

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	734	Press
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Dated	11-6-1860.	

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Not to be folded or roughly handled

10-11-30

Proceedings of the Madras Government, Judicial Department,

11th June 1860.

No. 76. Read the following letter from CHARLES W. READE, Esq., Civil Service, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Oossor, 30th May 1860.

I take the liberty of forwarding through the Madras Government, for submission to the Right Honorable the Secretary of State for India, the accompanying letter, and I trust His Excellency the Governor in Council may feel both able and disposed to support my prayer for some mitigation of the very heavy punishment which Her Majesty's Government have thought fit to inflict on me.

2. In my letter to Sir Charles Wood I have thought it right to refer to my public and private character in support of my application. It is best known to the Government under which I have immediately served, how far I may claim credit for the way in which my duties have been performed during the 20 years of my service, for many as a Judicial Officer, and latterly in the high office from which I have been recently removed. I therefore hope the Government will recognise the propriety of my soliciting their testimony on these points.

3. Should the Government think it sufficient to send translations out of the two addresses which accompany my letter to the Secretary of State, I request the originals may be returned to me.

TO THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA.

RIGHT HONORABLE SIR,

Before leaving England I received a copy of an Extract from your despatch to the Government of Madras, conveying the decision of Her Majesty's Government in my case. In this despatch you were pleased to acquit me of all the charges upon which I have been recently arraigned with the exception of one.

2. I admitted from the first that I had transgressed a rule in purchasing different articles from the Rajah of Vizianagram, a landed proprietor within my jurisdiction at the time. This breach of duty, it is observed, was greatly aggravated by the attendant circumstances, viz., that I allowed the horses, after I had purchased them, to be kept for some time at the Rajah's expense.

2ndly. That I did not pay for them, for the mirrors or for the tent, until I was apprised that my pecuniary transactions with the Rajah had been brought to the notice of the Madras Government, and that ante-dated cheques were then sent to the Rajah.

3. As a punishment for this breach of duty I have been condemned to suspension from office for 2 years.

4. I have no wish to reiterate at length the defence which I offered on the above charge in common with those of a far graver character, I trust however it is still open to me to submit, in mitigation of the error, which has led to so severe a penalty, certain extenuating circumstances, on which I did not deem it necessary to dwell, as I might have done, when the subject of this charge appeared so comparatively insignificant. Of these circumstances, the first and the most important one is the fact that I did not transgress the rule in question intentionally, or with any idea of private advantage to myself: 2ndly as to the aggravating circumstances, I again respectfully repeat that the Rajah was not permitted with my consent or knowledge, to bear the expense of keeping the horses after they were removed to my stables. This fact would seem far from strange to those who know how the private affairs of a large establishment in India are often conducted, and if it had been my practice in ordinary times, which unfortunately it was not, to look into my household accounts, the time and thoughts of every public man were so occupied in the years 1857-58 that neglect in matters of this kind at such a juncture might seem natural and excusable, and in my position peculiarly so.

5. As to the second aggravating circumstance, it is true that I did not pay for the things until the matter had been brought to the notice of the Government, but I have already explained how the delay arose, and I submit that this explanation, coupled with the fact of the friendly

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relations existing between the Rajah and myself (relations in accordance with the expressed wishes and instructions of the Home and Local Authorities and highly essential in our relative position) ought to relieve me from any serious blame on this account. The transactions were trifling in a pecuniary point of view, and only when I found they were mixed up with other accusations against me, and formed the subject of complaint to Government, did the necessity of an immediate settlement with the Rajah occur to me.

6. It is deemed an aggravation that not only was payment delayed, but that such payment was made by means of ante-dated cheques. This proceeding on my part, incautious as I admit, has prejudiced my case but it is not alleged, nor do I believe it can with reason be contended that I had any culpable motive in the matter. (Vide paragraph 8 of my memorial and 20-21 of my defence.)

7. In the foregoing remarks I have confined myself to the particular points on which I have been condemned, and if any thing be wanting to give weight to my statement, I hope I may be permitted to refer to my past character and services during a long Indian career, particularly to my services at Vizagapatam at the critical period of 1857. The addresses submitted with my recent memorial speak of those services, and they also show the esteem and respect entertained for me by all classes and sections of the people in that district. I may appeal to these testimonials, to the records of Government, and to the members of my own service, in proof that both in public and private life, I have ever maintained an unimpeachable character for truth and uprightness, and I venture to append to this letter two other addresses, presented to me some years ago, one at Chingleput and the other at Salem, when vacating the office of Civil and Sessions Judge at those two stations. I therefore do earnestly trust that at this trying period of my life, my hitherto unspotted reputation may avail in obtaining for me some mitigation of the severe penalty under which I am now suffering.

