Srinivasa Mudali) has never been re-paid his 13 Rupees.

132. Before me Srinivasa Mudali tells a story as different from his original one, as it is from that of Sabapathy. He says when he and Sabapathy were alone in Mr. D'Monte's tent, Mr. D'Monte asked Sabapathy to give him 25 Rupees for the situation which he asked for, and that on the next day the peon brought the 25 Rupees near the tent, which he received in accordance with the instructions previously given him by Mr. D'Monte; that no one was present when the money was paid, and that he took it in while the peon stood outside, and that no one was in the tent, not even the peon. The peon, it will be recollected, stated that Mr. D'Monte did not ask him directly for the money, but sent him to Srinivasa Mudali, who told him what was wanted; that he was four days absent collecting the money; that he was present when the money was paid, standing in the tent door.

133. He goes on to say this peon waited on, and Mr. D'Monte told him (Srinivasa Mudali) to credit the 25 Rupees to the peon's brother, and get 25 Rupees more from Sabapathy for his situation; that after he told the peon this he went home, and after four or five days brought 22 Rupees, which were paid him near the tent (the peon says in his house); that he took them into the tent and gave them to Mr. D'Monte, the peon standing without, and not going in. Nothing is said about the fire and the red Turkey cloth. As Sabapathy did not get his situation after eight or nine days, he said he would pay 13 Rupees more for his situation, and that Ragaviengar would pay for him. The peon says he went the day after paying the 22 Rupees, and that on that day Ragaviengar promised to pay 3 Rupees, and not 13 Rupees for him, and that because he was pressed to pay the 3 Rupees by Srinivasa Mudali. As Ragaviengar confirmed the peon's statement, he went in to Mr. D'Monte and told him the peon would give 13 Rupees more, on which Mr. D'Monte said, "let it be till to-morrow," that on the morrow he (Srinivasa Mudali) borrowed 13 Rupees, he does not know where, and paid Mr. D'Monte. This occurred fifteen days after Ragaviengar promised to pay 20 Rupees for Govinden; he acted on his promise because he was Peishcar. He adds that neither Ragaviengar or Sabapathy ever paid him the 13 Rupees; that he once asked the Peishcar for payment, but never the peon; that he had never been asked by Sabapathy or his brother to return the money paid by Sabapathy; that Sabapathy had volunteered to pay 13 Rupees in order the more quickly to secure his situation.

134. Ragaviengar says that he had never, that he knows of, spoken to Sabapathy, though he knows his father well. One day he came to his house and asked him to lend him 3 Rupees as he wanted to pay it to Srinivasa Mudali, who had lent him that sum for his expenses while he was waiting at Vedarniem for an appointment; that he told him he had no money, but would pay Srinivasa Mudali when his pay came; that he saw Srinivasa Mudali afterwards, he believes on the same day, he forgets the where and when, and promised to pay 3 Rupees for Sabapathy; when he got his pay; but that he never paid the amount, not being asked for it by Sabapathy; that Sabapathy did not tell him why he wanted the money, nor the nature of his debt; that he never again spoke to Sabapathy about these 3 Rupees, nor did he ask him about them; that he did not tell Sabapathy that he had not paid Srinivasa Mudali. He most emphatically denies all knowledge of any money having at any time been paid to Mr. D'Monte by any one. This man is now under suspicion and suspicion.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

135. Samoo Taven of Combaconum alleges that he bought a buffalo and its calf from Sabapathy in (Chittray) April 1863 for 18 Rupees, and a Mailadi for 7 Rupees; that he has the buffalo and calf, but has converted the Mailadi into a necklace for his sister.

136. Ramasamy Taven also alleges that he lent his brother-in-law Sabapathy 22 Rupees in April 1863; that he took no pledge nor bond, and has not been re-paid, and gets no interest.

137. The next bribe is alleged to have been given by Seethapathy. It is described before the Collector by Srinivasa Mudali thus:—"The Deputy Collector appointed Seethapathy Iyen, Kurnum of Adrampatam as Samprathy, ten days after he saw the Deputy Collector at Vedarniem, who asked him to pay him something; then he said he had 70 Rupees. I received them as directed by the Deputy Collector, and gave him the same."

138. Before me Srinivasa Mudali stated that he was not present when Mr. D'Monte asked Seethapathy for money, nor did he know how much he agreed to pay; but about two months after his appointment as Acting Samprathy of Adrampatam, Seethapathy came upon him talking with Mr. D'Monte at Mr. D'Monte's tent door. Mr. D'Monte told him to receive the money he had brought. It was in the evening, he went to the other side of the tent and received the money. No one was present; Mr. D'Monte went into the tent. As soon as he had received the money he took it in to Mr. D'Monte who was alone. He did not know that Seethapathy had been required to pay more money; he never asked him for more.

139. Before the Collector Seethapathy Iyen deposed that ten or fifteen days after his appointment as Acting Samprathy at Vedarniem, Ragaviengar came to that place, and told him that Mr. D'Monte declared he would not confirm witness in his post unless he paid him 100 Rupees, and he advised him, Seethapathy Iyen, to accede to Mr. D'Monte's demand as many others had done; that he told Ragaviengar he had no money, on which Ragaviengar said he would speak to the Deputy Collector about his case; that in July Mr. D'Monte came to Adrampatam, and that he with the other salt servants went to see him; that he was told to remain after the others had gone; and that when he was alone Mr. D'Monte told him that if he did not pay the 100 Rupees he would not be continued in his present office, but would be reduced in the revision of the salt establishment; that he pleaded his poverty, and was told if he did not pay the sum demanded in ten days, he would be dismissed; that in July or August, he forgot which month, he raised 70 Rupees by begging and other ways, and went to Vedarniem to give it to Mr. D'Monte; that he saw Mr. D'Monte at Vedarniem in his tent, and was asked by him whether he, the witness, had brought the money; that he replied he could obtain 70 Rupees, which he had brought; that Mr. D'Monte became angry with him, and told him he would be positively dismissed unless he paid him 100 Rupees, and that on his cringing to him he allowed him some further time to bring the balance in; that he sent for Srinivasa Mudali, and spoke something to him in private, and then ordered him, the witness, to pay over the 70 Rupees to Srinivasa Mudali; that he paid the said amount to Srinivasa Mudali outside the tent, and he (Srinivasa Mudali) took it within, and when he came out, said, he had paid to Mr. D'Monte, but he did not see him do so; that no one else was present at the time; that he returned to his duty, but was not confirmed in his post, but was reduced to his former post; that he did not pay the balance, and asked Srinivasa Mudali at Vellum to get him back his money; that Srinivasa Mudali promised to speak to the Deputy Collector; that he never paid him, nor did he again ask for a return of the money; that he raised the 70 Rupees he paid by begging, and obtained 10 Rupees from his uncle; that his father collected by small sums the rest of the money, but he cannot tell from whom.

140. Before me Seethapathy Iyen declared that he knew of none of the servants employed in Adrampatam having given Mr. D'Monte any money, nor of his having asked them; that the 60 Rupees given him by his father had not been obtained by begging but had been collecting for five years to pay his marriage expenses; that he did not know whether it was in July or August that he went to Vedarniem to pay the money. When it had been shewn by Mr. D'Monte's travelling book that he was not at Vedarniem in either of these months, nor had been there for some time, then this witness, in answer to a question put by the Prosecutor, said he did not recollect when it

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

was that he went to Vedarniem to pay the money; that when he arrived at Vedarniem he went to Mr. D'Monte's tent; that no one was there, not even a peon; that Mr. D'Monte called Srinivasa Mudali, who came, witness does not know from whence, and that Mr. D'Monte told him (witness) to pay the money to Srinivasa Mudali; that Srinivasa Mudali called him aside, took the money to Mr. D'Monte who was sitting outside his tent, but went in to receive the money; that about the 22nd January he went to Mr. D'Monte's place at Vellum to find Srinivasa Mudali to ask him to return the 70 Rupees he had paid; that he saw Mr. D'Monte and saluted him, but did not ask him for a return of the money, but afterwards, when alone with Srinivasa Mudali he asked for it; that Srinivasa Mudali said he would speak to Mr. D'Monte about it, and let him know the result of his application; that he did not see Srinivasa Mudali again, nor did he ask him a second time; that though he presented a petition to the Collector in September, complaining that he had not been confirmed as Samprathy, he never made any allusion to the payment of the 70 Rupees, nor did he know how the Collector became aware of his having made this payment.

141. Ragaviengar denies his having ever spoken to this witness about paying Mr. D'Monte 100 Rupees.

142. This witness considered he had a grievance, and had been injured by Mr. D'Monte; he therefore joins in the hue and cry raised against him, and probably was acted on at Vellum, where he was at the time the plot was got up. His statement that he made the payment is refuted by Mr. D'Monte, showing he was not at Vedarniem, when the witness swears he paid him there. The witness was complaining at Tanjore in September when Mr. D'Monte was at Vedarniem, and his own first appointment was in May. Mr. D'Monte went round to the southern pans niem, and presented his petition. Now, here are dates and circumstances enough surrounding his story to refresh his memory. It could not have been in September that he paid his money, for then he went to complain of his supersession to the Collector. It could not have been before Mr. D'Monte came round on his visit, for then it was that Mr. D'Monte called him to stay with him, and desired him to pay the money. The money according to this man's story could only have been paid at Vedarniem in July or August, when Mr. D'Monte clearly proves he was not at Vedarniem. Mr. D'Monte only went for a day or two at a time in September to Vedarniem to ship salt.

143. Whenever the witnesses in this case venture to name a date or a period which can be fixed, they break down, and show the falsity of their story.

The witness says he only asked once for the return of his money, and not three times as Srinivasa Mudali states.

144. Before me he differs from his statement made before the Collector as to the way in which he got the money which he paid to Mr. D'Monte. Before the Collector he said his father collected it by begging for it for him. Before me he says it had been collected during five years for his marriage expenses.

145. It is hardly to be believed that this witness so ready to complain, would have in his petition to the Collector of September, omitted to mention the bribe had he given one. I feel therefore convinced that his tale is unworthy of credit, and his altogether trumped up.

146. The next party who is alleged to have given a gratuity to Mr. D'Monte is Gurusamy Iyen.

147. Regarding him Srinivasa Mudali stated before Mr. Cadell that the Deputy Collector appointed him a Curnum of Adrampatam, and then asked him for 50 Rupees for the same; that Gurusamy declaring he had no money, Mr. D'Monte asked him to pay the sum on his account, and he did so. A few days after, Gurusamy gave him 15 Rupees in cash, and one large and two small rings worth 20 Rupees which were then with him; that Gurusamy never gave him the difference of 15 Rupees.

148. Srinivasa Mudali's story before me differs in one or two material points from that given before Mr. Cadell. He says that he was present when Gurusamy asked Mr. D'Monte for a situation; that Mr. D'Monte said he would give him a Curnum's office if he would give him 50

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

Rupees; that Gurusamy endeavored to get the price reduced, but failing to do so, he consented to pay the price he demanded, and on going out of Mr. D'Monte's tent, gave him, the witness two gold rings, and promised after going to his village, to send the whole amount; that he (Srinivassa Mudali) went in to Mr. D'Monte and told him he would pay the amount demanded, on which Mr. D'Monte gave Gurusamy Iyen a Sunnud of appointment; that he (Srinivassa Mudali) mortgaged some of his jewels for 50 Rupees, and as he mentioned when deposing to the case of Govinden, borrowed 20 Rupees more, he does not know how or when, and paid 50 Rupees to Mr. D'Monte for Gurusamy; that having occasion a month after to go to Adrampatam, he went to Gurusamy's house and asked him for the money; that he promised to pay it before he, the witness, left Adrampatam; that as he (Srinivassa Mudali) was returning to Vedarniem, Gurusamy, Iyen came out to him and paid him 15 Rupees, promising to pay the balance in a few days, a promise he has not kept; that no one was present when Gurusamy paid the 15 Rupees; that in January at Vellum, Gurusamy pestered him very much for a return of the money, and that it was on his account he asked Mr. D'Monte for paper A.

149. Before Mr. Cadell Gurusamy Iyen declared that he had been waiting on Mr. D'Monte as a volunteer since 1860, and that on the occurrence of a vacancy in the office of Curum of Adrampatam in May 1863, he went to Srinivassa Mudali, and asked him to inform the Deputy Collector that he would give 50 Rupees for the post, which it was proposed to confer on Cundasamy Chetty, the son of the Shroff of Adrampatam, in whose favor a Sunnud had now been written; that Srinivassa Mudali went to the Deputy Collector leaving him in a tope outside; that after a little time he was called and went to the Deputy Collector before whom he represented his claims, but did not speak about any money; that the Deputy Collector ordered Srinivassa Mudali to tear up the Sunnud written in favor of the Shroff's son; that Srinivassa Mudali did so and wrote a Sunnud in his (Gurusamy's) favor, which the Deputy Collector signed and despatched by post to the Peishcar; that as soon as he came out from Mr. D'Monte's tent, Srinivassa Mudali asked him about the money, and that he replied he had none, but would send it as soon as he reached his village; and that at Srinivassa Mudali's request he gave as security, three gold rings by him, valued at 30 Rupees; that not being able to get the money he never sent it; that in June or July Srinivassa Mudali came to Adrampatam, stating he was ordered to come there by the Deputy Collector to cause an Arzi to be written by the Peishcar in favor of Ramasamy Taven's application for some salt pans; that he then asked him for the money, but that having none, he begged Srinivassa Mudali to take the rings for 30 Rupees in part payment and that he added 15 Rupees more, making in all 45 Rupees, and that he never paid the balance; that being thrown out of employ, he went to Vellum and Srinivassa Mudali being there too at the end of January, he asked him for a return of the money.

