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M.R. O. P—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	394	Press Mis.
17-20		
Dated	24-3-19-1829	

Not to be folded or roughly handled

Read the following papers :—

No. 17. From E. B. GLASS, Esq., Civil Judge of Chicacole ; to T. PYCROFT, Esq., Chief Secretary to Government, in the Judicial Department, Fort Saint George, dated 27th January 1859, No. 28.

SIR,

1. I have the honor to request that you will be good enough to lay the following circumstances before the Right Honorable the Governor in Council :—

2. The Principal Sudr Ameen of Vizagapatam not having performed his duties, in a satisfactory, or correct manner, for a long time past, which the Judges of the Sudr Udalut have pointed out in their Proceedings, of the 17th May 1858, and warned him, as follows :—"The "records of the Court, for the last two years, do not exhibit Mr. Sloan, in a favorable light, as "a public servant, and the Sudr Udalut direct, that it be pointed out to the Principal Sudr "Ameen, that if they should again have occasion to find fault, the matter will be brought under "the notice of Government." The cause for *which neglect*, after a long repetition of warnings, and remonstrances *in vain*, was found to be from the copy of a Certificate furnished by the Zillah Surgeon at Vizagapatam to the Principal Sudr Ameen, under date 10th August 1858, by which he declared that Mr. Sloan was absent from his duties, and suffering from an attack of delirium tremens, rendering the presence of a European attendant over him necessary, and that he attributes this attack, to the use of intoxicating liquours. Further when the Judges of the Sudr Udalut in their Proceedings under date 20th September 1858 ordered the Principal Sudr Ameen (through this Court) to furnish a Certificate under Sections I and IV of the Uncovenanted Rules, explanatory of his absence without leave from 8th to 22nd July, he suppressed the Certificate, which *he had already obtained*, from the Zillah Surgeon, and made an evasive return, stating that he will submit an application for retrospective leave, in *due* form, which he *altogether* failed to do, though the Sudr Udalut called upon him again on the 25th October ! ! I therefore informed the Judges under date 2nd November that the Principal Sudr Ameen had obtained a Certificate from the Zillah Surgeon and did not forward it, and that a copy of it was furnished to this Court, by the said Medical Officer, which was ready to be sent if required, which would *at* ONCE show how far it could be reasonably expected that duty could be properly performed in that Court. I forwarded the said Certificate also, with my second letter of the 29th Idem, pointing out the former matters connected with it. As no orders on these reports have been sent for two months, and upwards ! I consider it necessary for the interests of Government and the welfare of the suitors of that Court to bring the above circumstances to the notice of His Lordship in Council, for his consideration, and accordingly forward herewith copies of the above Proceedings, of the Sudr Udalut, under dates 17th May, 20th September and 25th October 1858, and of the Principal Sudr Ameen's return dated 1st October 1858, as also of my letters to the Sudr Udalut, under dates 2nd and 29th November, together with a copy of the Medical Officer's Certificate referred to.

Extract from the Proceedings of the Sudr Udalut under date the 17*th May* 1858.

Read Return and Supplemental Return dated respectively 16th April and 3rd May 1858, from the Civil Judge of Chicacole, to the Precept of the Sudr Udalut under date the 31st March 1858, calling for explanation regarding the arrears in the Courts of the Principal Sudr Ameen of Vizagapatam and District Moonsiff of Rayavarum.

1. The Court of Sudr Udalut consider the explanation of the Principal Sudr Ameen to be very far from satisfactory. His illness for a portion of the time, is no excuse for his not devoting the remainder to the particular work to which his attention was directed, viz., the *clearing off of old suits*, and his *attempt to show*, that notwithstanding such illness, he did the prescribed amount of work, is at once inconsistent, and disingenuous, as exposed by the Civil Judge; who points out that of the 63 decrees, to which the Principal Sudr Ameen refers, 25 were "irregularly prepared, merely for the purpose of making up the number." The introduction of the long attack upon his Seristadar, the Court consider, also to be entirely beside the question, and made at a time, and under circumstances, calculated to create strong doubts as to its real motives.

2. The records of the Court for the last two years, do not exhibit Mr. Sloan, in a favorable light, as a public servant, and the Sudr Udalut direct that it be pointed out to the Principal Sudr Ameen, that if they should again have occasion to find fault, the matter will be brought under the notice of Government.

(True Extract.)

(Signed) C. F. CHAMIER,
Acting Register.

To the Civil Judge of Chicacole.

(True Copy.)

(Signed) E. B. GLASS,
Civil Judge.

Extract from the Proceedings of the Sudder Adalut, under date the 20th September 1858.

Read Supplemental Return from the Civil Judge of Chicacole, to the Precept of the Sudr Adalut of the 12th August 1858, calling upon the Principal Sudr Ameen of Vizagapatam to explain his reasons for absenting himself from his duties without applying for leave or reporting on the subject to his immediate superior.

1. In the explanation, now forwarded by the Civil Judge of Chicacole, Mr. Sloan states, that, as a certificate of his illness had been sent direct to the Civil Judge by the Zillah Surgeon, he did not think it necessary to make any further report on his illness and consequent absence from his duties.

2. Reserving for the present their opinion upon the sufficiency of this reason, the Court have to observe that the explanation is defective, inasmuch as Mr. Sloan has left entirely unaccounted for his neglect to apply for permission to absent himself from his duties, in the manner prescribed in the rules for regulation of leave of absence of Uncovenanted Servants, (Sections 1 and 4) and Mr. Sloan is now directed to submit an explanation upon this point.

Ordered, that Extract from these Proceedings, be sent to the Civil Judge of Chicacole, by Precept returnable within X days from and after its receipt.

(True Extract.)

(Signed) GEORGE FULLERTON,
Actg. Depy. Register.

(True Copy.)

(Signed) E. B. GLASS,
Civil Judge.

L. S.

No. 298.

Civil Court.

To the Principal Sudr Ameen of Vizagapatam.

Herewith you will receive an Extract from the Proceedings of the Civil Court of Chicacole of this date, to the orders contained in which you are required to conform, returning this Precept

so executed or good and sufficient reason why it has not been executed, and what you may have done in pursuance hereof within 3 days from and after its receipt.

Given under my hand and the Seal of the Court of Chicacole this 27th day of September 1858.

(Signed) E. B. GLASS,
Civil Judge.

Received 6½ P. M., 28*th Septembr* 1858.

(Signed) W. SLOAN,
Principal Sudr Ameen.

The Principal Sudr Ameen begs to acknowledge the Precept which accompained, forwarding copy of an Extract from the Proceedings of the Sudr Udalut dated 20th Ultimo, requiring to be informed why he did not apply for permission to absent himself from his duties in the manner prescribed in the rules for regulation of leave of absence of Uncovenanted Servants (Sections 1 and 4.)

The Principal Sudr Ameen regrets to be obliged to confess that he has committed an error in omitting to follow up his intention of applying for retrospective leave embracing the period of his illness, and if with reference to para. 3 of the Proceedings of the Sudr Court dated 12th August last wherein it is observed that "Mr. Sloan has rendered himself subject to the forfeiture of his salary for such period ot absence," the Judges, are pleased to consider notwithstanding the correspondence on the subject, that it is not yet too late to apply for such leave, he will be prepared to submit an application in due form.

Given under my hand and the Seal of the Principal Sudr Ameen's Court at Vizagapatam this 1st day of October 1858.

(Signed) W. SLOAN,
Principal Sudr Ameen.

(True Copies.)

(Signed) E. B. GLASS,
Civil Judge.

Extract from the Proceedings of the Sudder Udalut, under date the 25th October 1858.

Read Return to the Precept of the Sudder Udalut dated 20th September, calling on the Principal Sudr Ameen of Vizagapatam, for explanations on the subject of his absence from his duties without leave.

The Court have to observe that the explanation now submitted by Mr. Sloan is still defective, and unsatisfactory, inasmuch as he assigns no reason for his omission to apply for retrospective leave according to the rules, laid down by Government, and with which rules Mr. Sloan does not appear to have been unacquainted! Until a satisfactory reason is assigned for this neglect, the Court can see no grounds why Mr. Sloan should be relieved of the penalty of forfeiture of his salary, which he has incurred.

