

(1) Number of Pages..... 32
(2) Date of repair 25.11.1967
(3) Initials of the Referencer 22.2.68

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1087	Press
~~B.P. No.~~		~~Mis.~~
Dated	19.7.1875	196 .

Not to be folded or roughly handled

1024

*Proceedings of the Madras Government, Revenue Department,
19th July 1875.*

No. 206. Read the following Proceedings of the Board of Revenue, dated 24th June 1875, No. 1,756:—

Read again Board's Proceedings, dated 29th January 1875, No. 206.

Read also the following letter from H. S. THOMAS, Esq., Collector of Tanjore, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Agastiampally, 2nd June 1875, No. 199:—

I HAVE the honor to submit the explanation of Muttuvaiyar, suspended 3rd-Class Sub-Magistrate of Arandangi, as called for in the Proceedings of the Board of Revenue, No. 206, dated 29th January 1875.

2. In doing so, I have accompanied it with marginal remarks, conceiving that manner of dealing therewith to be the most convenient for the Board's perusal.

3. I would commence with seeking a re-perusal of my letter, No. 17, dated 13th January 1875, embodied in the above-quoted Proceedings, as giving a general sketch of the nature of the case, and would premise that in paragraph 3 thereof, I have fallen into a slight error. I said there, "the majority of the real gang have been sentenced to long terms by the Session Court of South Tanjore." The exact fact is that six were committed, of whom two were convicted and four were acquitted by the jury. So strongly, however, was the Judge impressed with the conviction that the jury had wilfully gone against the evidence in acquitting the four they did, that he specially referred the matter to the High Court with a view to have those four also convicted. The High Court, however, declined to be moved, and the finding of the jurors remained final. Nevertheless, so strongly was the Judge still of impression that the jury had been wrongly influenced in acquitting these four men in the face of the evidence, that when he and I revised the list of jurors in March, we were careful to strike all those jurymen off the jury list, as well as to strike off the brother-in-law of the Arandangi Sub-Magistrate, because there were reasons for concluding that it was the said brother-in-law who had influenced the jurymen to acquit as they did, in collusion with the Sub-Magistrate. Thus, though I have made an unaccountable mistake in paragraph 3 aforesaid, still for the purpose of this report, it may be borne in mind that not only the majority but all of the committed dacoits were, by the Judge at least, held to be guilty men beyond a doubt, and that it was only a tampered jury that acquitted four of them. These dacoits are the real offenders whom the Arandangi Sub-Magistrate wanted to shield by making himself an aider of the plot, by which the guilt was, through a false confession, to be laid on a separate gang, their enemies.

1. Copy of letter from the Deputy Magistrate, Tanjore, No. 225, dated 2nd December 1874.
2. Extract from the Register in Case No. 13 of 1874, on the file of the said Deputy Magistrate.
3. Translation of witness Sami Ayyan's deposition in the said case.
4. Copy of accused Sami Ayyan's statement before the Deputy Magistrate in Calendar Case No. 19 of 1874.
5. Copy of letter from the Deputy Magistrate, Tanjore, No. 6, dated 9th January 1875.
6. Copy of deposition on oath of Captain Rolland before the said Deputy Magistrate.
7. Translation of Clerk Devaji Row's deposition on oath before the said Deputy Magistrate.
8. Translation of Dufterbund Shanker Row's do. do.
9. Copy of Captain Rolland's letter, No. 82, dated 17th May 1875.
10. Extract from his notes.
11. Translation of extract from the Crime Register of the Arandangi Police Station.
12. Tamil explanations of Muttuvaiyar with a covering Arzi.

4. The Sub-Magistrate's explanation is in Tamil, and I forward it in original; but for the Board's convenience, I append a translation, against which it is that I have put my marginal remarks. I enclose also other papers marginally noted.

5. *Dramatis Personæ* :—

Muttuvaiyar	3rd-Class Sub-Magistrate of Arandangi.
Sami Kutti Ayyan... ..	Brother-in-law to Sub-Magistrate and Batta Amin in Puducottah territory.
Peddaperumal Pillai	Friend to Sami Kutti Ayyan and employed as gumastah in same Court in Puducottah territory.
Kuttivanni Mundan	Leader of the gang of dacoits who plotted to implicate other professional dacoits by false confession of their dacoity.
Arumugam	Scape-goat in Kuttivanni Mundan's plot.
Sami Ayyan alias Sami Gurukkal..	Tutor of scape-goat.
Raganatha Muthali	Trichinopoly Constable and friend to Sami Ayyan.

Translation of Explanation of Sub-Magistrate of Arandangi.

As directed in the Proceedings of the Honorable Board of Revenue, dated 29th January last, No. 206, I beg to submit the following explanation of my proceedings in the dacoity case, therein referred to.

2. It is stated in paragraph 2 of the Collector's letter to the Board, that the charge brought against me is chiefly that one Kuttivanni Mundan induced prisoner Arumugam to implicate wrong parties in the dacoity and delivered him up to one Sami Ayyan, and that this Sami Ayyan arranged with me for my co-operation in the matter; and (2), that I, in pursuance of this, held some unjust proceedings.

3. Whether the statement that the said Sami Ayyan arranged with me in the aforesaid manner is believable or not is an important point for determination by the Board. I humbly trust the under-mentioned facts will impress on the merciful mind of the Honorable Members of the Board that the said statement is untrue—

1st.—I should have known the said Sami Ayyan previous to his having come in company with prisoner Arumugam; but I had never seen him before that time.

2nd.—If I had so seen him before, it is also necessary that I should have known, before prisoner Arumugam was produced before me, of his (Sami Ayyan's) intention to implicate, in the dacoity in question, persons who were not concerned in it.

Kuttivanni Mundan, the leader of the gang of guilty dacoits, that all things were arranged and he could bring the money; and that the Sub-Magistrate was aware, the day before the prisoner reached him, that his brother-in-law had thus arranged the matter, is clear from his own words, when Sami Ayyan brought Arumugam before him (See extract from notes by the Superintendent of Police and paragraph 3 of his letter to me, dated 17th May 1875, No. 82).

