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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue. DEPARTMENT

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Not to be folded or roughly handled.

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GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

11th May 1880, No. 541.

No. 82. READ THE FOLLOWING PAPER:—

From P. SESHAGIRI ROW, late Deputy Collector, Tanjore District, to
C. G. MASTER, Esq., Secretary to Government, Revenue Department,
Madras, dated Cuddalore, 25th January 1880.

I most respectfully beg to submit herewith my appeal to the Right Honorable the Secretary of State for India, and request that the same may be transmitted with the favorable remarks of Government.

2. I have set forth some new facts and enclosed some public documents in support of them in this appeal.

3. In consideration thereof and of my long and faithful service, I humbly request that the Government will be pleased to review their Order, dated 9th July 1878, and pass a favorable order directing either my restoration or pension being granted me, in which case the transmission of this appeal will be unnecessary.

ENCLOSURE No. 1.

From P. SESHAGIRI ROW, late Deputy Collector in the Tanjore District, Madras Presidency, to the Right Honorable the Secretary of State for India, dated Cuddalore, 25th January 1880.

MAY IT PLEASE YOUR LORDSHIP,

Your Memorialist belongs to a respectable family. He entered the public service in the year 1850, and continued therein until the 2nd of May 1878, when he was suspended by an order of Government hereinafter mentioned and ultimately dismissed by an Order, dated the 9th day of July 1878. At the date of the first-mentioned order he had risen to the rank of a Second Class Deputy Collector and was serving in the Tanjore District, being in receipt of a salary of Rupees 500 per mensem. He was also at that time entitled on retirement to a pension of about Rupees 225 per mensem.

2. The aforesaid order of suspension was passed in consequence of a report having been made to Government by the Collector of the District, Mr. Thomas, after an inquiry held by him, accusing your Memorialist of certain charges. The charges were not based on any open complaints honestly brought by any person, but seem to have emanated from mere rumours. They consisted for the most part of accusations, that your Memorialist had obtained from a few persons, and asked of a few other persons in the district, contributions of money for the purpose of building a house.

3. Before adverting more particularly to these charges, to the specific matters which have to be urged in objection to the evidence adduced in support of them, and to the difficulties in answering them in which your Memorialist was placed owing to the action of the officers conducting the inquiry, your Memorialist begs to call attention first to the circumstances under which any such charges came to be made.

4. It is well known to your Lordship how prevalent in all parts of India is the circulation of rumours calumnious to the character of Government officials, and how common an incident in the daily life of officials is the receipt of anonymous letters containing false charges against those subordinate to the person addressed. In no part of India, your Memorialist believes, are these evils so notoriously rife as in the District of Tanjore; and, moreover, in no part of the country is it more easy to substantiate such charges by the subornation of false evidence.

5. In order to show how possible it is that such false charges may be brought against an official, your Memorialist would refer to a matter charged against him, in respect of which it must be admitted as indisputable that the witnesses made false statements. It is stated by three of the poems examined by the Collector that your Memorialist obtained money improperly from one Singaravelu Odayan. The fact was entirely denied by Singaravelu, and two of the

said peons retracted their statements on being cross-examined and admitted that they knew nothing of the matter, attributing the fact of their having made the former statements to the pressure put upon them by the Taluk Sheristadar and by the Police Inspector. It should be mentioned that these officials were employed by the Collector to get up the case against your Memorialist, and that they had these peons in their charge during the time when their original statements were made.

6. In view of these facts, it becomes the more important to examine carefully the circumstances under which accusations come to be made and the process and conditions under which the evidence is given, and as no prudent and impartial judge would arrive at a conclusion without such examination, so no accused person ought to be deprived of the opportunity of making it. If then your Memorialist can show, as is hereinafter shown, that in consequence of the action taken by the Collector he was not afforded such opportunity, he is entitled to protest, and he does hereby with all due submission protest against the orders passed against him.

7. Thus much being premised, your Memorialist has to call attention to certain circumstances which, as he would submit, account more particularly for the rumours and the consequent charges which have been circulated and brought against him. He will show that in the quarters whence these rumours and charges emanated, there existed a motive for bringing your Memorialist into disgrace, that the attitude and conduct of the Collector were entitled to encourage persons so maliciously disposed, and that facts had actually happened which only needed a slight distortion to convert them into matters for complaint against your Memorialist.

8. It had so happened that in the course of the two years during which your Memorialist had officiated as Deputy Collector in the district, he had to convict and sentence a large number of persons, many of them brahmins and not belonging to the ordinary class of persons who are brought before Criminal Courts. Among them were four persons, members of the family, to which two of the principal witnesses against your Memorialist belong; and one person a member of the family to which three others of the principal witnesses belong; all living in the same village.

9. Motive therefore was not wanting to excite the circulation of rumours injurious to your Memorialist. However, in order to make mere rumours effective for the purpose of injuring an officer in the position of your Memorialist, it was necessary that the idea should prevail that the Collector or other chief officer of the district was not ill-disposed to listen to them; for if once it is known or supposed in a district that the Collector does not regard with favor any given subordinate, it is easy to understand that the purveyors of malicious and scandalous rumours become more active, believing that he will not any longer persist in turning a deaf ear to them. Such was the case in the district of Tanjore, for it had happened that upon an Order of Government, dated the 27th September 1877, wherein severe animadversions were made on the administration of the Collector, being received by him, he called upon your Memorialist for an explanation of the matter referred to in the said order; and it also happened about the same time that the Collector recommended to Government for the office of Deputy Collector his Sheristadar (head ministerial officer), who for some time past had been ill-disposed to your Memorialist and afterwards took a prominent part in the conduct of the case against him. These facts coming to the knowledge of the surrounding officials and through them to other persons in the neighbourhood, as indeed appears from the evidence,* naturally induced

* Vide statement of Periyasamiengar and Gopalien.

the belief that your Memorialist was discredited with the Collector.

10. With regard to the particular form which the charges against your Memorialist took, viz., of collecting contributions for the purpose of building a house, it is submitted as probable that the idea of making such charges was prompted by the fact that had recently happened. During the season of famine in 1877, before the introduction of the relief system by Government, the suffering of the poor being great and some measures of relief being deemed necessary, your Memorialist in conjunction with other respectable inhabitants of the district, convened public meetings and set about raising contributions for the purpose of opening a relief-house. And your Memorialist did collect moneys for that purpose in the months of August and September 1877, and it is not inconceivable that out of this grain of fact may have sprung the crop of evil reports which were spread about concerning him.

11. On these matters, however, your Memorialist is, for the reason about to be mentioned, unable to offer anything but speculation. He was never put in a position to examine into the sources from which in the result the aforesaid charges arose; and in proof of this assertion he would beg to call attention to the manner in which the proceedings against him were conducted by the Collector.

12. On the 8th day of February 1878, your Memorialist, whose head-quarters were at Mannargudi, was despatched by the Collector to certain villages some twenty or thirty miles distant therefrom. In his absence, that is to say, on the 11th February, the Collector, being at alist's office, and issued summonses under the provisions of the Criminal Procedure Code to several persons, Mirassidars within the district.

13. In this manner it was that the proceedings commenced, and not only did the Collector thus deliberately procure the absence of your Memorialist at the commencement of the inquiry, but subsequently in a letter written to him ordered him not to return; and when your Memorialist did subsequently present himself at Mannargudi, refused to allow him to be present at the inquiry. Your Memorialist submits that in so acting towards him, the Collector violated all principles of justice and fairness and has inflicted on him an injury which is irreparable. The Collector took upon himself a duty of a judicial character and procured the attendance of witness as if a criminal charge were to be heard, and yet he debarred the accused from the privilege which is accorded to the meanest criminal, viz., that of confronting the witnesses and hearing from the first what accusations are made against him.

14. In any case the value of statements made by a witness materially depends on the form in which the questions are asked. Your Memorialist is necessarily ignorant in what manner the evidence was elicited from the witnesses called before the Collector, whether the questions were such as would have been allowed before a judge on a criminal trial, or whether they were in the nature of leading questions. Looking, however, to the evidence as recorded, your Memorialist may be permitted to surmise that some of the questions at least were of the latter character, and that the evidence was not elicited in a manner according with the principles prevailing in Courts of Justice.

15. Again, the bare statements of witnesses, especially when otherwise made in the absence of the ordinary securities for obtaining truth, deserve to have no weight seriously attached to them until they have been tested by cross-examination, and cross-examination in order to be effective must be immediate and must be conducted by one who is previously acquainted with the matter in issue. The procedure adopted by the Collector excluded the possibility of any cross-examination; and although liberty to cross-examine the witnesses was subsequently accorded, it was accorded under conditions which made it practically useless.

16. The inquiry conducted by the Collector was closed on the 13th March 1878, and a report thereon was submitted by him to Government. Apparently, however, the Government did not think the proceedings satisfactory, for an order was passed that Mr. Webster, who had succeeded Mr. Thomas as Collector, should re-summon the witnesses and report again upon the case with your Memorialist's explanation.

17. In the mean time no copies of the depositions taken before Mr. Thomas were given to your Memorialist, and no specific charges were made against him; and so when the witnesses came to be re-called before Mr. Webster, he was by no means in such a favorable position to conduct a cross-examination as even a prisoner on his trial would be. Moreover, Mr. Webster did not cause the depositions of the witnesses to be taken afresh as he should, your Memorialist would submit, have done; but he merely caused their depositions to be read over to them, asking them whether they did not still adhere to them, and reminding them that they would render themselves liable to prosecution for perjury if they contradicted their previous statements, and then called upon your Memorialist for his cross-examination.

18. Your Memorialist asked to be allowed to employ Counsel for the conduct of his defence, but permission was not granted. The disturbance of mind which is natural to an accused person and unfits him for the conduct of his own case would be almost sufficient excuse if the cross-examination in some respects failed to answer its purpose; but your Memorialist would submit that this was so, not more because the test of cross-examination was ineffectively handled as because the depositions upon which the witnesses were questioned had been given as much as eight weeks previously. It was in the last degree unlikely that witnesses would recant or swerve from statements which they had on oath made so long previously; whereas had the test been applied immediately, the result might have been different. And your Memorialist would also submit that no accused person can be fairly said to have failed in his cross-examination of witnesses when he has not been apprised beforehand of the specific matters alleged against him, and not having heard the witnesses themselves, has only heard their depositions hurriedly read over to him.

19. Such being the case with regard to the cross-examination, the case of your Memorialist was still worse with regard to the liberty of calling witnesses on his own behalf. No opportunity to do so was afforded to him by Mr. Webster. He did, however, of his own accord submit a list of persons whom he wished to have summoned, specifying to the best of his ability the matters in respect of which they would testify. These persons Mr. Webster refused to have summoned.

20. The proceedings having been conducted in the manner described, your Memorialist does not feel called upon to examine at any length the evidence upon which the orders of Government are founded; indeed from his ignorance of the precise charges on which the opinion of Government was formed, he is precluded from doing so with any useful result. He will therefore content himself with giving a summary of the several cases sufficient for the purpose of showing how intrinsically weak the evidence acted upon is, at the same time begging Your Lordship to bear in mind that accusations of corrupt conduct against an official are pro-

eminently accusations easy to make, but almost impossible to refute by direct evidence. The cases may be summarized as follows:—

- I. In the case of Sabapathi Pillai, the charge is that your Memorialist, through his clerk, one Vencataramiah, demanded Rs. 500 of the said Sabapathi for the purpose of building a house, and did on the 30th January 1878 actually obtain from him the sum of Rs. 250. Sabapathi's story is to a certain extent supported by the evidence of his agent Singaravelu and his cartman Vythi Padayachi, a man who had been convicted of theft. The clerk Vencataramiah was called as a witness, but was not asked a single question relating to Sabapathi. With regard to this charge, your Memorialist is not driven to pray Your Lordship to rely on his mere denial; for since the close of the inquiry he has discovered facts which make the story told by Sabapathi an incredible, if not an impossible one. Shortly before the 30th January 1878, one Thiagarajah, who is a brother of Sabapathi and lives with him, had along with others,

* In No. 67 of 1878.

including Sabapathi and the witness Singaravelu, been charged* with a trespass on certain lands then belonging to one Rathunja Odayan, which lands had formerly belonged to the adoptive mother of Sabapathi. The Taluk Magistrate before whom the charge was brought had previously had some complaint preferred against him by the said Thiagarajah, and accordingly applied to your Memorialist for leave to transfer the case to your Memorialist's Court, which transfer Thiagarajah also was anxious to have effected. Your

† Order, dated 26th February 1878.
‡ Order, dated 4th March 1878.

Memorialist however† refused to allow the transfer; but an order for such transfer was afterwards made on a subsequent‡ application by the said Thiagarajah to the Collector.

On the 13th January, another charge§ was made against the said Thiagarajah and his party in your Memorialist's Court. The persons so charged were summoned, but failed to appear,

§ In No. 1 of 1878.

and accordingly, on 27th February, a warrant was issued for the arrest of Thiagarajah. On the 9th March Thiagarajah, while still evading the warrant, applied to the Collector and obtained an order for the transfer of the last-mentioned case from your Memorialist's Court to that of the Collector. The facts thus stated are in two respects inconsistent with the statement that money was so obtained, it is difficult to believe that the payment was not connected with the payment must in fact have influenced the official conduct of your Memorialist. But so far from his conduct being in favor of Sabapathi and his brother, it appears that he acted as an official free from any obligation to them would have acted. He refused to sanction the desired of Sabapathi and his brother was the conduct that of persons who had put your Memorialist under an obligation; they would not have desired the case to be transferred from your Memorialist's Court had the payment already been in fact made.

The other circumstance referred to, which makes the story told by Sabapathi almost an impossible one, is that he is a man utterly destitute of means. It is true as he states that his adoptive mother did at one time own some 25 velies of land, but those lands are no longer in possession of the family, having been sold in execution of decrees obtained against his adoptive mother. Your Memorialist would have been able to prove this allegation conclusively had proper opportunity been afforded him. He would now in support of it call attention to the

Exhibit A.—Shows that 21½ velies of Ponnachee's lands were delivered over to one Shivagamy under a decree of the Subordinate Court at Negapatam, in Original Suit No. 42 of 1871.

Exhibits B. and C.—Are copies of judgments passed by the District Court of North Tanjore against Ponnachee, upholding the above Shivagamy's title to the above lands.

Exhibit D.—Is a copy of decree of the High Court, confirming in appeal the decree of the Lower Court, upholding against Ponnachee, Shivagamy's title to the lands in question.

Exhibit E.—Is an order of the District Munsif of Tiruturai, declaring the possession of the said lands under the above decrees to be Shivagamy's unquestionably.

Exhibits F. and G.—Are copies of registered deeds of sale of the above lands executed by Shivagamy to a third party, in which Ponnachee, her adopted son Sabapathi, and his brother Thiagarajah have, by attesting the deeds as witnesses, admitted Shivagamy's title and possession.

Exhibit H.—Is a copy of the registered certificate of sale of three and odd velies of Ponnachee's lands other than the above, issued to the auction-purchaser, one Periyacaroopan Chetty, by the Subordinate Court at Negapatam.

Note.—The lands referred to in Exhibits A.—H. make a total of 25 velies.

documents noted in the margin. Your Memorialist would further beg to specially point out certain facts which show unmistakably the character and position in life of Sabapathi and his brother and his alleged agent. These persons who succeeded in getting their case transferred from your Memorialist's Court to that of another Magistrate, your Memorialist understands, were all convicted by the latter of the offence in respect of which your Memorialist's proceedings went against them; the sentence of conviction being enhanced by the Appellate Court and the

enhanced sentence confirmed by the highest tribunal in the country, viz., the High Court. Further, their property was attached during the course of the inquiry against them for their default in appearance, but the writ of attachment was returned by the Police Officers with the endorsement that the defaulters possessed no property whatever. These facts which are on public record would prove the character of these people and their extreme pauperism. That a poor man, such as Sabapathi in reality is, should have been called upon to pay, still more should have actually paid a considerable sum of money to your Memorialist in the manner alleged, is not for a moment to be believed. His reason for making such a statement is apparent when it is observed that on the same day on which it was made and at a later hour, the application for transfer above mentioned was made to the Collector by his brother. Persons acquainted with the Tanjore District know well how common the contrivance is of procuring a case to be transferred by bringing some charge against the official from whose Court it is sought to be transferred. It was in carrying out such a contrivance, your Memorialist submits, that the statement was made. And the ignorance professed by Sabapathi of the fact of a warrant having been issued against his brother, and of his brother's application to the Collector and even of his presence in Mannargudi on the day on which the statement was made, being facts which must have been known to him, strongly favors the view so submitted, because such a profession of ignorance would naturally have been the consequence of the fear of being detected in a contrivance to deceive the Collector.

- II. In Alamelu Ammal's case, the story is that your Memorialist sent for her brother and agent Thiruvengadathiengar and demanded of him Rs. 300 for building a house, that the latter got the money from her and gave it to your Memorialist. Her son is called to corroborate her statement, but he in his evidence entirely denies that he ever heard of any such payment as is alleged. The Collector disposes of the difficulty occasioned by this denial by asserting that the witness is an idiot. It appears, however, that he has capacity enough to institute a suit in the Munsif's Court, and if in fact he is an idiot, it is strange that he should ever have been called as a witness before the Collector. However this may be, the charge in question rests on the evidence of Alamelu's brother only, uncorroborated by any other testimony. Moreover, it is material to note a new fact come to the knowledge of your Memorialist since the inquiry, viz., that her grandson had been sentenced to a fine in a criminal* case heard by

* No. 8 of 1877.

your Memorialist on appeal, and that she belongs to a religious sect against members of which, being also members of her family and trustees of the temple in Mannargudi, your Memorialist was understood to have directed an order threatening them with criminal proceedings in the event of any disturbance occurring at their instigation. The very individuals to whom the order related also charge your Memorialist with attempting to obtain payments of money from them, which charges are more particularly mentioned below.