(True Extract.)

(Signed) GEORGE FULLERTON,
Acting Deputy Register.

To the Civil Judge of Chicacole.

(True Copy.)

(Signed) E. B. GLASS,
Civil Judge.

From. E. B. GLASS, Esq., Civil Judge of Chicacole; to C. F. CHAMIER, Esq., Acting Register to the Court of Sudr Udalut, Fort Saint George, dated 2nd November 1858, No. 339.

SIR,

With reference to the Proceedings of the Sudr Udalut under date 25th Ultimo, I have the honor to state for the information of the Judges, that it having come to my knowledge* that on the Precept of this Court dated 27th September 1858, calling for conformity to Sections 1 and 4 of the Uncovenanted Service Rules! reaching the Principal Sudr Ameen of Vizagapatam: that a certificate was furnished by the Medical Officer of the Zillah! and when the Statement in return gave neither explanation, nor enclosed *that* certificate, I called on the Zillah Surgeon on the 7th Ultimo for a copy of it, which Mr. Blackwell sent to this Court; should it be required it can be forwarded to your Court, which will at once show the Judges *how far* it could be reasonably expected, that duty could be properly performed in that Court.

* *Through the Zillah Surgeon.*

(True Copy.)

(Signed) E. B. GLASS,
Civil Judge.

From E. B. GLASS, Esq., Civil Judge of Chicacole; to C. F. CHAMIER, Esq., Acting Register to the Court of Sudr Udalut, Fort Saint George, dated 29th November 1858, No. 366.

SIR,

With reference to my letter of date 2nd Instant to which no answer has been received, I have the honor to state for the information of the Judges of the Sudr and Foujdaree Udalut Court, since no explanation of absence, and neglect of duty, was given to the Precept therein referred to that the habits of Mr. Sloan, the Principal Sudr Ameen of Vizagapatam, have been for a very long time disreputable, to the Department, to which he belongs, and have caused both that Court, and himself, to be looked down upon, with contempt! Therefore I consider it a matter of justice to the public, and of duty to the Judges of the Sudr Udalut Court and Government, to bring to their notice that the occasion on which that Officer was again lately absent, without either leave, or ostensible cause shown! was on account of delirium tremens, caused by intoxication; which rendered it necessary to place him under European restraint, and *that* restraint is not the *first*, or only occasion, on which such measures had to be resorted to, to prevent injury from his violence; the certificate furnished to this Court by the Zillah Surgeon will show this, *and is enclosed!* If not sufficient, the Zillah Surgeon and Superintending Surgeon, as well as the Magistrate Mr. Reade, can be called on, to furnish the same information they brought to my notice, and the Magistrate has a report of this being the case, sent to him by the Zillah Surgeon on the former occasion which I am informed is now in his possession.

These circumstances, and the consequence, have been the subject of discussion, and animadversion in every part of Vizagapatam, both with Europeans, and Natives, so it rests with the Government whether such a person should be longer entrusted with, or considered fit, for such a responsible situation.

So long as matters could with any propriety be kept quiet, I did not wish to bring the matter forward, but tho' I do not intend to remain much longer in the service, or be connected with that Court, I do not consider it would be an act of justice to the suitors, and others, attending it, to leave the Higher Court, and Government uninformed longer.

(True Copy.)

(Signed) E. B. GLASS,
Civil Judge.

I certify that Mr. W. Sloan, Principal Sudr Ameen of Vizagapatam, was on the sick list and under my professional charge and daily observation from the 8th to the 22nd July inclusive.

He was suffering from an attack of delirium tremens, accompanied by the usual symptoms, great restlessness, sleeplessness, tremor of the hands, incoherence of speech, unusual loquacity, suspicion of those about him, fear of impending danger, and some violence, rendering the presence of a European attendant necessary.

I attribute this attack to the use of intoxicating liquors.

VIZAGAPATAM, 10*th August* 1858.

(Signed) J. H. BLACKWELL,
Civil Surgeon.

(True Copy.)

VIZAGAPATAM, 11*th October* 1858.

(Signed) J. H. BLACKWELL,
Civil Surgeon.

(True Copy.)

(Signed) E. B. GLASS,
Civil Judge.

No. 18. From the Principal Sudr Ameen of Vizagapatam; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 3rd February 1859.

SIR,

1. I beg to acknowledge receipt* of Extract from Minutes of Consultation dated 13th Ultimo, No. 44, calling upon me to make any defence, or offer any explanation, regarding the charges preferred against me by Mr. Glass, Civil Judge of Chicacole.

* *On the 26th Ultimo.*

2. The Proceedings of the Sudr Court under date the 20th December last No. 126 are founded upon the letter of the Civil Judge dated 29th November preceding, and therefore my explanation shall be confined chiefly to the charges contained in the Civil Judge's own letter.

3. These charges are three-fold, 1st, that my habits have been for a long time disreputable to the department to which I belong, and have caused both the Court over which I preside and myself to be looked upon with contempt. 2nd, that I was lately absent without leave or ostensible cause shewn, on account of delirium tremens, caused by intoxication, which rendered it necessary to place me under European restraint. 3rd, and *that* restraint is not the first or only occasion resorted to, to prevent injury from my violence.

4. Mr. Glass in support of these charges forwarded two Certificates from the Civil Surgeon, and referred to a report said to be in possession of Mr. Reade the Magistrate, copy of which has not been forwarded.

5. Mr. Glass added that the circumstances, and the consequence, have been the subject of discussion, in every part of Vizagapatam, both with Europeans and Natives, and probably, with reference to this part of his letter, the Judges of the Sudr Court observe, that my "habitual intemperance appears to have been long notorious."

6. In connection with this observation I shall reply to the first charge.

7. In what manner my habits have been manifested so as to render my habitual intemperance long notorious is not stated. I am not accused of appearing in public or in Court in a state of intoxication, and no instance is specified of my having exposed myself from such a cause, beyond the allegation of my having been attacked with delirium tremens.

8. The community of Vizagapatam may be divided into three classes, viz., 1st Europeans in society, as the term is commonly understood, 2nd Europeans not in society, and East Indians, and 3rd Natives of all ranks.

9. I have very little communication with the 1st class. The Members composing it know personally little or nothing of me, consequently whatever may have been the subject of discussion concerning me in their circles, could only have been founded on hearsay, and could not have been known from personal observation. The most absurd rumours have in many instances, in every part of the world, gone abroad, and been propagated concerning individuals, and if we were to form our opinions of the characters of one another upon no better foundation, it is undeniable, that we would often find ourselves mistaken, and might have cause to regret our unjust impressions.

10. Among the 2nd class are some of my friends with whom I have associated on terms of intimacy, who have known me for years, and are acquainted with my habits, and they declare, that they are prepared to make oath that they have never seen me in a state of intoxication either in public or in private.

11. These men are as respectable in their own sphere as the members of the 1st class in their's. Their testimony is the more valuable as they can speak from personal knowledge, having had opportunities of judging for themselves, and it is some consolation to me under the distressed circumstances in which I am placed, to find that those who know me best, are prepared to bear testimony respecting this part of the charge.

12. Others of this portion of the community know personally as little of me as the members of the 1st class, and therefore whatever they may say must also be ascribed to hearsay.

13. What the opinions of the Native class may be I cannot say; but the Government will have an opportunity of inferring when I advert to the Official operations of the past year.

14. It will be observed that the ground upon which this charge is founded when analysed, resolves itself into rumour, said to have been circulated among those who know but little of me personally, and are personally ignorant of my habits.

15. It stands to reason, that a man who is notoriously addicted to intoxication, to such a degree as to bring himself and the Court over which he presides into contempt, must not only neglect his business, but that his intellectual faculties will become so impaired, as to disqualify him for the efficient discharge of his duties, which will soon become apparent, not only by a reduction in the quantity of work performed, by the imbecility of his proceedings, and by complaints on the part of suitors, but also by a falling off in the file, which in general may be looked upon as a manifestation of popular feeling.

16. When however the quantity of work performed increases and is gradually on the increase, when imbecility in proceedings is not ascribed or complained of, and when the file so far from decreasing, increases, I submit, that a reasonable man would pause before yielding unhesitating assent to a rumour, ascribing habitual intoxication to an officer presiding over a Court exhibiting such a condition of affairs.

