M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial
Revenue DEPARTMENT.

G.O. No. 1000 Press
Mis.

64-66

Dated 6 — 7 — 1864

20/20

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 6th July 1864.

Read the following papers :—

No. 64. From Mr. S. Hodgson, late Covenanted Engineer in the Department of Public Works.

(Here enter 11th June 1864.)

No. 65. From T. G. Clarke, Esq., Magistrate of Police.

(Here enter 27th June 1864, No. 89.)

No. 66. ORDER THEREON, 6th July 1864, No. 1000.

The Governor in Council has no doubt that on the occasion referred to in the foregoing letters, Mr. Hodgson's conduct was very disrespectful, and that the Magistrate, Mr. Clarke, would have been justified in committing him for Contempt of Court. It is to be regretted, however, that Mr. Clarke should have made use of the language which he admits having addressed to Mr. Hodgson, and the use of which by a Magistrate when engaged in the performance of his judicial duties, was clearly unbecoming.

(True Extract.)

Secretary to Government.

To Mr. S. Hodgson.
„ T. G. Clarke, Esq., Magistrate of Police.

Md. J. Tulloch.

A

No 821

No

[illegible]

[illegible]

[illegible]

B

No 931

[redacted]

[redacted] Stewart

[redacted]

[redacted]

[redacted]

C

Dec 1855

1855.

A true copy

Magistrate.

Memo.

T. Varthapah Chetty the Petitioner has been sentenced for ten years, & is having been Convicted of Forgery and Perjury.

[redacted]

[redacted]

[redacted]

5

to Compel

do

*Vide Exhibits A and B.

12

13

14

To

His Excellency Sir W. Kenyon
Governor in Council
Fort St George

The humble memorial of
Simpson Hodgson

Sheweth

That your memorialist late a Commanded Engineer in the Service of Govt, was while endeavouring in April last to give over charge of iron & other materials at Abercrombie's Battery to the Asst Storekeeper, a native by the name of Cholapow, grievously & cruelly insulted by the said Cholapow, with the threat that memorialist should strike him & cause a breach of the peace

That memorialist while altercating with Cholapow frequently lifted up his hands not with any view of striking or threatening the said Cholapow, but merely to give effect to his words

That on Saturday the day after the altercation above alluded to, Memorialist went there to the Police Court to obtain a Summons against Cholapow, but was disappointed, in consequence of the Magistrate being busy with the night cases when he first called, and the Court being closed at two o'clock when he returned

That on Monday morning Memorialist obtain-

by

meeting

in the county

fully drew the Magistrates attention

of the treatment

drew

upon.

question

the.

to

could be made a matter of complaint to Govt, who the
sufficiently investigating the case would afford Memorialist
ample redress for his grievances

Memorialist considers himself particularly ag-
-grieved by Mr Clarke's insulting epithets towards
him, having at the time that they were made
wholly unacquainted of the death
of his dear mother
Clarke that Memorialist was an "unpleasant puppy"
Memorialist to cast a reflection on his dece
parent, implying that he was the offspring of
"bitch", a term applied to low prostitutes in the
part of the country he came fr
Memorialist se[rved] faithfully & honou
the space of five ye[ars] without any reflection ever having
been cast on his charact[er] ; now, th
is about to proceed to his native land, he feels most
keenly that such an epithet as "puppy" should
been applied to him at the ti[me] of his departure by
who, from his position, ought
respect from all persons & classes in society

Memorialist regrets not having been able to c[all]
his petition to your Excellency in Council at an earlier date
At the time of his arrival he was about proceeding
almost immediately to Ja[maica] & thought it best, after
receiving Mr Keatons opinion to lay his case before
the Home Secretary; but having been immediately de-
-layed

---

made

Sir : dother Clerks t
attend charge I

now the
to a be to
witnesses on Sketch
the hand
proceeding the
in the matter of Memorialists.

Shews that
Mem Magistrate in indictment -
clerk unaware to have th
counsel as to whether there were any grounds
for him against the Magistrate,
no case for the opinion of the Colonial
Counsel the Advocate Genl, informed
which he

"I do not think any Magistrate is justified
"in applying such epithets to any one
"who comes before him; But this is, in
"my opinion not a ground of legal action,
"but of complaint to the Government,
"which for sufficient reason would
"soon dismiss him"

legal
the Magistrate was not
justified in applying such Epithets
as "unpleasant puppy" &c may one
, and that a such conduct
did not seem for shall it
Counsel

he has by [illegible] of his
[illegible] rests [illegible] from [illegible]
that now rules this land, feeling [illegible] that of Magistrate Clarke
[illegible] from H. [illegible] & that Your
[illegible] cause
[illegible]
rather or will [illegible]
[illegible]
realist submits hey to pos
is gentle [illegible] grants with H [illegible] the
modes of seeking redress; & that whatever his
[illegible] on the 20th
[illegible] afforded Magistrate Clarke an
opportunity to know epithets which cast no
reflection on his character & descent from
[illegible]
& for imposing on them so grossly out of pro-
portion to the offence he was alleged to have
committed

Your Memorialist begs a strict & searching
inquiry into his case by a Committee of Gentlemen, or by
any other means that may be thought fit, & that
such redress may be afforded him as may be
[illegible] commensurate with the grievances & hardships
experienced & your Memorialist will as
in duty bound

Ever pray

Thos Jeson

11th June 1764

[redacted]

Sept. 8
1812

To

The Chief Secretary to Govt
Fort St George

Sir

I beg that you will be so
good as to submit the accompanying
Memorial to the Hon. the Governor in Council
Excellency
I remain Sir
Your obt Servt
[redacted]

Serving Woodcly Street
New Town Depy
11th June 1814

Late Lieutenant Engineer
employed by the E.I.C. at
Aberconahies Battery

PROCEEDINGS of the MADRAS GOVERNMENT.

Judicial 1864. Dept

Rowe

Lt. S. Hodgson

6 to Commanding Engineer Ex

2 Loyal in the P. Works Dept

4 Ahercrombie Battery

Guadeloupe

Read 11 } June 16.
Read 14 }

Rec

No. 186

Refer to ...

to the ...

3 ... of the ...

... behaviour ...

... towards him ...

J. G. ... to ...

Police

64

Referred to Mr. J. G. Clarke Magistrate of Police for any explanation he may have to offer with reference to the language alleged to have been used by him and conduct on the Bench on occasion referred to.

G. Cruttenden
Secretary

Fort St. George,
21st June 1864.

Mr. J. Clarke
Magistrate of Police

Dated 21st June 1864.

Lud.h Dept.

P.o 1779.

From Mr J.G. Clarke -
Magte of Police -

To orders

Mr Clarke's explanation & any with the merits of the case as between Mr Hodgson & his opponent - on which first have nothing to do & which was not included in their reference to Mr C —

I have no doubt that Mr Hodgson was drunk and that if the Magt had committed him for contempt he would have served him right -

1886 Department.

No. 6772

PROCEEDINGS of GOVERNMENT.

Dated 6 July 1886

I would have been with you
Thursday down to visit the Ops.
but Lampson [illegible] —

This mischievous action [illegible]
by Mr C- wilfully - I understand
that he is in the navy,
strong language on this
a hint may do him no good.

28/6/64 WA

very well WA