- III. In Viduvan Thiruvengadathiengar's case, the charge is that 2½ years before the inquiry, he paid to your Memorialist Rs. 100 through one Thiruvengadathiengar, a Municipal Commissioner, being in fear of conviction in a defamation case in which he was one of the three accused and which was pending in your Memorialist's Court. Thiruvengadathiengar (Commissioner) was not examined. The said Viduvan Thiruvengadathiengar says, that one Shadagopiengar and Ramasawmy Iyengar were present when he gave the money to the Commissioner. These persons also were not examined. It is further alleged that the other two persons accused in the said defamation case, viz., Ramasamiengar and Krishniengar, had likewise previously paid your Memorialist money. These two persons also were not examined.

It is hardly necessary to say more in answer to a charge so wholly unsupported by reliable evidence; but this circumstance may be mentioned, viz., that the defamation case in question was in fact compromised by the parties themselves without any suggestion from your Memorialist, as appears from the record as compared with the statement made by the witness, and therefore it is not apparent how one of the accused persons could have come to make payment to your Memorialist in the manner and for the purpose alleged.

Another circumstance worth mentioning is that the evidence of this witness has been declared† by Courts of Justice to be unworthy of credit.

† In judgment in Suit No. 421 of 1873, on the file of the District Munsif's Court at Tiruvadi, authenticated copy of which has been submitted to Government.

- IV. Next come the cases of five individuals who state that your Memorialist asked of them a contribution of money or other help either for the purpose of building a house or for purpose undefined. Their statements are wholly uncorroborated, and it is to be observed that in every one of these cases there existed ample

motives for the making of such statements. In the cases of Gopalien and

1. * Ragupathien sentenced to 2 years' rigorous imprisonment in Calendar Case No. 141 of 1876, for offences against Sections 457 and 380, Indian Penal Code.
2. Rajagopalien sentenced to 6 months' simple imprisonment and a fine of Rs. 500 in Calendar Case No. 18 of 1877, for sending a false telegraphic message.
3. Gopalien sentenced to 1 year's rigorous imprisonment in Calendar Case No. 71 of 1877, for offences against Sections 454 and 380, Indian Penal Code.

† Ramamirthin, Pleader, District Court, in Register Case No. 10 of 1876.
‡ One in 1876, and the other so recently as the 15th November 1877 in No. 770.

sect and of the family to which Alamelu Ammal belongs, and it was against them personally that the above-mentioned order was passed by your Memorialist. Against Wokaperayur Subbién an order had in the year 1877 been passed by

§ Original Suit No. 113 of 1875, on the file of the Subordinate Judge at Tanjore, and Original Suit No. 218 of 1877, on the file of the District Munsif's Court at Tiruválar. Authenticated copies have been submitted to Government.

Krishnasamien, who are cousins, it must be mentioned that three* of their relatives had been convicted and sentenced by your Memorialist, and one† other had been committed by him to stand his trial at the Sessions on a charge of perjury, and that in two‡ cases relating to irrigation disputes decisions adverse to Gopalien had been passed by your Memorialist. Shadagopiengar and Periasamy Iyengar, who are also cousins, are the above-mentioned trustees of the temple at Mannárgudi and leading members of the above-mentioned

your Memorialist, prohibiting him from throwing a dam across a certain channel on pain of criminal prosecution, and it may be remarked that in two§ separate cases his testimony has been declared to be unworthy of credit by two separate judges.

There is another circumstance in connection with Gopalien's case which serves to show, as has already been shown, how the witnesses (peons) came to make their original statements to the effect that a payment of money was made to your Memorialist by Gopalien, which payment Gopalien himself avers he never made. One of these witnesses on cross-examination withdrew his previous statement and denied that he saw any payment made by Gopalien to your Memorialist. It was this witness that as above mentioned similarly retracted his like statement with regard to Singaravelu Odayan. This witness states that his original statement was made under compulsion, which compulsion is further evidenced by the depositions of his three fellow peons Anuasami, Narayana Row and Chinnaasami. Another witness first denied and then affirmed that his original statement was true. The agent Vencataramiah, through whom the payment was said to have been made, was not called as a witness, as also one Subba Row referred to in the statement.

Such being the case, it is hardly necessary for your Memorialist to dwell upon the improbabilities and contradictions which exist in the original statements of the above persons.

V. With regard to the other miscellaneous matters included in the inquiry, as to that relating to paddy, the imputation is that the purchase of paddy by your Memorialist from a Mirassidar was not a *bond fide* transaction. Exception seems also to have been taken to the subsequent selling of the paddy, so bought at a high price. It is true that your Memorialist did in the ordinary course at the harvest season buy a stock of paddy for his annual consumption from a Mirassidar who was a wholesale dealer. The receipt given on its purchase was produced by your Memorialist in proof of payment. The purchase there was some remnant of the preceding year's stock. The new paddy, as it was not fit for immediate use and should not have been mixed with the old grain, was stored separately, and on being discovered subsequently that it did not suit the brahmins, it had to be disposed of (through a grain merchant) when other paddy was available, which was purchased in its stead; the selling and rebuying being at the same high rate then current, your Memorialist fails to see any impropriety in the transaction.

As to the other miscellaneous matters, your Memorialist has nothing to observe inasmuch as he fails to see what improper conduct can be ascribed to him in respect thereof.

21. Your Memorialist has already called attention to the fact that many of the witnesses come from the same village or from villages lying within a small circle and being only three out of upwards of four hundred villages comprised in your Memorialist's Division. Not only is this fact consistent with the theory suggested by your Memorialist's Division. Not only against him have arisen out of mere rumours more or less maliciously circulated, but further it is submitted to be wholly inconsistent with the guilt imputed to your Memorialist, for no official in the position of a Deputy Collector, having a division of a district under his charge, would venture to levy illegal contributions for his own purpose in one small part of his division only when he might with far greater security and profit levy such contributions generally over

the whole division. Nor again is it probable that any official when about to retire from the service would venture to attempt to enrich himself in the manner alleged, or, if he did so, would succeed in his attempt, for it is obvious that the motive for obliging an official could be but a weak one when that official was known to be on the eve of retirement.

22. Your Memorialist has now set forth some of the facts and arguments which, had opportunity been afforded to him, he would have adduced before the officers concerned. Had such opportunity been afforded to him, and had the inquiry been conducted on principles of justice, your Memorialist would entertain no hope of inducing Your Lordship to judge of a matter which had already been considered in this country. But that not having been the case and the proceedings against your Memorialist being, as he submits, wholly vitiated by the irregularities which characterise them, your Memorialist would beg leave to appeal against the order of Government dismissing him from the service. He would beg Your Lordship in considering this appeal to bear in mind as well the matters set out in this Memorial as the fact that your Memorialist had at the date of the order of suspension served the Government faithfully and creditably for a period of 27 years, as will be seen from the accompanying printed copy of testimonials, and was then entitled to retire on a pension of Rs. 225 per mensem. Your Memorialist therefore humbly prays Your Lordship to cancel the Order of Government passed on 9th July 1878, and to order that your Memorialist may be reinstated or be permitted to retire from the service on the conditions under which he would have been allowed to retire but for such order.

23. Your Memorialist is burdened with a large family, and long past the prime of life to fit him to enter a new field of labor, and the Government having in their Order, dated 23rd June 1879, declined to grant him even his prayer for pension which will be his means of support at this old age, your humble Memorialist begs most respectfully to lay his pitiful case before Your Lordship for redress.

For this act of justice and kindness, your Memorialist, as in duty bound, shall ever pray.

No. 83.

ORDER THEREON, 11th May 1880, No. 541.

Miscellaneous.

The petitioner is informed that his memorial has been despatched to the Secretary of State.

(True Extract.)

(Signed)

C. G. MASTER,
Secretary to Government.

To the Petition Department.

Exd. W. H. French.

20 Copies.

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To
The Right Honorable the Secretary of State
FOR INDIA.

The humble Memorial of P. SESHAGIRI ROW,
late Deputy Collector in the Tanjore District,
Madras Presidency.

MAY IT PLEASE YOUR LORDSHIP,

Your Memorialist belongs to a respectable family. He entered the public service in the year 1850, and continued therein until the 2nd of May 1878, when he was suspended by an order of Government hereinafter mentioned and ultimately dismissed by an order dated the 9th day of July 1878. At the date of the first mentioned order he had risen to the rank of a Second Class Deputy Collector and was serving in the Tanjore District, being in receipt of a salary of Rupees 500 per mensem. He was also at that time entitled on retirement to a pension of about Rupees 225 per mensem.

2. The aforesaid order of suspension was passed in consequence of a report having been made to Government by the Collector of the District Mr. Thomas, after an enquiry held by him, accusing your Memorialist of certain charges. The charges were not based on any open complaints honestly brought by any person, but seem to have emanated from mere rumours. They consisted for the most part of accusations that your Memorialist had obtained from a few persons, and asked of a few other persons in the District, contributions of money for the purpose of building a house.

3. Before advertng more particularly to these charges, to the specific matters which have to be urged in objection to the evidence adduced in support of them, and to the difficulties in answering them in which your Memorialist was placed owing to the action of the officers conducting the enquiry, your Memorialist begs to call attention first to the circumstances under which any such charges came to be made.

4. It is well known to Your Lordship how prevalent in all parts of India is the circulation of rumours calumnious to the character of Government officials, and how common an incident in the daily life of officials is the receipt of anonymous letters containing false charges against those subordinate to the person addressed. In no part of India, your Memorialist believes, are these evils so notoriously rife as in the District of Tanjore; and moreover in no part of the country is it more easy to substantiate such charges by the subornation of false evidence.

Original

Subl. of (1880) 3110715.

REVENUE.

THE PETITION DEPARTMENT.

Dated May 11th.

Printed 21st.

Recd.

Q.O. 11th May 1880, No. 541.

MAY.

Nos. 82-83.

P. Seshagiri Row, late Deputy Collector, Tanjore District.—Informing, with reference to his letter, that his memorial has been despatched to the Secretary of State.

5. In order to show how possible it is that such false charges may be brought against an official, your Memorialist would refer to a matter charged against him in respect of which it must be admitted as indisputable that the witnesses made false statements. It is stated by three of the peons examined by the Collector that your Memorialist obtained money improperly from one Singaravelu Odayan. The fact was entirely denied by Singaravelu, and two of the said peons retracted their statements on being cross-examined and admitted that they knew nothing of the matter, attributing the fact of their having made the former statements to the pressure put upon them by the Taluq Sheristadar and by the Police Inspector. It should be mentioned that these officials were employed by the Collector to get up the case against your Memorialist, and that they had these peons in their charge during the time when their original statements were made.

6. In view of these facts, it becomes the more important to examine carefully the circumstances under which accusations come to be made and the process and conditions under which the evidence is given, and as no prudent and impartial Judge would arrive at a conclusion without such examination, so no accused person ought to be deprived of the opportunity of making it. If then your Memorialist can show, as is hereinafter shown, that in consequence of the action taken by the Collector he was not afforded such opportunity, he is entitled to protest, and he does hereby with all due submission protest against the orders passed against him.

7. Thus much being premised, your Memorialist has to call attention to certain circumstances which, as he would submit, account more particularly for the rumours and the consequent charges which have been circulated and brought against him. He will show that in the quarters whence these rumours and charges emanated, there existed a motive for bringing your Memorialist into disgrace, that the attitude and conduct of the Collector were entitled to encourage persons so maliciously disposed, and that facts had actually happened which only needed a slight distortion to convert them into matters for complaint against your Memorialist.

8. It had so happened that in the course of the two years during which your Memorialist had officiated as Deputy Collector in the District, he had to convict and sentence a large number of persons, many of them Brahmins and not belonging to the ordinary class of persons who are brought before Criminal Courts. Among them were four persons, members of the family, to which two of the principal witnesses against your Memorialist belong, and one person a member of the family to which three others of the principal witnesses belong; all living in the same village.

9. Motive therefore was not wanting to excite the circulation of rumours injurious to your Memorialist. However in order to make mere rumours effective for the purpose of injuring an officer in the possession of your Memorialist, it was necessary that the idea should prevail that the Collector or other chief officer of the District was not ill-disposed to listen to them. For if once it is known or supposed in a District that the Collector does not regard with favor any given subordinate, it is easy to understand that the purveyors of malicious and scandalous rumours become more active, believing that he will not any longer persist in turning a deaf ear to them. Such was the case in the District of Tanjore, for it had happened that

upon an order of Government, dated the 27th September 1877, wherein severe animadversions were made on the administration of the Collector, being received by him, he called upon your Memorialist for an explanation of the matter referred to in the said order; and it also happened about the same time that the Collector recommended to Government for the office of Deputy Collector his Sheristadar, (head ministerial officer) who for sometime past had been ill-disposed to your Memorialist and afterwards took a prominent part in the conduct of the case against him. These facts coming to the knowledge of the surrounding officials and through them

*Vide statement of Periyasamiengar and Gopalien.

to other persons in the neighbourhood, as indeed appears from the evidence,* naturally induced the belief that your Memorialist was discredited with the Collector.

10. With regard to the particular form which the charges against your Memorialist took, viz., of collecting contributions for the purpose of building a house, it is submitted as probable that the idea of making such charges was prompted by the fact that had recently happened. During the season of famine in 1877 before the introduction of the relief system by Government, the suffering of the poor being great and some measures of relief being deemed necessary, your Memorialist in conjunction with other respectable inhabitants of the District, convened public meetings and set about raising contributions for the purpose of opening a relief house. And your Memorialist did collect moneys for that purpose in the months of August and September 1877, and it is not inconceivable that out of this grain of fact may have sprung the crop of evil reports which were spread about concerning him.

11. On these matters however your Memorialist is for the reason about to be mentioned unable to offer anything but speculation. He was never put in a position to examine into the sources from which in the result the aforesaid charges arose: and in proof of this assertion he would beg to call attention to the manner in which the proceedings against him were conducted by the Collector.

12. On the 8th day of February 1878 your Memorialist, whose head-quarters were at Manargudi, was despatched by the Collector to certain villages some 20 or 30 miles distant therefrom. In his absence, that is to say, on the 11th February the Collector, being at Manargudi, called before him and examined two peons and a clerk attached to your Memorialist's Office and issued summonses under the provisions of the Criminal Procedure Code to several persons, Mirassidars within the District.

13. In this manner it was that the proceedings commenced, and not only did the Collector thus deliberately procure the absence of your Memorialist at the commencement of the enquiry, but subsequently in a letter written to him ordered him not to return, and when your Memorialist did subsequently present himself at Manargudi, refused to allow him to be present at the enquiry. Your Memorialist submits that in so acting towards him, the Collector violated all principles of justice and fairness and has inflicted on him an injury which is irreparable. The Collector took upon himself a duty of a judicial character and procured the attendance of witnesses as if a criminal charge were to be heard, and yet he debarred the accused from the privilege which is accorded to the meanest criminal, namely, that of confronting the witnesses and hearing from the first what accusations are made against him.

14. In any case the value of statements made by a witness materially depends on the form in which the questions are asked. Your Memorialist is necessarily ignorant in what manner the evidence was elicited from the witnesses called before the Collector, whether the questions were such as would have been allowed before a Judge on a criminal trial, or whether they were in the nature of leading questions. Looking however to the evidence as recorded, your Memorialist may be permitted to surmise that some of the questions at least were of the latter character, and that the evidence was not elicited in a manner according with the principles prevailing in Courts of Justice.

15. Again, the bare statements of witnesses especially when otherwise made in the absence of the ordinary securities for obtaining truth, deserve to have no weight seriously attached to them until they have been tested by cross-examination, and cross-examination in order to be effective must be immediate and must be conducted by one who is previously acquainted with the matter in issue. The procedure adopted by the Collector excluded the possibility of any cross-examination. And although liberty to cross-examine the witnesses was subsequently accorded, it was accorded under conditions which made it practically useless.

16. The enquiry conducted by the Collector, was closed on the 13th March 1878 and a report thereon was submitted by him to Government. Apparently however the Government did not think the proceedings satisfactory, for an order was passed that Mr. Webster, who had succeeded Mr. Thomas as Collector, should go and see the witnesses and report again upon the case with your Memorialist's explanation.

17. In the meantime no copies of the depositions taken before Mr. Thomas were given to your Memorialist and no specific charges were made against him; and so when the witnesses came to be re-called before Mr. Webster, he was by no means in such a favorable position to conduct a cross-examination as even a prisoner on his trial would be. Moreover, Mr. Webster did not cause the depositions of the witnesses to be taken afresh as he should, your Memorialist would submit, have done; but he merely caused their depositions to be read over to them, asking them whether they did not still adhere to them, and reminding them that they would render themselves liable to prosecution for perjury if they contradicted their previous statements, and then called upon your Memorialist for his cross-examination.

18. Your Memorialist asked to be allowed to employ Counsel for the conduct of his defence, but permission was not granted. The disturbance of mind which is natural to an accused person and unfits him for the conduct of his own case, would be almost sufficient excuse, if the cross-examination in some respects failed to answer its purpose. But your Memorialist would submit that this was so, not more because the test of cross-examination was ineffectively handled as because the depositions upon which the witnesses were questioned had been given as much as eight weeks previously. It was in the last degree unlikely that witnesses would recant or swerve from statements which they had on oath made so long previously; whereas had the test been applied immediately, the result might have been different. And your Memorialist would also submit that no accused person can be fairly said to have failed in his cross-examination of witnesses when he has not been apprised

beforehand of the specific matters alleged against him, and not having heard the witnesses themselves, has only heard their depositions hurriedly read over to him.

