M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1645 Press Mis.

Dated 18—10. 19 1886

220-231

26/26 (4 cases)

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
18th October 1866.

No. 230. Read the following letter from J. W. CHERRY, Esq., Civil and Session Judge of Ootacamund, to the Secretary to Government, Fort Saint George; dated Madras, 5th October 1866.

I have had the honor to receive, this day, the Proceedings of the Madras Government, under date 3rd October 1866, directing me to report whether the list published and circulated with the *Neilgherry Excelsior* of the 29th ultimo, of the Suits disposed of by the Civil Judge of Ootacamund from 1st January to 30th June 1866 is what it purports to be, and, if so, whether it was furnished to the *Excelsior* with his knowledge and consent.

2. The Government further direct me to state whether the papers referred to in the 3rd paragraph of their Proceedings were furnished to the Press with my knowledge and consent.

3. I beg to state that the list is what it purposes to be, and that the papers, though not specially furnished by me, appeared in the Press with my knowledge and consent.

4. In explanation, I have to submit that the whole of the subjects now selected by Government had formed a part of the proceedings of the Judge of Ootacamund, long before they were put before the public in their present shape.

5. For instance, many of the suits in that list had been discussed, and disposed of in the Court in detail, and had been reported and commented on by the Press previously, so that this is not their first appearance—the public only learning now in a lump what they may have heard before in piece-meal; also the Proceedings connected with General Freeman are merely a repetition of what took place between Mr. Justice Phear, of the High Court, and the Press in Calcutta on a similar occasion.

6. In consequence of an application having been made to me some months ago, I passed an order that whatever matters then came before me *on the Bench* became public property, and that, not the *Neilgherry Excelsior* in particular, but the Press in general were entitled to take copies of any written Proceedings, decisions, or statements, that had been read and disposed of, and published in open *Court*, but not otherwise.

7. Subject to the above conditions, the Sheristadar, occupying the same position towards me, in the capacity of head Ministerial Officer, as the Registrars to the Judges of the High Court, was also, like them, allowed by me to sign these documents "by order," both as a convenience to the Public, and as a guarantee of their correctness, and further especially cautioned to see personally that these documents were, also, duly posted on the Notice Board of the Court.

8. Under these circumstances, though perfectly aware of the Standing Order of Government referred to in their last paragraph, I did not consider that the Proceedings of a Court of Justice, where it is always advisable to have both publicity and accuracy, should, like other "official documents," require to have the sanction of the *Government* previous to their publicity; and if I erred in judgment in this respect, I beg I may be pardoned, and that I may also be favored with instructions for my guidance in future, for, not only is there a public reporter always present in the Ootacamund Court, but one of the duly consituted Vakeels is also Editor of the *Excelsior*.

No. 231. ORDER THEREON, 18th October 1866, No. 1645.

With the issue of the *Neilgherry Excelsior* Newspaper published on the 29th ultimo, a paper was circulated, purporting to be a list of Suits disposed of by the Civil Judge of Ootacamund from the 1st January to the 30th June 1866. The list professed to be signed by the Court Sheristadar "by order." It gave the number of each Suit, the names of the plaintiffs and defendants, the amount of each claim, and the manner in which each Suit was disposed of. The attention of the Government having been drawn to this document, the Civil Judge, Mr. Cherry, was called upon to report whether the list in question was what it purported to be, and, if so, whether it was furnished to the *Excelsior* with his knowledge and sanction. Mr. Cherry was, at the same time, directed to furnish similar information with reference to the publication of certain other proceedings of his Court, and of an Order, passed by him in his capacity of Superintendent of the Jail, which had appeared in the same journal. These questions were put to Mr. Cherry, with reference to the Standing Order that Public Officers are not at liberty to give publicity to official documents without the sanction of Government.

2. Mr. Cherry's reply is contained in his letter of the 5th instant, above recorded. It is to the effect that the list is what it purports to be; that it and the other papers referred to were published with his knowledge and consent; that the several matters alluded to in those papers had formed "a part of the proceedings of the Judge of Ootacamund long before they were put before the public in their present shape; that several of the Suits entered in the list had been discussed and disposed of in the Court in detail, and had been reported and commented on by the Press previously; that some months ago he issued an order that "whatever matter came before him *on the Bench* became public property," and that "the Press in general were entitled to take copies of any written proceedings, decisions, or statements which had been read and disposed of and published in open Court; and that he did not consider the Standing Order against the publication of official documents to apply to the proceedings of a Court of Justice. Mr. Cherry requests, in conclusion, that he may be furnished with instructions for his future guidance, observing that, "not only is there a Public Reporter always present in the Ootacamund Court, "but one of the duly constituted Vakeels is also Editor of the *Excelsior*."

3. The Governor in Council cannot regard Mr. Cherry's explanation as affording any justification for the extraordinary course adopted by him in giving publicity to the list of Suits, and other papers above alluded to. The publication of the list of Suits was especially objectionable, and Mr. Cherry must have been perfectly well aware, when he ordered its publication, that it has never been the practice in any of the Courts of this Presidency, or, indeed, of the Courts in England, to publish in the Newspapers, for the information of the general public, a list of the parties who have been engaged in litigation in those Courts. The Courts are, of course, open, and, when they are attended by Reporters, the particulars of individual cases are occasionally placed before the public. But the publication by a Judicial Officer of such a list as that now in question, containing the name of every person who, within a certain period, has appeared before his Court, either as Plaintiff or as a Defendant, is, the Government believe, unheard of. Such a publication is, of course, most painful to some at all events of the parties concerned, and

is a serious enhancement of the penalty which their improvidence or misfortune may have entailed upon them. Similar considerations should have prevented the publication of the Order passed by Mr. Cherry some months ago, commenting on the conduct of certain Jail Officials who were removed from their situations; and in this case, as Mr. Cherry's Order was not of the nature of a judicial proceeding, but was passed by him in his capacity of Superintendent of the Jail, the excuse offered by him for publishing the proceedings of his Court can in no way apply. Mr. Cherry, however, is altogether in error in supposing that the written proceedings, decisions, and statements before his Court become public property, and as such may be communicated to the public Newspapers by himself, or by his Sheristadar. Mr. Cherry must distinctly understand that the orders prohibiting Public Officers from giving publicity to official papers without the sanction of Government apply to all the proceedings of the Courts, except, of course, such as are of the nature of public notices, advertisements, &c.; that he will be held responsible for the strict observance of these orders in the Court at Ootacamund, so long as he may preside over it; and that any repetition of the practice commented on in these Proceedings will entail on him the serious displeasure of the Government.

(True Extract).

Secretary to Government.

To J. W. Cherry, Esq.

Exd. J. H. Burns.

a part of the Proceedings of the Judge of Ootacamund long before they were put before the Public in their present shape.

5. For instance, many of the Suits in that list had been discussed, and disposed of in the Court in detail, and had been reported and commented on by the Press previously — so that this is not their first appearance. — The Public only learning now in a Lump what they may have heard before in piece meal. — Also the Proceedings connected with General Freeman are merely a repetition of what took place between Mr. Justice Phear of the High Court, and the Press in Calcutta on a Similar Occasion.

6. In consequence of an application having been made to me some months ago, I passed an order that whatever matters then came before me on the Bench, became Public Property, and that not the "Neilgherry Excelsior" in particular, but that the Press in General were entitled to take copies of any written Proceedings, decisions or Statements, that had been read & disposed of and published in open Court; but not otherwise

yes – if they send them re porter to take down what is said.

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7. Subject to the above conditions the Sheristadar, occupying the same position towards me in the capacity of head Ministerial

From
J. W. Cherry Esqre
Civil and Sessions Judge of
Ootacamund
To
J. D. Sim Esqre
Secretary to Government

Sir.

I have had the honor to receive this day, the Proceedings of the Madras Government under date 3rd October/66 directing me to report whether the List published, and circulated with the "Neilgherry Excelsior" of the 29th Ultimo, of the Suits disposed of by the Civil Judge of Ootacamund from 1st January to 30th June 1866. is, what it purports to be, and if so whether it was furnished to the "Excelsior" with his knowledge and consent.

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A List shewing the number of Suits disposed of by the Civil Judge of Ootacamund from 1st January to 30th June 1866.

No. of the Suit.	Name of Plaintiff.	Name of Defendant.	Amount of the claim.			How disposed of.
		SUITS ON SMALL CAUSE COURT SIDE.				
67 of 1865.	Abdool Hussen and Co.	1 Miss Jeffreys; 2 Mr. Jeffreys	21	12	6	Defendants exparte, decree for plaintiffs with costs.
112 of do.	J. W. Egan.	A. R. Lewis.	24	13	8	Struck off, as Defendant could not be found.
119 of do.	Do.	E. D. Mascurine.	149	8	3	Decree for Plaintiff for Rs. 145-10-3 with costs, according to the award of the Arbitrators.
241 of do.	C. R. Dawson.	John L. Nasso.	101	13	4	Withdrawn, with liberty to bring a fresh Suit when Defendant's residence is known.
280 of do.	Andiappa Pillai.	Captain Butler.	8	7	10	Decree for plaintiff for Rs. 5-0-0, and Plaintiff to pay Defendant's costs.
293 of do.	Hussen Mahomed and Co.	Mammoo Saheb.	82	4	4	Defendant exparte, decree for plaintiffs with costs.
294 of do.	Katha Peroomal.	1 Savorimoottoo Achári; 2 Gnánaprakásam; 3 Gnánaprakásam (son of Abboo Maistry.)	145	3	4	Defendants admit the claim, decree for plaintiff with costs.
295 of do.	S. M. Hillier.	B. Cruse.	66	5	0	Defendant exparte, decree for plaintiff with costs.
296 of do.	Abboosait and Co.	Leigh.	243	14	0	do. do.
298 of do.	Do.	Major A. R. West.	174	14	0	do. do.
299 of do.	J. O'Shaughnessy.	Smith.	131	5	0	Decree for Plaintiff with costs.
300 of do.	S. P. Scott.	A. Cammiade.	170	4	6	Defendant exparte, decree for plaintiff with costs.
1 of 1866.	Sampangi Iyaloo and Co.	Serjeant McClay.	33	3	10	do. do.
2 of do.	Do.	Parasooram.	13	13	4	Defendant admits the claim, decree for plaintiff with costs.
3 of do.	Do.	Leigh.	208	11	3	Defendant exparte, decree for plaintiff with costs.
4 of do.	Doorgoji Rau and Co.	Christina.	91	8	0	Defendant admits the claim, decree for plaintiffs with costs.
5 of do.	Sampangi Iyaloo and Co.	Mrs. Stephenson.	174	8	10	Defendant exparte, decree for plaintiffs with costs.
6 of do.	Nimbaji Rau.	Chinnappan.	22	6	0	Defendant admits the claim, decree for plaintiff with costs.
7 of do.	Sampangi Iyaloo and Co.	Mrs. Crummy.	33	14	11	Defendant exparte, decree for plaintiffs with costs.
8 of do.	Nimbaji Rau.	Samperoomal Pillai	430	6	4	do. do.
9 of do.	Véláyudan Pillai.	Rangiah Pillai	500	0	0	Decree for plaintiff with costs.
10 of do.	Sampangi Iyaloo and Co.	W. James.	45	12	0	Defendant exparte, decree for plaintiffs with costs.
11 of do.	do.	1 A. G. Frericks.; 2 Mrs Frericks.	128	14	0	do. do.
12 of do.	do.	James Nasse.	187	10	6	do. do.
13 of do.	do.	Sithójee Rau.	110	12	0	do. do.
14 of do.	Chinnasawmy Pillai.	Mammoosaravootham.	150	0	0	Defendant admits the claim, decree for plaintiff with costs.
15 of do.	Sampangi Iyaloo and Co.	F. Pope.	72	14	10	Defendant exparte, decree for plaintiffs with costs.
16 of do.	do.	W. Cove.	134	12	0	do. do.
17 of do.	Abboosait and Co.	Mrs. S. Stephenson.	122	8	0	do. do.
18 of do.	Tiroovengadam Pillai and Co.	Rungiah Goundan.	150	0	0	Defendant admits the claim, decree for plaintiff with costs.
19 of do.	Nimbaji Rau.	S. James.	210	0	0	do. do.
20 of do.	Moottoosawmy Pillai.	Náráyanan.	28	9	6	do. do.
21 of do.	Mooniyanayakkan.	Aroonáchaláchári.	129	0	0	Defendant exparte, decree for plaintiff with costs.
22 of do.	Captain H. M. Daly.	H. D. Rae.	10	0	0	Decree for defendant with costs.
23 of do.	Gool Mahomed and Co.	Maloji Rau.	105	3	0	Decree for defendant with cost.
24 of do.	Mustan Ravoothan.	Madar Ravoothan.	208	10	8	Withdrawn.
25 of do.	Abdool Hussen and Co.	Maloji Rau.	110	8	0	Decree for defendant with costs.
26 of do.	Abboosait and Co.	S. Arnold.	380	6	4	Decree for plaintiffs with half the costs.
27 of do.	Ookkoji Rau.	T. H. DeVauz.	103	5	4	Defendant exparte, decree for plaintiff with costs.
28 of do.	Olli Mahamad Ravathan and Co	Mosoovan.	90	0	0	Defendant admits the claim, decree for plaintiffs with costs.
29 of do.	Lakshmana Nayakkan.	Rungan.	150	0	0	Decree for plaintiff with costs.
30 of do.	Abdulkhadar and Co.	[illegible]	80	10	4	Withdrawn.
		J. Haig.	28	4	0	Defendant admits the claim, decree for plaintiff with costs.
31 of do.	Ookkoji Rau.	1 R. West.; 2 E. West.	50	0	0	Defendants exparte, decree for plaintiff with costs.
32 of do.	do.	G. Groves.	32	0	0	do. do.
33 of do.	Abdulkhadar Sait.	J. L. Nasse.	44	6	0	do. do.
34 of do.	Abboosait and Co.	Sivana.	267	4	9	Defendant admits the claim, decree for plaintiffs with costs.
35 of do.	Nanjappan and Co.	Lakkagoundan.	133	13	0	do. do.
36 of do.	Cheloovégoundan.	J. H. Findelay.	42	14	7	Defendant exparte, decree for plaintiffs with costs.
37 of do.	J. Eagan and Sons.	M. M. Dean.	120	0	0	do. do.
38 of do.	P. Castells.	Miss A. Regal.	135	5	9	do. do.
39 of do.	Abboosait and Co.	S. Arnold.	243	7	8	do.
40 of do.	Sampangi Iyaloo and Co.	Kajakhádar; Moideen Saheb	16	0	0	Withdrawn.
41 of do.	Madooranáyagam Pillai and Co.	Chavoottian.	40	12	0	Defendant admits the claim, decree for plaintiff with costs.
42 of do.	Govindarazoo Moodaly.	Aroomoogam Pillai alias Appoo Pillai	146	1	9	Defendant exparte, decree for plaintiffs with costs.
43 of do.	Madooranayagam Pillai and Co.	Rungia Pillai.	500	0	0	do. do.
44 of do.	Chinnasawmy Pillai.	Captain G. Nichol.	137	8	3	Decree for plaintiffs with costs.
45 of do.	J. C. Mercer and Co.	Shek Hamad Saheb.	33	0	0	Defendant admits the claim, decree for plaintiff with costs.
46 of do.	Goolam Hyder Saheb.	Siddáchári.	110	4	3	Decree for plaintiff with costs.
47 of do.	Choonchégoundan					
48 of do.	Madooranayagam Pillai and Co.	1 Nammanáchári; 2 Sáttaváchári; 3 Karooppasamiáchári; 4 Karooppankuttiáchári	150	0	0	1st 2nd and 4th Defendants admit the claim, decree for plaintiffs with costs.
49 of do.	E. Johntson.	1 Captain J. T. Clarke; 2 Mrs. Clarke	100	0	0	Decree for defendants with costs.
50 of do.	Ebram Sait.	W. James.	49	0	2	Defendant exparte, decree for plaintiff with costs.
51 of do.	Soomársa	D. Hopkins.	20	6	4	do. do.
52 of do.	Framjee Nesserwanjee and Co.	E. Smith.	406	6	9	Decree for plaintiffs with costs.
53 of do.	do.	Major A. West.	348	0	0	do.
54 of do.	Shek Ahmad.	W. Moonesawmy Moodalyar.	40	10	0	Withdrawn.
55 of do.	T. Allamby.	Indian Carrying Company (by Charles Bill)	[illegible]	6	4	Decree for plaintiff with costs.
56 of do.	Messrs. Mascurine and Co.	Captain J. Gerrard.	14	6	0	Withdrawn.
57 of do.	S. James.	E. A. Poulson.	357	2	6	Decree for plaintiffs with costs.
58 of do.	Messrs. Mascurine and Co.	S. James.	47	1	3	Withdrawn.
59 of do.	Rungarándi.	1 Inám Saheb; 2 Dévalsoo; 3 Nimbajee	71	8	0	Decree for plaintiff with costs.
60 of do.	W. M. Ansell.	James McIvor.	56	4	0	Decree for plaintiff with costs.
61 of do.	Kadarsaravoottan and Co.	1 Assooppin; 2 Ponaroobin	80	0	0	Defendant exparte, decree for plaintiffs with costs.
62 of do.	Jimmy.	Royappan	42	8	0	Decree for plaintiff with costs.
63 of do.	Kádarsaravoottan.	1 Kolagachan; 2 Mádan	87	14	0	Defendant exparte, decree for plaintiff with costs.
64 of do.	Kádarsaravoottan and Co.	Tippétorian.	51	0	0	do. do.
65 of do.	Messrs. Framjee Nesserwanjee and Co.	Moonesawmy Moodalyar.	184	13	4	do. do.
66 of do.	Nallamoottáchári.	Gnánaprakasamáchári	39	13	0	Defendant admits the claim, decree for plaintiff with costs.
67 of do.	Madooranáyagam Pillai and Co	Razoo Achári	41	10	3	Defendant exparte, decree for plaintiffs with costs.
68 of do.	D. Hopkins.	M. C. Job	5	0	0	Withdrawn.
69 of do.	Nágoji Rau.	S. James	240	1	8	Defendant exparte, decree for plaintiff with costs.
70 of do.	Páppammál	1 Pólyan; 2 Major A. West	5	0	0	1st Defendant admits the claim, decree for plaintiff with costs.
71 of do.	Shek Ahmad	Goolam Hyder Saheb	51	2	0	Decree for plaintiff for Rs. 15 with proportionate costs.
72 of do.	Ebram Sait.	G. W. Dale	16	0	0	Defendant exparte, decree for plaintiff with costs.
73 of do.	Maniváloo Pillai.	Kiniavan	14	4	6	Defendant admits the claim, decree for plaintiff with costs.
74 of do.	Sauriappan.	Sauriappan	127	9	6	Defendant exparte, decree for plaintiff with costs.
75 of do.	Sáminada Pillai and Co.	[illegible]	46	3	0	Withdrawn. do. do.
76 of do.	J. R. DeSilva	Messrs. Abboosait and Co	147	11	9	Decree for defendant with costs.
77 of do.	[illegible]	Choonchappan	110	13	0	Withdrawn.
78 of do.	Hásman Saheb	Colonel Hadfield	16	0	0	Defendant exparte, decree for plaintiffs with costs.
79 of do.	Sáminada Pillai and Co.	[illegible]	45	2	0	do. do.
80 of do.	J. C. Mercer and Co	W. A. Meakin	19	4	0	Decree for plaintiff with costs.
81 of do.	do	M. C. Job	50	2	11	Defendants exparte, decree for plaintiff with costs.
82 of do.	Hamaji Rau	1 Venkatasawmy; 2 Rázoo	129	6	0	Defendant admits the claim, decree for plaintiff with costs.
83 of do.	Ammásamy	Nanjan	74	15	8	Defendants exparte, decree for plaintiff with costs.
84 of do.	Moorároovottan	1 Boodansah; 2 Madársah	25	10	0	Defendant admits the claim, decree for plaintiff with costs.
[illegible]	Tiroovengadam Pillai and Co	Káli	41	13	7	Defendant exparte, decree for plaintiffs with costs.
[illegible]	Messrs. Nicholas Brothers	Colonel Russell	27	11	0	
		Major A. R. West	62	0	0	Withdrawn. do.
		Marudi Hallugirigoundan	213	4	0	[illegible]