7. While quoting Sami Ayyan's deposition, as I have above, it is fair I should state that Sami Ayyan has since been convicted by me of perjury on an alternative finding, and it may consequently be held that no weight at all is to be given to the testimony of such a witness. But I hold that this witness told the truth in the first instance, lied when he saw how the jurymen had been won over by the Sub-Magistrate's brother-in-law Sami Kutti Ayyan and the dacoits acquitted, and he was accordingly persuaded by the same brother-in-law to take the winning side. This

6. The cloud endeavoured to be cast by a denial of previous knowledge and a consequent arguing of the improbability of the conduct attributed to him, in connection with Sami Ayyan, melts away when we know (See deposition of Sami Ayyan before the Deputy Magistrate, Register No. 13 of 1874) that the Sub-Magistrate's brother-in-law, Sami Kutti Ayyan, was a Batta Amin in the Puducottah territory, and had a friend, Peddaperumal Pillai, a Javabnaviss in the said Court with him, who wrote to

was Sami Ayyan's own explanation in his third and defence-deposition before me, and it is in accord with the Sub-Magistrate's own casual admission of previous knowledge. But for its concurrence with the Sub-Magistrate's own admission of previous knowledge, I should not have relied on the word of a perjured witness as worth any thing at all. In that connection, however, it is noteworthy and it is in full detail and divulges the way in which the Puducottah and Tanjore neighbouring authorities worked in concert in iniquity. However, even if this statement be thrown out altogether, it matters not, we have the Sub-Magistrate's own admission of previous knowledge.

3rd.—Had such been the case, it is also absolutely necessary that I should have taken all precautions and care to keep the matter from coming to the knowledge of any body else.

8. Opposite this, it will suffice to quote the words of the Superintendent of Police: "The Magistrate had no necessity to take more than ordinary

precaution. He had no idea that I was in possession of information as to how the two factions of kallars were working &c., * * *. I would point out that the Sub-Magistrate's house is not a public place, &c., * * *." "While the tutoring was going on, no one could hear or suspect what was going on; moreover, it was in the aghraharam where the Magistrate's own friends and relations and gumastahs reside" (paragraph 4 of his letter No. 82).

4th.—This being so, the statement that in contrariety thereto, I publicly ordered Sami Ayyan to take prisoner Arumugam with him and conversed with him and got from Sami Ayyan a list of the names of persons to be falsely implicated in the dacoity, so openly and in the presence of several Police Constables, my own gumastahs, a relation of the man robbed, and many spectators who came there to see the captured thief, would show extreme stupidity on my part and amount to conduct leading to self-deception and self-betrayal. Such conduct is quite improbable and could not have been expected even from the stupidest man.

9. It has been shown above that the place was not an "open" one nor the act a public one. The Police Constables, both from Trichinopoly, had already committed themselves by being parties to the bringing before the Sub-Magistrate of the false case, which he, the day before, knew was false and knew was coming, and they did further implicate themselves by not taking their prisoner to the station-house. Therefore,

their mouths were shut, and the Sub-Magistrate had no reason to fear their presence. They were accomplices. His own gumastahs too were no new acquaintances to him and his ways and must have long since come to terms with him about the price of a judicious silence. Therefore, I do not attach much weight one way or the other to the presence of the gumastahs.

10. The "relation of the man" robbed had no reason to know there was foul play going on. He thought the confession was a true one, and his relation's property in a fair way of being returned. That he distinctly saw and heard every part of what went on quietly, between the Sub-Magistrate and Sami Ayyan, is not to be supposed.

11. "The crowd of spectators" have been brought on to the scene by the Sub-Magistrate himself. They are not known to have ever been there *in propria persona*. They may be dismissed as paper *imaginés*.

12. Thus explained, the conduct of the Sub-Magistrate was not such as would be improbable in a hardened bold man. That he is the latter at least is a conclusion, I made no hesitation in drawing from his bearing to me, of which anon (paragraph 27).

5th.—At the time when these proceedings are said to have taken place, my enemy Veerapillai, Police Constable No. 1,124, was present. It is said that these proceedings took place on the 26th August last. I reported him for punishment to the Superintendent of Police on the 22nd of that month. In recrimination, he intentionally made a false report to the Police Superintendent on the 2nd of the following month of September that I was holding Cutcherry till late in the night. These facts will be seen to be true, if the Board send for and peruse my Arzi, dated 16th October last, No. 13, to the District Magistrate, its enclosures and the order issued on my Arzi.

6th.—The Board should consider if the suspicious proceedings, enumerated above, could possibly have been conducted by me in the presence of a person, who, in the manner above related, bore ill-will to me. He was in charge of the station that day and was bound to take note of all that happened.

7th.—Every proceeding daily taken by me and the Police with regard to each case, in which the Police could interfere without a warrant, are then and there entered in the Crime Register in the Police Station. It will be seen from the above Register, if sent for and perused, that no illegal proceedings, such as are stated above, took place on the 26th in the court-yard of my house and in the Cutcherry in my presence.

8th.—If I had in any way been a party to the plot of Sami Ayyan, there is no reason why I should have taken the steps required for the execution, on proper inquiry, of the warrants issued by me in the first instance. I had directed these warrants to the Police Inspector on account of the doubts entertained by him and me. I had ordered also that steps should be taken to watch the movements of Sami Ayyan. These warrants were never executed on account of the aforesaid doubts. These things are inconsistent with the supposition that I connived at the plot in question.

9th.—Should the Board take into consideration the aforementioned points, the following facts will show clearly, whether the deposition taken from my gumastah in my absence, to the effect that the said irregular proceedings took place, is credible or not.

the Sub-Magistrate's presence. Moreover, Captain Rolland's deposition was taken in the same way, and it is surely not to be presumed from the above arguments of the Sub-Magistrate, that that officer's oath is false.

4. With regard to the Collector's statement to the effect that it was necessary to instruct prisoner Arumugam because he was stupid, it is clear from his (prisoner's) subsequent statement that the parties mentioned by him were those belonging to the faction opposite to his; hence, it must be inferred that either he should have already known their names himself, or these names should have been taught to him by Sami Ayyan on the way prior to his (Arumugam) having been produced before me, as admitted in his second deposition. Moreover, the place where Sami Ayyan is alleged to have taken and taught him is described in three different and discrepant ways, viz., as the house next to mine, as the house opposite to mine, and as the house next after the one opposite to mine; it is thus evident that the statement that such a thing took place is false.

13. This clause is true with the exception of the statement that the nemy was "present." The Crime Register shows he was absent at the time of the transactions before the Sub-Magistrate and repaired to the Sub-Magistrate after hearing of them.