17. I would further respectfully submit, that no Court brought into a state of contempt by the intemperate habits of the prescribing Officer, will be found in such a condition.

18. On the contrary, a man habitually indulging in intemperance as I have been described to be, must neglect his duty. A man who neglects his duty, must in a great measure depend on his servants to avoid or slur over the consequences. His servants will thus become the Masters of the Court, and experience teaches us that under such circumstances Native servants will not fail to turn their Mastership to their own account. Corruption will prevail, corruption will form the subject of rumour, corruption will be complained of, and some, more courageous than the generality of the multitude, will boldly assert the fact before superior authority.

19. Such a charge has never yet been laid at my door.

20. The 3rd being but a continuation or rather an aggravation of the 2nd charge, I shall reply to both together.

21. Mr. Glass is in error when he says I was absent "without ostensible cause shewn," seeing the Certificate of the Civil Surgeon dated 22nd July last, forwarded with his letter, stated that I had been unwell.

22. Mr. Glass has shewn no ground for asserting that the attack of delirium tremens was "caused by intoxication." The Civil Surgeon in his Certificate of the 10th August does not make such a statement, he merely attributes the "attack to the use of intoxicating liquor," and it will presently be seen, that in this respect, Mr. Glass has adopted the popular error concerning the pathology of this complaint.

23. Mr. Glass has aggravated the charge by alluding to restraint, apparently forgetful, that restraint is imposed on all patients suffering from delirium from whatever cause it may have arisen.

24. In September 1857, I was taken ill of fever which followed a wetting I received in a shower of rain. During the course of the disease I became delirious and it was only after the commencement of the correspondence which preceded the present complaint, that I learnt the delirium was designated delirium tremens.

25. Whether on this occasion the Civil Surgeon made any report to Mr. Reade the Magistrate I know not. If he did, I have been kept in ignorance of it up to the present moment, and Mr. Reade did not mention the circumstance in an interview I had with him some days ago on the subject of this complaint.

26. Whether the delirium was attendant on the fever or the disease designated, I cannot say. Medical men* are frequently perplexed in distinguishing one from the other when delirium ensues during the course of fever, dysentery, epidemic, ophthalmia or any other affection or injury. Considering therefore the length of time which has elapsed since this attack of fever, the fact of the circumstances attending it having faded from my recollection, and of my having been kept in profound ignorance of the report alleged to have been made to Mr. Reade, I trust it may not be thought that I wish to shirk enquiry, should I confine my observations to the subject of the Civil Surgeon's Certificate of the 10th August last.

* *Vide Dr. Blake's Essay on Delirium Tremens, page* 101, *2nd Edition, published in* 1840.

27. Between April and June 1858, I received communications from the Civil Court of a nature reflecting severely, and in no measured language, on my official proceedings. If I have pride, it is pride in the performance of my duty. If I have ambition, it is ambition to be considered the first Officer of my standing. To gratify these foibles, if such they be, I have never spared labor or expense and being naturally of a nervous excitable temperament, these reflections produced the effect which might be expected. I may have been wrong in the estimation of the value of my labors, and the integrity of my intentions, but I was convinced in my own mind I was not, and I deemed the reflections cast upon me to be unjust and undeserved.

28. The weather was extremely oppressive, the heat last year continued longer than usual, I brooded on the reflections cast upon me, my mind was kept for months in a state of inquietude and from all these causes, my nervous system received so severe a shock, that towards the end of June, I felt certain of an approaching attack of sickness, which circumstance I mentioned to my friends days before I fell ill.

29. On the 6th July last, I attended Court, and after disposing of two Criminal cases returned home late in the evening. Shortly after Captain Farley, Commander of the Gallant Neill, and his wife, called to pay myself and family a visit. They remained with us nearly an hour, and a few minutes after their departure I was taken sick.

30. Captain Farley came to see me again on the 7th and Captain Meppen the Master Attendant called on the evening of that day.

31. It will be observed from enclosures Nos. 1 and 2, letters from Captains Farley and Meppen, that they are prepared to swear that I was not under the influence of liquor on the 6th and 7th July.

On the 8th July, the Civil Surgeon was called in to attend on me, I afterwards became delirious and on seeing his Certificate I proposed the questions, to which letters Nos. 1 and 2, are answers.

32. The above is a true, conscientious statement of circumstances which occurred previous to my illness.

33. When the Civil Surgeon wrote his Certificate he was not aware of the state of my mind previous to my illness, and it will be observed from his Certificate, and it was the Civil Surgeon himself who directed my attention to the circumstance, that he has attributed the attack to the "*use*," and not to the *abuse* of intoxicating liquor.

34. Mr. Glass has not attempted to shew that a debauch of intoxication, or a single instance preceded the attack.

35. I trust under these circumstances I may be pardoned for quoting from a Medical work, a passage to shew, that delirium tremens, or a disease resembling it in its symptoms, arises from other causes than the use of intoxicating liquor.

36. Dr. Blake says at page 42 in his Treatise on this disease, that "Dr. James Johnson, "the talented and much respected editor of the Medico Chirurgical Review, mentions the case of "a young lady, in whom intense mental application was the cause of symptoms, resembling those "of delirium tremens, and we are bound to give due attention to such authority."

And again, "I have seen a violent poraxysm of mania induced in a lunatic by long continued "efforts to discover the perpetual motion." "I can easily imagine that had the subject of this "case, ceased suddenly, his continued mental efforts to discover the perpetual motion, before he "became maniacal, and had the brain become thus suddenly deprived of its accustomed stimulus, "a train of nervous symptoms, similar in a great measure to those alluded to by Dr. Johnson, "might, particularly if assisted by idiosyncracy, have developed themselves, and given rise to an "affection closely resembling delirium tremens."

37. Had the young lady referred to been in the habit of using stimulants, simply in accordance with the custom among Europeans, would Dr. Johnson have been justified in attributing the attack to the use of intoxicating liquor? If so, to what cause could such an attack, had it occurred in the lunatic, have been attributed, other than to the theory proprounded?

38. It will thus be seen, that the state of mind into which I was thrown long previous to the attack, and which I solemnly declare was the fact, was according to the testimony of Medical writers, possessed of a European reputation, favorable to the development of a disease, almost, if not altogether similar, without the aid of any assistance from intoxicating liquor.

39. Did I wish to cavil at the authority of the Civil Surgeon, I might rest upon these cases, and upon other causes, to which the various forms of mental disease owe their origin, for the purpose of shaking the force of that authority; but as I would scorn to owe my vindication or acquittal from the charges brought against me to any such finesse, I have no hesitation in acknowledging that I, in common with people in general, was in the habit of using diffusible stimulus previous to the attack in question.

40. It does not however necessarily follow that a person possessed of such a habit, is a drunkard, and previous intoxication, as the term is commonly understood, is not, as generally supposed, a necessary precursor to an attack of delirium tremens.

41. Any man, whatever his position, and however high his character for sobriety or moderation may stand, if possessed of such a habit, is equally liable, with the most drunken soldier, to such an attack, under circumstances, which may deprive him of the stimulus to which his system may have become habituated.

42. In support of this assertion I would beg once more to be allowed to quote from Dr. Blake, who says at page 15 of the same work, "when we consider the general habits of persons "residing in the West Indies," (and these remarks it must be remembered, are equally applicable to persons residing in the East Indies), "we must take it for granted that the Ebriositatic dia- "theses, exists in most persons who have sojourned there for any length of time; in coming "to this conclusion, we must however recollect that to induce the state of constitution favorable "to the development of delirium tremens, *it is not necessary, that individuals should be of those "habits which would entitle them to the appellation of drunkards;* all that is required is, that "persons should accustom themselves to take a certain quantity of diffusible stimulus daily, per- "haps little more than sufficient to remove those feelings of debility which are induced by the "effects of the climate, and which, as they are indirectly increased by the means used for their "relief, require a gradual increase in the quantity of stimulus taken, to keep up the feeling of

Fort St. George, Judicial Consultation, 28th March 1859.

