

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	482	Press
		~~Mis.~~
84-85		
Dated	7. 4.	~~18~~ 1864

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
7th April 1864.*

No. 84. Read the following letter from L. U. STEELE, Esq., Senior Judge of the Madras Court of Small Causes; to the Honorable A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Madras, 31st March 1864.

Adverting to the opinion of the Advocate General on the extension of the jurisdiction of the Madras Court of Small Causes, which came to my notice through the public newspapers, in which opinion certain statements are made which may reflect injuriously upon me as Senior Judge of the Court, I trust His Excellency the Governor in Council will not deem it unbecoming on me to make a brief reply.

2. In this opinion of the Advocate General, I am charged by him with being impracticable in that I declined to state cases for the opinion of the Judges of the High Court; that I administer "an inferior quality of law;" that my decisions on questions of Mercantile law have not given satisfaction; and that I have complained that suitors have left my Court in order to go before Sir Adam Bittlestone.

3. All these statements, it is to be observed, have been made by the Advocate General admittedly without personal knowledge on his part, but on mere hearsay; and though these circumstances may be regarded as disentitling them to much consideration, yet I feel it due to myself, to the administration of justice, and to the public, emphatically to repudiate them, and as to those portions which are stated as facts, to deny their correctness.

4. I have not, in the first place, declined to state cases for the opinion of the Judges of the High Court, except under circumstances that would not warrant my so doing. And to show that I have no disinclination to state such cases, I may mention that at the present time there is a special case before the High Court which I stated on the ground of the importance of the questions of law involved in it, although I was not applied to by the parties in the case till after the time within which the application ought to have been made.

5. I have next to state that I never made the complaint that suitors have left my Court to go before Sir Adam Bittlestone, nor said anything to warrant such a construction.

6. From the whole tenor of the Advocate General's communication it is clear that, in his opinion, I am not competent to discharge the duties of my office. I hope I may be pardoned for saying that upon this general question I am content to rely upon the opinion of the community and of the profession, and adding that the conclusion which the Advocate General came to as to the class of cases which he deems me only competent to try was arrived at hastily and without adequate information.

7. I may observe that the statements contained in the communication referred to, do not profess to be within the knowledge of the writer; they are put forward on the authority of some unnamed third person or persons without apparently any effort having been made to ascertain their accuracy. It appears to me that such a course of action, whereby one officer of Government makes serious reflections upon another, upon such grounds, is unfair in the extreme, and I feel bound to protest most solemnly against it. It surely is unjust to represent me, holding the office which I do, as incompetent and impracticable upon hearsay statements, and yet no step is taken with a view to verify these statements. I feel assured inquiry would have shown how unfounded they were, and in the absence of ample inquiry hostile opinions founded upon them should not, I venture to think, have been put forth.

No. 85. ORDER THEREON, 7th April 1864, No. 482.

His Excellency the Governor in Council has no reason to suppose that Mr. Steele has discharged his duties as Senior Judge of the Court of Small Causes otherwise than in a satisfactory manner.

(True Extract.)

To the Senior Judge of the Madras Court of Small Causes.
Exd. J. Tulloch.

Chief Secretary.

N^o 482 - 7 April 1864 -

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MR
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is the Sr. Judge of the Madras
Court of Small Causes. } Disch. 28/4/64.

Madras Court of Small Causes
31st March 1864.

From,

Sir, U. Steele Esquire.
Senior Judge of the
Madras Court of Small Causes.

To,

The Honorable A. J. Arbutnot Esquire,
Chief Secretary to Government
Fort Saint George.

Sir,

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Advocate General on the extension of the
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Yours Most Obedient Servant

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To: 17th March 1864 No 209 to 215.

Judl 1804 Def ante

From
The Senior Judge of the
Madras Court of
Small Causes.

17th 31st March

No 25

Submits a reply to
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in the opinion of the Advo-
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the Court of Small Causes
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him as Judge of the Court.

With an order

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