14. At that stage the absent constable could not possibly know and record the deep game that was being played.

15. Paragraphs 7 and 8 of the Superintendent of Police's letter, No. 82, are sufficient reply.

16. They were taken by way of preliminary inquiry by the Deputy Magistrate with a view to show grounds for prosecuting; therefore, it was not necessary that they should be taken in

17. That Arumugam was so instructed, and that a list of the names was given to the Sub-Magistrate by Sami Ayyan, is deposed to by one of the Sub-Magistrate's clerks, and there is nothing extraordinary in the stupid scape-goat being unable to remember the lesson, which had been taught him, which lesson was one, not very easy to learn, for it was a string of twenty-one names with the father's name and the place of residence of each one, and amongst these names were included the enemies of the tutor Sami Ayyan, so that even if the

stupid scape-goat did know the names of the opposite faction of dacoits, which he may or may not have known, he at least did not know his tutor's private enemies, and it is not surprising that the tutor should have eventually given up his pupil in despair, and with such an accommodating Sub-Magistrate, preferred to make all accurate by handing a written memorandum of the names, which were to be embodied in Arumugam's deposition, as if deposed to by him.

5. As it is clear from the above, that I could neither have taken any list nor used it, it seems unnecessary to give any explanation regarding it.

6. With respect to the Collector's statement in his letter to the Board, that prisoner Arumugam was not the real dacoit, and that I was cognizant of the falsity of his confession, it has been determined that he is the real offender. In his two depositions before me, he has given in detail the facts of the commission of the offence and clearly admitted his complicity in it. It appears that having believed this, the Police and the Deputy Magistrate made inquiries regarding the persons mentioned in his second deposition, that the persons apprehended were committed to the Session Court for trial, and that the Session Court fully believed his complicity in the dacoity and promised to make him an approver. Subsequently he was convicted on his own confession and sentenced by the Session Court to ten years' rigorous imprisonment.

7. In paragraph 3 of his letter, the Collector states that several of the real dacoits were sentenced by the Session Court to long terms of imprisonment; but in fact they have not been so sentenced. The Session Court having differed from the opinion of the Jurors at the Sessions trial, the case with the records was referred for the orders of the High Court, who eventually released the prisoners.

8. It has been deposed by the Superintendent of Police, that in taking down the second statement given before me by prisoner Arumugam, I omitted to record certain facts told by him, as they affected my conduct. The things which, it is said, I have omitted to record are stated in paragraph 2 of the Collector's letter to the Board, to be the proceedings said to have been conducted in front of my house and the communication made by Sami Ayyan to Arumugam regarding his plot. It is this deposition that is referred to by the Collector in paragraph 4 of his letter to the Board as the one falsely fabricated by me. I solemnly affirm that such facts were never deposed to by the prisoner before me and never omitted by me for—

1st.—These things are not such as would in any way affect my conduct.

2nd.—As I was aware of the circumstances already mentioned, which clearly show that these allegations are false, there was no reason why I should have omitted to record them, if the prisoner had really made them.

3rd.—Had the prisoner really told such things, it would have been more advantageous to me to have taken them down than to have omitted them.

4th.—For I could have convinced the Superintendent of Police, there and then, that the statement that such things took place was false, by pointing out the reasons above detailed by me, and this would have afforded a fair opportunity for me, an innocent man, to avoid the trouble that I am subjected to now.

18. The Sub-Magistrate has misunderstood me. What I say is that Arumugam was one of the dacoits concerned in the dacoity in question, and was cajoled and threatened into being a scape-goat by making a true confession as regarded himself alone, but false in that all the names which he gave as his fellow-dacoits were not the names of those who were really in his gang, but the names of another gang with a few of his tutor's enemies thrown in by way of improving the opportunity.

19. Answered in my paragraph 2 *supra*.

20. He may solemnly affirm here, but Captain Rolland has sworn the contrary in a Court of Justice. A copy of his deposition is enclosed.

21. The very thing they do affect.

22. This is begging the whole question, it is assuming his above explanations to have proved the accusations to be false.

23. The letter of the Superintendent of Police, paragraph 14, replies to these matters.

5th.—Even supposing that I had made the alleged omission in spite of the favorable circumstances above-mentioned, what was there to prevent the persons, who were present during the inquiry, to wit the Superintendent of Police, the two Police Inspectors, and the Station Officer, from insisting upon me to take them down, or why could not the Police have cross-examined the prisoner and elicited the necessary replies and asked me to record them.

6th.—While the portion alleged to have been omitted was such as to arouse suspicion regarding my conduct in the mind of the Police officers, and it was their duty to be on the alert and to carefully observe if I wrote it or not, there seems to be no reason why they should have exhibited so much indifference in the matter.

7th.—The statement in question was read over to the prisoner and acknowledged by him to be correct and the Station Officer himself got the mark of the prisoner in it, and, in verification thereof, attested it with his own signature.

8th.—The deposition of the Police Superintendent was taken in my absence in the same manner as that of my gumastah. The above facts will show that I have made no such omission as is imputed to me.

9th.—I am unable to furnish some further and better explanation in this matter, because the notes said to have been taken by the Superintendent of Police, on his inquiry of the prisoner, were not among the records given me by the Collector, and because the Collector refused to allow me to peruse the Police Superintendent's letter to him, applying for the transfer of the dacoity case from me to some other Court. The said letter is important to enable me to submit my explanation in this matter.

leged communication. His supplementary explanation thereon is enclosed.

10. As regards the Collector's report in paragraph 5 of his letter to the Board that I am liable to be prosecuted under several sections of the Penal Code, it appears from a perusal of the Deputy Magistrate's letter to the Collector, that two charges are brought against me, one under Section 166, Indian Penal Code, for illegal proceedings conducted in front of my house with intent to injure the persons named by prisoner Arumugum in his first statement before me, and the other under Section 218 of the said Code for framing an incorrect record, in that I have omitted the aforesaid facts, deposed to by the said prisoner Arumugum, in his second statement before me.

11. If the Honorable Members of the Board consider well each of the points detailed above, they will clearly come to understand that there are no grounds for imputing either of the aforesaid charges or any other to me.

12. Although my explanation has already become too long, I beg to be excused for stating below, briefly, the circumstances under which these proceedings against me have originated.

I humbly beg to submit for the consideration of the Board, that the inquiry into my conduct has not been set on foot on any complaint or petition made to the Collector or any other of my immediate superiors, by any member of either of the above factions or any body else, to the effect that I conducted any illegal or injurious proceedings in this case with any bad motive or with intent to cause loss or injury to any person,

24. No indifference was shown. I as District Magistrate was promptly informed and the case was thereon transferred by me to another Court.

