

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	680	Press
		~~Mis.~~
	2-10	
Dated	13-6-1918	

Not to be folded or roughly handled

680
Re

from visiting the Kulhatty public Bungalow, the milkmen, with all their caste, met me on the high road, threw off their turbands, and fell down in a body before my horse. I am in the habit of receiving all appeals and petitions, which seem true, at all times, whether in or out of office. I could not refuse this, pressed with much earnestness and apparent distress. I heard all they had to say, at the time, received their written petition on the spot, and riding straight to the Tahsil-dar's Cutcherry, tested their statement, and learnt nearly all particulars from the head of Police, and the Cutwall, both of whom Colonel Cameron has always characterized as most respectable Officers. Being about to return to Coimbatore within a short time, (my month's leave being nearly expired,) and thinking to effect some amicable settlement between Colonel Hadfield and the milkmen, (the merits of whose case, and land-rights, I well knew,) and also wishing to avoid if possible any interference with the Joint Magistrate, or difference of opinion from him, I rode up to his (the Joint Magistrate's) Office also, and mentioning the appeal just made to me, suggested some amicable arrangement, with Colonel Hadfield, both as to the cattle-trespass or alleged assault, and the land, to obviate the necessity of my taking up an appeal, in which, from preliminary enquiry, I foresaw difficulty and error of judgment, such communication has been, on Colonel Cameron's own seeking, and to facilitate work, frequent between us; being on leave, I could not touch the case officially till I resumed Office at Coimbatore, when I immediately sent for the parties and examined them again, fully, on oath; meantime began Colonel Cameron's Official letters to me, and the correspondence ensuing, which speaks for itself; the above are shortly the simple facts of the case.

(Signed) E. B. THOMAS.
Magistrate.

N^o. 10. ORDER THEREON, No. 680; dated 13th June 1857.

With the foregoing letters the Magistrate of Coimbatore submits, for the information and orders of Government, copies of a correspondence which has passed between himself and the Joint Magistrate at Ootacamund. He would have been glad, he states, to have avoided making the reference, but does not see that it can any longer be deferred, if the "necessary and just authority" due to him, as Head of the District, is to be maintained.

2. It appears here, that, either at the close of last year or the beginning of this (for the precise date is not given) a number of the cowkeeper caste on the Hills, whose huts and fields lie adjacent to the property of Colonel Hadfield of the Veteran Establishment at Ootacamund, were charged before the Joint Magistrate, Lieutenant Colonel Cameron, with an assault on the servants of the gentleman above mentioned. The charge appears to have arisen out of a trespass on the part of the herdsmen, in allowing their cattle to graze beyond their proper limits. The enquiry ended in the conviction of the Defendants, who were heavily fined, portions of the mulct being awarded to some of the peons and witnesses. During the time, however, the Defendants were yet in the custody of the Police, on the eleventh day, indeed, after they had been given into custody, one Bonagounden, stated to be Colonel Hadfield's butler, getting access to them, induced them to sign a stamp paper, by the terms of which they bound themselves, under severe penalties, to remove their huts to another site, renouncing at the same time all right and title to that they had hitherto occupied, ever since their settlement on the Hills, whither they had been induced, with other castes, to migrate, about thirty years ago at the solicitation of the late Mr. Sullivan.

3. Mr. Thomas, the Magistrate, was then on the Hills, but on leave, not on duty. In the course of his ride one day, he was met by the whole caste of the herdsmen, who, throwing their turbands before him and with every mark of distress, implored him to take up their case. He received their written petition, and assured them that their land should not be summarily taken from them. Being on leave he did nothing more, beyond counselling the Joint Magistrate to effect an amicable arrangement of matters. On his return to Coimbatore, he went formally into the appeal, decided that the Defendants could only be ousted by a regular suit, the paper executed by them while under duress being altogether worthless; and in regard to the fine, referred them to the Sessions Judge. Date of order 19th February 1857.

4. On the 27th January, Mr. Thomas having in the interim, it is presumed, returned to his head quarters and the Joint Magistrate received information that an appeal had been received, the latter Officer commences the correspondence now under review by requesting to be furnish-

ed with the charges made against him by the Appellants, it being his intention either to apply to Government for "due enquiry on the subject" or to prosecute the parties in the Criminal Court for "false accusation." He at the same time characterizes the reception of the appeal by the Magistrate, as implying on the part of Mr. Thomas "an implicit belief in the wilful and deliberate fictions" therein contained, one of these being to the effect that the affair of the Bond had been countenanced by the Joint Magistrate, out of his "great friendship to Colonel Hadfield."

5. In this letter, the Government observe, Colonel Cameron's subordination to the Head of the District is not disputed, but two days subsequently, the Joint Magistrate in renewing his request for copies of the appeal and of the Magistrate's decision thereon, demands to know "by what authority it has been given," the appellate power in such cases being vested, he is led to believe, in the Sessions Judge alone, and on the 2nd February, he makes a third application. Time, he observes, presses, and he is desirous of bringing the "authors of these calumnies to justice" as speedily as possible.

6. The reply of the Magistrate was indited on the 18th Idem. After informing Colonel Cameron that no decision has as yet been passed "in the case of the Milkmen," he deprecates the unnecessary violence of his tone and quotes para. 2 C. O. of the Foujdaree Udaltut, No. 207, dated 8th August 1855, though the Joint Magistrate should have been acquainted with the standing orders by which his and the Magistrate's position are defined.

7. The above would appear not to have been the Magistrate's first letter on the subject. It is gathered from the next enclosure (Colonel Cameron's letter of the 14th February) that Mr. Thomas wrote a private note on the 11th, in reply to the remonstrances conveyed in which, the Joint Magistrate informs Mr. Thomas that, as an Officer of the Army, he, (the Joint Magistrate) would have been liable to a dismissal from the service with ignominy, had he failed to take the steps he had adopted in regard to the slanders of the cowkeeper caste. He again demands the names of the parties. Consequently on the protection accorded to them by the Magistrate the "lawless ruffians" have returned to their village, and "are celebrating their imaginary triumph over all law and order," such are the terms used with reference to the order of the Magistrate, "by renewed excesses of the most disgraceful nature."

23rd February. 8. In his next communication, which is a reply to the Magistrate's letter of the 18th February, the Government gather that the deed executed by the herdsmen while under confinement to Colonel Hadfield's servant, was "entered into to avoid the well merited punishment they had incurred for a serious breach of the law" and they are much concerned to perceive that a compromise of this nature, effected under such circumstances, elicits from the Joint Magistrate no disapproval whatever, but that on the contrary he appears to view it with favor. The question of the operation of the C. O. quoted by the Magistrate he desires may be referred to the Sessions Judge.

