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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	<u>1180</u>	Press
~~B.P. No.~~		~~Mis.~~
Dated	<u>5-8-1975</u>	<u>196</u>

Not to be folded or roughly handled

1150

*Proceedings of the Madras Government, Revenue Department,
5th August 1875.*

No. 45. Read the following Proceedings of the Board of Revenue, dated 10th July 1875, No. 1,920 :—

Read again Board's Proceedings, dated 5th March 1875, Miscellaneous No. 1,789, and 4th June 1875, Miscellaneous No. 4,118.

Read also the following letter from J. D. B. GRIBBLE, Esq., Acting Collector of Cuddapah, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 22nd June 1875, No. 134 :—

In answer to Board's Proceedings, Miscellaneous No. 4,918, dated 4th instant, I have the honor to report regarding the theft of Government money from the Taluq Cutcherry of Cuddapah.

2. On the 7th of February, a remittance of Rupees 817-11-0 was brought from the village of Komady to Cuddapah. The money was carried by a cooly who was accompanied by the village Shroff and a Cuttubady, the village Reddi following behind. The money arrived at the Taluq Cutcherry about 6 p. m. It was Sunday, and the Treasury was closed. The village Reddi went to sleep in the town, and the Shroff and Cuttubady remained in the Cutcherry. The Cutcherry is a building enclosed by a high wall with one large gate. On the night in question the only persons in the Cutcherry were the Komady villagers, some villagers of Nandimandalam who had come with a remittance the evening before, some Herattees who were in custody of the Police, and the Police guard. There was a sentry over the Treasury and a sentry over the Herattees, and the Police were in charge of the Cutcherry gate, so that no one could have entered or gone out during the night without the knowledge of the Police. During the night, one of the Cuttubadies in charge of the Komady remittance used the bag as a pillow, having first wrapped it in a part of his cloth, the remainder being used to cover his body. Near the Cuttubady the Shroff was sleeping, and the Nandimandalam Cuttubady, who was watching his remittance, which, however, was secured in a box. Five yards off was the Treasury sentry, and in front of this group three Policemen were sleeping. About 2 in the morning, the Komady Cuttubady awoke and found his bag missing. An alarm was raised, and the Inspector, Mr. Hardy, who lives close by, was sent for. Mr. Hardy together with the Taluq Sheristadar searched all the premises, but found nothing. The guard was mustered, and one man of the name of Narrainasawmy was found missing.

3. A regular inquiry was held during the same day by the Tahsildar, but for some time nothing further was discovered.

4. After a few weeks, suspicion fell upon one Thammier, a Native Christian, who has been one of the Policemen on guard on the night in question. He was found to be spending a considerable amount of money, and the Reserve Inspector, Mr. Breitreitor, questioned him on the matter. The result was that the man promised to make a clean breast of the matter, if he was offered a pardon. The Inspector denies that he offered a pardon, and I am inclined to believe him, but at all events the man made a full confession, and produced Rupees 60, a portion of the share he had received. He said he had received Rupees 80, but had spent 20 Rupees, and this was all that remained. The man was produced before the District Magistrate, Mr. Horsley, on the 4th May, and his statement was recorded.

In this confession he said that during the night he went out for a purpose of nature; whilst there he saw one Constable Sesharam leave the Cutcherry, he followed him, and outside Sesharam was carrying a big bag, and was joined by another Constable Narainaswamy. Thammier followed the two some distance until they turned round; told him to go away and threatened him if he revealed what he had seen. Thammier then returned to the Cutcherry, and next day Sesharam gave him Rupees 80 as the price of his silence. There being no evidence beyond this confession of an accomplice (and as this is not a case triable by a Court of Sessions exclusively, no pardon could be tendered), a remand was given in order to enable the Police to obtain further evidence. The case was again remanded by Mr. Horsley for fifteen days on the 13th of May, no evidence having been procured. At the expiration of the remand, the prisoners were placed before the Head Assistant Magistrate, but though several names were entered in the charge sheet, none of these witnesses were present, nor had they been bound over to appear. The Native Inspector in charge of the case informed the Head Assistant that he wished the case to be tried by me, and this apparently was the reason that none of the witnesses were produced. The case was then remanded until the 8th instant, when I returned after the settlement of the Madanapally Taluq (in which I had been previously interrupted). When produced before me, one half of the witnesses were absent, and had not been bound over by the Police to appear. The Police Inspector, Streenevasooloo Naidu, had taken statements from them, and had entered their names in the charge sheet, but had neglected to take recognizances from them, and afterwards, as he said, could not find them. This excuse was plainly false, for I obtained their attendance in less than forty-eight hours.

