Read the following letters :—

No. 187. From the Collector of Tinnevelly, to the Secretary to Government, Revenue Department, Fort St. George, dated Tinnevelly, 12th December 1870, No. 607 :—

In Government Proceedings No. 1,869, dated 25th November 1870, I am required to report on the marketable value of the Military buildings at Palamcottah.

2. These buildings consist of—

(1.) A Place of Arms, with gun-shed and tent store.
(2.) A Hospital and out-houses enclosed by a wall.
(3.) Two Serjeants' quarters, with Regimental store-room all under one roof.
(4.) A Magazine.
(5.) Solitary cells.
(6.) A Place of Arms for Artillery, with out-houses, surrounded with posts-and rails.
(7.) A Commissariat store-house.
(8.) An Arsenal.

3. The cost of some of these has been ascertained, but there are no records regarding the others ; their probable cost, however, has been estimated by the Superintending Engineer at Rs. 20,000.

	Rs.
Place of Arms	5,100
Serjeants' quarters	3,040
Solitary cells	400
Plunge-bath, Artillery Barracks	974
Wash-house, do.	277

4. If the regiment now here is withdrawn, these buildings would not be saleable as buildings, and their marketable value is therefore merely what the roofs, doors, and windows, would fetch ; for about a dozen houses now occupied by Regimental Officers would be thrown on their owners' hands, and, though tenants might be found for some of them from among the Civil community, there would be no further demand for houses and very little for building materials.

5. The whole of the Military buildings can, however, be utilized admirably for Government purposes, and, in communication with the several departments, I have arranged for their allotment as under :—

(1.)	Place of Arms.	As a Revenue Survey Office.
	Gun-shed and tent store.	As a Police jail guard.
(2.)	Hospital and out-houses.	As a Police Office reserve, head-quarters and school.
(3.)	Solitary cell.	for Police use.
(4.)	Magazine	for Police use.
(5.)	Serjeants' quarters and Regimental store-room.	As a Police Superintendent's Office.
(6.)	Artillery barracks.	As a Post Office.
(7.)	Commissariat store-house.... ..	As a Sub-Magistrate's Office.
(8.)	Arsenal	As a Department Public Works Office and Stores.

6. The Revenue Survey employs a large establishment for which house-room is now with difficulty procured ; the large long room of the Place of Arms, with its stone flooring and spacious verandahs, is exactly suited to the wants of the Survey Department, which is likely to be employed in this district for three or four years longer.

7. The Police would be well provided for with the buildings allotted to them, and the Superintendent believes these buildings to be amply sufficient for his wants.

8. The Artillery barracks are now used as a Post Office, and the Postmaster-General, who is now here, considers this the best Post Office in Southern India.

9. The Commissariat store-house is now empty, and has been made over to the Department Public Works as no longer required by the Military authorities. I have inspected it with the Superintending Engineer, and we both think it well suited for a Sub-Magistrate's Office. At present the Sub-Magistrate has no regular office. At one time he was housed in a dark room in a pagoda, and latterly in an almost equally objectionable room in the Municipal Office; the store-house now available can be adapted to the purpose required without any cost to Government.

10. The Arsenal consists of a court-yard with inner verandah all round, and was for some years used as a Department Public Works Office and store. The Superintending Engineer thinks it well suited for his requirements, and would gladly retake possession; it is now occupied by the Police, and the Department Public Works Stores are kept in the out-houses attached to the Artillery barracks.

11. The whole of the buildings reported on are in good order, and might be turned to the purposes mentioned without any charge whatever. It would be a great pity to sell them, as they might again be required for troops, while in the present state of the market they would fetch literally nothing at all.

12. I enclose a map on a large scale, showing the Regimental buildings, the Arsenal, Artillery barracks, and Commissariat store-house lie in another part of the town about half a mile away.

ENCLOSURE No. 1.

From the Acting Superintending Engineer, 8th Division, to the Collector of Tinnevelly, dated Palamcottah, 7th December 1870, No. 2,461.

1. Place of Arms, with gun-shed and tent store.
2. Hospital and out-houses.
3. Solitary cell.
4. Magazine.
5. Serjeants' quarters.
6. Artillery barracks and out-houses.
7. Commissariat Stores.
8. Arsenal.

I HAVE the honour to annex list of Military buildings in Palamcottah, and to inform you that the following was the original cost, as gathered from the records of this department, of those under-mentioned:—

	RS.	A.	P.
Place of Arms	5,100	6	3
Serjeants' quarters	3,040	4	3
Solitary cells	400	6	7
Plunge-bath, Artillery barracks	973	14	6
Wash-house, do.	276	15	3

2. The original cost of the other buildings cannot be ascertained.

3. The hospital and out-houses might have cost in 1845, when I believe they were constructed, some Rs. 8,000 or 9,000.

4. The Commissariat godowns probably Rs. 3,000 to 4,000, the Arsenal about the same, and the Artillery barracks Rs. 7,000.

5. None of these buildings could be built at the present time for anything like these sums, the prices of materials and labour having risen so very considerably.

6. As nearly all the buildings can be utilized for Government purposes in the event of the Regiment being removed, it does not seem necessary to ascertain their market value. This undoubtedly would not be much as so many other houses, etc., will be vacated.

* * *

7. I have the honour to state that if the Arsenal is given up by the Police Department, it could be utilized as heretofore as a Range Office and stores.

ENCLOSURE No. 2.

Received from the Station Staff Officer at Palamcottah the under-mentioned Public Military Buildings and Fixtures for the use of the 22nd Regiment, Native Infantry.