9. On the 24th February, Mr. Thomas having passed his decision, as above recorded (para. 3), proceeds to communicate his views on the case to the Joint Magistrate, enclosing him at the same time the original petition of the herdsmen for his perusal. The very temperate remarks of Mr. Thomas on the case, and the considerate nature of his conduct throughout are not appreciated by Colonel Cameron; who is of opinion that his decisions are not amenable to the Magistrate's criticism. He, however, claims the right to pronounce on those of Mr. Thomas, being unable to refrain from 'expressing surprise' that so unintelligible a petition should have been received at all. The enquiry, after all, he objects, has been far from "careful and full;" the deficiencies are then pointed out. They first struck Col. Hadfield, whom the Joint Magistrate consulted on the papers, but the Joint Magistrate altogether concurs. A legal friend, he adds, has suggested the measures which have been adopted in his correspondence with the Magistrate.

10. On the 3rd March, Mr. Thomas replies to Colonel Cameron's letter of the 23rd Ultimo; and on the 16th April, with reference to the objectionable tone of the Joint Magistrate's last letter, he observes that any further communications couched in similar terms will be referred to Government. To this the Joint Magistrate replies, on the 23rd Idem, with the request that the matter may be submitted to Government, as it stands.

Fort St. George, Judicial Consultation, 16th June 1857.

11. The Governor in Council cannot sufficiently express his concern that a public servant of Lieut. Colonel Cameron's standing and experience should have permitted himself to make use of such language and evince such temper in official correspondence as are here displayed. In any case the terms of his letters—as from one public functionary to another—would be extremely indecorous, but from one in his position addressing the Head of his Department, they appear to reach the very height of insubordination. The Government would be glad to know that there is any, the least, excuse for his conduct. They have gone through the correspondence submitted to them in order that he may learn what information is before them, and before passing final orders they will await such explanations, regarding either the facts of the case or the tone of his letters, as it may be in his power to afford.

(Signed) E. MALTBY,
Acting Chief Secretary.

Col. Cameron's letter

to Mr Thomas appears
quite unaccountable.

Mr J. had clearly a
right to know & to be
about the application
of the fines - & that is
all he appears to have
done - so far as Col
Cameron was concerned

in the matter.

Before giving a deliberate
opinion on the case -

Col^d Cameron should be apprised
that the correspondence
has been transmitted to
by Mr. Thayer - & that
the tone of his letter is
apparently sympathetic
to objectionable in some

than one
family - but before giving
any decision - I will see
decisions of giving him
an opportunity of offering
any explanation in relation
to the original subject.
as in the tone of the
correspondence - which
he may have dropped.

My Att copy of

the correspondence had
not been sent - but the names
and dates of the several
letters & other documents.
~~and~~ Col Cameron must
have them in his possession.

H.
J.

For orders.

18

Mr E. B. Thomas appears on this occasion
to have acted rightly, & Colonel Cameron
to have ^{entirely} misunderstood his subordinate
position, as Joint Magte, to the head of
the District -

- Colonel Cameron's letters are also highly
intemperate & improper in tone towards
the Magte, while Mr. Thomas appears
to have performed his duty, on an appeal
being made to him by the millmen, with
consideration towards the Joint Magte

The merits of the case, which led to the
correspondence, lie in a small compass -
Some millmen occupying ground near
Colonel Hadfield's house let their cattle
stray on his ground, which led to a

letting quarrel between them & the Colonel's
servants. - Who were most to blame in this
matter. - It is unnecessary to discuss ~~the~~
~~point~~ ~~has been left for the Supreme Judge to decide~~
~~in the case of an appeal being preferred~~
~~by the milkmen~~ - It is sufficient
here to observe that no personal injuries
of any consequence were received by either
party. -

The milkmen were brought before the Police
on charges of trespass & assault, for which
they were sentenced to punishment.

They afterwards appealed to the Magistrate
who referred them as respects the sentence
of punishment to the Supreme Judge - but
took notice of two points in the proceedings.
1st - The milkmen complained that they had
been ousted from their land & showed that
for this purpose
after they had been in custody 11 days
Colonel Holfeld's Ministry or servant brought to the

11
Colonel's, threatening a document prepared on
stamped paper which giving up their houses
& land which they were made to sign
while still in confinement. -

It appears to me that Mr. Thomas most properly
objected to this proceeding & pointed out its
infirmity as well as
the worthlessness of a document executed
under such circumstances - declaring
that the milkmen were not to be disturbed
in their long possession of the land except
by the decree of a competent civil court.

The 2nd point relates to the appropriation of the
fines levied from the milkmen -

The Joint Magistrate gave the defender & him
who came to the scene of quarrel Rs 15 &
Rs 10 respectively, besides Rs 7 to each of
Col Holfeld's servants. - Mr. Thomas
objected to this measure for reasons
which appear to me right & valid
(See Para 6 of his letter to Col Cameron - Enclosure B)

and as the Magistrate of the District it
was both his right & duty to point
out such an error in a subordinate
proceedings.

The Regulations give a Magistrate general
control over a Joint Magistrate proceedings
even to revising sentences of punishment
imposed by him though to avoid a repe-
tition of appeals it is usual to leave
such appeals for the Supreme Judge to decide
unless there are reasons against delay.

On this occasion Mr. Thomas did not
interfere with the sentence of punishment
imposed on the men.

2 June/57

Judicial Dept 12
No. 680

Extract Muns. Cons. dated 13 June 1857

Read the following letters
from the Magistrate of Comtatore } here entered 28th May/57.

At

Comtatore

6

With the foregoing letters the Magt of
Comtatore submits, for the infor-
-mation & order of Govt, copies of a
correspondence which has passed be-
-tween himself & the Joint Magt
at Ootacamund. He wd have been
glad, he states, to have avoided ma-
-king the reference, but does not see
that it can any longer be deferred,
if the "necessity & just authority"
due to him, as Head of the District,
is to be maintained.

2. It appears here, that, within the
close of last year or the beginning of
this (for the precise date is not given)
a number of the Cowkeeper caste
on the hills, whose huts & fields lie
adjacent to the property of Col. Ad-
-field of the Veterans Establish^t at
Ootacamund, were charged before
the Jt Magt, & Col. Cameron, with
an assault on the servants of the gen-
-tlemen above mentioned. The charge
appears to have arisen out of a dis-

pass on the part of the herdsmen,
in allowing their cattle to graze be-
yond their proper limits. The en-
quiry ended in the conviction of the
Depts, who were heavily fined, for-
twins of the mule being awarded
to ^{some} ~~to each~~ of the persons & witnesses as
~~had suffered in the affray~~. During
the time, however, ~~as the~~ Depts
were yet in the custody of the Police,
on the eleventh day, indeed, after
they had been given into custody,
one Bonagounden, stated to be
Col. Hadfield's butler, getting
access to them, ^{induced} ~~persuaded~~ them to
sign a stamp paper, by the terms
of which they bound themselves,
under severe penalties, to remove
their huts to another site, renouncing
at the same time all right & title
to the land they had hitherto occupied,
even since their settlement on
the hills, whither they had been
induced, with other castes, to
migrate, about thirty years ago
at the solicitation of the late
Mr. Sullivan.