150. Before me, this witness denies all he said before Mr. Cadell, and says he was faint and ill when he arrived and gave his deposition, and he did not know what was written or signed by him; that he did not pay any money to, or for Mr. D'Monte, but only to Srinivassa Mudali for himself. It is possible that this man, in the hope of securing a situation, deposed falsely as he did at first, but finding his hopes disappointed, denied all he had originally said concerning Mr. D'Monte. And it is strange that a man so poverty-stricken should have been able to keep the three golden rings in his possession.

151. In regard to the loans by Pitchu Shastry who died subsequently to giving his deposition before Mr. Cadell, Srinivassa Mudali states Mr. D'Monte told him to borrow 90 Rupees for him from Pitchu Shastry; that he went to the Shastry's house early one morning and brought the money and paid it to Mr. D'Monte; that he found the Shastry alone in his hall, and that he went into an inner room and brought out the money; that on another occasion four or five days later, Mr. D'Monte wanted 100 Rupees, and that he went to the Shastry again and borrowed 100 Rupees, which he paid to Mr. D'Monte; that on this occasion some one was with the Shastry, but he does not know who; that he did not mention these transactions to any one, and that Seethapathy did not accompany him on these occasions; that he did not borrow more than this

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

money for Mr. D'Monte; that he gave no receipt, and is himself responsible for the amount. Before the Collector he stated generally that he borrowed 140 Rupees on two occasions from Pitchu Shastry for Mr. D'Monte, who wanted money to send his wife to Calcutta, and that the Deputy Collector gave him no bond on this account.

152. Before the Collector Pitchu Shastry deposed that he had lent Srinivassa Mudali on one occasion 240 Rupees for the Deputy Collector, and that Srinivassa Mudali told him it would be re-paid in thirty days; that it was not re-paid; that he on more than one occasion asked Srinivassa Mudali for the money, but that he put him off with excuses, and that as he had not re-paid him he should sue him for it. He denied having made a gift of the money, and stated that he charged interest at 12 per cent. per annum for it; that he never spoke to Mr. D'Monte about it, and that he had dealings in salt. He bought eight heaps at once because Mr. D'Monte told him if he did not he could not get the authorized discount on a smaller quantity.

153. Pitchu Shastry's agent before me stated that the 250 Rupees were borrowed from his master in the month of Chittray or April 1863, by Srinivassa Mudali for Mr. D'Monte, who he said had just received a remittance Bill of 1,000 Rupees, and when the Bill was cashed the money would be paid; that as the money was not paid he asked Srinivassa Mudali for it, when he told him that Mr. D'Monte had only been paid 140 Rupees of the amount borrowed, and that he had kept the remaining 110; and that when Mr. D'Monte paid him he would pay the whole with interest.

154. This makes up the first part of the story, and from the depositions given by the witnesses, we learn that the sums of money alleged by the parties named, to have been paid by them to Srinivassa Mudali, amount to Rupees 545, and not as he asserts Rupees 430; and when we put down Tadi Veerasamy's payment at 25 Rupees, and include the 30 Rupees alleged to have been paid by Kurtha Rungasawmy, the payments would then amount to 530 Rupees, or just 100 Rupees more than the bond was given for; so that, in addition to the internal discrepancies and gross improbabilities above, we find that the amounts paid by the parties whom Srinivassa Mudali alleges are indebted to him, do not tally with the amount of the paper A.

155. I am therefore driven to the opinion that this first portion of the case is by no means established; nor do I believe that any bribes have, as alleged, at any time been paid to Mr. D'Monte. And with evidence so worthless, I cannot bring my mind even to admit that there is any well grounded or just cause of suspicion against Mr. D'Monte of having received the bribes charged. I believe, as I have frequently stated above, that the whole case has been got up, and that the story of the two reluctant peons with their receipts, was also got up.

156. Lest there should be too marked a similarity in the evidence of all the peons, which might attract attention and throw discredit on the whole story, two peons have been tutored to give a different account of their payments, and they are the parties selected for receiving back their money and have furnished receipts. It may be said, how could the receipts be given while the peons were at Vedarniem, and Srinivassa Mudali and Chedumbara Pillay at Vellum? There was no necessity for these two parties being at Vedarniem to get the receipts prepared. There were tools at hand who could manage all this for them, and we have seen above that documents can be executed at Tranquebar while I am making the inquiry.

157. The second part of the case refers to the re-payment by Srinivassa Mudali of three sums of money which he alleges he received from the Peons Tadi Vecrasawmy, Kurtha Rungasawmy, and Paramanan.

	Loan to Srinivassa Mudali.	For Mr. D'Monte.
	Rs.	Rs.
Todi Veerasamy	40	15
Kurtha Rungasawmy	30	20
Paramanan	..	20
Ramasamy	..	50
Govinden	..	70
Sabapathy	..	50
Seethapathy Iyen	..	250
Gurusamy Iyen	..	..
Pitchu Shastry	..	..
		475
		70
		545

said to have been paid by S. M.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

158. I have never heard of parties who had paid bribes and had received the benefit which they expected from doing so, again seeking a re-payment of them, especially public servants; and it is to be observed that only three peons are alleged to have applied for a return, and two of these distinctly say that they only asked for a return of monies they had lent to Srinivassa Mudali, and the third is Paramanan, whose statement is found to be so largely filled with matter utterly denied and contradicted by the parties, whom he states took part in or witnessed the transactions.

159. The receipts produced in proof of these re-payments were never produced before Mr. Cadell, nor were they alluded to by Srinivassa Mudali in his deposition before the Collector. They are spoken of in the depositions of the peons before the Collector, and if not really drawn up then, must have formed part of the programme of the case at the time. We shall find these three receipts dated severally 22nd December 1863, and 5th and 6th January 1864.

160. Now, what occasion was there for the peons seeking a return of the money at the first of those dates? It will be seen that the first information that the salt establishment was to be re-formed, reached the Deputy Collector's office in June 1863, and that the final sanction reached the Collector's office at Vellum on the 21st December 1863. Intelligence regarding the sanction could not therefore have reached Vedarniem by the 22nd. We are told that Kurtha Rungasawmy asked for the return of his money three or four days before he got it. From these facts we learn that there was no fresh cause for alarm to induce Kurtha Rungasawmy on the 18th December to apply for a return of his money. In June he heard of further contemplated changes, but he did not think it necessary then to try and get back his money. No orders were received for five or six months in regard to these contemplated changes. Mr. D'Monte, it is true, was under the displeasure of the Collector, but he had been so since his return from leave, and no action had been taken against him on or before the 22nd December; therefore, there is no more urgent motive that I can discover for Rungasawmy demanding back his money in December than there was in June and subsequently; and yet he says he pressed for it. Unless we accept Rungasawmy's account that he only asked for the re-payment of a loan made to Srinivassa Mudali, or suppose that no payment was made at all to Rungasawmy by Srinivassa Mudali, but that this peon having been employed by Srinivassa Mudali to get his pay of December suggested to the collectors of the plot the idea of his granting a receipt for that amount and one other receipt, and being employed to tell a story of money lent to, and received from Srinivassa Mudali, I see no occasion for the 22nd December being selected for the date of the transaction referred to in Rungasawmy's receipt marked E. This receipt E is given for two monthly receipts; but when the Shroff was called for with the receipts the peon's story is altered to suit the exact circumstances as shewn by the official records; and he adds in his account before me, that after receiving the receipt E, with the two receipts, and while on his way to Negapatam to get the receipt for the salary of November cashed, he met a peon carrying November's salary to Vedarniem, that he therefore turned back, and returned the November's receipt to Srinivassa Mudali and got the money instead. There is no mention of this return journey before the Collector, nor does Srinivassa Mudali say anything of it. It is true the peon before the Collector said he drew one month's pay at Vedarniem and the other at Negapatam, but he made no allusion to the return of the receipt.

161. In regard to the other two receipts there is a discrepancy in the date; one is dated the 5th, the other 6th January. One of the dates is in English figures, the other in Tamil. Whether this difference of date was intentional, it is hard to determine. The evidence in regard to these receipts is full of marked discrepancies, both on the part of those who drew them out, and those who signed them. The stories of these parties differ from one another, and from Srinivassa Mudali as well as from those of the peons; and these discrepancies are not on immaterial points, but are such as throw discredit on the evidence.

162. It is remarkable how easily money seems procurable, and is made to be at the bidding of peons and petty servants. Cattle are sold, jewels pawned or sold, subscription boxes are resorted to, and money is raised as easily as in fables of old. Srinivassa Mudali, burthened with a large family, travels about with them without pay, and that, after he has stripped his wife and

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

children according to his own account, of everything valuable, even to his wife's Thali. Where he gets his money from is a mystery, and this mystery raises a strong suspicion against him and his tales.

163. I have reviewed the whole evidence for the Prosecution, and a more incredible and apparently false story than that set up by them, I have never met with. Had any subordinate village servant been brought before me on such evidence, I should not have hesitated a moment to pronounce the whole case got up, and dismissed it as utterly false; and yet we are called on to believe it in regard to an officer of high standing and position, enjoying a large salary, of thirty years' standing in the service, and who has borne a very high character. All this was risked and is to be lost for the small sum of 410 Rupees squeezed out of a few peons and other subordinate officers.

164. If Mr. D'Monte, as I have observed above, was capable of taking the bribes in the manner described from the parties mentioned by Srinivassa Mudali, he could not have stopped where he is said to have stopped; he must have put all his subordinates under contribution, and at Vedarniem if he needed a go-between he would have employed Srinivassa Mudali as his agent; but in addition to the denial of this worthy, we have the fact that no complaints have ever been preferred to the Collector against Mr. D'Monte by any one of his subordinates, though it must have been pretty generally known that Mr. D'Monte had fallen under the Collector's severe displeasure, and that complaints against him would be favorably received.

165. Had Srinivassa Mudali received any other bribes either, they must have been repaid; and if so, where are the receipts? Or they are still due; in the latter case, why was not their amount included in paper A? Simply for the reason that paper A was not given for the purpose it has been alleged by the Prosecution to have been given.

166. If the Prosecutor's account of the paper is so utterly unworthy of belief, and bears so much the impression of falsehood and fabrication, is the account of it given by Mr. D'Monte, its author and executor, more reliable and open to acceptance? I am inclined to think not.

167. The story of the defence is certainly not encumbered with the absurdities and gross improbabilities which surround the three parts of the story for the Prosecution; but judged by the ordinary rules of evidence, it too is found to fail, and to be unworthy of credit.

168. Judged by the critiques of the Prosecutor, it is clear that Mr. D'Monte's story is throughout a series of falsehoods and inventions, linked together to explain away Srinivassa Mudali's connection with the document A. If this view of the case be concurred in, we have before us ample evidence of the truth of the statements made in paragraph 23, that it is extremely easy to fabricate and get up evidence in Tanjore. Public servants of all classes, ranks, and stations, merchants and others looked on as respectable parties, are all ready to forswear themselves in favor of one in authority, though under the displeasure of the head of the District, and recommended to be removed from his office.

169. But though I agree in much that the Prosecutor has advanced in his summary, I cannot concur in all his conclusions. Many are forced and overdrawn. Many are weak and ill-supported. Many are wholly unintelligible and inadmissible. Neither do I admire the tone of the remarks in many parts of the summary. They evince an animus of hostility and vengeance which I would fain believe the Prosecutor does not feel towards his fellow brother officer. Still, there is much force and truth in many of the arguments put forward, and I think Mutusawmy has quite succeeded in showing the falsity and untenability of the defence set up by Mr. D'Monte.

170. I shall not recapitulate at length what the Prosecution has advanced, but I shall, to avoid lengthening out my remarks, just briefly allude to those parts of the summary in which I concur, and those from which I differ.

171. It will be seen that those parts I concur in annihilate entirely the plea set up by Mr. D'Monte to account for the paper A being with the confederates.

172. The story for the defence is, that Mr. D'Monte being in want of money to bring his family from Calcutta, applied about Christmas time to an agent of his, Samoo Pillay, to lend

See Samoo Pillay's deposition of 28th July at close.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

him the sum needed. Samoo Pillay informed him that though he could not himself lend him the money, he could obtain it from parties with whom he had dealings, and gave Mr. D'Monte two

See Samoo Pillay's deposition before Collector, dated 2nd June 1861.

See paper A.
On 25th or 26th, See Lallah Meah's deposition.

he wanted, and that he (Samoo Pillay) would negotiate his bill; that accordingly on the 25th January, Mr. D'Monte drew a bill on Negapatam Allagapa Chetty, and sent it by the hand of his servant Mooniandy, an ex-Masalchee of his

Do. do.

Do. do.

Also Mr. D'Monte's Memorandum to the Board marked G G G.

Cutcherry, in a letter to Samoo Pillay; that he gave particular directions to Mooniandy that he was to take care of the paper as it contained a bill, and was to return with all despatch; that having waited till the 28th January, and receiving no intelligence of his servant or of the bill, Mr. D'Monte on the 28th January sent a telegram to Samoo Pillay by his Peon Lallah Meah inquiring whether the bill had been received; that this peon having heard of the serious illness

See Lallah Meah's deposition.

Do. do.

Also Maruthay's deposition.

of his child at Negapatam, instead of sending the message went off by rail to that place and there ascertained that no letter had been received by Samoo Pillay from Mr. D'Monte, and that nothing had

See Maruthay's and Mr. Keyes's deposition.

been heard of Mooniandy at his house in Negapatam; that he returned on the 29th January and reported these circumstances to Mr. D'Monte, who on the next day, Saturday the 30th January, went off to Negapatam and there made inquiries for Mooniandy and sent for Samoo Pillay; that nothing could be learnt of Mooniandy but that he had gone to Tanjore; that Samoo Pillay stated he had received no bill; that Mr. D'Monte, on the evening of the 30th, sent a letter to the Police at Negapatam complaining of the absence of his servant and the loss of his bill; that this letter was turned

See Samoo Pillay's deposition before me, and Durmalingum's deposition before Mr. Cadell and that before me.

See Venkatasamy Naik's deposition.