Description of Buildings.	Doors.								Windows.							Miscellaneous Fixtures.						
	Pairs of folding.	Single.	Locks to	Hooks and Hinges to	Hooks and Eyes to	Staple and Chains to	Iron Bolts to	Wooden Bolts to	Wooden Buttons to	Pairs of folding.	Single.	Hooks and Hinges to	Hooks and Eyes to	Wooden Buttons to	Attick.	Punkahs.	Shelves.	Necessary Seats.	Arm Racks.	Weather-boards to Windows.	Step Ladders.	Canvas Screen.	Tin Lamp.
Garrison and Native Hospital, also Apothecary's quarters, 3 rooms, under one roof... ...	3	...	3	12	6	3	6	6	...	9	...	36	27	18	18	2	...	...	...	...	...	1	...
A Verandah	9	...	1	50	12	9	18	18	...	30	...	120	90	60	...	2	2	...	...	...	1	...	...
2 Cook-rooms under separate roofs...	2	...	2	8	...	2	4	...	...	...	2	4	...	...	...	...	...	...	...	2	...	...	...
2 Necessaries, under separate roofs...	2	...	2	8	...	2	4	...	...	...	2	4	...	...	...	...	...	4	...	...	...	...	...
1 Sepoys' Guard-room	1	...	...	4	2	1	2	...	...	1	...	4	2	...	...	...	...	...	2	...	...	...	1
1 Compound gate...	1	...	...	4	2	...	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

(Signed) F. S. FITZPATRICK, Lieutenant,
Quartermaster, 22nd Regiment, N.I.

PALAMCOTTAH,
28th December 1867.

Received from the Station Staff Officer the undermentioned Public Military Buildings and Fixtures at Palamcottah for the use of the 22nd Regiment Native Infantry.

Description of Buildings.	Doors. Pairs of folding.	Doors. Single.	Doors. Iron upright Bolts to	Doors. Cross Bolts to	Doors. Iron Handles to	Doors. Iron Staples and Chains to	Doors. Iron Hooks and Hinges to	Doors. Iron Hooks and Eyes to	Doors. Wooden cross Bolts to	Windows. Pairs of folding.	Windows. Single.	Windows. Iron upright Bolts to	Windows. Iron cross Bolts to	Windows. Iron Handles to	Windows. Iron Hooks and Hinges.	Windows. Iron Hooks and Eyes.	Windows. Iron Bars to	Windows. Teak Weather-boards to	Windows. Wooden Buttons to	Iron Padlocks with keys.	Arm Racks to contain Muskets.	Accoutrement Pegs.	Necessary Seats.	Tin Lamps.	Remarks.
Sepoys' Barracks and Place of Arms, Verandah, north and south	14	...	28	14	14	14	56	28	...	...	...	...	6	6	12	6	12	...	...	14	1*	750	...	1	* To contain 750.
Non-Commissioned Room, south-east end	1	...	2	1	1	1	4	2	...	3	...	12	6	12	24	12	24	6	3	1	...	...	...	...	
Barrack Guard-room, south-west end	1	...	2	1	1	1	4	2	...	6	...	24	12	24	48	24	48	12	6	2	1†	40	...	1	† To contain 20.
Drum and Flag-room, north-east end	1	...	2	1	1	1	4	2	...	3	...	12	6	12	24	12	24	6	3	1	2‡	5	...	...	‡ To contain 7.
Prison-room, north-west end.	1	...	2	1	...	1	4	2	...	1	...	4	2	4	8	4	8	2	1	1	...	...	...	...	
Gun-shed to the west of Barracks	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Artificers' Workshop to the west of Barracks	3	...	6	...	...	3	12	...	...	2	...	8	4	8	16	8	16	4	2	1	...	...	...	...	
Store-room with verandah, east side	2	...	4	2	...	2	8	4	...	7	...	28	14	28	56	28	56	14	7	1	2§	63	...	...	§ To contain 65.
Serjeants' quarters, north end	5	...	10	5	1	3	20	10	1	3	...	12	6	12	24	12	24	6	3	1	...	6	...	...	
Cook-room, north end	1	...	2	...	...	1	4	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	
Privy	1	...	2	...	...	1	4	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	
Serjeants' quarters, south end	5	...	10	5	1	3	20	10	1	3	...	12	6	12	24	12	24	6	3	1	...	6	...	...	
Cook-room, south end	1	...	2	...	...	1	4	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	
Privy	1	...	2	...	...	1	4	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	
Solitary cell, No. 1	...	2	...	1	2	1	4	...	...	2	...	...	...	...	...	...	...	...	...	1	...	...	1	...	
Privy to	...	1	...	...	...	1	2	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	
Solitary cell, No. 2	...	2	...	1	2	1	4	...	...	3	...	...	...	...	...	...	...	...	...	1	...	...	1	...	
Privy	...	1	...	...	...	1	2	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	

(Signed) F. S. FITZPATRICK, Lieutenant,
Quartermaster, 22nd Regiment, N.I.

PALAMCOTTAH,
28th December 1867.

No. 188. Memorandum from the Collector of Tinnevelly, to the Chief Secretary to Government, Fort St. George, dated Tinnevelly, 30th December 1870, No. 640.

RENT paid by Government for the accommodation of certain departments at Palamcottah:—

	Monthly Rent.
	RS.
Revenue Survey Office	120
Police Office...	50
	170

(Signed) R. K. PUCKLE,
Collector.

No. 189. ORDER THEREON, 24th January 1873, No. 94.

Miscellaneous.

RECORDED, the question of removing the Regiment at Palamcottah to another station not having been yet settled.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Collector of Tinnevelly.

Exd. F. R. Bantleman.