Name of Plaintiff.	Name of Defendant.	Amount of the claim.	How disposed of.
...dam Pillai and Co	1 Major A. West	114 5 3	Defendant's ex... decree for plaintiffs with costs.
	2 Mrs. West		
...than and Co	Rájendram	26 12 11	do. do.
...agam Pillai and Co	Mr. Groves	6 6 9	do. do.
...than and Co	Kamikkan Achári	38 3 9	Defendant exparte, decree for plaintiffs with costs.
	Madasoo Achári	59 1 0	do. do.
	Mr. Bussell	85 15 4	Withdrawn do.
	Thomas Rozario	20 0 0	Defendant exparte, decree for plaintiff with costs.
	Govinda Rau	74 9 0	Dismissed for default with costs.
...oothan	Marcooty	49 8 3	Defendant admits the claim, decree for plaintiff with costs.
	1 Mr. Bussell	13 6 4	Withdrawn.
	2 Mrs. Bussell		
...am Pillai and Co	Ounamall	93 5 3	Defendant exparte, decree for plaintiffs with costs.
	J. Eagan and Sons	196 2 9	Dismissed for default with costs.
...mmal	1 Chinnappanjan		
	2 Káli	127 10 0	Withdrawn.
	3 Perisana Pillai		
...olunda Pillai	Moottoosawmy Pillai	131 2 9	Defendant admits the claim, decree for plaintiff with costs.
...dan and Co	Nallimyakkan	20 8 0	Defendant exparte, decree for plaintiffs with costs.
...nan and Co	Chanrippan	17 15 6	do. do.
...tan and Co	1 Moottoosawmy	14 9 8	Decree for plaintiffs with costs.
	2 Aiyammal	113 14 0	Dismissed for default with costs.
...dan	Párvati Timman	217 0 0	Defendant exparte, decree for plaintiff with costs
	Razu Achári	268 5 4	do. do.
	Moonesawmy Moodaliyar	137 9 7	Decree for plaintiffs with costs.
	Manoji Rau	220 0 0	Defendant admits the claim, decree for plaintiff with costs.
	T. M. Mooroogayya Pillai	18 3 8	Decree for plaintiff with costs.
	Mr. Gray	14 9 6	Defendant exparte, decree for plaintiff with costs.
	G. Groves	200 0 0	Decree for plaintiff for remuneration for felling 13 cawnies of Defendant's land at 13 Rs per cawnie, with proportionate costs.
	Mr. Herklotts	85 8 0	Decree for plaintiff for Rs. 40 with proportionate costs.
...Lyon	Abboosait and Co	20 2 11	Decree for plaintiff for 4 Rs. with proportionate costs.
	Lieut. Colonel F. Young	41 9 2	Defendant exparte, decree for plaintiffs with costs.
...an and Co	Dévasagayamachari	57 12 0	Decree for plaintiff with costs
	1 Bavasaheb	21 7 0	do. do.
	2 Suluvéstri	300 0 0	1st Defendant exparte, 2nd defendant admits the claim, decree for Plaintiffs with costs.
...n and Co	Razoo Achari	87 13 6	Defendant admits the claim, decree for plaintiffs with costs.
...lai and Co	1 Sarcovappan	150 0 0	Decree for plaintiffs for the full amount with costs.
	2 Mariammal	22 7 0	Defendant exparte, decree for plaintiff with costs.
	Robert Hillier	345 0 0	do. do.
...Sons	J. C. Mercer	108 0 0	do. do.
...Co	Mari Tevan	31 4 4	do. do.
	1 Major A. R. West	244 5 0	Defendant admits the claim, decree for plaintiff with costs.
...dia Pillai	2 Mrs. West	20 14 8	do. do.
	1 G. Mathews	32 0 0	Defendants exparte, decree for plaintiffs with costs.
...awmy Pillai	2 W. G. Geddes	15 7 0	Withdrawn.
	Chinnappachari	20 8 0	Defendant exparte, decree for plaintiffs with costs.
...n	R. K. Littlewood	42 7 6	do. do.
	Ebramsait	32 0 0	do. do.
...n and Co	1 Moosoovan	147 6 0	Defendant admits the claim, decree for plaintiff with costs.
	2 Vathakkan	72 6 9	Defendant exparte, decree for plaintiffs with costs.
	3 Tevan	143 7 6	do. do.
	Kanjamalai	73 13 10	do. do.
	1 Razoo Achari	300 0 0	Decree for plaintiff for Rs. 250 with proportionate costs.
	2 Pauppal	33 14 8	Defendant admits the claim, decree for plaintiff with costs.
	1 Urooman	50 0 2	Defendants exparte, decree for plaintiffs with costs.
	2 Nanjan	50 10 0	do. do.
	1 Sivagnanmachari	329 10 0	do. do.
	2 Suppanchari	133 0 0	do. do.
	Lakshmana Rau	73 3 0	Withdrawn.
...d Sons	Major A. West	57 7 10	do
	Captain J. Gerling	16 1 9	Defendant exparte, decree for plaintiffs with costs.
	Jagannadhachari	82 13 6	do. do.
	Elloji Rau alias Pilloo	133 13 6	Withdrawn.
...n	Soondaram Pillai		
...d Sons	1 C. D'Arango	98 14 9	1st Defendant admits the claim. The other defendants exparte, decree for plaintiffs with costs.
	2 Revd. H. M. Jochim		
	Moodahkarai	12 2 4	Defendant admits the claim, decree for plaintiffs with costs.
...Co	W. H. Stainbank	110 15 6	do. do.
	Lieut. G. Nichol	219 8 0	Defendant exparte, decree for plaintiff with costs.
	W. Smith	234 4 0	do. do.
	Major A. R. West	360 0 0	do. do.
...and Co	Rungan	30 10 0	Dismissed for default with costs.
	Kanjavan	44 0 0	Defendant exparte, decree for plaintiffs with costs.
	Bavasaheb	149 9 4	do. do.
...am Pillai and Co	1 Yagoo	120 0 0	do. do.
	2 Soobbarayan	110 0 0	Decree for plaintiff for Rs. 40-8 with proportionate costs.
	3 Iyakkannoo	55 0 0	Decree for plaintiff for 27 Rs. with proportionate costs.
	4 Kooroosoo	38 2 0	Defendant exparte, decree for plaintiff with costs.
	5 Chinnian	17 0 0	Withdrawn.
...do.	Yagoo	284 10 8	Defendant exparte, decree for plaintiff with costs.
	W. A. Meakin	25 0 0	Withdrawn.
	W. H. Stainbank	11 11 0	do.
...Sons	Major A. West	366 10 0	Defendant exparte, decree for plaintiffs with costs.
	W. H. Stainbank	106 6 0	Defendant admits the claim, decree for plaintiffs with costs.
...nd Co	Poottana Soobba Rau	330 3 0	Plaintiffs non-suited with costs.
	1 Yagoo Achari	41 3 9	Defendant admits the claim, decree for plaintiff with costs.
	2 Makkalachari	4 1 4	2nd Defendant exparte, 1st defendant admits the claim, decree for plaintiff with costs.
	Perikootoo Todavan	102 2 0	Decree for plaintiff with costs.
	Péga Todavan	240 0 0	Defendant exparte, decree for plaintiffs with costs.
	James Eagan (Junior)	173 2 2	Withdrawn.
	do (Senior)	22 4 0	Defendant exparte, decree for plaintiff with costs.
	Moottoosawmy	77 8 0	do. do.
	Veerammal	100 6 0	do. do.
...Mary	Chinnasawmy Pillai	300 0 0	Plaintiff non-suited with costs.
	Mrs. E. Wilson	16 12 1	Withdrawn.
	Nanjappa Pillai	14 0 0	Decree for plaintiff with cost.
	Tiroonela Parasoorama Rau	41 6 0	Defendants exparte, decree for plaintiffs with costs.
	Silaman Ravoottan	163 6 0	do. do.
	1 Silaman Ravoottan	41 10 0	do. do.
	2 Udamanna Ravoottan	38 3 0	Withdrawn.
	Madooranayagam Pillai	150 0 0	do.
	1 Ibram Sait	48 9 0	Defendant exparte, decree for plaintiffs with costs.
	2 Alvarnaik	50 0 0	Defendant admits the claim, decree for plaintiffs with costs.
	Kay	30 0 0	Decree for plaintiff with costs.
	Mookkanachari	500 0 0	Dismissed for default with costs.
	C. Bill	42 9 0	Decree for plaintiff with costs.
	Dévan	33 10 0	Withdrawn.
	A. Emanuel	138 0 6	Defendant exparte, decree for plaintiffs with costs.
	Tiroomala Parasooram Rau	60 11 6	do. do.
	E. Smith		
	J. Solomon and Co		
	Gool Mahomad and Co		
	1 Major A. R. West		
	2 Mrs. A. R. West		
	1 W. Freeman		
	2 H. Freeman		
	1 Major A. R. West		
	2 Mrs. A. R. West		
	1 T. Poulson		
	Tiroomala Parasoorama Rau		
	2 Noggoji Rau		
	Ramasawmy		
	Mr. Wright		
	Arumugoo		
	A. M. Emanuel		
	Goolam Hyder Saheb		
	Rachel		
	John		
	P. Ryland		
	Major A. West		
	1 Crampton		
	2 Mrs. Crampton		

No. of the Suit.	Name of Plaintiff.	Name of Defendant.	Amount of the claim.	How disposed of.
199 of do.	H. D. Rao	Eagan and Sons	123 3 0	Decree for plaintiff for Rs. 101-6-8 with costs, and extra commission charge
200 of do.	Basoovégoundan	A. M. Emanuel	381 0 0	Defendant exparte, decree for plaintiff with costs.
201 of do.	Noor Mahamad Natha and Co	Fakir Mahomad and Co	36 13 0	Decree for plaintiffs with costs.
202 of do.	Meeraravoottan and Co	1 Adaikkalamachari	135 4 9	Plaintiffs nonsuited with costs.
		2 Bhagyam		
203 of do.	Hanoomanto	Mrs. Hodgson	17 15 0	Decree for plaintiff with costs.
204 of do.	Mrs. Hodgson	Major A. West	10 6 0	do.
205 of do.	Samsooravoottan and Co	Tevan	3 1 4	Defendant exparte, decree for plaintiffs with costs.
206 of do.	John Mahomad	Mrs. Hodgson	62 0 0	Withdrawn.
207 of do.	do	Mrs. M. Baber	28 0 0	
208 of do.	1 Egambaram	Malayandi Pillai	150 0 0	Defendant admits the claim, decree for plaintiffs with costs.
	2 Nayagam			
209 of do.	Tippegoundan	Mr. Swan	40 0 0	Decree for plaintiff with costs.
210 of do.	Moottoosawmy	Venkatachalam Pillai	12 0 4	Withdrawn.
211 of do.	Mariappa Pillai	Bava Saheb	245 6 0	do.

SUITS ON THE DISTRICT MOONSIFF'S SIDE.

24 of 1865.	Andiappa Pillai	1 Vyapuri Nayakkan	133 4 0	Decree for plaintiff with costs, against 1st Defendant, and Plaintiff to bear the costs of the other defendants.
		2 Punjanya Pillai		
		3 Gangaji Rou		
		4 Ramasawmy		
		5 Moottookkanni		
57 of do.	Goolam Hyder Saheb	Shek Hamad Saheb	615 7 0	Plaint struck off as the cause, of action as not yet accrued.
59 of do.	Shek Mahomad Ravoottan and Co	Mathoji Rou	133 13 3	Defendant exparte, decree for plaintiffs with costs.
1 of 1866.	Rungasamy Naik and Co	Dooroogoo	196 14 0	do. do.
2 of do.	Doorgoji Rau and Co	Peroomaloo	109 0 0	Defendant admits the claim, decree for plaintiffs with costs.
3 of do.	Hassanbava Saheb and Co	1 Jogoji Rou	136 0 11	Defendants exparte, decree for plaintiffs with costs.
		2 Marthanda Rou		
4 of do.	Doorgoji Rau and Co	Sabhapati	549 0 0	do.
5 of do.	Chinnasawmy Pillai	Soondarasastri	150 0 0	Defendant exparte, decree for plaintiff with costs.
			A piece of land worth Rs. 160 0 0	Dismissed with costs.
6 of do.	Timmegoudan	Kadigoundan	232 0 0	Defendant admits the claim, decree for plaintiffs with costs.
7 of do.	Doorgoji Rau and Co	A. Francis	241 9 6	Defendant exparte, decree for plaintiff with costs.
8 of do.	Mooneesawmy Chetty	Soobbaroya Chetty	61 6 0	do. do.
9 of do.	Doorgoji Rau and Co	Veerachunayakkan	110 3 0	do. do.
10 of do.	do	1 Ambali Alias Isvaranayak		
		2 Maroodanayak		
		3 Palani		
11 of do.	Kaderna Sait	S. Bennett	899 9 4	Decree for plaintiff with costs.
12 of do.	Mooroogesam Moodaly	Mary Leigh	702 0 0	Defendant exparte, decree for plaintiff with costs.
13 of do.	Ramasawmy	Kesavooloo	50 4 0	Defendant admits the claim, decree for plaintiff with costs.
14 of do.	Doorgoji Rau and Co	Tillavinagagam Pillai	265 0 0	Defendant exparte, decree for plaintiffs with costs.
15 of do.	Tiroomalakolundoo Pillai	Kooppayi	300 0 0	Withdrawn.
16 of do.	Sáminada Pillai	Shunmoogum Pillai	890 0 0	Defendant admits the claim, decree for plaintiff with costs.
17 of do.	Karuttappen alias Olli Mahomadravoottan and Co	Devan	288 7 7	do.
18 of do.	Lazar Domingo	E. Smith.	660 14 2	Decree for plaintiff with costs.
19 of do.	J. C. Mercer and Co	J. J. M. Rodrigues	262 0 0	Defendant exparte, decree for plaintiffs with costs.
20 of do.	Abboosait and Co	1 B. C. Legget	264 5 0	do. do.
		2 Mrs. Legget		
21 of do.	J. C. Mercer and Co	W. Freeman	98 13 8	do.
22 of do.	Chinnasawmy Pillai	Rungaiyah Pillai	610 0 0	Otherwise disposed of.
23 of do.	J. Eagan and Sons	A. Lewis	77 9 5	Defendant exparte, decree for plaintiffs with costs.
24 of do.	do	Mrs. Traill	85 9 1	Struck off with permission to bring a fresh suit.
25 of do.	Appasawmy Pillai and Co	Ponnoosawmy Pillai	11 4 0	Defendant exparte, decree for plaintiffs with costs.
26 of do.	Maroodanayagam Pillai and Co	Malaiya Pillai	93 4 0	Withdrawn.
27 of do.	Raghunadier	Innachimoottoo	32 0 0	Defendant exparte, decree for plaintiff with costs.
28 of do.	do	1 Karuppan	150 0 0	do. do.
		2 Andi		
30 of do.	Kadarmeerararavoottan	Nayana Mahommad	98 14 6	do. do.
31 of do.	Maloji Rau	1 Shek Mahommad	500 0 0	Withdrawn.
		2 Tolasi Rou		
34 of do.	Chappani Pillai	Namasoopandaram	186 11 6	Defendant exparte, decree for plaintiff with costs.
35 of do.	Saminada Pillai	do	193 7 0	do. do.
36 of do.	Saminada Pillai and Co	Venkatasami Nayak	83 9 0	do. do.
37 of do.	Chappani Pillai	1 Abdullaravoottan	703 0 0	do. do.
		2 Appavoo alias Piersaravoottan		
38 of do.	T. M. Ramasawmy and Co	E. R. Russell (Junior)	100 11 4	do. do.
39 of do.	Saminada Pillai and Co	Narayana Pillai	13 13 9	do. do.
40 of do.	do	Emanuel	276 8 6	Defendant admits the claim, decree for plaintiffs with costs.
41 of do.	J. W. Egan	J. R. Jeffreys	9 3 5	Defendant exparte, decree for plaintiff with costs.
42 of do.	Messrs. Eagan and Sons	Captain J. O. Butler	631 11 4	do. do.
43 of do.	Borannun	Holagilingan	120 6 6	do. do.
44 of do.	Velayudam Pillai	1 Rungia Pillai.	800 0 0	1st Defendant exparte, decree for plaintiff against 1st defendant, plaintiff to pay [illegible]
		2 Veerabhadra Pilla		
45 of do.	W. Higgins	1 Moottammal	A Piece of land and its rent. 13 8 0	Defendant admits the claim, decree for plaintiff with costs.
		2 Peroomal Rungan	31 4 4	Otherwise disposed of.
48 of do.	Iyamperoomal	Chinnappachari	543 10 0	Defendant exparte, decree for plaintiff with costs.
52 of do.	Raghunadaiyar	1 Chinnappachari	800 0 0	do. do.
		2 Jagannadhachari	73 12 0	Defendant admits the claim, decree for plaintiffs with costs.
53 of do.	Vaithilingam Pillai	Iyamperoomal	13 13 9	do. do.
55 of do.	Meeraravoottan and Co	Chinnasami Achari	52 7 1	Defendant exparte, decree for plaintiff with costs.
56 of do.	do do	do	88 8 0	do. do.
59 of do.	J. Eagan and Sons	W. Hengler	690 4 2	do. do.
61 of do.	Framjee Nesserwanjee and Co	S. Arnold	143 14 1	do. do.
62 of do.	Abboosait and Co.	W. H. Stainbank	605 1 0	do. do.
63 of do.	Framjee Nesserwanjee and Co.	W. M. Burke	536 10 0	do.
64 of do.	Chinnasami Moodaly	Nallaccoomaroo	625 0 11	Withdrawn.
65 of do.	Tiroovengada Moodaly	1 A. B. West	212 13 0	Defendant exparte, decree for plaintiffs with costs.
67 of do.	Abboosait and Co.	2 A. E. West	64 0 0	do. do.
68 of do.	Doorgoji Rau and Co	G. Crampton	20 6 8	do. do.
69 of do.	Karoongan Hussansaravoottan	Veerammall	61 12 1	do.
		1 Bora Ajjan	509 6 8	Withdrawn.
70 of do.	Rungasawmy	2 Jogee	967 2 6	Defendant exparte, decree for plaintiffs with costs.
71 of do.	Goolam Hyder Saheb.	Madarsa		
75 of do.	Abdool Hussen and Co	Shek Ahmad Saheb		
76 of do.	Messrs. Eagan and Sons	Colonel Hadfield		
		W. H. Stainbank		

SUITS ON THE SUB COURT SIDE.

2 of 1865.	Kathersaheb and Co	Mooneesawmy Moodaly	2625 4 4	Decree for plaintiffs with costs.
3 of do.	Sampangi Iyaloo and Co	Emanuel	1600 0 0	Withdrawn.
1 of 1866.	Kadernasait	1 S. Bennett	1189 0 0	Decree for plaintiffs with costs.
2 of do.	Rungappa Nayakkar	2 J. J. Holden	1053 4 6	1st 3rd and 4th Defendants exparte, 2nd defendant excluded, decree for plaintiff with costs.
		1 Moosajisait, alias Ahmad Sait	1600 0 0	Decree for plaintiff for Rs. 823, in full satisfaction of the claim, as agreed to by both parties.
		2 Abdullasait		
		3 Elliasait		
		4 Pir Mahomad Sait		
3 of do.	Rungasami Nayak	Appavoo Moodaly		

	Name of Defendant.	Amount of the claim.	How disposed of.
	Chinnappavoo Pillai	1600 0 0	Defendant [illegible]te, decree for plaintiffs with costs.
	Ivamperoomal Pillai	1600 0 0	Defendant exparte, decree for plaintiffs with costs.
	ndaswam Pillai		
	ee for pBee	2000 0 0	Decree for plaintiffs with costs.
	ntiffs non- wmy Moodalyar	1220 12 10	Defendant exparte, decree for plaintiff with costs.
	ee for plain i	1588 13 6	Plaintiff non-suited with costs.
	ndant exp Richardson	2060 10 11	Decree for plaintiff with costs.
	drawn. ortt	1729 10 0	Decree for plaintiff with costs.
	do. Richardson	4939 15 6	Withdrawn.
	ndant me	1383 12 3	Decree for plaintiff for balance Rs. 54-0-3, with proportionate costs.
	H. Richardson	2041 7 9	Decree for plaintiffs with costs against 1st defendant.
	ee for Shortt	1270 2 3	Withdrawn.
	drawn ji Rau	3528 0 0	Withdrawn.
	ahib Saheb		
	Soobbarayy Pillai		
	Jumbulingam Pillai		
	Narayanasawmy Naik		
	Colonel Hadfield		
	Mrs. Hadfield		

(By order)

V. NARAYANA RAO,
Sheristidar.

COLUMBIAN PRESS.

PREFACE.

I am sorry for the necessity of publishing this correspondence. There has been so much misapprehension in the matter, which for the sake of all the parties, should be at once removed. This can only be satisfactorily done, by shewing impartially what each has said and done without either of us having any scruples as to the same being made known—Our Friends will now have the opportunity of coming to a fair decision on the merits of the circumstances, which have been lately so much canvassed both at Madras and Ootacamund.

Whatever views are entertained about my conduct in relation to the high position I hold here, I beg to disclaim entirely the "Official" element in this discussion.

I think it right to explain that I had not an idea of going to Madras as a Government servant, supplied with a "case, or a "Certificate" from the Senior Medical Officer of the station, in view to my appearing before a Presidency Committee, preparatory to applying for such leave—Having unfortunately exhausted every Privilege that the absentee rules have allowed me, *could* not possibly do so.

I am only too thankful to avail myself now for the considerate permission of the authorities to do duty for a short time at Madras, to try and complete the cure began by the change of climate and treatment I have just had there.

But I did go to Madras as a Private Individual availing myself of an Holiday during the adjournment of the Court, to see the Superintendent of the Eye Infirmary about my eye—This was my *primary* object—taking advantage however of Dr. George Smith's well known skill and experience as a consulting Physician to get advice from him, at the same time, about my health generally.

I maintain I did so, if not upon, as I assert, Dr. Miller's suggestion, certainly with his full knowledge and consent. I therefore think that he cannot in reason complain any longer of my want of "courtesy and confidence" or shew cause why he should not, except officially, attend me on the same friendly terms as before.

That portion of the Public interested in the subject, will doubtless pronounce its usually just and right opinion upon the Principle of Professional etiquette also involved in this unhappy dispute. As Patients, are they prepared to be suddenly dropped by one of 2 Doctors because he may differ from the other in the Diagnosis and treatment of their malady? In whose favour are the Facts of this case and what is the proper course for a sufferer in Health to pursue in Future?

J. W. CHERRY,

Civil Service.

OOTACAMUND, *August 10th*, 1866.

MY DEAR CHERRY,—I received a few days ago a letter from Dr. G. Smith, giving me his views about your case, and it seems to me, after careful reflection, that I have some reason to complain both of him and of you in regard to the manner in which this consultation or committee has been gone about. When you left this, you did not let me understand that it was your purpose to have a regular consultation of Medical men about your case in Madras. You merely remarked to me incidentally, that as you were going to Madras, it would be well to consult Dr. G. Smith about your eye, and again one day you suggested casually that as you were to see Dr. Smith, at all events you might take the opportunity of asking him about your health generally, to both of which propositions I cordially assented. But since it was your primary and paramount object in visiting Madras to procure further medical advice, you should have obtained from me a statement of your case for the information of the Medical gentlemen you were going to consult; or, if you had confided your purpose to me, as I think you ought to have done, I would have offered you a medical case to take with you. As it is, the Madras Medical men have thought fit to deliberate and decide on your protracted and difficult case without referring in any way whatever to me, although they knew I had been in medical attendance on you for nearly a year, and without their having any information regarding the case except what they got from yourself at one sitting! It would have been more in accordance with usage and courtesy if you and they had not utterly ignored my previous and very recent professional connection with you, and I venture to say, it would have assisted their deliberations to have been in the possession of facts which I could have given them, even although my *opinion* was not worth their asking! The consequence is, that Dr. G. Smith has sent me a statement of an opinion in which I do not concur, and a plan of treatment which he evidently presumes I shall tacitly adopt, but which, after carefully watching and studying the case for many months, I cannot endorse, and will not carry out. Since then, you have elected to be guided by these gentlemen, it will be better for you, on your return to Ootacamund, to relieve me altogether from the charge and responsibility of your case, and make other arrangements for your medical attendance. You must understand that I do not, and cannot *decline* to attend you, because I am compelled by my official position to give you medical aid if you so desire; but I only submit to you that under the circumstances stated, our mutual relation of physician and patient can no longer be continued with comfort, satisfaction, or confidence on either side.

Your's sincerely,

J. MILLER.

THE CLUB, MADRAS, *August 16th*, 1866.

MY DEAR MILLER,—I was considerably astonished, and I must add, *annoyed*, at getting only yesterday evening, your letter of the 10th. I think before coming to the conclusion you did, in declining to being any longer my Doctor, you might have made yourself acquainted with the facts. You admit you cordially assented to my consulting Dr. George Smith here, especially about my eye and generally about my health; this last step was really a *suggestion* of your own, as I told you I knew of no one else at Madras, nor did I care to ask for any further medical advice, considering I had lately had the benefit of the best in Europe, and taken, I believe, every medicine and remedies prescribed in my case.

The facts are these—I had *no wish to go* to Madras at all, but as there was some apprehension on my part that an operation would be necessary, and that anyhow a change to a warm climate beneficial, I reluctantly made up my mind to come up here and consult the Government Oculist, Dr. Smith. I went straight to him from the train, and then availing myself of your full, knowledge and consent, spoke to him generally about my deplorable state of health. Dr. Smith said he would examine me the next morning, and it was he and not I suggested that he should do so in company with Dr. Paul. I, of course, went, and as soon as I could, drove to the Club and wrote you that very morning, Thursday, *12th July*, a short account of what had taken place. You have not even acknowledged my letter, and more than a month after I get the first intimation from you that I had been guilty of a want of "usage and courtesy," as well as a concealment

of my intentions to get further medical advice about my particular ailments. I [illegible] them all, and that such was *not* my "primary and paramount object in visiting Madras" as you are now pleased to assert. Had it been so, of course I should have got from you a statement of my case, and Dr. Smith would have doubtless been glad to see it. You were aware of what I was going to do, and never offered it, and I certainly never thought of it as necessary.