See Coopandy's deposition before me.

By Coopandy's account on the 4th February, by Venkatasamy Naik's on Monday 1st February.

See Venkatasamy Naik's deposition.

See Venkatasamy Naik's deposition.

See Venkatasamy Naik's deposition.

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See Venkatasamy Naik's deposition.

See Venkatasamy Naik's deposition.

names, viz., those of Shikal Allagapa Chetty, and Vellapoliem Veerapa Chetty, as brokers on whom Mr. D'Monte might draw for the money

January, Mr. D'Monte drew a bill on Negapatam Allagapa Chetty, and sent it by the hand of his servant Mooniandy, an ex-Masalchee of his

gave particular directions to Mooniandy that he was to take care of the paper as it contained a bill, and was to return with all despatch; that having waited till the 28th January, and receiving no intelligence of his servant or of the bill, Mr. D'Monte on the 28th January sent a telegram to Samoo Pillay by his Peon Lallah Meah inquiring whether the bill had been received; that this peon having heard of the serious illness

message went off by rail to that place and there ascertained that no letter had been received by Samoo Pillay from Mr. D'Monte, and that nothing had

been heard of Mooniandy at his house in Negapatam; that he returned on the 29th January and reported these circumstances to Mr. D'Monte, who on the next day, Saturday the 30th January, went off to Negapatam and there made inquiries for Mooniandy and sent for Samoo Pillay; that nothing

could be learnt of Mooniandy but that he had gone to Tanjore; that Samoo Pillay stated he had received no bill; that Mr. D'Monte, on the evening of the 30th, sent a letter to the Police at Negapatam complaining of the absence of his servant and the loss of his bill; that this letter was turned

up by the Inspector who spoke the next day, Sunday 31st January, with Mr. D'Monte and obtained from him further particulars of his servant, but that he could find no traces of him at Negapatam and took no further steps in the matter than asking in some of the streets whether he lived there; that Samoo Pillay returned with Mr. D'Monte on Monday the 1st February to Tanjore, and that

Mr. D'Monte on reaching Tanjore sent his Peon Durmalingum to call Srinivasa Mudali and Chedumbara Pillay; that Mooniandy's father called on Mr. D'Monte on the afternoon of his

his son was almost in articulo mortis, as the native doctor would do nothing for him without money; that Mr. D'Monte gave him some money and told him that his son had received a paper from him (Mr. D'Monte), and begged

as the father did not return he (Mr. D'Monte) sent a peon to fetch him; that the peon could not find him; that he learnt from the father

that two public servants had been at the house in which his son had died, and had taken away a paper. This is Mr. D'Monte's story. Examined in detail and compared closely, especially with reference to the dates, it will be found to be full of inconsistencies and contradictions.

173. The evidence of the parties examined at the close of the case does not support, but is directly at variance with that of Mr. Chinnery and of others examined before me at its commencement, and I am compelled to admit that there is very much force, though perhaps the conclusions

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

are a little overstrained and the remarks are too severe) in the comments of the Prosecutor on the evidence of both Mr. Chinnery and Mr. Keyes, and he has, I think, satisfactorily shewn that the evidence of these witnesses is false.

174. It will be seen that Mr. D'Monte and Mr. Chinnery would attempt to show that Mr. D'Monte's first complaint to the Police was made while Mr. D'Monte was living at Tanjore in January; while the Peon Lallah Meah makes

See document G G G. and Mr. Chinnery's deposition.

See Venkatasamy Naik's deposition.

out Mr. D'Monte was at Vellum until the 29th January, on which day he went to Negapatam. Again, in regard to the Masalchee, he is said to have died on a Thursday the 4th February, and that it was the day he died that his father, according to his testimony, went to Mr. D'Monte; while Mr. D'Monte's Peon Venkatasamy Naik would make out his visit to be on the 1st February, a Monday. There are many similar discrepancies between the evidence of the several witnesses.

175. It is clear too that the statement made by Mr. D'Monte to the Board about the telegram, was not consistent with truth, and even if we could accept the statement of Lallah Meah, Mr. D'Monte is out of the mouth of his own witness, convicted of stating to the Board what he knew at the time was false.

176. If the evidence about the telegram, given by Lallah Meah, be true, Mr. Chinnery's testimony is false, for according to Mr. Chinnery's evidence Mr. D'Monte should have been at Tanjore when the telegram was said to have been sent from Vellum, and it will be seen too by a reference to dates, that the story in several parts of the last days and hours of the ex-Masalchee are not clearly interwoven; it is not sustained; it is not true.

177. However, the point in the case for the defence which appears to me most damaging to Mr. D'Monte is the flurry, the anxiety, the distress he wishes it to be believed he was thrown into by the loss of the paper A, and the measures he alleges he adopted to recover it. Having had much to do with the Finance Department, Mr. D'Monte could not have been ignorant of the true value of the bit of paper sent by him to Samoo Pillay, that until it was accepted by the Natkottai Chetty on whom it was drawn it was worthless; and that it was not likely the ex-Masalchee could have persuaded the Natkottai Chetty, even had he discovered him, to accept the paper and pay him the money, or have induced one of so respectable a class to collude with him in defrauding Mr. D'Monte. After therefore learning from Samoo Pillay that his letter had miscarried, it would have been enough for Mr. D'Monte to have requested Samoo Pillay to take steps for stopping payment of the paper, and to write to Allagapa Chetty to seize the party bringing the paper. By such a course he would have effectually prevented the bill from being cashed, and would have secured himself from any loss. Instead of this, we are told a telegram is sent, and Mr. D'Monte himself runs hither and thither. He puts the Police in requisition. He brings his agent Samoo Pillay from Negapatam, and on his arrival with him at Tanjore, he strangely, immediately sends for Srinivasa Mudali and Chedumbara Pillay. No search is made for the missing man at Tanjore or Vellum at first.

178. The natural course for one so impatient of the miscarriage of this paper as Mr. D'Monte pretends he was, would have been to have sent at once to Mooniandy's house at Vellum to inquire whether he was there, and where he had gone, than to have inquired at Tanjore, and lastly at Negapatam, and to have requested Samoo Pillay by a telegram or a letter by post, to take steps to have the Bill dishonoured.

179. If Mr. D'Monte's story were true that he had given the paper to the Masalchee, there was nothing in the non-return of the carrier of his letter in two or three days to render him so anxious and perturbed. All the machinery that he alleges he put into motion was far too cumbersome and unnecessary for the object in view. I am therefore forced to the conclusion that some and unnecessary for the object in view. I am therefore forced to the conclusion that though the paper was not given for the object stated by the Prosecution, Mr. D'Monte has not given us a correct account of its execution. The allusion too in Mr. D'Monte's letter to the Serishtadar (marked S) to the 27th January, as the date on which the Serishtadar had been plotting with an ex-salt servant against him, seems to indicate that he was aware of the visit of Chedumbara Pillay to the Serishtadar on that day, and the object of that visit.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

180. Though I do not agree in all that has been written by the Prosecutor in his summary, nor do I approve altogether of the tone and spirit adopted by him, still I cannot but agree in very many of his conclusions, in regard to the defence set up by Mr. D'Monte.

181. In addition to the incongruities regarding the dates noticed above, I quite think with Muttusamy Iyen* that the conduct of the deceased Masalchee, if Mr. D'Monte's story is true, was that altogether of a man unconscious

* Paragraph 7 of summary.

of having had in his possession any letter belonging to Mr. D'Monte, and that the conduct of Mr. D'Monte in respect of paper A was not such as to indicate a belief on his part between the 27th January and 5th February last, that his late Masalchee had the paper in his keeping on the grounds stated in the 10th and 12th paragraphs of the summary.

182. I also agree with him in opinion that Mr. D'Monte is not proved to have taken any adequate steps to trace his missing servant to his residence either at Tanjore or at Vellum, and that on his arrival at Tanjore from Negapatam, he seemed more anxious for an interview with the confederates than to find his note.

183. I also agree with the Prosecutor in the 13th paragraph of his summary, that Mr. D'Monte never sent a telegram, and that the statement he made to the Board that he had sent one was unfounded, and that he must have known it to be so when he advanced it.

184. I agree also in much that the Prosecutor has advanced in regard to Mr. D'Monte's statement that he solicited the aid of the Police to recover if possible, his document for him. I reject the testimony of both Mr. Chinnery and Mr. Keyes as utterly false. I cannot believe that had Mr. D'Monte made a real complaint to either of them, they would have treated it as lightly as they represent they did, or that they could have both destroyed his complaint. Mr. Chinnery had he received one, would have sent it on to the proper authority, and Mr. Keyes would have registered his and acted on it.

185. I agree in the remarks in paragraphs 14 to 17 of the summary. I do not think the observations and conclusions of the Prosecutor in paragraphs 18 to 27 at all justified, and I am of opinion that in these paragraphs he has indulged in irony and fanciful arguments which could have been omitted without disadvantage.

186. I agree in much that is advanced in paragraph 23 of the summary, and the conclusion of the Prosecutor that it is not probable that Mooniandy's father would have left the dying couch of his son to go and beg for money to pay the native practitioner. The case of the son must have appeared to all at the time the father is said to have gone out to beg, to admit of no hope of recovery.

187. I agree too in the reasoning and conclusion in paragraphs 29 to 36.

188. I cannot travel the whole way with the Prosecutor in the arguments in paragraphs 39 and 40, and I think he has quite bewildered himself in his attempts at reasoning in paragraphs 41 and 42.

189. I am not prepared to reject Samoo Pillay's statement (paragraphs 43 to 45) in regard to Shikal Alagapa Chetty, and I consider them every bit as worthy of credit, and even far more so than those of Srinivasa Mudali regarding Vellapolliem Alagapa Chetty.

190. I do not find that Samoo Pillay confounded Shikal Alagapa Chetty with Vellapolliem Alagapa Chetty. His replies to Mr. D'Monte's queries (document N.) clearly show he did not do so; but it was very natural for Mr. D'Monte to fall into this mistake though he had been in Negapatam for some years.

191. I do not understand the drift of the arguments in paragraph 47 *et sequitur*. I do not think the Prosecutor's ideas on this point are very clear. The document was drawn out in Alagapa Chetty's name, but the money drawn for might have been intended for Srinivasa Mudali, or for Mr. D'Monte. It is for the Prosecutor, if he will not accept Mr. D'Monte's explanation, to show for whom it was intended, which I consider he has entirely failed to do.

192. I cannot follow the reasoning of the Prosecutor in paragraph 49, and I consider his conclusions arrived at in that paragraph baseless.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

193. It was no doubt Mr. D'Monte's intention in drawing on Alagapa Chetty, to conceal the name of the party for whom the money included in the paper was intended, and the document being in Srinivasa Mudali's possession, raises a very fair presumption that it was given to him, unless the contrary is shown, which has not been done in this case; and the very attempt at a false explanation strengthens the presumption against Mr. D'Monte.

194. I question Srinivasa Mudali's desire to help Mr. D'Monte after his arrival at Vellum on the 14th January. I believe that all he did was with design and with the object of getting from Mr. D'Monte some written acknowledgment of money due, on which he might base a charge such as that which forms the subject of inquiry in this case. I give him no credit for gratitude; his whole conduct is adverse to his being possessed of, or being actuated by, any such high motive.

195. I cannot approve of all that has been said in paragraphs 51 to 53, but I believe Mr. D'Monte's plea put forward for the execution of paper A. was not the true one.

Mr. D'Monte was not called on as argued by the Prosecutor in paragraph 54 to state why he wanted money if it was a true plea that he had set up that he wanted it.

196. The remarks in paragraph 56 are aimless and pointless.

197. I quite agree with the Prosecutor in paragraph 58 that neither Srinivasa Mudali, nor Chedumbara Pillay have truly given the motives which led them to produce paper A. before the Collector, and I think he has portrayed with much force and truth the motives which may have actuated these men in the part they have taken in the case, in paragraph 59, but I cannot see that it has been anywhere shown in the record that paper A. was a receipt.

198. Nor do I see any basis for the idea which is set forth in paragraph 59 as being the one which led Mr. D'Monte to write his letter II to the Collector on the 27th January. On that day Chedumbara Pillay had been to the Collector, and probably Mr. D'Monte knew this and therefore wrote.

199. I have already in my letter alluded to my view of the Serishtadar's conduct. I cannot endorse all that is said of this officer by the Prosecutor. His ability and precision are known to all. Had he been thoroughly conscientious, would he have faltered in his evidence, or shown such weakness of memory as he has shown? both these, his reticence in one point and his weakness, feigned or admitted, in another, raise a presumption not very favorable to his character.

200. Having reviewed at some length the evidence for the Prosecution in regard to the payment of the bribes, I do not feel it necessary to follow the Prosecutor in his remarks on this part of the case. I totally differ from him in his conclusions.

201. I have now, I believe, said all that I need on this case. I have stated at length my reasons for discrediting the evidence for the Prosecution in the three parts of this case, and shewn why I believe the evidence got up and fabricated.

202. It would have been very pleasant to me had the matter ended here, and could I have recorded my verdict that Mr. D'Monte was honorably acquitted, and that his conduct was cleared as far as this case was concerned, of all stain and reproach, but I have had to consider the explanation given by Mr. D'Monte for the paper A being in possession of the confederates, and to review the evidence adduced by him to prove that he had drawn it out in order to raise money to send for his family from Calcutta. I am constrained to admit that I cannot accept his explanation, and that I believe the whole of the story set up by him is false, and that he has been corrupting his servants and underlings and others to induce them by false evidence and perjury to support his cause.

203. That Mr. D'Monte felt he had made a false move in giving the paper A to one of the confederates, that he believed himself to be persecuted and hunted by the Collector and his establishment, that he felt perhaps he had laboured unceasingly and with purity of intention and act

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

in forwarding to the best of his power the public weal, cannot justify his conduct or the course he has pursued in this case, in getting up false evidence to establish the false explanation he had offered to the Collector and the Board of the cause of the execution of paper A. It must rest with the Government to determine how he shall be dealt with for the offence committed by him, it may have been in much weakness, yet I must add, with much deliberation.