5. The only evidence the Police had procured was that of a bandyman. This man says that on the night in question he was sleeping outside the Cutcherry in order to drive his master out early in the morning to Chennai, a place on the Pennair, a short distance from Cuddapah. About midnight he saw a man come to the Cutcherry gate, and knock. He said; who is that? and the reply was, Narainaswamy. The gate then opened, and a Police Constable came out followed by another, the first Constable was carrying something heavy. The three then went away together. Shortly afterwards the man went to his master's house, which was close by, and drove him and two others to Chennai, from which place he did not return until midday.

6. This man's evidence was important if reliable, but strange to say the Native Inspector of Police, Streenevasooloo Naidu, had taken no steps to verify it. - He said to me he was not quite sure what the master's name was: "it might be Nursing Row, or it might be Jugganata Row." It turned out to be Nursing Row, the Local Fund Accountant in the Collector's office. This man was very closely examined by myself and the Superintendent of Police (Captain Whitlock), and the result was that the bandyman's story proved to be completely false. On the day in question, Nursing Row had obtained a day's leave (proved by the register and his application for leave) to celebrate his mother's ceremony. This he had done in his house, as he proved by the Brahmin who conducted the ceremony. Nursing Row emphatically denied that on the day in question he had left his house. He said it was true that he had been driven to Chennai by the

bandyman one day during the month in question, but not on the day alleged. Now the bandyman said that he was outside the Cutcherry on the night in question in order to be able to drive his master to Chennai early in the morning, and that he did so. As this proved to be untrue, no confidence could be placed on the rest of his story.

7. The bandyman subsequently admitted that a few days after the theft he had a conversation with Streenevasooloo Naidu, the Inspector. If this was true, it is strange that no mention is made of this bandyman by the Inspector until the end of May. The Inspector denies this conversation, and says that the first he heard or saw of the bandyman was in May. I cannot help thinking that this bandyman had been tutored to give the evidence he did, when it was found that no other evidence could be obtained. Under any circumstances, it would have been impossible to obtain a conviction with so suspicious a witness. The other witnesses merely proved that the money was received in the Treasury, and the manner in which it was kept there. I examined every one who might be supposed to have any knowledge of the matter, but could obtain no further evidence, and was therefore obliged to discharge the prisoners who had been for some time in custody.

8. The case appears to have been thoroughly mismanaged from the beginning. Three different Inspectors, Mr. Hardy, Mr. Breitort, and Streenevasooloo Naidu were set to work on it by the Superintendent of Police, Captain Blair, and the two first were at cross purposes with the third. The result was that before me there were mutual recriminations, and on more than one occasion, I detected Streenevasooloo Naidu in a direct falsehood. This man was ordered by Captain Blair to work on the case, and to remain in Cuddapah until it was detected; he appears to have kept continually asking for remands, to have obtained no evidence, to have neglected to produce those witnesses who were available, and finally he left Cuddapah the day before the case came before me for trial. This he did having personally asked a new Superintendent, Captain Whitlock, to allow him to accompany him into the district, since he was not required in the inquiry of the case under report, the circumstances of which were better known to one of the other Inspectors than to him. He entirely forgot to tell Captain Whitlock that he had been placed in charge of the case, and ordered not to leave during the inquiry.

9. There has, I believe, been a lamentable failure of justice. The Constable Thammier's story is, I believe, in the main true. Narainaswamy, one of the other accused, was absent on the night in question when he ought to have been on guard, and both his and Sesharam's conduct was subsequently very suspicious. There is, however, no evidence against them to justify a committal to the Court of Sessions. As regards Thammier, he might be convicted of receiving stolen property on his own confession: he has not been offered a pardon by any Magistrate; but I do not think he would have made the statement he did unless he had been led to expect one, and I cannot help thinking it would be better not to use it against him, but to leave him for departmental punishment.

10. The money could have been taken by no one but a Policeman, for when its loss was discovered, all the outsiders were in the Cutcherry and only a Police.