3. Mr. Thomas, the Magistrate, was
then on the hills, but on leave, not
on duty - In the course of his ride,
one day, he was met by the whole
caste of the herdsmen, who, know-

their husbands before him & with
every mark of distress, implored
him to take up their case. He read
their written petition, and assured
them that their land should not be
summarily taken from them. Be-
ing on leave he did nothing more,
beyond counselling the Joint Magt
to effect an amicable arrangement
of matters. On his return to Coin-
-batore, he went formally into the
appeal, decided that the Depts. shd
only be ousted by a regular suit,
the papers executed by them while
under duress being altogether worth-
less; and in regard to the fine, re-
ferred them to the Sessions Judge -
Date of order. 19th Feb^r 1857.

4. On the 27th January, Mr. Thomas
being in the interim, it is presumed, re-
turned to his head quarters & the
Jt Magt rec^d information that the
appeal had been rec^d, the latter
officer commences the correspondence
now under review by requesting to
be furnished with the charges made
against him by the Appellants, it being
his intention either to apply to Gov^t
for "due enquiry on the subject" or to
prosecute the parties in the Criminal
C^t for "false accusation" - He at

the same time characterizes the recep-
tion of the appeal by the Magt, as
implying on the part of Mr. Thomas
"an implicit belief in the wilful &
"deliberate fiction" herein contained,
one of these being to the effect that
the affairs of the Bond had been con-
tinued by the Jt Magt, out of his
"great friendship to Col. Hadfield."

5. In his letter, the Lt. Colonel, Col.
Cameron's subordination to the Bench
of the District is not disputed, but
two days subsequently, the Jt Magt
in renewing his request for copies of
the appeal & of the Magt's decision
thereon, demands to know "by what
"authority it has been given", the
appellate power in such cases being
vested, he is led to believe, in the
Superior Judge alone & and on the
22^d Feby, he makes a kind appli-
cation. True, he threatens, threatens,
and he is desirous of bringing the
"authors of these calumnies to
"justice" as speedily as possible.

6. The reply of the Magt was initiated
on the 18th idem. after informing Col.
Cameron that no decision has as yet
been passed "in the case of the Muskmen"
he ~~subtly~~ represents the unnecessary
violence of his tone ~~in the case of the Muskmen~~ ~~for~~
~~in the opinion of the Lt. Colonel~~

From the Jt Magt
29th Jan^y

been acquainted with the standing orders by which his & the Magt's position are defined

~~private~~ ~~with~~ ~~have~~ ~~been~~ ~~perfectly~~ ~~just~~
~~to~~ ~~the~~ ~~Magt~~ ~~in~~ ~~the~~ ~~case~~ ~~of~~ ~~the~~ ~~Muskmen~~
Para 2 - C-O - of
the 7. 26. No 207. dated 8th August
1855. though the Jt Magt should have
been acquainted with the standing orders by which his & the Magt's position are defined
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been the Magt's first letter on the
subject. It is gathered from the
next envelope (Col Cameron's let-
ter of the 14th Feby) that Mr.
Thomas wrote a private note on
the 11th, in reply to the remon-
strances conveyed in which, the Jt
Magt informs Mr. Thomas that,
as an officer of the army, he (the
Jt Magt) wd have been liable to
a dismissal from the service with
dishonour, had he failed to take
the steps he had adopted in regard
to the slanders of the Cowkeeper
case. He again demands the names
of the parties. Consequently on the
protection accorded to him by
the Magt the "lawless ruffians"
have returned to their village,
and are "celebrating their magni-
"fient triumph over all law-
"and order" such are the terms
used with reference to the order
of the Magt, - "by renewed ex-
"amples of the most disgraceful
"nature".

23^d Feb.

8. In his next communication, which is a reply to the Major's letter of the 18th Feb., he says that he was assisted by the landowner while under confinement to Col. Hadfield's servant, was "induced into" to avoid the well merited punishment they had incurred for a serious breach of the law" and he is much concerned to perceive that a compromise of his nature, effected under such circumstances, elicits from the J^o Magt no disapproval whatever, but that on the contrary he appears to view it with ~~exceeding~~ favour. The question of the operation of the C. O. guided by the Magt. he desires may be referred to the Superior Judge.

9. On the 24th February, Mr. Thomas having passed his decision, as above recorded (Para 3) proceeds to communicate his views on the case to the Joint Magt, enclosing him at the same time the original petition of the landowner for his release. The very temperate remarks of Mr. Thomas on the case, & the considerate nature of his conduct throughout are not appreciated by Col. Cameron, who is of opinion

that his decisions are not amenable to the Major's criticism. He, however, claims the right to pronounce on the case of Mr. Thomas, being unable to refrain from expressing surprise that so unintelligent a petition should have been rec^d at all. The enquiry, after all, he objects, has been far from "careful & full"; the deficiencies are here pointed out. They first struck Col. Hadfield, whom the J^o Magt consulted on the papers, but the J^o Magt altogether concurs. A legal friend, he adds, has suggested the measures which have been adopted in his correspondence with the Magt.

10. On the 3^d March, Mr. Thomas replies to Col. Cameron's letter of the 23^d ult^o; and on the 16th April, with reference to the objectionable tone of the J^o Magt's last letter, he observes that any further communications couched in similar terms will be referred to Govt. To this the J^o Magt replies, on the 23^d idem, with the request that the matter may be submitted to Govt, as it stands.

11. The G. in C. cannot sufficiently express his concern that a public servant of Lt. Col. Cameron's standing

& experience it to have permitted
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guage & write such temper in of-
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tionary to another - who is extremely
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tion addressing the head of his Dept.,
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of impropriety. He got what
he glad to know that there is any, he
least, excuse for his conduct.
They have gone through the correspondence
submitted to them in order that he
may learn what information is
before them - and before passing final
orders they will await such ex-
planations, regarding either the facts
of the case or the tone of his letters,
as it may be in his power to
afford.

Me

D.S.T.

6/6/57.

To Virat Col. G. P. Cameron, C.B. & A.C. & H. } Dispt 18th
Joint Magistrate - Ootacamund

Mr. J. T. Conover
Medford, N. H.

No 1180

Extracts from the

St. 1330.
F. N. 1011.
Comm. 14 July 57.
Aug 18.
1857

94-10

1

Fort St. George, Judicial Consultation, 16th June 1857.

No. 9. Read the following letter from E. B. THOMAS, Esq., Magistrate of Coimbatore ; to H. FORBES, Esq., Secretary to Government, Judicial Department, Fort St. George, dated Ootacamund, 28th May 1857, No. 25.

SIR,

1. I am truly sorry to trouble Government with a reference * I have endeavoured to avoid, but which I do not see how I *can* any longer defer, if I am to maintain any necessary and just authority, and Colonel Cameron is to continue Joint Magistrate ; it is also the Joint Magistrate's "sincere wish" (para. 2) of his letter of 23rd April No. 45, that it *be* referred.

