M.R.O. 1—29,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1007 Press Mis.
39-40

Dated 26-7- 1939

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, from 23rd to 29th July 1859.

No. 39. Read the following letter from R. R. COTTON, Esq., Acting Civil and Session Judge of Madura; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 1st October 1858, No. 423.

1. With reference to my letter of the 24th Ultimo, I have the honor now to submit the name of Ramasawmy Iyer, a passed Vakeel of my Court, for the comfirmed appointment of Government Vakeel, the duties of which he has been performing, since the dismissal of the late Government Vakeel, Shama Row.

2. From the fact of my recommending him, for the appointment, it is evident that I consider him the most competent man in the Court, for the post, for which I believe he is thoroughly fit. I enclose a copy of the Acting Collector's letter in reply to mine, asking if he had any objection to his being confirmed; considering it only fair that the Vakeel should have an opportunity of making any observations he might desire on the Collector's remarks, I allowed him to peruse them, and forward copy of his explanation; that the Government may decide, whether the objections raised by the Acting Collector, are of sufficient weight to deter them from granting him their Sunnud.

3. The fact of the Shevagungah estate being under the charge of the Court of Wards, I conceive, can be no bar to Ramasawmy Iyer being appointed, as it rests entirely with the guardian, with the approbation of the Collector, to appoint *any* Vakeel, should they object to the Government Vakeel.

4. I myself do not attach any importance to the fact of Ramasawmy Iyer having *formerly* been connected with Mr. Fischer, or having been employed by him: the whole of the Vakeels, or those worth any thing, are more or less in the same plight, and I consider it would be hard, in the absence of any specific proved charge against his character, to deprive Ramasawmy Iyer, of an appointment he has qualified himself for; he having passed his examination for a Diploma with great credit, being classed, No. 2 out of 23 candidates who passed.

5. Should the Government however consider the appointment of Ramasawmy Iyer, unadvisable, I will submit for a Sunnud the name of some other qualified person, with as little delay as practicable.

From A. HATHAWAY, Esq., Acting Collector of Madura; to R. R. COTTON, Esq., Acting Civil Judge of Madura, dated 28th September 1858, No. 1060.

1. In reply to your letter of the 24th, No. 415, I have the honor to inform you, that I do not raise any objection to your recommendation of Ramasawmy Iyer as Government Vakeel; as I have had scarcely any opportunity of testing his abilities.

2. His previous connection with Mr. Fischer renders him objectionable as a Vakeel for important suits connected with the Zemindary of Shevagungah, moreover he is Vakeel for Mr. Fischer in a suit against the Deputy Post Master; against the decree passed on which an appeal is to be preferred.

(True Copy)

(Signed) R. R. COTTON,
Acting Civil Judge.

To R. R. COTTON, Esq., &c., &c., &. Acting Civil Judge of Madura, dated 30th September 1858.

The humble address of Ramasawmy Iyer, Officiating Government Vakeel.

I humbly beg to explain as follows to the words " previous connection with Mr. Fischer" mentioned in the 2nd para. of the Acting Collector's letter about the appointment of Government Vakeel.

When I was very young, I was writing English under Mr. Fischer for the sake of improvement, just as many other persons did, who were and are all employed as Moonsiff, Sheristadar and Translator of the Civil and the Session Court, and Writers and Javabnavisses and English Record-keeper of the Collector's Cutcherry of this Zillah; and they have obtained best Certificates

of their capacity and good character. What is my character and capacity will be evident to your honor from the testimonials given to me by the late Acting Civil Judge and Collector and others and from my Diploma numbered 2nd of the 23 Diplomas given during the 1st examination under the new Rules. Therefore my "previous connection with Mr. Fischer" as above stated, will not be a bar to my being employed in the suits belonging to the Shevagungah Zemindary. Supposing it will be so, a Vakeel has already been employed in all the important suits of the said Zemindary, and besides, all these are not public suits, and the Collector can employ any other Vakeel in them as usual.

And as to a single Post Office suit mentioned in the said para., it may be given to any other Vakeel and there are many instances of it. One of which is as follows:

* O. S. No. 3 of 1856, and 8 of 1857.