8. Having been declared eligible for future employment, I feel it is a severe ordeal to be kept out of active occupation so long, particularly in a country like India. This cannot tend to render me an efficient public servant when I resume work, and it bears so hard on myself and family that I do hope the suspension and very serious loss I have already undergone, consequent on the sudden deprivation of my usual income and my recent visit to England, may be considered a sufficient penalty for any offence I may have really committed.

9. In the earnest hope that this appeal may receive a favorable hearing and consideration at the hands of Her Majesty's Government, with all respect,

I have, &c.,

(Signed) CHARLES W. READE,
Madras Civil Service.

30th May 1860.

To C. W. READE, Esq., Acting Civil and Session Judge of Chingleput.

The address respectfully presented by the here
undersigned and marked Inhabitants and
Merchants of Chingleput and its suburbs.

MOST HONORED SIR,

Having learned that you are about to leave this district at a time when our community has just began to anticipate peace and happiness of their district from the manner of your official proceedings, whereby the sufferings of many have partially been removed and hope created of an effectual check to future oppression, we humbly beg leave to embrace this opportunity to express by means of this small address our sincere feelings of your justice and regret on the occasion of your parting with us, and request that you will be pleased to accept this in token of our esteem and respect which we have to you.

2. Ever since your appointment to this Zila our district has assumed a cheerful aspect and the wicked have begun to dread at your name. Rain fell in due season and enabled our

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countrymen to cultivate their fields to an extent unusually great which hold out fair prospects of abundant harvest. It is stated in our sastras that a country over which a just king rules is really happy; for in it rains fall in due seasons and harvests abound in plenty. This year has been a clear demonstration of the truth of the said passage.

3. Sir, here we beg to allude to some of the most important features of your administration by which our community has derived certain real benefits. The first step of your official proceedings towards the security of our persons and property, was to try a number of thieves who had been in the constant habit of disturbing the internal peace and security of the town of Chingleput and its suburbs, and to convict and sentence them as they deserved. This just proceeding on your part effectually checked the domestic troubles of Chingleput and restored tranquillity to its inhabitants. While you were deserving on this account many thanks of our countrymen, you received information of injustice and intrigues carried on in the Subordinate Courts and the Government having required you to investigate the complaints against the Principal Sadr Amin you have commenced to hold a preliminary examination in the said matter. When you were thus engaged in finding out the truth of the complaints, independent of your other most important criminal business, your attention was suddenly called by a regular Petition to the long practiced irregularities and frauds of the station or Canjeevarum District Munsiff. After holding a regular trial, you have convicted him upon his admission and dismissed him from the most responsible office of which he showed himself utterly unworthy. By this act you have not only saved numerous parties from injustice and loss of money, but also convinced them how ready the Government would be to redress the grievances of the people should they come forward and put forth their real complaints. In addition to these important acts you have discovered the oppressions practiced by some of the Native Police Officers who happened to come under your observations and justly noticed their conduct. Some of these officers have been either reduced or fined by the Magistrate with reference to the proceedings held by you in regard to their conduct. Thus, have you made the wicked in every part of this Zila to dread at your justice; nevertheless your act of punishing the wicked has not been unattended with mercy in cases allowable. The people are surprised to find that no wicked man, who causes more or less annoyance to the people, has escaped your notice and it is hoped that if you were allowed to remain in this District for some time more you will weed the country of the mischievous and noxious plants.

In truth, though the period of your administration over us has been of a short duration, yet we cannot but acknowledge and admire at the patience with which you sit on the bench, without regard to the measure of time, during the examination of criminal cases; the trouble you take in endeavouring successfully to discover the truth, the dexterity with which you commit to paper almost all the questions and answers, the manner of your detecting and reproaching untruth, the free admission of people into the Court hall on all occasions in which cases are examined, the permission to the Vakeels to plead on both sides of the parties even in criminal cases, a practice which though authorized was never brought into operation in this Zila, the anxiety you evince to hear their arguments, the criticisms you pass on their pleadings, and the ability with which you sum up the case at the close of the investigation and on the point of declaring your judgment, all which have not only gladdened our hearts to the extreme, but also cherishes a hope that if this mode of administration be continued, this Court will, in a short time, assume the character of Her Majesty's Courts bestowing on the people all the advantages derivable therefrom.