19. Such being the case with regard to the cross-examination, the case of your Memorialist was still worse with regard to the liberty of calling witnesses on his own behalf. No opportunity to do so was afforded to him by Mr. Webster. He did however of his own accord submit a list of persons whom he wished to have summoned, specifying to the best of his ability the matters in respect of which they would testify. These persons Mr. Webster refused to have summoned.

20. The proceedings having been conducted in the manner described, your Memorialist does not feel called upon to examine at any length the evidence upon which the orders of Government are founded: indeed from his ignorance of the precise charges on which the opinion of Government was formed, he is precluded from doing so with any useful result. He will therefore content himself with giving a summary of the several cases sufficient for the purpose of showing how intrinsically weak the evidence acted upon is, at the same time begging Your Lordship to bear in mind that accusations of corrupt conduct against an official are pre-eminently accusations easy to make but almost impossible to refute by direct evidence. The cases may be summarized as follows:—

- I. In the case of Sabapathi Pillai, the charge is that your Memorialist, through his clerk one Vencataramiah, demanded Rupees 500 of the said Sabapathi for the purpose of building a house, and did on the 30th January 1878 actually obtain from him the sum of Rupees 250. Sabapathi's story is to a certain extent supported by the evidence of his agent Singaravelu and his cartman Vythi Padayachi, a man who had been convicted of theft. The clerk Vencataramiah was called as a witness, but was not asked a single question relating to Sabapathi. With regard to this charge, your Memorialist is not driven to pray Your Lordship to rely on his mere denial; for since the close of the enquiry he has discovered facts which make the story told by Sabapathi an incredible, if not an impossible one. Shortly before the 30th January 1878, one Thiagarajah, who is a brother of Sabapathi and lives with him, had along with others including Sabapathi and the witness Singaravelu, been charged with a trespass on certain lands

* In No. 67 of 1878.

then belonging to one Rathunaja Odayan, which lands had formerly belonged to the adoptive mother of Sabapathi. The Taluk Magistrate before whom the charge was brought had previously had some complaint preferred against him by the said Thiagarajah, and accordingly applied to your Memorialist for leave to transfer the case to your Memorialist's Court, which transfer Thiagarajah also was anxious to have effected. Your Memorialist however refused to allow the transfer: but an order for such transfer was afterwards made on a subsequent application by the said Thiagarajah to the Collector.

† Order, dated 26th February 1878.

‡ Order, dated 4th March 1878.

On the 13th January another charge * was made against the said Thiagarajah and his party in your Memorialist's Court. The persons so charged were summoned but failed to appear and accordingly on 27th February a warrant was issued for the arrest of Thiagarajah. On the 9th March Thiagarajah, while still evading the warrant, applied to the Collector and obtained an order for the transfer of the last mentioned case from your Memorialist's Court to that of the Collector. The facts thus stated are in two respects inconsistent with the statement that your Memorialist improperly obtained money from Sabapathi on the 30th January. If any money was so obtained, it is difficult to believe that the payment was not connected with the cases then pending in which Sabapathi was concerned, and at any rate it is obvious that the payment must in fact have influenced the official conduct of your Memorialist. But so far from his conduct being in favor of Sabapathi and his brother, it appears that he acted as an official free from any obligation to them would have acted. He refused to sanction the desired transfer and took the extreme step of issuing a warrant against Thiagarajah. Nor on the part of Sabapathi and his brother was the conduct that of persons who had put your Memorialist under an obligation; they would not have desired the case to be transferred from your Memorialist's Court had the payment already been in fact made.

The other circumstance referred to which makes the story told by Sabapathi almost an impossible one, is that he is a man utterly destitute of means. It is true as he states that his adoptive mother did at one time own some 25 velies of land, but those lands are no longer in possession of the family, having been sold in execution of decrees obtained against his adoptive mother. Your Memorialist would have been able to prove this allegation conclusively had proper opportunity been afforded him. He would now in support of it call attention to the documents noted in the margin*

Exhibit A.—Shows that 21½ velies of Ponnachee's lands were delivered over to one Shivagamy under a decree of the Subordinate Court at Negapatam, in Original Suit No. 42 of 1871.

Exhibits B and C.—Are copies of Judgments passed by the District Court of North Tanjore against Ponnachee, upholding the above Shivagamy's title to the above lands.

Exhibit D.—Is a copy of decree of the High Court, confirming in appeal the decree of the Lower Court, upholding against Ponnachee, Shivagamy's title to the lands in question.

Exhibit E.—Is an order of the District Munsif of Tritrapundi, declaring the possession of the said lands under the above decrees to be Shivagamy's unquestionably.

Exhibits F and G.—Are copies of registered deeds of sale of the above lands, executed by Shivagamy to a third party, in which Ponnachee, her adopted son Sabapathi and his brother Thiagarajah have, by attesting the deeds as witnesses, admitted Shivagamy's title and possession.

Exhibit H.—Is a copy of the registered certificate of sale of 3 and odd velies of Ponnachee's lands other than the above, issued to the auction-purchaser one Periyacaroopan Chetty by the Subordinate Court at Negapatam.

NOTE.—The lands referred to in Exhibits A—H make a total of 25 velies.

Memorialist's proceedings went against them; the sentence of conviction being enhanced by the Appellate Court and the enhanced sentence confirmed by the highest tribunal in the country, viz., the High Court. Further, their property was attached

during the course of the enquiry against them for their default in appearance, but the writ of attachment was returned by the Police Officers with the endorsement that the defaulters possessed no property whatever. These facts which are on public record, would prove the character of these people and their extreme pauperism. That a poor man, such as Sabapathi in reality is, should have been called upon to pay, still more should have actually paid a considerable sum of money to your Memorialist in the manner alleged is not for a moment to be believed. His reason for making such a statement is apparent when it is observed that on the same day on which it was made and at a later hour, the application for transfer abovementioned was made to the Collector by his brother. Persons acquainted with the Tanjore District know well how common the contrivance is of procuring a case to be transferred by bringing some charge against the official from whose Court it is sought to be transferred. It was in carrying out such a contrivance, your Memorialist submits, that the statement was made. And the ignorance professed by Sabapathi of the fact of a warrant having been issued against his brother, and of his brother's application to the Collector and even of his presence in Manargudi on the day on which the statement was made, being facts which must have been known to him, strongly favors the view so submitted, because such a profession of ignorance would naturally have been the consequence of the fear of being detected in a contrivance to deceive the Collector.

II. In Alamelu Ammal's case, the story is that your Memorialist sent for her brother and agent Thiruvengadathiengar and demanded of him Rupees 300 for building a house, that the latter got the money from her and gave it to your Memorialist. Her son is called to corroborate her statement, but he in his evidence entirely denies that he ever heard of any such payment as is alleged. The Collector disposes of the difficulty occasioned by this denial by asserting that the witness is an idiot. It appears however that he has capacity enough to institute a suit in the Munsif's Court, and if in fact he is an idiot, it is strange that he should ever have been called as a witness before the Collector. However this may be, the charge in question rests on the evidence of Alamelu's brother only, uncorroborated by any other testimony. Moreover, it is material to note a new fact come to the knowledge of your Memorialist since the enquiry, viz., that her grand-son had been sentenced to a fine in a Criminal* case heard by your Memorialist.

* No. 8 of 1877.

on appeal, and that she belongs to a religious sect against members of which, being also members of her family and trustees of the temple in Manargudi, your Memorialist was understood to have directed an order threatening them with criminal proceedings in the event of any disturbance occurring at their instigation. The very individuals to whom the order related also charge your Memorialist with attempting to obtain payments of money from them, which charges are more particularly mentioned below.

III. In Viduvan Thiruvengadathiengar's case, the charge is that 2½ years before the enquiry, he paid to your Memorialist Rupees 100 through one Thiruvengadathiengar, a Municipal Commissioner, being in fear of conviction in a defamation case in which he was one of the three accused and which was pending in your Memorialist's Court. Thiruvengadathiengar (Commissioner) was not examined. The said Viduvan Thiruvengadathiengar says, that one Shadagopiengar and Ramasawmy Iyengar were present when he gave the money to the Commissioner. These persons also were not examined. It is further alleged that the other two persons accused in the said defamation case, namely, Ramasamiengar and Krishniengar had likewise previously paid your Memorialist money. These two persons also were not examined.

It is hardly necessary to say more in answer to a charge so wholly unsupported by reliable evidence: but this circumstance may be mentioned, namely, that the defamation case in question was in fact compromised by the parties themselves without any suggestion from your Memorialist, as appears from the record as compared with the statement made by the witness, and therefore it is not apparent how one of the accused persons could have come to make payment to your Memorialist in the manner and for the purpose alleged.

* In judgment in Suit No. 421 of 1873 on the file of the District Munsif's Court at Trivadi, authenticated copy of which has been submitted to Government.

Another circumstance worth mentioning is that the evidence of this witness has been declared by Courts of Justice to be unworthy of credit.

IV. Next come the cases of five individuals who state that your Memorialist asked of them a contribution of money or other help either for the purpose of building a house or for purpose undefined. Their statements are wholly uncorroborated, and it is to be observed that in every one of these cases there existed ample motives for the making of such statements. In the cases of Gopalien and Krish-

1. * Ragupathien sentenced to 2 years' rigorous imprisonment in Calendar Case No. 141 of 1876, for offences against Sections 437 and 380, Indian Penal Code.
2. Rajagopalien sentenced to 6 months' simple imprisonment and a fine of 500 Rupees in Calendar Case No. 18 of 1877, for sending a false telegraphic message.
3. Gopalien sentenced to 1 year's rigorous imprisonment in Calendar Case No. 71 of 1877, for offences against Sections 454 and 380, Indian Penal Code.

† Ramamirthien, Pleader District Court, in Register Case No. 10 of 1875.
‡ One in 1873, and the other so recently as the 15th November 1877 in No. 770.

nasamien, who are cousins, it must be mentioned that * three of their relatives had been convicted and sentenced by your Memorialist and one † other had been committed by him to stand his trial at the Sessions on a charge of perjury, and that in two ‡ cases relating to irrigation disputes decisions adverse to Gopalien had been passed by your Memorialist. Shadagopiengar and Periasamy Iyengar, who are also cousins, are the abovementioned

trustees of the temple at Manargudi and leading members of the abovementioned sect and of the family to which Alamelu Ammal belongs, and it was against them personally that the abovementioned order was passed by your Memorialist. Against Wokaperayur Subbien an order had in the year 1877 been passed by your Memorialist prohibiting him from throwing a dam across a certain channel on pain of criminal prosecution, and it may be remarked, that in two

* Original Suit No. 113 of 1875, on the file of the Subordinate Judge at Tanjore, and Original Suit No. 219 of 1877, on the file of the District Munsif's Court at Tirunavoor. Authenticated copies have been submitted to Government.

* separate cases his testimony has been declared to be unworthy of credit by two separate Judges.

There is another circumstance in connection with Gopalien's case which serves to show, as has already been shown, how the witnesses (Peons) came to make their original statements to the effect that a payment of money was made to your Memorialist by Gopalien, which payment Gopalien himself avers he never made. One of these witnesses, on cross-examination withdrew his previous statement and denied that he saw any payment made by Gopalien to your Memorialist. It was this witness that as abovementioned similarly retracted his like statement with regard to Singaravelu Odayan. This witness states that his original statement was made under compulsion, which compulsion is further evidenced by the depositions of his three fellow Peons Annasami, Narayana Row and Chinnasami. Another witness first denied and then affirmed that his original statement was true. The Agent Vencataramiah, through whom the payment was said to have been made, was not called as a witness, as also one Subba Row referred to in the statement.

Such being the case, it is hardly necessary for your Memorialist to dwell upon the improbabilities and contradictions which exist in the original statements of the above persons.

V. With regard to the other miscellaneous matters included in the enquiry, as to that relating to paddy, the imputation is that the purchase of paddy by your Memorialist from a Mirassidar was not a *bona fide* transaction. Exception seems also to have been taken to the subsequent selling of the paddy so bought at a high price. It is true that your Memorialist did in the ordinary course at the harvest season buy a stock of paddy for his annual consumption from a Mirassidar who was a wholesale dealer. The receipt given on its purchase was produced by your Memorialist in proof of payment. The Mirassidar from whom it was bought was not examined. At the time of its purchase there was some remnant of the preceding year's stock. The new paddy, as it was not fit for immediate use and should not have been mixed with the old grain, was stored separately, and on being discovered subsequently that it did not suit the Brahmins, it had to be disposed of (through a grain merchant) when other paddy was available, which was purchased in its stead:

the selling and re-buying being at the same high rate then current, your Memorialist fails to see any impropriety in the transaction.

As to the other miscellaneous matters, your Memorialist has nothing to observe inasmuch as he fails to see what improper conduct can be ascribed to him in respect thereof.

21. Your Memorialist has already called attention to the fact that many of the witnesses come from the same village or from villages lying within a small circle and being only three out of upwards of four hundred villages comprised in your Memorialist's Division. Not only is this fact consistent with the theory suggested by your Memorialist that the charges made against him have arisen out of mere rumours more or less maliciously circulated, but further it is submitted to be wholly inconsistent with the guilt imputed to your Memorialist, for no official in the position of a Deputy Collector having a Division of a District under his charge would venture to levy illegal contributions for his own purpose in one small part of his Division only when he might with far greater security and profit levy such contributions generally over the whole Division. Nor again is it probable that any official when about to retire from the service would venture to attempt to enrich himself in the manner alleged, or, if he did so, would succeed in his attempt, for it is obvious that the motive for obliging an official could be but a weak one when that official was known to be on the eve of retirement.

22. Your Memorialist has now set forth some of the facts and arguments which, had proper opportunity been afforded to him, he would have adduced before the officers conducting the enquiry. Had such opportunity been afforded to him, and had the enquiry been conducted on the established principles of justice, your Memorialist would entertain but comparatively little hope of inducing Your Lordship to judge of a matter which had already been once considered in this country. But that not having been the case and the proceedings against your Memorialist being, as he submits, wholly vitiated by the irregularities which characterize them, your Memorialist would beg leave to appeal against the order of Government dismissing him from the service. He would beg Your Lordship in considering this appeal to bear in mind as well the matters set out in this Memorial as the fact that your Memorialist had at the date of the order of suspension served the Government faithfully and creditably for a period of 27 years, as will be seen from the accompanying printed copy of testimonials, and was then entitled to retire on a pension of Rupees 225 per mensem. Your Memorialist therefore humbly prays Your Lordship to cancel the order of Government passed on 9th July 1878, and to order that your Memorialist may be reinstated or be permitted to retire from the service on the conditions under which he would have been allowed to retire but for such order.

23. Your Memorialist is burdened with a large family, and long past the prime of life to fit him to enter a new field of labor, and the Government having in their order dated 23rd June 1879 declined to grant him even his prayer for pension which will be his means of support at this old age, your humble Memorialist begs most respectfully to lay his pitiful case before Your Lordship for redress.

For this act of justice and kindness, your Memorialist, as in duty bound
SHALL EVER PRAY.

Cuddalore

25th January 1900.

P. Subbaraj Rao
late Dy Collector Tanjore

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PRINT

Rev No 2794/87

Enclosure

11th May 1880

No 541

To
The Right Honorable the Secretary of State
FOR INDIA.

The humble Memorial of P. SESHAGIRI ROW,
late Deputy Collector in the Tanjore District,
Madras Presidency.

MAY IT PLEASE YOUR LORDSHIP,

Your Memorialist belongs to a respectable family. He entered the public service in the year 1850, and continued therein until the 2nd of May 1878, when he was suspended by an order of Government hereinafter mentioned and ultimately dismissed by an order dated the 9th day of July 1878. At the date of the first mentioned order he had risen to the rank of a Second Class Deputy Collector and was serving in the Tanjore District, being in receipt of a salary of Rupees 500 per mensem. He was also at that time entitled on retirement to a pension of about Rupees 225 per mensem.

2. The aforesaid order of suspension was passed in consequence of a report having been made to Government by the Collector of the District Mr. Thomas, after an enquiry held by him, accusing your Memorialist of certain charges. The charges were not based on any open complaints honestly brought by any person, but seem to have emanated from mere rumours. They consisted for the most part of accusations that your Memorialist had obtained from a few persons, and asked of a few other persons in the District, contributions of money for the purpose of building a house.

3. Before advertng more particularly to these charges, to the specific matters which have to be urged in objection to the evidence adduced in support of them, and to the difficulties in answering them in which your Memorialist was placed owing to the action of the officers conducting the enquiry, your Memorialist begs to call attention first to the circumstances under which any such charges came to be made.

4. It is well known to Your Lordship how prevalent in all parts of India is the circulation of rumours calumnious to the character of Government officials, and how common an incident in the daily life of officials is the receipt of anonymous letters containing false charges against those subordinate to the person addressed. In no part of India, your Memorialist believes, are these evils so notoriously rife as in the District of Tanjore; and moreover in no part of the country is it more easy to substantiate such charges by the subornation of false evidence.

Subd 217/80

5. In order to show how possible it is that such false charges may be brought against an official, your Memorialist would refer to a matter charged against him in respect of which it must be admitted as indisputable that the witnesses made false statements. It is stated by three of the peons examined by the Collector that your Memorialist obtained money improperly from one Singaravelu Odayan. The fact was entirely denied by Singaravelu, and two of the said peons retracted their statements on being cross-examined and admitted that they knew nothing of the matter, attributing the fact of their having made the former statements to the pressure put upon them by the Taluq Sheristadar and by the Police Inspector. It should be mentioned that these officials were employed by the Collector to get up the case against your Memorialist, and that they had these peons in their charge during the time when their original statements were made.