204. I cannot pass from these cases without recording my high opinion of the conduct and character of the Prosecutor in this case. He has filled a most invidious situation, being called on to prosecute a brother officer, and one standing above him in the list of Deputy Collectors. He has laboured unceasingly to discharge himself of his duty in a conscientious and just manner, both towards the Government, his immediate superior, and the accused. I beg it may be distinctly understood that I do not believe him to be at all concerned in getting up this case, or any part of it. He was called on officially to conduct the Prosecution only a few days before my arrival at Tranquebar, and he has simply acted officially in laying before me all the evidence placed before him. His ability I need not dwell on; it is shown in his abstract and reply. He is an officer who bears, and justly so, a very high character in the Tanjore District. I have to acknowledge myself very much indebted to him.

205. I regret these remarks should have extended to so great a length; but I did not feel I could do justice to this difficult and intricate case by curtailing them.

206. I have also to apologize for the delay which has taken place in submitting this report.

207. The evidence for the Prosecution was closed on the 12th September, and the Prosecutor's summary was delivered in on the 16th September. Mr. D'Monte's case was taken up as soon as ready, on the 16th September, and was closed on the 20th September. Mr. D'Monte's defence was put in on the 26th September, and the Prosecutor's closing remarks on the 17th October. These were given me on the eve of my leaving the Tanjore District. I have but one writer, and it is difficult to prepare materials, or to copy my papers in the hurry of marches made in the midst of rain and storm. I hope therefore that though there has been delay, it may be leniently viewed under the explanation above recorded.

List of papers connected with the 4th Charge.

- 17 Depositions taken before the Collector.
- 45 Depositions before Mr. Clarke (five for the Defence).
- Prosecutor's Summary.
- Defence.
- Reply of the Prosecutor.
- Mr. Clarke's Report on the case.

List of documents filed.

- A.—Mr. D'Monte's receipt for 410 Rupees.
- B.—Srinivasa Mudali's statement before Mr. D'Monte in Ramalinga Taven's case.
- C.—Do. Regarding Ramachenda Row's examination of Salt heaps at Vedarniem.
- D.—Depositions of Ramalinga Taven and Srinivasa Mudali before the Collector.
- E.—Receipt given to Srinivasa Mudali by Peon Rungasawmy.
- F.—Do. do. by Veerasawmy Naick.
- G.—Do. do. by Paramanan.
- H.—Do. by Srinivasa Mudali for December's pay.
- I.—Do. to Vedarniem Rungasawmy Naick by Vyapoori Asari.
- J.—Letter (olai) written by Srinivasa Mudali to V. Rungasawmy Naick.
- K.—Receipt given by Peon Rungasawmy Naick for having drawn Srinivasa Mudali's pay for December.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

- L.—Abstract of the pay of the Vedarniem salt establishment for November.
- M.—Account filed by Samoo Pillay regarding his dealings with Allagapa Chetty.
- N.—Statement of Samoo Pillay before Mr. D'Monte.
- O.—Mr. Keyes's letter to Mr. D'Monte, dated 25th June 1864.
- P.—Mr. D'Monte's letter to Mr. Chinnery, dated 6th February 1864.
- Q.—Mr. Chinnery's letter to the Head Quarter Inspector, dated 2nd July 1864.
- R.—Mr. Chinnery's letter to Mr. D'Monte, dated 23rd June 1864.
- S.—Mr. D'Monte's letter to the Sheristadar, dated 2nd February 1864.
- T.—Proceedings of Government, dated 6th July 1864, in favor of the Sheristadar.
- U.—Do. 13th May 1864, do. do.
- V.—Copy of Mr. Morris's letter dated 2nd April 1863, do. do.
- W.—Do. paragraph 45 of Mr. Morris' Jamabundy Report, dated 7th August 1862, in favor of Sheristadar.
- X.—Copy of Mr. Ballard's letter of 13th May 1862, in favor of Sheristadar.
- Y.—Board's Proceedings of 17th July 1861, do. do.
- Z.—Mr. D'Monte's application to Treasury Deputy Collector, for the advance of his pay for January.
- AA.—Mr. D'Monte's letter to Collector for the advance of his pay for January.
- BB.—Mr. D'Monte's letter to Collector, dated 29th January 1864.
- CC.—Do. do. 6th February „
- DD.—Proceedings of the Collector, 10th do. „
- EE.—Collector's letter to Mr. D'Monte, 12th do. „
- FF.—Mr. D'Monte's answer to the above, 12th do. „
- GG.—Mr. D'Monte's letter to the Collector 13th do. „
- HH.—Proposal of Mr. D'Monte for the re-organization of the Salt Department.
- II.—Mr. D'Monte's letter to the Collector, dated 27th January 1864.
- JJ.—Collector's note of Srinivasa Mudali's deposition.
- KK.—List of witnesses put in by Mr. D'Monte, dated 20th July 1864.
- LL.—Do. do. „ 23rd July „
- MM.—Do. do. „ 26th August „
- NN.—Do. do. „ 31st do. „
- OO.—Salary receipt books of the Salt Deputy Collector's Office.
- PP.—Do. do. do.
- QQ.—Order to Negapatam Peishcar appointing Ramasawmy Naick as Peon at Vedarniem.
- RR.—Order to Sendalai Peishcar dismissing Peon Lallah Meah for being concerned in a theft.
- SS.—Order to Neidavasal Peishcar fining Peon Lallah Meah.
- TT.—Do. do. transferring Peon Lallah Meah to Arasanagherry.
- UU.—Mr. D'Monte's letter to the Collector regarding the arrangement of his establishment.
- VV.—Mr. D'Monte's order to the Head Clerk regarding the establishment.
- WW.—Mr. D'Monte's order to the Sendalai Peishcar appointing Deloyet Vencatasawmy as Amin.
- XX.—Mr. D'Monte's order to Arasanagherry Peishcar appointing Vencatasamy as Acting Amin.
- YY.—Mr. D'Monte's order to Negapatam Peishcar appointing Vencatasami Naick as Amin at Negapatam.
- ZZ.—Mr. D'Monte's appointing Vencatasamy Naick as Amin at Vedarniem.
- AAA.—Do. to Head Clerk appointing Maruttay Deloyet and Muniandy Masalchee.
- BBB.—Do. appointing Ramasamy Pillay as a writer.
- CCC.—Collector's do. to Superintendent of Negapatam, suspending Ragaviengar on suspicion.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

DDD.—Collector's do. to Superintendent of Negapatam, suspending Ragaviengar for three months.

EEE.—Collector's Yadast to Salt Deputy Collector, dated 27th March 1863.

FFF.—Mr. D'Monte's Circular to salt Peishcars.

GGG.—Mr. D'Monte's Memorandum of explanation to Board of Revenue.

HHH.—Mr. D'Monte's statement before the Collector.

III.—Muttusamy Iyer's letter, dated 26th October 1864, regarding Ragaviengar's suspension.

JJJ.—Muttusamy Iyer's letter, dated 8th November 1864, regarding Ragaviengar's suspension.

149.—Cadjan leaves, forming Pitchu Shastry's accounts.

SHAILGOODY,

12th November 1864.

(Signed) T. CLARKE,
Member, Board of Revenue.

1. Ordered that the above reports of the result of the inquiry held by Mr. Clarke under the orders of Government, into the charges brought by the Collector of Tanjore against Mr. D'Monte, Deputy Collector of that District, be submitted for the consideration and orders of Government.

2. It appears altogether unnecessary for the Board to add, by any lengthy remarks, to the very elaborate analysis of the evidence on each charge contained in Mr. Clarke's letters above recorded.

3. It seems sufficient that they should state the nature of each charge, Mr. Clarke's finding thereon, and their own opinion founded on consideration of the record and of Mr. Clarke's remarks.

4. The first charge against Mr. D'Monte is that at Verdarniem during the years 1861-62 and 1863, he systematically and knowingly, and with a view to serve his own purposes, permitted excess salt to be stored in the heaps, in direct contravention of the standing rules for the Salt Department.

5. Mr. Clarke finds that salt was stored in excess in the years and place in question, under a vicious system of measurement prevalent in the District long before Mr. D'Monte joined it; that Mr. D'Monte was not sufficiently alive to the evils of the system when it came to his knowledge, and did not adopt adequate measures to stop it, but that there is nothing to warrant the inference that he was actuated by corrupt motives in the course of inaction that he adopted.

6. The Board concur in this view. The evil of over-measurement in storing was widespread and of long standing, and stringent orders had been issued forbidding it. The practice at Vedarniem may have been intended either to conceal excessive wastage, or to induce a more rapid sale of entire heaps; but without imputing corrupt motives to the Deputy Collector, the Board consider that his conduct was very reprehensible in countenancing if not encouraging the continuance of the practice.

7. The second charge against Mr. D'Monte is that in 1862-63 he allowed new salt to be sold at Negapatam and Vedarniem when old salt was on hand, contrary to standing rules and to the instructions of Mr. Morris, the then Acting Collector, and that in so doing he favored certain parties to the exclusion of the trade generally.

8. Mr. Clarke finds that new salt was sold while old salt was on hand; that Mr. Morris's instructions that the old and new salt were to be sold in equal proportions to individual purchasers were not strictly maintained; that the infraction was most marked in the case of certain firms, with individual members of some of which firms Mr. D'Monte had pecuniary

Venkatesa Chetty & Co.
Toppaya Pillay & Co.
Oliver & Co.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

dealings, but that on the other hand these firms from their larger capital necessarily had the largest transactions in the salt trade, and that it does not appear that any other merchants complained of undue favor being shown to them, or were unable to procure salt on the conditions prescribed by Mr. Morris.

9. Mr. Clarke does not consider Mr. D'Monte's conduct in this matter to have been satisfactory, or perfectly pure, disinterested and honest, in view of the unexplained favoritism to an individual (Venkatesa Chetty), with whom he had pecuniary dealings.

10. The Board concur in this view, although they have some doubt as to how far Mr. Morris intended that his instructions should form an invariable rule.

11. They also attach considerable weight to the fact, which is in Mr. D'Monte's favor, that the old salt at Negapatam was being rapidly disposed of in retail sales.

11. The third charge is that in 1862 and 1863, Mr. D'Monte fraudulently and to serve his own purposes, allowed the wholesale purchasers of salt at the stations of Vedarniem and Adrampatam to retail the same on the platforms.

13. Beyond the fact that Mr. D'Monte was somewhat remiss in strictly enforcing the orders for the gradual removal from the platforms, within a limited time, of salt purchased wholesale, Mr. Clarke entirely acquits him of this charge, and the Board fully concur in this acquittal.

14. Mr. Clarke, however, notices that one transaction with the same individual, Venkatesa Chetty, already mentioned was a highly improper piece of favoritism.

15. The fourth charge, which forms the subject of the second letter, is that in 1863 in prospect of the revision of the Salt Establishments Mr. D'Monte corruptly and for his own purpose received certain sums of money amounting in the aggregate to Rupees 430 or thereabouts through one Srinivassa Mudali as a consideration for retaining certain parties on the new Establishment.

16. The case according to the prosecution involves three distinct sets of circumstances:—

1st. The payment of the bribes.
2nd. The subsequent restitution of part by Srinivassa Mudali to three Peons.
3rd. The execution by Mr. D'Monte of a certain paper (document A.) which had for its object to place Srinivassa Mudali in funds to re-pay the whole of the bribes, the payers of which had become clamorous.

17. This document is in the form of a promise to pay the sum of Rupees 410 to Natkotian Alagappa Chetty of Negapatam for value received, and is in the handwriting of, and signed by Mr. D'Monte, who admits its authenticity, but assigns a totally different reason for its execution.

18. The principal witness in this case is Srinivassa Mudali himself, and the record of the inquiry and analysis of the evidence by Mr. Clarke is most full and voluminous.

19. Mr. Clarke rejects the charge against Mr. D'Monte of receiving bribes as utterly groundless, and considers that the whole case has been got up, and that the evidence for the prosecution is fabricated and worthless.

20. He, however, is compelled also to the conclusion that Mr. D'Monte's account of the circumstances connected with the document A. is false, and that he has corrupted his servants and underlings and others to induce them by false evidence and perjury to support his cause.

21. Mr. Clarke believes that Mr. D'Monte was tricked into giving the paper, and then feeling that he had made a false move, deliberately adopted the course of endeavoring by false evidence to establish the false explanation he had offered of the cause for its execution.

22. The Board, on full consideration of the papers, concur with Mr. Clarke in both his conclusions. They acquit Mr. D'Monte of the charge laid against him, but they believe that he deliberately attempted by false statements and false evidence to explain away the execution of the paper A., and the circumstances under which it got into the hands of Srinivassa Mudali.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

23. They are not called upon to express any opinion as to the manner in which Mr. D'Monte should be dealt with for his conduct in consideration of the circumstances of the case.

24. They are of opinion that the two persons, Srinivasa Mudali and Chedumbara Pillay, are according to their own shewing unworthy of retention in the public service; that the witnesses, Ragaviengar and Ramasawmy Pillay, have been hardly treated, and should be restored to their former position; and that the conduct of Messrs. Chinnery and Keese of the Tanjore Police requires further notice by the Inspector General, although one of these individuals has already been convicted criminally in another case.

25. The Board have carefully considered Mr. Clarke's remarks on the conduct of Vencasawmy Row, the Collector's Sheristadar, in connection with document A. They observe that the Sheristadar may have been remiss in not at once reporting to the Collector the result of his first interview with Chedumbara Pillay, but this is not, the Board think, a sufficient foundation for the conclusions which Mr. Clarke has built upon it. They are of opinion that the statement made by Vencasawmy Row to the effect that he did not see the document A. at his first interview with Chedumbara Pillay must, in the absence of any evidence to disprove it, be accepted as true.

