

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	500	Press
		~~Mis.~~
	37-38	
Dated	17-4-1958	

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 20th April 1858.

No. 37. Read the following Petition.

To the Right Honorable LORD HARRIS, Governor in Council, &c., &c., &c.,
Fort Saint George.

The humble petition of Yaralagudda Ramasawmy
Chetty, an inhabitant of Nelloor.

HUMBLY SHEWETH,

That your Petitioner aggrieved at the conduct of Gereapah, Sheristadar of the Court of Nelloor, and from the nature of the artifice and corruption practiced by him, begs to submit his case for the consideration of your Lordship in Council as one deserving of *special* attention.

2. That from the option allowed to him by the Civil Judge, the malpractices by the Sheristadar are strengthened either from the natural defection or indifference of the Civil Judge; taking therefore the whole of the circumstances into consideration, it is openly manifest that he (the Civil Judge) may have connived intentionally or in ignorance by which there is an indirect if not a direct charge against him also.

3. That from the enclosed original letters, bearing the stamp and Post Office impressions, marked A, B, C, D, and E in the suit of Petitioner's sister, T. Mungamah, No. 98 of 1856, in appeal for the amount of five thousand Rupees was unable to obtain redress, unless the Court Officers were bribed. That though it was contrary to feelings, yet to recover the money, it was agreed to pay the Sheristadar 600 Rupees and his accessary Gopalrow, Writer of the Court, 30 Rupees, who insisted upon it. The Petitioner, who was at this time in Madras, was required by letter A to remit the amount; but on account of a little delay, the letter B was written by Gopalrow, Writer, in which he holds out the fear that if the remittance was not soon made, the opposite party, who were then attending, will get the better. The letter C will prove the payment to the Sheristadar, who took the money in preference of its being deposited. The letter D will show the reception of the Writer, by the Court's Sheristadar, who since changed his mind to give Judgment in favor of the opposite party who paid 1000 Rupees and further agreed in order to throw obstacles in the way of your Petitioner to obtain redress at the request of the Writer of the letter that 600 Rupees received previously from the Petitioner will be withheld until the expiry of the Special Appeal time, that he may not have the means for costs to appeal in higher Court. In verification of the above letter E the case was decided shortly after the Court was opened, in accordance with the Sheristadar's promise as stated in the said letter. That after such disappointments and deception, the letter E will bear out that the 600 Rupees was delayed to be paid on the pretence that the Petitioner must personally call for it, he was then in Madras, and came down for it, when the objection that the person who gave the money being absent was started!!! Upon such frivolous and tricking excuses, the amount is not yet paid. That your Petitioner is prepared to prove by substantial evidence as far as regards his case, the bargain made by the Sheristadar, the receipt of the money by him and how he withholds it now.

4. That the two following illustrations are however submitted first, that a mere cursory perusal by your Lordship in Council of the Judgment part of the cases of the Decrees herein enclosed,* No. 2. ed,* will evidently prove that it is the composition of some Natives and corrected by a European, as they contain no idea entirely of a European, and second, from the enclosed documents it will be found that the Court's proceeding conform with the object of the stamped private letters previously written, thus it is obvious that the proceedings of the Court now solely depend upon the extent of the pecuniary grant as hereunder detailed.

5. That from the letter marked F is from Moosalum Chetty, suitor No. to his brother Vencatanarasoo, and it will be seen from it, that the Sheristadar agreed to dismiss the suit brought against him without trial; releasing the attached property holding proceeding against the pleader of the opposite party to degrade him instead of his being heavily fined as requested; upon promising to pay him 5,000 Rupees being more than the amount offered by the opposite party; accordingly advanced a part to him and his Assistant Gopalrow (who prepares the draft of English proceedings according to the Sheristadar's dictum as he is unacquainted with that language) and requesting to send the remainder. The letter marked G is answer to F expressing that the news gave extreme delight to him and his people; informing the despatch of the required money,

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warning, that in paying, to take strict promise that no further demand will be made; if it comes for retrial by order of the higher Court in appeal or if a fresh suit, No 98 is brought by the opposite party again, and to get early decision and forward soon copy of it to Calcutta to release a ship attached there. According to the tenor of this private correspondence by post of the suitor, he subsequently gained the points, as the authenticated copy of the Court's proceedings marked No. 3 will shew; the opposite pleader was degraded, and the other marked No. 4 shows the case was thrown out without trial. To support still further these facts, Petitioner begs to add that the Government also was duly informed of the impending danger to the party by the enclosed original petition marked No. 1, dated 6th December 1856, which was soon after the arrangement was concluded to pay the Sheristadar to throw out the case as per letter marked, though the request to refer the case to Sudder Court, was not complied with. These facts become more remarkable by the enclosed letter marked H containing the fear expressed and the anxious arrangement made for hereafter about the contents of the letters marked F. and G.