I am the last person to take advantage of mere "official position" to look for your services again, except under the most urgent circumstances, gladly as I should be to have them, but I hope you will, in case I have to call in the other medical officer, explain these circumstances. I am indeed sorry you have brought to a conclusion "the relation of physician and patient, because it cannot be continued with comfort, satisfaction or confidence on either side." All I can say is, they should not be wanting on my side, and I do think, after a firm friendship of some years, and a consideration of my very bad health, they should not be wanting on yours. I will only add my grateful thanks for the kind attention and valuable advice I have had, during the eight months I have been in your hands, and beg your acceptance of the accompanying 300 Rupees as a slight acknowledgment of the same.

Your's sincerely,

J. W. CHERRY.

FRIDAY, MADRAS CLUB, *August 17th*, 1866

MY DEAR MILLER.—Referring to your letter of the 10th Instant, in which you have, so inconsiderately subjected me to the change of medical attendance, I beg you will let me have at your earliest convenience, a statement of my case, together with particulars of the treatment. In my reply yesterday I omitted to notice your *refusal* to adopt the course that has been suggested by Doctor Smith, simply because of your differing in opinion, and the responsibility [illegible]; the latter rests entirely with the patient who avails himself of the further advice he may have sought for, but it seems to me that from mere motives of *humanity*, if from no other consideration, a great invalid such as I am *ought not* to be thus victimised to professional jealousy.

I am told that your conduct in this matter is most unusual among your Medical brethren in general, as it is, without doubt, unkind to me in particular, and allow me to add *ungrateful*.

Under these circumstances, you must not be surprised at this matter, not only becoming a subject of notoriety but public enquiry.

I am, your's sincerely,

J. W. CHERRY.

To

Dr. MILLER, Senior Medical Officer,

Ootacamund.

OOTACAMUND, *August 11th*, 1866.

MY DEAR SMITH.—I have received your communication regarding Mr. Cherry, but, I think, it comes rather late. I was left to learn with surprise and regret, from outside reports, that you and Dr. Paul had held a consultation on my patient, Mr. Cherry, without any reference whatever to me, although you must have known that he had been under my constant care for nearly a year previously, that you have arrived at conclusions regarding his case in some respects diametrically opposed to what I had believed, and practised,—and that the change of system had already in one or two days produced almost miraculous effects on the patient! Your letter is largely confirmatory of the report. You write to me as if I had never seen or heard of the case before, and you express opinions on it in which I cannot concur. From want of information which I could have given you, I think you have made an imperfect diagnosis; you have altogether failed to hit some important points of the case, which I could have indicated to you; and you have advised and commenced a line of treatment which my previous experience tells me is likely in some respects to be either useless or injurious to the patient, and which I cannot be accessory to carrying out. The consequence, therefore, of your having failed to follow the course which custom, courtesy, and a consideration for the best interests of the patient dictate in such ged him to relieve me from all further charge and responsibility of his case after his return to Ootacamund.

Your's sincerely,

J. MILLER.

13th August 1866.

MY DEAR MILLER,—Mr. Cherry called upon me when he came from the Hills, and gave me to understand that, not finding himself improving on the Hills, he had, *with your advice*, come to Madras to consult me, and to see whether change would do him good. He brought no notes of his case with him. I quite understood that you were aware that he intended to consult me. I asked Dr. Paul to meet me in consultation, and we conjointly examined into the case, and placed Mr. C. on a system of diet and treatment. I can see nothing in these acts of mine which infringe the strictest professional etiquette. If there be a mistake in the matter, it rests either with you, in not sending notes of your case along with your patient, or with Mr. C. in misunderstanding your wishes regarding securing my professional opinion. In so far as my conduct goes, it is strictly honorable and professional. I am not responsible for public reports. I am not responsible for differing in opinion regarding the case with you. I am not responsible for not possessing an outline of your opinion. As a consulting medical man, I frequently see patients, and I am bound to say, that it is the rule and not the exception that they bring statements of their cases with them. I am glad when they do bring statements, but when they do not, I do not think it necessary to refer to their medical attendant before I give my opinion. But your patient came to Madras at your advice, and with the object of consulting me, and in taking professional oversight of his case, I thought I was acting in accordance with your wishes. I am sorry to find that there is a mistake somewhere, but that mistake rests either with you or with Mr. Cherry. In all such cases, it is well to ascertain whether there be not an unintentional mistake somewhere, before you charge a brother professional man with breaches of courtesy and professional etiquette.

Your's sincerely,

G. SMITH.

P. S.—I have shown this letter to Mr. Cherry, and have seen your letter to him and his reply.

OOTACAMUND, *19th August* 1866.

MY DEAR CHERRY,—You have pained me most of all by offering me money. You are under no obligation whatever to me. I rendered you medical aid as I was bound to do, and as I had very great pleasure in doing so long as you gave me your confidence. The allusion in my former letter to my "official position" was made to guard myself against the possible charge of having positively *refused* to attend you any longer, which I could not do without subjecting myself to official rebuke for neglect of official duty. I regret to see you have made it bear another construction. I am unwilling to believe that you have designedly affronted me, and I return your fee with many thanks, in the hope that you sent it to me under a misapprehension merely.

I am sorry to find from your and Dr. Smith's letter (which latter I received *to-day*), that neither of you think there was any error in excluding me from your consultation. There is no use continuing the discussion, and I have nothing further to add to what I said in my former letters to you and him, and to which I still adhere.

Your kind allusion to our former friendship and professional connection however, as well as your reminder of your own bad health, has led me to perceive that I wrote you with too much impatience, and perhaps harshness, while smarting under a sense of injustice. I gladly take the opportunity of admitting my fault in this respect, and of expressing my regret; and I trust that this unhappy affair, although it has estranged us professionally, will not interfere with our friendly relations.

Your's sincerely,

J. MILLER.

would be conciliatory,—I little thought when I wrote you last night a letter which I hoped thought proper to address to me last, and which I have this moment read. This letter of to-day contains expressions so offensive and statements so unfounded, that I cannot bring myself to no-tice them. There are only two points which, as they concern me in my official capacity, I must put in their proper light once for all, in anticipation of the "notoriety and public enquiry" with which you vainly threaten me!

I. It is not the case, as you allege in both your letters, that I have "*declined* to be any longer your doctor," and that I have "*subjected* you to a change of medical attendance." I purposely protected myself against the possibility of any such accusation being made with truth, by letting you know in both my letters that I was still prepared, as I am now, to discharge my public duty to you by giving you medical aid as a Government official, if you so wish. I did nothing more than suggest to you, whether after what had occurred it would not be more comfortable and advantageous to both of us to have our professional connection severed. It was no one but yourself who changed your doctor and subjected yourself to a change of medical attendance, by adopting medical opinions and receiving medical treatment in Madras without my knowledge or concurrence, which opinions and treatment *when I did* come to know them, I could not conscientiously approve of or carry out. And this brings me to the second point I wish to have definitely stated, which is, that the ground on which I advised you to discontinue my services, was the utter incompatability of the Madras opinion with my own, leading to a diversity of treatment which would be injurious to you. What you seem to expect of me is, that I shall entirely sink my own opinion, although it has been arrived at after long attendance and careful consideration, and that I shall blindly follow the dictation of a Medical officer in Madras, who has examined you only once, who therefore cannot have had anything like the means of obtaining a correct knowledge of the case that I have had, and who, in fact, betrays a want of appreciation of the important phases of it in his letter to me. I venture to tell you, notwithstanding whatever you may have heard in Madras regarding what is "usual among my professional brethren," that no medical man of any independence or honesty would deign to follow such a course, no patient has a right to exact it, and no authority or power would enforce it.

You shall have a statement of your case for the information of your medical attendant so soon as I can find time to make it; but I am so engrossed at present with urgent duty that I hope a little delay will not inconvenience you now, since you have managed to do so long without it already. For the same reason I am unable to continue this correspondence, the more especially as your last letter gives no hope of a more satisfactory termination to it.

Your's sincerely,

J. MILLER.

MADRAS CLUB, *25th August*, 1866.

MY DEAR MILLER,—In acknowledging the return on the 22nd Instant in yours of the 19th of my cheque, I wish to disclaim any intention of causing you "pain" or "designedly affronting" you in having sent you the fee, which is not only customary, but which you were fairly entitled to. I should have felt uneasy had I not done so, notwithstanding you were bound officially to attend me. As you are in the habit of accepting such remuneration from other Government servants, I cannot see why in this instance you have made an exception.

I am sorry to observe in yours of the 20th Instant, that you decline to notice what you are pleased to assert are "offensive expressions" and "unfounded statements" in my letter to you of the 17th do. I suppose you are unable to shew that they really are so. I solemnly declare that it was with your full "knowledge and concurrence" *beforehand*, that I availed myself, not primarily, but incidentally, of further medical advice in Madras, and that entirely upon your suggestion and not my own seeking. Further, that I immediately made you acquainted with what I had done *afterwards*. You do not deny having received my letter of the 12th July, in which you got this information, and yet you write to Dr. George Smith on the 11th August, a month after, "that you were left to learn with surprise and regret from outside reports that a consultation had been held on your patient, Mr. Cherry, without any reference to you"!

me to "a change of medical attendance,"—I meant at *Ootacamund*, and not at Madras as you have overlooked; if you refer to my first letter you will see I allude to the contingency of having to "call in the other Medical officer" on the Hills. I still think "the incompatibility of the Madras opinion with your own," if *I choose* to *follow* it, in no way necessitates your "entirely sinking your own opinion," or obliges you "to blindly follow the dictation of a Medical officer in Madras"— who you say "betrays a want of appreciation of the important phases" in my case. I think it but due to Dr. Smith (who is a most innocent party in this unfortunate dispute between us) to remind you, that he most deservedly holds the position of being constantly called in and consulted by patients both at Madras and the Mofussil, and acts exactly as the London physician does to the country practitioner at home. Both he and Dr. Paul are much your seniors both in the service and experience, and though, in reality, you may be right, I don't see why you should object to try their treatment, when the one most interested, viz., the patient, asks you to do so, and with full intimation to him from you, that such would, in your opinion, be "injurious," he and not you takes the responsibility. It is equally inconvenient to me to continue this correspondence with you, and I will close it, with the expression of my sincere regret that you should have ever thought it necessary to commence it. Holding, however, the position I do at Ootacamund, I cannot allow your charges against me "of offensive expressions" and "unfounded statements" to remain unnoticed elsewhere. It is due also to the public that the interests of sufferers in health like myself, should not be thus unreasonably and heartlessly held at the mercy of any medical man simply on the score of professional etiquette,—and let me again repeat—professional jealousy

I am your's truly,

J. W. CHERRY.

MY DEAR MILLER,—Mr. Cherry has shewn me your letter to him, dated August 19th, in which you acknowledge having received my explanation (dated 13th August), and in which you state that you still adhere to the views expressed by you in your letter to me dated 11th August, thus virtually closing the correspondence with a reiteration of the charge of "having failed to follow the course which custom, courtesy, and a consideration for the best interests of the patient dictate in such circumstances." As this is the first charge of the kind which has been brought against me during 22 year's professional labour in India, it may be worth your while again to consider the facts of the case, so that you may be perfectly certain that I have been guilty of the breach of custom, courtesy, and consideration for my patient which you bring against me.

Mr. Cherry called upon me professionally on the evening of July 11th, and gave me to understand that having come to Madras on business, he had, *with your full concurrence and knowledge*, taken advantage of the opportunity of consulting me regarding the state of his eye, and of further consulting me, or any other medical man here, regarding the state of his general health.

Knowing that Mr. Cherry had been long ill, and seeing the gravity of the symptoms, I pressed upon him the advisability of allowing me to call Dr. Paul into consultation. On the 12th of July the consultation was held, a plan of diet and of treatment was adopted, and all with the entire assurance on my part that I was acting in strict accordance with your expressed wishes.

Mr. Cherry informs me that he wrote to you on the day of the consultation and immediately after it, which certainly shews that he thought that he too was acting in harmony with your advice, and which also shews that you were not left, as you state you were, to obtain your information from outside reports. Mr. Cherry's letter you must have received on the 14th July, and yet, from that date up to the 11th of August, you permitted me to conduct the treatment of Mr. Cherry's case without remark or remonstrance. On the 3rd of August I wrote you a note regarding Mr. Cherry's case; that letter you received on the 5th of August, and a whole week elapses before you call me to account for breaches of courtesy and of professional etiquette.

I think every unbiassed member of our profession will, on looking at these *facts*, conclude that I was entirely justified in giving Mr. Cherry the benefit of my professional opinion; that I was perfectly justified in summoning to my aid the professional skill of Dr. Paul; and that, in the

NEILGHERRY EXCELSIOR.

PUBLISHED EVERY SATURDAY MORNING.

VOL. IV.] SATURDA[Y], 2[9T]H SEPTEMBER, 1866. No. 35

NOTICE.

ADVERTISERS are requested to send their Advertisements on THURSDAYS at 3 P. M. at the latest.

After that day and hour Advertisements will not be received.

NOTICE.

Steam Communication from Calicut to Bombay, Ceylon, Madras, Calcutta, and Intermediate Ports

The British India Steam Navigation Company "Limited" under contract with Government, will despatch Steamers as above twice a month, with mails, Passengers, and Cargo, on or about the following dates.

From Calicut to Connanore, Mangalore, Carwar, and Bombay, on or about the 1st and 16th of each month.

From Calicut to Cochin, Ceylon, Madras, Calcutta, and Intermediate Ports, on or about the 4th and 18th of each month.

The Steamer of the 4th calls at Galle, and the Steamer of 18th at Tuticorin and Colombo.

The Steamer of the 4th September will call both at Colombo and Galle.

For Freight or Passage or further particulars, Apply to

JAMES ANDREW & CO.
Agents.

Calicut and Beypore.

ADVERTISEMENT.

ABSTRACTED from a Registered Letter, posted at Ootacamund on the 20th September 1866, a Bank Note for 100 Rs.—, B 33,150, of 20th July 11 1863. A reward of 25 Rupees will be given to any person, who will return the missing Note to the Editor of the *Neilgherry Excelsior*, and give such information as will lead to the detection of the thief.

MRS. Hopkins has received a Large supply of Trichinopoly Boots, comprising of Lady's and Girl's Buskins and side lacing Boots, Children's Boots of different sizes, Gentlemen and Boys, riding Balmoral and ankle do. all made to order by Mr. Comerford. Moderately priced to ensure a speedy sale.

Charing Cross.

Ootacamund, 27th September.

WANTED.

BY *a young-man, European, a situation as Manager, of a Coffee Estate in S. E. Wynaad. Address, stating terms.*

To S. A. C.
Post Office Ootacamund.
To wait till called for.

INDIAN CONDIMENT.

MESSRS. EAGAN AND SONS.

HAVE just received a large supply of the above, from a first class manufactory in Madras, and beg to receive early orders.

TO LET.

ST. Stephen's House, furnished, beautifully located, very convenient to the Post Office, Church, Library, and Dispensary, and containing sufficient accommodation for two families.

☞ Available on the 1st October next.

For further particulars apply to,

JAMES EAGAN & SONS.
AGENTS.
Commercial Hall.

PUBLIC.

BILLIARD AND REFRESHMENT ROOMS.

A First Class Slate Table.

AT the Rooms attached to Messrs. EAGAN AND SONS Premises, the Commercial Hall.

☞ Opened daily (Sundays excepted) from 7 A. M. till 11 P. M.

MESSRS. RICHMOND GORDON AND WOTHERSPOON.
ESTATE AGENTS.
Manantoddy.

ONE Childs Pony (very quiet.)
1 Girls Side Saddle.
1 Boys Saddle and Bridle nearly new—Rs. 100.

1 Kerosene Lamp quite new, never used—Rs. 40.

1 Minie Rifle—Rupees 35.

1 Gun-bore No. 10 with Shikar-bag, wad cutter, lock cramper, bullet mould, shot pouch, powder-flask, and washing rod &c.—Rupees 85.

Apply to FRAMJEE AND CO.

TO LET.

FROM 21st Sept. to 31st Dec. or longer if required, "Sandrock," the house now occupied by Mr. Rohde. Rent Rs. 100.

Apply to
FRAMJEE AND Co.

OOTACAMUND GRAMMER SCHOOL AND COLLEGE.

THERE will be *recitations, a concert* and a *charade*, at the Grammer School, on Friday 28th inst. to commence at 3 P. M., precisely.

Tickets 2 Rupees. Book of words 8 Annas.

N. B.—The proceeds will be given to the fund for building a new Church the local Tamil Mission and to the School fund which supports native students in the Missionary institutions of the S. P. G. and C. M. S.

FOR SALE.

The Property of Dr. Colvin Smith.

AN English built light Park Phæton.
A Light Basket Carriage.
Five Strong Pegue ponies.
One Large Bullock and new water bags.
A Harmonium.
A kitchen Stove complete
Harness and Saddles.
Hill View.

NOTICE.

MESSRS. ARBUTHNOT & Co's. next Auction Sale of Wines, Spirits, &c., will be held at 12 o'clock on Thursday 11th October 1866, when a large supply of liquors similar to those notified in former advertisements will be submitted for sale.

Madras, 18th September 1866.

NEW HOSPITAL.

A SALE OF FANCY WORK:

TOYS, FRUIT &c., &c., WILL TAKE PLACE ON THE 1st October *in aid of the New Hospital.*

Contributions will be thankfully received

By the Honorary Secretaries,

MRS. MILLER AND MRS. COLVIN SMITH.

OOTY, SEPTEMBER 1866.

FOR SALE.

At the Godowns of

W. E. SCHMIDT.

Sherries. GLEDSTANE'S Superior Pale Sherry No. 1.
Ditto Ditto No. 2.
Fine Old Pale Sherry. White seal.
Mauzanilla Sherry.

Port. CHILLINGWORTH and Son's Finest Old Port.
Gledstane's Superior Old Port in quarts.
Ditto Ditto in pints.

Brandy. GLEDSTANE'S Old Pale Brandy. Gold label.
Old Royal Mess Brandy.
Denis Mounies and Co.'s Pale Brandy.
Jules Robins ditto
Hennessey's Superior Pale Brandy No. 1.
Do. do. do. C. B.

Champagne and Mosselle. GLEDSTANE'S Superior Sparkling Champagne in quarts *first quality.*
Beckhard & Shone's Superior Sparkling Mosselle in quarts.
Gerothwohl and Co.'s Sparkling Mosselle in quarts.

Marsala, Claret, Gin-ger Wine, &c. SUPERIOR Marsala.
Breakfast Claret.
Orange Bitters.
Quinine Wine.
Crabbie's Ginger Wine.
Fine Pale ditto C. B.
Geneva.
Old Tom.
Superior Jamaica Rum.

Ale and Porter. IND and Coope's Ale in quarts and pints.
Bass' Pale Ale bottled by Marzetti and Sons, (in quarts.)
Ditto ditto bottled by Iblers and Bell, (in quarts.)
Tennent's Superior Porter in quarts and pints.

Liqueurs. CREME de Noyau.
Creme de Vanille.
Maraschino de Zara,
Superior Curacoa.

W. E. SCHMIDT.

JUST RECEIVED.

A SMALL supply of Ladies Boots.
Apply to FRAMJEE & CO.

FOR SALE.

	Rs.	A.	P.
FLEA-Bitten Grey Arab Horse, goes in double harness, and a good ladies saddle horse...	400	0	0
Flea-bitten Grey Arab Horse do do do ...	350	0	0
Sett of "Grants" best double harness...	200	0	0
Waggonett doublescat, only used for six months... ...	425	0	0
The turnout couple for Cash... ...	1,300	0	0

Apply to FRAMJEE and CO.

23/7/66.

FOR SALE, at Ootacamund, Burnside Cottage. Apply to Mr. MERCER.

COFFEE ESTATES FOR SA[LE].

THE undersigned having received instructions to submit for Sale *without reserve*, the ANN[...] and WELLESLEY ESTATES, situated on the [...] ghaut in the Khoondas. Hereby give notice they will put the same up to Auction, at [their] offices in Calicut, on *Saturday* the 27th of O[ctober] next at noon precisely.

Full particulars can be had on application

PEIRCE LESLIE AND [CO.]
CALICUT.

FOR SALE IN COORG.

AN [E]state comprising about 700 acres of [...] cultivated portion contains about [...] acres, half of which will give crop the coming [sea]son, the other half being planted last monsoon. [For] a company this would be a very valuable [invest]ment, and for full particulars, apply to L., Post-Office, Veerajenderpett Coorg.

NOTICE.

REFERRING to Advertisement of Auct[ion on] the 22nd September, Mr. J. W. Egan [here]by gives Notice that the Sale will take p[lace at] "Glenrock" the Residence of Genl. Worm[ald on] Wednesday the 26th September, commen[cing at] noon.

J. W. EGAN,
Norfolk Hou[se].

FOR SALE.

A Wheeler and Wilson Lockstitch sewi[ng ma]chine, in Walnut case, as good as new, [in per]fect working order. The purchaser can be [shown] how to work it—cost last year two hundre[d and] twenty-five rupees.

Price cash Rs. 180.

Apply to Major BRIGGS, late Mrs. [...] Cottage.

THE MOST RELIABLE FRIEND! HOLLOWAY'S OINTME[NT].

Its Searching and Healing Properties are [...] and recognised throughout the Wor[ld].

The number of years this invaluable [...] public opinion (and the long[er] *the better appreciated) is a testimony of itself m[ore con]vincing than anything that could be written i[n praise of] its truly wonderful healing properties. In [...] bad legs, bad breasts, sores, wounds, and ulcer[s ...] is marvellous. For ringworm, scald-head, scr[...] diseases of the skin generally, there is no rem[edy to be] compared to it.* When assiduously rubbed u[pon the] skin (previously well bathed with warm water) t[he Oint]ment is quickly absorbed into the system, and [...] in its passage, every part to which it is applied.

Glandular Swellings, Bronchitis, Mumps, [...]sey, Sore Throats, and Diptheria.

In any of the above diseases, immediate an[d perma]nent relief is obtained by effectually rubbing t[his ...]gent Ointment, twice a day, upon the neck, che[st and] back. It acts upon the very mainsprings of li[fe ...] through the glands pass all new matter required [for the] body's reparation and all old particles detrimental [to its] preservation. The Ointment, used conjointly wi[th Hol]loway's Pills, will act so searchingly and certainly [...] effect cures in the most hopeless cases.

Rheumatism, Lumbago, Contracted and S[tiff] Joints.

Many thousands of martyrs from the above com[plaints] have found life almost insupportable; yet if Ho[lloway's] Ointment be briskly and perseveringly rubbed u[pon the] parts affected, ease may be safely guaranteed, es[pecially] if the pores of the skin be previously opened by [fomen]tations with warm water. The gross humours [...] expulsion from the system; it is therefore neces[sary to] have recourse to Holloway's admirable Pills, wh[ich by] purifying and strengthening the system, greatly [...] the operation of the Ointment and facilitate and [...] the cure.