26. In the fifth case Mr. D'Monte is charged with having had improper pecuniary dealings in the years 1862 and 1863, with certain firms trading in salt under the names of Venkatesa Chetty and Co. and Oliver and Co.

27. Mr. Clarke finds it proved that Mr. D'Monte had pecuniary dealings with Venkatesa Chetty after the establishment of the Salt firm, of which he was the chief and active partner, and that Mr. D'Monte's statement that Venkatesa Chetty had been his banker for a long time previous to the establishment of the Salt firm was untrue, and made for the purpose of misleading the Board.

28. Mr. Clarke views Mr. D'Monte's pecuniary dealings with an individual brought into such intimate relation to him in his official capacity, as highly improper and seriously irregular, but does not find it proved that the transactions otherwise partook of any thing suspicious or improper.

29. The Board concur in Mr. Clarke's view of this case.

30. The sixth charge is that in 1863, when about to go on leave to Calcutta, Mr. D'Monte did fraudulently, and with a view to show undue favor to one Sheik Tumbi Mercoyan, pass an order making over to him 500 salt pans in Adrampatam, notwithstanding that he had been told, that the right of certain other parties to these pans was then under inquiry, and that he professed to be waiting for the Collector's orders on the subject.

31. Mr. Clarke acquits him of fraud or favoritism in this matter, and of any act of wrong or injustice to others. He, however, blames him for passing an absolute order in the matter, instead of seeking the Collector's confirmation of his proposals, but ascribes his error to want of judgment and impetuosity in action.

32. The Board also acquit Mr. D'Monte of the charge, but are disposed to doubt whether his conduct in the matter was deserving of such lenient consideration as Mr. Clarke has shown to it.

33. The seventh charge is that in 1863, on a false and fraudulent recommendation of which Mr. D'Monte himself was the author, he (Mr. D'Monte) passed an order making over to one Ramalinga Taven 600 salt pans in the village of Adrampatam, the right to the pans in question being then under inquiry, and Ramalinga Taven having no right whatever thereto.

34. Mr. Clarke finds no ground whatever for the imputations raised in this charge, and rejects the evidence adduced in support of it as wholly false and fabricated.

35. The Board consider that this charge was very properly rejected.

36. With these remarks the Board submit the whole case against Mr. D'Monte for the decision of Government. Mr. Clarke's laborious and exhaustive investigation leaves nothing to be desired in the way of materials.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

No. 200. From W. M. CADELL, Esq., Collector of Tanjore, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Tanjore, 17th December 1864:—

Sir,

1. I have just been furnished with a copy of the Proceedings of the Board of Revenue dated the 10th instant, on the report of Mr. T. Clarke, made on the case of Mr. A. D'Monte Deputy Collector late in charge of the Salt Department in this District.

2. In the case (charge No. 4) the tone of that report is so exceedingly offensive, and seems to throw such discredit on the conduct of the Prosecution, that I trust the Government, before arriving at their decision on the matter will allow me to offer a short explanation, and which will be forwarded at furthest in five days from this date.

No. 201. Proceedings of the Board of Revenue, dated 4th January 1865.

Read letter from the Collector of Tanjore, dated 23rd December 1864, No. 401, submitting his remarks on the report of Mr. Clarke on the result of the investigation held by him in the matter of the charges brought against Mr. D'Monte.

1. Ordered that this communication be transferred to the Secretary to Government in the Revenue Department, Mr. D'Monte's case being now before Government.

2. The Board consider the tone of Mr. Cadell's letter to be most objectionable, and that the course he has adopted in regard to the proceedings of a superior Officer charged by Government with quasi judicial functions, is in the highest degree improper and unbecoming.

From W. M. CADELL, Esq., Collector of Tanjore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated Tanjore, 23rd December 1864, No. 401.

Sir,

1. I have only been recently furnished with a copy of Mr. Clarke's report on the result of the investigation held by him in the matter of the charges brought against Mr. D'Monte; under ordinary circumstances, I should not have felt myself called upon to trouble the Government or the Board with any remarks on that report, but it is so full of recriminations and insinuations against the Prosecution, and the whole tone thereof is so offensive and acrimonious, that in justice to myself and to the manner in which the Prosecution has been conducted, for which I am solely responsible, I feel compelled to offer a few brief remarks on case No. 4.

2. In fact, I submit, that it is impossible to view the report in any other light than an attempt to throw doubt and discredit on the Prosecution; throughout, insinuations and recriminations of the severest nature are most freely indulged in, and the conclusions which Mr. Clarke arrives at, are 1st, that Mr. D'Monte was tricked into giving a certain document to Srinivasa Mudali; and 2ndly, that evidence was "got up" in support of this charge of bribery. It is true, that these charges are mere opinions, or I might more properly call them conjectures of Mr. Clarke's; but as they have been advanced, I submit Mr. Clarke was bound at least to demonstrate they were based on some show of evidence; what the nature and value of this evidence, really is as exhibited in Mr. Clarke's report, I shall now proceed to show.

3. It is in the first place to be borne in mind, that the whole fabric of the hypothesis so ingeniously started by Mr. Clarke rests on the assumption that Srinivasa Mudali's object in demanding payment, after he had obtained the document A, was to produce the money thus given as evidence against Mr. D'Monte, for if this assumption is not sustained, the fact of Srinivasa Mudali having pressed for payment is in itself conclusive to show that what he (Srinivasa Mudali) wanted was the payment of a debt, not evidence. Now, is it at all natural or reasonable to suppose that, as a matter of evidence, anyone in his senses would prefer having mere coin to a written instrument in Mr. D'Monte's own handwriting, the genuineness of which is not and cannot be denied, and which, moreover, was drawn out in the name of one who,

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

while he was unknown both to and by Mr. D'Monte, was yet a friend and neighbour of Srinivasa Mudali himself? It cannot for a moment be supposed, that it would have been practicable for any one to secure both the document and the money which had been given as an equivalent for the same, and certainly, Mr. D'Monte, who was so cautious as to disguise (according to Mr. Clarke's own view) the real character of the transaction and the real name of the party for whom the document was intended, would never have paid the consideration for the document without getting the same returned to him. Mr. Clarke's own theory does not admit of its being doubted that the person in whose name the document was given, must be some one connected with Srinivasa Mudali, and there could therefore have been no difficulty in proving the connection of that party with Srinivasa Mudali.

4. How then was it that coin was considered an effective substitute for a written instrument, is explained by another hypothesis equally ingenious, and which hypothesis is according to Mr. Clarke, that the Serishtadar and others having previously seen the document, their testimony as to the fact of its having been in existence would have supplied the place of the document itself, and this together with the production of the coin was to be adopted as conclusive evidence of bribery against Mr. D'Monte; but supposing that the coin had been obtained and produced, would not Mr. Clarke again have been equally ready with another hypothesis, viz., that the Serishtadar had furnished both the money and the testimony? I submit, however, that Mr. Clarke had to deal with evidence and not with hypothesis, however subtle and ingenious, and yet, it is on the basis of a mere hypothesis that Mr. Clarke brings to bear his experience of native ingenuity, which would give up in preference to coin not only a written instrument, but also jewels offered by Mr. D'Monte's friend and Cashier, Samoo Pillai.

5. It was to accomplish this extraordinary and ingenious aim that (according to Mr. Clarke's hypothesis) time is given by the Serishtadar and to whom (it is again assumed without a particle of evidence, but on the strength of a mere conjecture), that intimation was conveyed without "breathing time" being allowed of the fact of the document (A) having been obtained from Mr. D'Monte, and the document itself shown. This again is hazarded as an explanation of the occurrence of an interval of ten days between the 26th January (the day on which the document was obtained), and the 5th February (the day on which it was produced before me), and which interval would not otherwise tally with Mr. Clarke's hypothesis, that it was obtained in order to be produced before myself. It is scarcely necessary to point out, that to a mind of ordinary understanding, there is nothing so inexplicable or unaccountable in the fact of the document not having been immediately produced, and after all it is the merest conjecture that the document was obtained only to be put in as evidence.

6. But apart from all hypothesis and conjectures, I would beg for a moment to direct attention to the production of the document (A) with reference to surrounding circumstances. Srinivasa Mudali, as a strongly suspected accomplice in the delinquencies of his master, conceives himself to be in danger of losing his situation; he has probably told by Chedambaram Pillay (and who, beyond all question, was actuated by self-interested motives only) that if he made a clear breast of every thing, his own delinquencies might be lightly passed over, or be leniently dealt with; again, the leave of absence granted to Mr. D'Monte for six months to proceed to Lucknow, had appeared in the Gazette of the 2nd February, and was generally known in Tanjore on the 4th; it was further at the time generally believed that Mr. D'Monte did not intend to return to Tanjore; and I would ask therefore, is there anything so very improbable in the fact of Srinivasa Mudali being led to conclude that the payment of the money owing to him was exceedingly doubtful, and thus induced to produce the document A.

7. This document, it is to be observed, Mr. Clarke assumes to be a hundi or cheque, and on this assumption argues that the fact of its not having been taken to the supposed drawee for acceptance, shows that it was obtained not to secure payment of money, but in order to be used as an evidence against Mr. D'Monte. I beg, however, particular attention to the wording and tenor

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

of this document A, and I would ask, can such a document be called a hundi. The document runs thus:—

Received from Nattukottai Alagappa Chetty, resident merchant at Negapatam, the sum of Rupees (410) four hundred and ten, promising to pay the same in two months from this date.
(Signed) A. D'MONTE.

VELLUM.
25th January 1864.

Can such a document be considered otherwise than a Bond? Does it amount either in form or in substance to any thing except an acknowledgment for the receipt and a promise for the repayment of money? Further, it is to be observed, this document was obtained by Srinivasa Mudali to secure a future payment by Mr. D'Monte, and its having been drawn out in the name of Alagappa Chetty, the friend and neighbour of Srinivasa Mudali, was, as admitted by Mr. Clarke himself (paragraph 193), a contrivance adopted by Mr. D'Monte's own seeking with a view to disguise the transaction as being between himself and Srinivasa Mudali. Such being the case, what necessity existed for Srinivasa Mudali taking the document for acceptance? and the fact of Mr. D'Monte being never known to the said Alagappa Chetty, and not having had any assets or deposits, in his hands, at once negatives the supposition that the document was, say hundi.

8. But further, as to the supposition of Mr. Clarke, that Mr. D'Monte, in order to be made a victim of, was tricked into giving the document A; I will not attempt to follow that gentleman in his ingenious chain of conjectures and hypothesis, and on which his conclusions are built up. I would only ask, is this at all likely when taken into consideration with Mr. D'Monte's previous character and conduct; about the very time he must have been so duped, it is shown, he was manufacturing evidence on his own account? And is it therefore at all probable that a person of Mr. D'Monte's natural shrewdness, and after a 30 years experience of official life, would allow himself to be made the dupe of a low subordinate of his own, holding a situation of the value of Rupees 10 monthly, and give to that subordinate a written document without any consideration whatever? Does Mr. D'Monte's conduct throughout this matter show such thoughtlessness and simplicity as would warrant the conclusion that he is capable of being so deceived and tricked? Let the sequel show. When Mr. D'Monte found that from want of funds, his efforts to induce Srinivasa Mudali to give back the document (A) failed, what does he do but write a menacing note to the Serishtadar with no other conceivable object in view than with the intention of using the same when he might be called to account for his having executed the document. Again, the moment he hears the document is actually produced before me, Mr. D'Monte writes to his intimate friend and associate Mr. Chinnery, referring to an alleged former communication on the same subject, but which had in point of fact no existence, and telling him (Mr. Chinnery) not to be uneasy regarding the loss of the document, a loss concerning which, he (Mr. Chinnery) was hereafter to give evidence. In this letter he says, "I am greatly relieved in mind about this, and I have addressed my Collector for it. I have also written to Negapatam." In accordance with this last intimation Mr. D'Monte further writes to Mr. Keyes, another friend, and Head Constable at Negapatam, and in this communication likewise alludes to a former one but which also turns out to have had no existence. Meanwhile, however, Mr. D'Monte's Clerk and protégé Ramasawmy Pillay is being prepared to give evidence regarding the document alleged to have been lost, and to state that it was drawn out for the purpose of raising money to send to his family at Lucknow, while other witnesses are got ready to prove that the document was entrusted to an Office Massalchee, then just deceased, to be taken to Negapatam for negotiation. A woman living at Tanjore and who could have had no idea of what the Salt Department was, is said to have stated that two men and who "looked like salt servants" had been to see the deceased Salt Massalchee when on his death bed.

9. I ask, therefore, can any reasonable man even for a moment suppose that one capable of so much trickery and intrigue, was likely himself to be so easily entrapped.

10. On such a hypothesis, however, Mr. Clarke bases his opinion that the charge against Mr. D'Monte is a got up one, and then proceeds to "conjecture" how, according to his ideas, the

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

case has been so got-up. I will not, however, weary the Government or the Board by any lengthened remarks on the analysis of the evidence as contained in Mr. Clarke's report. I would only beg particular attention to a few brief notes which I have entered in an interleaved copy of that report.

11. I cannot, however, in this place but respectfully call attention to the tone and tenor of the report itself; throughout, it breathes the spirit of the advocate, not the calm and dignified tone of the judge; Mr. Clarke's conclusions are throughout based on the vaguest hypothesis and conjectures, and it will be observed these are in every single instance unfavorable to the Prosecution. On the other hand, no arguments are allowed to have weight if directed against the accused, but such as have the force of demonstrations; while in the case of the Prosecution, the most strained inferences and conjectures are sufficient to warrant the harshest conclusions. Every discrepancy in the evidence for the Prosecution, be what it may, is shown to support Mr. Clarke's own theory; if it obviously favors his views, it is at once accepted and admitted; but if it does not, it is made to be the result of design, and so still serves in some way or other to strengthen his theory; when it is found impossible to uphold Mr. D'Monte, Mr. Clarke's language is mild and temperate; but when he denounces the Prosecution, it is in the severest and most acrimonious terms. But on this point, I forbear saying more. I would only beg further to draw the attention of the Board and Government to the utterly unwarrantable treatment received by my Serishtadar at the hands of Mr. Clarke though indirectly.

