

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 715	Press His.
16-17	
Dated 3. 6. 1881	19

3/3

Not to be folded or roughly handled

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Proceedings of the Madras Government, Judicial Department,
3rd June 1861.

No. 16. Read the following letter from C. Y. REED, Esq., Manantoddy; to the Secretary to Government, Revenue Department, Madras, dated 10th May 1861.

Having failed on a previous occasion to obtain the minutest satisfaction from Mr. Grant, the Collector of Malabar, on a complaint brought by me, implicating his subordinate, Mr. Richardson, Deputy Collector of Wynaad; I now, with every respect, bring to the notice of the higher powers, another grievance which I suffer from at the hands of that functionary, and enclose a copy of that gentleman's last letter, returning to me an agreement made with some of my laborers, who have been working on my Estate for months past; but Act XIII of 1859, necessitated my entering into fresh arrangements, which I did, as you will observe from the annexed copy of their agreement. The transaction speaks for itself, and I may here mention that agreements are made with Europeans, for longer periods, and if this agreement is disallowed, it will throw the greatest confusion into the country.

From H. RICHARDSON, Esq., Deputy Collector and Magistrate; to C. Y. REED, Esq., Tetta Mullah Estate, dated Manantoddy, 17th April 1861.

Agreeably to the request conveyed in your letter of the 11th instant, I beg to enclose the receipt from the Gooroombers and to state that it is not admissible under Act XIII of 1859, for by the construction put on the Act by the Sudder Court, there must be an advance, and in consideration of that advance, a promise. Here no advance was made in consideration of which the laborers promised. At some past time, and of course for some other reason, sums were advanced. The consideration therefore as this document shows, had nothing to do with the promise, and is therefore in the ruling of the Sudder unenforcible. Besides, the period of two years would bind the laborers to qualified serfdom, which I do not think the Legislature anticipated in passing the Act.

COPY.

We the undersigned Cooroombers acknowledge to have received from C. Y. Reed, Esq., at different times from the twenty-third of July to this date the thirty-first December, one thousand eight hundred and sixty, the following sums of money opposite our respective names, in consideration of which we all bind ourselves to work on the Tetta Mulla Estate for the next two years.

Poonany...	Paddy Kalla...	...	10	0	0	his	mark.
	Murmingem Kathen....	...	6	8	0		
	Putchat Nagen...	...	10	0	0	his	mark.
	Neddia Kallen...	...	6	8	0	his	mark.
Coolla...	Neddia Nagen...	...	6	8	0	his	mark.
	Cheriah Boomah...	...	6	4	0	his	mark.
	Vulliah Boomah...	...	7	0	0	his	mark.
	Neddia Kathen...	...	6	8	0		
	Chelvot...	...	6	12	0	his	mark.
	Panamurum Chelvah...	...	6	0	0	his	mark.
	Coorumbala Marren...	...	6	0	0	his	mark.
	Vullia Chelvah...	...	7	12	0	his	mark.
	Kallah Checken...	...	0	8	0	his	mark.
	Marren Checken...	...	0	8	0	his	mark.
	Cherria Madah...	...	1	4	0	his	mark.
	Chevden Kathen...	...	1	4	0		
	Muringum Kallah...	...	0	8	0	his	mark.
	Cheria Kathen...	...	0	8	0	his	mark.
	Unshem Bomen...	...	2	8	0		
	Allien Kallah...	...	2	8	0		
	Kathen Checken...	...	0	12	0	his	mark.
	Koorumbalen Kallen.						

The marks are here inserted in the original.

Witnesses.

(Signed) C. H. PINTO.

(here a Native witness signs his name in the original.)

No. 17.

ORDER THEREON, 3rd June 1861, No. 715.

Mr. Reed will be informed that the Government cannot interfere with the proceedings of a Magistrate or Deputy Magistrate under Act XIII, 1859. His course appears to be to appeal to the Sessions Judge.

(Signed) T. PYCROFT,
Chief Secretary.

I should like to know whether
 the Magistrate's interpretation of the
 law is correct or not. I am sure
 that under the present law, it is
 possible to secure a reference to the
 High Court in cases where the
 Magistrate is in doubt as to the
 law. I am sure that the law is
 clearly in favour of the
 Magistrate.

Mr. Reed will be in-
 formed that the Govt.
 cannot interfere with
 the proceedings of a
 Magistrate or Deputy
 Magistrate under
 Act XIII-1859. His
 case appears to be
 to appeal to the
 Mr. L. V. Reed, Sessions Judge
 Manantoddy.
 The Magistrate of
 Malabar.