Bad Legs, Bad Breasts, and Ulcerations o[f all] kinds.

There is no medical preparation in the world [that] may be so thoroughly relied upon, in the treatm[ent of] the above ailments, as Holloway's Ointment. N[othing] can be so simple or safe as the manner in which [it is] applied, or its action on the body, both locally and [consti]tutionally. The Ointment, rubbed around the [parts] affected, enters the pores just as salt enters mea[t ...] quickly penetrates to the source of the evil and [...] it from the system.

Erysipelas and Scrofulous Sores.

In all irritations of the skin, sores, ulcers, burn[s, ...] scrofulous enlargements of any kind, Holloway's O[intment] ment presents a ready and easy means of cure. It [...] nifests a peculiar power in restraining inflammation, re[...] ving stagnation, cooling the heated blood, and checking [...] all acrimonious and unhealthy discharges.

Diseases attendant on Childhood.

Diseases incident to early life fall more under the m[an]agement of the mother than the medical man. [Hol]loway's Ointment should therefore be regarded by her [as a] "Household Treasure," as it never fails in bringing [...] the rash in measles and scarlatina: and for the remo[val] of all skin diseases its effect is miraculous. In cases [of] whooping cough and croup, this invaluable Ointm[ent] should be rubbed twice a day upon the throat and ch[est] and the youngest invalid will derive there form the [...] soothing relief. Two or three of Holloway's fam[ous] Pills, reduced to a powder, will augment the cura[tive] powers of his Unguent.

Both the Ointment and Pills should be used in t[he] following cases:—

Bad Legs	Chilblains	Gout	Sore Throats
Bad Breasts	Chapped Hands	Glandular Swellings	Skin Diseases
Burns	Corns (Soft)	Lumbago	Scurvy
Bunions	Cancers	Piles	Sore Heads
Bite of Moschetoes and Sand Flies	Contracted and Stiff Joints	Rheumatism	Tumours
Coco-bay	Elephantiasis	Scald Heads	Ulcers
Chiego-foot	Fistulas	Sore Nipples	Wounds
			Yaws

Sold at the Establishment of PROFESSOR HOLLOWAY, 244, Strand (near Temple Bar), London; also, by all respectable Druggists and Dealers in Medicines throughout the civilised world, at the following prices:—1s. 1½d., 2s. 9d., 4s. 6d., 11s., 22s., and 33s. each Pot.

. There is a considerable saving by taking the larger sizes.

N. B.—Directions for the guidance of patients in every disorder are affixed to each Pot.

TO COFFEE PLANTERS.

THE undersigned are prepared to arrange for advances on the coming seasons crops.

Charges [...] and shipping in cases Rs 50 per ton [...] bags Rs. 42½.

[PE]IRCE LESLIE AND CO.
14th April 1866. Coffee Works, Calicut.

PHOTOGRAPHIC ROOMS,

Ootacamund and Madras.

OOTACAMUND ESTABLISHMENT
Glendower Hall.

On the road to the Botanical Gardens.

Portraits of all sizes taken daily in every variety Coored or uncolored.

VIEWS OF THE NEILGHERRIES.

Nearly 100 to select from.

NICHOLAS BROTHERS.

FRENCH MEDICINES IN VOGUE!!

NEW AND MOST VALUABLE MEDICINES

For hitherto intractable and incurable diseases.

No more Cod Liver Oil.

Grimault's Syrup of Iodized Horse-Radish.

Price 3 Rs. a bottle cash.

Prepared by Grimault and Co., Chymists of [Par]is, according to the certificates of the physi[cia]ns of the Paris Hospitals, detailed in the [prin]ted directions, and with the approbation of [sev]eral Academies, this Syrup is employed with [the] greatest success, in place of Cod Liver Oil, [to] which it is infinitely superior. *It cures dis[eas]es of the chest, scrofula, lymphatic disorders* [gre]en sickness, muscular atony, and loss of appe[tite.] *It regenerates the constitution by purify[ing t]he blood, and is in a word, the most power[ful d]epurative known.* It never fatigues the [stom]ach and bowels, like *Iodide of Potassium* and *Iodide of Iron*, and is administered with the [grea]test efficacy to young children, subject to [hum]ours, or obstruction of the glands. Dr. [Cast]enave of Saint Louis Hospital, Paris, recom[men]ds it particularly in diseases of the skin, to [be t]aken with his Pills mentioned above. This [Syru]p of Iodised Horse-Radish is a capital ad[junct t]o Dr. Leras' Phosphate of Iron.

No more Consumption.

Syrup of Hypophosphite of Lime.

Price 2 Rs. a bottle cash.

[Th]is new Medicine is an invention of Dr. [Chu]rchill. It is a sovereign remedy in phthisis [and] other diseases of the lungs, promptly re[liev]es all the more serious symptoms. The [coug]h is relieved, the night-sweats cease, and the [pati]ent rapidly recovers his health.

No more Dyspepsy, vomiting during pregnancy and sea-sickness.

[Gri]mault and Co.'s Digestive Elixir of Pepsine.

At 3 Rs. a bottle cash.

[Pe]psine is the gastric juice itself, or rather the [activ]e principle purified, which digest food in the [stom]ach. When from various causes, the supply [of th]e digestive fluid is too small, the inevitable [cons]equences are, bad digestion, inflammation of [the] mucous coats of the stomach and bowels, [and] in females general derangement. The Elixir [of Pe]psine, sanctioned by the Paris Academy of [Med]icine, speedily cures all such diseases and [preve]nts vomiting during pregnancy and while sea-voyaging.

No more poverty of the blood and pale complexion.

Dr. Leras' Phosphate of Iron.

2 Rs. a bottle cash.

[Th]is new ferruginous Medicine contains the [elem]ents of the blood and bones, and Iron in a [liqu]id state. It is different from all hitherto [...] Need to the public, is liquid, colourless and [taste]less. It speedily cures chlorosis, pains in [the] stomach, difficult digestion, dysmenorrhœa, [anæ]mia, and advantageously supersedes *Carbo[nate] of Iron, Iron reduced by Hydrogen, Lactate [of I]ron, the Pills of Potassiotartrate of Iron* and [Iod]ide of Iron.

[Th]e majority of the Academies of Medicine of [Par]is, recommend the Phosphate of Iron, to [lad]ies of delicate constitution suffering from [anæ]mia, and all other persons fatigued from over [anxi]ety, nervous emotions, overwork, general [debi]lity and poorness of blood.

[I]t is the only preparation which never causes [con]stipation, and can be borne by the most deli[cate] stomachs. It is the best adjunct to the [Syr]up of Iodized Horse-Radish and Royal Elixir [of Y]ellow Peruvian Bark.

No more Copaiba and Cubebs.

Grimault's Capsules and Liquid Extract of Matico Vegetalis.

At 3 Rs. and 2 Rs. a bottle cash.

[P]amphlet on the use of Matico and cure of [the] disease, 8 annas each, cash.

[W]here all other Medicines have failed, these [pre]parations will always effect a cure. These [...] are rapid and extraordinary cure of severe [...]nt and chronic cases of private disease. They [are] used in the Hospitals of Paris, by celebrated [Dr.] Ricord, and are found greatly superior to all [hit]herto known mineral remedies and Copaiba [and] Cubebs. The Injection is used in recent, and [...]ules in the more chronic cases.

[Gener]al Depot: In Paris, at Grimault et Co., 45, R. Richelieu;
In London, at Maw & Son, 11 Aldergate street;
In Calcutta, at Nosky et Co;
And at every good chemist of India.

FOR SALE.

OXTON HOUSE AND STOVER COTTAGE
(*Furnished.*)

OXTON house consists of one drawing-room, two Bed-rooms (one very large) dressing-rooms and bath-rooms attached—Mateys Pantry—Kitchen, a number of out offices, stabling for three horses, Coach House, [...], and gardeners godown.

Stover Cottage consists of one dining Room. One drawing room. Three bedrooms with Bath rooms attached, Mateys Pantry, Kitchen, Three Godowns, stabling &c. Both houses are in thorough repair.

Land attached to the property 5 Cawnies, 22 Grounds 2124 Square feet.

For particulars Apply to,

J. C. MERCER AND Co.

FOR SALE.

A SELF-Driving phaeton, horse and harness complete. The horse is strong and accustomed to the Hills.—Price Rs. 650.

Apply to J. W. EGAN.

FOR SALE.

A CHESNUT Australian Gelding, strong and sound, goes admirably in Saddle and harness, a capital stepper and up to any weight.

Apply to FRAMJEE & CO.

FOR SALE.

AN American Cotton, or Hay Press quite new, only Rs. 300.

J. C. MERCER & CO.

"INDIAN PUBLIC OPINION."

THE "Lahore Chronicle" having since April changed hands, the Staff which after the death of Mr. C. A. D. Gordon conducted the above paper during the months of January, February and March last have determined to issue another Journal under the name of "INDIAN PUBLIC OPINION" and confidently appeal for support to those who approved of the style and character of the "Lahore Chronicle" during the months in question.

The "INDIAN PUBLIC OPINION" newspaper will be an organ for the expression of opinion of all shades. It will support Government as well as advocate private enterprise wherever the public wants may urge it to do so, but it will be thoroughly independent of Official or Mercantile inspiration. "INDIAN PUBLIC OPINION" as a Newspaper will, it is hoped, in the course of a few months stand—unrivalled for the quality and speedy communication of the news which it will furnish. Its staff of Translators will enable it to receive news direct from every quarter of the globe. It possesses sources of information in the Punjab, the Frontiers and Central Asia which are inaccessible to most Journals. Its main object will be to encourage the growth of that Public opinion in India which is so much needed to rectify abuses in this country and it hopes to accomplish this end by the support of all public spirited men whom it trusts to enlist as subscribers. "INDIAN PUBLIC OPINION" will be published in August next at the same rates as the "Lahore Chronicle" for subscriptions and advertisements. Literary communications should be sent to the Editor; business letters to the Manager, "INDIAN PUBLIC OPINION" Lahore.

FOR SALE.—That eligible and most desirable property known by the name of Mowbray the residence of the late Mrs. Havelock.

ALSO FOR SALE.

The property of the late Mrs. Havelock a small Cottage with cultivated land situated near the village of Kulhuttie.

For particulars of both properties—Apply to MR. CHAS. HAVELOCK.

Mowbray.

FOR SALE.

TENNENT'S Porter XXX.
Apply to FRAMJEE AND CO.

WANTED.

PAID CORRESPONDENTS in the three Districts of Wynaad for the *Neilgherry Excelsior.*

Apply to the Editor,
Ootacamund,
Neilgherries.

FOR SALE the property of Mr. ROHDE,
A Broadwoods grand piano, a very superior instrument, Rs. 800.

A powerful Bay saddle horse, Rs. 650.

FOR SALE.

AT OOTACAMUND,

THE Property known as "BAIKIE," situated on the South side of the Lake, consisting of Dwelling House and Godowns, and about 24 acres of Land, a large portion of which is cleared and planted with Tea, Cinchona, Eucalypti, Tobacco and English grass. The House has recently been enlarged and put into thorough order, and is well furnished. There is an abundant supply of excellent water.

The property known as "KAITY LODGE," adjoining Baikie, consisting of a Cottage with Godowns, and about 8 acres of land on which there is a large quantity of wood. The Cottage has recently been put into thorough repair, and is well furnished. There is a good supply of water.

Four Superior Pegue Ponies.

Apply to DR. MILLER,
At BAIKIE

NOTICE.

TO LET Glenwood Cottage, between Dr. Miller's and Captain Morgan's houses, overlooks cricket ground.

Terms.

For 3 or 6 months 45 Rs. per mensum.

Enquire of Mrs. BROWN, Sugar Agent.

AUCTION SALE.

On Saturday 29th Instant,

COMMENCING AT 12 NOON.

J. C. MERCER AND CO.

WILL SELL ON THE ABOVE DATE.

ONE English bullock cart built by Crossgill and Co., of Beverley and on their patent wheels and axle.

One Country built bullock cart on do.
One pair of patent wheels and axle by do.
One patent Iron mangle.
Iron Hay Racks, Iron barrow wheels.
One Mahogany Chest of Drawers by Deschamps.
One French spring Cot by do.

Also a quantity of best Japanese lacquered ware consisting of,

One despatch box, one tiffin box, one writing box, two smoking boxes, two large trays, card trays, one pair of round tables, porcelain cups covered with rattan, japanese pocket books worked in silk, tobacco pouches in do. &c., &c., &c., &c.,

Japanese bronzes consisting of

Two elephants and castle, one pastille box, one bell, two crayfish, one bullock and man, urns, Griffin, ink bottles, opium pipes, a japanese curio man in armour, &c., &c., &c.,

The above articles are well calculated for presents, and are therefore worthy the attention of parties proceeding to Europe.

S. HONEYWELL.

BEGS to inform the residents of the Hills, and their Vicinity, that he is offering for Sale his Neilgherry Brewed Ale, which is considered wholesome and good by Medical Gentlemen.

Price—in Quarts 4½ Rupees per dozen.
in Pints 2¼ do. do.

Likewise *Bass'* Ale, C. B.
Price—in Quarts at 6 Rupees per dozen.
in Pints at 3 do. do.

Apply with Cash to

PUNJAPAH, Bazar-street, Ootacamund.
AUTHEMOOLEM, do. Coonoor.

N. B.—The bottles are labelled. One pint of beer, can be obtained from any of the above agents, but not *one quart*, but *three quarts.*

CASTLE BREWERY,
Sappers Camp,
Arvenghaut,
18th August 1866.

WANTED.

THE advertiser wishes to hear of some person, willing to board, and undertake the care of three Children, under five years of age.

Address stating terms &c.

A. C. B.
Vithry Wynaad.

T. C. ALLAMBY.

Commission Agent,

Dealer in Wines and Spirits.

FOR SALE.

A very light Pony conveyance adapted for the Hills.

Also a set of Plated Pony Harness nearly new.

Apply to
THOMAS ALLAMBY.

FOR SALE.

A nearly new double barrelled Breech-loading Rifle by Joseph Lang, London, in case complete with cartridges.

Price 330 Rupees.

Apply to
THOMAS ALLAMBY.

FOR SALE.

FIRST-Rate Coffee, at Rupees 7-8-0 per maund.

Apply to
THOMAS ALLAMBY.

EXCELSIOR!

NOTICE.

THE NEILGHERRY EXCELSIOR is published with a *Supplement* of two pages, and supplied to subscribers whose Government income is under 200 Rupees a month, at the following rates.

For one year in advance...	12 Rs.
For half a year in do ...	6½ Rs.
For a quarter in do ...	3½ Rs.
By the month...	1¼ Rs.

The above to be exclusive of postage at the rate of 3 Rs 4 Ans. per year.

The above rates apply only to Government Servants and Not to Planters and others.

TO ALL OTHERS.

The rates will be,

For one year in advance...	18 Rs.
For half a year in do ...	10 Rs.
For a quarter in do ...	5½ Rs.
By the month...	2 Rs.

Spare Copies at 8 Annas each.

Postage.—At the rate of 3 Rs. 4 Ans. per year in addition.

Rates of Advertisement.

To the Trade.—3 Annas per line, subject to a discount of 25 per Cent.

To all others.—4 Annas per line, with an abatement of 25 per Cent. for all subsequent insertions.

All Communications connected with Advertisements and Job Work, to be addressed to Messrs. Framjee Nesserwanjee and Co.; all news letters and letters from intending Subscribers, to the Editor.

DIARY OF THE WEEK.

Days.	Dates	Sundays, Festivals, &c.
Sat.	29	Saint Michael and all Angels.
Sun.	30	18th Sunday after Trinity.
		OCTOBER.
Mon.	1	
Tues.	2	......
Wed.	3	
Thur.	4	Day of Humiliation throughout India 1857.
Friday.	5	Terrific Storm at Calcutta 1864.

POSTAL NOTICE

Two Mails are despatched daily from this Office to Bangalore, Bombay and Stations on the line between Ootacamund and Madras.

Packets for the first Mail are closed at 1 P. M., and those for the second at 7 P. M.*

Packets for Calicut and Stations Westward, also for Trichinopoly and Stations Southward, are closed at 1 o'clock P. M.

Packets for Goodalore at 5 P. M. For Mysore, Hoonsoor and the District Post Offices at Colligal and Goondulpett at 7 P. M.

All private Letters &c. for the District Post and Mysore Anchl must be pre-paid.

The hours at which Mails will be delivered must depend upon the hours at which they are received. At present there [are two de]liveries: the first at about 6-30 A. M., and the second [between] 1 and 2 P. M.

The follo[wing ru]les, passed by the Governor General of India in Co[uncil] under the provisions of the Post Office Act of 1866, will be observed in future.

Banghy parcels will be received every day, Sundays [ex]cepted, for despatch, from 7 A. M. to 8 A. M., and from Noon to 5 P. M.

Sect. XVII. Letter-boxes will remain open day and night, the hours at which each Letter-box will be clear[ed] will be marked upon it.

Sect. XVIII. Official references and personal applications to Post Office Authorities shall be made between the hours of 7 A. M. and 8 A. M., and between Noon and 5 P. M., except on Sundays, when Post Offices will be open from 7 A. M. to 8 A. M., and no other hour." At Ootacamund this will be from 2 P. M. to 3 P. M. during which hours letters will be received for registration.

J. HODGES,
Inspg. Postmaster, 8 Div.

Ootacamund Post Office,
1st Sept. 1866.

* Madras Time.

Latest safe dates for the despatch of Overland letters during the year 1866.

Via Madras & Southampton.			Via Bombay & Marseilles.		
October	10th	24th	October	6th	21st
November	10th	24th	November	6th	21st
December	10th	24th	December	6th	21st

JNO. SEQUEIRA,
Acting Postmaster.

Ootacamund, Post Office,
15th January 1866.

LATEST INTELLIGENCE.

(Special Telegrams for the Madras Times.)

Reuter's — London, 10th Sept. Morning.

Atlantic Cable of last year successfully laid (recovered?)

The Prussian Deputies' Committee on the Treasury Note Bill has adopted an amendment to reduce the proposed issue thirty millions of florins.

The demobilisation of the Prussian Armies has commenced.

It is reported that negotiations between Italy and Austria are progressing slowly.

It is reported that the King of Saxony intends to abdicate.

Fifty-eight thousand Italians have been disbanded.

Reuter's — London, 13th Sept. Morning.

A Convention has been signed between Mexico and France; the latter obtains half receipts of maritime customs of the Empire in payment of the Mexican debt.

The Prussian Chamber of Deputies has passed an electoral Bill for the German Parliament by a large majority.

London, 14th Sept. Morning.

Insurrection in Canada spreading.

Bombay, 20th Sept.

There was a meeting of Premchund Roychund's creditors yesterday; liabilities 223 lacs, assets 148 lacs. There was considerable discussion and the solicitors proposed to devote two-thirds of Premchund's earnings during the ... Mad[ras] telegraph lines blocked yesterday.

Reuter's Telegrams.

(Special for the Athenæum and Daily News.)

London, 17th September—Afternoon.

The Conference between Austria and Italy has been adjourned until next week.

Werther has been appointed Austrian Ambassador at Berlin.

Lavalette has made a speech demonstrating the necessity for re-organizing the French Army.

Advices from the Brazils state that the Paraguayans defeated the Allies with heavy loss.

London, 19th September—Morning.

Negotiations between Austria and Italy are approaching a solution.

It is arranged that Prussia shall occupy Bohemia until all questions are settled.

The Prussian Upper House has adopted the Electoral law as amended by the Deputies.

There has been a great battle between the Turks and the insurgents at Candia; the latter were defeated.

The Bombay Mail arrived at Marseilles this day.

In the Cotton and Manchester Markets prices are held firmly.

Bombay, 21st September, 10.20 P. M.

CAPTAIN JERVIS DISMISSED THE SERVICE.

The decision of the Court Martial is that Captain Jervis is not guilty of the first two charges, but that he is guilty of the last three.

He was sentenced to be dismissed from the service, with a recommendation to mercy. Sir W. Mansfield has declined to act upon the recommendation, and has confirmed the sentence.

The revised finding and sentence were the same as the original. *Athenæum and Daily News, Sept. 24.*

(Special Telegrams for the Madras Times)

(Summary from the Overland Mail.)

London, 3rd September.

The *Home News* states that President Johnson has proclaimed the blockade of Matamoras to be a violation of the law of nations.

French Volunteers take the place of French troops leaving Rome.

An attempt, it is said, is being made by the French Government to negotiate the formation of a Rhenish State.

Mazzini refused to accept the amnesty offered by the King of Italy.

The Spanish fleet at Tahite is reduced to great difficulties.

The Cattle Plague in England shows a small increase.

Captain Irving, Madras Staff Corps, has resigned. *Madras Times, September 26.*

(Special for the Athenæum and Daily News.)

The following was received at Bombay with the *Overland Mail* of 3rd September, having been forwarded through Reuter's Agency by Telegraph to Marseilles.

New York, 25th August 1866.

General Sheridan reports that the immediate cause of the recent riot in New Orleans was the assembling of the Free State Convention headed by revolutionary agitators; but denounces the manner in which the Mayor and Police suppressed the riots as atrocious and amounting to murder, and recommends the removal of the Mayor and Governor.

Bombay, 25th September, 8-50 A. M. *Athenæum and Daily News, September 26.*

STEAMER REPORTS.

Galle, 23rd 9.45 A. M. Steamer "Cashmere" from Colombo anchored.

Galle, 24th 9-30 A. M. Steamer "Cashmere" sailed for ... P. M. yesterday.

Bombay, 24th 11-55 A. M. Steamer "Northam" from China arrived at 12-30 P. M. yesterday.

Bombay, 25th Midnight Overland Mail anchored at 11 P. M. 24th.

DOMESTIC OCCURRENCES.

BIRTHS.

SHORT: At Ootacamund, on the 22nd Instant, the wife of Mr. James Short, of a daughter.

PRICE—On the 22nd September, at Oossoor, the wife of J. F. Price, Esq., C. S., of a daughter.

COURT—At Vellore, on the 24th September, the wife of Lieut. H. S. Court, Staff Corps, of a son.

WYNCH: Sept. 21st, at St. Thomas' Mount, the wife of Captain Wynch, R. A., of a son.

DANGERFIELD: At Seetabuldee, Nagpore, on the 18th September, the wife of Major Dangerfield, Royal Artillery, of a son.

HAY: At Trevandrum, on the 19th September, the wife of Captain Woulfe Hay, Assistant Resident, of a daughter.

MAIR: At Sea, on board the "Darra" for London, on the 13th May last, the wife of Dr. R. S. Mair, Deputy Coroner of Madras, of a son.

MARRIAGE.

RICHARDSON: WOOLLEY: On Wednesday the 19th September, at the Catholic Cathedral, by the Right Revd. Dr. Fennelly, assisted by the Reverends Dr. Fennelly and Colgan, Clarrissa, daughter of the late John Richardson, to Richard Woolley, Assistant to the Locomotive Superintendent, Madras Railway.—No Cards.