7A

No 607

Huzur Cutcherry
Tinnevelly 12th December 1870

From R. K. Sackle Esqre
Collector

To W Hudleston Esqre
Secretary to Government
Revenue Department
Fort Saint George

Sir,

In Government proceedings No. 1869 dated 25th November 1870, I am required to report on the marketable value of the Military buildings at Palamcottah

2 These buildings consist of

I a place of arms with gunshed & tent store
II a hospital & outhouses inclosed by a wall.
III 2 Serjeants quarters with Regimental Store room all under one roof — II
IV a magazine.
V Solitary Cells. III
VI a place of arms for artillery with out houses, surrounded with post & Rails. VI
VII a Commissariat Store house.
VIII an Arsenal. 10

3 The cost of none of these has been IIV ascertained, but there are IIV no Records regarding the others, their probable cost however has been estimated by the Superintending Engineer at 20,000 Rupees

Place of Arms	Rs. 5,100.
Serjeants Quarters	3,040.
Solitary Cells	400.
Plunge bath Artillery	974.
Wash house barracks	277.

4. If the Regiment now here is withdrawn, these buildings would not be saleable as buildings, and their marketable value is therefore merely what the roofs, doors & windows would fetch. for about a dozn houses now occupied by Regimental Officers would be thrown on their owners' hands, and though tenants might be found for some of them from among the Civil Community, there would be no further demand for houses and very little for building materials.

5. The whole of the Military buildings can however be utilized admirably for Government purposes, and in communication with the several departments I have arranged for their allotment as under.

I Place of Arms. as a Revenue Survey Office.
Jamkhed Tent store as a police jail guard.
II Hospital Southhouse as a police office reserve head quarter & school.
III Solitary Cell } for police use
IV Magazine }
V Sergeants' Quarters & Regimental Store room } as a police Superintendents office.
VI Artillery barracks as a Post Office
VII Commissariat Store house } as a Sub magistrates Office.
VIII Arsenal as a D. P. W Office & Stores

6. The Revenue Survey employs a large establishment for which house room is now with difficulty procured. the large long room of the Place of Arms with its Stone

flooring and spacious verandahs is exactly suited to the wants of the Survey department which is likely to be employed in this district for 3 or 4 years longer.

7. The police would be well provided for with the buildings allotted to them and the Superintendent believes these buildings to be amply sufficient for his wants.

8. The Artillery barracks are now used as a Post Office & the Postmaster General who is now here considers this the best post Office in Southern India.

9. The Commissariat store house is now empty and has been made over to the D. P. W. as no longer required by the Military authorities. I have inspected it with the Superintending Engineer and we both think it well suited for a Sub magistrates' Office. at present the Sub magistrate has no regular office. at one time he was housed in a dark room in a pagoda & latterly in an almost equally objectionable room in the municipal office. the Stores house now available can be adapted to the purpose required without any cost to Government.

10. The Arsenal consists of a Court yard with inner Verandah all round and was for some years used as a D. P. W. Office & Store. The Superintending Engineer thinks

it well suited for her requirements and would gladly re-take possession. it is now occupied by the police and the D. P. W. Stores are kept in the outhouses attached to the artillery barracks.

11. The whole of the buildings reported on are in good order and might be turned to the purposes mentioned without any change whatever. It would be a great pity to sell them as they might again be required for troops while in the present state of the market they would fetch literally nothing at all.

12. I enclose a map on a large scale showing the regimental buildings the Arsenal, Artillery barracks, and Commissariat Store house lie in another part of the town about half a mile away.

I have the honour to be
Sir
Your most Obd Servt

R K Puckle
Collector

Compd H.

Ex Jr-1 No 2461 3 11A Palamcottah 7th December 1870

From,
Major G. M. Payne
Acting Superintending Engineer &c &c.

To,
R. K. Puckle Esqre
Collector of
Tinnevelly

Sir,

I have the honor to annex list of Military buildings in Palamcottah and to inform you that the following was the original cost, as gathered from the records of this Department of those undermentioned.

1 Place of arms with Gunshed & Tent Store
2 Hospital & outhouses
3 Solitary Cell.
4 Magazine
5 Serjeants Quarters
6 Artillery barracks and outhouses.
7 Commissariat Stores
8 Arsenal.

Place of arms	- - -	Rs 5,100-6-3
Serjeants Quarters	- - -	" 3,040-4-3
Solitary Cells	- - - - -	" 400-6-7
Plunge bath, Wash house } Artillery barracks	- -	" 973-14-6
	- -	" 276-15-3

The original cost of the other buildings cannot be ascertained.

The Hospital and outhouses might have

have cost in 1845 when I believe they were constructed some 8,000 or 9,000 Rupees.

The Commissariat Godowns probably Rupees 3 to 4,000. the arsenal about the same and the Artillery barracks Rs 7,000.

None of these buildings could be built at the present time for any thing like these sums. the prices of materials and labor having risen so very considerably.

As nearly all the buildings can be utilized for Government purposes in the event of the Regiment being removed, it does not seem necessary to ascertain their market value. This undoubtedly would not be much as so many other houses &c will be vacated.

I have the honor to state that if the Arsenal is given up by the Police Department, it could be utilized as heretofore as a Range Office and Store.

I have &c.

(Signed) G. M. Payne Major
A/ Superintending Engineer 8th Dn.

(True Copy)

A. K. Ruthe
Collector

Comp. [illegible]

13A

Rev: 3899

Enclosure in a letter from the Collector of Trincomaly to the Secretary to Govt Revenue Department Fort Saint George dated 12th December 1870 No 607

No 187-189

Copy of a letter from the Acting Superintending Engineer 8th Division dated 7th December 1870 No 2461 reporting on the Military buildings

Received from the Station Staff Officer at Palamcottah the undermentioned Public Military Buildings and fixtures for the use of the 22d Regiment Native Infantry.