2. I beg to forward copies of letters passed. I forbear to quote or dwell upon the Joint Magistrate's tone and expressions, they are, I must submit, altogether offensive, intemperate, and unfounded, as they were in Mr. Rohde's case. The side notes* were those made by me on the originals, when I filed them in my Office. It was my bounden duty to listen to the very urgent personal Appeal Petition made to me, on the spot, regarding the occupancy of land, by the Milkmen of Ootacamund ; a clear revenue question ; and in which I thought, on enquiry, Colonel Cameron had erroneously mixed himself up with his *decision* as Joint Magistrate, on the alleged assault, I did not interfere, though I could not but think he had been greatly misled, and had materially erred, in his view of the whole facts of the case, viz, in giving money to the peons and witnesses, and in allowing any compromise to be entered into by the Milkmen, *while* still in *confinement* (by his order) in the Cutwall's Choultry, as well as by his referring my letters and proceedings to Colonel Hadfield, and his own hasty assumption and belief of facts, not yet before him, on mere hearsay.

3. On all points, I made, on the spot, full and careful enquiry, ere I wrote to the Joint Magistrate. I have intimately known the place and the parties, for many more years than Colonel Cameron, and have no hesitation in saying that his views of the parties and the facts, were very much in error ; this I endeavoured to point out to him temperately and courteously, and have now only to ask whether the tone and expressions used by the Joint Magistrate are justifiable and proper, in any Subordinate Officer, and whether his distinct repudiation* of any subordination to me, coupled with vague threats of some legal proceedings, and quotations of some high legal opinions, is fitting for the Joint Magistrate to use, and for me to submit to ; of the character of the milkmen (the Petitioners to me), their rights and localities, I may be supposed fairly to know better, on 25 years' acquaintance, than Colonel Cameron in one ; of the facts as judged by the *record only*, the Government, the Sudr, or the present Session Judge, could from their own opinion, if Government think fit to call for them, they are on record in my office, and only not sent, to avoid needlessly troubling Government with an accumulation of papers ; they show, the land occupied by the petitioners for 30 years, the assault a trifling one, the rewards to peons and witnesses mistaken, and the character and conduct of the petitioners greatly misjudged and exaggerated, unintentionally no doubt, but most erroneously.

4. I have been able to work cordially and satisfactorily with 5 of Colonel Cameron's predecessors. I have always supported *him*, as my Subordinate, to the *utmost*, on all occasions, (as a reference to Mr. Rohde's case will show), Colonel Cameron then clearly admitted his subordination, and looked to me for support, which I accorded to him fully, as that correspondence will shew. I have always avoided *any* interference with his due authority, have reversed *nothing* he has ever done, though my own judgment has frequently differed from some of his proceedings, but I beg it may be now settled by Government, how far the Joint Magistrate of Ootacamund *is* subordinate or not to the Magistrate of this Province. I am not aware to what Colonel Cameron refers, when he says the late Session Judge (Mr. Roupell) ratified his acts. I can find no such record, and cannot believe that any Session Judge, with the whole case before him, could approve all the Joint Magistrate's proceedings.

* A short precis is appended, Appendix A.

Awarding portion of the fines, to the Duffadar, peons, and some of Colonel Hadfield's servants. See his decision in Calendar.

I beg especially to refer to No. 53, 24th February, as shewing that I went fully and courteously into the case.

* See para. 3 of Colonel Cameron's letter.

Fort St. George, Judicial Consultation, 16th June 1857.

5. I would take this opportunity of suggesting to Government with all deference, whether it would not be better to relieve the Officer in Military Command of the Hills, of his anomalous Magisterial duty, and leave to him his Military duties only. Colonel Cameron I believe complains that he is overworked; for his Military duty alone, he would have ample time, and if I were allowed, (as is supposed to be in contemplation for all Districts,) an Uncovenanted Assistant, I could locate one of my Assistants, Covenanted or otherwise, permanently at Ootacamund, and very easily provide for the few and simple local duties required, Revenue and Police, under my own frequent surveillance.

6. With an active Native Head of Police, and the Principal Sudr Ameen's Court now established, the local duties are easy, they were done with great facility by my temporary Assistant, Mr. Morris, when here, in addition to attending to the wants of the Governor General and party, that the duties of the Joint Magistrate cannot be very heavy, is shown by the fact of their having been now in abeyance for 2 months, during Colonel Cameron's present leave, his "locum tenens" Colonel Miller not being vested with any Magisterial powers nor having done any Magisterial duty. A Resident Assistant, competent for both Revenue and Police duties, under the general supervision of the Collector and Magistrate of Coimbatore, would provide better, I think, for every duty, than devolving them on a Military Officer, often new to the duties, and occupied with his own proper ones as Commanding Officer of the Hills. I speak from 7 years' experience, on public grounds alone. The supply of cash on the Hills; every practicable facility to travellers; with all other reasonable and fair demands of the community, have been now provided for, and a reference to the Police Records would, I believe, really now show crime, to be far less here, than Colonel Cameron allows himself to suppose.

(Signed) E. B. THOMAS,
Magistrate.

A.

From Lieutenant Colonel G. PAULETT CAMERON; to E. B. THOMAS, Esq., Magistrate of Coimbatore, dated Ootacamund, 27th January 1857.

SIR,

I brought the matter to Colonel C.'s notice, with the kind intention, of enabling him to rectify the error I thought he had fallen into before I was compelled to notice it officially.

1. In a personal interview I had the honor of having with you on Friday last, 23rd Instant, you informed me that you had received a Petition from certain Natives here, (who had been brought before me in my capacity as Joint Magistrate of the Coimbatore District, for acts of the most lawless violence, which had likely to have led to very serious consequences,) complaining "that I had unjustly confined them for a period of ten days in prison, till they were compelled to sign an agreement, to quit some ground claimed by Colonel Hadfield, owing to the great friendship which subsisted between this gentleman, and myself."

2. I pointed out to you at the time, the gross, and slanderous nature of the accusation, so injurious to myself as an Officer* and a Gentleman, by detailing to you the simple facts of the case, which you would have found fully corroborated, had you entered upon the slightest* enquiry from those who were cognizant of the circumstance, and apprized you that Colonel Hadfield was almost an entire stranger to me.

3. Having since been given to understand, you have adopted measures which apparently imply an implicit belief in the wilful, and deliberate fiction,† so recklessly brought forward, while leaving to Colonel Hadfield, the pursuit of what measures he may deem the most advisable for his own honor, and justification, may I request you will do me the favor of furnishing me with a distinct account of the charges brought against me, and the names of the parties making the same, laid before you as Chief Magistrate of the District, that I may either appeal to Government and solicit they will order a due enquiry into

Mr. Smoult's late work, page 39, appendix No. 7, where Colonel Cameron gives a sketch of his "self assumed duties."

* I have only to deal with Colonel C. as Joint Magistrate.

* I made full at once.

† I simply received a petition, urged on me by a whole caste of 20 or 30 people.

Colonel C. here acknowledge me.

Fort St. George, Judicial Consultation, 16th June 1857.

the subject, and to enable me to submit the case to the Criminal Court of Coimbatore, under the clause of "false accusation before the Police, Section II of Regulation IX of 1832" one of these proceedings being rendered imperatively necessary for my vindication both as a public functionary and a private gentleman.