25. Verified the signature only.

26. Answered in paragraph 16 *supra*.

27. These notes were not in my possession then, and I never saw or called for them and only received them on the 19th instant. I overlooked my having the Superintendent of Police's letter. When I remembered it, I handed it also in original to the Sub-Magistrate and let him see it freely, though a privileged communication. His supplementary explanation thereon is enclosed.

28. This is not the case. There were petitions both to the Superintendent of Police and to my predecessor as District Magistrate: which latter he referred to the Superintendent of Police, and thus it was that I heard first of the case from the Superintendent of Police.

13. As it was simply stated in the District Magistrate's Proceedings, received by me, intimating the withdrawal from me of the dacoity case, that the transfer was made for the reasons stated in the Police Superintendent's letter, I suspected that something to my disadvantage might have been written against me, and then, considering that the Collector who had just then newly come to the district had not then had sufficient time to know my character and conduct, and that should there be any such defamatory imputations, it might tend to injure me, I wrote an Arzi (No. 15) to the District Magistrate on the 29th October last, applying for a copy of the said letter to enable me to give my explanation regarding any such imputation that might be there. It was then that my misfortunes commenced.

14. No order was passed on my Arzi aforesaid, although I twice requested, the Collector has not yet allowed me to know the contents of the Superintendent's letter. The Arzi was referred by the Collector to the Deputy Magistrate with an endorsement that he should submit a copy of the Register after the close of the preliminary inquiry into the dacoity case with his opinion on my conduct.

15. The Police and the Deputy Magistrate wanted to make the best of the opportunity afforded by the said order, to satisfy the grudge they owed me already, and resorted to various means to bring me to trouble. At last my gumastah was summoned on the pretext of giving evidence in quite a different case, pending before the Deputy Magistrate, and detained and made to depose, for nearly fifteen days (i.e. till I was suspended by the Collector, without allowing me to give my explanation). He was not examined touching the case, for which he had been summoned. It was a month after this, that the Superintendent of Police gave his deposition before the Deputy Magistrate. It appears from this, that this deposition was taken with the view of strengthening the first charge.

16. On the 26th August last, while I was at home, prisoner Arumugum was first brought before me with the stolen property, then three Police Constables, attached to Arandangi Station, came to my house; I sent for my gumastah, caused the list of stolen articles already taken by me to be brought, compared it with the property produced, and remanded the prisoner. Having then learned that prisoner Arumugum had been taken to the house, where the dacoity was committed, previous to his production before me, I remarked that it was a needless proceeding, and considering also the fact of the prisoner having been produced before me direct instead of through the Arandangi Police, I began to doubt whether the prisoner was the actual dacoit or not. I asked the prisoner in the presence of the Arandangi Constable to give the details of the dacoity, and to state from what part of the house the stolen property was taken when the dacoity took place; on his giving this information, I left him in charge of the Arandangi Constable. I do not remember that any other proceeding, than what is stated here, took place. This fact may be verified by a reference to the aforesaid Crime Register.

17. After going to the office on that day, I took a statement from the prisoner. Four Police Constables of Arandangi were then present. The confession of the prisoner appeared to me credible; and, considering that the complainant's man, who came along with the prisoner, when he was first produced before me, particularly identified the articles found on him (prisoner), and that the complainant, &c., in the dacoity case, having deposed the day after the offence, that they could identify the dacoits if they were produced before them, I issued warrants for the apprehension of the persons named by the prisoner as having committed dacoity with him, and as being concerned therein. Whether, in his deposition, the prisoner named those persons or not will appear clearly from a perusal of the said Crime Register.

29. The silly grudge-plea is always worked threadbare. Please see paragraph 15 of letter of Superintendent of Police. The Sub-Magistrate was told he could give an explanation if he liked, but he did not choose to do so.

30. The Sub-Magistrate began to have what he has pleased to call his doubts after he saw the Superintendent of Police on the spot. Please see that officer's paragraph 19.

31. If the Board believes, as I do, that the prisoner was taken to the Sub-Magistrate's house and by him allowed to be tortured, &c., then all this is idle. These may be set against at Superintendent of Police's paragraphs 18 and 8; when the Sub-Magistrate had doubts, then at least he should have withdrawn his first warrants.

18. On the following day, I heard of the bad conduct of the said Sami Ayyan, and the day after the Police Inspector (who had been newly transferred to that station two days previously) told me that, on his return from Paducottah, Sami Ayyan had voluntarily come to him and told him that he would exert himself much in this dacoity case and in several others and discover the offenders and that his conduct looked suspicious. These circumstances taken into consideration, together with what I myself observed about him, made me suspect him, and thinking it proper to have the warrants executed by the said Inspector himself, a responsible and trustworthy Police officer of high rank, I endorsed them in his name and informed him of my suspicions, got them from my gumastah and gave them over to him. I also asked him to take steps to watch Sami Ayyan, and to keep me informed of whatever came to his knowledge in this matter, as the warrants had to be executed on proper inquiry; but the warrants were not executed in the said manner.

19. As soon as prisoner Arumugam gave his second statement before me, as I already entertained suspicion, I issued warrants to those persons and sent them to the station as usual. The truth of this can be ascertained by a reference to those warrants. With this, my connection with the case in question ceased.

20. I request that the Honorable Board of Revenue will take into consideration each of the points referred to, and the records detailed by me above. All the proceedings, conducted by me in the said case, were held honestly, and straightforwardly in the presence of several persons. The Deputy Magistrate's action, in framing charges against me, without considering the open manner in which my proceedings were conducted, only shows that his animosity was the cause of all this. To substantiate these charges, there must be clear evidence as to my dishonest motive and intent to cause injury to any body. If such public proceedings be impugned, what proceedings will possibly be exempt from such imputation? I rest assured that the Honorable Members of the Board will undoubtedly come to understand, by the said important points, that I had no such intention in my proceedings, and that the charges brought against me cannot stand even for one moment.

21. For the above reasons, I beg to submit that I am altogether blameless. My service under Government extends to sixteen years. I have not hitherto been fined even a pie on any ground, nor has a pie out of my pay been stopped. I have obtained certificates from many gentlemen, certifying to my discharging duties honestly and with assiduity. I respectfully pray that the Honorable Members of the Board will refer to my Service Register and to do me justice.