6. In view of these facts, it becomes the more important to examine carefully the circumstances under which accusations come to be made and the process and conditions under which the evidence is given, and as no prudent and impartial Judge would arrive at a conclusion without such examination, so no accused person ought to be deprived of the opportunity of making it. If then your Memorialist can show, as is hereinafter shown, that in consequence of the action taken by the Collector he was not afforded such opportunity, he is entitled to protest, and he does hereby with all due submission protest against the orders passed against him.

7. Thus much being premised, your Memorialist has to call attention to certain circumstances which, as he would submit, account more particularly for the rumours and the consequent charges which have been circulated and brought against him. He will show that in the quarters whence these rumours and charges emanated, there existed a motive for bringing your Memorialist into disgrace, that the attitude and conduct of the Collector were entitled to encourage persons so maliciously disposed, and that facts had actually happened which only needed a slight distortion to convert them into matters for complaint against your Memorialist.

8. It had so happened that in the course of the two years during which your Memorialist had officiated as Deputy Collector in the District, he had to convict and sentence a large number of persons, many of them Brahmins and not belonging to the ordinary class of persons who are brought before Criminal Courts. Among them were four persons, members of the family to which two of the principal witnesses against your Memorialist belong, and one person a member of the family to which three others of the principal witnesses belong; all living in the same village.

9. Motive therefore was not wanting to excite the circulation of rumours injurious to your Memorialist. However in order to make mere rumours effective for the purpose of injuring an officer in the possession of your Memorialist, it was necessary that the idea should prevail that the Collector or other chief officer of the District was not ill-disposed to listen to them. For if once it is known or supposed in a District that the Collector does not regard with favor any given subordinate, it is easy to understand that the purveyors of malicious and scandalous rumours become more active, believing that he will not any longer persist in turning a deaf ear to them. Such was the case in the District of Tanjore, for it had happened that

upon an order of Government, dated the 27th September 1877, wherein severe animadversions were made on the administration of the Collector, being received by him, he called upon your Memorialist for an explanation of the matter referred to in the said order; and it also happened about the same time that the Collector recommended to Government for the office of Deputy Collector his Sheristadar, (head ministerial officer) who for sometime past had been ill-disposed to your Memorialist and afterwards took a prominent part in the conduct of the case against him. These facts coming to the knowledge of the surrounding officials and through them

Vide statement of Periyasamiengar and Gopalien. to other persons in the neighbourhood, as indeed appears from the evidence, naturally induced the belief that your Memorialist was discredited with the Collector.

10. With regard to the particular form which the charges against your Memorialist took, viz., of collecting contributions for the purpose of building a house, it is submitted as probable that the idea of making such charges was prompted by the fact that had recently happened. During the season of famine in 1877 before the introduction of the relief system by Government, the suffering of the poor being great and some measures of relief being deemed necessary, your Memorialist in conjunction with other respectable inhabitants of the District, convened public meetings and set about raising contributions for the purpose of opening a relief house. And your Memorialist did collect moneys for that purpose in the months of August and September 1877, and it is not inconceivable that out of this grain of fact may have sprung the crop of evil reports which were spread about concerning him.

11. On these matters however your Memorialist is for the reason about to be mentioned unable to offer anything but speculation. He was never put in a position to examine into the sources from which in the result the aforesaid charges arose: and in proof of this assertion he would beg to call attention to the manner in which the proceedings against him were conducted by the Collector.

12. On the 8th day of February 1878 your Memorialist, whose head-quarters were at Manargudi, was despatched by the Collector to certain villages some 20 or 30 miles distant therefrom. In his absence, that is to say, on the 11th February the Collector, being at Manargudi, called before him and examined two peons and a clerk attached to your Memorialist's Office and issued summonses under the provisions of the Criminal Procedure Code to several persons, Mirassidars within the District.

13. In this manner it was that the proceedings commenced, and not only did the Collector thus deliberately procure the absence of your Memorialist at the commencement of the enquiry, but subsequently in a letter written to him ordered him not to return, and when your Memorialist did subsequently present himself at Manargudi, refused to allow him to be present at the enquiry. Your Memorialist submits that in so acting towards him, the Collector violated all principles of justice and fairness and has inflicted on him an injury which is irreparable. The Collector took upon himself a duty of a judicial character and yet he debarred the accused from the privilege which is accorded to the meanest criminal, namely, that of confronting the witnesses and hearing from the first what accusations are made against him.

14. In any case the value of statements made by a witness materially depends on the form in which the questions are asked. Your Memorialist is necessarily ignorant in what manner the evidence was elicited from the witnesses called before the Collector, whether the questions were such as would have been allowed before a Judge on a criminal trial, or whether they were in the nature of leading questions. Looking however to the evidence as recorded, your Memorialist may be permitted to surmise that some of the questions at least were of the latter character, and that the evidence was not elicited in a manner according with the principles prevailing in Courts of Justice.

15. Again, the bare statements of witnesses, especially when otherwise made in the absence of the ordinary securities for obtaining truth, deserve to have no weight seriously attached to them until they have been tested by cross-examination, and cross-examination in order to be effective must be immediate and must be conducted by one who is previously acquainted with the matter in issue. The procedure adopted by the Collector excluded the possibility of any cross-examination. And although liberty to cross-examine the witnesses was subsequently accorded, it was accorded under conditions which made it practically useless.

16. The enquiry conducted by the Collector, was closed on the 13th March 1878 and a report thereon was submitted by him to Government. Apparently however the Government did not think the proceedings satisfactory, for an order was passed that Mr. Webster, who had succeeded Mr. Thomas as Collector, should re-summon the witnesses and report again upon the case with your Memorialist's explanation.

17. In the meantime no copies of the depositions taken before Mr. Thomas were given to your Memorialist and no specific charges were made against him; and so when the witnesses came to be re-called before Mr. Webster, he was by no means in such a favorable position to conduct a cross-examination as even a prisoner on his trial would be. Moreover, Mr. Webster did not cause the depositions of the witnesses to be taken afresh as he should, your Memorialist would submit, have done; but he merely caused their depositions to be read over to them, asking them whether they did not still adhere to them, and reminding them that they would render themselves liable to prosecution for perjury if they contradicted their previous statements, and then called upon your Memorialist for his cross-examination.

18. Your Memorialist asked to be allowed to employ Counsel for the conduct of his defence, but permission was not granted. The disturbance of mind which is natural to an accused person and unfits him for the conduct of his own case, would be almost sufficient excuse, if the cross-examination in some respects failed to answer its purpose. But your Memorialist would submit that this was so, not more because the test of cross-examination was ineffectively handled as because the depositions upon which the witnesses were questioned had been given as much as eight weeks previously. It was in the last degree unlikely that witnesses would recant or swerve from statements which they had on oath made so long previously; whereas had the test been applied immediately, the result might have been different. And your Memorialist would also submit that no accused person can be fairly said to have failed in his cross-examination of witnesses when he has not been apprised

beforehand of the specific matters alleged against him, and not having heard the witnesses themselves, has only heard their depositions hurriedly read over to him.

19. Such being the case with regard to the cross-examination, the case of your Memorialist was still worse with regard to the liberty of calling witnesses on his own behalf. No opportunity to do so was afforded to him by Mr. Webster. He did however of his own accord submit a list of persons whom he wished to have summoned, specifying to the best of his ability the matters in respect of which they would testify. *These persons Mr. Webster refused to have summoned.*

20. The proceedings having been conducted in the manner described, your Memorialist does not feel called upon to examine at any length the evidence upon which the orders of Government are founded: indeed from his ignorance of the precise charges on which the opinion of Government was formed, he is precluded from doing so with any useful result. He will therefore content himself with giving a summary of the several cases sufficient for the purpose of showing how intrinsically weak the evidence acted upon is, at the same time begging Your Lordship to bear in mind that accusations of corrupt conduct against an official are pre-eminently accusations easy to make but almost impossible to refute by direct evidence. The cases may be summarized as follows:—

I. In the case of Sabapathi Pillai, the charge is that your Memorialist, through his clerk one Vencataramiah, demanded Rupees 500 of the said Sabapathi for the purpose of building a house, and did on the 30th January 1878 actually obtain from him the sum of Rupees 250. Sabapathi's story is to a certain extent supported by the evidence of his agent Singaravelu and his cartman Vythi Padayachi, a man who had been convicted of theft. The clerk Vencataramiah was called as a witness, but was not asked a single question relating to Sabapathi. With regard to this charge, your Memorialist is not driven to pray Your Lordship to rely on his mere denial; for since the close of the enquiry he has discovered facts which make the story told by Sabapathi an incredible, if not an impossible one. Shortly before the 30th January 1878, one Thiagarajah, who is a brother of Sabapathi and lives with him, had along with others including Sabapathi and the witness Singaravelu, been

* In No. 67 of 1878.

charged * with a trespass on certain lands then belonging to one Rathnuja Odayan, which lands had formerly belonged to the adoptive mother of Sabapathi. The Taluq Magistrate before whom the charge was brought had previously had some complaint preferred against him by the said Thiagarajah, and accordingly applied to your Memorialist for leave to transfer the case to your Memorialist's Court, which transfer Thiagarajah also was anxious to have effected. Your Memorialist

+ Order, dated 26th February 1878.

+ Order, dated 4th March 1878.

however + refused to allow the transfer: but an order for such transfer was afterwards made on a subsequent + application by the said Thiagarajah to the Collector.

On the 13th January another charge * was made against the said Thiagarajah and his party in your Memorialist's Court. The persons so charged were summoned but failed to appear and accordingly on 27th February a warrant was issued for the arrest of Thiagarajah. On the 9th March Thiagarajah, while still evading the warrant, applied to the Collector and obtained an order for the transfer of the last mentioned case from your Memorialist's Court to that of the Collector. The facts thus stated are in two respects inconsistent with the statement that your Memorialist improperly obtained money from Sabapathi on the 30th January. If any money was so obtained, it is difficult to believe that the payment was not connected with the cases then pending in which Sabapathi was concerned, and at any rate it is obvious that the payment must in fact have influenced the official conduct of your Memorialist. But so far from his conduct being in favor of Sabapathi and his brother, it appears that he acted as an official free from any obligation to them would have acted. He refused to sanction the desired transfer and took the extreme step of issuing a warrant against Thiagarajah. Nor on the part of Sabapathi and his brother was the conduct that of persons who had put your Memorialist under an obligation; they would not have desired the case to be transferred from your Memorialist's Court had the payment already been in fact made.

The other circumstance referred to which makes the story told by Sabapathi almost an impossible one, is that he is a man utterly destitute of means. It is true as he states that his adoptive mother did at one time own some 25 velies of land, but those lands are no longer in possession of the family, having been sold in execution of decrees obtained against his adoptive mother. Your Memorialist would have been able to prove this allegation conclusively had proper opportunity been afforded him. He would now in support of it call attention to the documents noted in the margin*

Exhibit A.—Shows that 21½ velies of Ponnachee's lands were delivered over to one Shivagamy under a decree of the Subordinate Court at Negapatam, in Original Suit No. 42 of 1871.

Exhibits B and C.—Are copies of Judgments passed by the District Court of North Tanjore against Ponnachee, upholding the above Shivagamy's title to the above lands.

Exhibit D.—Is a copy of decree of the High Court, confirming in appeal the decree of the Lower Court, upholding against Ponnachee, Shivagamy's title to the lands in question.

Exhibit E.—Is an order of the District Munsif of Tirupundi, declaring the possession of the said lands under the above decrees to be Shivagamy's unquestionably.

Exhibits F and G.—Are copies of registered deeds of sale of the above lands, executed by Shivagamy to a third party, in which Ponnachee, her adopted son Sabapathi and his brother Thiagarajah have, by attesting the deeds as witnesses, admitted Shivagamy's title and possession.

Exhibit H.—Is a copy of the registered certificate of sale of 3 and odd velies of Ponnachee's lands other than the above, issued to the auction-purchaser one Periyacaroopan Chetty by the Subordinate Court at Negapatam.

NOTE.—The lands referred to in Exhibits A—H make a total of 23 velies.

Memorialist's proceedings went against them; the sentence of conviction being enhanced by the Appellate Court and the enhanced sentence confirmed by the highest tribunal in the country, viz., the High Court. Further, their property was attached

Your Memorialist would, further beg to specially point out certain facts which show unmistakably the character and position in life of Sabapathi and his brother and his alleged agent. These persons who succeeded in getting their case transferred from your Memorialist's Court to that of another Magistrate, your Memorialist understands, were all convicted by the latter of the offence in respect of which your

during the course of the enquiry against them for their default in appearance, but the writ of attachment was returned by the Police Officers with the endorsement that the defaulters possessed no property whatever. These facts which are on public record, would prove the character of these people and their extreme pauperism. That a poor man, such as Sabapathi in reality is, should have been called upon to pay, still more should have actually paid a considerable sum of money to your Memorialist in the manner alleged is not for a moment to be believed. His reason for making such a statement is apparent when it is observed that on the same day on which it was made and at a later hour, the application for transfer abovementioned was made to the Collector by his brother. Persons acquainted with the Tanjore District know well how common the contrivance is of procuring a case to be transferred by bringing some charge against the official from whose Court it is sought to be transferred. It was in carrying out such a contrivance, your Memorialist submits, that the statement was made. And the ignorance professed by Sabapathi of the fact of a warrant having been issued against his brother, and of his brother's application to the Collector and even of his presence in Manargudi on the day on which the statement was made, being facts which must have been known to him, strongly favors the view so submitted; because such a profession of ignorance would naturally have been the consequence of the fear of being detected in a contrivance to deceive the Collector.

11. In Alamelu Ammal's case, the story is that your Memorialist sent for her brother and agent Thiruvengadathiengar and demanded of him Rupees 300 for building a house, that the latter got the money from her and gave it to your Memorialist. Her son is called to corroborate her statement, but he in his evidence entirely denies that he ever heard of any such payment as is alleged. The Collector disposes of the difficulty occasioned by this denial by asserting that the witness is an idiot. It appears however that he has capacity enough to institute a suit in the Munsif's Court, and if in fact he is an idiot, it is strange that he should ever have been called as a witness before the Collector. However this may be, the charge in question rests on the evidence of Alamelu's brother only, uncorroborated by any other testimony. Moreover, it is material to note a new fact come to the knowledge of your Memorialist since the enquiry, viz., that her grand-son had been sentenced to a fine in a Criminal* case heard by your Memorialist on appeal, and that she belongs to a religious sect against members of which, being also members of her family and trustees of the temple in Manargudi, your Memorialist was understood to have directed an order threatening them with criminal proceedings in the event of any disturbance occurring at their instigation. The very individuals to whom the order related also charge your Memorialist with attempting to obtain payments of money from them, which charges are more particularly mentioned below.

* No. 8 of 1877.

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III. In Viduvan Thiruvengadathiengar's case, the charge is that 2½ years before the enquiry, he paid to your Memorialist Rupees 100 through one Thiruvengadathiengar, a Municipal Commissioner, being in fear of conviction in a defamation case in which he was one of the three accused and which was pending in your Memorialist's Court. Thiruvengadathiengar (Commissioner) was not examined. The said Viduvan Thiruvengadathiengar says, that one Shadagopiengar and Ramasawmy Iyengar were present when he gave the money to the Commissioner. These persons also were not examined. It is further alleged that the other two persons accused in the said defamation case, namely, Ramasamiengar and Krishniengar had likewise previously paid your Memorialist money. These two persons also were not examined.

It is hardly necessary to say more in answer to a charge so wholly unsupported by reliable evidence: but this circumstance may be mentioned, namely, that the defamation case in question was in fact compromised by the parties themselves without any suggestion from your Memorialist, as appears from the record as compared with the statement made by the witness, and therefore it is not apparent how one of the accused persons could have come to make payment to your Memorialist in the manner and for the purpose alleged.

* In judgment in Suit No. 421 of 1873 on the file of the District Munsif's Court at Tiruvadi, authenticated copy of which has been submitted to Government.

Another circumstance worth mentioning is that the evidence of this witness has been declared by Courts of Justice to be unworthy of credit.

IV. Next come the cases of five individuals who state that your Memorialist asked of them a contribution of money or other help either for the purpose of building a house or for purpose undefined. Their statements are wholly uncorroborated, and it is to be observed that in every one of these cases there existed ample motives for the making of such statements. In the cases of Gopalien and Krish-

1. * Ragupathien sentenced to 2 years' rigorous imprisonment in Calendar Case No. 141 of 1876, for offences against Sections 457 and 380, Indian Penal Code.
2. Rajagopalien sentenced to 6 months' simple imprisonment and a fine of 500 Rupees in Calendar Case No. 18 of 1877, for sending a false telegraphic message.
3. Gopalien sentenced to 1 year's rigorous imprisonment in Calendar Case No. 71 of 1877, for offences against Sections 454 and 380, Indian Penal Code.

† Ramamirthien, Pleader District Court, in Register Case No. 10 of 1875.

‡ One in 1876, and the other so recently as the 15th November 1877 in No. 770.

nasamien, who are cousins, it must be mentioned that three of their relatives had been convicted and sentenced by your Memorialist and one † other had been committed by him to stand his trial at the Sessions on a charge of perjury, and that in two ‡ cases relating to irrigation disputes decisions adverse to Gopalien had been passed by your Memorialist. Shadagopiengar and Periasamy Iyengar, who are also cousins, are the abovementioned

trustees of the temple at Manargudi and leading members of the abovementioned sect and of the family to which Alamelu Ammal belongs, and it was against them personally that the abovementioned order was passed by your Memorialist. Against Wokaperayur Subbien an order had in the year 1877 been passed by your Memorialist prohibiting him from throwing a dam across a certain channel on pain of criminal prosecution, and it may be remarked that in two

* Original Suit No. 113 of 1875, on the file of the Subordinate Judge at Tanjore, and Original Suit No. 218 of 1877, on the file of the District Munsif's Court at Tiruvavoor. Authenticated copies have been submitted to Government.