Description of Buildings	Doors									Windows					Miscellaneous fixtures					
	Pair of folding	Single	Locks	Hooks and Hinges	Hooks & Eyes	Mortice Locks	Iron Bolts	Wooden bolts	Pairs of Folding	Single	Hooks & Hinges	Hooks & Eyes	Wooden Buttons	Attick	Punkahs	Shelves	Necessary Seats	Arm Racks	Musket Carriages	Mat Enclosures
Garrison & Native Hospital also																				
Apothicary Quarters 3 Rooms under one Roof	3	-	3	12	6	3	6	6	-	9	-	36	27	18	18	-	-	-	-	-
A Verandah	9	-	1	50	12	9	18	18	-	30	-	120	90	60	-	2	2	-	-	-
2 Cook Rooms under separate roofs	2	-	2	8	-	2	4	-	-	-	2	4	-	-	-	-	-	-	2	-
2 Necessaries under separate roofs	2	-	2	8	-	2	4	-	-	-	2	4	-	-	-	-	4	-	2	-
1 Sepoys Guard Room	1	-	-	4	2	1	2	-	-	1	-	4	2	2	-	-	-	2	1	-
1 Compound Gate	1	-	-	4	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-

Palamcottah
28 December 1867

Palamcottah
8 December 1870

Signed F. L. Fitz Patrick Lieut
2d Bn 22d Regt N I

(True Extract)
Signed D. Fronto Captn
Station Staff Officer

47

Received from the Station Staff Officer the undermentioned Public Military buildings and Fixtures at Palamcottah for the use of the 22d Regiment Native Infantry.

Description of Buildings	Doors: Pairs of folding	Doors: Single	Doors: Iron upright bolts & screw bolts &	Doors: Iron handles &	Doors: Iron hasps & staples & chains &	Doors: Iron hooks & hinges &	Doors: Iron hooks & eyes &	Doors: Wooden cross bolts &	Windows: Pairs of folding	Windows: Single	Windows: Iron upright bolts &	Windows: Iron cross bolts &	Windows: Iron handles &	Windows: Iron hooks & hinges	Windows: Iron hooks & eyes	Windows: Iron bars &	Windows: Iron bars & sash weather bars &	Windows: Wooden cullours &	Windows: Iron rubbers & wrist plates	Windows: Iron pickets & cramp irons	Windows: Account Remarks	Windows: Necessary seats	Windows: Sun Chicks	Remarks
Sepoys Barracks & places of Arms Verandah North & South	14	-	28	14	14	14	56	28	-	-	-	-	-	-	-	-	-	-	14	1	750	-	1	*1 Contain 750
Non Commissioned room South East end	1	-	2	1	1	1	4	2	-	3	-	12	-	6	12	6	-	-	3	1	-	-	-	-
Barrack Guard room South west end	1	-	2	1	1	1	4	2	-	6	-	24	-	12	24	12	-	-	6	1	*1	40	-	1 *1 Contain 20
Drum & Flag room North east end	1	-	2	1	1	1	4	2	-	3	-	12	-	6	12	6	-	-	3	1	*2	5	-	- *1 Contain 7
Prison room north west end	1	-	2	1	-	1	4	2	-	1	-	4	-	2	4	6	-	-	1	1	-	-	-	-
Gunsheds to the west of Barracks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Artificers Workshop to the west of Barracks.	3	-	6	-	-	3	12	-	-	2	-	-	-	-	8	-	12	-	2	3	-	-	-	-
Store room with Verandah back side	2	-	4	2	-	2	8	4	-	7	-	28	-	-	28	14	46	-	14	2	*2	62	-	- *1 Contain 65
Serjeants Quarters North end	5	-	10	5	1	3	20	10	1	3	-	12	-	6	12	6	21	-	6	3	-	6	-	-
Cook room North end	1	-	2	-	-	1	4	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Privy	1	-	2	-	-	1	4	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-
Serjeants Quarters South end	5	-	10	5	1	3	20	10	1	3	-	12	-	6	12	6	21	-	6	3	-	6	-	-
Cook Room South end	1	-	2	-	-	1	4	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Privy	1	-	2	-	-	1	4	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-
Solitary Cell No 1	-	2	-	1	2	1	4	-	-	-	2	-	-	-	4	2	18	2	-	1	-	-	-	-
Privy to	-	1	-	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-
Solitary Cell No 2	-	2	-	1	2	1	4	-	-	-	2	-	-	-	4	2	18	2	-	1	-	-	-	-
Privy to	-	1	-	-	-	1	2	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-

Palamcottah
28 December 1867

(Signed) F. S. Fitz Patrick Lieut.
Qr. Mr. 22d Regt N.I.

(True Extract)

(Signed) J. Monro Capt.
Station Staff Officer.

Palamcottah
8 December 1870.

(True Copy)

Compd. [illegible]

A. K. Purdie
Collector

164

1870 Revenue. Despatch
From The Collector of
Timevelly
To The Secretary to Govt
Revenue Department
Fort St. George

Dated 12th
Dated 13th } December 1870
Rec'd 16th

No 607.
Enclosure 3 of publick
Letter from
to Govt Bombay.
Retention of the
Inhabitable coast of the
Pearl Fishery District
at Palamcottah and
how the Country utilized
S.C. No 94 - 26 Jany 1873

Send to Liz over.
L.H.

No 187 - 189

Revd. Dept. dict

Enclosure 2 in a letter
from the Collector of
Timevelly & the Secretary
to Govt. Revenue Dept.
Fort St. George
Dated 12th December 1870
No 604

Rec'd 2 / 1871

Retention of Inhabitable
Coast of the Pearl Fishery
at Palamcottah.

No 187 - 189

No. 640. 18A 5

Rent paid by Government for the accommodation of certain Departments at Palamcottah.

	Monthly rent. Rupees.
Revenue Survey Office	120
Police Office	50
	170.