Supplemental Explanation of Sub-Magistrate.

22. I have this day seen the letter of the Police Superintendent, referred to in paragraph 9 of the explanation given by me on 13th February last.

23. The deposition of the Police Superintendent seems to imply that he, there and then, took notice of the portion alleged to have been omitted by me. It does not appear therefrom in what stage (of his statement) the prisoner deposed to the portion said to have been omitted by me. The portion alleged to have been omitted to be recorded does not consist of a word or sentence merely. It is a long story likely to have taken up four or five pages. It would have taken me about one hour to record it at the prisoner's dictation; and I, who am simply a Sub-Magistrate, should have been therefore doing nothing at the time of inquiry for one hour in the presence of an European officer, the head of the District Police. I beg that it may be well considered whether this is at all likely to have happened, and whether I can easily deny that the said officer was present during the inquiry. If I had really omitted it, then some discussion should have arisen regarding it, or the Police Superintendent or other Police officers present should have asked me to record the por-

32. After Superintendent of Police was on the spot.
33. The service register* will follow.
34. Please see paragraphs 14, 20, 21, 22, of the letter of the Superintendent of Police. It would have been not only an impropriety, but also absurd indeed for the Superintendent of Police to "discuss" with a Sub-Magistrate, whom he knew to be deliberately joining a plot to shield the true dacoits by committing other men. The Superintendent did all he could do. He collected enough information to satisfy the mind of the District Magistrate that it would be prudent to transfer the case to another Court, in which justice might be fairly searched for.

tion omitted; but no such thing was done. Besides, if the prisoner had really stated those things, it would have been easy and advantageous for me to have taken them down, at least to give a color of honesty to my proceedings. If the Police Superintendent noted this fact there and then, he should have immediately brought it to the notice of my immediate superiors, or, should have prominently made mention of this fact in his letter aforesaid as an important reason for the transfer from me of the said dacoity case. Without doing so, he has asked for the transfer of the case expressly for his own convenience. Moreover, on the said letter, he says, that I told him that the prisoner's subsequent statement appeared true. It is clear from that letter, that I had doubts of the truth of the first statement of the prisoner. In his deposition, the Police Superintendent says that he has correctly stated the omitted portion from his having heard the said subsequent statement read out to him before the Deputy Magistrate three months after. It does not appear that he had disclosed that fact before. During my examination of the prisoner for a second time, the Police Superintendent did not take notes of the prisoner's statement. From his deposition, it is plain that the said officer spoke only from memory. I beg to urge for consideration, whether it is possible to keep in memory the whole of a big statement given in the Tamil language, and three months afterwards to state correctly the very words given by the prisoner. As for the prisoner, he has given six or seven statements contradicting one another, at different times, before different officers, and he has had his own motives for doing so. During the whole of this time, he was in the custody of the Police. When the said prisoner gave his second statement before me, neither the Police Inspector nor Head Constable, who were present for the conduct of the case, noticed that I had omitted any such thing. If it had been the case, it should have been noted down in the Crime Register. But there is no entry in the Crime Register of my having omitted any thing. I believe that the Board will clearly perceive by the above facts, that the charge of omission brought against me is quite improbable.

24. It is a well-known fact that there are sufficient reasons for incessant misunderstandings between the Subordinate Magistracy and the Subordinate Police. I will mention one instance of the attempts made by the Police to bring charges of various kinds against me. The first statement given by the prisoner before me was seen by Guanadicum Pillai, Police Inspector of Trivadi, during the inquiry into the dacoity case before the Deputy Magistrate. He informed the Deputy Magistrate that he had seen the first statement of the prisoner, when he had gone to Arandangi, that the one sent by me to the Deputy Magistrate was not the same, and that I had tampered with it. But the prisoner's mark was obtained to it, and luckily a Police Constable has authenticated it under his hand. The Police Inspector sent for him on several occasions by "express," and attempted to persuade him to deny his signature, but without success, and the man admitted it before the Deputy Magistrate, and the plan was abandoned. The Deputy Magistrate and his clerk, if examined, would prove the truth of this. I can positively assert, that all these proceedings, against me, have originated in the statements of the Superintendent of Police; founded on the impressions produced on him by the credit he gave to the stories fabricated against me by the subordinate Police officers, who have been at enmity with me. As it is impossible, however, to detail every thing in writing, I am ready, if asked, to explain it personally to the Collector.

25. I learnt from the Trichinopoly Constables, who first produced the accused before me, that the individual Sami Ayyan, mentioned in my former explanation, had for a long time been a detective agent in the hands of the Trichinopoly Police, and had accompanied them on purpose to re-apprehend certain prisoners who had escaped from the Central Jail. I had not known this Sami Ayyan before. The Deputy Magistrate now reports to the Collector that I committed an irregularity in procedure, in having issued warrants on the sole statement of the accused. I had at once reported the issue of these warrants to the Deputy Magistrate in my Arzi No. 34, of the 27th August last. If my procedure was really objectionable, that officer might have, there and then, called on me for an explanation, or sent an order pointing out my error to me. He did no such thing. In my former explanation, I have explained the reasons I had for issuing the warrants. In cases of robbery and other grave crimes, if the complainants cannot specify the name and residence of the offenders, it is ordinary practice every where, to issue warrants for the arrest of those, who appear from any information to have been connected with the offence; and besides, general orders have been issued, directing the Magistrates to take timely steps in all such cases to bring the offenders to light.

26. In his report to the Board, the Collector has not specified the offences, with which I am to be charged, in reference to my proceedings in this case. In paragraph 5 of his letter to the Board, he has applied for a general sanction to prosecute me. The Collector has not yet told me, what the proposed charges against me are, or to what my explanation should be directed, and I have furnished the present explanation with reference to the circumstances I have been able to gather from the papers shown to me.

35. He had seen every paper that I had against him and knew the Code, so there was nothing more to tell him. I would not press for criminal prosecution and shall be thankful to be relieved of such a Magistrate, by simple dismissal, the more so, as there are several Magistrates that need to be dealt with as

shown in my letter, No. 116, dated 13th March 1875, and the total example will be sufficient to give hopes of better conduct in the remaining Magistrates in future and consequently less crime in Tanjore.

27. I humbly beg to state, therefore, that, should my explanation appear incomplete or unsatisfactory for defect in any particular, I shall be ready to explain my reasons more fully to the Collector on his pointing them out to me.

Arzi.