12. Mr. Clarke pretty plainly insinuates that this Officer has been guilty of forgery and perjury, and though he does not say it in so many words, it is clear that in Mr. Clarke's own mind, the Serishtadar has been the master-mind in getting up the case. On referring to Mr. Clarke's own remarks, it will, however, be found that the only semblance of a fact on which he builds up his hypothesis against the Serishtadar is, that he allowed two days to elapse before communicating to me the information he received from Chedumbaram Pillai touching the execution of the document A by Mr. D'Monte. Mr. Clarke lays the greatest stress on this alleged delay, contrasts it with what he calls the Serishtadar's promptitude and rapidity of action in other cases, and finds it impossible to account for it in any other way but on the conjecture of his being concerned in the supposed plot against Mr. D'Monte. If this ground for insinuation be removed, Mr. Clarke's expressions would have no basis whatever to stand on. The Board while accepting Mr. Clarke's statement of facts, have yet found it impossible to concur in that gentleman's conclusions. I deem it, however, my imperative duty to show that even these facts have in reality no substratum of truth.

13. Mr. Clarke alleges that the Serishtadar made an unaccountable delay in reporting to me the nature of the communication made to him by Chidambara Pillai. The communication thus made to the Serishtadar was beyond all question given on the morning of the 27th January, Wednesday, and was reported to me either on the next day, Thursday the 28th (the usual report days of the Serishtadar being Monday and Thursday), or owing to the fact of my being engaged in Tanjore with the Assistant's Examination, it may possibly have been Friday, the 29th. I am, however, under the impression that the Serishtadar's report was made as usual on the Thursday, though I cannot be positive on the point. At the most, however, the delay did not exceed two days, and it must be remembered that my report on Mr. D'Monte's administration of the Salt Department had been despatched on the 18th January some ten days previously. This alleged delay is contrasted with the assumed promptitude of the Serishtadar when he discovered among the records Mr. D'Monte's order in connection with the 7th charge, and with an alleged equal celerity in communicating certain information given by Teagaraja Pandaram. But in neither of these cases, is there a particle of evidence to show what Mr. Clarke would seem to assume. In the first of these cases, the only evidence forthcoming is the Serishtadar's own deposition and in which nothing is said further than that he (the Serishtadar) communicated the matter to the Collector, and not that he communicated it *so soon* as he had received it.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

14. In the case of Teagaraja Pandaram, that officer had come to see me as usual on the 1st January, and on the 2nd he went on to Vellum, where he saw the Serishtadar; this was Saturday, and the following day being Sunday, the Serishtadar could have reported the nature of the communication made to him by Teagaraja Pandaram only on Monday the 4th, the usual report day—a presumption which is further strengthened by the fact that the orders for the attendance of the parties named by him bear the last mentioned date.

15. It will be thus seen, that in the cases referred to by Mr. Clarke, there was no such "celerity" or "promptitude of action" on the part of the Serishtadar as has been most unfairly assumed, and even if there was, it is to be observed, that in the cases referred to, the information was given by a public servant, the next highest in standing to the Deputy Collector himself; while in the case of the document A, the information volunteered, was given by a party whose statements had to be received with the greatest caution and circumspection.

16. Mr. Clarke again alludes to the fact of no active measures having been taken by the Serishtadar after Mr. D'Monte's menacing letter of the 2nd February, as another proof of the Serishtadar's being concerned in the plot against Mr. D'Monte—a strange course of reasoning certainly; but in this case it is clear, that no blame attaches to the Serishtadar, he having put the letter at once into my hands, and the blame therefore, if any, must rest with myself, and with myself only.

17. Mr. Clarke again (paragraph 54) disclaims his having been in any way influenced by any remarks of the accused in arriving at his views of the conduct of the Serishtadar, and states that these have been formed solely from the nature and character of his evidence as given before him. I would respectfully ask does this evidence bear Mr. Clarke out in stating that "he sees reason to believe that the Serishtadar must have seen Chidambaram Pillai, if not Srinivasa Mudali, before the execution of the Bond;" and again, "that Chidambaram Pillai went to the Serishtadar immediately he got the paper A, and took his advice as to how he should act in regard to it;" and "further fears that he may have compromised himself by permitting Chidambaram Pillai to believe that he would be rewarded by a situation if he brought home guilt to Mr. D'Monte, and may have suggested the best line to take, if he did not actually give any promise to them of reward." Again, Mr. Clarke throws out a whole host of insinuations against the Serishtadar such as that, the sum for which the document A, was given, may have meant hush money to the Serishtadar; that the Serishtadar appointed a very clever Brahmin to Vedarniem (paragraph 22) in order to concoct evidence against Mr. D'Monte.

18. With reference to this latter statement I would respectfully ask on what authority Mr. Clarke considers himself warranted in making this bitter and insulting insinuation against the Serishtadar, but which is in effect a direct insult to myself, it is impossible to perceive. Mr. Clarke takes it for granted that every appointment made in my office is made by the Serishtadar and hence draws his inference that in this case, the appointment was made with a view to get up evidence. Is this fair either to myself or to the Serishtadar? I respectfully but emphatically deny the authority of Mr. Clarke to build up theories of this nature. Has he produced, or is he able to produce an iota of evidence to show that the Clerk he alludes to, had any thing to do with the witnesses that came from Vedarniem? Or has he any thing to show that there was the very remotest connection, or even acquaintance between him and the witnesses? Was this fact at least put in evidence by the accused (Mr. D'Monte)? Is he justified after the close of his investigation and during his tour through the District in collecting materials in this way and in using them against the Prosecution without giving it an opportunity to relent the inference sought to be drawn from them? Judged by such conjectures and insinuations as the above, no Serishtadar or any other public servant, can for a moment be safe. Mr. Clarke, while he is so indignant at the idea of Mr. D'Monte being condemned on what he terms mere rumour, report, and surmise, (vide paragraph 64) is not slow to seize the fact of a clerk in my office being employed at a particular place and to build up on that fact the conclusion that the evidence of the witnesses who came from that place must necessarily be got up by him and

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

by the direction of the Serishtadar. On the appointment of this Clerk I beg also to call the attention of Government to my remarks on Mr. Clarke's Salt Report about to be submitted to Government.

19. But if any further proof were wanting of Mr. Clarke's animus against the Serishtadar, it will be found in paragraph 6 of Mr. Clarke's report on case No. 5, where Mr. Clarke again conjectures that the same scheming head that suggested the obtaining from Mr. D'Monte of the document A. no doubt suggested to Srinivasa Pillai the impounding of the books. Here again Mr. Clarke's conjectures are at fault; the fact is, the Serishtadar was at Vellum, and as I have had occasion to say, after the production of the document A. he was never present or indeed ever with me during the remainder of the inquiry then held; the scheming head in the last instance was therefore mine, and mine only.

20. Again in paragraph 45 Mr. Clarke assumes that it was my Serishtadar who permitted Srinivasa Mudali to return to his duty, and this contrasted with what, in Mr. Clarke's opinion, is the harsh treatment of Ragaviengar and Mr. D'Monte's Clerk, Ramasawmy Pillai, furnishes him, to quote his own words, with a strong handle for insinuating, that Srinivasa Mudali had received an assurance from my Serishtadar that any thing he might say against himself would be condoned by his evidence against Mr. D'Monte. Is this fair or reasonable? It is scarcely necessary for me to comment upon this mode of inferential reasoning. I can, however, assure the Board and Government with respect to the specific facts from which Mr. Clarke draws his inference, that the Serishtadar had nothing whatever to do with the treatment which the several parties named above received from me, and that whatever they had to do, they had to do directly with myself. I would only further add with reference to the charge contained in paragraph 46 of Mr. Clarke's report in reference to this point; that my reason for permitting Srinivasa Mudali to return to his post for the time, was simply that while the charge against Mr. D'Monte, who, as I then believed and do even now believe, was the chief delinquent, remained undisposed of, it would not have been fair or just to punish his accomplice. With regard to the Peishcar, Ragaviengar, my reason for suspending him was most certainly not because he did not give evidence against Mr. D'Monte, but because I had strong grounds for suspecting him, as I have already stated to Mr. Clarke, of an independent offence; and lastly, as regards Mr. D'Monte's Clerk, Ramasawmy Pillai, I detected him, by means of my own Dalayats, tampering with witnesses and generally acting the part of a spy on behalf of Mr. D'Monte, and I sent him in consequence to do duty under the Head Assistant Collector at Mayaveram. When Mr. Ricketts took up his appointment, Ramasawmy Pillai joined that office; but Mr. Ricketts again and again complained that he (Ramasawmy Pillai) was constantly in attendance on Mr. D'Monte during a considerable period of Mr. Clarke's enquiry; this clerk has been day and night closeted with Mr. D'Monte. Can sending a clerk to do duty at another office be, in common fairness, considered harsh treatment.

Paragraph 99.

21. One more insinuation I cannot permit to go unnoticed; a receipt given by a certain Peon, Tadi Virasami Naik, to Srinivasa Mudali is pronounced to be forgery; it is dated the 5th January 1864, and because the Superintendent of Adrampatam pays a visit to the Serishtadar on the 2nd or 3rd January (after paying his respects as usual to the Collector on the 1st at Tanjore) this is at once seized upon as furnishing materials on which to found the insinuation that the document was got up by the Serishtadar. If this hypothesis or conjecture is to be sustained, the Serishtadar must have been possessed of second sight, and must have foreseen about three weeks before, that Mr. D'Monte would be persuaded to execute the document A, and in order to prove which by collateral evidence, he had previously recourse to get up the document alleged to be false. But assuming Mr. Clarke's conjecture for the moment to be true, the Superintendent then went to Adrampatam (a distance of 35 miles) to get up the document, and had further to send another distance of 35 miles to get it executed at Vedarniem, and yet the document was dated the 5th January. But why, when it would have been equally convenient and far more to the purpose (if the document was fabricated at all) should the date have been fixed subsequent

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

to the Superintendent's visit to the Serishtadar, and why not before? Mr. Clarke, however, in his anxiety to throw blame on the Serishtadar forgets that in another place (paragraph 66) he has made another hypothesis and where he states, that the stress laid by the Collector in his report of the 18th January on Mr. D'Monte's trafficking in appointments was the proximate idea of tricking Mr. D'Monte into giving the document A. Which of the two hypothesis is to be believed?

22. But I must come to a conclusion and will not weary the Board or the Government further in attempting to follow Mr. Clarke through all the maze of his ingenious and subtle conjectures, and which have for their object solely and entirely to vilify the character of the Serishtadar. I think I have succeeded in showing that the basis on which all these insinuations are made to rest, is purely and entirely an assumption, and I submit for the consideration of Government, that it is deeply to be regretted that an officer of Mr. Clarke's standing and position in the public service and entrusted by Government with an important judicial enquiry, should have been so carried away by his feelings as to indulge in such bitter and acrimonious imputations and insinuations towards an officer on my establishment and who, there is not a particle of evidence to show, has acted otherwise than in the most straightforward and conscientious manner.

23. Regarding myself, I shall not add a word further than to say that I have deemed it my duty to offer some remarks on another report of Mr. Clarke's with a sight of which, I have been favored and which is about to be submitted to Government.

P. S.—With reference to paragraph 8, I beg to submit copy of a letter just received from the Judge of the Court of Small Causes at Negapatam, and would observe that similar reports have from time to time been spread about the District by Mr. D'Monte and his friends. The Government and the Board may imagine the effect of such reports on the witnesses brought forward for the Prosecution; but however this may be, I submit, that the grounds for considering Mr. D'Monte as a person likely to be "tricked" are indeed very slender.

No. 202. Proceedings of the Board of Revenue, dated 14th January 1865.
Read the following letter from W. M. CADELL, Esq., Collector of Tanjore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, Madras, dated Tanjore, 9th January 1865, No. 6.

SIR,

I have just received the Extract from the Proceedings of the Board under date the 6th instant, and regret that the tone of my letter therein referred to has been considered objectionable. With regard to the concluding remarks made by the Board I may be permitted to observe that finding that certain strictures made by Mr. Clarke against the Serishtadar of this Office, were founded on a misapprehension of a fact, I asked and obtained the permission of Government to offer an explanation thereof; I therefore respectfully submit that in so doing my proceedings cannot be considered "in the highest degree improper and unbecoming."

Ordered to be submitted for the information of Government, with reference to the Board's Proceedings quoted by the Collector:

No. 203.

ORDER THEREON, 14th March 1865, No. 544.

Miscellaneous.

• Dated 8th July 1864, No. 1,196.

1. The voluminous papers recorded above relate to an enquiry held by Mr. Clarke, 3rd Member of the Board of Revenue, under the Orders* of Government noted marginally, into certain charges brought against Mr. D'Monte, Salt Deputy Collector in Tanjore, by the Collector of that District.

2. The first, second, and third charges relate to Departmental irregularities, such as storing in excess of the proper quantity, &c. The fourth is the most serious. Mr. D'Monte gave a note

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

of hand, as the prosecution say, to repay bribes extracted by him from subordinates, and as he says to raise money to bring his family from Lucknow. The fifth charge refers to pecuniary dealings with a firm trading in Salt, and to an alleged false statement that the chief partner was his banker for a long time before the firm was established. The sixth and seventh charges are in connection with orders passed by the Deputy Collector making grants of salt pans to individuals; in the one case, while the matter was still under the Collector's consideration; in the other, where the individual so favored had no right whatever to the allotment.

3. Each one of these charges forms the subject of a separate report from Mr. Clarke; that in case No. 4, extending over more than 200 paragraphs; and they are, finally, briefly summarized in the Board's Proceedings of the 10th December 1864.