DEATHS.

MAGRY: At Madras, on the 15th September, Georgiana Charlotte, the beloved wife of Mr. Edward Magry, aged 33 years.

ALDRED: At Rajahmundry, on the 12th September, the dearly beloved son of Mr. J. Aldred, of Coconada, aged 1 year and 17 days.

CORRESPONDENCE.

THE POST OFFICE.

To the Editor of the Neilgherry Excelsior.

SIR,—A registered letter was posted at the Ootacamund Post Office on the 20th Instant. This letter contained a Cheque and a Bank Note for 100 Rupees. There were five seals on the letter. When the letter was presented for registration, the honest official who received it returned it with a message that the five seals were insufficient, and recommended that some more sealing wax should be put on! This was done by my wife, as I was absent from Ootacamund at the time.

The person to whom the letter was addressed telegraphs thus:—"Your letter received with Cheque, minus Currency Note. Enquire at the Post Office."

I state the bare facts of the case without any comment, in the hope that some action may be taken by the Head of the Government to weed out of the Department those clever thieves who now disgrace it.

Your's faithfully,
A VICTIM.

Ootacamund,
25th Sept. 1866.

THE Neilgherry Excelsior.

SATURDAY, SEPTEMBER 29th 1866.

Now that Tasmania is the subject of so much discussion, the "Statistics," taken from the *Launceston Examiner*, which we publish in our Supplement of to-day will be read with interest.

THE prevention of Hydrophobia at the Presidency during the last dog-killing season cost the Madras Government Rs. 111-7-0. We think that the num[ber of] head" which this amount represents would have been much larger, if more stringent rules were in force regarding the dogs exempted from the club of the executioner. In France no dog is safe unless muzzled or led. However great a favorite or pet the animal might be, it is otherwise executionable under the provisions of the Municipal Code. We know that in Madras the dog-killers find out the dogs belonging to gentlemen, take a gratuity, and abstain from killing them. However agreeable this practice may be to those who have valuable dogs which they do not like to lose, it is opposed to the immunity and security of the public. The rule adopted in France should be observed in India, and every dog not muzzled or led should be pronounced in the notice annually issued by the Magistrate as subject to a violent death. The bill of fare presented to the Government might be a little larger, but the advantages to the public would be considerably greater.

PLANTERS who are dissatisfied with the land regulations in India may go to SARAWAK and settle themselves there. It is we believe a very pleasant climate that Sarawak has, excepting the Musquitoes, which sometimes lead men to commit suicide. As the land of adoption of the Great Rajah Brooke, Sarawak will not be a foreign clime for the Englishman to tread and occupy. It must in fact be under British administration, the chance of having your throat cut by lawless Pirates bring nothing to the point. It appears that there are elevations in Sarawak ranging from five to six thousand feet above the level of the sea, and to quote the language of G. Brooke, who represents himself as the spokesman of the Sarawak Government, these elevations are "covered with the finest old jungle, and possess the best soil for the cultivation of coffee." The terms on which land is obtainable in Sarawak are exceedingly advantageous. A lease of nine hundred years is granted, and the land conceded will revert to the state only in the event of one fourth not having been cleared and brought under cultivation in the course of ten years. The utmost period allowed in India is we believe five years. For further particulars on this very important subject to Planters, we beg to refer to the extract that will be found ...

THE possession and circulation of counterfeit or spurious coin has been recently the subject of more than one judicial enquiry, and as the matter is one that affects the public generally, we think that the legislature should interfere to render the law more clear and definite than it is at present. At the late criminal sessions held at Ootacamund, an old native, almost blind, was indicted for passing a quarter anna piece in copper as half a rupee. The prosecutor stated that the coin looked so much like what it was represented to be, that he did not at first detect the imposition; much less could the native from whom he received it, who as we have already said, was almost blind. More recently another instance of passing spurious coin occurred at this station, the supposed offender being sentenced to one month's rigorous imprisonment. It is a most difficult matter to draw the line of demarcation between passing spurious coin intentionally and accidentally, and ... that all ... professional ... protected ... of spurious coin should ... from criminal action. Supposing that the agent of the local Madras Branch Bank was to give one of his constituents a bad rupee? Would he be culpable? Apparently he would be ... money ... decisions in other instances. ... passes so rapidly through the hands of those who have to receive it either publicly or privately, that unless there is strong suspicion of foul play, the possessor and passer of a bad coin should be considered to have acted in good faith. There is another feature in the accidental circulation of spurious coin to which we would draw attention, and this is that not ten in a hundred members of the public know the difference between a bad and good coin. As far as we are ourselves concerned, the knowledge is beyond our education, and others will no doubt be found, amounting to hundreds and thousands, whose information will not be more perfect. To bring home the charge therefore of passing counterfeit coin intentionally, it should be shown that the suspected party was in the habit of doing that sort of thing, and although the Code of Criminal Procedure makes partial provision for amendment, there is ample room for amendment. As this code operates at present, the highest members of society, and the purest moralists are subject to its provisions.

THE EXCELSIOR IN JUDGMENT.

ALTHOUGH not favored, as our Madras contemporaries have been, with the *correspondence between Mr. J. W. [Cherry] and Dr. J. Miller "both of Oota[camund]"* as an indictment would say, we h[ave] succeeded in obtaining a copy, and ... that the interchange of letters has b[een] made the subject of newspaper critici[sm] we do not see why we should not ha[ve] our say as well as others, and pronounc[e] our judgment from our exalted editori[al] seat, the same to be binding once a[nd] for ever on all parties immediately an[d] mediately concerned.

It appears to us that our half-cooke[d] brethren have lost sight of the salien[t] points in the correspondence in questio[n] in the observations they have mad[e]. These points are,

1. Did Dr. Miller consent or perm[it] Mr. Cherry to have medical advice [at] Madras?

2. Were Doctors Smith and Pa[ul] obliged to consult Dr. Miller before th[ey] treated Mr. Cherry?

3. Would any treatment adopted b[y] Doctors Smith and Paul at Madras hav[e] been binding on Dr. Miller on M[r.] Cherry's return to Ootacamund?

With regard to the first point, w[e] have Dr. Miller's written admission tha[t] he had no objection to Mr. Cherry takin[g] medical advice at Madras. We wi[ll] quote his own words. "You remarke[d] to me incidentally, that as you wer[e] going to Madras, it would be well t[o] consult Dr. G. Smith about your eye, and again one day you suggested casu[-] ally that as you were to see Dr. Smith at all events you might take the oppor[-] tunity of asking him about your health generally, to both of which proposition[s] I cordially assented." We will not in[-] sult Dr. Miller by supposing that in consenting to Mr. Cherry asking Dr. Smith about his health generally, he meant that it should be talk and nothing else. What good can arise from a p[a-] tient simply talking with his Medica[l] adviser we should like to know? Dr. Miller himself will answer, none! W[e] will therefore presume that Dr. Mill[er] as a generous and liberal Physician which he has the reputation of being, had really no objection to Mr. Cherry being treated by Dr. Smith at Madras, and that Mr. Cherry put this construc[tion] on his assent to the "asking."

With regard to the second point, it does not appear to us that either Doctor Smith or Dr. Paul was compelled to re[-] fer to Dr. Miller before treating M[r.] Cherry. We are not aware that Me[di-] cal practitioners in England, attendin[g] on sick people going home from ... India before commence... The shorter dis... from Ootacamund does ... affect this liberty of ... prescribe for patients ... Medical adviser or ... Mr. Cherry called in ... in Ootacamund, without ... of Dr. Miller, this would ... matter altogether, ... Doctor Miller might ... Mr. Cherry's con... these circumstances, ... of etiquette on the ... ployer, who should pro... quired whether Mr. Cherry ... Doctor before he at[-] ... scribe. It will be seen ... thanks that Doctors Smith ... mitted no breach of Medi[cal etiquette] ... the consultation they ... Cherry's case, and in the ... subsequently adopted. ... to the third point, we must observe that Dr. ... at a conclusion which the ... as the letters of Dr. ... were concerned, did not ... to see in either of the ... pressed by Dr. Smith to ... the former ventured to ... any specific treat[ment] ... he may have thought it ... object Mr. Cherry. He ... and Dr. Paul "placed ... a system of diet and ... he no where says that ... to be compulsory on ... Mr. Cherry's return to ...

... ent, final of course it will ... on the conduct of the ... in the foregoing obser[vations] ... follows. ... Cherry did not wilfully of[fend] ... Miller in getting Doctors ... to attend on him at ... simply acted on Dr. Mil[ler's] ... that he should do so. ... Smith and Paul did not ... breach of Medical etiquette ... to attend on Mr. Cherry. ... Miller has cried before he ... and before there was the ... impeachment of his great re[putation as a] Medical practitioner. ... ment is given with every ... Dr. Miller, towards whom ... feelings of the most cordial ...

... ion we would draw Dr. ... attention to a circumstance ... evidently overlooked in his ... Dr. Smith, when he said "I ... learn with surprise and re[gret] ... outside reports, that you and ... had held a consultation on my ... that he had had the first inti[mation] ... this from Mr. Cherry himself ... arrival at Madras, and as ... could possibly write to Dr. ... thus showing that Mr. Cherry ... disposition to treat Dr. Miller ... want of courtesy and confi[dence] ... which Dr. Miller complains. ... add that Medical men are of ... that Dr. Miller should have fur[nished] Mr. Cherry with a statement of ... but on this act of duty we are ... position to pass judgment.

ADMINISTRATION OF TRAVANCORE.

... has been observed with much truth ... that "he who is capable of ... two ears of corn grow where ... one grew before, deserves well of his [coun]try." Madava Row therefore ... more, on account of the exten[sive re]clamation of wastes, and the ... of forests for Coffee Plantations, ... steadily going on in Travancore ... able and energetic influence. ... cultivation of Coffee is becoming enlarged in the Province, and ... can be no question that the libe[ral con]ditions, and favorable terms of ... year, have contributed much to its ... settlement. The speculation is found very remunerative in Travancore, under existing circumstances, ... the Dewan is endeavouring to ... and we can safely assert that ... promises to be the chief export ... Europe from the Malabar Coast ere ... At present, Travancore produces ... quantity of this article, yet not ... the reproductive lands have been appropriated for its cultivation. ... measures that have been adopted ... disposal of waste lands are wise ... practical, and the terms under which ... are granted are favorable, as well ... best adapted to render the cultiva[-] tion of the country more and more ex[tend]ed. Land is sold by public auction, ... is put up at an upset price of one ... per acre. There can be no doubt ... the policy of the Travancore Go[vern]ment, under the progressive admi[nist]ration of Madava Row, has the colos[sal] interests of the public in view, and ... principles on which the land tenure ... based are sufficient to bear out our ... assertion. We would suggest to those who may desire to invest their capital in Coffee speculation, to try this favored ... and we are sure of their meet[ing] ... from ...

Sircar, combined with cheap labor and the superior character of the soil of the Travancore hills.

Under a very relaxed system of collecting the land revenue which obtained during the time of his predecessors, there were arrears for more than one generation when Madava Row became the Dewan, which it is now found difficult, or rather impossible to recover. His Highness, the Maharajah of Travancore, therefore wisely, and totally remitted to the ryots, all the reserved taxes due to the State on wet and cultivated areas till the Malabar year 1030, while the public demands on newly reclaimed land were similarly resigned up to the year 1035. The Sircar has thereby sacrificed in the interests of the public, nearly a lac of rupees, but this is not all. Several minor taxes, either directly or indirectly bearing on land, have been abolished during the year under review at the loss of about 8,500 rupees annually, these having oppressed the tenants to a great degree, and formed impediments to the development of the agricultural resources of the country. The assimilation of the land tax in the Nunjenaud District, which was exceptionally high, to that in other parts of Travancore, has been effected at a loss of nearly 15,000 rupees a year to the Sircar, but this reduction to one uniform standard of taxation must indubitably tend to enhance the ulterior benefits to the State, by stimulating the enterprise of the people, and enlarging their scope of cultivation. The oppressive system of demanding of tenants cocoanut leaves for fodder for elephants employed in Public Works &c., at a nominal price, has been entirely abandoned by Madava Row, and the fodder is now bought in the open market at the yearly cost of nearly 600 rupees, while under the old method of obtaining it, the cost was only about 150 rupees! Many other wise measures were adopted by the Dewan in the year under notice, with reference to the land question. We shall only allude to the important one, since it secures to the land-holder the *Jenmie Pattom*, or fee-simple tenure, and creates an entire, absolute, and unconditional ownership to land. This judicious system divests the Sircar of all interest in landed property, except the implied right of the State as the supreme land-lord, as when it is resumable for public purposes; but in any such case, full compensation, according to its market value will be paid. It is necessary that we should explain the nature and consequence of Sirkar *Pattom*, or that system under which land was hitherto held of the Sovereign. A large portion of Travancore lands was demised under this tenure, and the ... Meerassi-holder, or land-lord of them. The serious disadvantages of this *Pattom* may be summarized as follows:

The Sircar was not bound to respect possession, and had absolute dominion over the lands, irrespective of the interests of the holder of the lease. The lands could be transferred by the lease-holder to another, and when a demise was effected, it was deemed invalid, for the reason that the interest that was let did not convey a proprietary right with it. As Sircar Pattom was not transferable, such lands were no security for the rent on them. The Dewan also states, that when the tax had to be levied by coercive process, the land could be brought to sale, but the Sircar had to seek other property of the defaulter, and on failure, the demand had to be remitted. When engaged in a Civil law-suit, the ryots were secured of their lease hold property, and the creditor could not attach it, being Sircar Pattom.

Almost all Sircar Pattom property has been consequently enfranchised, and has been placed on the same footing as the Ryotwarry lands under the Madras Presidency.

LOCAL.

OOTACAMUND.

THE FISH EXPERIMENT.—When Dr. Day obtained the trout ova for Madras at Whitchurch in Hampshire on the 17th of January last, he placed six eggs in a wine glass of water at Dr. Hemsted's, and by the last mail Dr. Day received the following account of the result, which must be highly interesting to pisciculturists as proving conclusively that running water is not necessary for bringing trout eggs to maturity.

"As regards our little hatch, there were six eggs which were changed into three wineglasses, two in each, and they remained neglected on the mantel piece in my room until March 17th, when they were put into a tumbler with some fresh water, and the following day two were hatched, and remained alive for some weeks, becoming gradually developed till they were beautiful little fish. They died at last, I conclude from want of proper attention. It establishes the fact that running water is not essentially necessary for their production."

The foregoing result will have great bearing on the para of Dr. Day's report to Government, respecting the manner in which water should be supplied to the trout ova, if it is intended to have ...

LAW AND POLICE.

SESSIONS COURT.

Proceedings of the Sessions Court of Ootacamund, dated 26th September, 1866.

Read Calendar case No. 240, of 1866 on the file of the Joint Magistrate of Ootacamund.

1. In reviewing the Joint Magistrate's proceedings in this case, the Sessions Court is at a loss to see that any evidence has been established to shew that the Prisoner was *firstly* the Party from whom the Prosecutor immediately got the counterfeit rupee, as being one of the rupees he had brought with him for the payment of the Prosecutor's Cow, and which he had just got from the Taluq Treasury; it had clearly been passed through a *third* party, and that third party was the *Prosecutor's own servant*, who was equally liable to suspicion as the prisoner;—mere possession or passing on of counterfeit coin, does not establish a criminal intention, and charges like this should not be lightly made, nor so unsatisfactorily disposed of.

2. Secondly—That the prisoner has not shewn, a "guilty knowledge;" the most essential point under this section. Indeed the whole of his conduct as recorded by the prosecutor himself, Mr. Gordon, the Special Assistant Magistrate, would go to prove the very contrary. There was no attempt even on his part to hide the rupee, and a palpable parading of it before him by the Prosecutor, produced no outward symptoms of guilt—the prisoner's behaviour throughout was much more consistent with a consciousness of Innocence.

3. The reasonableness of the defence of the prisoner and of his explanation of how he got the said rupees from the Taluq Sheristedar, was further duly supported by the evidence of the 3rd witness for the prosecution—the Taluq Shroff.

4. The mere fact of the prisoner having been imprisoned for Burglary, is no evidence in this case. See remarks by Mayne on Sec. 235 of the Penal Code, to which the Joint Magistrate's attention is particularly called.

5. The Court considers there has been an utter "failure of justice," caused by the irregularity of the proceedings in this case, in which, though there has been no appeal, the Court considers it its duty to interfere as one of those thus "otherwise provided" for by the Law—the *primary* and improper intention in passing this coin, if the prisoner was the actual party who did so at all, has not been in the opinion of the Court in the least proved, as shewn by the record.

6. The Court therefore directs under Section 439 of the Criminal Procedure, his immediate release.

(Signed) J. W. CHERRY,
Session Judge.

CIVIL COURT.

26th September 1866.

J. C. MERCER, *versus* J. DAWES.

Plaintiff sued defendant for the recovery of 46 rupees, being the balance of an account due by defendant for goods sold and delivered by plaintiff.

Defendant admitted the claim, but stated that he was at present on the sick list, and had been so for the last 7 months; he was therefore unable to liquidate the amount.

The Court remarked that as defendant admitted the claim, the suit must go against him, passing judgment accordingly with costs of Rs. 7-8-9. The defendant was however told that he should make some arrangement with the plaintiff if he did not wish to be sent to jail which perhaps would be the next step taken by the plaintiff.

JOINT MAGISTRATE'S COURT.

20th September 1866.

Mr. Huntley Price Gordon, Special Assistant Collector, prosecuted a Peon of the Civil Court for possessing counterfeit coin, a bad rupee, and passing the same. It appeared that the accused had purchased a cow from Mr. Gordon for 26 rupees, and that in paying for it on the 18th instant, he had given a leaden rupee amongst others. Mr. Gordon said that on observing the bad rupee, he returned the whole of the money to the Peon to see if he would persist in tendering the bad rupee, which he did, when the circumstance was reported to the Police, and the doubtful coin handed over at the same time.

Daniel, prosecutor's butler, corroborated the statement of his master, but it was understood that the Peon had handed the money to the butler to be given to Mr. Gordon.

The Shroff of the Talook Treasury in his evidence stated, that whenever money is either paid or received at the Treasury, it is always tested by ringing with the fingers, and that therefore he could swear that the rupee which the accused stated he had received from the Treasury, could not have been so received by him.

Prisoner was convicted, and sentenced to one month's rigorous imprisonment.

absence of all remonstrance from you for a whole month, I was perfectly justified in concluding that I was acting in accordance with your wishes.

If Mr. Cherry has not correctly represented your wishes to me, then you have cause to complain ; but whether he did or did not, I hold you are equally bound to acquit me of all *intentional* breaches of courtesy and of etiquette.

I have studiously avoided every thing which can complicate the simple point, I again press upon your notice, because I think that, on a calm re-consideration, you will see that your judgment of me has been hasty and unmerited—because I desire to end a correspondence which has caused me no little pain and annoyance—and because I think that all petty matters of mere professional etiquette should be kept subordinate to the welfare of our suffering patient.

Mr. Cherry has shown me your letters to him. I am sure that, in your calmer moments, you will wish that they had never been written.

Your's sincerely,

G. SMITH.

5th August 1866.

J. MILLER, Esq., M. D.,

Ootacamund.

6th September 1866.

My Dear Cherry,—Finding that you had made up your mind to publish the Correspondence between Dr. Miller and yourself, I wrote to Dr. Miller on the 29th ultimo for a copy of my letter to him of the 3rd August, in order that it should appear in the forefront of the Correspondence ; but Dr. Miller has not replied to my request, and, as I have kept no copy of my letter, I cannot supply the deficiency. I regret this very much. This is the third letter of mine Dr. Miller has left unanswered.

With kind regards,

I am,

Your's sincerely,

GEORGE SMITH.

Eye Infirmary, Madras.

J. CHERRY, Esq.,

Ootacamund.

21st September 1866.

Two Police Constables, Shaik Omur, and Mahomed Bahadoor, were prosecuted on a charge of housebreaking by night and theft. It seems that the warder of the Lovedale Jail, locked up in the dhoby's room at Lovedale, 3 fowls belonging to a convict on the evening of the 19th instant and on opening the room the next morning, he found the fowls missing, and the gable end of the room broken down so as to admit of a man entering. He reported the circumstances to the Police, and head constable Kistna Sing while proceeding to the lines of the Police, found a police whistle and some feathers of the fowls; he at once recognised the chain attached to the whistle as the property of the first prisoner, proceeded to his house, but before entering a strong flavour of a fowl being roasted reached him. He asked the prisoners if they had any fowls in their house, to which they replied in the negative. Some constables who were with Kistna Sing were ordered to search the house, when the roasted fowl and the bones of two other fowls were found.

Both prisoners pleaded not guilty, but were convicted and sentenced to be rigorously imprisoned for one year each.

24th September 1866.

One Arthur Cassedy was prosecuted on a charge of being drunk and incapable near the Roman Catholic Chapel, was convicted and sentenced to simple imprisonment for seven days. Prisoner is a pauper, and for the last few weeks has insulted many people here when asking for charity. It would be advisable if, after undergoing the term of his sentence, he could be sent away to Madras and thus rid Ooty of a nuisance.

26th September 1866.

Mahomed Saib, butcher at Ooty, sworn deposed, that on Thursday the 20th instant, at about 12 noon, he went to the house of Mr. W. E. Smith to demand payment of Rs. 11-4-0 which was due to him. Mr. Smith abused him, and struck him violently, which caused him to fall down and bleed profusely through the nose. Mr. Smith then went away to the bazar with his mother-in-law, Mrs. Durnford, and when prosecutor was coming to the Court to complain, he met Captain Butler to whom he showed how he had been assaulted.

John Olive Butler, Captain of the Madras Invalid Establishment deposed, that about 5 or 6 days ago, could not state the exact date, between 11 and 12 noon, when he was passing the residence of defendant, he met prosecutor on the road near the gateway of defendant's house, bleeding at the nose, and his cloth was also stained with blood. The butcher called Captain Butler's attention to his condition saying that a gentleman had struck him, but did not mention the name of the gentleman, neither did witness ask for the name, but prosecutor pointed towards defendant's house, and said he had been assaulted for demanding money.

John Pavey, Head Constable of Mofussil Police deposed, that on or about the 20th instant, he received instructions from the Joint Magistrate, and went to defendant's house, and saw there near the house, on the ground, several drops of blood, large and small. Witness questioned two of defendant's house servants, who asserted that they knew nothing about the assault.

Defendant pleaded not guilty.

The case was dismissed, as the evidence for the prosecution was not sufficient for a conviction. Mr. Smith thanked the Magistrate for dismissing the case, but his Honor remarked that if there had been sufficient evidence, he would have fined defendant in 100 rupees as compensation for the prosecutor.

shout and howl their disapproval wh[illegible] the guests retired. It is greatly to the d[illegible] of the negro, I fancy, that negrophilism [illegible] develope itself on such unlovely forms.