In conclusion, we pray to the Almighty to shower down his blessings upon your honor and to prolong your days on the earth, with speedy promotion to the highest post under this Government, that you may carry out your liberal views for improving the condition and character of our country and countrymen.

Wishing your honor and your honor's family health and prosperity,

We beg leave to remain, &c.,

(Signed) By principal inhabitants.

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Translation of an address presented to C. W. Reade, Esquire, Civil and Session Judge of Salem by the Europeans, Merchants, and others of Shevoypett and the suburbs of the town of Salem.

To C. W. READE, Esq.,
Civil and Session Judge of Salem.

We the undersigned inhabitants, Merchants and other Chetties of Savoypettah and the other suburbs of the town of Salem humbly present the following address.

2. Having heard of your appointment to the Office of Civil and Session Judge of Cuddalore, we deeply regret the loss we are about to sustain owing to your approaching departure to that station. You have held the office of Subordinate Judge in this District for a period of two years, and that of Civil and Session Judge for a period of one year. By the manner you have discharged the duties of your office and administered justice, you have endeared yourself to us and to the people at large in the district, and our happiness has been considerably promoted under your administration. You have used your efforts with others towards the establishment of an English school for the moral and intellectual culture of the people and this act of yours has been another source of happiness and joy to us. You have also taken certain steps to improve the sanitary condition of the town of Salem, and we believed that you would complete all the arrangements for the promotion of that measure, but to our great disappointment, you have been appointed to another district we therefore beg you will be pleased to recommend the completion of all your arrangements. Above all this you have been a very good and conscientious gentleman and we pray that the Almighty may give you the highest appointment, and bless you and your family with happiness and prosperity. We are about to submit an address to the Government requesting them to promote the measures you have adopted. We will also intimate to them of your kindness to us.

(Here follow the names.)

No. 77. MINUTE by the Honorable the PRESIDENT, dated 5th June 1860.

I think we may recommend a mitigation on two grounds:

1st. The punishment was heavy for the offence of which alone the Secretary of State considered Mr. Reade to have been convicted; and

2nd. As Mr. Reade is to be again employed, it is desirable that he should be saved as far as possible from pecuniary embarrassment.

Mr. Morehead and Mr. Maltby will be able to bear testimony to his past services.

(Signed) C. E. TREVELYAN.

No. 78. MINUTE by His Excellency the COMMANDER-IN-CHIEF.

The punishment which Mr. Reade has been adjudged to suffer is very severe for the comparatively trivial offence of which the Secretary of State considers him to have been convicted, and I think that on that ground mitigation ought to be recommended.

(Signed) PAT. GRANT.

No. 79. MINUTE by the Honorable W. A. MOREHEAD.

I strongly support the appeal made by this Government in favor of Mr. Reade's sentence being mitigated. He has already been severely dealt with, and I entertain the opinion that Mr. Reade's previous career of zealous and good service fully merits from Government that consideration which he now asks may be conceded to him.

(Signed) W. A. MOREHEAD.

No. 80. MINUTE by the Honorable E. MALTBY, dated 8th June 1860.

Mr. C. W. Reade has served in many Districts and obtained on several occasions the marked approval of Government. Having been the Officiating Chief Secretary when he was

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appointed Government Agent and Collector and Magistrate of Vizagapatam, I am aware that it was the favorable impression made by his previous services which led Lord Harris to place him in this important post.

As a public servant Mr. Reade has always been noted for energetic application to business, integrity and zeal for the interests of Government. His endeavours to put down all wrongdoings have, in fact, been sometimes carried on with perhaps too much impulsiveness, and his denunciations of the late Head Sheristadar and the servants of the Salt Department in Vizagapatam unquestionably excited an influential party against him.

In my opinion it is not for the interest of Government that Mr. Reade should be kept out of employ for the long term of two years, especially at a time when the Covenanted Service is very short handed. He has been already so severely punished in mind and purse for his thoughtless breach of rule in making some small purchases from the Vizianagram Rajah, that I trust this Government will be permitted in accordance with its present recommendation to find some new field of employment for him.