"benefit afforded by them. Under such circumstances, any sudden cessation, or material diminu- "tion of the stimulus thus habitually taken, will be felt in a strong degree by the nervous system; "and should depletion be used at the same time, the nervous and sensorial powers, already depriv- "ed of their accustomed stimulus, may be so reduced as to be unable to maintain the reasoning "faculties unimpaired, and thus the development of delirium may be hastened."

43. Were an Officer at a Court Martial tried for disqualifying himself for the performance of his duties, by inducing an attack of delirium tremens, would he not be entitled to plead the above theory as an extenuation, for the purpose of shewing that the attack might, so far as its immediate inducement is concerned, he as respects his own act, not *criminally voluntary;* and that it might have never occurred, had not the sudden cessation, or diminution of the stimulus, perhaps indulged in for a life time, in common with his Judges, and probably in common with the Medical Officer who may have certified against him, led to its development, after an attack of some other disease, which, by reducing the nervous and sensorial powers, may have paved the way for the derangement of the equilibrium of the reasoning faculties?

44. Were such a plea advanced, would not his Judges be bound to ascertain whether the prisoner had become the victim of his own act, or whether he were not in reality the victim of the usage of society, which by tending to foster the Ebriositatic Diathesis, prepares the way for the attack of this disease, among thousands who may have never thought that they were ever in danger from it?

45. Many other instances, which inference and imagination will readily suggest, might be adduced, but regard to brevity compels me to withhold them.

46. As already stated, my nervous system was completely disorganized, and I was in a very enfeebled state days previous to the attack and in the absence of any proof of overt intoxication, why the above view of the cause of the disease should not apply, instead of the worst inference that can possibly be deduced, is a subject which I would beg most respectfully to submit for the consideration of His Lordship in Council.

47. Before quitting this part of the subject I would observe that Dr. Cooper the Superintending Surgeon has been called on for a report.

48. That gentleman is very slightly acquainted with me, personally he knows nothing of my habits, and therefore whatever he may state he must repeat from information derived from others, probably from the notes of my case, which can only establish the fact of delirium, leaving the cause to be inferred either from evidence or from theory.

49. Dr. Smith is at present in charge of the Superintending Surgeon's Office, but to him I am a perfect stranger.

50. Mr. Glass has excused himself for not bringing forward the subject earlier, under the plea that he did not wish to report upon it "so long as matters could with any propriety be kept quiet," and he says that he is now constrained to inform the Higher Court and Government, out of justice to the suitors and others attending this Court, because he is about to quit the service.

51. Mr. Glass was my earliest patron, and my affection towards him was almost filial, and on that account, I refrained from frequent references to the Sudr, in the hope that his departure, which was long spoken of, might admit of severance of our Official connection, without personal animosity.

52. Since my appointment to my present Office I have had but little cause to be thankful for Mr. Glass' forbearance, and this is sufficiently apparent from the proceedings of the Sudr Court as well as his own letter which shew that he pressed upon them, a subject which the Judges seemed to think had been sufficiently discussed.

53. Had Mr. Glass, imitated the generosity of the Judges, who, if they saw cause for suspicion, appeared desirous to avoid crushing what may have appeared to them a fallen man, perhaps in the hope, that leniency might have the effect of restoring him to a sense of propriety, he would have obtained an additional claim on my gratitude, had he waited till a repetition of misconduct, proved that leniency was misplaced, and that the fallen man was incorrigible.

54. In order to enable the Government to judge whether suitors and parties before the Court have cause for complaint, or whether tangible facts justify the inference that the Court has been brought by me into a state of contempt, I shall now briefly advert to the state of the file when I took charge, to its state at the end of 1858, and to the operations of the past year.

55. I took charge in September 1854, and according to the quarterly report closed up to the end of that month the state of the file was as follows:—

			Original.	*Appeal.*
Suits of	1849	pending...	1	„
„	1850	„	9	„
„	1851	„	36	„
„	1852	„	63	„
„	1853	„	81	10
„	1854	„	73	11
			268	21

Total Original and Appeal suits pending... ... 289

56. Owing to the accumulation of arrears 96 suits in addition to the above had been called up in that quarter by the Civil Judge for the purpose of being transferred to other Courts, *which had thus additional work imposed upon them, in consequence of the state of this Court in* 1854.

57. The state of the file at the end of 1858, as shown by the quarterly report closed up to the 31st December last, was as follows:—

			Original.	*Appeal.*
Suits of	1857	pending...	25	„
„	1858	„	133	45
			158	45

Total Original and Appeal suits pending... 203

58. It will thus be seen that arrears properly speaking have disappeared, and that those existing are so trifling as scarcely to deserve the name.

59. After taking charge I received instructions to file no suits within the jurisdiction of a Moonsiff, unless they were instituted by parties residing in Vizagapatam or its immediate vicinity—and these instructions I have continued to observe.

60. It might be supposed that this prohibition would have the effect of reducing the number of suits filed, so far from this being the case, the average number of suits filed during the time I have been in charge, on comparison with a corresponding number of antecedent years, continues unaltered.

61. The enclosed Tabular statement No. 3 shows, that 326 suits were filed last year, being an increase of 34 above the number filed in 1857—that 455 suits were disposed of—that the file was reduced by 129 suits—that 312 Decrees were passed on merits, being 153 above the prescribed number—that 971 Petitions were disposed of, leaving only a balance of 13 remaining—and that 34,000 Rupees were recovered, and adjusted by parties, in execution of Decrees.

62. I have compared these operations with the operations of other Courts of a like degree published in the Reports on the administration of Civil Justice from 1850 to 1856† and see no cause to entertain apprehension of the result of the inference deducible from such comparison.

† *Note.—The Report for* 1857 *is not in detail.*

63. To these operations I appeal with confidence as a practical refutation of the charge of notorious or habitual intemperance, and I would again observe, that no single instance has been specified to admit of acknowledgment or denial.

64. I would also appeal to the quality of my decisions as another practical refutation of the charge, and although I have no proper data before me to admit of the preparation of a correct statement, shewing the number confirmed, reversed or modified, I can refer with confidence to the fewness of the decisions affected on appeal, *and to the fact that not a single application of the few presented, for the admission of a special appeal against my appeal decisions, has been successful in the Court of Sudr Událut.*

65. The result of my operations since I have taken charge has been the removal of arrears and the production of a state of affairs, which, by destroying that stigma, by which this Court was a clog on the operations of other Courts, *admits of its now being able to afford that relief to them, which heretofore the higher Court was obliged to concede to it.*

66. I most respectfully beg leave to submit that the Officer who has eliminated such a state of order out of the mass of confusion and arrears in which he found the Court, cannot have rendered himself abnoxious to the contempt of suitors or other parties. What have they to complain of? The administration of justice, electrically speedy, when compared with the state of affairs previous to his incumbency. But, have they complained? Their complaints are not specified and appear to be simply assumed.

67. I have now been 22 years in the service. As Head Writer of the Rajahmundry Court it was certified that I brought the English Department into a state of efficiency rarely equalled. As Sheristadar of the Northern Provincial Court, I prepared accounts in lieu of certain which had been fraudulently destroyed, when no one else in the Office was capable of so doing, and shewed a defalcation of about 16,000 Rupees, a portion of which I believe Government recovered. As Superintendent of the Monegar Choultry, I reduced the permanent expenditure between 2 and 3,000 Rupees a year. As Moonsiff of Ellore, I endeared myself to all classes subject to my jurisdiction, and in proof of these assertions I refer to papers in the Government Office. What I have done as Principal Sudr Ameen of Vizagapatam, I have shewn above, and if after this length of service, faithfully employed I can solemnly declare, I deserve removal, I must submit with resignation to the will of the Almighty.

68. Humbly and sincerely thanking his Lordship in Council for the opportunity of submitting this painful explanation.

My dear Mr. Sloan,

I have much pleasure in answering your questions and am prepared to verify the same on oath should it be necessary, and as requested I send it in duplicate.

(Signed) R. W. MEPPEN.

13*th August* 1858.

Will you be pleased to inform me whether you saw me on the 7th July last, if so, at what hour and in what state did you find me?