(Signed) G. P. CAMERON,
Joint Magistrate of Coimbatore.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

B.

From Lieutenant Colonel G. P. CAMERON, C. B., K. C. T. & S., Joint Magistrate, Ootacamund; to E. B. THOMAS, Esq., Magistrate of Coimbatore, dated 29th January 1857.

SIR,

In further reference of my letter to you of the 26th Instant, I have the honor to solicit, you will do me the favor of transmitting me a copy of your decision on the charges made against me therein alluded to, at the same time be good enough to inform me, by what authority it has been given, as I am not cognizant† of any Law, or Regulation, either English or Indian, that empowers one Magistrate to interfere, with, or set aside† the Judgment of another. Such authority I am led to believe resting solely with the Session Judge of the District, in whom alone is vested the appellate power,* under such circumstances.

* Yes, but the Magistrate has a general controul.

(Signed) G. P. CAMERON,
Joint Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

C.

From Lieutenant Colonel G. P. CAMERON, C. B., K. C. T. & S., Joint Magistrate, Ootacamund; to E. B. THOMAS, Esq., Magistrate of Coimbatore, dated 2nd February 1857.

SIR,

Not having received any reply to my two previous communications, in which I solicited you would do me the honor of furnishing me with the names of the parties, who had cast such infamous* slanders both upon my public, and private character, and a copy of your decision upon the same. May I again earnestly request you will do me the favor of affording me this information as early as possible, since steps cannot be too speedily taken to bring the authors of these calumnies to justice.

* The Milkmen's Petition has none such.

2. I have been induced to forward you this pressing application, from the circumstance, that one of the principal* evidence in the case, who witnessed every thing that passed, is anxious to leave this for a time on urgent and pressing affairs; and from Mr. Wilkins,† who was Acting Sudder Ameen when the business occurred, and was cognizant of the whole affair, being obliged to repair to Madras about the middle of the month, for the purpose of resuming his duties in the Supreme Court.

(Signed) G. PAULETT CAMERON,
Joint Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

the charges mentioned, the charges

Fort St. George, Judicial Consultation, 16th June 1857.

D.

From E. B. THOMAS, Esq., Magistrate of Coimbatore; to Colonel G. P. CAMERON, C. B., K. C. T. and s., Joint Magistrate of Ootacamund, dated Coimbatore, 18th February 1857, No. 47.

SIR,

1. With reference to your letter of the 29th Ultimo, without number, I beg to know what "decision" you refer to? (as I have passed none in the case of the "Candul" milkmen); as regards the latter part of your letter in which you "beg I will be so good as to inform you on what authority I interfere with any judgment of your's, &c." I beg to refer you to para. 2, C. O. Foujdaree Udalt, No. 207, dated 8th August 1855.

2. I think you are in error in your letters of 27th January and 14th February in confounding your position as Joint Magistrate, with your Military duties, the appeal of a few native milkmen to me, (and which I am bound to hear,) can never warrant or call for your taking up this matter so strongly as you have done, as a case deeply affecting your character, as an "Officer and a Gentleman," and that, before any thing official had reached you, even as Joint Magistrate, you were bound to wait till it came before you officially and regularly, and not write, strongly, as you have done, on hearsay and supposition; had I given the order you suppose, (which I did not,) you should have still, both in courtesy and common deference to me, as well to your own dignity, have waited, I think, for some official information from me, ere you wrote as you have done.

3. I shall be happy to send you copy of the original Petition, referred to in your several letters, so soon as I have completed my investigation into the matter.

(Signed) E. B. THOMAS,
Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

E.

From Lieutenant Colonel G. P. CAMERON, C. B., K. C. T. & s., Joint Magistrate; to E. B. THOMAS, Esq., Magistrate of Coimbatore, dated Ootacamund, 14th February 1857, No. 26.

SIR,

1. I have the honor to acknowledge the receipt of your communication of the 11th Instant, in answer to my own of the 27th and 29th Ultimo, and 2nd of the present month.

2. In reply, I have to express my concern and regret, that you should deem an unfounded and slanderous accusation, openly made to you, most seriously affecting my reputation as an Officer and a Gentleman, should be a subject of private and confidential* communication, and that you were compelled to regret I had so hastily taken up the case before any† public correspondence upon the subject had yet reached me; you may not be aware, that as a Military man‡ had I not acted as I did, and taken measures to prove the falsehood of the accusation, I rendered myself liable to be tried by a Court Martial, and dismissed the Army with ignominy, in the event of the circumstances reaching the ears of the Commander-in-Chief, unless it was proved that the charges in question were too gross, and absurd to be noticed.

3. In regard to your supposition, that our conference alone has been the cause of my addressing you officially, I beg to inform you, that you are in error. My public communications

* Col. C. had himself constantly solicited and used such, to facilitate public business.

† Such was the case.

‡ Nothing to do with Joint Magistrate.

Fort St. George, Judicial Consultation, 16th June 1857.

I regret to contradict all this, as pure mistake, the men are quiet and orderly, no riot or excess took place and the case before the Principal Sudder Ameen was a trifling case on, and had no connection with the other. were forwarded to you on learning, that the lawless gang of ruffians to whom they related, had returned to the land they formerly occupied, declaring that they did so by your express orders and permission, and were celebrating their imaginary triumph over all law, and order, by renewed excesses of the most disgraceful nature, which at length terminated in the ringleaders of the former riot, being again arrested and committed for trial before the Sudder Ameen; since situated as I am at present regarding them, I felt that Why so? any punishment I might award them, would be attributed to vindictive feeling alone.

4. In reference to your observation that you do not see the necessity of Mr. Wilkins' and Col. Hadfield's names being brought forward in the case, I beg to mention that these gentlemen are more than any other persons cognizant of the whole affair, the former being the Acting Sudr Ameen here at the time.

5. In conclusion, whether you may deem it necessary, or otherwise to call for an explanation of my proceedings in the case, I cannot think you will question my right to demand the * Petitioners to me. names of the slanderers* who have sought to do me so much injury, and the specific nature of their accusations. I have therefore again earnestly to solicit you will afford me this information, leaving to myself the reservation of what measures I may deem requisite in bringing the parties to justice.

(Signed) G. P. CAMERON,
Joint Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

F.

From E. B. THOMAS, Esq., Magistrate of Coimbatore; to Colonel G. P. CAMERON, C. B., K. C. T. and s., Joint Magistrate of Ootacamund, dated Coimbatore, 24th February 1857, No. 55.

SIR,

With reference to your several letters on the milk men of "Candul," who lately petitioned me, and into whose case I have gone with much care, I now deem it my duty, having considered all the evidence taken by you, and more by myself, to record the following observations.

2. I must first observe, that I think the tone towards me, of your letters of 27th and 29th January, far from right, or warranted; the more so, since I have always supported you officially in every possible way; and the personal way in which you have allowed yourself to view and treat a simple Petition to me, (rather a Revenue than a Police one,) and that before you had any ground but private information to go upon, is neither judicious nor warranted, to say the least.