3

*Proceedings of the Madras Government, Revenue Department,
5th August 1875.*

man absent; considering the number of sentries on duty, and Police about, I cannot help thinking that several must have been cognizant of the theft. I would recommend that the Police authorities be requested to take notice, not only of the conduct of the three persons directly implicated, but also of all the sentries on duty between the hours of 10 and 2; the theft was discovered about midnight.

11. I beg also to draw the Board's attention to Mr. Horsley's remark in paragraph 4, that this is the second occasion during the last few years when the Police have been suspected of making away with property from a public office. Since this was written, another case has occurred in which some money which should have been guarded by the Police was stolen from the Deputy Tahsildar's Cutcherry at Camelapoor. This case has been duly reported in this office letter, No. 127, dated 11th June 1875.

The village Reddi has already been punished by Mr. Horsley for not being present in the Cutcherry on the night in question, and for having failed, as advised, to secure his remittance in a box.

12. In conclusion, I beg to request that the Rupees 757-11-0 still missing may be ordered to be struck off the accounts as irrecoverable.

SUBMITTED for the information of Government.

2. There can be no doubt that the robbery was effected by the Police, and the utter apathy and mismanagement of the case shown by the Inspector Streenevasaloo Naidu will be brought to the Inspector-General's notice.

3. The Board request sanction for the sum of Rupees 757-11-0 being written off the accounts.

(A true Copy and Extract.)

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

No. 46. ORDER THEREON, 5th August 1875, No. 1,180.

Miscellaneous.

SANCTION is granted for writing off the accounts the sum of Rs. 757-11-0.

The Inspector-General of Police is requested to report the action taken by him in regard to the Police on duty and the Inspector in charge of the case.

(True Extract.)

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

To the Board of Revenue.
„ the Accountant-General.
„ the Inspector-General of Police.

No. 1,920.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 10th July 1875.

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3. A regular inquiry was held during the same day by the Tahsildar, but for some time nothing further was discovered.

4. After a few weeks, suspicion fell upon one Thammier, a Native Christian, who has been one of the Policemen on guard on the night in question. He was found to be spending a considerable amount of money, and the Reserve Inspector, Mr. Breitreitor, questioned him on the matter. The result was that the man promised to make a clean breast of the matter, if he was offered a pardon. The Inspector denies that he offered a pardon, and I am inclined to believe him, but at all events the man made a full confession, and produced Rupees 60, a portion of the share he had received. He said he had received Rupees 80, but had spent 20 Rupees, and this was all that remained. The man was produced before the District Magistrate, Mr. Horsley, on the 4th May, and his statement was recorded.

Colt. of 1875: 314dms.

REVENUE.

To

THE BOARD OF REVENUE,

Rs., Rs., Rs.

Dated August, 5th.

Recd.

Encl.

G. O., 5th August 1875, No. 1,180.

AUGUST.

Nos. 45-46.

Money stolen from the Cuddapah Taluq Cutcherry.—Granting sanction for writing off the accounts the sum of Rs. 757-11-0, being the missing portion of the —; and requesting the Inspector-General of Police to report the action taken by him in regard to the Police on duty and the Inspector in charge of the case.

In this confession he said that during the night he went out for a purpose of nature, whilst there he saw one Constable Sesharam leave the Cutcherry, he followed him, and outside Sesharam was carrying a big bag, and was joined by another Constable Narainaswamy. Thammier followed the two some distance until they turned round; told him to go away and threatened him if he revealed what he had seen. Thammier then returned to the Cutcherry, and next day Sesharam gave him Rupees 80 as the price of his silence. There being no evidence beyond this confession of an accomplice (and as this is not a case triable by a Court of Sessions exclusively; no pardon could be tendered), a remand was given in order to enable the Police to obtain further evidence. The case was again remanded by Mr. Horsley for fifteen days on the 13th of May, no evidence having been procured. At the expiration of the remand, the prisoners were placed before the Head Assistant Magistrate, but though several names were entered in the charge sheet, none of these witnesses were present, nor had they been bound over to appear. The Native Inspector in charge of the case informed the Head Assistant that he wished the case to be tried by me, and this apparently was the reason that none of the witnesses were produced. The case was then remanded until the 8th instant, when I returned after the settlement of the Madanapally Taluq (in which I had been previously interrupted). When produced before me, one half of the witnesses were absent, and had not been bound over by the Police to appear. The Police Inspector, Streenevasooloo Naidu, had taken statements from them, and had entered their names in the charge sheet, but had neglected to take recognizances from them, and afterwards, as he said, could not find them. This excuse was plainly false, for I obtained their attendance in less than forty-eight hours.