* separate cases, his testimony has been declared to be unworthy of credit by two separate Judges.

There is another circumstance in connection with Gopalien's case which serves to show, as has already been shown, how the witnesses (Peons) came to make their original statements to the effect that a payment of money was made to your Memorialist by Gopalien, which payment Gopalien himself avers he never made. One of these witnesses on cross-examination withdrew his previous statement and denied that he saw any payment made by Gopalien to your Memorialist. It was this witness that as abovementioned similarly retracted his like statement with regard to Singaravelu Odayan. This witness states that his original statement was made under compulsion, which compulsion is further evidenced by the depositions of his three fellow Peons Annasami, Narayana Row and Chinnasami. Another witness first denied and then affirmed that his original statement was true. The Agent Vencataramiah, through whom the payment was said to have been made, was not called as a witness, as also one Subba Row referred to in the statement.

Such being the case, it is hardly necessary for your Memorialist to dwell upon the improbabilities and contradictions which exist in the original statements of the above persons.

V. With regard to the other miscellaneous matters included in the enquiry, as to that relating to paddy, the imputation is that the purchase of paddy by your Memorialist from a Mirassidar was not a *bona fide* transaction. Exception seems also to have been taken to the subsequent selling of the paddy so bought at a high price. It is true that your Memorialist did in the ordinary course at the harvest season buy a stock of paddy for his annual consumption from a Mirassidar who was a wholesale dealer. The receipt given on its purchase was produced by your Memorialist in proof of payment. The Mirassidar from whom it was bought was not examined. At the time of its purchase there was some remnant of the preceding year's stock. The new paddy, as it was not fit for immediate use and should not have been mixed with the old grain, was stored separately, and on being discovered subsequently that it did not suit the Brahmins, it had to be disposed of (through a grain merchant) when other paddy was available, which was purchased in its stead:

the selling and re-buying being at the same high rate then current, your Memorialist fails to see any impropriety in the transaction.

As to the other miscellaneous matters, your Memorialist has nothing to observe inasmuch as he fails to see what improper conduct can be ascribed to him in respect thereof.

21. Your Memorialist has already called attention to the fact that many of the witnesses come from the same village or from villages lying within a small circle and being only three out of upwards of four hundred villages comprised in your Memorialist's Division. Not only is this fact consistent with the theory suggested by your Memorialist that the charges made against him have arisen out of mere rumours more or less maliciously circulated, but further it is submitted to be wholly inconsistent with the guilt imputed to your Memorialist, for no official in the position of a Deputy Collector having a Division of a District under his charge would venture to levy illegal contributions for his own purpose in one small part of his Division only when he might with far greater security and profit levy such contributions generally over the whole Division. Nor again is it probable that any official when about to retire from the service would venture to attempt to enrich himself in the manner alleged, or, if he did so, would succeed in his attempt, for it is obvious that the motive for obliging an official could be but a weak one when that official was known to be on the eve of retirement.

22. Your Memorialist has now set forth some of the facts and arguments which, had proper opportunity been afforded to him, he would have adduced before the officers conducting the enquiry. Had such opportunity been afforded to him, and had the enquiry been conducted on the established principles of justice, your Memorialist would entertain but comparatively little hope of inducing Your Lordship to judge of a matter which had already been once considered in this country. But that not having been the case and the proceedings against your Memorialist being, as he submits, wholly vitiated by the irregularities which characterize them, your Memorialist would beg leave to appeal against the order of Government dismissing him from the service. He would beg Your Lordship in considering this appeal to bear in mind as well the matters set out in this Memorial as the fact that your Memorialist had at the date of the order of suspension served the Government faithfully, and creditably for a period of 27 years, as will be seen from the accompanying printed copy of testimonials, and was then entitled to retire on a pension of Rupees 225 per mensem. Your Memorialist therefore humbly prays Your Lordship to cancel the order of Government passed on 9th July 1878, and to order that your Memorialist may be reinstated or be permitted to retire from the service on the conditions under which he would have been allowed to retire but for such order.

23. Your Memorialist is burdened with a large family, and long past the prime of life to fit him to enter a new field of labor, and the Government having in their order dated 23rd June 1879 declined to grant him even his prayer for pension which will be his means of support at this old age, your humble Memorialist begs most respectfully to lay his pitiful case before Your Lordship for redress.

For this act of justice and kindness, your Memorialist, as in duty bound
SHALL EVER PRAY.

Cuddalore

25th January 1880.

P. Perharjiri

late Dy Collector Tanjore

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To
The Right Honorable the Secretary of State
FOR INDIA.

The humble Memorial of P. SESHAGIRI ROW,
late Deputy Collector in the Tanjore District,
Madras Presidency.

MAY IT PLEASE YOUR LORDSHIP,

Your Memorialist belongs to a respectable family. He entered the public service in the year 1850, and continued therein until the 2nd of May 1878, when he was suspended by an order of Government hereinafter mentioned and ultimately dismissed by an order dated the 9th day of July 1878. At the date of the first mentioned order he had risen to the rank of a Second Class Deputy Collector and was serving in the Tanjore District, being in receipt of a salary of Rupees 500 per mensem. He was also at that time entitled on retirement to a pension of about Rupees 225 per mensem.

2. The aforesaid order of suspension was passed in consequence of a report having been made to Government by the Collector of the District Mr. Thomas, after an enquiry held by him, accusing your Memorialist of certain charges. The charges were not based on any open complaints honestly brought by any person, but seem to have emanated from mere rumours. They consisted for the most part of accusations that your Memorialist had obtained from a few persons, and asked of a few other persons in the District, contributions of money for the purpose of building a house.

3. Before advertng more particularly to these charges, to the specific matters which have to be urged in objection to the evidence adduced in support of them, and to the difficulties in answering them in which your Memorialist was placed owing to the action of the officers conducting the enquiry, your Memorialist begs to call attention first to the circumstances under which any such charges came to be made.

4. It is well known to Your Lordship how prevalent in all parts of India is the circulation of rumours calumnious to the character of Government officials; and how common an incident in the daily life of officials is the receipt of anonymous letters containing false charges against those subordinate to the person addressed. In no part of India, your Memorialist believes, are these evils so notoriously rife as in the District of Tanjore; and moreover in no part of the country is it more easy to substantiate such charges by the subornation of false evidence.

A C/O - 11 May/80 No 541.

5. In order to show how possible it is that such false charges may be brought against an official, your Memorialist would refer to a matter charged against him in respect of which it must be admitted as indisputable that the witnesses made false statements. It is stated by three of the peons examined by the Collector that your Memorialist obtained money improperly from one Singaravelu Odayan. The fact was entirely denied by Singaravelu, and two of the said peons retracted their statements on being cross-examined and admitted that they knew nothing of the matter, attributing the fact of their having made the former statements to the pressure put upon them by the Taluq Sheristadar and by the Police Inspector. It should be mentioned that these officials were employed by the Collector to get up the case against your Memorialist, and that they had these peons in their charge during the time when their original statements were made.

6. In view of these facts, it becomes the more important to examine carefully the circumstances under which accusations come to be made and the process and conditions under which the evidence is given, and as no prudent and impartial Judge would arrive at a conclusion without such examination, so no accused person ought to be deprived of the opportunity of making it. If then your Memorialist can show, as is hereinafter shown, that in consequence of the action taken by the Collector he was not afforded such opportunity, he is entitled to protest, and he does hereby with all due submission protest against the orders passed against him.

7. Thus much being premised, your Memorialist has to call attention to certain circumstances which, as he would submit, account more particularly for the rumours and the consequent charges which have been circulated and brought against him. He will show that in the quarters whence these rumours and charges emanated, there existed a motive for bringing your Memorialist into disgrace, that the attitude and conduct of the Collector were entitled to encourage persons so maliciously disposed, and that facts had actually happened which only needed a slight distortion to convert them into matters for complaint against your Memorialist.

8. It had so happened that in the course of the two years during which your Memorialist had officiated as Deputy Collector in the District, he had to convict and sentence a large number of persons, many of them Brahmins and not belonging to the ordinary class of persons who are brought before Criminal Courts. Among them were four persons, members of the family, to which two of the principal witnesses against your Memorialist belong, and one person a member of the family to which three others of the principal witnesses belong; all living in the same village.

9. Motive therefore was not wanting to excite the circulation of rumours injurious to your Memorialist. However in order to make mere rumours effective for the purpose of injuring an officer in the possession of your Memorialist, it was necessary that the idea should prevail that the Collector or other chief officer of the District was not ill-disposed to listen to them. For if once it is known or supposed in a District that the Collector does not regard with favor any given subordinate, it is easy to understand that the purveyors of malicious and scandalous rumours become more active, believing that he will not any longer persist in turning a deaf ear to them. Such was the case in the District of Tanjore, for it had happened that

upon an order of Government, dated the 27th September 1877, wherein severe animadversions were made on the administration of the Collector, being received by him, he called upon your Memorialist for an explanation of the matter referred to in the said order; and it also happened about the same time that the Collector recommended to Government for the office of Deputy Collector his Sheristadar, (head ministerial officer) who for sometime past had been ill-disposed to your Memorialist and afterwards took a prominent part in the conduct of the case against him. These facts coming to the knowledge of the surrounding officials and through them

Vide statement of Periyasamiengar and Gopalien. to other persons in the neighbourhood, as indeed appears from the evidence, naturally induced the belief that your Memorialist was discredited with the Collector.

10. With regard to the particular form which the charges against your Memorialist took, viz., of collecting contributions for the purpose of building a house, it is submitted as probable that the idea of making such charges was prompted by the fact that had recently happened. During the season of famine in 1877 before the introduction of the relief system by Government, the suffering of the poor being great and some measures of relief being deemed necessary, your Memorialist in conjunction with other respectable inhabitants of the District, convened public meetings and set about raising contributions for the purpose of opening a relief house. And your Memorialist did collect moneys for that purpose in the months of August and September 1877, and it is not inconceivable that out of this grain of fact may have sprung the crop of evil reports which were spread about concerning him.

11. On these matters however your Memorialist is for the reason about to be mentioned unable to offer anything but speculation. He was never put in a position to examine into the sources from which in the result the aforesaid charges arose: and in proof of this assertion he would beg to call attention to the manner in which the proceedings against him were conducted by the Collector.

12. On the 8th day of February 1878 your Memorialist, whose head quarters were at Manargudi, was despatched by the Collector to certain villages some 20 or 30 miles distant therefrom. In his absence, that is to say, on the 11th February the Collector, being at Manargudi, called before him and examined two peons and a clerk attached to your Memorialist's Office and issued summonses under the provisions of the Criminal Procedure Code to several persons, Mirassidars within the District.

13. In this manner it was that the proceedings commenced, and not only did the Collector thus deliberately procure the absence of your Memorialist at the commencement of the enquiry, but subsequently in a letter written to him ordered him not to return, and when your Memorialist did subsequently present himself at Manargudi, refused to allow him to be present at the enquiry. Your Memorialist submits that in so acting towards him, the Collector violated all principles of justice and fairness and has inflicted on him an injury which is irreparable. The Collector took upon himself a duty of a judicial character and procured the attendance of witnesses as if a criminal charge were to be heard, and yet he debarred the accused from the privilege which is accorded to the meanest criminal, namely, that of confronting the witnesses and hearing from the first what accusations are made against him.

14. In any case the value of statements made by a witness materially depends on the form in which the questions are asked. Your Memorialist is necessarily ignorant in what manner the evidence was elicited from the witnesses called before the Collector, whether the questions were such as would have been allowed before a Judge on a criminal trial, or whether they were in the nature of leading questions. Looking however to the evidence as recorded, your Memorialist may be permitted to surmise that some of the questions at least were of the latter character, and that the evidence was not elicited in a manner according with the principles prevailing in Courts of Justice.

15. Again, the bare statements of witnesses especially when otherwise made in the absence of the ordinary securities for obtaining truth, deserve to have no weight seriously attached to them until they have been tested by cross-examination, and cross-examination in order to be effective must be immediate and must be conducted by one who is previously acquainted with the matter in issue. The procedure adopted by the Collector excluded the possibility of any cross-examination. And although liberty to cross-examine the witnesses was subsequently accorded, it was accorded under conditions which made it practically useless.

16. The enquiry conducted by the Collector, was closed on the 13th March 1878 and a report thereon was submitted by him to Government. Apparently however the Government did not think the proceedings satisfactory, for an order was passed that Mr. Webster, who had succeeded Mr. Thomas as Collector, should re-summon the witnesses and report again upon the case with your Memorialist's explanation.

17. In the meantime no copies of the depositions taken before Mr. Thomas were given to your Memorialist and no specific charges were made against him; and so when the witnesses came to be re-called before Mr. Webster, he was by no means in such a favorable position to conduct a cross-examination as even a prisoner on his trial would be. Moreover, Mr. Webster did not cause the depositions of the witnesses to be taken afresh as he should, your Memorialist would submit, have done; but he merely caused their depositions to be read over to them, asking them whether they did not still adhere to them, and reminding them that they would render themselves liable to prosecution for perjury if they contradicted their previous statements, and then called upon your Memorialist for his cross-examination.

18. Your Memorialist asked to be allowed to employ Counsel for the conduct of his defence, but permission was not granted. The disturbance of mind which is natural to an accused person and unfits him for the conduct of his own case, would be almost sufficient excuse, if the cross-examination in some respects failed to answer its purpose. But your Memorialist would submit that this was so, not more because the test of cross-examination was ineffectively handled as because the depositions upon which the witnesses were questioned had been given as much as eight weeks previously. It was in the last degree unlikely that witnesses would recant or swerve from statements which they had on oath made so long previously; whereas had the test been applied immediately, the result might have been different. And your Memorialist would also submit that no accused person can be fairly said to have failed in his cross-examination of witnesses when he has not been apprised

beforehand of the specific matters alleged against him, and not having heard the witnesses themselves, has only heard their depositions hurriedly read over to him.

19. Such being the case with regard to the cross-examination, the case of your Memorialist was still worse with regard to the liberty of calling witnesses on his own behalf. No opportunity to do so was afforded to him by Mr. Webster. He did however of his own accord submit a list of persons whom he wished to have summoned, specifying to the best of his ability the matters in respect of which they would testify. *These persons Mr. Webster refused to have summoned.*

20. The proceedings having been conducted in the manner described, your Memorialist does not feel called upon to examine at any length the evidence upon which the orders of Government are founded: indeed from his ignorance of the precise charges on which the opinion of Government was formed, he is precluded from doing so with any useful result. He will therefore content himself with giving a summary of the several cases sufficient for the purpose of showing how intrinsically weak the evidence acted upon is, at the same time begging Your Lordship to bear in mind that accusations of corrupt conduct against an official are pre-eminently accusations easy to make but almost impossible to refute by direct evidence. The cases may be summarized as follows:—

- I. In the case of Sabapathi Pillai, the charge is that your Memorialist, through his clerk one Vencataramiah, demanded Rupees 500 of the said Sabapathi for the purpose of building a house, and did on the 30th January 1878 actually obtain from him the sum of Rupees 250. Sabapathi's story is to a certain extent supported by the evidence of his agent Singaravelu and his cartman Vythi Padayachi, a man who had been convicted of theft. The clerk Vencataramiah was called as a witness, but was not asked a single question relating to Sabapathi. With regard to this charge, your Memorialist is not driven to pray Your Lordship to rely on his mere denial; for since the close of the enquiry he has discovered facts which make the story told by Sabapathi an incredible, if not an impossible one. Shortly before the 30th January 1878, one Thiagarajah, who is a brother of Sabapathi and lives with him, had along with others including Sabapathi and the witness Singaravelu, been charged with a trespass on certain lands then belonging to one Rathunuja Odayan, which lands had formerly belonged to the adoptive mother of Sabapathi. The Taluk Magistrate before whom the charge was brought had previously had some complaint preferred against him by the said Thiagarajah, and accordingly applied to your Memorialist for leave to transfer the case to your Memorialist's Court, which transfer Thiagarajah also was anxious to have effected. Your Memorialist however refused to allow the transfer: but an order for such transfer was afterwards made on a subsequent application by the said Thiagarajah to the Collector.

+ Order, dated 26th February 1878.

+ Order, dated 4th March 1878.

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On the 13th January another charge * was made against the said Thiagarajah and his party in your Memorialist's Court. The persons so charged were summoned but failed to appear and accordingly on 27th February a warrant was issued for the arrest of Thiagarajah. On the 9th March Thiagarajah, while still evading the warrant, applied to the Collector and obtained an order for the transfer of the last mentioned case from your Memorialist's Court to that of the Collector. The facts thus stated are in two respects inconsistent with the statement that your Memorialist improperly obtained money from Sabapathi on the 30th January. If any money was so obtained, it is difficult to believe that the payment was not connected with the cases then pending in which Sabapathi was concerned, and at any rate it is obvious that the payment must in fact have influenced the official conduct of your Memorialist. But so far from his conduct being in favor of Sabapathi and his brother, it appears that he acted as an official free from any obligation to them would have acted. He refused to sanction the desired transfer and took the extreme step of issuing a warrant against Thiagarajah. Nor on the part of Sabapathi and his brother was the conduct that of persons who had put your Memorialist under an obligation; they would not have desired the case to be transferred from your Memorialist's Court had the payment already been in fact made.