Timevelly
30th December
1870

A K Ruthle
Collector

To The Chief Secretary to Government
Fort Saint George
with reference to Government Official
Memorandum No 247 Dated 21st December 1870

19A 6

No. 94 Revenue Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

21st Jany. 1873

Read the following. Letters from the Collector of Tinnevelly

Reporting on the probable cost of the Military buildings at Palamcottah and how they can be utilized.	A.L. 12 Decr. 1870, No. 607.
Memo: showing rent paid by Govt. for the accommodation of certain Depts. at Palamcottah.	" 30 Decr. 1870, No. 640.

Recorded, the question of removing the Regiment at Palamcottah to another station not having been yet settled.

Ltr

Collector of Tinnevelly Dcsd 27 Jany 1873

95

Proceedings of the Madras Government, Revenue Department,
24th January 1873.

No. 190. Read the following letter from the Acting Collector of Madura, to the Chief Secretary to Government, Fort St. George, dated Pereakolam, 19th December 1872, No. 2,454 :—

In continuation of my letter No. 2,244, dated 23rd ultimo, I have the honour to enclose copies of the decisions of the Assistant Magistrate and Sessions Judge, disposing of the charge of defamation brought against N. Subbien.

2. The prosecution was founded on one of several petitions written to different authorities, not, I believe, with the object of bringing any definite charges against Ram Row, but of annoying him and, if possible, injuring him in some way. As these complaints were not considered to be settled by departmental inquiries and orders, Ram Row made this criminal charge, and the result is that nothing has been proved except the malignity of his enemies.

No. 191. Order thereon, 24th January 1873, No. 95.

Miscellaneous.

The Governor in Council learns with much satisfaction that the result of the prosecution has so fully confirmed the high opinion of the Deputy-Collector Ram Row's integrity entertained by Government.

2. The Collector will report what notice he has taken of the conduct of the English Record-keeper who clearly aided the concoction of the false and malicious libel which is the basis of the charge.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Acting Collector of Madura.
„ the Board of Revenue.

Exd. F. R. Bantleman.

No 2454

Head Quarters Collector's Office
on circuit &c
(Camp) Pereakolam
19th December 1872

From

W. McDuhre Esquire
As Collector of
Madura

To

H. Hudleston Esquire
Chief Secretary to
Government
Fort St George.

Sir,

In continuation of my letter No 2244 dated 23d Ultimo, I have the honor to enclose copies of the Decisions of the Assistant Magistrate and Sessions Judge disposing of the charge of defamation brought against A. Subbiem.

2. The prosecution was founded on one of several petitions written to different authorities, not I believe with the object of bringing any definite charges against Ram Row but of annoying him and if possible injuring him in some way. As these complaints were not considered to be settled by Departmental Enquiries and orders Ram Row made this Criminal Charge

and

and the result is that nothing has been proved except the maliginity of his enemies.

I have the honorable
Sir
Your most Obed.t Servt.

W.m McLure
Ag.t Collector.

5-5

1872 Rev. Deptt
No. 21.
From
The Actg Collector of
Madura
To The Chief Secretary
to Government
Fort St George
Dated 19th December 1872
Received 6th Jany 1873
No 2454
Enclosures 2

Enclosing Copies of the
Decisions of the Asst
Magistrate & Sessions
Judge disposing of the
charge of defamation
brought against the
N. Soobiah -

Lr. 190-191

S. C. No 95 - 24 Jany
73.

C. 8th Jany / 73 R 23d Jany

In the Sessions Court of Madura.

Saturday the thirtieth day of November One thousand eight hundred & seventy two -

Present

D. D. Hutchins Esqre Acting Sessions Judge.

Criminal R. a. No 63 of 1872

N. Subbayan, Appellant. (Deft)

Appeal against the sentence of the Assistant Magistrate of Madura in Case No 72 of the Calendar for 1872.

Order:— This Appeal coming on for hearing: Upon perusing the petition of Appeal, the records and the Calendar and Sentence of the Assistant Magistrate, and upon hearing the arguments of Mr. Serench counsel for the Appellant. It is ordered that the Sentence of the Assistant Magistrate be, and the same hereby is confirmed and this Appeal dismissed.—

(Signed) D. D. Hutchins
Acting Sessions Judge

(True Copy)

J. W. Inches
Asst Magistrate

In the Session Court of Madura
Saturday the thirtieth day of November One
thousand eight hundred & seventy two.

Present

D. S. Hutchins Esqr. Acting Session Judge

Criminal R. A. No 63 of 1872

N. Subbayan Appellant (Deft)

Appeal against the Sentence of the Assistant Magistrate of Madura in Case No 72 of the Calendar for 1872

This Appeal coming on for hearing: Upon perusing the petition of Appeal, the records and the Calendar and sentence of the Assistant Magistrate, and upon hearing the arguments of Mr. Branch Counsel for the Appellant the Court delivered the following Judgments:— This is a charge of Defamation prosecuted by the Dy Collector in charge of the Treasury. The defamatory matter was contained in a petition addressed to the Board of Revenue.

The first point taken by the Appellant's Vakil is that the Assistant Magistrate was incompetent to try the case since he was at the time a tenant of the Dy Collector, or at all events that I am to regard the Assistant Magistrate's Convictions not only with caution but with the

greatest

greatest suspicion. The Magistrate however was certainly quite competent to try the case and though he recommended its transfer to another Court, I find that the Magistrate of the District declined to order it to be transferred. After reading the record I certainly find no bias against the Prisoner and I do not entertain the slightest doubt that the Assistant Magistrate gave the case the most honest careful, and conscientious consideration.

When the Vakil says that the authorship of the Petition is not established I have no doubt that the Prisoner wrote it. Independently of the evidence of handwriting, which in an English petition of this discription, is very important, and of the Prisoners own admissions out of Court, there are the facts first that he refused to deny having written the petition and secondly that his defence has been directed to establishing the truth of the defamatory allegations.