It is necessary for my case that I should write my explanation in English, in detail, for submission to the Honorable Board of Revenue, in accordance with their order on your honor's letter, applying for sanction to prosecute me criminally. Although I yesterday requested your honor several times to allow me reasonable time and convenience in this important matter, you not only did not comply with it, but ordered me to write my explanation there and then, in your honor's presence, and told me that, if I did not do so, your honor would report that I want to shirk giving the explanation, and also compelled me to write it then and there. This taken into consideration, together with the proceedings held by your honor towards me the day before yesterday, and the fact of your honor having snatched from my hands some notes of the record taken by me, according to your honor's order, and after hearing what I said, tore them without even looking at them, I was very sorry to find your honor much offended with me and abstained from re-appearing before your honor. I will send in my explanation in two days, and I most humbly pray that your honor will be pleased to excuse me for this delay.

Thus the day was spent and he was told to come the next day, when the papers were again put in his hand, and a table, chair, &c., provided in a corner of my office. With insolent obstinacy, he refused in loud overbearing language for about half an hour to write his explanation there. The Board's order was, that the explanation should be taken "without delay," so I thought proper to insist on its being done in my presence, though not in any haste. But as I have said, the man refused with insolent obstinacy to sit at the table given in my office, though he assigned no manner of reason for not doing so. Eventually he sat, but at mid-day said he felt in need of tiffin, when being allowed to retire, he went off altogether, and I heard nothing more of him for some three days, and then, through the Post, and when on a subsequent occasion I wanted him, I could not find him, and was told he was in Madras. If the Board had only seen his insolence of demeanor, which a photograph only could convey not a person that alone would have sufficed to decide them to relieve me of him as a subordinate. I never saw a manner which said so clearly, "I don't care a brass farthing for all you may say and you may know it, and I mean to do precisely what I choose myself:" and so he did, and from that day to this, I have been delayed by one paper and then another that he wanted to see, and the last report from the Superintendent of Police was only received on the 19th, and now he writes that he wants to see that also, or his explanation will be incomplete. But I see no fair claim for this demand and will let the matter be delayed no longer.

36. As this Arzi is one of his grievances, I will enter it and answer it. When I was ordered by the Board to take from him an explanation, I sent for him for the purpose, and put all the papers in his hands. He wanted either to take all the papers away, or to have copies of them. I did not think right to part with or even to give copies of letters, that were of the nature of confidential communications. So I said, he might take what notes he liked there, but not copies. He insisted on his point, and when eventually he did sit down, I found that he had occupied the whole day in taking copies, he told me himself they were copies, so I tore them up. After they were well torn, and not till then, he chose to say they were notes.

ENCLOSURES Nos. 1 & 2.—Copies of letters from Deputy Magistrate.

ENCLOSURE No. 3.—Copy of Captain Rolland's letter.

ENCLOSURE No. 4.—Extract from Captain Rolland's notes.

ENCLOSURE No. 5.—Extract from Register in Case No. 13 of 1874 on file of Deputy Magistrate.

ENCLOSURE No. 6.—Translation of extract from Crime Register of Arandanghi Police Station.

ENCLOSURES Nos. 7 to 11.—Depositions.

ENCLOSURES Nos. 12 & 13.—Arzis from accused.

ENCLOSURES Nos. 14 & 15.—Tamil explanation of accused.

ENCLOSURE No. 16.—Copy of Testimonials of accused.

THESE papers, relating to a charge against the Sub-Magistrate of Arandanghi in the Tanjore District, will be submitted for the orders of Government.

2. The Collector has not given any detailed summary of the case, and the way in which the charges against the Sub-Magistrate have come out and have been supported, but as far as the Board have been able to make out from the papers submitted, the following is a resumé of what has occurred.

3. A dacoity was committed at Mukudi in the Arandanghi Division on the 18th August 1874 by one Kuttivanni Mundan and his gang, with a view, it is said, to implicate a rival gang; and, in order to effect this, it was arranged that one of the actual offenders should confess before the Sub-Magistrate and implicate members of the gang whom it was desired to remove. With this view, and with the aid of some Constables of the Trichinopoly Police, who were hand-in-glove with Kuttivanni Mundan's gang, and of one Sami Ayyan, a friend of the Constables, an arrest of a man named Arumugam, and a discovery of some of the stolen property, were arranged. This man was brought before the Sub-Magistrate of Arandanghi by the Trichinopoly Constables on the 26th August 1874, the Sub-Magistrate having, it is alleged, been previously prepared for the affair, and his assistance purchased through the medium of a brother-in-law of his employed in Puducottah.

3. The prisoner Arumugam was examined at the Sub-Magistrate's house on the 26th August, but not being well up in the statement he was to make, the Sub-Magistrate allowed Sami Ayyan to take him away and instruct him further, and actually received from Sami Ayyan a written list of the persons whom the prisoner was to implicate. After the prisoner's statement had, with the aid of this list, been successfully recorded, the prisoner was made over to the Arandanghi Police, and warrants were issued for the arrest of the persons he had named.

4. On the 8th October, Captain Rolland, the Superintendent of Police, arrived at Arandanghi and questioned the prisoner, who then told him what had actually occurred, and explained the whole plot, giving full details of the tutoring which he had undergone from Sami Ayyan both before and after he had been pro-

*Proceedings of the Madras Government, Revenue Department,
19th July 1875.*

duced before the Sub-Magistrate. Captain Rolland accordingly had him brought before the Sub-Magistrate next day, when he repeated the story, but the Sub-Magistrate omitted from the recorded deposition all of the prisoner's statements as to what had occurred at the previous examination. Captain Rolland accordingly wrote to the District Magistrate and obtained the transfer of the case to the Deputy Magistrate.

5. The Deputy Magistrate seems to have dismissed the case against those who had been charged in the first deposition of the prisoner Arumugam, but committed him and five others to the Sessions Court, by which Court he and another (which, does not appear) were convicted and sentenced. In the inquiry before the Deputy Magistrate, Sami Ayyan made a deposition corroborating in almost every particular the statement made by Arumugam to Captain Rolland. He, however, subsequently retracted this statement, and has since been prosecuted and convicted of perjury by the District Magistrate; and in his examination when on trial declared that the retraction was at the instance of the Sub-Magistrate's brother-in-law, Sami Kutti Ayyan. In his first deposition before the Deputy Magistrate, Sami Ayyan speaks to the presence of Sami Kutti Ayyan (the Sub-Magistrate's brother-in-law employed in Puducottah) and Peddaperumal Pillai, a friend of his, at the Sub-Magistrate's house on the 26th August, and to these persons having paid to the Sub-Magistrate money on that occasion. This part of the story, however, does not seem to be very credible; but it is proved by the Sub-Magistrate's clerk and dufterbund that Sami Kutti Ayyan was at Arandanghi from the 25th to the 27th August.