When the late Government Vakeel was appointed, he was employed as Vakeel by the Plaintiffs in 2* suits of greatest value instituted in this Court directly against the Government. Mr. Parker the Collector, did not think it an obstacle and so approved of his nomination, and employed a Vakeel named Narayana Row in those 2 suits. This practice is not only in accordance with the law, but is invariably observed in all the Courts of the Presidency. Besides this, the Government have now ordered to conduct the said Post Office suit through one of the authorized Vakeels, but not that it ought to be conducted through the Government Vakeel only, and the Acting Collector is going to do so.

I most submissively beg pardon to add that the Acting Collector says that he does not raise any objection to my confirmation, and therefore his merely mentioning in the next para. something unimportant will not be considered as an objection.

I also humbly beg to refer your honor to the Sub Judge Mr. Phillips, about my character and capacity.

(Signed) RAMASAWMY IYER,
Officiating Government Vakeel.

(True Copy.)

(Signed) R. R. COTTON,
Acting Civil Judge.

No. 40. ORDER THEREON, 26th July 1859, No. 1007.

Resolved that the Civil Judge be requested to ascertain from the Collector of Madura and report, whether he has any objection to Ramaswamy Iyer being confirmed as Government Vakeel in the Madura Court. If he has, Mr. R. R. Cotton will nominate for the post some other Vakeel, in whom the Collector has confidence.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

-1-

Admiral Defrate

No 1798

From the Acting Civil & Superintendent
Madeira

Dated 1 October 1838

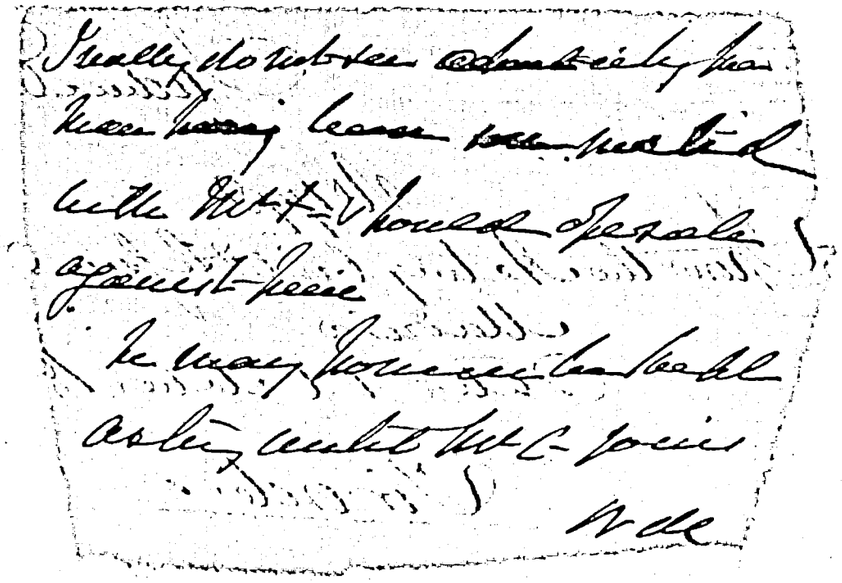
Sir

The Colonies objection to this man is not unreasonable considering how troublesome Mr F. always has been & how fond of intrigue

Ramasamy on his own showing is even from a respectable family & Mr F. Ramaswamy stated: has been educated & known Mr Moor does not state in the letter to Ramasamy. There was no charge of theft against him & he is entitled

As a general rule I think Govt. Servants should only be appointed with the approval of the Colonies who has to work & do with them

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Judicial Dept.

Proceedings of the Madras Government

From Civil & Session Judge of Madura 10th

1858.

Order thereon 26 July 1859 - No 1007.

Resolved that the Civil
Judge be requested to
ascertain from the Collector
and report
of Madura whether
he has any objection to
Ramasawamy Iyen
being confirmed as
Govt Vakeel in the Ma-
-dura Court - If the
Hon'ble Mr R Ross will nomi-
-nate for the post hereto
the Vakeel in whom
the Collector has confi-
-dence.

Judge Madura. Dispd 4th Aug.

Lic 26 July 1859.

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12-10 5-8

Proc of Court 29 July.
Judicial 1859. Sept

No 1007.

Proceedings of Court
of 26 July 1859
Feb 1886.

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