This Court at a former hearing directed the examination of 3 additional witnesses whose attendance at the trial could not be procured notwithstanding repeated adjournments. One of these, the Zemindar, happened to be in Madura at the

the time and the Assistant Magistrate at once seized the opportunity of examining him before he returned to Ramnad. Much this point has been urged against the Assistant Magistrate's fairness, and it is suggested that the result, if not the object, was to enable the Native Surgeon, who came from Ramnad subsequently, to bring his evidence into harmony with that previously given by the Zemindar. The true object evidently was to save the Appellant the trouble and expense of bringing in the Zemindar again and the Zemindar himself the trouble of coming. This however is merely one of many insinuations, made by the Appellants Vakil and I presume under the Appellants instructions, which certainly do not tend to make out to my satisfaction his plea of good faith but rather aggravate the libels of which he has been found guilty. Good faith involves due care and attention. A man who makes accusations must have made due enquiry and must bonâ fide believe them to be true. Something more than mere bazar rumour is necessary. Even if such rumours have not, as at the first hearing of this Appeal Mr. Goldingham remarked was probable, been "first of all intentionally circulated by the Appellant" still the Appellant must show some sort of enquiry whether they were well founded.

The

The libel sets out in the 1st head of the charge, though it refers to a dead man, clearly comes under explanation I. Taking the whole petition together it is impossible to doubt that this statement with regard to the father was intended to injure the feelings of the son, although an additional object was to induce the Board to give credit to the insinuations against the son. That the Defendant knew it was false, as it certainly was false, I cannot doubt. The evidence that he was found in the Collectors Record room in confabulation with the Record Keeper and that he had to be turned out by the Dy Collector is very material on this point. The records seem to have been duly perused and that the Appellant knew all about them seems certain from the petition itself, though of course he has not quoted those which make against him.

Next with regard to Umbanary the charge in the petition is very confident and the petitioner says he will produce two letters from the Agent Chidombrom Pillay, to Ram Row showing that the latter was the beneficial owner besides the evidence of certain respectable men. Two letters were certainly produced but Chidombrom Chetty or Pillai repudiates them and no further attempt was made to prove them.

The

The Appellant has not explained how these letters came into his possession. All the Witnesses called by the Appellant swear that Ram Row has nothing to do with the matter, except one or two who speak of a rumour, which in one case at least seems to have been subsequent to the petition. Besides this the man now put forward as the Manager or Agent of the Village is not Chidombrom Pillai or Chetty but William Chetty. The Appellant complains that the onus of proof has been wrongly thrown on him, but in a case of this nature it was impossible for Ram Row to do more than swear that the allegation was absolutely false and call on his accuser to state particulars. The Sole and nominal ownership it was admitted were not with Ram Row at all. The Appellant has I suppose called all those who could in any way tend to show that he had reasonable or probable cause for believing the accusation to be true and in my opinion Ram Row has clearly shown that the Witnesses called do not establish any reasonable foundation at all. Many of the Witnesses are obviously ill disposed to him, and if there had been any foundation something better than mere vague rumour could surely have been

heard shortly to.

The same remarks apply substantially to the 3rd & 4th heads of the charge also. The gist of the 4th head was the statement that Rama Row had entered into pecuniary dealings with the Merchants at Madura and the only thing for which there seems to be the shadow of a foundation is a loan which he made many years ago to a man not a Merchant and living at Ramnad. I do not deem it necessary to go more minutely into the arguments adduced for it as quite clear that my predecessor had disposed of the Appeal as far as the record then went and the additional witnesses now examined do not help the Appellant in the least.

The petition seems to me purely malicious and the whole facts show that it was not made at all in good faith or dictated by any desire for the public good. In all probability the petitioner was paid to write it by some one behind the scenes, and he has very likely been also paid to throw as much dirt as possible about in the course of the trial.

I dismiss the Appeal.

(Signed) P. P. Hutchins
Ag Session Judge

(True Copy)

W. W. Dubree
Ag Registr

No: 2
21/73
158

Enclosure No 2
Dwa Letter
From
The Collector
Madura
To the Chief Secretary
to Government
Fort St George
Dated 7th Decr 1872
No 2454

Decision passed by the Sessions Judge of Madura in Criminal A. A. No 63 of 1872

Pp. 190-191

Judgment

Decision passed by the Assistant Magestrate of Madura in Calendar Case No 72 of 1872 on his file.

Complainant. Defendant.

T. Rama Row. Vers. N. Subbien.

Charge That he on or about the 11 day of May 1872, at Madura, defamed one T. Rama Row, the Treasury Deputy Collector at Madura, by writing in a petition to the Board of Revenue.

1st That the said T Rama Row's father, Seshagiri Row, was removed to another District for dishonesty in his Official career.

2nd That from his Official influence T Rama Row has during the last year indirectly acquired the Village of Ambanary.

3rd That T Rama Row is in possession of certain lands, Topes and Garden acquired by himself and held in the names of third parties. Viz his brothers 4th and.

4th That T Rama Row has entered into forbidden pecuniary dealings with the Merchants at Madura and that the said N. Subbien has thereby committed an Offence punishable under Section 500 of the Indian Penal Code and within my cognizance.

Judgment

Judgment

The Defendant is charged by Complainant with defamation on 6 Counts. The Complainant denies the truth of all the imputations & proves by Witnesses to hand-writing & to admissions made by the Defendant that the petition containing the Offensive imputations was written and published by Defendant. Charge was then framed against Defendant with the 6 Counts noted in the 3rd Column to all of which he pleaded not guilty on the grounds (1) that the charges made by him were true (2) that he made them in good faith and cited Witnesses. His first list contained 31 Witnesses & he was subsequently permitted to add a Supplementary list containing 6 more. The first allegation on which the charge of defamation is based related to Complainants father, late Head Sheristadar of the District, and affirmed that he had been removed from the District to Srichinopoly for his dishonest practices. The Complainants' father was actually transferred to Srichinopoly & Defendant alleges that his charge was made in good faith even if not true, since it is the general belief of the Town that he was removed for dishonesty. Witnesses 1. 4. 9. 10. 13. 16. 21.