6. In his explanation the Sub-Magistrate denies, chiefly on the ground of antecedent improbability, that any irregular proceedings, such as those described, took place at the first examination of the prisoner Arumugam, and also that he omitted to record any statements made by the prisoner on the further examination when Captain Rolland was present. Besides the statements of Sami Ayyan and Arumugam as to the first matter, the clerk and dufterbund speak to the details of what occurred. As to the second, there are the statements of the Superintendent and Inspector of Police. In his petition, No. 1,431, he says that in his letter to the District Magistrate asking for the transfer of the case, Captain Rolland made no mention of the omission in the record, and urges that this charge is an after-thought. This letter is not before the Board, but they observe that in his supplementary explanation made to the Collector with reference to it, the Sub-Magistrate does not refer to the point. His not having mentioned it, if he did not do so in that letter, seems capable of explanation in the circumstances of the case, and is not very material. The Sub-Magistrate further urges that he had no previous knowledge of Sami Ayyan, and desired the Inspector to have him watched. The Board do not discern in the papers a complete answer to this contention, but the Sub-Magistrate, without previous knowledge of Sami Ayyan, might nevertheless have been prepared for his arrival and intervention.

7. On the whole, it seems to the Board that there is a strong *prima facie* case against the Sub-Magistrate, and they recommend that sanction be accorded for the institution of a criminal prosecution against him, though the District Magistrate does not press for such prosecution (paragraph 27). They cannot feel certain, after the length of time which has been allowed to elapse, that such prosecution will be successful. But it is clearly most desirable that after such charges have been formally preferred against a public servant they should not lightly be dropped. Even should the prosecution fail in legal conviction, it will afford grounds to determine whether the Sub-Magistrate should be honorably acquitted or dismissed from the service.

(True Copies and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

*Proceedings of the Madras Government, Revenue Department,
19th July 1875.*

No. 207.

ORDER THEREON, 19th July 1875, No. 1,087.

Miscellaneous.

CONSIDERING the circumstances of this case, and the interval that has elapsed, the result of a criminal prosecution seems

so doubtful that it is not desirable to resort to it.

2. The resignation of Muttuvaiyer is accepted, and his re-employment in Government service prohibited.

(True Extract.)

(Signed) A. MACGREGOR,
Acting Secretary to Government.

To the Board of Revenue.

- „ the Public, &c., Departments.
- „ the Military Department.
- „ the Public Works Department.
- „ the Officiating Director of Revenue Settlement.
- „ the Superintendent of Revenue Survey.
- „ the Officiating Inspector of Forests,
- „ the Accountant-General.

Exd. W. H. French.

No. 206.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 29th January 1875.

Read the following letter from H. S. THOMAS, Esq., Collector of Tanjore, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Vallam, 13th January 1875, No. 17:—

I HAVE the honor to seek sanction for the criminal prosecution of Muttuvaiyar, 3rd-Class Sub-Magistrate of Arandanghy.

2. From statements given on oath and evidence in other cases, it would seem that in an important case of dacoity, in which there remained but slight chance of escape, the leader of the gang cajoled and threatened one of his gang to be scape-goat for the rest by delivering himself up to justice and making an apparently free confession which, however, should implicate a distinct gang of professional dacoits and not one of those really engaged. The scape-goat was a dull one, and had to be instructed and kept up to the mark, and the leader had yet to keep out of sight. The services of one Sami Aiyan were, therefore, employed. He went to the Sub-Magistrate, above reported, and arranged for his co-operation. Accordingly the scape-goat was taken to the Sub-Magistrate, but as he could not remember his lesson, he was given back by the Sub-Magistrate to Sami Aiyan to be further instructed. Sami Aiyan took the opportunity to throw into the list of falsely accused a few of his own old enemies also; and as the scape-goat could not be drilled into remembering all the names correctly, a written list of the names was given by Sami Aiyan to the Sub-Magistrate, who had it with him in Court and copied from it into the deposition which he was taking from the scape-goat, whom he well knew to be

3. The Superintendent of Police was, however, early on the spot, and on his information I withdrew the case to another Magistrate, by whom it has been committed, and the majority of the real gang have been sentenced to long terms by the Session Court of South Tanjore.

4. This withdrawal was not made, however, till the Arandanghy Sub-Magistrate under report had also taken another false deposition in the very presence of the Superintendent of Police. To this falsity Captain Rolland has deposed on oath.

5. Thus the Sub-Magistrate reported on would seem to be triable under several sections of the Indian Penal Code.

6. In the interests of justice early sanction is requested.

THE Collector is requested to take an explanation from the Sub-Magistrate and submit it for the Board's consideration without delay.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

To the Collector of Tanjore.

Erd. G. A. Turton.

GOVT. OF INDIA
REVENUE.

THE BOARD OF REVENUE.

Dated 29th Jan.

Recd.

Encl.

G. O. 15th Jan 1875, No. 1087.

JULY.

No. 206-207.

Muttuvaiyar, 3rd-Class Magistrate of Arandanghy,
Tanjore District.—Declining to resort to a
criminal prosecution against—; accepting his
resignation; and prohibiting his re-employment in
Government service.

REVENUE DEPARTMENT.

No. 2514

From B^d of Rev.

Dated

24 June

1875.

FOR ORDERS.

conviction seems
doubtful. but I think
the Board are right
in recommending the
prosecution.

P/E

I think there is
a good ground for
suspecting the justice
the District Judge
of his resignation
is not one of the
best.

I am satisfied that
there has been no
but it is of a complex kind

1875.

BOARD of REVENUE.

MADRAS.

PROCEEDINGS, 29TH JANUARY 1875, No. 206.

Recd. 25/1/75. Encl.

Received

No. 2514/75.

JANUARY.
No. 206.

Mutuvair—3rd-Class Sub-Magistrate of
Arundanghy, in Tanjore District, who is liable
to be prosecuted for certain irregularities in the
trial of a dacoity case.—Collector requested to
take an explanation from — and submit it for
Board's consideration.