Yesterday week, twice on the same [illegible] the Amazon-Osprey collision repeated [illegible] coasts. Passengers will begin to [illegible] implicit confidence they now feel in [illegible] it should often happen that in cloudless [illegible], with a full moon shining, steam vessels [illegible] run midships into one another [illegible] fashion. The last of these collisions ha[illegible] to the Hull boat in which were nearly 20[illegible] sengers and which was sunk in abo[illegible] minutes giving a watery grave to some [illegible] or twenty persons. The officers in com[illegible] of each, as they always do, hurl mutua[illegible] criminations, each declares that he did [illegible] he ought to have done and that the [illegible] exactly the contrary, while between [illegible] are lost the sea being as smooth a[illegible]. The secret lies in that recklessness [illegible] ever growing desire to make quick [illegible] necessarily engenders; commanders w[illegible] any risk, shave the post never so closely, than go a point out of course; generally, well, but should there be the slightest [illegible] the most trifling mistake, then, all marg[illegible] ing been cut away an accident must ens[illegible].

But foolhardiness upon the sea ha[illegible] brought to a climax by a couple of Y[illegible] who have just now successfully crossed [illegible] lantic in a little boat ship-rigged of [illegible] and a half tons burden. Doubtless th[illegible] days log of the *Red White and Blue* will [illegible] ed upon as a chronicle of romantic daring [illegible] ing beside the log of the Argo; but I am [illegible] to confess myself far too prosy to appreciate the glory of being cooped up in a doubled he[illegible] boat of 26 feet and only 6 feet in the b[illegible] with seas so breaking into her that provis[illegible] and clothes assume a chronic state of mo[illegible] ness, and warm meals are to be had as in[illegible] mable luxuries about once a week, and ha[illegible] the necessary persuasion that if any evil sh[illegible] happen either to myself or to my sole con[illegible] nion we must both make a solitary exit fro[illegible] troublous yet still desirable world. No, I w[illegible] rather let Whymper take me up the Matterh[illegible] for the risk of a broken neck would [illegible] quite as exciting as that of a watery [illegible] grave, the discomfort would be quite [illegible] and of only a fiftieth part the [illegible] glory quite as great and m[illegible] and moderate glory at [illegible] duration, ferable—I would m[illegible] much sooner obtain any rate—to in[illegible] a short date is far they did w[illegible] discount it will eve[illegible] ultimate glory a long date. yes [illegible] that no one has ever done before—[illegible] do again, if their log be well studie[illegible] and when they enter the infernal sh[illegible] they shall have an honorable place beside [illegible] who would go down the volcano's crater, [illegible] never came back to tell of what he had [illegible] there.

Lord Abercorn has just taken his diff[illegible] post at the helm of Irish affairs, and will [illegible] tainly find it hard steaming while one o[illegible] pulling one way and the other the cont[illegible]. The late Lord-lieutenant took office before t[illegible] great troubles began, and he found his ha[illegible] pretty full, but it is quite a different matte[illegible] begin upon troubles. Just to show the anta[illegible] nism of parties, I may state that when the [illegible] poration attempted to frame an address [illegible] were compelled to give up the attempt in [illegible] pair. Still shamed into doing something that way they set to it again, but when [illegible] address, *one not very inclined to cheer the h[illegible] of the incoming Lieutenant, was at last ag[illegible] to, many of the members entered their pro[illegible] against it. Fenianism is totally put [illegible] to be presumed but yet dissatisfaction is [illegible] more widely spread than it was before, and [illegible] shall yet have some new trouble in the [illegible] isle. As the vice-regal procession passed thr[illegible] Dublin to the castle there* [illegible] sive silence, there were thousan[illegible] present but they appeared moody [illegible] tented.

Apropos of Ireland and Fenianism the [illegible] secution against the Fenian Generals Swee[illegible] and Spear in connection with the Canadian [illegible] have been withdrawn by the American Gove[illegible] ment. This, following so close upon the m[illegible] fications of the Neutrality Laws indicate so[illegible] thing; the president is being carried away [illegible] the flood of the Radical party, and not onl[illegible] this matter of friendship or hostility with E[illegible] land but also in domestic policy. All his vet[illegible] have been overborne by the factiousness of [illegible] Radicals, who have even talked openly of [illegible] peaching him in the next Congress. Ind[illegible] the meeting of that next Congress will b[illegible] critical time for the United States. The pr[illegible] dent indicates his intention of firmly disav[illegible] ing any Congress that shall not include all [illegible] states which deserve a re-union, and this [illegible] Radicals are determined not to allow. Fe[illegible] in the South are assuming most ugly proportions; at Orleans, blood has been shed in c[illegible] tests with the blacks stirred up to sedition [illegible] the outrageous proceedings of the reck[illegible] members of the Freedmans Bureau party, [illegible] it is precisely on this Freedman's questions t[illegible] the parties oftenest come to logger-heads. [illegible] radicals make vast capital out of it, not po[illegible] cal only, but material also, as the Governm[illegible] Commissions have too plainly revealed. [illegible] blacks are appearing in arms in all directi[illegible] taught that the Government wants to ensl[illegible] them again, whilst, in reality, these comm[illegible] sions reveal many very bare-faced cases of [illegible] tual slavery by the very officials of the Bure[illegible]. The centre of attention, however, at the pres[illegible] time is Philadelphia where the Democrats, presidents' party, are holding an united conv[illegible] tion. The Radicals do all they can to stir strife, and a riot in that city of Brotherly lov[illegible] by no means an improbable event. The lat[illegible] scheme is to frame a new party out of the m[illegible] derate men in each, but beside the unscrup[illegible] ous actions of the Sumner party such a p[illegible] ceeding would most likely be but a weakeni[illegible] of the Democrats, sufficiently weak already. [illegible] a banquet not long ago General Sharman d[illegible] clared—perhaps he may not be so far-seeing a statesman as he is a soldier—that before lo[illegible] the people of the United States would be [illegible] volved in a war, before which, that which [illegible] have not long concluded would be mere ch[illegible] play; and truly the shadows which com[illegible] events are now casting before look exceed[illegible] warlike in shape.

I am [illegible] glad that in my last letter I s[illegible] qualified my statement that Napoleon demanded the restoration of the bounda[illegible] 1814; for not very long after, it was offici[illegible] denied; yet we know for certain, that neg[illegible] tions have been carried on between Paris [illegible] Berlin in the matter of annexations, and [illegible] pretty clear that had King William hesit[illegible] Napoleon would have advanced, but he, wh[illegible] his son is young, and his dynasty not fully established, has no desire for a doubtful war and, with Prussia flushed with victory, the most ardent admirer of France would not deny the existence of doubt in a trial of force. What a mighty difference the past three months has made in European relations. How little could [illegible]

he such dreams when in his most imaginative mood? I trow not. Yet so it is, and Prussia will in future [illegible] one of the first-rate powers of the continent. The King is further strengthening himself at home; you know all about the constitutional battles he has had with his parliament, how Bismarck was apt to ride rough-shod over all constitutional banners; yet now that the King returns from the camp covered with laurels, and his kingdom one third larger than it was before, he so well knows when to be stubborn and when to submit, that he now prays an indemnity for the unconstitutional [illegible] he uses the word himself, raising of taxes during the past two years; as a consequence the address of the parliament is one of unbounded delight and well it may be for Bates' cases and ship-m[illegible] cy cases could hardly follow such a speech from the throne. It was thought that the king could use his victories to crush the constitution but [illegible] this he has disappointed, some agreably, [illegible] parties.

MADRAS, 13TH SEPTEMBER 1866.

The panic at Madras, [illegible] consequent upon the "*loots*" of the grain and other [illegible] bazars, 's great, and the state of the public *feeling*, at the present moment, is one of di[illegible] may bordering on despair. The masses of [illegible] people notwithstanding the relief now being afforded, seem yet to be suffering. [illegible] is some satisfaction, however, to say [illegible] that considerable quantities of grain were being landed all yesterday from the N[illegible] thern Ports, and that rice is now sold a [illegible] tle cheaper than was done before the "*l*[illegible]*s*."

The public health is [illegible] ill affected by the prevailing epidemic, C[illegible] dera, which has now broken out in several q[illegible] uarters, and among other places, the diseas[illegible] has broken out at the Monegar Choultry [illegible] and at Poonamallee with some virulence. [illegible] Seen Europeans, besides Natives, have [illegible] ready fallen victims to the direful scourge at Poonamallee. The undertaker is consequ[illegible] ently beginning to do too well, and it is a [illegible] warning to indicate the urgent necessity of [illegible] taking steps to prevent, if possible, a sudden and immense extension of business in the [illegible] undertaker's line. It is then of absolute im[illegible] portance that our Legislative Council [illegible] should take action at once and introduce [illegible] what is called the "Diseases Prevention A[illegible] ct" in force on the Continent. That Act espec[illegible] ially provides "for the speedy interment of the dead; for house-to-house visitation, for the dispensing of medicines, guarding again[illegible] st the spread of the disease, and affording [illegible] to persons afflicted by, or threatened wit[illegible] h, such epidemic, endemic, or contagious dis[illegible] eases, such medical aid and such accommo[illegible] dation as may be required." Now, with so [illegible] ary a legislative enactment, one may [illegible] know what he ought to do in the prospec[illegible] of the presence of Cholera, which, of late [illegible] is constantly raging at Madras and its [illegible] suburbs. While on this subject I have to [illegible] observe that the unwholesomeness of the me[illegible] at retailed in our markets has been of such g[illegible] eneral complaint, that the Government hav[illegible] e just asked the opinion of the Advocate Gen[illegible] eral as to the means by which those who so[illegible] infringe the sanitary laws should be [illegible] ght to punishment;—for unwholesom[illegible] especially putrid, food, is one of th[illegible] ases of diarhœa, and diarrhœa [illegible] era prevails, hould be regarded a[illegible] A fearless [illegible] *tion in die[illegible] is the rule of life [illegible] ch generally insures self-preservation* [illegible] cholera. Then again, as to the quality [illegible] water used by the poorer classes, especial pains must be taken to prevent that common leakage of ordure into wells which, always injurious to the water that people drink, renders it virulently poisonous when consisting even in the smallest quantity of choleraic discharge. I have myself detected some such noxious matter in the water of several wells in localities where the strictest attention is not paid to Municipal matters.

Nothing of any importance has transpired, since I last addressed you, in reference to the proceedings of the political world. What with only a single Member of Government present at Madras and all the others at the "mountain retreat," our Council Chamber has not been turning out any papers of importance.

18TH SEPTEMBER 1866.

An emergency having turned up I could not well continue and close, the above letter until this moment. And now, I have to record the arrival this-day of our Governor, who has come down from the Hills to take personal action in the matter regarding the late grain riots, and to protect the interests of the grain merchants and dealers. We cannot too highly eulogise the lively interest he evinces in the welfare of the millions entrusted to his charge. *On dit* that he is not satisfied with the proceedings of the Police of Madras on the occasion of the said riots. Several Policemen from the Mofussil have, I learn, been sent for to recruit the staff of the Presidency Town Police. I hope to be able in my next letter to report all the doings of our popular Governor in reference to the late grain riots and the Police.

It is said in high circles that our Commander-in-Chief Sir Gaspard Le Marchant will succeed Sir William Mansfield in case the result of that *cause celebre*, the Simla Court Martial, should necessitate the retirement of the latter—an event not unlikely to take place.

We learn with much regret that the well-known house of P. R. C[illegible] Co. of Bombay (who had a branch House here) has suspended payment and that, so far as the Branch House at Madras is concerned, its accounts are to be wound up by Messrs. Walker (of Shand and Co.,) and Riach (of the Bank). It is rumoured that the liabilities of the House are not beyond the assets, and this is a comfort. The little man here who carried on P. B. Cama and Co's. business was a *pucka* man, who certainly was held in high estimation by the Chamber of Commerce and the public. If any thing I can only say that the coir yarn business of Madras has somewhat eclipsed him.

Altho' almost all the Bombay Houses are reported to be tottering, and the great Premchund Roychund of Bombay of the [illegible]

cutta. Our Merchants and Agents, uninfluenced by the "Share mania" of Bombay, are driving a sure and steady business in departments which admit of sure returns without excessive profits.

A friend of mine, who has just returned from the Western Coast, has favored me with the following notes regarding that Excellent establishment known as the "Beypore Hotel," owned by Framjee Nesserwanjee and Co. "I had the pleasure of spending a day or two at this charming spot, Beypore, where we have a first-rate Refreshment Room and Hotel, known as Framjee's. The situation of the Hotel is all that can be wished for, commanding as it does a fine view of the harbour. The comfort and elegance to be had here are unexceptionable. The regularity and system prevailing equally so; and the charges certainly any thing but unreasonable. Here are the salutary rules of the Hotel which cannot fail to be interesting to those who may go down to the Western Coast. "1. All servants are required to pay "strict obedience to the orders of the Manager" (a Parsee) "and to attend to their duties in proper time in clean, neat and decent dress. 2. During the time of the coming in, and going out, of the Train, all servants are to be present at the Refreshment Room and not to leave it without orders. 3. They are to be strictly attentive to the wants of the customers and to be always respectful in behaviour. * * * 6. No liquor of an intoxicating kind is to be sold to parties who may not be sober, to Soldiers and to Servants of the Railway Company while on duty. 7. Any dereliction of duty by the servants will be followed by immediate dismissal or fine as the case may be." "Now, in order to give you an idea of how the Hotel has been working since its Establishment on the 1st July last, I will only observe that several gentlemen of high standing have recorded in the testimonial Book of the Hotel their high appreciation of it. One speaks of it as being "admirably managed." Another, an Officer of repute and standing in Madras says that the "arrangements are excellent, table supplies and attendance very good, and charges moderate." A third, holding a very high appointment in Malabar, says that "Everything was remarkably good." A fourth, holding an equally high position testifies that "Everything was most excellent—servants attentive. Hotel clean and every thing done to give satisfaction. *The best place of the sort I have seen in India.*" A fifth, a Mercantile gentleman of repute, says: "I have been in India 24 years and never received better entertainment than I have done at Framjee's Hotel." A sixth, one of our distinguished officers of the Royal Engineers, says that "Everything was comfortable and charges very moderate." A seventh, a Bombay Civilian of several year's experience in India, who only remained at the Hotel for a few hours recorded that the "Breakfasted here, "and had a capital breakfast. Parsee Ma-"nager most attentive." "I suppose these testimonials will suffice to give you a very fair idea of the high estimation in which Framjee's Hotel is held, and I, for one, can, without [illegible] say that it is far superior to the first-class Hotels of Madras."

I hope to make up next week for the shortcomings [illegible] meagreness of the present letter.

WYNAAD.

(From our Special Correspondent.)

While the North, under the auspices of that very rare bird, a hearty, genial, self-sacrificing, much denying Scotchman, organizes its races, and details in set terms how it is to be, from the "Trial Stakes" down to the "Great Welter" and "Consolation," the more practical or less gifted South, has, through its Association been earnestly working to obtain statistics in support of the appeal for a "Labor *Ordinance*," lately made to the Madras Government. As is now pretty well-known the Madras Government declined to legislate on the ground that the Planters had *failed to shew cause*. They had not shewn in set terms and, with an artless display of figures that the want of a Labor Ordinance had been the cause of any serious loss to the planting interests. This omission, however late, is now about to be made good provided the Associations in the North—South East—Neilgherries &c., exert themselves and throw the weight of their statistics and influence into the scale. We have a certain element of non-official members in the Legislative Council and it certainly appears strange they were unable from their own experience to supply the short comings of the Planters. One member at least is largely interested in Coffee and having notoriously been hit as severely as others, should have been able to give a faithful, if to him painful and disagreeable illustration of the many direct, and indirect losses that eat into the profits and weigh down the energies of the Planters in this Presidency.

The assertion of a superabundance of labor in Wynaad is simply absurd. There is not *now*, nor has there *ever yet been*, in the memory of the oldest Planter one half the labor that could and should be employed. The description given by a Ceylon Planter who passed through a portion of South East Wynaad in June, of most of the plantations under his observation was anything but flattering. Some appeared to be abandoned and the standard of cultivation was generally low. He had to be sure, *heard* of estates that were reported [illegible] good order, but had not seen them, and not a few of us of late years have seen Planters busily extending and planting one end of an estate while the other was neglected and going out for want of cultivation; for want in fact of the labor that had been diverted to new clearings. The Public Works Department now pays common laborers 8 Annas daily; higher pay I believe than obtains in any part of Ceylon yet the moderate programme of roads for Wynaad after eight weary years remains a programme still, nor has any one Public Work on the plateau been completed although the heads of the Department have [illegible]

doubled within the last five years. It is beyond question that with a full supply of labor many of the annoyances of the Planter would disappear—nothing disorganizes so much as a scarcity of labor. It is the necessity or excuse for a reckless system of advances, as the facility with which these advances are obtained by Coolies is the active cause of Breaches of Contract. We are not so much in want of new laws as of men to put into active and efficient operation those laws we now have. Act XIII of 1859 was specially framed to meet cases of breach of contract, but it has fallen into disrepute as it has become a delusion and a mockery for want of an efficient Magistracy. What guarantee have we then—that a "Labor Ordinance" no matter how comprehensive it grasp, would not soon be uselessly [illegible] high and dry, with Act XIII of 1859 on the shoals of official incapacity?

If we are to have any thing based on Bengal Act we must be prepared to pay it pretty smartly [illegible] pending for its administra[illegible]

Any Act [illegible] official staff would be si[illegible] or the present [illegible] inoperative. distinct class [illegible] it, for depend [illegible] It is not ever [illegible] talk himself into a first class and inde[illegible] appointment and the irresponsible command of an Army, more numerous and more dangerous than the rotten bubble that burst in 1857. Will then, any "Labor Ordinance" that can be framed give the Planters and great employers of labor what they want? Certainly not! No Government can Legislate coolies upon our Estates. There is one thing however the Madras Government *can do*, as is done by that of Mauritius and other places—they can render the introduction of labor from distant fields possible, and, if they have any pretension to being a representa[illegible] tive Government, and not a self-wille[illegible] family clique, they should legislate on th[illegible] subject at once. What are the duties an[illegible] responsibilities of a Government? Wh[illegible] they measure us our laws as our Sho[illegible] maker does our Shoes and declare they fit notwithstanding our urgent protestations agony about the toes? Surely the employ[illegible] of labor must be the best Judges of wh[illegible] the shoe pinches and most capable of poi[illegible] ing out the leather that wants easing. Wh[illegible] large Districts of this Presidency are suff[illegible] ing from famine and the charitable and w[illegible] to do are straining every nerve to meet [illegible] exigence of a too common case. The gr[illegible] capitalists and employers of the Presiden[illegible] are starving for that labor which in ot[illegible] districts is starving for want of work. [illegible] fair facilities were offered the supply of la[illegible] would regulate and adjust itself in the sa[illegible] manner as does any other want, according[illegible] the demand. Is it not a monstrous anom[illegible] that the laborer should starve for work w[illegible] the employer starves for the laborer. "[illegible] nihilate both time and space and make [illegible] lovers happy." There is a great deal [illegible] much twaddle about the protection of [illegible] borers, as if in any of the well settled [illegible] tricts of Madras they were not well able [illegible] protect themselves. The Planters of W[illegible] do not require an elaborated and [illegible] pensive "Ordinance" such as the Beng[illegible] Act; they want a short Act principally [illegible] protect them from each other. There is [illegible] little more required than Clause XXXI[illegible] of the Bengal Act by which any person harbouring or employing any laborer under contract to another person, would be liable to a penalty not exceeding five hundred Rupees. This, with one or two clauses to meet the case of desertion by the laborer, and protecting him, as the cant now goes would be sufficient. To resume—Wynaad wants labor—local supply will always be expensive and irregular. Mysore has been tried for years and found wanting. They are much too close ever to domesticate themselves in the district—hence the Mysore cooly who in Ceylon is found sober, attentive and hard-working, is, in Wynaad, about the most careless, idle, good-for-nothing cooly to be found any where. To scrape a few Rupees together in crop time by any indirection and with the least possible expenditure of work, shuffle off to his village and plant raggie and cholum is his only religion. We must procure our labor from distant fields of supply and import our coolies at a considerable cost per head.

This however no employer can be expected to do until Government give him the security of special legislation, making the cooly pay in person for desertion before his term of service has elapsed—and, making the Planter pay in purse or person "*who shall knowingly and wilfully entice away, harbour, or employ any such laborer.*"

The parrot iteration by the Government of worn-out platitudes will neither meet the requirements of the times nor fill the measure of public expectation. The Madras General Famine Relief Funds are highly creditable to the feeling of the Subscribers. The policy of state donations for the indiscriminate feeding of those who cannot, or will not, find work is most questionable. There is nothing more difficult than the judicious distribution of charity. And, when charity obtains the gigantic proportion of a state organization or institution, the remedy must be by far worse than the di[illegible]. The injury—permanent injury to [illegible] commerce, and the social laws which [illegible] late the labouring classes that must arise from any Government abdicating its true functions, and becoming mere Commissioners for the distribution of relief to a Presidency of paupers, is beyond calculation. In any case no more wasteful or corrupting system of relief could be devised than that of an indiscriminating supply of food without any labor test. Better by far have applied the 40,000 Rs. "State Donations" as they are pleased to call it to the transport by rail of a few thousand able bodied paupers to Beypore with instructions to the Collector of Malabar to Protect them to Wynaad or some other district in which they would find ample employment and food. Should this be too much out of routine for the parchment nerves of that model phylactery of the Presidency, Mr. Pycroft—let the Governor-in-Council pass such a short Act as will secure [illegible]

Register of Meteorological Observations at Coc[illegible] [illegible]ain till 21st September 1866.

Date.	Day of the week.	Thermometer. At 9 A.M.	Thermometer. At 4 P.M.	Barometer. At 9 A.M.	Barometer. At 4 P.M.	Wind.	Weather.
1866.		°	°	°	°		
Sept. 15th	Saturday	79·	79·	30·05	29·98	W N W to N N W	Fine.
16th	Sunday	80·	79·	30·06	30·00	Do	Do.
17th	Monday	80·	78·	30·07	29·96	Do	Do.
18th	Tuesday	80·	80·	30·07	29·98	Do	Do.
[illegible]	Wednesday	79·	79·	30·08	30·00	W to N W	Do.
[illegible]	Thursday	78·	79·	30·09	29·96	Do	Do.
[illegible]	Friday	78·	79·	30·07	29·98	Do	Do.
Mean....		79·12	79·	30·07	29·98		

NEWS LETTERS.

(From our own Correspondents.)

London, 27th August 1866.

Upon the principle that "when things come to the worst they must mend," I look with considerable hope to the future as regards the comfort with which I shall write and the interest with which you will read my letters. For the past month, my raw material has exhibited in its supply a descending geometrical progression and, in respect of home news, is now painfully near zero; it will never quite reach that point, of course, since such ratios are rather void of that power unless indeed I have forgotten my mathematics. The little I have I will weave as best I can and supply the deficiency by foreign goods which, at the present moment, are well worthy inspection, especially such as come across the Atlantic.