6. That the above instances are very few compared to many others of undeniable proof, for, the Court's proceedings held corresponding exactly to the drift of the private letters, which passed previously regarding the promises of the Sheristadar for Judgment, that the letters will prove that they originated before the proceedings at stated times by their bearing the stamped Post Office impressions, the conviction as to the genuineness becomes unquestionable by the fact that the parties and their people fully understand the object of the proceedings to be held weeks and months afterwards, whereas in other Courts, the Judges themselves do not know what would be the result until they have written the decisions; and what stronger proofs can be given than this. By all these your Lordship in Council will have sufficient grounds to admit all the statements of the Petitioner are correct, or at least strongly believe the existence of the malpractices and corruption openly in Nelloor Court, so much tending to disgrace British Jurisprudence.

7. That your Petitioner submits that if an impartial and strict enquiry is instituted, many other charges will be proved both by documentary and oral evidence, and other proof could be easily traced from the public records of acts contrary to the justice and existing rules in different ways according to the caprice of the Sheristadar.

8. That Government gave option to the people generally to bring to notice cases of torture and ruled to prosecute on behalf of Government several description of cases, though the injured party is not found, or unwilling to undertake it himself arising from being tampered or other causes. Whereas the said Sheristadar while he has the Judge's power in his hands, without exercising it with justice to uphold the character of his master and conformable to the rules of Government, he has taken an opposite course for his own benefit with a callous heart, and unlimited covetousness and his injurious acts being unbearable, they are laid before Government as the sole supporter of the people to maintain the reputation of the British Administration.

9. That the proofs that will be developed in the enquiries will establish the defects and irregularities in the administration by the Judge of Nelloor. If the enquiry is entrusted to the said Officer, the result must necessarily be a disappointment. When irregularities in the Nelloor Court of this very description were brought to notice in 1833, during the Judgeship of Mr. Bushby subsequent in Cudapah Court of Mr. Angelo, the Circuit Judges, viz., Mr. Casmajor to the former place and Mr. Dickinson to the latter were appointed as Commissioners. In the Collectorates of Madura and Rajahmundry, Messrs. Morehead and Montgomerie were respectively appointed Commissioners in 1843, and several other such Commissioners were selected. Consequently a Commissioner of experience and impartiality may be appointed on the present occasion; otherwise another Judge of such talents may be transferred for the Nelloor Court, which will answer the purpose, and in either case the Court's Sheristadar Geereappah and his accessaries, viz., V. Vencatagopalrow, Writer, and his cousin C. Narasiah, Pleader, whose names are mentioned in the enclosed private letters, should be suspended; or at least kept out of duty pending the trial, that they may not thwart the contemplated end by their powerful influence.

For which your Petitioner shall as in duty bound

Ever Pray.

Madras,
28th February 1858. }

మొలకగడ్డరామస్వామిశెట్టి.

Fort St. George, Judicial Consultation, 20th April 1858.

P. S.—Petitioner solicits the enclosed documents may be returned after perusal by Government and they will be produced with any others if the Commissioner or the new Judge is appointed for enquiry as herein submitted.

No. 38.

ORDER THEREON, No. 500; dated 17th April 1858.

Petitioner states, that, he is brother and next friend of one *Bomachetty Mahalutchmee*, widow, of *Nellore*, who had occasion, in the year 1855, to sue her husband's alleged adopted son and other defendants, for the recovery of the possession of certain property of large amount, to which she had succeeded as heir to her husband, in the Civil Court; that, being required to bribe the *Sheristadar* and the *Writer*, he gave Rupees 600 to the one and Rupees 30 to the other, in proof of which, and of the allegation that the *Sheristadar* got a higher bribe from the other party and so took means to have the plaintiff non-suited, he encloses certain original letters sent to him (by post) by the *Writer* aforesaid and others. He prays that certain witnesses of his may be examined, and submits copies of the Court's Decree and order on Supplemental plaint, as presumptive testimony to his story.

2. Reserving his judgment on this case pending the further investigation thereof, the Governor in Council thinks it is quite apparent that a great deal of intrigue is attached to it, and that some of the Court servants are certainly implicated therein. He resolves to refer the petition and its enclosures, through the Sudder Court, to the Civil Judge of *Nellore*, who will sift the matter thoroughly, submitting his report to Government through the Judges of the Sudder, in order that it may be accompanied with their opinion as well.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

April 3rd 1883

My dear Father
I am writing you
with a great deal of
difficulty. I have
been thinking of you
very much lately
and I am sure you
will be glad to hear
from me. I am well
and hope these few
lines will find you
the same. I am
yours affectionately
John

[illegible]

came forward & by asking
 presented the situation
 of things. The situation being
 being (then read up the
 situation being present to name
 aspect. The situation being
 their respect. The situation
 applied they would be in London
 as if they could be there. The
 situation being present to name
 their going. The situation being
 how many. The situation being
 said 3. The situation being
 of the situation. The situation being
 reason. The situation being
 once. The situation being
 the situation. The situation being
 of the situation. The situation being
 the situation. The situation being
 said to be. The situation being
 like to be. The situation being
 to be. The situation being
 immediately. The situation being

I would express my
best wish to Mr. Parker
after the paper has been
printed & when he has this
at hand to be able to
my attachment to the
the labors to be able

Love

Wm. Lloyd Garrison

I cannot think of
any thing of me of my
dear in the community
from the other side of
the Atlantic. I have
seen to the other side
before it was over