No. 19 & 475-1-1087.

and exist chiefly in the form of omissions &
their value. It is probably most de-
sirable that the end of the matter.

Without the State can help
me it is not easy to advise on a
legal case but after reading the de-
fence & the Major's labored com-
munications - I do not believe that a con-
viction can be got.

I will tell the Major that
we have been asked to provide
or accept the resignation the
latter by the same course &
in view of our inability to
obtain the same as desired
the Major 1878

(3)

FOR ORDERS.

Criminal Proceedings
against Submagistrate
Sub Magistrate

Considering the

Delay in receipt
of signature and
the receipt by

to the

Revenue Department

Proceedings of the Board of Revenue
dated 24th June 1875 No. 256

Read again Board's Proceeding
dated 29th January 1875, No. 256

Read also letter from the Collec-
tor of Lajore dated 2nd June 1875 No. 199
submitting the explanation of Mat-
vanger, suspended 3rd Class Sub Magis-
trate of Aundanghi as called for
in the Board's Proceedings No. 256
dated 29th January 1875, with
certain remarks.

These papers, relating
to a charge against the Sub Magis-
trate of Aundanghi in the Lajore
District will be submitted
for the orders of Government

2. The collector has not given
any

any detailed summary of the case, and the way in which the charges against the Sub Magistrate have come out and have been supported, but as far as the Board have been able to make out from the papers submitted the following is a resume of what has occurred.

3. A dacoity was committed at Akudi in the Srirangh Division on the 18th August 1874 by one Kuttavanni Munda and his gang, with a view it is said to implicate a rival gang; and in order to effect this it was arranged that one of the actual offenders should confess before the Sub Magistrate and implicate

1087.12
members of the gang whom it was desired to remove. With this view and with the aid of some Constables of the Trichinopoly police who were hand and glove with Kuttavanni Munda's gang and of one Sami Ayyar, a friend of the Constables, an arrest of a man named Arumagan and a discovery of some of the stolen property were arranged. This man was brought before the Sub Magistrate of Srirangh by the Trichinopoly Constables on the 26th August 1874. The Sub Magistrate having it is alleged been previously prepared for the affair, and his assistance purchased through the medium of a brother-in-law of

of his employed in Puducottah.

4. The prisoner Arumugam was examined at the Sub Magistrate's house on the 26th August, but not being well up in the statement he was to make, the Sub Magistrate allowed Sami Ayyan to take him away and instruct him further, and actually received from Sami Ayyan a written list of the persons whom the prisoner was to implicate. After the prisoner's statement had, with the aid of this list, been successfully recorded, the prisoner was made over to the Arundanghi police and warrants were issued for the arrest of the persons he had named.

5. On

5. On the 8th October 1881 Captain Rolland, the Superintendent of Police arrived at Arundanghi and questioned the prisoner, who then told him what had actually occurred and explained the whole plot, giving full details of the tutoring which he had undergone from Sami Ayyan both before and after he had been produced before the Sub Magistrate. Captain Rolland accordingly had him brought before the Sub Magistrate next day, when he repeated the story, but the Sub Magistrate omitted from the recorded deposition all of the prisoner's statements as to what had occurred at the previous examination.

examination. Captain Rolland accordingly wrote to the District Magistrate and obtained the transfer of the case to the Deputy Magistrate.

The Deputy Magistrate seems to have dismissed the case against those who had been charged in the first deposition of the prisoner Arumugam but committed him and five others to the Sessions Court by which Court he and another (which does not appear) were convicted and sentenced. In the enquiry before the Deputy Magistrate Sany ayyan made a deposition corroborating in almost every particular the statement made by Arumugam to Captain Rolland. He however subsequently retracted this

100
this statement and has since been prosecuted and convicted of perjury by the District Magistrate and in his examination when on trial declared that the retraction was at the instance of the Sub Magistrate's brother-in-law, Sany Kuttiayyan. In his first deposition before the Deputy Magistrate Sany ayyan spoke to the presence of Sany Kuttiayyan (the Sub Magistrate's brother-in-law employed in Pudukottah) and Pidda perumal Pillai a friend of his at the Sub Magistrate's house on the 26th August and to these persons having paid to the Sub Magistrate money on that occasion. This part of the story however does not

seem to be very credible; but
it is proved by the Sub Magistrate's
clerk and dafterband that Sami
Kuttiayyan was at Arundanghy
from the 25th to the 27th August.

7. In his explanation the
Sub Magistrate denies chiefly
on the ground of antecedent im-
probability, that any irregular
proceedings such as those described
took place at the first examination
of the prisoner Arumugam, and
also that he omitted to record
any statements made by the prisoner
on the further examination when
Captain Rolland was present.
Besides the statements of Sami
ayyan and Arumugam as to the
first matter, the clerk and dafterband
speak

15
speak to the details of what
occurred. As to the second,
there are the statements of the
Superintendent and Inspector of
Police. In his petition no 1434
he says that in his letter to the
District Magistrate asking for
the transfer of the case of Captain Rolland
made no mention of the omission
in the record, and urges that this
charge is an after thought. This
letter is not before the Board,
but they observe that in his
supplementary explanation made
to the collector with reference to
it, the Sub Magistrate does not
refer to the point. It is not
having mentioned it, if he did
not do so, in that letter seems
capable

capable of explanation in the
circumstances of the case, and
is not very material. The Sub
Magistrate further urges that
he had no previous knowledge
of Lany Ayyar and desired
the Inspector to have him
watched. The Board do not
discern in the papers a complete answer
to this contention, but the Sub
Magistrate, without previous
knowledge of Lany Ayyar, might
nevertheless have been prepared
for his arrival and intervention.

8. On the whole it seems
to the Board that there is a strong
prima facie case against the
Sub Magistrate and they recommend
that sanction be accorded for
the institution of a criminal

prosecution against him though
the District Magistrate does not
press for such prosecution. They
cannot feel certain after the
length of time which has been
allowed to elapse that such
prosecution will be successful.
But it is clearly most desirable
that after such charges have
been formally preferred against
a public servant they should not
lightly be dropped. Even should the
prosecution fail in legal conviction
it will afford grounds to determine
whether the Sub Magistrate should
be honorably acquitted or dismissed
from the service. / True Extract /

H. E. Sturges

Acting Secretary

The Acting Secretary to Government
Revenue Department with
16 enclosures & Collector's letter to be returned & copy
of Board's Pro of 29th January 1875, N. 206.

C. M. V.