The other circumstance referred to which makes the story told by Sabapathi almost an impossible one, is that he is a man utterly destitute of means. It is true as he states that his adoptive mother did at one time own some 25 velies of land, but those lands are no longer in possession of the family, having been sold in execution of decrees obtained against his adoptive mother. Your Memorialist would have been able to prove this allegation conclusively had proper opportunity been afforded him. He would now in support of it call attention to the documents noted in the margin*

Exhibit A.—Shows that 21½ velies of Ponnachee's lands were delivered over to one Shivagamy under a decree of the Subordinate Court at Negapatam, in Original Suit No. 42 of 1871.

Exhibits B and C.—Are copies of Judgments passed by the District Court of North Tanjore against Ponnachee, upholding the above Shivagamy's title to the above lands.

Exhibit D.—Is a copy of decree of the High Court, confirming in appeal the decree of the Lower Court, upholding against Ponnachee, Shivagamy's title to the lands in question.

Exhibit E.—Is an order of the District Munsif of Tritrapundi, declaring the possession of the said lands under the above decrees to be Shivagamy's unquestionably.

Exhibits F and G.—Are copies of registered deeds of sale of the above lands, executed by Shivagamy to a third party, in which Ponnachee, her adopted son Sabapathi and his brother Thiagarajah have, by attesting the deeds as witnesses, admitted Shivagamy's title and possession.

Exhibit H.—Is a copy of the registered certificate of sale of 3 and odd velies of Ponnachee's lands other than the above, issued to the auction-purchaser one Periyacaroopan Chetty by the Subordinate Court at Negapatam.

NOTE.—The lands referred to in Exhibits A—H make a total of 25 velies.

Memorialist's proceedings went against them; the sentence of conviction being enhanced by the Appellate Court and the enhanced sentence confirmed by the highest tribunal in the country, viz., the High Court. Further, their property was attached

Your Memorialist would, further beg to specially point out certain facts which show unmistakably the character and position in life of Sabapathi and his brother and his alleged agent. These persons who succeeded in getting their case transferred from your Memorialist's Court to that of another Magistrate, your Memorialist understands, were all convicted by the latter of the offence in respect of which your

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during the course of the enquiry against them for their default in appearance, but the writ of attachment was returned by the Police Officers with the endorsement that the defaulters possessed no property whatever. These facts which are on public record, would prove the character of these people and their extreme pauperism. That a poor man, such as Sabapathi in reality is, should have been called upon to pay, still more should have actually paid a considerable sum of money to your Memorialist in the manner alleged is not for a moment to be believed. His reason for making such a statement is apparent when it is observed that on the same day on which it was made and at a later hour, the application for transfer abovementioned was made to the Collector by his brother. Persons acquainted with the Tanjore District know well how common the contrivance is of procuring a case to be transferred by bringing some charge against the official from whose Court it is sought to be transferred. It was in carrying out such a contrivance, your Memorialist submits, that the statement was made. And the ignorance professed by Sabapathi of the fact of a warrant having been issued against his brother, and of his brother's application to the Collector and even of his presence in Manargudi on the day on which the statement was made, being facts which must have been known to him, strongly favors the view so submitted, because such a profession of ignorance would naturally have been the consequence of the fear of being detected in a contrivance to deceive the Collector.

II. In Alamelu Ammal's case, the story is that your Memorialist sent for her brother and agent Thiruvengadathiengar and demanded of him Rupees 300 for building a house, that the latter got the money from her and gave it to your Memorialist. Her son is called to corroborate her statement, but he in his evidence entirely denies that he ever heard of any such payment as is alleged. The Collector disposes of the difficulty occasioned by this denial by asserting that the witness is an idiot. It appears however that he has capacity enough to institute a suit in the Munsif's Court, and if in fact he is an idiot, it is strange that he should ever have been called as a witness before the Collector. However this may be, the charge in question rests on the evidence of Alamelu's brother only, uncorroborated by any other testimony. Moreover, it is material to note a new fact come to the knowledge of your Memorialist since the enquiry, viz., that her grand-son had been sentenced to a fine in a Criminal* case heard by your Memorialist on appeal, and that she belongs to a religious sect against members of which, being also members of her family and trustees of the temple in Manargudi, your Memorialist was understood to have directed an order threatening them with criminal proceedings in the event of any disturbance occurring at their instigation. The very individuals to whom the order related also charge your Memorialist with attempting to obtain payments of money from them, which charges are more particularly mentioned below.

* No. 8 of 1877.

III. In Viduvan Thiruvengadathiengar's case, the charge is that 2½ years before the enquiry, he paid to your Memorialist Rupees 100 through one Thiruvengadathiengar, a Municipal Commissioner, being in fear of conviction in a defamation case in which he was one of the three accused and which was pending in your Memorialist's Court. Thiruvengadathiengar (Commissioner) was not examined. The said Viduvan Thiruvengadathiengar says, that one Shadagopiengar and Ramasawmy Iyengar were present when he gave the money to the Commissioner. These persons also were not examined. It is further alleged that the other two persons accused in the said defamation case, namely, Ramasamiengar and Krishniengar had likewise previously paid your Memorialist money. These two persons also were not examined.

It is hardly necessary to say more in answer to a charge so wholly unsupported by reliable evidence: but this circumstance may be mentioned, namely, that the defamation case in question was in fact compromised by the parties themselves without any suggestion from your Memorialist, as appears from the record as compared with the statement made by the witness, and therefore it is not apparent how one of the accused persons could have come to make payment to your Memorialist in the manner and for the purpose alleged.

* In judgment in Suit No. 421 of 1873 on the file of the District Munsif's Court at Trivadi, authenticated copy of which has been submitted to Government.

Another circumstance worth mentioning is that the evidence of this witness has been declared by Courts of Justice to be unworthy of credit.

IV. Next come the cases of five individuals who state that your Memorialist asked of them a contribution of money or other help either for the purpose of building a house or for purpose undefined. Their statements are wholly uncorroborated, and it is to be observed that in every one of these cases there existed ample motives for the making of such statements. In the cases of Gopalien and Krish-

1. * Ragupathien, sentenced to 2 years' rigorous imprisonment in Calendar Case No. 141 of 1876, for offences against Sections 457 and 380, Indian Penal Code.
2. Rajagopalien, sentenced to 6 months' simple imprisonment and a fine of 500 Rupees in Calendar Case No. 18 of 1877, for sending a false telegraphic message.
3. * Gopalien sentenced to 1 year's rigorous imprisonment in Calendar Case No. 71 of 1877, for offences against Sections 454 and 380, Indian Penal Code.

† Ramamirthien, Pleader District Court, in Register Case No. 10 of 1875.

‡ One in 1876, and the other so recently as the 15th November 1877 in No. 770.

nasamien, who are cousins, it must be mentioned that three of their relatives had been convicted and sentenced by your Memorialist and one other had been committed by him to stand his trial at the Sessions on a charge of perjury, and that in two † cases relating to irrigation disputes decisions adverse to Gopalien had been passed by your Memorialist. Shadagopiengar and Periasamy Iyengar, who are also cousins, are the abovementioned

trustees of the temple at Manargudi and leading members of the abovementioned sect and of the family to which Alamelu Ammal belongs, and it was against them personally that the abovementioned order was passed by your Memorialist. Against Wokaperayur Subbien an order had in the year 1877 been passed by your Memorialist prohibiting him from throwing a dam across a certain channel on pain of criminal prosecution, and it may be remarked that in two

* Original Suit No. 113 of 1875, on the file of the Subordinate Judge at Tanjore, and
† Original Suit No. 218 of 1877, on the file of the District Munsif's Court at Tiruvannamalai. Authenticated copies have been submitted to Government.

* separate cases his testimony has been declared to be unworthy of credit by two separate Judges.

There is another circumstance in connection with Gopalien's case which serves to show, as has already been shown, how the witnesses (Peons) came to make their original statements to the effect that a payment of money was made to your Memorialist by Gopalien, which payment Gopalien himself avers he never made. One of these witnesses on cross-examination withdrew his previous statement and denied that he saw any payment made by Gopalien to your Memorialist. It was this witness that as abovementioned similarly retracted his like statement with regard to Singaravelu Odayan. This witness states that his original statement was made under compulsion, which compulsion is further evidenced by the depositions of his three fellow Peons Annasami, Narayana Row and Chinnasami. Another witness first denied and then affirmed that his original statement was true. The Agent Vencataramiah, through whom the payment was said to have been made, was not called as a witness, as also one Subba Row referred to in the statement.

Such being the case, it is hardly necessary for your Memorialist to dwell upon the improbabilities and contradictions which exist in the original statements of the above persons.

V. With regard to the other miscellaneous matters included in the enquiry, as to that relating to paddy, the imputation is that the purchase of paddy by your Memorialist from a Mirassidar was not a *bona fide* transaction. Exception seems also to have been taken to the subsequent selling of the paddy so bought at a high price. It is true that your Memorialist did in the ordinary course at the harvest season buy a stock of paddy for his annual consumption from a Mirassidar who was a wholesale dealer. The receipt given on its purchase was produced by your Memorialist in proof of payment. The Mirassidar from whom it was bought was not examined. At the time of its purchase there was some remnant of the preceding year's stock. The new paddy, as it was not fit for immediate use and should not have been mixed with the old grain, was stored separately, and on being discovered subsequently that it did not suit the Brahmins, it had to be disposed of (through a grain merchant) when other paddy was available, which was purchased in its stead:

the selling and re-buying being at the same high rate then current, your Memorialist fails to see any impropriety in the transaction.

As to the other miscellaneous matters, your Memorialist has nothing to observe inasmuch as he fails to see what improper conduct can be ascribed to him in respect thereof.

21. Your Memorialist has already called attention to the fact that many of the witnesses come from the same village or from villages lying within a small circle and being only three out of upwards of four hundred villages comprised in your Memorialist's Division. Not only is this fact consistent with the theory suggested by your Memorialist that the charges made against him have arisen out of mere rumours more or less maliciously circulated, but further it is submitted to be wholly inconsistent with the guilt imputed to your Memorialist, for no official in the position of a Deputy Collector having a Division of a District under his charge would venture to levy illegal contributions for his own purpose in one small part of his Division only when he might with far greater security and profit levy such contributions generally over the whole Division. Nor again is it probable that any official when about to retire from the service would venture to attempt to enrich himself in the manner alleged, or, if he did so, would succeed in his attempt, for it is obvious that the motive for obliging an official could be but a weak one when that official was known to be on the eve of retirement.

22. Your Memorialist has now set forth some of the facts and arguments which, had proper opportunity been afforded to him, he would have adduced before the officers conducting the enquiry. Had such opportunity been afforded to him, and had the enquiry been conducted on the established principles of justice, your Memorialist would entertain but comparatively little hope of inducing Your Lordship to judge of a matter which had already been once considered in this country. But that not having been the case and the proceedings against your Memorialist being, as he submits, wholly vitiated by the irregularities which characterize them, your Memorialist would beg leave to appeal against the order of Government dismissing him from the service. He would beg Your Lordship in considering this appeal to bear in mind as well the matters set out in this Memorial as the fact that your Memorialist had at the date of the order of suspension served the Government faithfully and creditably for a period of 27 years, as will be seen from the accompanying printed copy of testimonials, and was then entitled to retire on a pension of Rupees 225 per mensem. Your Memorialist therefore humbly prays Your Lordship to cancel the order of Government passed on 9th July 1878, and to order that your Memorialist may be reinstated or be permitted to retire from the service on the conditions under which he would have been allowed to retire but for such order.

23. Your Memorialist is burdened with a large family, and long past the prime of life to fit him to enter a new field of labor, and the Government having in their order dated 23rd June 1879 declined to grant him even his prayer for pension which will be his means of support at this old age, your humble Memorialist begs most respectfully to lay his pitiful case before Your Lordship for redress.

For this act of justice and kindness, your Memorialist, as in duty bound

SHALL EVER PRAY.

Cuddalore

25th January 1880.

P. Perhaji Row

late Dy Collector Tanjore

Rev GO 11th May/80 No 521

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Submitting herewith
his appeal to the R. &
Honorable the Secretary
of State for India, re-
quests that it may
be transmitted to that au-
thority with the favorable
remarks of this Govt.

adds that he has
set forth some new
facts in this appeal &
enclosed some public
documents in support
of them.

In consideration thereof
and of his long service
he prays that Govt may
review their order of
9th July 1878 and either
restore the petitioner to
his former post or grant
him a pension, in which
case the transmission
of the memorial will be
unnecessary.

Refd-1. 19-2-78: 264
-u- 23-4-78: 612A
-a- 9-7-78: 1040
mi-a- 9-7-78: 1669
-u- 9-7-78: 1663 1664
S. H. J. 22-6-79: 410
-u- 3-12-78: 2203
-u- 12-10-78: 1552
-u- 17-8-78: 1511
-u- 20-3-78: 535-00
1712/78 1/2
1851 + 1898/78 1/2 5/2
212/78 1/2
2100/78: 1/2 1/78.

Petition *Ref* Department.

GOVERNMENT OF MADRAS.

PETITION No. 217 OF 1880.

From P. Peshagui Rao

Occupation late Dy. Collector,
Saugor District

Village residing at
Taluk Cuddalore
District

Dated 25th January 1880

Received 29th — 1880

12 Enclosures.

ABSTRACT.

Memorial to the
Secy. of State

Recd G.O. 11th May/80
N 841-

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Recd G.O. 11th May/80

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TESTIMONIALS, &c.

OF

P. SESHAGIRI ROW;

DEPUTY COLLECTOR.

— 1900 —
MADRAS.

PRINTED AT THE GOVERNMENT PRESS, BY GRAY, (PRINTERS AND CO.)
TODDINGTON ROADWAY.

1875.

Age when first entertained—20 years, 3 months.

[illegible][illegible]

5
91/25
No. 1.

*Extract from a letter from J. R. KINDERSLEY, Esquire,
Assistant Collector, to H. D. PHILLIPS, Esq., Post
Master of Salem, dated 2nd November 1831.*

I HAVE the honor to lay before you the following plan for an alteration in the Post Office Department, by which it is supposed that an outlay of about (115) a hundred and fifteen Rupees per mensem might be saved to Government without any inconvenience.

In the case of this scheme meeting with your approval, it is due to Seshagiri Row the Gurnami in charge of the Post Office Dutter to mention that it was devised entirely by him.

No. 2.

*Extract from a letter from J. R. KINDERSLEY, Esquire,
Assistant Collector of Salem, to SESHAGIRI ROW,
dated 19th June 1832.*

It is very true that you have served in my office with the greatest attention, and perseverance, and I should be very ungrateful, if I did not confess my great obligation to you under this head.

I recommended you to Mr. Phillips for promotion once or twice, because, I thought that you deserved it and would be of use to him, but if you had been removed from my office to his, I should have suffered a considerable loss.

I shall always be ready to testify to your good conduct and abilities while serving under me, and I hope to learn that you advance rapidly in the Service, and that you enjoy the esteem of all good men. Mr. Phillips knows very well my opinion of you.

No. 3.

Certificate given by J. W. CHERRY, Esq. on the 2nd August 1853.

SESHAGIRI ROW,

I have much pleasure in acceding to your request for a certificate. You joined me when I took charge of the Sub-Division of Salem, the beginning of May and up to the time of my being relieved by Mr. Cochrane, the way you conducted your duties as Revenue Javabnavis gave me entire satisfaction, and I have only to add a hope, that your future career as a public servant may be marked by the same integrity and diligence that I have now the happiness of recording, and which you began and showed during my short reign.

No. 4.

Certificate granted by W. E. COCHRANE, Esq., Sub-Collector, to SESHAGIRI ROW.

It affords me great satisfaction to add my testimony to that of others, as to your ability, diligence and assiduity in public business during the period you have served under me. I hope by your pursuing the same steady course that you have hitherto done, you may obtain that promotion which you so duly deserve.

I hope also that you will afford my successor the same satisfaction as you have given me.

No. 5.

Extract from a letter from H. D. PHILLIPS, Esquire, to SESHAGIRI ROW, Madras, dated 30th October 1853.

The best recommendation you can possibly have is the fact of your promotion to your present office, solely on your own merits without a request either from yourself or any of your friends that might be given to you.

I am happy to hear that you have been promoted to the position of Sub-Collector, and I have no doubt that you will continue to give satisfaction to your superiors and to the public. I am sure that you will follow the course you have pursued up to the present time.

No. 6.

R. R. SESHAGIRI ROW,

It gives me great pleasure to state that from the time I joined the Sub-Division of Salem, you have been a most valuable and efficient assistant to me. I have no doubt that you will continue to give satisfaction to your superiors and to the public. I am sure that you will follow the course you have pursued up to the present time.

SALEM, November 20, 1854.

J. W. CHERRY,
Sub-Collector.

No. 7.

Extract from a letter from H. D. PHILLIPS, Esquire, to SESHAGIRI ROW, Madras, dated 30th October 1853.

I am glad to see Mr. Cherry's statement of your good opinion of you. You may be sure that you will, in the course of time, be in the Service if you continue to give satisfaction to your immediate superiors.

No. 8.

October, May 2nd.

SESHAGIRI ROW,

In consequence of the good character you have earned for yourself in the Public Service, I have determined to offer you the appointment of Acting Toldar in the

THE UNIVERSITY OF CHICAGO
 LIBRARY
 540 EAST 58TH STREET
 CHICAGO, ILL. 60637

No. 11. *Order to Surrender*
 I, the undersigned, do hereby order you to surrender
 to the undersigned, at the place and time hereinafter
 specified, the sum of \$100.00, which you are to
 pay to the undersigned, in full for the sum of \$100.00
 which you have borrowed from the undersigned, and
 which you have agreed to pay to the undersigned
 on or before the date hereinafter specified.
 Witness my hand and seal, this 1st day of May, 1911.
 J. H. A. BERT.
 Magistrate.