3. The facts of this case as ascertained by me on local and personal enquiry, then, and since by further evidence, appear to be these, the cattle of the Petitioners trespassed on Colonel Hadfield's property; his gardeners and servants, armed with sticks and hoes, drove them off, and attacked the owners, the Petitioners (milk men;) these resisted the aggression, and seized the sticks, but had none themselves, nor did† they use what had been brought against them. Colonel Hadfield joined his servants, and one of the cow-keepers fell down before his horse, another (it is said) seized his bridle; this is the whole case against them, so far as I can discover from careful and full enquiry; one old Duffadar, and one Peon, were the only Police present, checking the disturbance without any further aid; the old Duffadar was pushed, and hustled, as was likely in the midst of such a fracas; but in no way injured; the peon received one slap on the cheek, which caused (his own statement) a slight swelling; not a blow besides is proved, nor was a stick used, and three of the whole body of cow-keepers, ("lawless ruffians" as I think you very unfoundedly style them,) quietly submitted to be marched off, unfettered, to the Choultry, by two peons; no rescue or

Dated 27th Jany. 1857.
" 29th do. "
" 2nd Feby. "
" 14th do. " No. 26.

* Which is much to their credit.

Fort St. George, Judicial Consultation, 16th June 1857.

opposition being attempted; 5 more were seized next day, on the pointing out of Colonel Hadfield's maistry; the whole 8, were kept 11 days in confinement in the Cutwall's Choultry, on the 11th day, a stamped document, ready written, is brought to the Choultry by the above maistry of Colonel Hadfield's. "Boragoundens," the Petitioners are threatened with heavy fine, Jail, and being sent to Coimbatore; they then signed, while *thus in durance*, a document, giving up their homes and locality of 30 years occupation. The above are, I believe, incontrovertibly, the real facts of the case.

4. I think that no Court could recognize or uphold a document prepared and signed under such circumstances; the Petitioners' cattle, no doubt, occasionally trespass, and may be properly, and if just, *heavily* fined; beyond this, there appears to me no case, the gardeners, (Colonel Hadfield's) were the *aggressors*; the milk men *defended* themselves and their cattle, there can be no just or sufficient reason for their vacating their land, besides paying fines for their cattle.

5. Such a document as that alluded to, should never have been prepared or signed, at such a juncture, or in such a place; as Joint Magistrate, of course, you had nothing to do with it, but I think you should certainly have noticed, and disallowed it, and called the Cutwall to account (as I have now done) for permitting such a transaction in his Choultry.

6. Why you gave the Duffadar 15, the Peon 10 Rupees, and Colonel Hadfield's servants 7 each, out of the Police fine, I cannot discover; neither the Duffadar nor Peon received a scratch, nor performed any more than *ordinary* duty; to reward *them* at all, is a bad precedent, except on urgent and due occasions, of very meritorious service. It is moreover illegal, as the Regulation you quote, only allows such to *complainants*, not *witnesses* and *Peons*; I regret such injudicious and uncalled for reward, which I will not however recal, lest I should seem to weaken your hands; with your decision, and *award* of fines, in the Police case, *I do not interfere*, but leave the milkmen to appeal to the Court if they choose; though I am compelled to say, I am of opinion you have been misled into magnifying an ordinary fracas, into almost a riot.

7. The occupation of the land is a Revenue matter; altogether separate from the Police case; if 30 years' undisturbed possession, gave the milkmen no sufficient right or claim, as I think it *does*, their ousting, should *still* have been the subject of a civil suit and process, and not the result of a signature taken from them while still in confinement, by a man ("Boragounden") who had no business there whatever.

8. The use of such strong terms as you use in your letters, unless duly supported, Lawless ruffians &c. should be avoided. I have no case against these people (or their whole caste,) on my Police Records; I question if you have any on your's, (if there are, I request their production.) I have known these milkmen (and been several times engaged in enquiries on the spot about this very land,) for many years longer than yourself; and the fullest enquiry, both formerly and lately, lead me to believe, that they are by no means the "lawless gang of ruffians" you suppose, nor more quarrelsome than any other class of men at Ootacamund. On the contrary, they are an useful and industrious set, quieter and better behaved than the Dhobies (settled on General Cleveland's limits, under similar circumstances, 30 years prescriptive right of occupation under the original permission of Mr. Sullivan;) to these men, situated precisely like the milkmen, General Cleveland offered 400 Rupees compensation, to move their huts, they declined, and are there still.

9. The case which has occurred since, and which you designate as a renewed "excess of a most disgraceful nature," is a simple caste quarrel, (among *themselves* only, about a girl) properly so treated, and fined by the Principal Sudder Ameen; and has *nothing* whatever to do with the former case. When the men first appealed to me about their land, I did not know any of them had moved, and being aware from former enquiries that they had been there more than 30 years, I said to them verbally, "I think you may remain, till regularly and judicially removed by a Court order;" it was a mere private opinion, replying to them on the spot, (the public road) where they met me, on horseback; now, since I have seen and heard all parties and evidence, I have given them an endorsement to the same effect, as I deem just and right, that they may use it in Court if they think fit. It is my duty as Collector to uphold all parties in occupation, until legally and judicially ousted by some Court's decree.

Fort St. George, Judicial Consultation, 16th June 1857.

10. I have gone at length into the matters, to satisfy yourself, and Colonel Hadfield, as I think that both he and you have been greatly misled, as to the real merits of the case, and the * Lately, and long ago, character of the men. I have known them for 7 years,* you for one. I have no doubt that both you and that gentleman wish to do them no injustice, but I am confident that a fuller and more patient enquiry, would have given you a very different view; and I must regret that such was not taken by yourself; and that an appeal, which any Petitioner ought to be perfectly free to make, and I to listen to, has been too sensitively construed by you into a matter of personal offence.

11. I now send you the original Petition to me, of the milkmen; (which you and Colonel Hadfield have rather urgently demanded,) though I do not think that either he or you can properly found any thing upon it. I also beg the favour of your showing the original *Dated 14th and 18th Inst. letters* of Surveyors McMahan and Williams to Colonel Hadfield and on the land only. Col. C. sent all papers to Col H. returning all these papers to me at your early convenience.

(Signed) E. B. THOMAS,
Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

G.

From Lieutenant Colonel G. P. CAMERON, C. B., K. C. T. and S., Joint Magistrate, Ootacamund; to E. B. THOMAS, Esq., Collector and Magistrate, Coimbatore, dated 5th March 1857, No. 33.

SIR,

1. I have the honor to acknowledge the receipt of your communication, No. 55, 24th February 1857, with its enclosures, relative to the "Candul,"* milkmen, the whole of which, including your letter to myself, I lost no time in transmitting to Colonel Hadfield, who having now returned the same, I beg leave to re-transmit the documents to you as you requested.

