M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1532 Press ~~Mis.~~

61-62

Dated 23-11-~~19~~ 1857

Not to be folded or roughly handled

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1539

No. 61. Read the following letter from C. F. CHAMIER, Esq., Acting Register to the Court of Sudder Udalut ; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 7th November 1857, No. 109.

1 Civil Judge's letter, dated 26th September 1857.
2 Extract Proceedings Sudr Udalut, under date 12th October 1857.
3 Civil Judge's letter, dated 23rd October 1857.
4 Extract Proceedings F. U. under date 7th November 1857.

SIR,

1. I am directed by the Judges of the Sudr Udalut to forward, for the information and orders of the Government, the papers named in the margin, having reference to the state of feeling existing between Messrs. Cook and Holloway, the Civil and Subordinate Judges of Calicut.

2. The Judges at first entertained the hope that the desire to promote the public interests, by which both those Officers are actuated, would have induced them, on reflection, to lay aside their personal differences, and cordially to co-operate with each other in the performance of the duties jointly devolving upon them ; but from the sensitiveness evinced by Mr. Cook, in his last letter, it is clear to the Judges, that there is no probability of their expectations being realized, and they therefore deem it advisable that these Officers should be separated before any public detriment occurs from the absence of that harmony which, in persons occupying their relative positions, is essential to the proper discharge of their important functions.

3. The Judges direct me to suggest that the end in view might at once be attained by exchanging Mr. Cook to the Judgeship of Mangalore, and appointing Mr. Chatfield, who has only recently been promoted, to the Judgeship of Calicut.

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

Memo. of the Acting Puisne Judge.

I concur in the above letter, but think it but fair to the Subordinate Judge to forward to Government, an Extract from Mr. Cook's sentence in case No. 48 of 1857, the Inspector of Prisons' letter, 15th October 1857, and as these papers show that Mr. Holloway has profited by the caution contained in the Sudr Udalut Extract, 12th October, and under circumstances of considerable provocation, has left his case entirely in the hands of the Foujdaree Udalut, instead of hastily volunteering any vindication of his conduct. I therefore wish this memo: to accompany the letter.

(Signed) T. W. GOODWYN,
Acting Judge.

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

No. 62. ORDER THEREON, No. 1532 ; dated 23rd November 1857.

With the above letter, the Court of Sudr Udalut submit papers having reference to the state of feeling between Messrs. Cook and Holloway, the Civil and Subordinate Judge of Calicut, and express their opinion, that those Officers should be separated before any public detriment occurs from the absence of that harmony which in persons occupying their relative positions, is essential to the proper discharge of their important functions. The Judges suggest that the end in view might be at once attained by exchanging Mr. Cook to the Judgeship of Mangalore and appointing Mr. Chatfield who has only recently been promoted, to the Judgeship of Calicut.

2. The Right Honorable the Governor in Council has carefully perused these papers and has seen with much regret the feeling therein evinced as obtaining between functionaries whose cordial understanding is obviously so essential for the public interests. He is not however satisfied that it would be right to remove Mr. Cook only, although that measure would doubtless prevent further collision between the parties. Mr. Cook has certainly exhibited undue sensitiveness and the tone of his writing more particular in his proceedings of 23rd September last,

cannot be approved. On the other hand it is to be remembered that the controversy which has led to the present reference to Government originated with Mr. Holloway who is stated by the Sudr to have been in that instance wrong throughout, and his comments on the case to have been very objectionable in tone. If the Governor in Council deemed it absolutely necessary to act on the present occasion he would feel called upon to remove both Messrs. Cook and Holloway to other Zillahs, and if he now forbears to take that step it is only in the hope that those gentlemen will for the future so rule themselves as to abstain from all that can annoy or irritate each other, and will work together zealously and harmoniously for the good of the service. The Sudr will be pleased to communicate these orders to Mr. Cook and to Mr. Holloway.

(Signed) T. PYCROFT.
Chief Secretary.

Exd. F. Cartledge.

Registered No. 1/

HON'BLE EAST INDIA COMPANY'S ELECTRIC TELEGRAPH

Messages, (not exceeding 16 words,) can be sent any distance not exceeding 400 Miles, at a charge of 1R
Ditto. . . . . Ditto. . . . . Ditto 800 " " 2 "
Ditto. . . . . Ditto. . . . . Ditto 1,200 " " 3 "
Ditto. . . . . Ditto. . . . . Ditto 1,600 " " 4 "
No charge made for delivery within half a mile of the office; a charge of 4 annas a mile for distances beyond that.

Message from Calicut Jurory 13 Jan 12.40 pm To Madras
From H. D. Cook To Chief Secretary
Number of words 39 R ~~Prepaid, Repetition Price~~

I respectfully appeal against the decision of the F. A. in recommending my case to be changed to Ootacamund alone. It was me to be changed to Ootacamund alone. It was the Sub Judge not I who first began. I beg the Government to peruse the whole correspondence which follows.

Rec'd at 7.20 pm
Sent 7.30 "

Electric Telegraph Office, MADRAS. The 13th of Jan 1857.

C. Preston
Head Assistant E. T. Office

No inquiry respecting this Message can be attended to without the production of this Paper
N. B—Please enter time of delivery
Despatched

Seeking between a Mr Post

Exd. F. Cartledge.