Goodwood put a term to our turfic inclinations for some time to come, except for those of us who took a fancy to assist at the York Muling, upon which you would hardly care for me to spend much time. Yet still we have not been quite destitute of sport, only, for it, we had to shift from land to water. Yacht races and Regattas have been the order of the day and their chief scene the waters around the Isle of Wight; but aquatics from their very nature can not command that favor or enthusiasm so freely lavished on the course. Excitement may well be sustained for the two or three minutes while a bevy of horses rushes foaming around a course which all there assembled may see in its entirety; but if they continued running for the hour together, and out of sight of those who saw the start or expected to see the finish, the Derby itself would hardly be such a national event as that the very Parliament must adjourn to Epsom to witness it. Consequently it is a very different thing both as to number and component parts which is found hovering about Corves and Ryde during the regattas named from those two places. But this year that throng was saddened by an untoward event, the death of Sir Gilbert East, an inveterate Yachtsman and steady supporter of those Regattas; it was a sad event made still sadder by its details. He had not many hours before bought a cup to be sailed for on the following day, when, having taken rather too freely of spirits he went on to the pier at night accompanied by a young woman who passed as his wife purposing to go on board his yacht, but through the unprotected state of the pier he got into the water, how no one can precisely say, except that when he found himself slipping he shouted, and his companion felt his hand slipping to the wood work but could see nothing; her screams brought help, but then a thing was heard and nothing more was known of Sir Gilbert till his body was picked up already partially devoured by crabs. Meanwhile [illegible] East had died, and

Yorkshire to give eclat to the Agricultural show lately held at York and for a grand merrymaking in general. The quaintly quiet old city with its venerable minster and time honored walls and gates put on very gay holiday attire to testify its loyalty and love. A volunteer review, the now necessary adjunct to all extensive festivity, as of course, wound up the gaieties of the week in most glorious style, not only rivalling, but actually surpassing, our southern reviews at Wimbledon and Brighton; near upon thirty thousand men so manœuvred as to call fourth the Prince's and the Duke of Cambridge's most hearty approval. So long ago as the days of the Bluff king Hal Englishmen loved to see royalty engaging in the amusements of the people, and though we have somewhat changed the form, the spirit is still the same, and it is because he does so that the Prince is now so popular among us.

This year's carnival of science, the meeting of the British Association, is being held at Nottingham. We read with wonder that Solomon talked about things in general from the Cedar of Lebanon to the hissop growing on the wall; but he would hide his diminished head, I am sure, if he could but just wake up for an hour or two and take his seat on the stage of the Royal Theatre at Nottingham to listen to the profound savants who are now holding forth to the thousands who thus take an annual dose of science and pleasure mixed in unequal proportions. For my part, I think it is a very jolly way of becoming scientific, much more jolly than undergrades find their preparation for the 'big go' at College. The proceedings of the Association are most catholic in their range, embracing every imaginable topic from Oysters, discoursed upon by Mr. Buckland, and "the conditions of the proto plasmic movements in the "egg of osseous fishes" which involved a controversy between the reader of the paper and Mr. Buckland as to whether the ova of trout now to be sent out to Australia should be packed in ice or no—so that the question is not so purely theoretical and repellent as its title would make the uninitiated believe—up to the Bank Rate of Discount by Leone Levi, and Free Trade on Banking on the Western State of America and Manchooria—is the latter place any where near Baribhoola Gha, of the missionary enterprises of which Mr. Dickens speaks? I suppose I am dreadfully uncharitable to suppose that at least nine-tenths of the audience who listened to that learned paper could not have answered the question when they entered the room to listen to Colonel Sykes. Humbug is a very widely diffused influence and perhaps the halls of the association are not absolutely pure of it.

Ex-governor Eyre is now amongst us again, but as all the world is out of town he is not much heard of. A grand effort was made at Southampton where he landed by each party, for the Jamaica question is essentially a partisan one, the one to deify, the other to demonify him, and each succeeded about as well as the other, that is, they both had it all their [illegible]

of the acting judge, subscriptions of nearly 1000 Rs. besides donations have been raised, and relief in money and grain is daily distributed under the supervision of a sub-Committee."

The acting Collector of Kurnool quotes. "It is generally understood the Madras Irrigation and Canal Company are to receive a loan of £60,000 from the state and suggest an immediate advance should be made to them to enable them to give employment to the many poor persons who are now dependent entirely on charity." The administration ability of Government exhausts itself in a grant for Public works, which under the circumstances will be simply Public waste. The Income Tax has been laid on the shelf with all its gear complete. It looks very like as if it would shortly have to be taken down and used again.

The budding promises of Sir C. Trevelyan and Sir W. D[en]ison have run to useless seed [i]n Wynaad. L[or]d Napier is shortly to visit [th]e district and [illegible] the Tambracharri Ghat, —and should the road [illegible] passable, will it is [t]o be hoped pay like attention to the works [o]n the Peria Ghat. The pl[illegible] [illegible] the Presiden[illegible] [o]pportunity on [illegible] their require[illegible] expected [illegible] such an ovation as his predecessor. In the first place Sir W. Denison, kept his promise where Lord Harris, and Sir C. Trevelyan failed. He not only kept his promise but he brought Dr. Pe[r]cous with him, the man whose strong opposition was the successful cause of previous disappointment; and, secondly, Sir W. Denison was the first Madras Governor who had made the perilous journey since the Marquis of Tweeddale pruned a coffee tree at Manantoddy. We have reason however to place little reliance on the promises of Governors. In Madras we are ridden by the incubus of an antiquated system, which only a very strong minded Governor can shake off. It is usual for new Governors to pay an official visit to Calcutta. It was reported that Sir W. Denison went there a very Lion of reform—but returned to Madras as quiet an official Hack as could be put out of hand by any official Rarey. I am afraid the Rarey who charms our Governors lives within one hundred miles of Fort St. George!!

It appears there was very good foundation for the report that the Mysore authorities had prohibited the export of grain, and we may assume the prohibition was pretty extensive notwithstanding the morally indignant virtuous tone struck by the acting Superintendent, Astragram Division.

After considerable time, exertion, and correspondence this gentleman at last discovers "that notwithstanding his distinct asseveration to the contrary the Goondulpett Amildar had issued orders, prohibiting the export of grain until the actual wants of the Talook had been supplied, and I consequently suspended him, and his case is now under reference to the Commissioner." How refreshing in these times to get hold of such a verdantly green Mysore acting Superintendent. He walks right into the Collector of Malabar and the Manantoddy Thassildar, in pugilistic parlance "stepping for no repairs." Did it not strike this acting Superintendent Astragram Division, &c. &c. &c.,—that what cost him, a highly paid servant of that very Division so much time, correspondence and labor to discover, might just probably be too hard a nut for Mr. Ballard to crack, not to mention the Thessildar of Manantoddy. "It is found that that no interference whatever has been exercised by the Amildars of Heggaran Cotta and Peria Patam." Now, the asseverations of the Goondulpett Amildar appear strictly to have maintained the recognised value of all native asseverations; not just within the bounds of possibility a very active acting Superintendent may have been much too sharp for the Amildar of Goondulpett, but not by any means sharp enough for the Amildars of Heggadava Cotta and Periapatam. There is a lurking bold assumption in this official correspondence which goes to shew that, but for the scales of annexation and non annexion being pretty evenly balanced we should have had no examination at all.

There has been a good deal of croaking about Coffee lately—and many correspondents of Papers have undertaken to enlighten us upon a subject with which they were most superficially acquainted. To those likely to be influenced by such writings a most comfortable and reassuring advertisement appeared lately in the Madras papers. It is of half Coffee plantation for sale for £4000 177 acres planted had 82 in full bearing. After the current year the plantation is to yield a average profit of £1500 per annum. That is 750£, a year as the interest on £4000. Not a bad investment at all! There is an Estate in South Wynaad, of 170 acres planted that has for years given an average [in]come much above what the advertiser above [illegible] promises. A correspondent writing [illegible] the Athenæum and Daily News under the cognomen C. gives from a mere tradesman's point of view a very interesting description of a journey from Ootacamund via Goodaloor, Sultans Battery and Manantoddy to Tellicherry. Of course he launches himself without chart or compass upon a sea of [illegible] about the profits of Coffee planting, the opposite shore of which he naturally fails to recover. The Coffee about Sultans Battery looked magnificent says our friend, "a striking contrast to what we had seen elsewhere." "Happy people who have Coffee Estates near the Battery." This is the old Ceylon balderdash over again where I think one planter proved, at least to his own satisfaction, that Coffee trees would bear 5 tons per acre. This calculation was based upon a carefully nurtured single tree just as the magnificent Coffee at the Battery which charmed the eye of our friend, were the few trees round the Mopla bazaars and huts having the benefit of all wash and refuse of the houses. Again we are warned not to enter into coffee; C gives Punch's advice and says dont—unless you can sit down and manage your own property. The argument about what was done by the judicious dozen of Exshaws No 1 and with labor at 2 annas daily goes for little or nothing inasmuch as when labor was two annas a day Coffee sold on the coast for some 15 Rs. per cwt. and the idea of any merchant giving a planter money accomodation was out of the question. Buy shares says C, if you are obstinately bent, buy shares in some respectable company—you will be spared a great deal of anxiety and at any rate will not "lose all your money." That depends very much on the amount invested; the shareholders of the Carnatic and other Companies will be best able to say what dividends have been paid them. I believe I am correct in stating the shareholders of the Carnatic have not as yet received any dividend. Companies must pay somebody; the promoters generally. The requirements of C. as to management of Estates will be satisfied one would suppose by the many planters who are devoting their attention to agency business. In south Wynaad Mr. Gordon and Mr. Barnes have been doing agency business for some years. We have now Vertue and Minchin—Hinde Ferguson and Yonge—and Mr. Bocsey has just entered the lists as a candidate for public favor.

That useful institution the Pukoot store near Vithry has reopened with an infusion of new blood and capital, and it is in contemplation to set up a bakery in connection with it, which will make that District rather independent of Calicut.

The weather has been very fine for the last month with little rain. Crops are likely to be fair along the Ghat ranges and in some cases good. The Barially, and Tirunelly districts suffered much from long drought and are looking poorly both as regards appearance of the Coffee and promise of crop. As might be expected from the late blossom there is little chance of any gathering before November when the anxiety of the planter who has any Coffee to lose will commence. Stores have been broken open and so systematically plundered during the rains that we may expect a considerable improvement with practice and the fine weather. The police have not in any instance succeeded in apprehending the thieves but, what is more, they have not even condescended to make the attempt. The competition Wallah says the police in India has been organized after the model of the Irish constabulary. Highly complimentary to both sides of the ocean. It is doubtful if the Irish Peeler could get a glimpse of his friend if he would feel very much flattered. The Irish police however is simply no police at all. A finer body of soldiers could not be seen but they want like the Madras police the essential element of a police-detective ability. The only thing the thing they call a police in Wynaad can detect is the smell of a toddy shop, and a case likely to yield a thing that shall be nameless in deference to the feelings of the active, energetic, attentive and painstaking officers who are popularly supposed to Command them. It is remarked (in England) that march comes in like a Lion and goes out like a lamb. Robinsons police reversed that picture, they came in like the income tax and every other innovation, cautious and with fawning and spaniel like timid crawling steps. They came in like sheep and they will go out like sheep, or remain the sheep they are, altho' the military element that commands them has foolishly thrown a Lion's skin over their recreant limbs. When the p[illegible] first organized in Wynaad [illegible] by the celebrated drill [illegible] giving a military element [illegible] commands. It was discovered that not half his army could do the "Goose step" and upon enquiry and examination it was found that altho' these poor men could, by standing "Shoulder to shoulder" after the manner the Highland Brigade won Waterloo, for the poor English manage to stand—they had not a leg to stand. They were mostly coolies who had absconded from Coffee Estates when under treatment for ulcerated sore leg; I myself discharged a horse keeper for breaking into my meat safe and eating a mutton bone. He was previously convicted on many counts of a predilection for the property of others. Well, six days had not elapsed when a most shaky, but at the same time military looking man appeared familiarly in my verandah with a sort, of oh I wont hurt you! smile upon his face, red puggree and the details of uniform complete developing gradually into the living embodiment of a slashing "Robinson," and bearing a most important departmental despatch—Sir; my heart warmed towards that man in reverential homage to the genius of humbug. Had he been an Englishman in any way related to that curious order of humanity the "Anglo Saxon" I must have fraternised and given him beer—my heart warmed towards him, and I would under the circumstances of the Anglo Saxon have given him beer, because I laboriously and painfully became delivered of the knowledge this gallant soldier and "Robinson" whilom horse keeper, bone eater and thief, was my friend lately, discharged "Ally Burn." I led him to the pantry with orders he should be treated with the most distinguished consideration, and betle nut.

I was for some years in the habit of receiving a Military salute from the former mates of a friend long since dead—that friend had discovered some slight irregularity about his confidential servant which resulted in his being flogged in the Manantoddy bazaar and getting a long term of imprisonment. Now Captain Blomfield knew this man's want of character well—still he remained in the Corps and retired after some years upon a well earned competence—What will William Robinson say to that? That Mr. Robinson is a most valuable public servant no one who knows him can doubt. Altho' a Scotchman [illegible] faults but no one who knows him will credit he ever meant to raise any Corps save a police corps or that he ever aspired to be Commander in Chief.

NEWS.

CEYLON.—We are now in the departing throes of season 1865-66 mingled with the first faint signs of the approach of its much bigger brother. At this period, if any, shipments of Coffee might be expected to be slack, and accordingly we are rather surprised than otherwise at the quantity of Coffee which has gone forward in the fortnight; 16,689 cwts. of which more than seven-eighths are Plantation. The result is a total export to the 12th of very nearly 839,000. It will thus be seen that only 11,000 cwts: are wanted to make up our estimate of 850,000. The half of the quantity will probably be made up by the sailing of the *Empress*, which is about certain. On the 14th she got 100 casks out of 300 wanted to complete her lading, and we are assured she will be off before the end of the month and season. Say that she takes 5,000 cwts. in the proportions of 4,500 plantation and 500 native, the total out-turn of season 1865-66 as compared with the previous one will be

	1865-66.	1864-65.
PLANTATION cwts.	610,000	610,000
NATIVE "	234,000	274,000
TOTAL cwts.	844,000	884,000.

If, as we expect, the *Empress* sails, the deficiency in the exports of coffee in this season as compared with the previous one will be only 40,000 cwts. But the deficiency will be entirely in native; in plantation the exports will be exactly on a par with our highest yet. This is a result certainly unexpected, for at the commencement of the season, it was native [illegible] compared with [illegible] in excess. The deficency as be about 40,000 [illegible] season in this kind will above the average but still the export will be 844,000 cwts. all [illegible] Of the total export of direct to England [illegible] 100,000 will have gone [so far] of season. Having thus disposed, which establish an 1864-65 and 1865-66 850,000 cwts. we [illegible] average export of nearly yond the mark (we do not think we shall be beyond [illegible]) of blossoms by drought after allowing for loss from wind) if we reckon the probable export of 1866-67 at a round million of cwts., in the proportion of 750,000 plantation and 250,000 Native. *Colombo Observer, September 17.*

Our obituary includes the name of a lady well known in Ceylon, and respected wherever she was known [illegible] Skinner wife of Major Skinner, the head of the Public Works Department. This event [illegible] (which took place near Suez on the Home[ward] voyage,) will probably hasten Major Skinner's retirement, in which Ceylon will lose a good and useful servant. A foul and touching murder—revenge the actuating motive—a Singhalese Storekeeper supposed to be the instigator if not the actual murderer, compels us to add to the obituary the name of Mr. J. G. Falconer, an old Ceylon Coffee Planter. Mr. Falconer was a member of a very respectable family in Forres, Scotland and had only recently returned, with [illegible] wife from a visit to his native country where he left his now orphan children. This event following on the cruel murder of a Native near Gampola for the sake of the money he was carrying, has excited feeling in the community; and we shall expect of our organized Police such vigilance in detecting crime and bringing criminals to justice, as to render like horrible events few and far between if not unknown. We have also had to chronicle the determined suicide of a young European Planter, Mr. [illegible] Middleton. A correspondent writes on the subject of Mr. Falcon[er] [illegible] who has been brought up [illegible] the mother of the Singhalese Storekeeper *Carolis* and of course one of his tools."—

We now hear that the evidence against the Storekeeper is exceedingly strong. The wadding of the charge which proved fatal to poor Falconer has been picked up and it is said to be part of a newspaper which was in the house of the suspected man. In the house also was found a newly-discharged gun.

A sad boat accident at Tuticoreen has deprived two Shipmasters and a boy of life. The bodies of Captain McCullogh of the "William Gillies," and Captain Potter of the "Terentia," we learn, were buried in one grave at Tutucorin on Sunday last. The body of the boy Kenneth Cotton had not been found up to Tuesday. *Ibid.*

BENGAL.—The Viceroy is expected to leave Simla for Calcutta in the second week of November next, holding the two great Durbars at Agra *en route.* One of these Durbars will be for the chiefs of the adjacent provinces in the usual order of precedence, and the other for investiture of the Star of India, when of course the order of precedence will be determined by rank in that Order—an arrangement which will greatly enhance the value of the Star in the eyes of those rajahs and chiefs who may find that their special services to the Empire or their observance of an enlightened policy in the Government of their states, have raised them in the eyes of their Sovergein and Viceroy far above the so-called leading chiefs who have only empty rank to entitle them to notice. Immediately after the Agra Durbars, Dr. Muir, the Foreign Secretary, proposes to take privilege leave to England, and to return in time to take his seat in council in succession to Mr. Grey, who will become Lieutenant Governor of Bengal. No arrangements have yet been made to procure a successor; but as we understand Sir H. Edwardes declines to return to India, it is not impossible but that Mr. Temple's claims may be considered superior.

It is also reported that on the return of the V[illegible] Durbars, the Bhootan Government will depute two of their Soubahs to wait upon His Excellency. The object of their proposed visit has not yet transpired. *Times of India, Sept. 21.*

KASHMEER.—A letter from Kashmeer states that very costly preparations are being made for the reception of the Raja of Kupurthalla at Sreenuggur, including, for presentation to His Highness, a very handsome tent of shawl cloth supported by silver poles. A rumour however prevailed that some misunderstanding had arisen between the two great personages. The Sreenuggur "gup" is to the effect, that the "plains" Raja was so displeased with the unsuitableness of the escort deputed to meet him on the frontier, by the Hill Chief, that he made up his mind to return at once to the Punjab. The following is said however to be the true version of the cause of annoyance. On reaching Dhunna, the third stage out from Murree, [illegible] found a small army of coolies or[illegible] from Mozurafad in attendance to carry [illegible] [illegible] One or more of the swarm [illegible] up sufficient courage to address the [disti]nguished traveller and represent to him [that] they had been waiting for five days, had [illegible] and were not to be paid. The Raja [in a] very creditable feeling having satisfied himself of the general truth of the complaint, (and especially that no payment was to be made) for the services of the unfortunate crowd (who [were] *Kashmerians*) at once directed the distribution to the poor starving fellows of the [illegible] of the supplies laid up for the use of himself and his attendants, and forthwith addressed the Maharaja Rundeer Sing stating he regretted he should be unable to remain more than two days in Kashmeer as he [illegible] to perform in compliance [illegible]

[illegible] anecdote is a fair commentary on the [illegible] of the Government of His Highness [illegible] which the officer now represents [illegible] the Punjab authorities would have us [illegible] is improving under the enlightened [illegible] of the present ruler. *Delhi Gazette,* [illegible] 11.

[illegible] related the other day how a practical joke [illegible] played in the High Court by a man [illegible] in a torch to throw "light" on its [illegible] foregoing we presume that justice [illegible] proverbially blind. This "wag" has [been] outstripped by a Kashmeeree ancient. [illegible] the Maharaja reaching Vernag on his [way from] Jummoo to Sreenuggur, a crowd [of] [illegible], contractors, expectants, &c., presented itself, nuzzur in hand, to express their [illegible] to His Highness. After them came [an] old man, meanly clad, who craved permission to tender his offering. It consisted of one rupee one pice and one cowree. Struck with the singular character of the offering the Maharaja asked for an explanation,— "The rupee," replied the octogenarian, [illegible] the riches amassed by your Kar[dars] [illegible] the share of the Huzoor in [the] [illegible] pittance [illegible] country, and the cowree the [illegible] [illegible] Our readers [illegible] than we describe [illegible] [illegible] bestowed on the [illegible] blackness of the crowds [illegible] and him. *Delhi Gazette, Sept[ember]* 13.

[S]IMLA, 8th September.—Captain [illegible] seems determined that the lack of novelty [illegible] the proceedings going on in the Civil Courts, shall not lack that excitement which is requisite to keep his name prominently before the public. On Thursday last during the interval for luncheon at the cutchery, he insulted Mr. Plowden, Sir William Mansfield's counsel, and yesterday rode to Chota Simla, apparently for the special purpose of inflicting corporal punishment on Abbey. On the whole, Mr. Tayler's question during the proceedings before the court martial, whether his client could be considered capable of actions worthy only of Dick Turpin or Robin Hood, seems now to allow of an answer in the affirmative.

Under whatever provocation, to strike a man of Mr. Plowden's age and physique as compared to his own, is wrong, and a ride to Chota Simla to thrash Abbey, suggests premeditation, which places Captain Jervis in the category of those who are rather dangerous to society. To-day the assault case [illegible] before Colonel Lawrence, the [illegible] crowded by those anxious to [illegible] proceedings. The points of Mr. [Tay]ler's evidence before the court as the only European witness of the assault, are worth mentioning, prefacing which I may state that it had seemed advisable for Capt. Jervis not to appear in court, except through his counsel. Mr. Hogg, the Administrator General, on leave at Simlah, assisted Mr. Plowden.

Mr. Tayler said "the court had adjourned as usual on Thursday, and I was walking outside the east verandah when I heard Captain Jervis' voice. He was saying to Mr. Plowden "I respect your grey hairs, but if you continue to insult me unnecessarily, I should consider you personally responsible." Mr. Plowden said, "Never mind my grey hairs. I would as soon knock you down as any one. I consider you a low——," Mr. Tayler didn't recollect the intermediate epithet, but it was "contemptible," or some similar word, "blackguard." Mr. Plowden raised his hunting whip, or Malacca cane. On seeing this Captain Jervis turned very pale, and seemed about to strike Mr. Plowden, but recovered himself and called on Mr. Plowden to retract. Captain Jervis then seized Mr. Plowden by the shirt collar and repeated the words, "Retract, retract." Mr. Tayler was three or four yards distant, but was not aware of Captain Jervis striking Mr. Plowden, but had on enquiry been told by Capt. Jervis that he had struck him once with his hand, and he was prepare[d to] admit that being done under provocation." "Captain Jervis added force to his shaking, and Mr. Tayler said, "Retract Plowden, for goodness sake retract." He had said that, not because he wished to induce Mr. Plowden to retract what he had said, but because he considered it the only end to the matter, knowing Captain Jevis' impetuosity. Mr. Plowden had before referred to him (Mr. Tayler) while he was being shaken and he had replied. "What can I do? For goodness sake Jervis stop this." He could show the court the exact spot where it happened, if necessary."