No. 10
 To the Hon. Secy. of the War Dept.
 Wash. D. C.
 Dear Sir:
 I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above.
 I have the honor to inform you that the same have been disposed of by
 (Sincerely,
 J. M. Smith.

From your monthly Return for April last, it appears that you have disposed of a greater number of cases than any other Talsildar, and that too, at the time when there was much to occupy your time, on account of the Jamabundy. This has given me great pleasure.

12th May 1858. (Signed) P. G. Cox,
Joint Magistrate.

Seshagiri Row has been well educated, has naturally good talents, and has obtained for himself a character for honesty and uprightness in all the situations he has hitherto held. His superior qualifications and his good character led me to promote him to a Third Class while yet a young man. He will, I hope, in due course, attain to one of those offices which the Government are about to open to the Uncovenanted Service.

(Signed) H. A. Burt,
Collector.

(True copy.)

13th November 1858. (Signed) A. HATHAWAY,
Ag. Collector

Extract from the Register of Services kept in the Salem
Collector's Office, P. SEMIAGIRI ROW, Postular of
Ooroor, Salary Rs. 100.

I have been well pleased with the conduct and
ability of this Public Officer, and have lately selected
him for the Office of Naib Sheristadar.

19th April 1859.

(Signed) A. HATHAWAY.

No. 14.

This public servant is now promoted to a Deputy Collectorship; but during the time I had charge of the Office, he gave me great satisfaction.

(Signed) H. G. SMITH,
Sub-Collector in charge.

(True Copy.)

(Signed) T. J. KNOX,
Offg. Collector.

No. 15.

Extract from the Proceedings of the Madras Government, Judicial Department, No. 1398.

Read the following letter from A. Hathaway, Esqr., Magistrate of Bellary, to T. Pycroft, Esqr., Chief Secretary to Government, Fort Saint George, dated 4th October 1859, No. 57.

1. I have the honor to recommend, that sanction be granted to my two Dy. Magistrates, Mr. B. A. Blake and Seshagiri Row, to exercise the extended powers, conferred under Section 54, Act VII of 1843, and Act I of 1853.

* * *
3. I consider Mr. Blake quite competent to exercise the aforesaid powers, as also Seshagiri Row, who, as Tasildar of Oosoor, in the Salem District, was formerly under my supervision for several months.

Order thereon, 17th October 1859, No. 1398.

* * *
2. Seshagiri Row, may be invested with the powers in question under Act I of 1853 and Section 54, Act VII of 1843.

(True Extract.)

(Signed) T. PYCROFT,
Chief Secretary.

(Signed) A. HATHAWAY,
Magistrate.

No. 16.

Extract from the Administration Report of Bellary District, dated 16th May 1860, No. 79.

Para. 17.—The 3 Deputy Collectors appointed to this District, perform the duties entrusted to them satisfactorily. One of them (Mr. Blake) is in charge of the Treasury, and has Police charge of Taluq of Bellary. He has been a very active and efficient officer. A second, Srinivasa Row, (1st Class Deputy Collector) is at present entrusted with the charge of 3 Taluqs, two of which are small ones. He is an able Revenue Officer, and is daily gaining experience in the conduct of his Magisterial duties. A third, Seshagiri Row, whose services have been very valuable, is at present in charge of two Taluqs.

I Have, &c.

(Signed) A. HATHAWAY,
Collector.

No. 17.

Extract from the Settlement Report of Bellary District for Fussy 1269, dated 18th August 1860.

Para. 73.—I have much pleasure in recording my very favorable opinion of the manner in which my subordinate co-operated officers, the Deputy Collectors, and the Sheristadar have executed the duties devolving upon them.

(Signed) A. HATHAWAY,
Collector.

(True Copy.)
(Signed) A. WEDDERBURN,
Acting Collector.

No. 18.

Extract from the Settlement Report of Madras District for Fussy 1269, dated 19th September 1860, No. 194.

Para. 85.—Seshagiri Row, 4th Class Deputy Collector, is in charge of the Treasury, payment of Pensioners,

prepared and submits the periodical Returns, and has Magisterial charge of the Town of Madura. During the short time he has been here, I have every reason to be much pleased with the way in which he conducts his duties.

(Signed) V. H. LEVINGE,
Collector.

(True Extract.)

(Signed) V. H. LEVINGE,
Collector.

No. 19.

Extract from a letter from the Collector of Madura, to the Secretary to the Board of Revenue, No. 4, dated 15th January 1861.

Para. 5.—I have also impressed on the Treasury Deputy Collector the necessity of searching out all such irregularities, in doing which, he has already taken an active part and keeping the Account Department in an efficient state.

(Signed) V. H. LEVINGE,
Collector.

(True Extract.)

(Signed) V. H. LEVINGE,
Collector.

No. 20.

Extract from the report made in the Statement submitted to the Board of Revenue on the working of the Income Tax Act for the first two quarters, ending 31st December 1860 in the District of Madura.

The Deputy Collector, Seshagiri Row, in charge of the Town, who is nominated for the Town of

Madura, containing nearly 50,000 inhabitants, has worked well.

(Signed) V. H. LEVINGE,
Collector.

(True Copy.)

MADURA, } (Signed) V. H. LEVINGE,
9th January 1861. } Collector.

No. 21.

Extract from the Settlement Report of Madura District for Fy 1270, dated 22nd October 1861, No. 270.

Para. 99.—The Sub-Collector, Mr. Ames, the Head Assistant, Mr. Thomas, and the Deputy Collectors, M. R. R., Rama Row, and Seshagiri Row, have given me willing aid, and I had every reason to be fully satisfied with the way they performed their duties.

(Signed) V. H. LEVINGE,
Collector.

(True Extract.)

(Signed) V. H. LEVINGE,
Collector.

No. 22.

MADURA, 6th May 1862.

No. 50,

From

THE MAGISTRATE OF MADURA,

To

THE CHIEF SECRETARY TO GOVERNMENT,
Fort Saint George.

Sir,

I have the honor to request Government will be pleased to confer the full powers of a Magistrate on Deputy Collector Seshagiri Row, employed on general duties in the Madura District; he has always given great

14

satisfaction in his Magisterial duties, and also I request powers of hearing appeals under Section 412 of the Criminal Procedure Code may be conferred on him.

(Signed) V. H. LEVINGE,
Magistrate.

(True Copy.)

(Signed) V. H. LEVINGE,
Collector.

No. 23.

Extract from the Settlement Report of Madura District for Fusly 1271, dated 10th November 1862, No. 219.

Para. 119.—The Head Assistant's duties since the departure of Mr. Jellicoe, have been performed by Deputy Collector Seshagiri Row, who exercises the full powers of a Magistrate; in addition to his usual work he had to dispose of most of the criminal cases, which were formerly disposed of by the Sub-Judge up to the time of the establishment of a Small Cause Court at Madura; he has performed his heavy duties with great credit to himself.

(Signed) V. H. LEVINGE,
Collector.

(True Extract.)

(Signed) V. H. LEVINGE,
Collector.

No. 24.

Extract from the Settlement Report of Madura District for Fusly 1272, dated 16th October 1863, No. 229.

Para. 84.—The Deputy Collector Seshagiri Row continues to afford valuable aid.

(True Extract.)

(Signed) V. H. LEVINGE,
Collector.

15

No. 25.

Extract from the Settlement Report of Madura District for Fusly 1273, dated 12th August 1864.

I have every reason to be fully satisfied with my European subordinates and Deputy Collectors.

(Signed) V. H. LEVINGE,
Collector.

No. 26.

Madras, 27th July 1864.

No. 183.

To
THE SECRETARY TO THE BOARD OF REVENUE,
Madras.

Sir,
Referring to the Board's Proceedings, No. 4161, dated 19th July, I have the honor to report that I have entrusted the preparation of the statistical information to P. Seshagiri Row, Deputy Collector, who is an experienced officer.

(Signed) V. H. LEVINGE,
Collector.

No. 27.

Extract from Jamabundy Report of Madura District for Fusly 1274, dated 2nd August 1865.

Para. 77.—My Covenanted and Uncovenanted Assistants have given me every assistance during the year.

16

No. 28.

MADURA, 31st August 1865.

No. 1196.

To
W. H. MESTON, Esquire,
Acting Secretary to Government,
Fort Saint George.

SIR,
I have the honor to submit an application from my Deputy Collector P. Seshagiri Row on general duties for promotion, and beg to urge consideration for his claims.

2. Seshagiri Row has now been 5 years in this District, and during that time has worked to my entire satisfaction; he has performed the duties of Treasury Deputy, and has been, and is now, employed on general duties; in the latter course his responsibilities have been very great, and he does now work formerly performed by the Subordinate Judges, Principal Sub-Amin and the Head Assistant Magistrate while he is receiving only the pay of a 4th Class Deputy Collector. I beg therefore that you will, if possible, give him promotion on the next vacancy occurring.

(Signed) V. H. LEVINGE,
Collector.

Government Proceedings, dated 8th September 1865,
No. 2139.

1. Seshagiri Row's claim to promotion will be considered when vacancies occur.

W. H. MESTON,
Acting Secretary to Government.

17

No. 29.

Extract from the Settlement Report of Madura District for Fusly 1275.

PARA. 105.—All the officers under me, Europeans and Natives have generally worked to my satisfaction.

(Signed) V. H. LEVINGE,
Collector.

No. 30.

Extract from a letter from the Magistrate of Madura, to the Chief Secretary to Government, dated 5th July 1866, No. 361.

PARA. 6. * * * the District has not now its sanctioned quantum of full power Magistrates, and that they will either appoint another officer to the Treasury and let Seshagiri Row go back to general duty, so that his services may be again available as a full power Magistrate, in which capacity his decisions gave satisfaction.

(Signed) V. H. LEVINGE,
Collector.

No. 31.

Extract from the Settlement Report of the Madura District for Fusly 1276, submitted by Collector the Honorable D. ANNAMASWAMY, to the Board of Revenue on the 20th December 1867.

PARA. 141.—In conclusion, I beg to inform the Board that I have received able and effective assistance from my subordinates generally, and especially from the Sub-Collector Mr. Arbuthnot, my Acting Head Assistant Mr. McWatters, my Assistant Mr. Harrows, and from Deputy Collectors Mr. Underwood, Rama Rao and Seshagiri Rao, and also from my Sheristadar Venkatasami Naick.

No. 32.

Extract from the Settlement Report of Madurai District for Fy 1277, submitted by Collector the Honorable D. ARBUTHNOTT, to the Board of Revenue on the 19th September 1868.

PARA. 91.—I am glad to say that I have received good and efficient assistance from my subordinates, particularly from my Sub-Collector Mr. J. R. Arbuthnot, my Acting Head Assistant Mr. McWatters, my Assistant Mr. LeFam, and also from my Deputy Collectors Seshagiri Rao, T. Rana Rao and Devaigamony Pillai, and from my Sheristadar Venkatasami Naick.

No. 33.

To
M. R. R., P. SESHAGIRI RAO,
1st March 1869.

DEAR SIR,
I did all I could for you, but found Mr. Ellis inexorable, and Mr. Delyell told me he had shown your letter to Lord Napier, who got very angry and said you had been sent here for the good of the Public Service to put this Treasury into order, and that he would not let you go.

Your's truly,
(Signed) G. VANSACREW.

No. 34.

Extract from the letter submitted by TREYER, Esq., to the Accountant General on his examination of the Cuddalore District Treasury and Accounts, dated 17th April 1869.

13. I beg to conclude with my acknowledgments of the assistance I have received from the very intelligent Deputy Collector P. Seshagiri Rao.

No. 35.

Extract from the letter from G. LEE MOORE, Esq., Collector of Tanjore, to P. SESHAGIRI RAO, Deputy Collector, dated 13th December 1869, No. 1230.

3. The Cheque form proposed by you for Cash orders, is very nice indeed, and has my cordial approval. Please adopt it at once.

4. The plan of dispensing with separate orders for monies being received into the Treasury and of sending to the Treasurer instead, the letters themselves accompanying the remittances made by the various officers in order that he may receive the sums therein shown, and return the letters to your office with his initials in token of his having received the monies into the Treasury is also a judicious one, and I request you will bring it into operation at once.

6. The memo! forwarded by you showing the saving to be effected in the expenditure of stationery during the remaining months of the current year, is very satisfactory.

No. 38.

Extract from the letter submitted to the Accountant General, by S. MACKEY, Esq., Ag. Asst. Accountant General on his examination of the Tanjore District Treasury and Accounts, dated 20th December 1869.

10. In conclusion, I beg to give P. Seshagiri Rao, the present Treasury Officer, my best thanks for the assistance he has rendered in this examination; his well known experience and intelligence in Treasury matters, would, if assisted by a competent staff, soon effect improvement in this neglected office.

No. 37.

Extract from the letter from G. LEE MORRIS, Esq.,
Collector of Tanjore, to P. SESHAGIRI ROW, Deputy
Collector, No. 72, dated 19th January 1870.

2. The plan therefore originally submitted by
you, has my sanction and may be brought into operation
at once.

No. 38.

Extract from the letter submitted to the Accountant General
by Mr. D. KISSUNING, Assistant to the Ac-
countant General on his examination of the
Tanjore District Treasury and Accounts,
dated 28th May 1873, No. 1.

16. I am glad to report on the improved state of
Accounts as compared to what they were when Mr.
Mackey examined the Treasury in 1869.

17. In conclusion, I beg to acknowledge with
thanks the assistance rendered by P. Seshagiri Row,
the Deputy Collector in charge of the Treasury, whose
zeal, energy and ability are well known.

Extract from the letter of Mr. Thomas Esquire
Collector to the Deputy Collector in charge of the Treasury
Tanjore dated 20th March 1874 upon the
report made by the latter on the examination
of the taluk treasures and accounts. 54/

Para 5. Your suggestion is good. In future
annual ledger of Taluk should be converted into yearly one with
columns for all the months of the
year to exhibit adjustments made month
by month. Please issue orders for this
plan being adopted in all taluk.

Para 6. This is very proper.

Entries of fines
checked by civil
magistrate
dare & 10 form & 15

hs 40

Extract from the Settlement Report
for Taluk 1284 dated Tanjore 23rd
October 1875 hs 4860

The Treasury of Col. P. Seshagiri Row
has given satisfaction.
Signed H. S. Thomas
Collector

No 41

In his Letter to Report for
July 1285, I hear, Mr. Collyer
has made a favorable
mention of me -

541
37

391
39

Rev. C. E. H. May 30. 1871

Dear Sir,

541/40
TESTIMONIALS, &c.

OF

P. SESHAGIRI ROW;

DEPUTY COLLECTOR.

MADRAS:

PRINTED AT THE SCOTISH PRESS, BY GRAVES, COCKSON AND CO.,
FOURTH'S BROADWAY.

1875.

561/42

* Transferred from Treasury to Veterans' duty on both March 1942, and to Security Service in Canada in July, 1942, in case of the AMV. The duty of a Special Agent.

541/42

No. 1.

*Extract from a letter from J. R. KINDERSLEY, Esquire,
Assistant Collector, to H. D. PHILLIPS, Esq., Post
Master of Salem, dated 2nd November 1851.*

I HAVE the honor to lay before you the following plan for an alteration in the Post Office Department, by which it is supposed that an outlay of about (115) a hundred and fifteen Rupees per mensem might be saved to Government without any inconvenience.

In the case of this scheme meeting with your approval, it is due to Seshagiri Row the Gumbasta in charge of the Post Office Duffer to mention that it was devised entirely by him.

No. 2.

*Extract from a letter from J. R. KINDERSLEY, Esquire,
Assistant Collector of Salem, to SESHAGIRI ROW,
dated 19th June 1852.*

It is very true that you have served in my office with the greatest attention, and perseverance, and I should be very ungrateful, if I did not confess my great obligation to you under this head.

I recommended you to Mr. Phillips for promotion once or twice, because, I thought that you deserved it and would be of use to him, but if you had been removed from my office to his, I should have suffered a considerable loss.

I shall always be ready to testify to your good conduct and abilities while serving under me, and I hope to learn that you advance rapidly in the Service, and that you enjoy the esteem of all good men. Mr. Phillips knows very well my opinion of you.

6

No. 3.
Certificate from J. W. Cherry, Esq. on the 2nd August 1853.

I have much pleasure in acceding to your request for a recommendation. You joined me when I took charge of the District of Salem, the beginning of May and up to the time of my being relieved by Mr. Cochrane, the way you conducted your duties as Revenue Javabandis was the subject of my satisfaction, and I have only to add to you that your future career as a public servant may be marked by the same integrity and diligence that I have seen the happiness of enjoying, and which you yourself showed during my short reign.

No. 4.
Certificate from J. W. E. Cochrane, Esq., Sub-Collector, to SESHAGIRI ROW.

It affords me great satisfaction to add my testimony to that of others as to your ability, diligence and activity in public business during the period you have served under me. I hope by your pursuing the same steady course that you have hitherto done, you may claim that promotion which you so duly deserve.

I hope also that you will afford my successor the same satisfaction as you have given me.

No. 5.
Extract from a letter from H. D. Phillips, Esquire, to SESHAGIRI ROW, Madras, dated 20th October 1853.

The best recommendation you can possibly have is the fact of your promotion to your present office, solely on account of your merits without a request either from yourself or any of your friends that might be given to you.

561/63

I shall be sorry to hear that you have left the Salem District in which you have hitherto conducted yourself so well to the satisfaction of your superiors, but I am satisfied that, go where you may you will do well, if you will follow the course you have pursued up to the present time.

No. 6.

R. R. SESHAGIRI ROW,

It gives me great pleasure to state that from the time I joined this District as Sub-Collector, now, more than a year ago, you have in every way conducted yourself to my satisfaction, and have on no occasion forfeited the good opinion I have recorded in my certificate of the 2nd August 1853. The best thing I can now say in your favour is, that however glad I shall be to hear of your succeeding to a higher post in the Public Service, I shall be really sorry to lose your services.