I was at your house on the evening of the 7th July from about 7-30 P. M. to 9 o'clock P. M., I saw you on your sofa in a weak state and conversed with you till about 9-15, when I left.

From my conversation and appearance had you any cause to imagine that I was under the influence of intoxicating liquor or that I had been for a day or days previously indulging to excess?

I could solemnly state that from your conversation and appearance it did not appear to me that you had been indulging in ardent spirits but that you were then suffering from constant study without exercise.

Previous to the 6th of July did you hear me make any particular complaint of the state of my health?

In reply to my remarks you mentioned that it was also about the time you fall sick and if the weather continued hot it would go hard with you or something to that effect.

(Signed) R. W. MEPPEN.

MY DEAR SLOAN,

I am just in receipt of your letter of this day and I have much pleasure in being able to reply to it immediately.

You will find annexed my answers to your queries placed in juxtaposition to each other, and I am prepared to swear to the *truth* of any statements whenever called upon.

Believe me &c.,

Friday, 12th August 1858. (Signed) W. FARLEY.

1st Query. Did yourself and Mrs. Farley see me on the 6th July last or the day on which I was taken unwell?

Answer to Q. 1. Mrs. Farley and I called to see you and family on the evening of the 6th July last, the day in question and we were received by both Mrs. Sloan and yourself and we passed an hour or more in your company and we were much surprised to hear early in the following day that you had taken very unwell shortly after we left.

2nd Query. Did you observe from my conversation and appearance whether I was under the influence of intoxicating liquors or did my appearance denote that I had been indulging to excess a day or two or days previously?

Answer to Q. 2. Your appearance I did observe to be rather careworn as if from recent mental excitement on the occasion and remarked it to Mrs. Farley but your otherwise appearance, deportment, and conversation did not denote in the least, that you had been indulging in intoxicating liquors. A circumstance that would easily betray itself, if such was the case.

3rd Query. Did you see me the next day and did you observe any appearance in me to denote that I was under the influence of liquor?

Answer to Q. 3. Having heard you were very unwell I called to see you the following day and I did not observe any appearance in you to denote that you were under the influence of liquor. I remained with you that day from about 9 A. M. to 2 P. M., and held you in conversation nearly the whole of the time.

Statement showing the state of the File and disposal of Suits, &c., in the Principal Sudr Ameen's Court at Vizagapatam in the year 1858.

1	2		3		4		5		6	7	8	9	10	11	12	13	14	15	16	17	18			19	20	21	22	23
Quarter.	Suits pending on 1st January 1858.		Suits Filed.		Disposed of.		Decreed on merits.		Pending on 31st Decr. 1858.	Total Decrees passed on merits.	Established number of Decrees at the rate of 15 a month.	Excess passed above the established number marked.*	Petitions pending 1st January 1858.	Filed in 1858.	Petitions disposed of.	Petitions pending 31st December 1858.	Applications for execution of Decrees fully executed.	Do. partially do.	Struck off without enforcement.	Total applications disposed of.	Amount recovered and adjusted by parties.			Criminal cases disposed of.	Criminal cases pending on 31st December 1858.	Petitions in the Criminal Department disposed of.	Petitions pending in the Criminal Department on the 31st December 1858.	Remarks.
	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original.	Appeal.	Original and Appeal.	Original and Appeal.											Rupees.	Annas.	Pice.					
1st.	258	74	68	19	114	6	64	5	...	69	45	24*	41	253	268	...	28	15	...	...	11,185	7	7	5	...	...	...	The Court was closed 6 weeks in the 2nd Quarter on account of the adjournment.
2nd.	0	0	39	8	70	3	51½	1	...	52½	24	28*	...	164	163	...	18	4	...	...	3,479	9	5	7	...	...	...	
3rd.	0	0	82	12	76	44	44	40	...	84	45	39*	...	207	227	...	38	22	...	...	3,438	1	2	6	...	...	...	
4th.	0	0	86	12	115	27	82	25	...	107	45	62*	...	319	313	...	61	17	...	...	15,897	2	0	5	...	...	...	
Total..	258	74	275	51	375	80	241½	71	203	312½	159	153*	41	943	971	13	145	38	43	226	34,000	4	2	23	...	...	...	

Synoptical view of the state of the File of Original and Appeal Suits in 1858.

1	2	3	4	5	6	7	8
Number of Suits remaining on 1st January 1858 Original and Appeal.	Number of Suits filed in 1858 Original and Appeal.	Total Suits pending and filed in 1858 Original and Appeal.	Disposed of in 1858 Original and Appeal.	Remaining on 31st December 1858 Original and Appeal.	Reduction of File in 1858 Original and Appeal.	Suits filed in 1857 Original and Appeal.	Difference between columns 2 and 7 shewing increase of Suits filed in 1858 Original and Appeal.
332	326	658	455	203	129	292	34

VIZAGAPATAM,
3rd February 1859.

(Signed) W. SLOAN,
Principal Sudr Ameen,

No. 19. From ANDW. N. MAGRATH, Esq., Director General, Medical Department; to the Chief Secretary to Government, Fort Saint George, dated 25th February 1859, No. 39.

SIR,

With reference to Minutes of Consultation, No. 44, 13th Ultimo, Judicial Department, and the order of Government thereon, I have the honor to forward the required Statement from
No. 92, 15th Instant. the Superintending Surgeon Northern Division, regarding the habits of Mr. Sloan, Principal Sudder Ameen at Vizagapatam.

Dated 31st Ultimo 2. I have also the honor to forward an explanation from Assistant Surgeon Blackwell regarding the Certificate, dated 22nd July granted by him to Mr. Sloan, and which Certificate was severely commented upon by the Court of Sudder Udalut in their Proceeding No. 126, 20th December 1858, 3rd para.

3. The explanation of Assistant Surgeon Blackwell appears to be perfectly clear and
* 22nd July. satisfactory. The Certificate in question* is in the form usually made use of for Uncovenanted Officers, to account for absence from duty while sick. The Certificate marked F, was furnished by Mr. Blackwell in accordance with the provisions of the Uncovenanted Absentee Rules alluded to by the Civil and Session Judge in his letter No. 242, 3rd August 1858; but it does not appear that Mr. Sloan ever forwarded this Certificate in applying for retrospective leave.

4. I trust that with this explanation, Government may be pleased to exonerate Mr. Blackwell from all blame in the matter. It is very clear that he made no effort to conceal the real state of his patient Mr. Sloan, in any of the Certificates, furnished to that Officer.

From J. H. BLACKWELL, Esq., Civil Surgeon; to the Senior Surgeon in charge of Superintending Surgeon's Office, Northern Division, Vizagapatam, dated 31st January 1859.

SIR,

In the Extract from Minutes of Consultation of the Sudder Udalut, No. 44 of 13th January 1859, which you have done me the honor to forward for my information, I observe with much regret, that the Judges of the Court have animadverted in severe terms on the Certificates furnished by me in the case of Mr. Sloan, Principal Sudr Ameen of Vizagapatam.

Believing that this opinion was expressed on imperfect information of the facts of the case, I trust I may be permitted without presumption, to offer some explanation which may remove the painful impression that I intentionally desired to suppress the real facts connected with Mr. Sloan's illness.

I was called upon to attend Mr. Sloan on the 8th July and seeing he was "unfit for duty," I forwarded the Certificate marked A to his immediate superior Mr. Glass, Civil and Session Judge of Chicacole. On the 22nd July he was so far recovered as to be "fit for duty" and I accordingly forwarded the Certificate marked B to the Civil Judge.

Regarding these Certificates I beg to offer a few words of explanation. They are according to the form in use in all cases of sickness of Uncovenanted Officers in the Department under my charge. Certificates of a similar nature are in use in the Military Department, and according to Regulations are forwarded when an Officer is put on, or taken off "sick list," and are intended merely to account for an Officer's absence from duty or office. It is unusual in any Certificate to detail the cause of illness, unless to accompany an application for sick leave. These Certificates have no connection with any application for "leave of absence," it is obviously impossible they could have any, and were never intended to support any such application either for prospective or retrospective leave of absence, about which in Mr. Sloan's case, I had never been consulted, and had never given any opinion. These two Certificates were forwarded as on former occasions and once under precisely similar circumstances, direct to the Civil Judge at Chicacole by myself, without the least conception on my part, that either of them was to be used for the purpose of obtaining retrospective leave of absence.