Mr. Plowden then rose to cross-examine Mr. Tayler and intersprinkled the cross-examination with [illegible] comments which amused the Court considerably. He said [illegible] Captain Jervis' acknowledgment of only [having] struck him once with his hand, he [begged] leave to say there was a swelling [illegible] on the back of his head and a cut on [illegible], which he would be very glad if any one in court would inspect. Various questions were then put as to the exact position Mr. Tayler was in, how it was Captain Jervis was heard and not Mr. Plowden, whether Mr. Tayler had not said in a subsequent conversation that he expected Captain Jervis to make an assault on Mr. Plowden, and that the assault was owing to Mr. Plowden's irritating questions to witnesses in the building suit, eliciting the information from Mr. Tayler, that he was outside the verandah [and] could hear Captain Jervis because his voice was loud, but not Mr. Plowden whose voice was low. Had said in conversation, that he considered Mr. Plowden exceeded professional etiquette in his questions, and knew Captain Jervis was much stung by those questions. Had never said he expected Mr. Plowden would be assaulted, but admitted having said as a joke that he would like to take Captain Jervis about with a chain, as his feelings were worked up to such a pitch that he could not trust him, knowing how strongly he felt towards all concerned in the recent proceedings.

This was followed by mention of the nature of the suit (the building suit) which had preceded this affair, and an oration from Mr. Plowden, saying that the hundred native witnesses, any of whom might be selected by the court, would show that if Mr. Tayler had not seen the assault, as he (Mr. P.) had described it, there were others who had seen Jervis clench his fist, and strike him repeatedly, and he begged these might be called. After a determination to hear these witnesses the court adjourned for half an hour.

On re-opening, it appeared the court was aware that Mr. Vaughan, the E. A. C., had witnessed the proceedings, and before summoning the natives it was determined to request his evidence of what had taken place as seen from his court, which overlooks the verandah in question. On the whole Mr. Vaughan's evidence supported Mr. Tayler's, he had not seen any blows at all, only the shaking from his court. The next witness was a jemadar of police, who said he had seen Captain Jervis kick Mr. Plowden, and was therefore dismissed. He was followed by a Baboo, whose half English, half Hindustanee evidence, sent the audience into fits. Mr. Plowden was "that fellow," Captain Jervis "that young man," or something similar. The blows however were with fists not open hand. Dave Carson would have filled a house for months with the evidence of such a witness. The court was kept in one continuous roar. Mr. Tayler then made a statement as to the difficulties of his position of witness and counsel, and urged the extreme provocation Captain Jervis had been subjected to by Mr. Plowden, who had in his questions to every witness grossly insulted Captain Jervis by un[illegible] discrediting his word and oath, and in every way exceeding the licence of his profession. The case was adjourned to Monday.

[illegible] Mr. Abbey then came into court, and desired an assault summons against Captain Jervis for an assault committed on him by that officer last night [illegible] in the shape of a horsewhipping. Mr. Tayler admitted the [illegible] but said it was an [illegible] ebullition of feeling" on the part of Captain Jervis which had been pent up for some months and which he could repress no longer. He seemed prepared for a fine, but Major Lawrence dismissed the case and refused a summons. The above has been written in the greatest haste, but is I think substantially correct. Mr. Hogg assisted Mr. Plowden to maintain the right of counsel being inviolate in the exercise of their profession. *Correspondence of Delhi Gazette, September* 11.

The following is [illegible] *Simla.*—We have received further reports of this case, but our [illegible] matter that we are unable to insert anything beyond the following:—

"*Simla, 16th September* 1866.

Captain Jervis repenting at his leisure, what he had done in his haste, placed in court an ample apology for his assault on Mr. Plowden and Abbey, which apology being accepted the case was withdrawn without any decision of the court to the great disappointment of those expecting a similar scene to that on Saturday. It would be a matter for general congratulation if the whole of Captain Jervis' disputes could be settled out of court, and allow the time of those engaged on them to revert to what may be considered their ordinary work, in which happily Commanders-in-Chief and their A. D. C's do not put in an appearance. The building case will be heard again in Mr. Watts' court to-morrow."

After Mr. Plowden's case had been disposed of, he having accepted the apology offered, Abbey's case was called on, the summons having been granted. To this Mr. Tayler said he had been instructed to offer an apology. Abbey was called, the apology tendered and accepted. Captain Jervis was then bound down to keep the peace to all Her Majesty's subjects for six months, as several cases of assault upon Sir W. Mansfield's servants had been brought to Colonel Lawrence's notice.

So ends this chapter of the story. *Delhi Gazette, September* 13.

Our Simla correspondent, writing on the 11th instant, says:—Captain Jervis apologised in Court yesterday to Mr. Plowden and the Chief's butler Abbey for the assault he, Jervis, committed on them. He wished to give Abbey fifty rupees, but Abbey declared he would have an apology "like any other gentlemen." It is understood Jervis is willing to withdraw his actions in the Civil Court; but His Excellency's legal adviser is unwilling. The sentence of the Court Martial has not yet been published. The weather is delightful. The Governor General's ball is this evening. *Bombay Gazette, Sept.* 19.

On the best authority from Simlah we are assured that the demeanour of His Excellency Sir W. Mansfield has wonderfully changed. The smallest Subaltern's respectful salute is returned with bland and marked graciousness. The dinner parties at which nightly *one or more members of the Court Martial* are invited, evince the usual *good* taste exhibited by His Excellency since the commencement of the proceedings.

Brigade Commands may be looked for by all the Colonels attending the tribunal at Simlah. In fact, every thing is being conducted with that *fairness and utter absence of impartiality* which have marked the conduct of the Chief from 1st to last. *Lahore Chronicle, Sept.* 8.

12*th September.*—Few can credit the change which has come over Captain Jervis, who but a few days since was most violent towards all those who had been arrayed against him on his trial; he used personal violence against the Chief's counsel, butler, baker, and head chuprassie. He has now apologised to all, and withdrawn all his suits against the Commander-in-Chief, including that for libel. Mr. Plowden, His Excellency's counsel, stated in open Court, that His Excellency had desired him to say that in no way was he a party to these acts of withdrawal, and on the contrary he was quite prepared to go on with the suits.

To-day at eleven o'clock the Court Martial reassembled. I suppose something in the finding has been disapproved. Nothing is known as to the sentence, or have I heard why Jervis has so suddenly changed his tactics.

The Governor General's ball was over at 2 A. M. this morning and Lady Lawrence goes into the interior shortly. *Correspondence of Bombay Gazette, Sept.* 20.

MADRAS.—The Hon'ble R. S. Ellis, C. B., we are informed proceeds to Bellary under the orders of Government in a few days. *Standard, September* 21.

Import of grain:—The ship *Flora* from Coconada arrived the other day with 495 bags of rice, 1174 of paddy, 1799 of horse gram, and 809 bags of raggy. The vessel brought 7723 bags of other description of grain, making a total of 12,000 bags. *Ibid.*

BOMBAY.—A case was heard on Wednesday before the Fourth Judge of the Small Cause Court, Mr. Bala Mungesh, in which one Nanabhoy Vishwanathjee, a member of the "Jolly Club" was the plaintiff, and a prostitute, named Annee, was the defendant. The action was to recover Rs. 45, being the damages which the plaintiff alleged to have sustained in consequence of a breach of a contract on the part of the woman to sign. The Court was crowded by the members of the Club, who are young and uneducated natives, as well as other spectators. Mr. Morojee appeared for the plaintiff; Mr. Langdale, solicitor, for the defence. The hearing of the case commenced on Monday last, and only terminated yesterday. After hearing the witnesses as well as the arguments of the respective advocates of the parties, His Honor remarked that the evidence produced in this case had given him great dissatisfaction. He regretted very much to see certain young men having opened a Club under the denomination of the "Jolly Club," where they waste their time and energy, and it no doubt reflected a great discredit upon them. Instead of making a prop[er] use of their time, they join in singing, [illegible] The Court considered that the contract w[illegible] binding on the defendant, but that the d[illegible] [da]mages had been proved. Under the circu[mstances] [illegible] a verdict of one rupee as nomi[nal] damages was entered for the plaintiff. [illegible] Honour further remarked that the plain[tiff] [and] the members of his Club should take [illegible] from the present case, and sp[end] their time in future in a better way. *Bom[bay]* *Gazette, Sept.* 21.

A suspicious Case of Death.—On W[illegible] [illegible] last an inquest was held at the [illegible] [illegible] view of the bo[dy] [illegible] about thirty-five [illegible] gue, Camateepoora, [illegible] appears from the [illegible] a West Indian, aged a[illegible] [illegible] a contractor, tha[t] [illegible] named G. Daly. It appea[rs] [illegible] in his emplo[y] [illegible] dence of Mr. Coleman, [illegible] Road. He la[illegible] deceased was a platelay[er] [illegible] the morning [illegible] lived in Girgaum Back Road [illegible] ordered him to [illegible] 31st instant when he [illegible] Wassind. On the 17th by the re[illegible] [illegible] given instructions about [illegible] had gone away. He engaged [the de]ceased on the 8th instant [illegible] him that a Captain Page [illegible] security for him if he, the witness, wo[uld] advance him Rs. 250. It appeared fro[m a] note in pencil produced befor the Coro[ner] dated the 14th instant, that the dece[ased] procured the money on the 13th and int[illegible] ed to go to Tannah on the following [illegible] promising to commence the work on the [illegible] On the witness's return to Bombay on [the] 17th he went to Captain Page's house i[n] Girgaum Back Road, to enquire wher[e] deceased was. As far as he could re[illegible] Captain Page told him that Daly had [illegible] at his house on the afternoon of that [illegible] and had gone out to purchase chunam [illegible] at the same time the Captain said "if [he] did not return, that he, as he had stood [se]curity for him, would go to Wassind and [illegible] on the work."

Mr. William Austin, inspector of [illegible] residing and done duty at Mahim, [illegible] that on the morning in question, at half-past 6 o'clock, he received information that there was a dead body floating in the water in Mahim Bay. He went to the place and found the deceased lying [illegible] sand. It was the body of a West In[dian] and was dressed like a European. [illegible] was a small wound like a cut near t[he] eye. It was about half an inch long. [illegible] was escaping from behind each ear. [The] body was cold. There were small [illegible] if the fish had attacked it on the fo[illegible]. There were nine papers in the de[illegible] pocket and one key and two studs [illegible] shirt; there was no money or art[illegible] value upon him. His clothes wer[e] [illegible] with sand; his coatsleeves were torn [illegible] arm, and the sleeves of his shirt wer[e] [illegible]. No one knew the deceased in Mahim [illegible] the papers in his pocket witness fou[nd] [illegible] he had been in the employ of Messr[s.] [illegible] man and Company.

Dr. Succaram Arjoon, officiating s[illegible] to the Coroner, deposed to having [illegible] *post mortem* examination on the [illegible] a middle aged, apparently stout [illegible]. On opening the head, the br[ain was] found to contain an unusual quan[tity of] blood, the lungs were also found to [illegible] more blood than they should cont[ain], [the] heart diseased, and the liver and [illegible] also were diseased. Nothing found [illegible] stomach. No marks of violence on t[he] [illegible] except slight marks on the [illegible] of the left eye and the nose. On [the] eye-brow there was a bruise about [illegible] long and three inches in breadth, wh[ich] [illegible] bleeding, but it seemed to be produ[ced] [illegible] death. On the forehead there were [illegible] circular marks as would be produ[ced by] small shots, and apparently caused [illegible] life, but not sufficient to account [for] death of the deceased. From the state of the organs and the appear[ance of] the brain, witness was of opinion [that] deceased must have been a person of [illegible] perate habits, and that his death mi[ght] [illegible] been immediately brought about an e[illegible] dose of spirituous liquors. The Coro[ner] adjourned the inquest until Monda[y] at 11 o'clock in the forenoon. *Ibid.*

Memorandum

I think it right to draw the attention of the Govt to the accompanying paper purporting to be a list of the suits disposed of by the Civil Judge of Cotacamund from the 1st January to the 30 June 1866 which has been this day published and circulated with the "Neilgherry Excelsior." The list bears the signature of the Court Sheristadar, is stated to have been prepared by order and is evidently an authentic document

It

It gives the number of each suit, the names of the Plaintiffs and defendants, the amount of the claim and the mode of disposal.

I visited the Court house today with the view of ascertaining under what circumstances this list was furnished to the Editor of the local journal. The Judge was not in Court, although, I may observe, it was long past the proper hour for commencing business and several parties, European and native, were in waiting, but I was informed by the Sheristadar that the list had been sent by

Our Judges generally do not keep to hours. This is quite notorious. I have so stated in my place in Council on more than one occasion & am satisfied that the system is productive of much hardship and injustice. It can be checked only by the interference of Govt. –

[...]otices w[hich] a Judge shd [...] are those of the suits [...]ed with dates of [...]ing.

See above.

by order of the Judge to the Editor of the Neilgherry Excelsior and that one of the printed copies would shortly be posted up in the Court House –

As far as I am aware it has never been the practice in the Courts of this Presidency to publish, for the information of the general public, the names of the parties to the litigation in those Courts. The Courts are of course open, and where they are attended by Newspaper Reporters, the particulars of individual cases are occasionally

placed –

placed before the
public. But the publi-
-cation of such a list
as that now in ques-
-tion, containing the
name of every person
who within a certain
period has appeared
before the Court either
as a Plaintiff or as
a Defendant is I
believe unheard of.
Such a publication
is of course most
painful to some at
all events of the
parties concerned, and
is a serious Enhance-
-ment of the penalty
which their impro-
-vidence or misfortune
may have entailed
upon them. One of the
last

Certainly as far as I know

all servants of the Govt. are, I believe, prohibited by old orders, still in force, from making comm[unication]s to the newspapers relative to matters officially before them

true

I see in the list names of persons to whom much pain must have been caused by the publicity [illegible] [illegible] affairs by Mr Cherry.

certainly

Has Mr Cherry done any thing to check the publicity w[hich] matters pending before him have for months past, been obtaining? -

18

last names in the
present list is that of
a highly respected
Military officer, well
known to the members
of this Govt., and in
this case, it will be
seen, the suit was
withdrawn and in
all probability therefore
would not have
obtained publicity had
it not been for the
intervention of the Court.
This is not the first
instance in which
during the last few
months the present
Civil and Session Judge,
Mr. Cherry, has either
furnished or allowed
to be furnished to the
Press official docu-
-ments, the publication
of

of which without the
sanction of Govt he
ought to have known
was irregular and
improper - Early in
June last an order
passed by him in his
capacity of Superintendent
of the European Jail
dismissing two of the
officials employed in
that Establishment was
communicated to the
Neilgherry Excelsior and
was thence transferred
to the columns of the
Madras Newspapers -
Here again the unau-
-thorized publication
of the document - which
was characterized by the
same unbecoming
levity of style which
pervades so many
of

of Mr Cherry's official
writings - was a serious
enhancement of the
punishment inflicted
on the persons to whom
it referred - Shortly
afterwards a reference ~~on~~ to
a correspondence
which was then in
progress between Mr
Cherry and the Govt.
regarding his refusal
to admit into the European
Jail a prisoner com-
-mitted for trial before
the High Court, + appeared
in the same paper, and
in the same issue
which contains the
list of Suits alluded to
at the beginning of
this Memorandum -
(there is a copy of an
order

The [illegible] Freeman case I well remember. It was a very [illegible] at an old office.

+ and then came [illegible] Excellent - that of [illegible] Freeman, who having written unadvisedly [illegible] the Judge and apologized for his proceedings [illegible] all the [illegible] his apology & the [illegible] published in the Excelsior. #

order passed by Mr.
Cherry revising a
sentence passed by
the Joint Magistrate
and commenting in
strong language on
the Joint Magistrate's
proceedings - This order
having been passed
on a perusal of the
Calendar, and in the
absence of any appeal
from the prisoner,
can only have found
its way into the columns
of the Neilgherry Excel-
-sior through the
intervention of the
Judge or of one of the
Court servants. —

Within the last
week leading articles
have

I would further call
the attention of the Inspector
of Jails to the system
under Dr. Cornish at Ooty
are apparently allowed to
keep fowls - WDY

I also concur with the Chief Sec[illegible] in the view taken in these memos but to make the call for explanation more comprehensive I would ask whether the publication [illegible] in the Court [illegible] his [illegible] without being [illegible] measures for [illegible] of the press [illegible] into the newspaper columns. WDR

No doubt as to the sentence of the Joint Magistrate was perhaps to be annulled but that is no token of Mr Cherry's offensive irregular system —

As arising out of this case I think the sale of a cow by the Special [illegible] Court Mr Fordon to a Court Peon, was an objectionable proceeding for a Judicial officer in his high position, and it was irregular too, in my opinion, but cannot be said to have been a "domestic necessity" - especially at a place like Ooty where [illegible] are in [illegible] in a Bazaar close at hand - I think Mr Fordon [illegible] to explain his act. WDY

I concur in the view taken in this Memo and think that Mr Cherry should be called upon to explain his conduct in the publication of this list of [illegible]. JP

have appeared in two
of the Madras Journals
commenting on a
pamphlet recently
furnished to the Press
and in which Mr. Cherry
has published certain
private letters which
have passed between
him and the Senior
Medical Officer at
Ootacamund and that
without Dr. Miller's
permission -

I submit that if
the ~~dignity~~ respectability of the
Ootacamund Court
is to be maintained,
the publishing tenden-
-cies of the present
Judge should be
peremptorily

peremptorily put
a stop to.—

by K

Columbia
29 Sept. 1866.

29th Sept. 1866.

16

Memorandum
for orders

Mr Cherry
No. 625

Judl. Pros: 18th Octr. 1866 No. 1645

6 Octr
9 "

1st

No. 2210.

From
The Civil and Session Judge of
Ootacamund - d/5: Octr. 1866.

For Orders.

Mr Cherry's explanation does not seem to me at all satisfactory. Some of the suits entered in his list had no doubt been discussed and decided but that is no reason why a list should be published including all actions brought whether ~~brought~~ put to a hearing or not, and there are obvious objections to such a course —

It is further put wrong in supposing that the Munsiffs pronounce ~~their~~ decisions to whatever extent

18 19

reporters Court to come for this
purpose and as such may be
communicated to the public
the newspapers by him self or by
his informants — No such thing
is done in any Court in this
Country not excepting the High
Court. It will be necessary to
prohibit at Ootacamund
& Mr Chey told that if he
offends in this way again, it
will entail serious conse-
-quences —

The reporters who attend
the Ootacamund Court — like reporters
attending Courts and

magistrates offices at Madras
and elsewhere will no doubt
pick up what they can & the
Council cannot prevent
from publishing in the Evening
papers coming to him in con-
-nection with his own calling
but this a very different thing
from the Judge himself turning
reporter and publish-
-er —

Mr Chey should be informed
that the orders of Govt prohibiting
the publication without the
sanction of official papers apply

Jud.l Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from Mr. Cherry Esq
(Here entered 5 October 1866)

Order= 18 October 1866 No. 1645.-

with the issue of the
"Neilgherry Excelsior"
newspaper published
on the 29 "ultimo" a
paper was circulated
purporting to be a list
of suits disposed of
by the Civil Judge of
Cotacamund from the
1st January to the 30
June 1866. The list
professed to be signed
by the Court Serishtadar
"by order". It gave
the number of each
suit, the names of the
Plaintiffs

Plaintiffs & defendants, the amount of each claim and the manner in which each suit was disposed of. The attention of the Govt having been drawn to this document, the Civil Judge Mr Cherry was called upon to report whether the list in question was what it purported to be and, if so, whether it was furnished to the "Excelsior" with his knowledge and sanction. Mr Cherry was at the same time directed to furnish similar information with reference to the publication of certain other proceedings of his Court and of an order passed by him in his capacity of Supdt of the Jail which had appeared in the same journal. These questions were put to Mr Cherry with reference to the standing order that Public officers are not at liberty to give publicity to official documents without the sanction of Govt.

2. Mr Cherry's reply is contained in his letter of the 3d instant above recorded. It is to the effect that the list is what it purports to be, that it and the other papers referred to were published with his knowledge and consent, that the ~~second~~ several matters alluded to in those papers had formed "a part of

of the proceedings of the
Judge of Dolasamund
long before they were
put before the public
in their present shape,
that several of the
suits entered in the
list had been discussed
and disposed of in the
Court in detail and
had been reported and
commented on by the
Press previously; that
some months ago he
issued an order that
"whatever matter came
before him on the
Bench became public
property" and that
"the Press in general
were entitled to take
copies of any written
proceedings, decisions,
or statements which had
been read & disposed
of and published
in

in open Court, and that
he did not consider the
standing order against
the publication of official
documents to apply to
the proceedings of a
Court of Justice - Mr
Cherry requests in
conclusion that he
may be furnished
with instructions for
his future guidance,
observing that "not
"only is there a Public
"Reporter always present
"in the Dolasamund
"Court, but one of the
"duly constituted Vakeels
"is also Editor of the
"Excelsior."

3. The Governor in
Council cannot regard
Mr Cherry's explanation
as affording any
justification for the
extraordinary course
adopted by him in

giving

giving publicity to the list of suits and other papers above alluded to. The publication of the list of suits was especially objectionable, and Mr Cherry must have been perfectly well aware when he ordered its publication that it has never been the practice in any of the Courts of this Presidency or indeed of the Courts in England to publish in their newspapers for the information of the general public a list of the parties who have been engaged in litigation in those Courts. The Courts are of course open and when they are attended by Reporters, the particulars of individual cases

cases are occasionally placed before the public. But the publication by a judicial officer of such a list as that now in question containing the name of every person who within a certain period has appeared before his Court either as Plaintiff or as a Defendant is, the Govt believe, unheard of. Such a publication is of course most painful to some at all events of the parties concerned and is a serious enhancement of the penalty which their improvidence or misfortune may have entailed upon them. Similar consideration should have prevented

prevented the publica-
tion of the order passed
by Mr Cherry some months
ago commenting on the
conduct of certain Jail
officials who were
removed from their situa-
tions and in this case
as Mr Cherry's order
was not of the nature
of a judicial proceeding
but was passed by
him in his capacity
of Supdt. of the Jail
the excuse offered by
him for publishing the
proceedings of his
Court can in no way
apply. Mr Cherry
however is altogether
in error in supposing
that the written pro-
ceedings, decisions
& statements before his
Court became public
property and as such
may

may be communicated
to the public newspaper
by himself or by his
Serishtadar - Mr
Cherry must distinctly
understand that the
order prohibiting public
officers from giving
publicity to official
papers without the
sanction of Govt. apply
to all the proceedings
of the Courts except
of course such as are
of the nature of public
notices, advertisements
&c.; that he will be
held responsible for
the strict observance
of these orders in the
Court at Cotacammund
so long as he may
preside over it;
and that any repetition
of the practice com-
mented on in these
pros.

pros. will entail
on him the serious
displeasure of the
Govt.

G/R

J W Cherry Esq. desp. 23/10

desp. 31/10 { H. J. Thomas Esq.
My. Civil Judge Ootacamund
Honble the Judges of the
High Court

230. 231

Judicial 1866. Department.

No. 1645

Proceedings of Government.

Dated 18 October 1866.

Consult