2. In reference to the Petition enclosed, and which I was led to believe,† contained such grave aspersions upon myself, I find it is so utterly unintelligible that destitute as it is of a single‡ signature to support what accusation it was intended to convey, I can only express my surprize, that any such document ever was received|| as a ground of crimination against any one, feeling assured that no judicial authority would ever have entertained it for a moment, while deeming it unworthy of notice, as far as I am personally concerned. I have to mention, that I reserve to myself the right of making what use of it I think proper, in the event of Colonel Hadfield's legal proceedings rendering such a measure necessary.

3. In regard to the "careful and full enquiry," you state that you have made, I must beg leave to dissent from the justice of such a term. A careful, and full enquiry would imply an impartial§ one, and hearing both sides of a question; whether this has been done on the present occasion,* will be best found in Colonel Hadfield's assertion, that neither himself, the principal and important witness* in the affair, or any of his servants who were so maltreated, have had a single application from you upon the subject, while in reference to the testimony, the Duffadar has now given, I beg to mention, that I have recently learned, that the Sudr Ameen in the late trial of the milkmen passed some severe† strictures upon the prevarication some parts of his evidencedisplayed, and I have reason‡ to believe the consequences to him might have

† Colonel Cameron should not write on mere belief.

‡ It was duly authenticated, before me, though the parties cannot write.

|| It was properly and necessarily received and this remark of the Joint Magistrate is not proper or warranted.

* Colonel H. was the accuser. I had all their statements before me, and Colonel Hadfield's statements before the Joint Magistrate.

† None such are on the Record.

‡ This is all very vague, Colonel Cameron believed the same Duffadar, before himself.

Fort St. George, Judicial Consultation, 16th June 1857.

been more serious, had some further information been brought forward at the time, but which only transpired when the trial had closed.

a. the Joint Magistrate is mistaken. I have full power to offer them, under the C. O. quoted, or why is he called "Joint Magistrate." I do not touch his decision.

4. In reference to your observations (a.) upon the investigation held by me in my capacity as Joint Magistrate, and the conclusions you have arrived at, I beg to observe that such belong to the province of the Session Judge alone (a.) and I must decline to recognize your right (a.) to offer them till apprized by him that you are authorized to do so. The sentence I passed upon the occasion, was ratified and confirmed by him, to whom alone I am accountable, and had he participated in the conviction b. an improper and unwarranted remark.

interested side of the question, I must express my belief, that a gentleman of his high character and standing, would at once have reversed the decision I had given. The investigation was held by me upon the spot, at the very time of its occurrence, and I must take the liberty of preferring the sworn† depositions taken and the evidence of my own eye-sight,‡ and hearing,

† My enquiry is also sworn.

‡ Colonel C. did not witness the occurrence.

to fabricated statements concocted four months afterwards, by one side alone, and submitted to you without any chance of refutation from the opposite party, at a distance of eighty miles from the scene of action.

I made enquiry on the spot also, the evidence was on oath, and from all parties (but Colonel Hadfield) personally.

5. In regard to the time, the milkmen have been settled upon Colonel Hadfield's land, I have repeatedly impressed upon that gentleman and yourself, that this is a question with which I have nothing to do, as you, however, so repeatedly advert to the circumstance, I must mention my belief it will sound strange in an English Court of justice, that a party of law-

† Colonel Cameron chooses to call them so, they are quiet and orderly so far as I can learn, and have long known them to be.

d. not exacted, the "other," choose, to pay, to strengthen a claim.

‡ Mere vague writing.

¶ By whom?

|| who?

+ I have known them for nearly 30 years.

6. In conclusion, I have to observe in regard to your observation, that I have construed the course you have pursued into a matter of personal offence, that the measures I have adopted are those suggested by a legal friend, as only right and just towards myself, and imperatively necessary with the contingency of the affair between Colonel Hadfield and yourself, being brought into Her Majesty's Supreme Court, or before some other judicial tribunal.

(Signed) G. P. CAMERON,

Joint Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,

Magistrate.

H.

From Lieutenant Colonel G. P. CAMERON, C. B., K. C. T. and S., Joint Magistrate of Ootacamund; to E. B. THOMAS, Esq., Magistrate of Coimbatore, dated 23rd February 1857, No. 29.

SIR,

With reference to your letter, No. 47, 18th February 1857, I have the honor to inform you that the decision I alluded to, was in the case of the Candul milkmen, who not only openly asserted that you had given them your authority, and permission to return to Colonel Hadfield's

Fort St. George, Judicial Consultation, 16th June 1857.

*The involuntary document, extracted in confinement.

† If so a compromiser and wrong.

‡ Nowhere detailed or proved.

§ A mistake, no such charge was tried, it was a distinct case.

Vague and indefinite writing for an official letter.

The Joint Magistrate is entirely mistaken, the people are as quiet and respectable as any in the place, and have been so for 30 years.

lands, which they had vacated in conformity with an engagement* they had entered into to this effect, to avoid the well merited punishment† they had incurred for a serious breach of the law, but celebrated the event by scenes of lawlessness‡ and outrage, for which some§ of them are now on trial before the Sudder Ameen. In acting upon the impression that they had grounds for their assertion, I was influenced by the belief, participated in I have reason to think by every inhabitant of Ootacamund, both European and Native, that lawless as these people are, and notwithstanding their habitual gross falsehood, they never would have had the barefaced effrontery to make use of your name as they did, and you yourself within ten miles of the spot, without some foundation for the course they had pursued.

2. In regard to the Circular Order Foujdaree Udalut, No. 207, dated 8th August 1855, to which you have referred me, I should feel obliged by your making a reference to the Session Judge, Mr. Roupell, upon the subject for my future guidance, as taking both paragraphs into consideration, I am under the impression that the controul on the part of the Magistrate therein

* Precisely the view, and on which alone I acted.

alluded to, in para. 2, has no reference to judicial decisions, but solely to preventing subordinate functionaries from abusing* the authority reposed in them.

3. Relative to the course I have pursued in vindicating myself from the gross calumnies and slanderous falsehoods which have been preferred to you against me, I must take the liberty to observe, while disclaiming the remotest intention of being guilty in any way of the slightest discourtesy towards yourself, that in whatever concerns my own character and reputation, as well as dignity, I must assert my right to be the fittest Judge.

(Signed) G. P. CAMERON,

Joint Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,

Magistrate.

I.

From E. B. THOMAS, Esq., Magistrate of Coimbatore; to Lieutenant Colonel G. P. CAMERON, C. B., K. C. T. & S., Joint Magistrate of Ootacamund, dated 3rd March 1857, No. 59.

SIR,

1. In acknowledging your letter of the 23rd Ultimo, No. 29, I beg to refer you to mine of the 24th Idem, No. 55.

2. After hearing your own explanation, I can only again repeat my opinion, that your own "impression," on the hearsay and alleged "assertions of the milkmen," was an entirely irregular, and insufficient ground, on which to write to me in the strong terms you have now repeatedly done, in this case; your suppositions and information, being entirely erroneous.

3. I cannot but also deprecate the unmeasured and ungrounded observations you allow yourself to indulge in, when asserting, repeatedly, that the Petitioners "celebrated their return (to their own houses,) by scenes of lawlessness and outrage," none such being proveable, and the only case you adduce, being one totally distinct and disconnected with the case and land in question.