On the 9th August, I received from the Principal Sudr Ameen the letter marked C with enclosures D and E. In these letters I am referred to the Uncovenanted Rules for sick leave, and accordingly had no hesitation in at once forwarding the required Certificate marked F enclosed in a letter G, both dated 10th August, to the Principal Sudr Ameen direct, but this

document does not seem to have been forthcoming with his application for leave of absence during the time he was on sick list.

On the 7th August, my attention had been called to the form of Certificate required in the Principal Sudr Ameen's case, to support an application for retrospective leave of absence for the days he was under my professional care, by a letter from the Civil Judge marked H and he accompanied his letter by a copy of letter to the Principal Sudr Ameen E. Up to this time I beg leave to state, that I had not heard the slightest mention of any leave of absence depending on a Certificate from me, having been applied for, or that it was necessary in the case. No suggestion of the kind had emanated from me, or I should have accompanied it with the proper case and Certificate requisite on such occasions.

On the 10th October, I received the letter marked I, from the Civil Judge of Chicacole, and next day forwarded in reply, copies of all Certificates granted by me in the case of the Principal Sudr Ameen.

The above are the facts of the case, and I forbear making further comment, feeling satisfied that when they are known I shall be acquitted of the imputation of having in the smallest degree been accessory to withholding any information which it was my duty to afford.

I trust I may solicit the favor of you forwarding this explanation to the Director General Medical Department, with a view to its being laid before Government, and the Judges of the Court of Sudr Udalut.

A.

I hereby certify that Mr. W. Sloan, Principal Sudder Ameen of Vizagapatam is incapacitated by indisposition from the present performance of his duty.

Vizagapatam, 8th July 1858. } (Signed) J. H. BLACKWELL, *Civil Surgeon.*

B.

I hereby certify that Mr. W. Sloan, Principal Sudr Ameen of Vizagapatam was taken ill on the 8th July 1858 is now recovered and equal to the performance of his duty, having been 15 days under treatment.

Vizagapatam, 22nd July 1858. } (Signed) J. H. BLACKWELL, *Civil Surgeon.*

C.

From W. SLOAN, Esq., Principal Sudr Ameen of Vizagapatam; to J. H. BLACKWELL, Esq., Civil Surgeon, Vizagapatam, dated 9th August 1858, No. 262.

SIR,

I beg to enclose copy of a letter from me, dated 31st July 1858, No. 248 to the Civil Judge, and of his reply, dated 3rd Instant, No. 242, and to request that you will be pleased to favor me with the Certificate required.

D.

From W. SLOAN, Esq., Principal Sudr Ameen of Vizagapatam; to E. B. GLASS, Esq., Civil Judge of Chicacole, dated 31st July 1858, No. 248.

SIR,

With reference to the Certificates of the Civil Surgeon, dated 8th and 22nd Instant, I beg to request that you will be pleased to obtain for me retrospective occasional sick leave from the 8th to the 21st Instant, both days inclusive, or for 14 days, agreeably to the proceedings of the Right Honorable the Governor General of India in Council in the Financial Department under date 12th June 1857, which leave, I trust may be granted as it was last year when applied for in my letter of the 3rd November 1857, No. 401, without loss of allowances.

You will observe from my letter of the 23rd Instant No. 238 that I received charge on the 22nd.

I would observe notwithstanding my illness, I passed 20 Decrees on merits in this month, or 5 more than the prescribed standard.

(True Copy.) (Signed) W. SLOAN, *Principal Sudr Ameen.*

E.

From E. B. GLASS, Esq., Civil Judge of Chicacole; to the Principal Sudr Ameen of Vizagapatam, dated 3rd August 1858, No. 242.

SIR,

With reference to your letter of the 31st Ultimo, I have the honor to inform you that in the present case the orders of the Financial Department, under date 12th June 1857, will not apply to the solicited retrospective leave you require! Your absence during the last month should be reckoned as pointed out in the Uncovenanted Service Absentee Rules, therefore you must furnish, and submit a Certificate from the Medical Officer distinctly stating, from observation, the nature of the disease, and the symptoms by which it is manifested, and the causes by which it had been probably produced &c., &., &c., as laid down in Section IV, and particularized in Sections III and IV, Chapters I and II of the Absentee Rules, and also state the cause of your not reporting on the 22nd July that you have taken charge, if such was the case, according to the practise of Courts.

(True Copy.)

(Signed) W. SLOAN,
Principal Sudr Ameen.

F.

I certify that Mr. W. Sloan, Principal Sudr Ameen of Vizagapatam was on the sick list, and under my professional charge and daily observation from the 8th to the 22nd July inclusive.

He was suffering from an attack of Delirium Tremens accompanied by the usual symptoms great restlessness, sleeplessness, tremor of the hands, incoherence of speech, unusual loquacity, suspicion of those about him, fear of impending danger and some violence, rendering the presence of a European attendant necessary.

I attribute this attack to the use of intoxicating liquors.

Vizagapatam,
10th August 1858.

(Signed) J. H. BLACKWELL,
Civil Surgeon.

G.

From J. H. BLACKWELL, Esq., Civil Judge; to the Principal Sudr Ameen, Vizagapatam; dated 10th August 1858, No. 37.

SIR,

I beg to forward the accompanying Certificate made out in strict accordance with the forms and instructions laid down in Section IV, of Chapter II, of the Uncovenanted Service Absentee Rules.

H.

From E. B. GLASS, Esq., Civil and Session Judge of Chicacole; to J. H. BLACKWELL, Esq., Zillah Surgeon, Vizagapatam, dated 3rd August 1858, No. 243.

SIR,

I have the honor to acknowledge the receipt of your letter under date 31st Ultimo, and from its contents am quite satisfied you had no intention of any, or disrespect, as stated! I have now however the honor to enclose a copy of a letter sent to the Principal Sudr Ameen of this day's date, and to request your attention to Section IV, Chapter II, for sick leave, of the Uncovenanted Service Absentee Rules, which will distinctly point out *what form*, as well as what is the nature of Certificate required, in the present case; as regards the absence from duty of the Principal Sudr Ameen.

I.

From E. B. GLASS. Esq., Civil Judge of Chicacole; to J. H. BLACKWELL, Esq., Zillah Surgeon, Vizagapatam, dated 7th October 1858, No. 311.

SIR,

I have the honor to request you will be so good as funish this Court, with copies of all

Certificates you may have given regarding the illness and absence from his Court of the Principal Sudr Ameen Mr. Sloan up to this date, as they are required for reference.

(True Copies.)

(Signed) J. H. BLACKWELL,
Civil Surgeon.

Vizagapatam,
31st January 1859.

From FREDERICK COOPER, Esq., Superintending Surgeon, Northern Division; to the Secretary to the Director General, Medical Department, Madras, dated Waltair, 15th February 1859, No. 92.

SIR,

On my return from my tour of inspection to the southward, I found your Official Memorandum of the 21st January 1859, with enclosures from Minutes of Consultation dated 13th January 1859, and I find that Mr. Blackwell, Civil Surgeon, has replied to the remarks relating to himself.

With regard to Mr. Sloan's habits previous to the panic which prevailed at Vizagapatam in 1857, I am not aware that he was supposed to be of intemperate habits, but some time subsequent thereto, Assistant Surgeon Blackwell mentioned to me that Mr. Sloan was suffering from Delirium Tremens, the result of intemperance. I did not hear again any thing further of Mr. Sloan's illness till it became necessary to put him under restraint, at which time, Mr. Blackwell furnished Mr. Sloan with a Certificate which set forth the nature and the cause of the malady—the malady appeared to me to be of that character called Oinomania, in which an irresistable longing for intoxicating liquors comes over the patient at uncertain periods; the unfortunate party being able for a time to abstain altogether from fermented liquors.

No. 20. ORDER THEREON, No. 394; dated 24th March 1859.