(Signed) E. MALTBY.

No. 81.

ORDER THEREON, 11th June 1860, No. 734.

Ordered that the following letter be despatched:—

To the Right Honorable the Secretary of State for India, dated June 1860, No.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

2/6/60

From the Reader
Civil Service
Order are requested as to what
should be said in forwarding
the Memorial
JP

To J. Russell Esq
Chief Secy Govt

Sir,
I take the liberty of forwarding through
the Indian Govt for transmission to the
Honble Secy of State for India,
the accompanying letter, and I trust
Honble Secy will be so good as to forward it
and I trust
may feel to be able to dispose of
support my prayer for some mitigation
of the very heavy punishments which
Her Majesty's Govt have thought fit
to inflict on me -

2. In my letter to Sir Charles Wood
I have thought it right to refer to my
public & private character in support
of my application. His best known to
the Govt under which I have served
directly served how far I may have

2
claim credit for the work in which my
duties have been performed during the
20 years of my service, for many as a
Judicial Officer, & latterly in the
high Office from which I have been
recently removed. I therefore hope
the Govt will recognize the propriety
of my soliciting their testimony on
these points.

3. Should the Govt think it im-
perative to send translations out of
the two addresses which accompany
this letter to the Secy of State, I request
the originals may be returned to
me -

I have the honor to be
Sir
Yours most Obedt Servt
Charles A. Read

175
I think we may recommend a
mitigation on two grounds
1st The punishment was heavy
for the offence of which alone the
Secretary of State considered Mr
Reade to have been convicted; and

2 As Mr Reade is to be
again employed, it is desirable
that he should be saved as far
as possible from pecuniary embarrassment.
Mr Morehead and Mr Haltham
will be able to bear testimony to
his past services & to Mr Haltham

Madras 5 June 1860. The punishment taken
to support is very severe for the crime of which the
offence of which the Secy of State could show that
it was not proved, and I think that on the ground

Mitigation ought to be recommended

Q

Though such work has already
made by this Court in favor
of Mr. Meade's sentence being
mitigated. - He has already
been severely ^{with} dealt with &
cannot be expected to
Mr. Meade's previous career
of jealous & spiteful
bully, wants some Court, that

some situation which he
~~may now ask~~ ~~should~~ ask ~~may~~
be considered to him

W. L.

for the long term of two years, especially

Pro. 30th April 1860

Indicial 1860 Depart^t

From 20th June 60

Charles. W. Reade Esq.

Civil Service.

30th May } 1860.
2nd June }

5 Enc^s

N^o 926.

Forwarding for transmission to the Secy of State a memorial requesting a mitigation of the heavy punishment inflicted on him by the M^t Gov^t (i.e. suspension from Office for 2 years) & soliciting, for stated reasons, the recommendation of this Gov^t to the same effect.

Forwards

Mr C. W. Reade has served in many Districts & obtained on several occasions the marked approval of Government. Having been the officiating Chief Secretary when he was appointed Gov^t Agent & Collector & Magistrate of Vizagapatnam I am aware that it was the reasonable inference made by his previous services which led Mr. Harris to place him in this important post.

As a public servant Mr. Reade has always been noted for energetic application to business, integrity & zeal for the interests of Gov^t. His endeavours to put down all wrongdoings have in fact been sometimes carried on with perhaps too much impulsiveness - & his denunciations of the late Head Sheridator & the servants of the Salt Department in Vizagapatnam unquestionably excited an influential party against him.

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at a time when the Government Service
is very short handed - He has been already
so severely punished in mind & purse
for his thoughtless breach of rule in asking
some small pecuniary from the Government
people that I trust the Govt will be per-
suaded with its present circumstances
to find some new field of
employment for him.

J. H. H. H.

June

Judicial Department

Proceedings of the Madras Government

Read the following papers

From C. W. Reade Esq^r M. C. S.

Here enter 30 May 1860.

Minute by the late President

" 5 June "

" by the Commander in
Chief

"

" by the Honble W. A. Morehead

"

" by the Honble C. Matthey

" 8 June "

Order thereon, 11 June 1860. No. 73.

Ordered that the
following letter be des-
patched..

To

The Right Honble the
Secretary of State for India. (Here enter

JP