(Signed) J. W. CHERRY,
Salem, November 20th, 1854. Sub-Collector.

No. 7.

Extract from a letter from A. Hall, Esq., Collector of Cuddalore, dated 29th November 1854, to SESHAGIRI ROW.

I am glad to see Mr. Cherry entertain such a good opinion of you. You may be sure that you will, in the course of time, rise in the Service if you continue to give satisfaction to your immediate superiors.

No. 8.

Cossoor, May 22nd.

SESHAGIRI ROW,

In consequence of the good character you have earned for yourself in the Public Service, I have determined to offer you the appointment of Acting Tasildar in the

28
 Oossour Taluq, with the prospect of your being con-
 sidered in the office after a little time, if I should find
 your settlement as I expect. Do so good, therefore, as
 to let me know whether with reference to the climate
 and other considerations, it will suit you to accept the
 appointment. If you accept it, I wish you to join as
 early as possible.

The salary at present is 100 Rs., but it is not
 improbable that this may be reduced in some degree
 shortly.

Your reply should be addressed to Oossour.

I am, your's faithfully,

(Signed) H. A. BRETT,
 Collector of Salem.

No. 9.

*Abstract Translation of a Tamil Order to SESHAGIRI
 Row, Head of Police, Oossour.*

In examining the Taluq Petition Return for the
 month of July, I find that you have disposed of 54
 petitions. It will give me great pleasure to see you exert
 as much as you have done on this occasion.

(Signed) H. A. BRETT,
 Magistrate.

10th September 1856.

No. 10.

*Abstract Translation of a Tamil Order to SESHAGIRI
 Row, Head of Police, Salem.*

From the Calendar submitted by you for February,
 it appears that 68 Police cases have been disposed of by
 you in that month.

It is very creditable to you that you have disposed
 of so many.

(Signed) P. GRANT,
 Joint Magistrate.

24th April 1858.

No. 11.

*Abstract Translation of a Tamil Order to SESHAGIRI
 Row, Head of Police, Salem.*

From your monthly Return for April last, it ap-
 pears that you have disposed of a greater number of
 cases than any other Tasildar, and that too, at the time
 when there was much to occupy your time, on account
 of the Jamabundy. This has given me great pleasure.

(Signed) P. GRANT,
 Joint Magistrate.

12th May 1858.

No. 12.

*Extract from the Service Register kept in the
 Salem Collector's Office.*

Seshagiri Row has been well educated, has natu-
 rally good talents, and has obtained for himself a cha-
 racter for honesty and uprightness in all the situations
 he has hitherto held. His superior qualifications and
 his good character led me to promote him to a Tasildar-
 ship while yet a young man. He will, I hope, in due
 course, attain to one of those offices which the Govern-
 ment are about to open to the Uncovenanted Service.

(Signed) H. A. BRETT,
 Collector.

(True copy.)

(Signed) A. HATHAWAY,
 Ag. Collector.

13th November 1858.

No. 13.

*Extract from the Register of Services kept in the Salem
 Collector's Office, P. SESHAGIRI Row, Tasildar of
 Oossour, Salary Rs. 100.*

I have been well pleased with the conduct and
 ability of this Public Officer, and have lately selected
 him for the Office of Naib Sheristadar.

19th April 1859.

(Signed) A. HATHAWAY.

No. 14.

This public servant is now promoted to a Deputy Collectorship, but during the time I had charge of the Office, he gave me great satisfaction.

(Signed) H. G. SMITH,
Sub-Collector in charge.

(True Copy.)

(Signed) T. J. KNOX,
Offg. Collector.

No. 15.

Extract from the Proceedings of the Madras Government, Judicial Department, No. 1528.

Read the following letter from A. Hathaway, Esq., Magistrate of Bellary, to T. Pycroft, Esq., Chief Secretary to Government, Fort Saint George, dated 4th October 1852, No. 57.

1. I have the honor to recommend, that sanction be granted to my two Dy. Magistrates, Mr. B. A. Blake and Seshagiri Row, to exercise the extended powers, conferred under Section 54, Act VII of 1843, and Act I of 1853.

3. I consider Mr. Blake quite competent to exercise the aforesaid powers, as also Seshagiri Row, who, as Tahsildar of Ootacott, in the Salem District, was formerly under my supervision for several months.

Order thereon, 17th October 1852, No. 1398.

2. Seshagiri Row, may be invested with the powers in question under Act I of 1853 and Section 54, Act VII of 1843.

(True Extract.)

(Signed) T. PYCROFT,
Chief Secretary.

(Signed) A. HATHAWAY,
Magistrate.

No. 16.

Extract from the Administration Report of Bellary District, dated 16th May 1860, No. 79.

Para. 17.—The 3 Deputy Collectors appointed to this District, perform the duties entrusted to them satisfactorily. One of them (Mr. Blake) is in charge of the Treasury, and has Police charge of Taluq of Bellary. He has been a very active and efficient officer. A second, Srinivasa Row, (1st Class Deputy Collector) is at present entrusted with the charge of 3 Taluqs, two of which are small ones. He is an able Revenue Officer, and is daily gaining experience in the conduct of his Magisterial duties. A third, Seshagiri Row, whose services have been very valuable, is at present in charge of two Taluqs.

I have, &c.

(Signed) A. HATHAWAY,
Collector.

No. 17.

Extract from the Settlement Report of Bellary District for Fusly 1269, dated 18th August 1860.

Para. 73.—I have much pleasure in recording my very favorable opinion of the manner in which my subordinate co-operated officers, the Deputy Collectors, and the Sheristadar have executed the duties devolving upon them.

(Signed) A. HATHAWAY,
Collector.

(True Copy.)

(Signed) A. WEDDERBURN,
Acting Collector.

No. 18.

Extract from the Settlement Report of Madura District for Fusly 1269, dated 19th September 1860, No. 194.

Para. 85.—Seshagiri Row, 4th Class Deputy Collector, is in charge of the Treasury, payment of Pensioners,

13

express and submit the periodical Returns, and has
 been in charge of the Town of Madura. During
 the short time he has been here, I have every reason to
 be much pleased with the way in which he conducts his
 duties.

(Signed) V. H. LEVINGE,
 Collector.

(True Extract.)
 (Signed) V. H. LEVINGE,
 Collector.

No. 19.

Extract from a letter from the Collector of Madura, to
 the Secretary to the Board of Revenue, No. 4, dated
 5th January 1861.

Para. 5.—I have also impressed on the Treasury
 Deputy Collector the necessity of searching out all such
 irregularities, in doing which, he has already taken an
 active part and keeping the Account Department in an
 efficient state.

(Signed) V. H. LEVINGE,
 Collector.

(True Extract.)
 (Signed) V. H. LEVINGE,
 Collector.

No. 20.

Extract from the remarks made in the Statement sub-
 mitted to the Board of Revenue, on the working of
 the Income Tax Act for the first two quarters,
 ending 31st December 1860 in the
 District of Madura.

The Deputy Collector, Seshagiri Row, in charge of
 the Treasury, who is assessor for the rich Town of

13

Madura, containing nearly 50,000 inhabitants, has
 worked well.

(Signed) V. H. LEVINGE,
 Collector.

(True Copy.)

MADURA, } (Signed) V. H. LEVINGE,
 9th January 1861. } Collector.

No. 21.

Extract from the Settlement Report of Madura District
 for Fusty 1270, dated 22nd October 1861,

No. 270.

Para. 99.—The Sub-Collector, Mr. Ames, the Head
 Assistant, Mr. Thomas, and the Deputy Collectors,
 M. R. R., Rama Row, and Seshagiri Row, have given
 me willing aid, and I had every reason to be fully
 satisfied with the way they performed their duties.

(Signed) V. H. LEVINGE,
 Collector.

(True Extract.)

(Signed) V. H. LEVINGE,
 Collector.

No. 22.

MADURA, 6th May 1862.

No. 80.

From

THE MAGISTRATE OF MADURA,

To

THE CHIEF SECRETARY TO GOVERNMENT,
 Fort Saint George.

SIR,

I have the honor to request Government will be
 pleased to confer the full powers of a Magistrate on
 Deputy Collector Seshagiri Row, employed on general
 duties in the Madura District; he has always given great

14.

satisfaction in his Magisterial duties, and also I request powers of hearing appeals under Section 412 of the Criminal Procedure Code may be conferred on him.

(Signed) V. H. LEVINGE,
Magistrate.

(True Copy.)
(Signed) V. H. LEVINGE,
Collector.

No. 23.

Extract from the Settlement Report of Madura District for Fusly 1271, dated 10th November 1862, No. 219.

Para. 119.—The Head Assistant's duties since the departure of Mr. Jellison, have been performed by Deputy Collector Seshagiri Row, who exercises the full powers of a Magistrate in addition to his usual work. He had to dispose of most of the criminal cases, which were formerly disposed of by the Sub-Judge up to the time of the establishment of a Small Cause Court at Madura; he has performed his heavy duties with great credit to himself.

(Signed) V. H. LEVINGE,
Collector.

(True Extract.)
(Signed) V. H. LEVINGE,
Collector.

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Extract from the Settlement Report of Madura District for Fusly 1272, dated 10th October 1863, No. 220.

Para. 81.—The Deputy Collector Seshagiri Row continues to afford valuable aid.

(True Extract.)
(Signed) V. H. LEVINGE,
Collector.

15

No. 25.

Extract from the Settlement Report of Madura District for Fusly 1273, dated 12th August 1864.

I have every reason to be fully satisfied with my European subordinates and Deputy Collectors.

(Signed) V. H. LEVINGE,
Collector.

No. 26.

MADURA, 27th July 1865.

No. 183.

To

THE SECRETARY TO THE BOARD OF REVENUE,
Madras.

SIR,

Referring to the Board's Proceedings, No. 4161, dated 19th July, I have the honor to report that I have entrusted the preparation of the statistical information to P. Seshagiri Row, Deputy Collector, who is an experienced officer.

(Signed) V. H. LEVINGE,
Collector.

No. 27.

Extract from Jamabundy Report of Madura District for Fusly 1274, dated 2nd August 1865.

Para. 77.—My Covenanted and Uncovenanted Assistants have given me every assistance during the year.

No. 29.

MADURA, 31st August 1867.

No 1496.

To W. HENDERSON, Esquire,
Acting Secretary to Government,
Fort Saint George.

I have the honor to submit an application from my Deputy Collector P. Seshagiri Row on general duties for promotion, and beg to urge consideration for his claims.

P. Seshagiri Row has now been 5 years in this District. And during that time has worked to my entire satisfaction. He has performed the duties of Treasury Deputy, and has been employed on general duties; and his various responsibilities have been very onerous. He does the new work formerly performed by the Assistant Magistrate, Principal Sadr Amia and the Head Assistant Magistrate while he is receiving only the pay of a 4th Class Deputy Collector. I beg therefore that you will, if possible, give him promotion on the next vacancy occurring.

(Signed) V. H. LEVINGE,
Collector.

Government Proceedings, dated 8th September 1867.
No. 2139.

1. Seshagiri Row's claim to promotion will be only considered when vacancies occur.

(Signed) W. HENDERSON,
Acting Secretary to Government.

No. 29.

Extract from the Settlement Report of Madura District
for Fusly 1275.

PARA. 105.—All the officers under me, Europeans and Natives have generally worked to my satisfaction.

(Signed) V. H. LEVINGE,
Collector.

No 30.

Extract from a letter from the Magistrate of
Madura, to the Chief Secretary to Govern-
ment, dated 5th July 1866, No. 364.

PARA. 6. * * * * * the District
has not now its sanctioned quantum of full power
Magistrates, and that they will either appoint another
officer to the Treasury and let Seshagiri Row go back to
general duty, so that his services may be again
available as a full power Magistrate, in which capacity
his decisions gave satisfaction.

(Signed) V. H. LEVINGE,
Collector.

No. 31.

Extract from the Settlement Report of the Madura
District for Fusly 1276, submitted by Collector
the Honorable D. ARBUTHNOTT, to the Board
of Revenue on the 20th December 1867.

PARA. 141.—In conclusion, I beg to inform the
Board that I have received able and effective assistance
from my subordinates generally, and especially from
the Sub-Collector Mr. Arbuthnot, my Acting Head
Assistant Mr. McWatters, my Assistant Mr. Burrows,
and from Deputy Collectors Mr. Underwood, Ramu
Rao and Seshagiri Rao, and also from my Sheristadar
Venkatasami Naick.

No. 32.

Extract from the Settlement Report of Madura District for Fashy 1277, submitted by Collector the Honorable D. ARBUTHNOTT, to the Board of Revenue on the 19th September 1863.

PARA. 91.—I am glad to say that I have received good and efficient assistance from my subordinate particularly from my Sub-Collector Mr. J. R. Arbuthnot, my Acting Head Assistant Mr. McWatters, my Assistant Mr. LaFau, and also from my Deputy Collectors Seshagiri Rao, T. Rama Rao and Devanagany Pillai, and from my Sheristadar Venkatasami Naick.

No. 33.

To
M. R. R., P. SESHAGIRI ROW,
1st March 1869.

DEAR SIR,

I did all I could for you, but found Mr. Ellis inexorable, and Mr. Dalryell told me he had shown your letter to Lord Napier, who got very angry and said you had been sent here for the good of the Public Service to put this Treasury into order, and that he would not let you go.

Your's truly,
(Signed) G. VANACKER.

No. 34.

Extract from the letter submitted by TREVEN, Esq., to the Accountant General on his examination of the Cuddapah District Treasury and Accounts, dated 17th April 1869.

13. I beg to conclude with my acknowledgments of the assistance I have received from the very intelligent Deputy Collector P. Seshagiri Rao.

No. 35.

Extract from the letter from G. LEE MORRIS, Esq., Collector of Tanjore, to P. SESHAGIRI ROW, Deputy Collector, dated 13th December 1868, No. 1236.

3. The Cheque form proposed by you for Cash orders, is very nice indeed, and has my cordial approval. Please adopt it at once.

4. The plan of dispensing with separate orders for monies being received into the Treasury and of sending to the Treasurer instead, the letters themselves accompanying the remittances made by the various officers in order that he may receive the sums therein shown, and return the letters to your office with his initials in token of his having received the monies into the Treasury is also a judicious one, and I request you will bring it into operation at once.

6. The memo. forwarded by you shewing the saving to be effected in the expenditure of stationery during the remaining months of the current year, is very satisfactory.

No 36.

Extract from the letter submitted to the Accountant General, by J. MACKAY, Esq., Ag. 1st Assistant Accountant General on his examination of the Tanjore District Treasury and Accounts, dated 20th December 1869.

10. In conclusion, I beg to give P. Seshagiri Rao, the present Treasury Officer, my best thanks for the assistance he has rendered in this examination; his well known experience and intelligence in Treasury matters, would, if assisted by a competent staff, soon effect improvement in this neglected office.

No. 37.

Extract from the letter from G. LEE MORRIS, Esq.
Collector of Tanjore, to P. SETHAGIRI RAU, Deputy
Collector, No. 72, dated 19th January 1870.

2. The plan therefore originally submitted by
you, has my sanction and may be brought into operation
at once.

No. 38.

Extract from the letter submitted to the Assistant Ge-
neral by Mr. D. KIRKMAN, Assistant to the As-
sistant General on his examination of the
Tanjore District Treasury and Accounts,
dated 25th May 1870, No. 1.

16. I am glad to report on the improved state of
Accounts as compared to what they were when Mr.
Mackay examined the Treasury in 1869.

17. In conclusion, I beg to acknowledge with
thanks the assistance rendered by P. SETHAGIRI RAU,
the Deputy Collector in charge of the Treasury, whose
zeal, energy and ability are well known.

Extract from the letter of H. S. THOMAS, Esq. Collector,
to the Dy. Collector in charge of the Treasury, dated
20th March 1875, No. 4860 upon the report made by
the latter on the examination of the Salubri Accounts
& Accounts.

Para. 5. Your suggestion is good. The present method
of depositing the Salubri Accounts should accordingly be con-
sidered. It is too cumbersome and should be re-
ported into yearly ones with the column
for all the months of the year is as-
-suredly a great improvement made in the way of
placing in a more convenient form the plan being adopted
in all Salubri.

Para. 6.

This is very proper.

Extract from
checked by
Criminal Ca-
-leudat & B
from 05

No. 4860

Extract from the Settlement Report
for 1287, dated Tanjore 23rd
October 1875 No. 4860

The Treasury of Collector P. S. SETHAGIRI RAU
has given satisfaction.
Signed H. S. THOMAS
Collector.

In his Settlement Report
for July 1285, I have
the Coleridge given a favor-
able opinion of me

217

29-1-80

12 mil.

The Secretary to Government,
Revenue Department
Madras.

Most honored Sir, I most respectfully beg
to submit herewith my appeal to the Right
Honorable the Secretary of State for India and
request that the same may be transmitted with
the favorable remarks of Government.

2. I have set forth some new facts and
enclosed some public documents in support of
them in this Appeal.

3. In consideration thereof and of my long
and faithful service, I humbly request that
the Government will be pleased to review the
Order dated 9th July 1878 and pass a favorable
order directing either my restoration or pension
being granted me, in which case the trans-
mission of this Appeal will be unnecessary.

I beg to remain
Most honored Sir,
Your most obedient Servant
P. Sahagiri Row
late Dy Coll. Tanjore Dist.

Cuddalore
25th January 1880.

John C. ...

4-10-74

27/10/18

93-307-12 11-5-90

Admiral Sir

Chry. B. Day

12592

St. John's

11-10-20