5. The only evidence the Police had procured was that of a bandyman. This man says that on the night in question he was sleeping outside the Cutcherry in order to drive his master out early in the morning to Chennoor, a place on the Pennair, a short distance from Cuddapah. About midnight he saw a man come to the Cutcherry gate, and knock. He said: who is that? and the reply was, Narainaswamy. The gate then opened, and a Police Constable came out followed by another, the first Constable was carrying something heavy. The three then went away together. Shortly afterwards the man went to his master's house, which was close by, and drove him and two others to Chennoor, from which place he did not return until midday.

6. This man's evidence was important if reliable, but strange to say the Native Inspector of Police, Streenevasooloo Naidu, had taken no steps to verify it. He said to me he was not quite sure what the master's name was: "it might be Nursing Row, or it might be Jugganata Row." It turned out to be Nursing Row, the Local Fund Accountant in the Collector's office. This man was very closely examined by myself and the Superintendent of Police (Captain Whitlock), and the result was that the bandyman's story proved to be completely false. On the day in question, Nursing Row had obtained a day's leave (proved by the register and his application for leave) to celebrate his mother's ceremony. This he had done in his house, as he proved by the Brahmin who conducted the ceremony. Nursing Row emphatically denied that on the day in question he had left his house. He said it was true that he had been driven to Chennoor by the

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7. The bandyman subsequently admitted that a few days after the theft he had a conversation with Streenevasooloo Naidu, the Inspector. If this was true, it is strange that no mention is made of this bandyman by the Inspector until the end of May. The Inspector denies this conversation, and says that the first he heard or saw of the bandyman was in May. I cannot help thinking that this bandyman had been tutored to give the evidence he did, when it was found that no other evidence could be obtained. Under any circumstances, it would have been impossible to obtain a conviction with so suspicious a witness. The other witnesses merely proved that the money was received in the Treasury, and the manner in which it was kept there. I examined every one who might be supposed to have any knowledge of the matter, but could obtain no further evidence, and was therefore obliged to discharge the prisoners who had been for some time in custody.

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9. There has, I believe, been a lamentable failure of justice. The Constable Thammier's story is, I believe, in the main true. Narainaswamy, one of the other accused, was absent on the night in question when he ought to have been on guard, and both his and Sesharam's conduct was subsequently very suspicious. There is, however, no evidence against them to justify a committal to the Court of Sessions. As regards Thammier, he might be convicted of receiving stolen property on his own confession: he has not been offered a pardon by any Magistrate; but I do not think he would have made the statement he did unless he had been led to expect one, and I cannot help thinking it would be better not to use it against him, but to leave him for departmental punishment.

10. The money could have been taken by no one but a Policeman, for when its loss was discovered, all the outsiders were in the Cutcherry and only a Policeman absent; considering the number of sentries on duty, and Police about, I cannot help thinking that several must have been cognizant of the theft. I would recommend that the Police authorities be requested to take notice, not only of the conduct of the three persons directly implicated, but also of all the sentries on duty between the hours of 10 and 2; the theft was discovered about midnight.

11. I beg also to draw the Board's attention to Mr. Horsley's remark in paragraph 4, that this is the second occasion during the last few years when the Police have been suspected of making away with property from a public office. Since this was written, another case has occurred in which some money which should have been guarded by the Police was stolen from the Deputy Tahsildar's Cutcherry at Camelapoor. This case has been duly reported in this office letter, No. 127, dated 11th June 1875.

The village Reddi has already been punished by Mr. Horsley for not being present in the Cutcherry on the night in question, and for having failed, as advised, to secure his remittance in a box.

12. In conclusion, I beg to request that the Rupees 757-11-0 still missing may be ordered to be struck off the accounts as irrecoverable.

SUBMITTED for the information of Government.

2. There can be no doubt that the robbery was effected by the Police, and the utter apathy and mismanagement of the case shown by the Inspector Strcenesavaloo Naidu will be brought to the Inspector-General's notice.

3. The Board request sanction for the sum of Rupees 757-11-0 being written off the accounts.

(A true Copy and Extract.)


Acting Secretary.