State

State that they have heard that Complainants father was so removed & that they believe that to be the general opinion in the Town. From perusal of the Huzur records it appears that the Sheristadar was tried by Mr. Blackburn, the then Collector, on a charge of bribery brought by Mr. Pescher and one Ramasamy Iyen: this conviction was reversed on Appeal to the Board on the most convincing grounds. Vide Boards Proceedings of 25th March 1863. On the 8th June the Board communicated their decision to Government and on the 24th July the Government confirmed the order and sanctioned the disbursement of the pay due to Seshagiri Row during his suspension. On the 11th October 1863 the Board of Revenue announced that Government had posted Seshagiri Row to Srichinopoly as Sheristadar. Strange to say, the other correspondence giving the reasons for the transfer is missing: considering that this correspondence would show that the Sheristadar was removed because he and Mr. Blackburne could not get on together after this affair, it looks very suspicious and the Recordkeeper ought to be called on to explain this. I say that although the actual correspondence showing the

reasons

reasons for transfer is missing, the Sheristadar was transferred not for dishonesty, but for disagreement with the Collector and this is shown (1) by the entire acquittal of the Sheristadar approved by Government in Government order of 10th June 1844, (2) that he was not in any way degraded but sent to a post of equal dignity (3) that Mr Blackburne was suspended for allowing Mr Fischer to interfere in the District concerns, amongst which was the prosecution of Seshagiri Row, (4) that on Seshagiri Row's retiring on pension Government complimented him on his unvarying integrity, and not only pensioned him but continued 2/3 of the pension to his sons who enjoy it to this day. So much for the truth of the allegations now as to the good faith with which it was put forward. Nothing is said to be done in good faith which is done without due care and attention. Now the only evidence we have to show good faith is the assertion of some 5 or 6 persons who allege that there is a bazar rumour in support of the allegation. Supposing this to be true, (intrinsically weak as it may be) the question is whether such bazar rumour would justify a man in making the assertion in a deliberately written petition to the Complainant's superiors i.e. the Board of Revenue. due care is such a care as is proportioned to the gravity of the matter. A bazar rumour might justify a man in refusing to purchase goods,

goods but would a man of common sense on mere bazar rumour of a probable rise in price set to work say to purchase all the cotton in a Market. He would of course seek first for more reliable information, though the rumour might be the first instigation to such enquiry. A fortiori then when a man is about to present a petition to the Board of Revenue with a view utterly to disgrace another, it would be necessary for him to act with all possible circumspection and on nothing less than the most reliable and certain authority. Hence I conclude that even if there be any such rumour, which indeed from the manner and position of the witnesses I very much doubt, it is utterly insufficient to justify the serious imputation thrown upon the complainant's father. But further defendant alleges that having no proper access to the public records he could not be certain of his facts. Supposing this to be any defence, (which I hold it is not, since if he were not morally certain he had no business to make the allegations) I must look to the truth of it. On examination of the records I find that the records relating to this affair have all been diligently read and underscored with marks in pencil which are clearly fresh, and

that

that these marks are under such sentences as told against Sheshagiri Row. Hence arises the presumption that some enemy of the family has recently had access to the records. There is no actual evidence as to who that person is, but we have no evidence that the Defendant was sitting with the English Record Keeper (his first Witness) & was turned out as an intruder (which he undoubtedly was) by complainant & further on inspecting the 7th para of the Defendants petition (A) it is clear that it could only be written by one who had unlimited access to or knowledge of the records, since each paper therein noted contains date and number most accurately. Hence I conclude that Defendant had access to or knowledge of the records and that this is another ground for rejecting his plea of good faith. I would also observe that the English Record Keeper is clearly hostile to complainant and that his statement that he believes the general opinion and his own to be that the Vernadar was removed for malpractices is clearly false, since he admits on cross examination to have perused the records and also to have had conversation on the subject with his father, who

who was Vernadar to the commission on whose report Seshagiri Row was acquitted and restored. Before quitting the subject of good faith I observe that the objections above mentioned apply equally to all the allegations, since on no single point has Defendant any thing more to go upon than what he calls general opinion.

The 2d point is whether complainant enjoys a certain Village named Ambanaru in the Ramnad Zemindary on Cowle in the name of Ramanadan Chetty: here the evidence is again general rumour - 1st Witness says he heard it from two persons (not called): also 16th Witness Ramanadan Chetty, for whose appearance the case was adjourned several times & 6 sets of Summonses issued did not appear: his cowle however was produced & is clearly in his name nor is there any evidence to the contrary except what is called general opinion as sworn to by several Witnesses. 13th Witness also proves that Ramanadan Chetty is the real Cowledar. I have already noticed the 1st Witness: as to the 16th Witness the remarks which I have to make on him apply to the whole

of

of his evidence, which in my opinion is utterly worthless: this will be explained on the 3d point. I observe also that the Jaseldar who made all the enquiries when the Village was given on Moogle is not called as a Witness, though he would necessarily be the best informed. The 3d point is whether complainant enjoys certain lands or Topes unlawfully in the names of his family. Now Complainant swears that his family is divided and there is nothing to show the contrary. Hence possession of lands & Topes by his brothers would not affect him. Hence the evidence as to his actual enjoyment must be positive & convincing to be of any weight. The only point worth noticing is the allegation as to the possession of a certain Garden in the Town. The 13th Witness is referred to: this Witness says the garden is in possession of Ram Row's house (family Pu-g). Now as Ram Row is the head of the family his name would be naturally attached to property, especially if he bought it as alleged by 21 Witness, even though in the life time of his father Venkazeri Row in 1860. But further Ram Row asserts that he & his brothers divided several years ago and that he

