1093 | 72

Proceedings of the Madras Government, Revenue Department,
19th July 1872.

No. 166. Read the following letter from the Government Solicitor, Madras, to the Secretary to Government, Revenue Department, Ootacamund, dated Madras, 16th July 1872, No. 336 :—

With reference to my letter to Government of yesterday's date, No. 331, I have the honour to forward, herewith, for the information of Government, copy of a further letter received by me this day from Mr. Cherry, the Deputy-Conservator of Forests, relative to the criminal prosecution against the late Overseer Veerasawmy Pillay.

Enclosure No. 1.

From J. W. CHERRY, Esq., Deputy-Conservator of Forests, to the Government Solicitor, Madras, dated Wynaad, 11th July 1872.

Contrary to the expectations expressed in my letter, dated 24th June 1872, I find myself still here, having only yesterday completed my case for the prosecution. I now await the Magistrate's decision.

2. I have given up my former intention of returning to my Range before the Sessions trial ; the distance is a long one, the journey very difficult at this "Monsoon time" of year, and if other than myself be told for the prosecution at Tellicherry, my presence for a few days before the trial will be necessary to explain all the points, etc., to the prosecutor.

3. This last reason arose yesterday, when the Magistrate informed me he had written to you to permit some one attached to the Courts to prosecute, as Section 360 of the Procedure Code debarred my doing so.

4. I shall not be sorry if this can be arranged, and was intending to propose it to you myself, for, though I take great interest in the case, and fancy I know all about it, I am "no Barrister" and it is just possible, that the case which from the evidence now adduced is by no means a weak one, may break down for want of proper representation.

5. The case appears (since VanIngen's examination) stronger than when you were consulted in Madras, but is nevertheless more intricate, and would require a professional and experienced person to wade through it at the Sessions.

6. Should I get a copy of VanIngen's deposition in time, I will send it to you. It is worth a perusal. The main points in it are, that he has never received from the defendant 1 rupee of the 2,000 under question, and that he gave advances of 100 and 200 to cart contractors Oonappa and Daly Venkata for work to be done for him by them, and produces a bond alleged to be signed by Oonappa in consideration of the advance that he received. He produces no receipt from Daly Venkata.

7. His first assertion I do not believe, and feel confident the defendant will break him down in cross examination. His second assertion may be made by him in good faith (for it may have been represented to him that his money was given to these two men as advance for work) but these cart contractors deny the receipt of any money on his account, and Oonappa declares the bond to be fictitious and his signature therein a forgery !

8. Turnbull is supporting the defendant strongly by taking the whole responsibility to himself.

9. I trust I have shown the Magistrate the deep villany of Turnbull, VanIngen, and defendant, and shall not be surprised (if the case is properly put) to find the Session's Judge convict VanIngen and defendant for aiding and abetting in a conspiracy and attempt to defraud Government.

I suppose there is such a Section, and they both richly deserve to suffer under it.

10. VanIngen is a most unsatisfactory witness, for I feel his evidence will be broken down by cross examination. There is one consolation, should VanIngen maintain his evidence, the defendant must be convicted of misappropriation as well as aiding breach of trust ; if VanIngen's evidence collapses, his participation in the last offence will be detected, and they should both suffer.

Proceedings of the Madras Government, Revenue Department,
19th July 1872.

11. Will you please let me know whether (in the event of other than myself prosecuting at the Sessions) I shall be permitted as complainant and witness to sit at the trial and converse with the prosecutor. It is very necessary that I should do so.

No. 167. ORDER THEREON, 19th July 1872, No. 1,093.

Forests, No. 12.

COMMUNICATED to the Conservator of Forests. The Government have sanctioned the employment of Mr. Gover on the prosecution. Mr. Cherry should communicate with him fully.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

No. 336.

Madras 16th July 1872.

From H. G. Richard,
Government Solicitor, Madras.—

To W. Hudleston Esqre
Secretary to Government
Ootacamund.—

Sir,

With reference to my letter to Govern=ment of yesterday's date, No. 331, I have the honor to forward herewith for the informa=tion of Government, Copy of a further letter received by me this day from Mr Cherry the Deputy Conservator of Forests relative to the Criminal prosecution against the late overseer Veerasawmy Pillay.—

I have the honor to be,
Sir
Your obedient servant
H. G. Richard
Government Solicitor.—

No 2376
Rev. 1872. 4 Sept

"From
The Government Solicitor,
Madras

"To
"The Secretary to Government
Cuddalore.

Docket 16th
Read 18th July

No. 336.
Enclosure 1.

Forwards for the information of Government, copy of a letter received from Mr. Cherry relative to the criminal prosecution against the late Overseer Veerasawmy Pillay.

With order
No. 1093-19 July 172.

To the Conservator of Forests M.S. Copy &c:- 19 July 172-
" " 135 Copies " 25 "
14 " Board of Revenue —— " " —
4 " Government Solicitor —— "

No 166-164