Pro! & friends of
the slave have been
in the former Pro! school
where I am deeply
of the friends of the
of the friends of the
of the friends of the
of the friends of the
of the friends of the
of the friends of the

Ketter
 9 April
 My dear Father
 I submitted to Lady
 in my letter of the 3rd
 & to the date of the
 towards the end of last
 year about 1.50 or
 2.00. I think I had tried
 to do so but the
 the very end, I found
 to I sent for to the

My dear friend,
I am L. J. Smith
Secretary of the
Commission of the
North of the American
in the House of
the States. This
morning I have
been told that
you are a member
of the Education
Committee for the
examining of
the 2 years ago
of the
L. J. Smith
L. J. Smith did not attend

14
This petition having
been sent to the
Congress essentially
as the Government
decided, I am sure
it will be settled.

L. J.

8 - 41 - 526

My friend, is full & perfectly satisfied
with his own proceedings. He
has done all in his power to further
the cause of justice & my impression is
that there is nothing left to be desired.

that it is clear that there has
been a great deal of intrigue going
on & that some of the faint letters
are implicated in it. I will now
refer the ~~present~~ whole case to him
publicly thro' the S. H. - words that
he may lift the matter thro'ly &
if possible bring the guilty to
justice. W. H.

Mr George's

semi official letters

regarding the alleged malpractices of
his stenographer & other Court servants. 15+

Peter Sep 6

167

For order

Dr
C-3/58.

No 587 of 18548

From G. Ramsawmy Chetty
of Vellore

Petitioner states that he is
the brother & next friend of one
Bomachetty Mahalutchmsee,
widow, of Vellore, who had
occasion in 1855 to sue her
husband's alleged adopted son
& other defendants for the
recovery of the possession of
certain property to which
she had succeeded as heir
to her husband, in the Civil
Court. That being required
to file the Shristadar & the
Writer, he gave 600 Rs to the
one & 30 Rs to the other; in
proof of which and of the
allegation that the Shrista-
dar got a higher bribe from
the other party & so took means
to have the plaintiff's nonsuited,
he encloses certain original
letters sent to him (by post) by
the writer aforesaid & others

At

Shaf. this is the
the plaintiff's opinion
the letter of the
appears very strong

At

Don't see how the
Govt. can allow such
extraneous charges to
be made without
taking steps to ascertain
whether they are on any
foundation or not

The order alleged to be the
is the one dated 12 Dec 56. It
it was apprehended to be
the one of the 12 Dec 56. It
appears to be a bribe that his
interposes may be ex-
-amined. Submits co-
-pies of the Court's decree
a order on Supplemental
plaint, as presumptive testimony
to his story, it being clear that these
papers were drawn up by a Native.

much in the same way as a witness of
fact it appears to me to be correct. The
fact is not a disputed one. It is not
taken place in some of these instances. The
which was - even before me of the very nature
the case is nothing upon which I have
not been charged upon. + he says he has witnesses.
I should like to know what is the nature of the
fact is concerned. The fact is that the
witness in the case provided by the
having been asked to do so he has been asked
before in his behalf. I should like to know
I should like to know the nature of the case
have to ask him if he is a witness
+ to deal with him as a witness
reporting the same. I should like to know
I believe it would be a very good thing
thing - if the Chief Justice of the Court
the case were decided in the
at the same time -
M. L.

Griffin

Judicial Department
No 500

Extract from the Minutes of Consultation
Dated 17 April 1858.

Read the following Pe-
tition from J. Ramaswamy
Chetty of Nellore.

(Here enter No 58 of 1858.)

W

W

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he is brother and next
friend of one Bomacketty
Mahalutchmee, widow,
of Nellore, who had seen
in the year 1855, to
see her husband's alleged
adopted son and other de-
fraudants, for the recovery
of the possession of certain
property of large amounts,
to which she had succeed-
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in the Civil Court; that,
being required to bribe the
Sheristadar and the Writers,
he gave Rupees 600 to the
one and Rupees 30 to the
other, in proof of which,
and of the allegation that
the Sheristadar got a higher
bribe from the other party
and

and so took means to have
the Plaintiff non-suited,
he encloses certain original
letters sent to him (by post)
by the Writer aforesaid
and others - & ~~to~~ ^{to} ~~show~~ ^{show}
that certain witnesses of
his may be examined,
and submits copies of the
Court's decree and order on
Supplemental Plaintiff, as
presumptive testimony
to his story. —

2. Reserving his judgment on his
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He resolves to refer the petition & its
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the Civil Judge of Nellore, who will
lift the matter thoroughly, submit-
-ting his report to Govt. & the
Judges of the Sudder, in order that
it may be accompanied with
their opinion as well.

S. J. C. 10/11/58

To the Judges of the S. D. Court
Nellore 22 orig. Enclos. } Sept. 24

M. S. Bell

374 38.

Fe. 1186 15 July 96

off my pencil 38 —

Ex tracto Mord. of 1000

No 576

In 82 8 Jan. 2000 at 1000
Judicial 1858 2000

Shut

374 38.

C 10. Apr.
N 15. 11.