has now neither sent nor lot in the garden and there is nothing but the popular name to rebut this. This popular name or Rumour is sworn to by 13, 16 and 21 - how first none of them know anything further about it, namely as to extent, suitable, actual enjoyment &c: and though 21 Witness says it was bought for Rupees 600 and is worth 500 pagodas he is unable even to state the approximate extent of the garden and this though he was a Local Head Overseer for many years. As to the value of this mans evidence it is greatly diminished or rather nullified not only by his vagueness but by the fact that he has twice been dismissed for fraud as an Overseer, the last occasion being in September 1871. Then as to the 16th Witness who gives the most distinct evidence of any - Before Knowing even who he was I was struck by his hostile demeanour & his eagerness to answer the questions put, even before they were fairly uttered. As an instance take his answer to the 3d & 4th questions: "I know a Garden near the Head Assistant Collectors Office: it belongs to complainant": this was before its position was even described. It was clear that he came eager to give evidence and the eagerness is well explained when it is shown that he is the son of Anna - same Ayen, the person by whom the Charges (described by Govt as utterly untenable) were brought against complainants

complainants father, in consequence of which there is an hereditary feud between the families which has been not a little intensified by the fact that shortly before the petition was presented to the 13th of Ramnad the Municipal Commission of which Rama Row is a Member ordered Petitioner's pial to be removed as an encroachment on the public Street. What weight is to be given to enmity, and demeanour, the Petitioner's evidence is worthless as my remarks made at the time will show.

On the 4th point namely whether Complainant has had "forbidden" pecuniary dealings with the Merchants of Madura". There is very little worth noticing except on two points namely (1) the question of the bricks used in building complainant's Bungalow at the Vellacolow. (2) a loan given by Complainant to an Iyengar. On the 1st point the evidence of a most respectable person namely Venkatachela Chetty. Trustee of the Meenatchi Devastanam, shows that though he does not remember the prices of the bricks nor the quantities yet that they were properly paid for. It is not surprising that Witness should not remember details of a matter which happened at least months previously & was of ordinary nature. The one point requiring explanation is that as to the amount not being entered in the accounts & this seems strange (275) till the Petitioner says they were paid for and there is no evidence to the contrary. Mr. Scott also shows that though a person came & complained to him that the servants of the Complainant had forcibly taken a number of bricks, yet that on reference to Complainant the man was at once paid, according to his own admission to Mr. Scott the same evening. As to the loan, the Complainant admits a loan given to an Iyengar many years ago under very peculiar circumstances. it was for a small amount & was to assist him in time of distress. I may also add that as the allegation was "pecuniary dealings with Merchants of Madura" and Jagannada Iyengar was not a Merchant, the proof even of this point would not establish Defendant's allegation. The groundlessness of Defendant's Statements & the utter want of good faith may be instanced by his calling for the private accounts for 5 years of 13 Witnesses on production he proposed to look all through to see if he could find any entry having reference to Complainant: this of course was not permitted.

In conclusion I am entirely of opinion not only that Defendant has entirely failed to prove single one of his allegations, but that he has also failed to show even a

a plausible ground for good faith, if the words "good faith" are to have any meaning at all. The character of Complainant has been attacked in a very wanton and wicked manner by a person who was deprived some years ago of his Government post and has since then been living as best he could: the malice of the Petitioner is shown by the desire to obtain the removal of the Complainant from the District even without enquiry (Vide para 8), while the fact of his not having erred through ignorance is shown by the careful manner in which he has put in lists of correspondence relating to Complainant (para 7) and to persons removed for dishonest practices (para 9). The case is only a more specious form of the ordinary crime of Dhadura namely the bringing of false charges with a view to injure or annoy, and but for the fact of Defendant having not succeeded in obtaining several of his witnesses he would have been sentenced to a long term of imprisonment. It is needless to add that there is nothing against Complainant's Character on the points put in issue.

The Court finds that N. Subba Iyen is guilty of the Offence specified in the Charge and has thereby committed an Offence punishable under Section 500 of the Indian Penal Code; and the Court directs that the said N. Subba Iyen do pay a fine of Rupees (250); in default that he be kept to simple imprisonment for a term of (1) one month.

(Signed) F. A. Nicholson
Assistant Magistrate

22d August 1872

(True Copy)

W. Wedderburn
Asst Collector

Compd E V
Ed

Revenue Department.

No. 95

PROCEEDINGS *of the* **MADRAS GOVERNMENT.**

Under date the 21st January 1873.

Read the following letter from the Actg. Collector of Madura.

Enclosing copies of the decisions of the Asst. Magistrate & Sepoys Judge disposing of the charge of defamation brought against one N. Toobbier. } A. E. 19 Decr. 1872. No. 2454

The Governor in Council learns with much satisfaction that the result of the prosecution has so fully confirmed the high opinion of the Dt. Collr. Ram Row's integrity entertained by Govt.

The Collector will report

L. D. S.

Recd. 24/73.
Secretariat No. 1
&c. &c. &c.

From
The Collector
Madura

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

Dated 19 December 1872
No. 2454

Petition forwarded by the Asst. Magistrate of Nilakotta in Calendar Case No. 72 of 1872 on his file.

Pet. 190-191

report what notice he
has taken of the conduct
of the English record-
-keeper who clearly
aided the concoction
of the false and mali-
cious libel which is
the basis of the charge

1 Ag[ainst] Collector Madura. Des 27 Jan[uary] 1873
14 Brady Revenue

Gf

Disposal of Colours
of deposition of
one Section of Wood
dwd.

Form Prd

Do

8th Jany 53 R 23d Jany