M.R.O. 1—86,000—16-10-89.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1614	Press ~~Mis.~~
92-93 Dated	8 - 11 - ~~19~~ 1864	

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Not to be folded or roughly handled

No. 92. Read the following letter from E. W. BIRD, Esq., Civil Judge of Tanjore; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Judicial Department, Madras, dated Tanjore, 24th October 1864, No. 1065.

With further reference to my letter, No. 923 of the 12th September last, I have the honor, in returning the original communication from the alleged Mr. A. Franklyn of Negapatam, forwarded with your cover of the 29th idem, to submit, for the information of Government, copy of a letter from the Acting Joint Magistrate of Tanjore, from which it will be seen that the author of this pseudonymous communication is, as has always been suspected, Mr. Ballard, the District Moonsiff of Negapatam.

2. From information I have received, it would appear Mr. Ballard's son is named Alexander Franklyn, and the object the District Moonsiff seems to have aimed at, in addressing Government in this manner, was the removal of the Small Cause Court of Tranquebar from his own station (Negapatam), its continuance there being likely eventually to render the abolition of the District Moonsiff's Court a probable contingency, in consequence of the rapid reduction of its file in original suits.

3. Whether it was right for a public officer in Mr. Ballard's position thus pseudonymously to address Government on a subject affecting the public interests of two entire Zillahs in order to serve his own private ends, and that on grounds which, I trust, I have shown are altogether untenable, is a matter regarding which I do not, of course, consider myself now called upon to offer an opinion to the Government.

From C. G. PLUMER, Esq., Acting Joint Magistrate, Tanjore; to E. W. BIRD, Esq., Civil and Session Judge, Tanjore, dated Negapatam, 22nd October 1864, No. 81.

I have the honor to reply to your letter of the 5th instant, No. 999, and to ask apologies for not having done so before.

2. I, this morning, received through Lieutenant Trotman, Acting Assistant Superintendent of Police, a letter addressed by Mr. Ballard, District Moonsiff of Negapatam, to Mr. Clarke, Civil and Session Judge of Tranquebar. A comparison of the hand-writing of this letter with that addressed to Government by the *soidisant* Alexander Franklyn, left no doubt in my mind that the two letters were written by the same person. I therefore sent for Mr. Ballard and asked him plainly whether he was the writer of the letter addressed to Government and signed Alexander Franklyn; Mr. Ballard at once acknowledged that he was the writer of the letter in question.

3. I beg to return you the letter referred to.

(True Copy.)

(Signed) E. W. BIRD,
Civil Judge.

No. 93. To the Honorable Sir C. H. SCOTLAND, Knight, Chief Justice of the High Court of Judicature at Madras, dated Fort Saint George, 8th November 1864, No. 1614.

I am directed to transmit to you, for the purpose of being dealt with in such manner as you and your Colleagues may deem proper, the annexed copies of a correspondence which has taken place with reference to a letter addressed to Government under date the 28th July last,

Proceedings of Government, 24th August 1864, No. 1272.
do. 23rd September " " 1397.
From the Civil Judge of Tanjore, 24th Oct. " " 1065.

and bearing the signature of A. Franklyn, suggesting certain changes in the judicial arrangements of the Tranquebar and Tanjore Zillahs, and which signature, it now appears, was false; the letter in question having been written by Mr. Ballard, the District Moonsiff of Negapatam, who has acknowledged to the Acting Joint Magistrate that he was the writer of it.

2. The case is one which, in the opinion of the Governor in Council, calls for severe notice, but which may be most fitly dealt with by the High Court, who are invested with the power of appointing and dismissing District Moonsiffs.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. J. Tulloch,

No. 1614.

To the Honorable Sir C. B. Scotland, Knight
Chief Justice of the High Court
of Judicature
Fort St. George

Sir,

I am directed by Government to transmit
to you, for the purpose of
being dealt with in such
manner as you and your
Colleagues may deem
proper, the annexed copies
of a Correspondence which
has taken place with
reference to a letter addressed
to Government under date
the 28th July last and
bearing the signature of
A. Franklyn, suggesting
certain changes in the
judicial arrangements
of the Tranquebar and
Tanjore Zillahs, and which
signature

signature, it now appears, was false; the letter in question having been written by Mr. Ballard the District Moonsiff of Negapatam, who has acknowledged to the Acting Joint Magistrate that he was the writer of it.

12. The Case is one which, in the opinion of the Governor in Council, calls for severe notice, but which may be most fitly dealt with by the High Court who are invested with the power of appointing and dismissing District Moonsiffs.—

York Fort St George
8th November 1820

Archival 1864 Deposit

No. 1614.

To the Senate.

The Chief Justice of the

Supreme Court of Louisiana

Ex. 208/65.

Dated Nov 5/64

1614

92-93.