In Extract Minutes Consultation, No. 44, dated 13th January last, Mr. Sloan, the Principal Sudder Ameen of Vizagapatam was called upon to answer an Extract from the Proceedings of the Sudder Udalut, in which it was reported, that he had been suffering from *delirium tremens* caused by intemperance, and further, that for some time past his excessive use of intoxicating liquors had been such as to bring contempt upon him, as a Judicial Officer. In the same Extract, the Superintending Surgeon of the Northern Division was required to state whether Mr. Sloan's habits had been such as they were represented by his immediate superior, the Civil Judge of Chicacole.

2. The Superintending Surgeon now reports that in the summer of 1857, previously to which he never heard any accounts of Mr. Sloan's intemperance—the Principal Sudder Ameen was brought by intemperance into the same state as is described in Dr. Blackwell's Certificate of August 1858, transmitted by the Sudder Udalut; and the Government therefore are constrained to believe that Mr. Sloan is now a confirmed victim to the degrading vice of intemperance, and this belief is in no way shaken by a perusal of his ingenious defence. He has referred to the *efficient* state of his Court, but on that point the Government must be guided by the contrary opinion very strongly expressed by the Sudder Udalut on the 17th May last, as quoted by the Civil Judge of Chicacole in his letter above recorded.

3. The Sudder Udalut will inform Mr. Sloan that the Government consider him disqualified for his post, from which he is accordingly removed from the date of the receipt by him of this Resolution, copy of which will be communicated to him by the Higher Court. The Sudder Udalut will take measures for the charge of the Vizagapatam Jail and the proper custody of the records of the Principal Sudder Ameen's Civil Court, pending the arrival at the station of a successor to Mr. Sloan.

4. Referring to one of the Certificates furnished Mr. Sloan by the Civil Surgeon, the Sudder Court observed that it was not such a document as it was proper for him to grant. Dr. Blackwell's explanation will be transmitted to the Court for their information, and with the remark that the Government consider it satisfactory.

(Signed) T. PYCROFT,
Chief Secretary.

Exd, F. Cartledge.

the Sud^r Court observe, that my "habitual
"intemperance appears to have been long
"notorious"

6 In connection with this observation
I shall reply to the first charge.

7 In what manner my habits have
been manifested so as to render my habi=
-tual intemperance long notorious is not
stated. I am not accused of appearing
in public or in Court in a state of intox=
=ication, and no instance is specified of
my having exposed myself from such a
cause, beyond the allegation of my having been
attacked with delirium tremens.

8 The community of Vizagapatam
may be divided into three classes viz^t
Europeans in Society, so the term is commonly
understood 2^d Europeans not in Society
and East Indians, and 3^d Natives of all
ranks.

9 I have very little communication
with the 1^st class. The Inmates composing
it

it known personally little or nathing of
me, consequently whatever may have been
the subject of discussion concerning me
in their circles, could only have been found-
-ded on hearsay, and could not have
been known from personal observation.
The most absurd rumours have in many
instances, in every part of the world, gone
abroad, and been propagated concern-
-ing individuals, and if we were to form
our opinions of the characters of one another
upon no better foundation, it is undeni-
-able, that we would often find ourselves
mistaken, and might have cause to
regret our unjust impressions.

10 Among the 2d class are some
of my friends with whom I have asso-
-ciated on terms of intimacy, who have
known me for years, and are acquainted
with my habits, and they declare, that
they are prepared to make oath that
they

42 In support of this assertion I would
beg once more to be allowed to quote from
Dr Blake, who says at page 5 of the same
work, "When we consider the general habits
"of persons residing in the West Indies" (and
these remarks it must be remembered, are
equally applicable to persons residing in
the East Indies), "we must take it for
"granted that the Emaciative diatheses, &c
"exists in most persons who have sojourned
"there for any length of time; in coming
"to this conclusion, we must however recollect
"that to induce the state of constitution fa-
-vorable to the development of deliriums
"tremens, it is not necessary, that individuals
"should be of those habits which would en-
-title them to the Appellation of drunkards;
"all that is required is, that persons should
"accustom themselves to take a certain quan-
-tity of diffusible stimulus daily, perhaps
little

"little more than sufficient to remove those
"feelings of debility which are induced by the
"effects of the climate, and which, as they
"are indirectly increased by the means used
"for their relief, require a gradual increase
"in the quantity of stimulus taken, to keep
"up the feeling of benefit afforded by them.
"Under such circumstances, any sudden ces-
"sation, or material diminution of the stimulus
"thus habitually taken, will be felt in a strong
"degree by the nervous system; and should
"depletion be used at the same time, the
"nervous and sanguineal powers, already
"deprived of their accustomed stimulus,
"may be so reduced as to be unable to main-
"tain the reasoning faculties unimpaired,
"and thus the development of delirium may
"be hastened."

43 Were an Officer at a Court Martial tried for disqualifying himself for the per-
formance

performance of his duties, by inducing an attack of delirium tremens, would he not be entitled to plead the above theary as an extenuation, for the purpose of shewing that the attack might, so far as its immediate inducement is concerned, be as respects his own act, not criminally voluntary; & that it might have never occurred, had not the sudden cessation, or diminution of the stimulus, perhaps indulged in for a life time, in common with his Judges, and probably in common with the Medical Officer who may have certified against him, led to its development, after an attack of some other disease, which, by reducing the nervous and sanguineal powers, may have paved the way for the derangement of the equilibrium of the reasoning faculties?

44 Were such a plea advanced, would not his Judges be bound to ascertain whether the Prisoner had become the victim of his own

own act, or whether he were not in reality the victim of the ravages of society, which by tending to foster the rheumatic diathesis, prepares the way for the attack of this disease, among thousands who may have never thought that they were ever in danger from it.

45. Many other instances, which inference and imagination will readily suggest, might be adduced, but regard to decency compels me to withhold them.

46 As already stated, my nervous system was completely disorganized, and I was in a very unstable state days previous to the attack and in the absence of any proof of overt intoxication, why the above view of the cause of the disease should not apply, instead of the worst inference that can possibly be deduced, is a subject which I would beg most respectfully to submit for the consideration of His Lordship in Council.

Before

13-

Extract from the Proceedings of the Sudder Adalut under date the 17th May 1858.

Read return and Supplemental return dated respectively 16th April and 3d May 1858 from the Civil Judge of Chicacole, to the precept of the Sudder Adalut under date the 31st March 1858, calling for explanation regarding the arrears in the Courts of the Principal Sudder Amin of Vizagapatam and District Moonsiffs of Rajavarum.—

1. The Court of Sudder Adalut consider the explanation of the Principal Sudder Ameen to be very far from satisfactory. His illness for a portion of the time, is no excuse for his not devoting the remainder to the particular work to which his attention was directed viz. the clearing off of old Suits, and his attempt to show, that notwithstanding such illness, he did the prescribed amount of work, is at once inconsistent, and disingenuous, as exposed by the Civil Judge, who points out that of the 63 Decrees, to which the Principal Sudr Ameen refers, 25 were "irregularly prepared, merely for the purpose of making up the number." The

introduction

introduction of the long attack upon his Serishtadar, the Court consider, also to be entirely beside the question, and made at a time, and under circumstances, calculated to create strong doubts as to its real motives.—

3 The records of the Court for the last two years, do not exhibit Mr. Sloan, in a favorable light, as a Public Servant, and the Sudr Adalut direct that it be pointed out to the Principal Sudr Ameen, that if they should again have occasion to find fault, the matter will be brought under the notice of Government.—

(True Extract)
(Signed) C. F. Chamier
Acting Register

To,
The Civil Judge of
Chicacole.—

(True Copy)
Edwd Bluss
Civil Judge

L. S.

No. 298
Civil Court

To, The Principal Sudr Ameen
of Vizagapatam.—

Herewith you will receive an Extract from the Proceedings of the Civil Court of Chicacole of this date, to the orders contained in which you are required to conform returning this Receipt so executed or good and sufficient reason why it has not been executed, and what you may have done in pursuance hereof within 3 days from and after it receipt.—

Given under my hand and the Seal of the Court of Chicacole this 27th. day of September 1858.—

(Signed) E. B. Glass
Civil Judge—

Received 6½ P.M.
28th. Septr 58
(Signed) W. Sloan
Princl. Sudr Ameen

Judicial Department
Enclosure No 1
In a letter from the Civil Judge of Chicacole, Dated 27th January 1859
No 28
Ans