4. Of a similar unguarded and ungrounded tenor, is your statement, that "your impression was participated in by every inhabitant of Ootacamund both European and Native," the indulgence in such unqualified language, compels me to demur to it; and while I recognize your zeal and good intentions, in the discharge of your duty as Joint Magistrate, I would also earnestly recommend more cautious and fuller enquiry, before committing yourself to the very strong language and opinions you allow yourself to use.

5. I offer the above remarks in reference especially to the close of the 2nd para. of your letter under reply, and while I have no wish to infer "abuse of authority," or to interfere with

Fort St. George, Judicial Consultation, 16th June 1857.

your decision, I am compelled to counsel a little more careful and patient enquiry, in all such cases.

(Signed) E. B. THOMAS,
Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

J.

From E. B. THOMAS, Esq., Magistrate of Coimbatore; to Colonel G. P. CAMERON,
C. B., K. C. T. & S., Joint Magistrate of Ootacamund, dated 16th April 1857, No. 126.
SIR,

After mature consideration as to whether I should notice at all, your communication of the 5th Ultimo, I deem it my duty, on re-perusal of it, to point out to you, that I consider its tone and style apart from the merits of the question, so improper and unwarranted, that I should certainly have sent it on to Government, had I not felt very unwilling to trouble them with any personal matter.

2. I have neither time nor inclination to prolong a discussion in this case, in which I consider your conclusions as much in error, as your style of writing; and I beg to inform you, that any other communication couched in such uncalled for and insubordinate language, will be at once brought to the notice of Government; so long as you are "Joint Magistrate of Ootacamund," you are undoubtedly in many points under my authority, and if you doubt it, you had better refer yourself to Government on that point.

(Signed) E. B. THOMAS,
Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

K.

From Lieutenant Colonel G. P. CAMERON, C. B., K. C. T. & S., Joint Magistrate; to E. B. THOMAS, Esq., Magistrate of Coimbatore, dated Ootacamund, 23rd April 1857, No. 45.
SIR,

1. Your communication of the 18th Instant, which after a period of upwards of six weeks' consideration, you have addressed me, in answer to mine of the 5th Ultimo, reached me yesterday, and though I am at the present moment, suffering from the effects of a severe fever, I deem it advisable to lose no time in replying to you.

2. In answer to the first para. it contains, I have to observe, that my stay* in this country, as also in the Service being now limited to a few months only, has alone prevented my taking the initiative in forwarding to Government a statement, regarding what has recently occurred between us, as well as the entire correspondence connected with it, leaving it to their decision, or that of a Court of Justice, (to which it is not improbable the affair will yet be submitted) to determine whose conduct in the transaction, has been most in accordance with law, impartiality, and justice, not to mention those courtesies of ordinary intercourse, which throughout would appear, to have been studiously withheld in regard to myself. In apprizing you however of my unwillingness to trouble Government upon the subject, the more particularly from its being one, in which I am so nearly personally concerned, I should mention, not merely my readiness to meet any accusation you yourself may think proper to prefer, but my sincere wish that they may be made, so that the whole circumstances may be brought to their notice.

* I did hear Col. Cameron was going, and that was one reason of my not referring, but now, believing that he will now stay, and may further dispute my authority, I refer.

I think I have more right to complain, than Colonel Cameron.

Fort St. George, Judicial Consultation, 16th June 1857.

3. In regard to para: 2 of your communication, and my assumed subordination to yourself in the exercise of my Judicial and Magisterial functions, as such an assumption is not only opposed to a legal opinion forwarded to me upon the subject, but to those of some of the most eminent judicial authorities of the Civil Service, I must repeat that I decline to recognize its validity, leaving you at liberty to refer the point to Government yourself, should you think proper.

Who?
A plain repudiation of the Magistrate's authority.

(Signed) G. P. CAMERON,
Joint Magistrate.

(True Copy.)

(Signed) E. B. THOMAS,
Magistrate.

Endorsement on the Petition of "Kandul" Milkmen.

1. Petitioners, Milkmen of Candul, (Ootacamund) complain that they have been illegally and unfairly constrained, while under confinement in the Cutwall's Choultry, to sign a document (prepared and brought to them, by Boragounden, Colonel Hadfield's Maistry), agreeing, under fear of threatened penalties, to vacate their houses and locality, occupied and used by them, under due authority, for more than 30 years.

2. On full and careful enquiry, on the spot and otherwise, coupled with some previous knowledge of the facts, it appears clear the milkmen were invited to the Hills, more than 30 years back, by Mr. Sullivan, then Collector; and advance given them, and the site now in dispute, allotted to them distinctly, by Colonel Crewe, then in command of the Hills, and having at that time power also over the land and all other arrangements. One Mr. Clarke, an African; Mr. Fletcher, Mr. Prager, and others, have tried, on several occasions, to oust them, by law suits, and by force; but always failed. Petitioners have some Court decisions on their side. Colonel Hall, and Colonel Babington, both seem to have been to the spot officially, and recognized and defined the site of their locality. When Mr. Prager, and Colonel Hadfield, bought the locality, they bought it with the old huts, and milkmen then existing on it, with their claims and liabilities. If they (the milkmen) are to be ousted, it should clearly be on a Civil Suit, trying the case fairly on its merits, and issuing such order and process as the Court may deem fit; considering the Petitioners' long and undisturbed occupancy under due authority, their prescriptive rights, and documents and evidence on their side. The document to which their signature was taken, while in durance and not free agents, seems illegal and unfair, and the Petitioners are entitled to remain where they have long resided, till ousted regularly and judicially by a process of some Civil Court; the Principal Sudr Ameen's, or any other.

As regards the assault and Police cases (fines &c.) Petitioners can appeal to the Session Judge.
Coimbatore, }
19th February 1857. }

(Signed) E. B. THOMAS,
Collector.

(True Copy.)

(Signed) E. B. THOMAS,
Collector.

APPENDIX A.

The facts of the case are shortly these; some of the cattle of the Defendants, (who live on the confines of Colonel Hadfield's property,) trespassed on his grounds; his servants drove them, (Defendants allege with great violence,) off the land; and endeavoured to capture them; they came to the rescue of their cattle, a quarrel and scuffle ensued, but nothing beyond an ordinary one. One Peon had one slap on the face, no wound of any sort or kind on either side, the sticks were all brought by Colonel Hadfield's servants, (afterwards made witnesses,) none by the milkmen. Colonel Hadfield came himself, to aid his servants; one of the milkmen (they say in deprecation, not violence,) held his bridle, and prostrated himself before his horse; 3 of the defendants were then seized, and others afterwards, confined 11 days in the Cutwall's Choultry, fined heavily for the alleged assault, (it being really a cattle-trespass only, and mutual scuffle in which the milkmen suffered most,) and some of the fine awarded to the 2 peons, and to Colonel Hadfield's servants (improperly I think) classed as witnesses. I was then at Ootacamund, on 1 month's leave, but still doing out-door duty, as regarded inspection of lands, &c., on the hills. On my return