4. The Government have given their careful consideration to these papers as well as to the further communications which Mr. Cadell, the Collector of Tanjore, has addressed to them, and which are also recorded above. There is also a general account by Mr. Clarke of the condition of the Salt Department in the District.

5. The unsatisfactory state of things revealed by this last mentioned paper, coupled with the circumstances connected with the first three charges, shew that Mr. D'Monte is quite unfit for his present post. The Deputy Collector, while acquitted of corrupt motives in his departmental arrangements, was evidently wanting in judgment, and his proceedings were in more than one instance characterized by favoritism and neglect. Indeed, there can be no doubt that he has in several respects been grossly remiss in the discharge of his functions, more especially in the examination of Salt heaped, one of the most important, though at the same time disagreeable duties of the Department, which he was appointed especially to supervise and control.

6. The Government concur with the Board of Revenue and Mr. Clarke in considering that the charges preferred against Mr. D'Monte are not substantiated, but, as already noticed, there is much that is objectionable in his course of conduct, and his relations with the Salt firm of Vencatasa & Co., adverted to in the disposal of charge No. 5, were most improper, though nothing positively contravening any published rule or order seems to have been proved. It must not be forgotten, however, that in the case alluded to, he is stated to have made an untrue statement for the purpose of misleading the Board.

7. It might perhaps have been sufficient, had nothing more been alleged against Mr. D'Monte, to have removed him from the Salt branch of the public service to some other Department for employment, in which his past official life might have fitted him. There remains, however, the manner in which he has chosen to conduct his defence in the fourth charge. Both Mr. Clarke and the Board of Revenue reject the accusation in this case as wholly groundless; but at the same time they convict him of making a false defence, and corrupting his servants, underlings, and others to induce them by false evidence and perjury to support his cause. The Government are satisfied that in support of his story, the Deputy Collector has brought forward witnesses who have been tampered with and tutored for the occasion. It can be no excuse for Mr. D'Monte to allege that the action of his adversaries obliged him to use these weapons. He must have been aware that the only proper course for adoption by a Government Officer was to state openly, candidly, and truly, under what circumstances the paper A. had originated, and leave the rest for consideration by superior authority.

8. The Deputy Collector, however, chose to take a different line, and as a resort to the aid of perjured witnesses is an unpardonable conduct in any servant of Government, the Governor in Council has no alternative but to direct the dismissal of Mr. D'Monte from the service.

9. In regard to the Sheristadar Vencaswami Rau, the Government do not concur in the conclusions at which Mr. Clarke has arrived. The Sheristadar, so far as the papers shew, kept himself clear of the steps taken for bringing the subject of paper A. forward, and as the Collector now declares that every thing that has been done was by himself spontaneously, and that the Sheristadar had no concern in the matter, the Government relieve Vencaswami Rau from all imputation of wrong doing.

*Proceedings of the Madras Government, Revenue Department,
14th March 1865.*

10. But while so far adopting the Collector's opinion of his Sheristadar, His Excellency the Governor in Council cannot but animadvert strongly upon the highly objectionable character of Mr. Cadell's communication* in reference to Mr. Clarke's inquiry. The last named Officer, though differing altogether from Mr. Cadell's views, does full justice to his motives, and this fact renders this, as the Government must term it, most outrageous attack wholly without excuse. It was open to Mr. Cadell, if he considered that Mr. Clarke had not done justice to his chief Native Officer, or if he considered that the propriety of his own conduct had been indirectly impugned by Mr. Clarke, to have addressed the Government in defence of himself or his subordinate, in respectful, temperate terms. In place of this he has written an extremely acrimonious letter, assailing Mr. Clarke's conduct of the enquiry in the most unmeasured manner, and has accompanied it with an interleaved copy of Mr. Clarke's report, in which he has indulged in a running commentary, replete with the most objectionable statements and insinuations.

* Dated 23rd December 1864.

11. The Governor in Council entirely concurs with the Board of Revenue in considering "the tone of his (Mr. Cadell's) letter to be most objectionable, and that the course which he has adopted in regard to the proceedings of a superior Officer, charged with quasi judicial functions, is in the highest degree improper and unbecoming."

12. Such insubordination and absence of due respect and deference to his official superior, as Mr. Cadell has exhibited, leave the Government no alternative but to remove him, and he will accordingly be transferred to another District.

13. In regard to the persons who are referred to by the Board in paragraph 24 of their Proceedings, dated 10th December 1864, the Government direct that Srinivasa Mudali and Chedumbara Pillai be dismissed from the public service. The Inspector General of Mofussil Police will pass such further orders in the case of Messrs. Chinnery and Keese as he may consider proper. The Board consider that Ragaviengar and Ramaswami Pillai, two of the witnesses who appeared at these trials, have been hardly dealt with. The Government are of opinion that the Collector has given a sufficient explanation of the reasons which guided him in his proceedings regarding them, but as the matters now stand they should be replaced in the positions whence they were moved.

14. The Board will take into consideration the necessity of removing several other of the subordinates who have been mixed up in these transactions, and paid, as they say, for their appointment. Nothing short of dismissal will stop these malpractices.

15. The facts brought to notice in this enquiry make it very desirable that a stringent interdiction should be laid on all pecuniary transactions between Revenue Officers of the higher grades and Soucars or trading firms, within the limits of the Districts where they are employed. The Board will, therefore, be requested to prepare and submit for approval draft of a C. O. on the subject, taking as a basis the Extract Minutes Consultation, dated 26th May 1856, No. 604, Public Department, and the Despatch from the Honorable Court, dated 12th August 1857, No. 12, paragraph 53, referred to in Board's Circular Order of the 10th December 1857. The order will include all Deputy Collectors and Magistrates, Tahsildars, and Sub-Magistrates, as well as other officers in the Revenue Department who may, though not included in the above category, be holding offices of equal rank and emolument.

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

Revenue 1865 Cptt.
Pr. of Govt. for March

A. 544

Pr. of the Madras Govt.
of 11th March /65

Edw. H.

McDonnell, Salt Deputy
Collector of Tanjore, dismissed
the public service.

No 199 & 203.

Note.

Mr. ~~Chas~~ Cadell sent a
copy of his letter - (the En-
closure of this / Direct, and
it is in circulation
with the other papers in
Mr. D'Almeida's Code

S. D. S.

Reported to England
J/3.6 1st Octr 1865 N^o 63 Min.

Rev: 1860 Deputt
Pro: Govt for Bengal
N^o 10.

Proceedings of the
Board of Revenue

Dated 4th
Desd^h 4
Recd 5th } January 1865
C.I. letter.
N^o

Transferring, with remarks,
letter from Collector of
Sanjore remarking on the
report of Mr Clarke on
the result of the investiga-
tion held in the matter of
the charges brought against
Mr Deputy Collector
D Monte.

1544-11 March.

N^o 201

27 Janr/65

Note

Mr D Monte was
an Assistant in
the Civil and Survey
Office and was ap-
pointed a Deputy in
1860 - The nomi-
nation was made
by Sir C. Grey and
I shortly afterwards
the Colr was warned
by order of Govt to keep
an eye on Mr D Monte
but I believe this was
entirely in conse-
quence of a report
that he was deeply
in debt.

Last year Mr
D Monte went to
Bengal on leave
& on his return the
Colr reported to place
him in charge of the

Salt Dept. and
in fact I lost Mr
Coddell reported
on his mismanage-
ment of the Dept
and bring to a num-
ber of serious com-
plaints against
him.

The Board re-
commended that
a Commission shd
be appointed to
enquire into the
matter - but felt
preferred dealing
with the case under
the Dept of the Act
No. VIII of 1857 -

The Bill was
let into history
and as Mr Clarke
had on his way
to Bangalore to inspect

would there have been any
objection, if for this purpose, Mr
T. Clarke had been appointed a
Member of the Dept of Zangore?
(123 Code from: President) W.H.

the Salt works, he
was directed to
enquire into the
charges & to
report on Mr D. M.
management of
the Dept.

The accompa-
nying papers are
Mr Clarke's report
the H's proc. & the
record of the en-
quiry -

There are alto-
gether 7 charges &
the printed reports
about cover 70 pages!

The 1st 2^d & 3^d
charges are Report.
mental irregularities
such as storing ex-
cess of the proper
quantity &c. and

Crippled in the Mr
Charles report of
the unsatisfactory
State of the Salt
Dept. show that
Mr D'Monte is
quite unfit for
his present charge
and much, if re-
tained in the ser-
vice, he transferred
to Treasury duty.

I think so
W.D.
J.P.

The fourth charge
is most serious -
Mr D'Monte gave
a note of hand -
as the prosecution
say, to repay bribe
extracted by him
from, but or Director
and as he says, to
raise money to buy
his family from
Lucknow - Mr

His, being in the
Council - Mr D'Monte has
been taking - W.D.
J.P.

Charles & the W.D.
reject the accusa-
tion as wholly ground-
less - but also con-
vict Mr D'Monte
of making a false
defence and "cor-
rupting his servants
and underlings &
others to induce them
by false evidence &
perjury to support
his cause" - If the
Jury concur in this
view, his dismissal
must follow as a
matter of course.

The fifth charge
is also serious - viz
pecuniary dealings
with the former trading
in Salt, and falsely
stating that the chief
partner had been

his Banker for a
long time before the
firm has established.
Mr. Clarke & the Bt.
consider that there
was nothing in the
transactions, beyond
their being opposed to
rule - the false
defence however
remains -

The 6th charge is
~~the~~ disposing of a
case under the
cases consideration.

The seventh charge
is that of ~~the~~ in-
-properly making over
Salt House to an
individual - Of this
Mr. D'Monte is
acquitted.

There can
be very little

yes
WDR
JP

yes
WDR
JP

yes
JP

doubt, I apprehend,
that for while he
will fight of Mr.
D'Monte -

There are several
other indicators
whose removal is
desirable, besides
the two mentioned
in para 24 of the
Bt. pros: Every man
in fact who, truly
or falsely says he
paid any thing
for his berth - nothing
short of this will stop
the practices - in-
deed if it were not
for the fearful maps
of Falkland Ex.
- post, a criminal
prosecution would
be the best course.

The C. M. M. M.

I am his say, as
to

her name then in her letter to
the Bt., copy of it accompanied
the four letters to Gov. dated the
24 Dec. 1896.
since received through the Bt. of Res.

to his head she.
ristadon - whose
conduct is viewed
differently by the
Ct. R. & Mr.
Clarke.

Orders respected

L. D. S.

W.

Mr. D. Monte
is now 3^d class
Def 7 on R 350.

I have carefully read and
considered the principal
charges of this case of record,
and agree with the Ct. R. &
Mr. Clarke in considering
that the charges against Mr.
Monte are not substantiated.
No doubt however, Mr. D.
Monte has in several
respects been properly reprimanded
in the discharge of his duty as
cell superintendent. Particularly
he seems to have neglected the
examination of salt
heaped which was one thing.

is the most irreparable, but at the
same time one of the most important branches
of the department he appears to have been
appointed specially to superintend. -
Happily then from his working of serfshades
Sunday's minute appointing him specially
collector -
Mr. D. Monte's relations with the Salt Train
of Vincennes & Co., admitted to in the proposal
of charge No 5, are most objectionable and
improper, though nothing positively contrary
any published rule or order seems to have
been proved. If then then, were all
that could be brought against Mr. D. Monte,
it would suffice, I think, if he were
dismissed from the Salt branch of the public
service, for which he can never have been
well qualified to any other department
for which his past employment have
better fitted him. But there rises against
him the manner in which he has chosen
to conduct his defence; and in this respect;
I am satisfied, as the R. of Monroe and
Mr. Clarke have been, that in respect of
his defence Mr. D. Monte has brought forward
hucksters who have been tampered with
and bribed for the occasion. It can
be as true for Mr. D. Monte that the
persons who have been working against
him, whom they may be, have used
similar material to substantiate their
charges against him. He must have
been aware that the only proper course for
adoption of a post officer of the rank of
specially collector, was to state simply, candidly,
truthfully, under what circumstances the paper
marked A had originated & leave the rest

for consideration of superior authority,
the case, however, to state a different view,
and as a result to the aid of pursuing
what is unpardonable conduct in any
servant of the Government; I doubt whether
his office can be properly retained & any
punishment that of dismissal.

The hypothesis of the Clarke in regard
to the Larikladar Venkasingh's conduct,
seem to be very far fetched. They are
very difficult to follow. On reading Mr.
Clarke's report on charge n: 4, I feel much
difficulty in believing that the Larikladar
had not been apprised of the discovery of
the paper A some days before he reported
the matter officially to the collector, but however
that may have been, certainly the Larikladar
had kept himself clear of any of the steps
taken for bringing the subject of A forward,
and as the collector, Infadell, now declares
that all that has been done, has been done
by himself & his staff, and that the
Larikladar has had no concern in the
matter, I think the officer should be
relieved from the imputations cast on
him in Mr Clarke's report. - If the Larikladar
should be thought worthy to have
imputations, I should deem it advisable
to remove him to some other
transfer from Sanyon to some other
Collectorate.

The tone of Infadell's observations on
Mr Clarke's proceedings made in this
letter above admitted to, ought, I
think, to be condemned. In para 53

of the report in charge n: 1,
discrepancy with the views of the collector Mr.
Cadell, carefully to claim any intention of
blaming any thing a substantial any suspicion
deception to the motives of the latter
Gentleman. With this I concede that
Infadell should have been content.

The Board of Revenue are of opinion
that two of the servants who have
appeared at their trial, have been
hardly dealt with. Infadell's letter containing
what seems to be a sufficient explanation
of the reasons & he asked him in his report
about them, but as their stand now, I
think they should be replaced in their
positions where they were removed.