Registered No. 67

HONBLE EAST INDIA COMPANY'S ELECTRIC TELEGRAPH

Messages, (not exceeding 16 words,) can be sent any distance not exceeding 400 Miles, at a charge of 1 R
Ditto. . . . . Ditto. . . . . Ditto 800 " " 2 "
Ditto. . . . . Ditto. . . . . Ditto 1,200 " " 3 "
Ditto. . . . . Ditto. . . . . Ditto 1,800 " " 4 "
Ditto. . . . . .
No charge made for delivery within half a mile of the office; a charge of 4 annas a mile for distances beyond th

Message from Calicut Judge — To Madras
Dated 12-4-30
From H. E. Dibdin — To Chief Secretary

Number of words 38 — Prepaid, Repetition Price Service

I respectfully Appeal against the decision of the T. A. in recommending me to be charged to Calicut alone. It was the Sub Judge not I who first began. I beg the Government to peruse the whole Correspondence which follows.

Electric Telegraph Office,
MADRAS.
The 14th of April

L. Miller
Head Assistant [redacted] Office

No inquiry respecting this Message can be attended to without the production of this Paper

Despatched 8-30 A.M.

N. B—Please enter time of delivery

Exd. F. Cartledge.

Registered No. 239

HON'BLE EAST INDIA COMPANY'S ELECTRIC TELEGRAPH

Messages, (not exceeding 16 words,) can be sent any distance not exceeding 400 Miles, at a charge of 1R
Ditto. . . . . Ditto. . . . . Ditto 800 " " 2 "
Ditto. . . . . Ditto. . . . . Ditto 1,200 " " 3 "
Ditto. . . . . Ditto. . . . . Ditto 1,600 " " 4 "
No charge made for delivery within half a mile of the office; a charge of 4 annas a mile for distances beyond that.

Message from Calicut | To Madras
From Cook Esquire | To Chief Secretary
Number of words 11 | Prepaid, ~~Repetition Price~~

Reconciled - Sub judge and self will Co-operate in our public duty.

Rec'd 10/11/57 Good boy!
Cheer little fellow!

Electric Telegraph Office,
MADRAS.
The 17 of Nov 1857.

J. Miller
Head Assistant E. T. Office

No inquiry respecting this Message can be attended to without the production of this Paper
Despatched 11.45 P.M.
N. B—Please enter time of delivery

Exd. F. Cartledge.

For orders.

5

If the recommendation of the Secretary of Legation is approved, the change of Judgeships between Messrs Cook & Whitfield can be made at once, as the latter has not left Tellicherry yet to take up his post at Mangalore. Ellis

Appointments can be made in the Secretariat Department from the 1st July

Exd. F. Cartledge.

has been very aggravating
& the effect of the removal
will be ~~to make it appear~~
that he is in the right
& the Court guilty in the wrong

~~but which is to be~~
done. As Defendant
declares he cannot get on
with Mr H— & who has
done nothing to cause
his removal— the
only way therefore left

Exd. F. Cartledge.

to assist Mr— both of
his Counsel is to do as
requested—

Will—

12th

It is quite clear that these
Gentlemen must be separated
or the public service must
suffer but only one effect can
be given to Mr Rathbone's & Mr Cooke's letters
Sub Judge instead of removing
Mr Cook & thus making it appear
that he is the culprit & not Mr Hall
Mr Rathbone—

Exd. F. Cartledge.

Jud. Depart.

No. 1532

Extract from the Minutes of Consultation
Dated 23d November 1857.

Read the following letter
from the Register to the
Court of Sudr Adalut.

Fort St. George 7th Novr 1857.

With the above letter
the Court of Sudr Adalut
submit papers having
reference to the state of
feeling between Mr. Cox
Cook and Holloway the
Civil and Subordinate
Judge of Cuddapah, and
express their opinion,
that those Officers should
be separated before any
public detriment accrues
from the absence of
that harmony which
in persons occupying
their

their relative positions, is essential to the proper discharge of their important functions. The Judges suggest that the end in view might be at once attained by exchanging Mr. Cook to the Judgeship of Mangalore and appointing Mr. Chetfield who has only recently been promoted, to the Judgeship of Calicut.

2. The Right Honble the Governor in Council has carefully perused these papers and has seen with much regret the feeling therein evinced as obtaining between Functionaries whose cordial understanding is obviously so essential for the public interests. He is not however satisfied that it would be right to remove Mr. Cook only, altho

altho' that measure would doubtless prevent further collision between the parties - Mr. Cook has certainly exhibited undue sensitiveness and the tone of his writing more particular in his proceedings of 23d September last cannot be approved. On the other hand it is to be remembered that the controversy which has led to the present reference to Government originated with Mr. Holloway who is stated by the Judges to have been in that instance wrong throughout - and his comments on the case to have been in tone very objectionable. If the Governor in Council determined it absolutely necessary to act on the present occasion he would feel called upon to

to remove both Messrs Cook and Holloway to other villages - and if he now forbears to take that step it is only in the hope that those gentlemen will for the future so rule themselves as to abstain from all that can annoy or irritate each other, and will work together zealously and harmoniously for the good of the services The Govr will be pleased to communicate these orders to Mr. Cook and to Mr. Holloway.

J P

To Govr Auda Cut 12 Cutlers with the papers returned } Disp.d 20.t

Dy to Cons-24th Nov.
Judicial-1857 depart.

No. 1532

Extract Mins: of Cons:

24/23d November/57

61 & 62