Civil Court of Chicacole
Agent of 1858

Copy of the Proceedings of the Civil Court held at Chicacole on Friday 17th September 1858
Relating to the Records of Mutt Land for the last two years
Do make over to Boy Gooroo in favorable light, as public servant and that they should again find fault the matter will be brought under the notice of Government—

Exd
cic No 105

The Principal Sudr Ameen begs to acknowledge the Receipt which accompanied forwarding copy of an Extract from the Proceedings of the Sudr Adalut dated 20th Ultimo, requiring to be informed why he did not apply for permission to absent himself from his duties in the manner prescribed in the rules for regulation of leave of absence of uncovenanted Servants (Sections 1 & 4).—

The Principal Sudr Ameen regrets to be obliged to confess that he has committed an error in omitting to follow up his intention of applying for retrospective leave embracing the period of his illness, and in connection with reference to Para 3 of the Proceedings of the Sudr Court dated 12th August last wherein it is observed that "Mr. Sloan has rendered himself subject to the forfeiture of his Salary for such period of absence," the Judges are pleased to consider notwithstanding the correspondence on the subject, that it

it is not yet too late to apply for such leave, he will be prepared to submit an application in due form.—

Given under my hand and the Seal of the Principal Sudr Ameens Court at Vizagapatam this 1st day of October 1858.—

Signed W. Sloan
Princl Sudr Ameen

(True Copies)
Edwd Wilson
Civil Judge

No. 92

To
The Secretary to the Director General,
Medical Department
Madras

Sir,

On my return from my tour of inspection to the southward, I found your official Memo of the 21st. January 1859 with enclosures from Minutes of Consultation dated 13th January /59, and I find that Mr. Blackwell, Civil Surgeon has replied to the remarks relating to himself.

With regard to Mr. Sloan's habits previous to the panic which prevailed at Vizagapatam in 1857, I am not aware that he was supposed to be of intemperate habits, but some time subsequent thereto, Assistant Surgeon Blackwell mentioned to me that Mr. Sloan was suffering from Delirium Tremens, the result of intemperance. I did not hear again anything further of Mr. Sloan's illness till it became necessary to put him under restraint, at which time, Mr. Blackwell furnished Mr. Sloan with a certificate which set forth the nature and the cause of the malady - the malady appeared to me to be of that character called Oinomania, in which an irresistable longing for intoxicating liquors comes over the patient at uncertain periods: the unfortunate party being able for a time to abstain altogether from fermented liquors.

I have the honor to be,
Sir,
Your most obed't Hum't.
Jas. Cooper
Supg. Surgeon N.D.

Madras
S. G. Office N. D.
15th February 1859

1859
Judicial Department
Enclosure of No. 3.
In a letter from the Civil
Surgeon of Vizagapatam dated
27th January.
No 28
do

Copy of the Proceedings of Government in the Judicial Department dated 2nd February 1859.
No 92

Copy of the Proceedings of Government in the Judicial Department dated 2nd February 1859.
No 92

Med. Department

No. 187-233-324

From the Civil Surgeon of Chicacole
Dated 27th Jany 1859.

From the Principal Sea Surgeon of Vizagapatam
Dated 5th February 1859.

From the Director General Medical Department
Dated 25th February 1859.

For Orders.

Dr Sloan's defence is too good-
the only fact known which tells is
that Lieut. Blackall's anticipated
hyne Ext. is Dr Blackall's anticipated
of Dehrmine treatment -
he ordered ci fusion on selves side
tion of habitat & debility & the contrary-
for Sloan made Diagnosis why he did

(Medl)

No. 536.

1859.

Dated 15th Feby
Rec'd 21st do

Submitting for information, a Statistical Return of Hospital Cases & Deaths of Invalids & Recruits, Natives & Europeans, & Casualties of the Corps of Sappers & Miners & Pioneers for the Month of January 1859.

Copy
in Lr No 324.

but forward Dr Blackwell's anticipated
at print.

These papers go far to give a moral
probability of the Shamir suppositious fiction
opinion - which opinion that he ought
to be removed - but I cannot think - that
the case has been very clearly proved -

Dr Blackwell's explanation appears
technically correct - I do not know from hence
learned Judge more -

H

I think Dr Blackwell has fully justified
his proceedings & cannot be considered
amenable to blame
It will be for the Judges of the Ld Court before
he [illegible] to pronounce on the

the strictness of the 1st Ld Amicus Pro
I think Dr B. & Plaintiff's solicitor
the Sunday - have already advised
Ld J. adjourned. it is necessary we
should lay the letter now received before
him to-morrow! - Dr B. letter or report
both by him should be kept for
both by him should be kept for

Well.

I think Dr Blackwell's & Plaintiff's
satisfactory - and I have no doubt of the
Shamir being a compromise Defendant
- but he should decline to decide for
making so many ingenious & diffuse -

H

Judicial Dept[t] 20

No 394

Mil. D/24th March 1859

Read the following letters.

From the Civil Judge of Chicacole } D/27th Jan[y] 3/59 No 28

From the P.S.A. Vizagapatam } D/8th Feb[y] 59 - No 34

From Director Genl. Medical Dept } D/25th Feb[y] 59 - No 39.

In Mil. No 444 d/18th Jan[y] last, Mr Sloan, the P.S.A of Vizagapatam was called upon to answer an Ext. from the Prosp of the Sudder Adalut, in which it was reported, that he had been suffering from delirium tremens caused by intemperance, & further, that for some time past his excessive use of intoxicating liquors had been such as to bring contempt upon him, as a Judicial officer. In the same Ext, the Supt Surgeon of the Northern Division was required to state whether Mr Sloan's habits had been such as they were represented by his immediate superior, the Civil Judge of Chicacole.

2. The Supt Surgeon now reports that in the summer of 57 - previously to which he never heard any accounts of Mr Sloan's intemperance — the P.S.A was brought to intemperance into the

same state as is described in
Dr. Blackwell's certificate of August
/58 transmitted by the Sudder Udalut;
and the Govt. therefore are constrained
to believe that Mr. Sloan is now a
confirmed victim to the degrading
vice of intemperance, and his
relief is in no way shaken by a
perusal of his ingenious defence.
He has referred to the efficient state
of his Court, but on that point the
Govt. must be guided by the contrary
opinion very strongly expressed by
the Sudder Udalut on the 17th
May last, as quoted by the Civil
Judge of Chicacole in his letter
above recorded.

3. The Sudder Udalut will inform
Mr. Sloan that the Govt. consider him
disqualified for his post, from wh.
he is accordingly removed from
the date of the receipt by him of this
Resolution; a copy of wh. will be
communicated to him by the Register Court.
The Sudder Udt. will take measures
for the charge of the Kings Cutcherry &
& the proper custody of the records of
the C.S.A.J. Court, pending the arrival
at the station of a successor to Mr. Sloan.

4. Referring to one of the Certifi-
cates furnished Mr. Sloan by the
Civil Surgeon, the Sudder Ct observed
that it was not such a document
as it was proper for him to grant
Dr. Blackwell's explanation will
be transmitted to the Ct. for their
information, & note the remark
that the Govt. consider it satisfac-
tory.

J. Y. C. 10/3/59.

21.

To the Sudr Udalut. with letter N° 394 & its Enclosures
" Dr Jen and Depart.
} Despd 20th

Dy to Cons: 28 March

Judicial Department

No 394

Extract Mins Consultation

Dated 24 March 1859

Observing that under the Statement made by the Surgeon of No 1 Div: the Govt are constrained to believe that Mr Sloan is now a confirmed victim to the degrading vice of intemperance and that this belief is in no way shaken by a perusal of his ingenious defence Direct the Sudr Board to inform Mr Sloan that the Govt consider him disqualified for his post viz Principal Sudr Ameen of Vizagapatam

Jud Dept to Govt 18 Jany No 14 of 1860

Replied to Ct No 12 of 1860

from which he is accordingly removed from the date of the receipt by him of this Resolution and transmitting to the Court Dr Blackwall's Application regarding the Certificate granted by him to Mr Sloan

17 @ 20