If there are no orders in force which
prohibit unconsumed deposit collectors and
other revenue & miscellaneous officers of the
higher grades from having money dealings
with Soucar and trading firms within
the limits of their districts where they are
employed, it seems to me very desirable
that a stringent prohibition should now
be laid on such transactions. No sanctioned
officer, unless at the risk of his appointment,
would dare to keep an account
with people of the class of Venkatas of his
own rank, and I would at once
picket down some of members of this un-
sanctioned service. If he were to
count money to the Presidency or elsewhere,
the only proper course is to apply to the collector
for the transfer receipt which has been given
to him.

3 Aug 65. Wd

I concur generally in the view
taken by the Board of Revenue.

certainly - but I
cannot but think
there must be
some such
order already.

See enclosure to
letter to Govt.
24 Dec 64. n: 146

It is not necessary that I should go on the same ground -

I cannot however but animadvert strongly upon the highly objectionable character of Mr. Cadell's communications in reference to Mr. Clarke's inquiry - Mr. Clarke although differing slightly from Mr. Cadell's views does full justice to his motives - so that this - as I must term it - most outrageous attack by Mr. Cadell upon the former gentleman, is wholly unjust - and - as Mr. Clarke has been in his report somewhat too hard upon the Sheriff's conduct it does seem to me on the Board that his views in regard to the conduct of this Officer are somewhat far fetched & over-stretched - it will be perfectly competent to

Mr. Cadell to have submitted in respect - ful & temperate language such communications as he might deem it right to address on behalf of one of his chief native servants - In place of this we only have his written & very and acrimonious letter assailing the conduct of the inquiry in the most unmeasured manner - but he has actually accompanied it with an interleaved copy of Mr. Clarke's report in which he has inserted in a running commentary on his proceedings in case No 4, replete with the most objectionable statements and insinuations - It is regrettable that

49
Mr. Clarke was Mr. Cadell's official superior both as a member of the Board of Review and as being charged with the special inquiry into the charges brought by Mr. Cadell against Mr. De Mont. Mr. Cadell's proceeding therefore is much the same as would be that of a Jiltish Judge sending up to port a criticism in an becoming & indeed offensive language upon a judge much of the High Court.

The Board of Review in submitting before Mr. Cadell's communications say that they consider the tone of his letter to be more objectionable, and that the course which he has adopted in regard to the proceedings of a superior officer charged with the quasi judicial functions is in the highest degree improper and unbecoming -

In this view I entirely concur - Mr. Cadell's conduct on this occasion appears to me to call for the serious notice of the Board and should that manifestation of his removal to another District, it would, in my opinion, be no more than he has deserved. 9/1/65 J.P.

improper and unbefitting."

In this view I entirely
concur - Mr. Cadell's conduct on
this occasion appears to me to call
for the serious notice of Government
and should that manifest itself
in his removal to another District,
it would, in my opinion, be no
more than he has deserved. —

I would recommend
Mr. Cadell to be
removed
M

9/1/65 J. P.

Incurred in the above expenditure
by Mr. Phillips & Mr. Smith

M

Chen

Requester to return all the original he loans & submit
to Govt in the Davis Pro. & 10 Dec. 64 Sec 9913.
Regarding the charges against Gen. DeMonte &
John Jayne.

Rev. B. B. Collier
St. Louis, Mo.

W. A. R. 1871

Registrar

To the Manager Land Office
New-Depart.

546

Revenue Department
W. S. L. J.
Proceedings of the Madras Government
Under date the 14th ^{March} ~~February~~ 1865

Read the following papers

Proc. of the Board of Rev^y.
Submitting with remarks Mr^r
Clarke's reports detailing the re-
sult of his investigation into the
charges brought against Mr^r D'Monte,
Deputy Collector in charge of the
Salt Depart^t Tanjore district.

(Here enter 10th Dec^r 1864 No. 7913)

From the Collector of Tanjore.

Requesting to be allowed to
offer a short explanation with
reference to the offensive tone of the
Report of Mr^r J. Clarke in the case of
Mr^r D'Monte, late Salt & Op^o Collector
of Tanjore District.

(Here enter 17th Dec^r 1864)

Proc. of the Board of Revenue.

Transferring, with remarks, letter
from Coll^r of Tanjore remarking on the
report of Mr^r Clarke on the result of
the investigation held in the matter of
the charges brought against Mr^r Deputy
Collector D'Monte.

(Here enter 4th Jan^y 1865)

Proc. of the Board of Rev^y.

Submitting for information
letter from the Coll^r of Tanjore
replying to Bd^y Proc. of 6th Instant
about his letter being considered
objectionable.

(Here enter 14th Jan^y 1865)

1. The voluminous papers, recorded above relate to an enquiry held by Mr. Clarke 3^d Member of the Board of Revenue under the orders of Gov^t noted marginally, into certain charges brought against Mr. D'Monte, Salt & Co. Collect^r in Tanjore, by the Collector of that District.

+ Df. 8th July 1864 No. 1196.

2. The first, second and third charges, relate to Departmental irregularities, such as storing in excess of the proper quantity &c. The fourth is the most serious. Mr. D'Monte gave a note of hand - as the prosecution say, to repay bribes extracted by him from subordinates, and as he says to raise money to bring his family from Lucknow. The fifth charge refers to pecuniary dealings with a firm trading in salt and to an alleged false statement that the chief partner was his banker for a long time before the firm was established. The sixth and seventh charges are in connection with orders passed

53
passed by the Deputy Collector making grants of salt pans to individuals; in the one case while the matter was still under the Collector's consideration; in the other where the individual so favored had no right whatever to the allotment.

3. Each one of these charges forms the subject of a separate report from Mr. Clarke; that in Case No. 4 - extending over more than 200 paragraphs; and they are finally briefly summarized in the Board's Proceedings of the 10th December 1864.

4. The Gov^t have given their careful consideration to these papers as well as to the further communications which Mr. Cordell the Collector of Tanjore has thought

fits

1. ~~fit to~~ address to them, and
which are also recorded above.
There is also a general ^{account} report
by Mr. Clarke ~~from~~ the condi-
tion of the Salt Department
in the District.
5. The ~~ineat~~ factory.
State of things revealed by
this last mentioned paper
coupled with the ~~fact~~ cir-
cumstances connected with
the first three charges, shew
that Mr. D'Monte is quite un-
fit for his present post. The
Deputy Collector while acquitted
of corrupt motives in his de-
partmental arrangements was
evidently wanting in judgment
and his proceedings were in
more than one instance char-
acterized by favoritism and
neglect. Indeed there can be
no doubt that he has in
several

573
several respects been grossly
remiss in the discharge of his
functions more especially in
the examination of salt-heaped-
one of the most important ^{things} ~~and~~
at the same time disagreeable du-
ties of the Department which
he was appointed specially to
superise and control.
6. The Government concur
with the Board of Revenue
and Mr. Clarke in considering
that the charges preferred against
Mr. D'Monte are not substan-
tiated, but, as already noticed,
there is much that is objection-
able in his course of conduct, and
his relations with the salt firm
of Venkataiah & Co., adverted to
in the disposal of charge ~~has~~ ^{are}
were most improper, though
nothing positively contra-
vening any published rule.

or order seems to have been improved. It must not be forgotten however that in the case alluded to he is stated to have made an untrue statement for the purpose of misleading the Board.

It might perhaps have been sufficient, had nothing more been alleged against Mr. D'Monte, to have removed him from the salt branch of the Public service to some other department for employment in which his past official life might have fitted him. There remains however the manner in which he has chosen to conduct his defence in the fourth charge. Both Mr. Clarke and the Board of Revenue reject the

59 1
the accusation in this case as wholly groundless but at the same time they convict him of making a false defence and corrupting his servants, underlings and others to induce them by false evidence and perjury to support his cause. The Govt. are satisfied that in support of his story the Deputy Collector has brought forward witnesses who have been tampered with and tutored for the occasion. It can be no excuse for Mr. D'Monte to allege that the action of his adversaries obliged him to use these weapons. He must have been aware that the only proper course for adoption by a Govt. officer was to state openly, candidly, and truly, ^{under} what circumstances

circumstances the paper
A had originated and en-
leave the rest for considera-
tion by superior authority.

8 The Deputy Collector
however chose to take a dif-
ferent line and as a resort
to the aid of perjured wit-
nesses is unpardonable
conduct in any servant of
Government the Governor
in Council has no alterna-
tive but to direct the dis-
missal of Mr. D'Monte
from the service.

9 In regard to the
Sheristadar Vencaswami
Bair the Government
~~not concerned in~~
~~the conclusion~~
~~at~~
sions which Mr. Clarke has
arrived.
~~recorded as far fetched.~~ The
Sheristadar, so far as the
papers shew, kept him-
self clear of the steps
taken

taken for bringing the sub-
ject of paper A forward.
and as the Collector now
declares that every thing that
has been done was by him-
self spontaneously and that
the Sheristadar had no
concern in the matter, the
Government relieve Venca-
swami Bair from all im-
putation of wrong doing.

10 But while so far
adopting the Collector's
opinion of his Sheristadar
His Excellency the Governor in
Council cannot but animad-
vert strongly upon the high-
ly objectionable character
of Mr. Cadell's communication
in reference to Mr. Clarke's
inquiry. The last named of-
ficer though differing al-
together from Mr. Cadell's
views

Date 23^d Decr 1864

views does full justice to his motives, and this fact renders this as the Govern-
ment must terminate most outrageous attack wholly without excuse. If Mr. Clarke was too ^{slow} upon the Sheris-
tader it still was quite com-
petent to Mr. Casdell to have submitted in respect-
ful and temperate language such considerations as he might deem it right to advance in be-
half of one of his chief native servants. In place of this ^{he}
~~not only~~ has he written and ^{has} extremely
~~and~~ acrimonious letters ac-
cusing Mr. Clarke's con-
duct of the enquiry in the most unmeasured manner,
^{and} ~~but~~ he has actually accom-
panied it with an interleaved
copy of Mr. Clarke's report

It was open to
Mr. ^{Casdell} ~~Clarke~~, if
he considered
that Mr. Clarke
had not done justice
to his Chief Native
officer - or if he
~~before~~ considered
^{the propriety of}
that ^{his} own con-
duct had been
indirectly impugned
by Mr. Clarke - to
have addressed
the Govt. in defence
of himself or his
superior - in
respectful - but
-perater terms

12. Such in subordination
and absence of the re-
spect and deference to
his official superior, leave
the Govt. no alternative but
to transfer ^{Mr. Casdell}
and he will accordingly be trans-
ferred to another district.

+ displeasure. They
trust that they
shall again have
to annul a direct upon
such in subordination,
ignorance of his position
position & abuse of
the respect & deference
to his official position
as an eroded
in his position
under command.

60
which he has indulged
in a running commentary
replete with the most ob-
jectionable statements and
insinuations.

The Governor in Coun-
cil entirely concurs with the
Board of Revenue in consid-
ering "the tone of his (Mr.
"Casdell's) letter to be most
objectionable and that the
courses which he has adopted
in regard to the proceedings
of a superior officer charged
with quasi judicial functions
is in the highest degree im-
proper and unbecoming."
Mr. Casdell will be
informed that his conduct
is regarded with the gravest
disatisfaction.

13. In regard to the per-
sons who are referred to by
the

the Board in paragraph 24
of their Proceedings dated 10th
December 1864 the Govern-
ment direct that Trinavasa
Mudali and Chedumbara
Pillai be dismissed from the
public service. The Inspector
General of Police will pass such further orders
in the cases of Messrs Chin-
mery and Sleeth as he
may consider proper. The
Board consider that
Ragavengar and Par-
maswami Pillai, two of
the witnesses who appeared
at these trials have been
hardly dealt with. The
Govt are of opinion that
the Collector has given an
insufficient explanation
of the reasons which
guided him in his
proceedings.

proceedings, regarding them
but as matters now stand
they should be replaced
in the positions, whence
they were moved.

14 The Board will
take into consideration the
necessity of removing se-
veral other of the sub-
ordinates, who have been
mixed up in these trans-
actions and paid, as they
say, for their appointment.
Nothing short of dismissal
will stop these
malpractices.

15 The facts brought to
notice in this enquiry make
it very desirable that
a stringent interdiction
should be laid on all
pecuniary
money transactions
between Deputy Collectors

~~and other Revenue and~~
 Magistrate officers of the
 higher grades, and concave
 or trading firms within the
 limits of the District where
 they are employed. The Board
 will therefore be requested
 to prepare and submit
 for approval draft of a
 C.O. on the subject, taking
 as a basis the Extract Minutes
 Consultation dated 26th May
 1856 No. 604. Public Department
 and the Despatch from the
 Honorable Court dated 12th
 Aug^r/57 No. 12 para 53 - re:
 referred to in Board's Circular
 Order of the 10th December 1857.
 The order ^{will} ~~should~~ include
 all Deputy Collectors
 and Magistrates, Tahsil-
 dars and Sub Magistrates
 as well as other officers
 in the Revenue Department
 who

who may, tho' not in-
 cluded in the above cate-
 gory, be holding offices of
 equal rank & emolument.

In copy to the Board of Revenue, Des^r 16th March.
 In copy to the Inspector General of Madras Police, Des^r 16th March.
 In copy to the Hon^{ble} A. C. C. and Des^r 16th March.
 In copy to the Hon^{ble} A. C. C. and Des^r 16th March.

cgl

My opinion de Cadde
 should be removed from
 the Abstract. I do not
 think that a mere re-
 moval is a sufficient
 punishment for conduct
 so outrageous

M

JP

WOK

Reported to England

26th Oct 1865 No 69, Memo

12-6-93

Revenue 1865 Dept.
Pro: of Govt for Church

Pro: of the Madras Govt
J. H. Allard 1865

From the Secretary to the Govt of
Madras of 5th May 1865 P. 1257.

Ordering the dismissal
from the Public service of
Mr. D. Mouton & Co. Deputy
Collector of Tanjore.

10/19/93 @ 203.