M.R.O. 1—39,000—16-10-29.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1229 Press ~~Mis.~~

400-401

Dated 12 th June ~~19~~ 1869

***Not to be folded or roughly handled***

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M.R.O. 1—39,000—16-10-29.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1229 Press ~~Mis.~~

400-401

Dated 17 th June ~~19~~ 1869

***Not to be folded or roughly handled***

*Proceedings of the Madras Government, Revenue Department,*
*17th June* 1869.

No. 400. Read the following letter from the Acting Government Solicitor, Madras, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 15th June 1869, No. 316:—

Dated 7th May 1869, No. 1,259, Revenue Department.

WITH reference to the Order of Government, noted in the margin, I have the honor to forward herewith, for the information of Government, a copy of the Advocate-Generals's opinion, on the evidence lately taken at Manantoddy on the prosecution of Mr. Turnbull for defalcation in the Forest Department.

2. I have also forwarded a copy of the Advocate-General's opinion to the Acting Conservator of Forests for his information and guidance, and also telegraphed to him to detain the witnesses at Manantoddy until the additional evidence required by the Advocate-General has been obtained.

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OPINION.

I HAVE perused the depositions taken in Turnbull's case. The accounts, etc., spoken to by the several witnesses have been initialed and returned. This would be sufficient where nothing more was contemplated than the ordinary course of committing a prisoner in this country and trying him here. They would be produced at the trial

2. But the case has to be made as complete as possible in order that the accused may be ordered by the authorities in England to be sent out to India to take his trial. The absence of all accounts, etc., spoken to by the several witnesses may throw a serious difficulty in the way of the prosecution. Many of these accounts are such as could not be transmitted to England, such as Bank Books, of a voluminous nature and required here for daily reference. I think sworn extracts should have been made and appended to the various depositions of the witnesses who speak to them.

3. With this exception, the case seems complete enough. Owing to the unfortunate omission of the Trichinopoly Bank Shroff to keep the numbers of the notes paid in by Mr. Turnbull, there is a break in the evidence, the chain of which would otherwise be perfect. Still, notwithstanding this link being wanting, the case is very strong against Turnbull, supposing that he cannot account for the source whence he got the 15,000 Rupees he paid into the Trichinopoly Bank. The receipt by him of large sums from the Contractors is clearly proved. None of the sums so received appear in his accounts, as having been carried to the credit of Government; and it appears to me that such a case is made out as will secure Mr. Turnbull being sent back to this country for trial.

4. I think that the cheques, copies of accounts, etc., should be appended to the original depositions; and that copies of them should be forwarded to the Secretary of State.

5. The Officer who goes in charge of the copies of depositions, warrant, etc., must be able to prove the identity of Turnbull; that Mr. Logan was a Magistrate and Justice of the Peace at the time of taking the depositions and issuing the

warrant; and also be able to prove the signature of the Magistrate and the seal of his office.

6. Mr. Cherry probably would be as good a person to send as could be selected, as he knows all the facts of the case; is acquainted with Mr. Turnbull; and even if not at present acquainted with the Magistrate's Signature and Seal, can easily make himself so. I have perused and approve the form of warrant which it is proposed to issue.

15*th June* 1869. (Signed) J. BRUCE NORTON,
*Advocate-General*

(True Copy.)

(Signed) H. G. PRICHARD,
*Acting Government Solicitor.*

No. 401. ORDER THEREON, 17th June 1869, No. 1,729.

Miscellaneous.

APPROVED.

(True Extract.)

(Signed) R. A. DALYELL,
*Acting Secretary to Government.*

To the Government Solicitor.
" " Conservator of Forests.
" " Commissioner of Police.
" " Deputy Magistrate of Wynaad

Exd. E. C. Shunker.

Rec. 18th Oct. 97.
From
The Asst. Govt. Solicitor
Madras

To The Asst. Secretary to Govt.
Revenue Department
Fort St. George

Dated 15th June 1897
Read 18th

No. 316.

Enclosure No. 1.

Summons issued against
the Orderly of Govt. Pleader
Dewan Bahadur T. Rajagopala Chariar
dated 4th June 1897
to appear before Examiner
of Private Estates Office
on the 8th June 1897 at
11 o'clock A.M. to give evidence
in the matter of the
Commutation of the Inam
of Mr. Immudi for resumption
by the Forest Department.

Read:- Letter from Govt. Solicitor, dated 15th June 1897.

Ordered:- That the Examiner of Private Estates Office be informed that the Government approve of the summons issued by him to the Orderly of the Government Pleader to appear before him on the 8th instant.

W.R. 17th June 1897.

Approved: 18th June 1897.

C. V.

REVENUE.

To

THE GOVERNMENT SOLICITOR,

&c., &c., &c.

*Dated June, 17th.*

*Recd.* 18th.

*G. O., 17th June 1897, No. 1729.*

JUDL.

Nos. 400-401.

*Prosecution of Mr. Immudi for defamation of Forest Department.—Advocate-General's opinion on the evidence taken at Mettupalayam, approved.*