To the Acting Secretary to Government, Revenue Department,
with copies of Board's Proceedings, dated 5th March 1875, Miscellaneous
No. 1,789, and 4th June 1875, Miscellaneous No. 4918.
,, the Inspector-General of Police, with do.
Copy to the Collector of Cuddapah.

Erd. W. H. French.

14. F. O. W. O. Dear Sir, New York 17 August
to: Mr. J. P. Morgan & Co. (Private) &
to: Mr. J. P. Morgan & Co. (Private) of (Y. & N. Y.)

making use of the bag of money as a pillow. At 2 A.M. this man awoke and found the money had gone.

2. The Police on guard at the office at the time, must either have taken the Money or have permitted others to do so. Two constables were on guard, one over the Subsidiary Jail, and one over the Treasury. The Cutcherry is situated in an enclosed yard, the sole egress from which is a gate way, which is closed by a door. No one could have left the place without the knowledge of the Constables, and so far as is known at present, the only persons who left the Cutcherry that night were Constables. The Police

Inspector in charge of the case strongly suspects 3 Constables. The case is still under inquiry.

3. When money is thus brought to the Treasury after office hours, or on Sunday, it is usual to place it in a box which the Reddi who accompanies the remittance seals. On this occasion the Reddi was asked to secure the money in the usual manner, but he neglected to do so. The Reddi was not in the office during the night, and his absence has been accounted for. Otherwise it might be supposed that he had an object in disposing of the money in so insecure a manner.

4. This I regret to say is the second occasion during the last few years that

the

the Police have been suspected of making
away with property from public office
in this District.

5. I will report further on the
subject when the enquiry has been
concluded.

Cuddapah Collector's office } I have &
On Circuit at Appinapally } H. D. Hooley
12 February 1876 } Collector

The Board await further report.
True Copy & Extract

Signed, H. C. Stokes
Ag Secretary
To The Collector of Cuddapah.
True Copy

H. C. Stokes
Ag Secretary

Collector

Revenue Department.

Miscellaneous No 1789

10

Proceedings of the Board of Revenue
Dated 4th June 1875.

Read the following

No 104

From

W. D. Horsley Esquire

Collector of Cuddapah.

To

H. C. Stokes Esquire

By Secretary to the

Board of Revenue.

Madras.

Sir,

In continuation of my letter
No 38 dated 12th February 1875 and with
reference to Proceedings of the Board
Miscellaneous No 1789 dated 5th March
1875, I have now no doubts whatever
regarding the complicity of the Police
in the theft of the money from the

Cuddapah

Enclosure: Proceedings
of the Board of Revenue
in the Secretary to Govt
O.D. dated 18th July 1875,
No 1920.

Nov 1875

Copy of Board's Pro-
ceedings dated 5th March
1875 with No 1920.

No 2502/75

8/5/75

Guddapali Talug Kutecherry.

2. A constable has deposed to me that he saw the money carried away from the Kutecherry by two Constables. At he happened to this, he was paid Rupees 80. by the two Constables as hush money. He explains that he said nothing about this for 3 months, as the constables had threatened his life if he spoke. However this may be the deponent received the money, and has spent a portion of it.

3. When the theft was first reported to me I saw that nothing was to be made of the case then. I told the Police Inspector to let the matter apparently drop, and to make for

extravagance on the part of the suspected constables. As I expected would be the case, Constable Daniel Samaya, to the surprise of his neighbours in the Christian lines became very flush of money. This excited suspicion. He was questioned and at last deposed, as I have mentioned above.

4. I am very much inclined to think that Constable Samaya had as much to do with the theft as the other two constables Shesharamm, and Nairainasawmy Naidu, and that Samaya received a share of the money and not merely Rupees 80. If there is evidence of this, all three constables will be prosecuted. The Police have asked

asked for a remand for further evidence.

I do not think the Police will be successful in obtaining it.

I have to
Luddopale Collector
office - 13 May 1878 } signed W. D. Horsley
Collector.

The Collector will report the result
of enquiry into the charge against the 3
constables.

True Copy & Extract

signed, H. C. Stokes

Ag Secretary

To

The Collector of Luddopale

True Copy

H. C. Stokes

Ag Secretary

B. M. H. S.

Enclosure in Proceedings
of the Board of Revenue
to the Secretary to Govern-
ment, Revenue Deptt.
Dated 10 July 1875, No. A
1920

Din 1920/75-

Copy of Board's No-
=cedings dated 10 June
1875 No. A 1918

Rev 2
2902/75