

MADRAS RECORD OFFICE.

Government of Madras.

Indril DEPARTMENT.

G.O. No.	2141	Press
		~~Mis.~~
Dated	31-12-1867	

338-339

9/3

Not to be folded or roughly handled

No. 338. Read the following letter from G. VANS AGNEW, Esq., Acting Magistrate, Trichinopoly, to the Chief Secretary to Government, Fort Saint George; dated Trichinopoly, 14th December 1867.

Deputy Magistrate Ragoonath Row has forwarded to me the accompanying original letter upon the subject of the G. O. of the 11th instant, which I received and communicated to him yesterday.

2. Had Ragoonath Row not requested me to do so, I should have equally felt myself bound in honor to lose no time, as soon as an opportunity was afforded me, in relieving him of the greater portion of the responsibility which it seemed probable would be, and which from their order I perceive that the Government have actually, attributed to him. Ragoonath Row, I beg to assure the Government, cannot in justice be held responsible for any step beyond the recording and communicating to the District Moonsiff his first proceedings. Of this step I was not cognizant until it had been taken. For everything that was done afterwards I am alone responsible. Ragoonath Row's second proceedings I wrote myself, telling him then, as I have repeatedly told him since, that the responsibility was mine, and that he could not be held accountable for my acts.

3. Ragoonath Row would have drawn back and furnished the security demanded by the District Moonsiff, in which case no warrant for his arrest could have been issued. He wrote and asked me to allow him to do so; but I refused, telling him that the conduct of the affair and the responsibility rested upon me. I submit to the Government that, considering our relative positions and the assurances I had given him, Ragoonath Row ought not to be held responsible. I beg of the Government to consider how doubly painful my position is rendered by seeing my subordinate suffer professional ruin through bending to a will which—it can scarcely be imputed to him as blame—he was incapable of resisting.

4. The entire proceedings, which I presume contain the remarks of the High Court, have not yet reached me, but I can assure the Government that Ragoonath Row is innocent of the accusation of having "preferred the charge of bribery against the District Moonsiff with 'obvious virulence.'" Ragoonath Row did not prefer the charge at all. He gave me certain information, information the truth of which has never been disputed, equally well known to others, and which in all probability I must have obtained from other quarters, but he did not know that I would act upon it. My firm belief is that, had he thought I would have acted upon it, he would not have given it to me, for he was not blind to the fact that his motives would be subject to attack. For this reason, it is true that he was averse to the prosecution, and so unmistakeably did he show his unwillingness by withholding from me assistance which I knew he could render if he chose, that I upbraided him for his want of public spirit in allowing himself to be influenced by what I considered such cowardly motives.

From R. RAGOONATH ROW, Deputy Collector and Magistrate of Trichinopoly, to G. VANS AGNEW, Esq., Acting Magistrate of Trichinopoly; dated Trichinopoly, 13th December 1867.

With reference to the Proceedings of Government, under date the 11th instant, No. 2039, I beg to explain, for the information of Government, that, in acting as I did, viz., declaring the processes as nullities, I was all along under the impression that I was acting in accordance to

Proceedings of the Madras Government, Judicial Department,
31st December 1867.

the law; that not only I *did not* refuse to be arrested by an Officer of the Court, but surrendered myself to him; that the threat to punish those who should attempt to enforce the District Moonsiff's order was embodied in the Proceedings which you told me to sign, you yourself having drafted them, stating that I was perfectly safe in the matter, as you covered everything that was done by your advice.

2. I beg most respectfully to submit, with reference to paragraph 4 of Government Proceedings, that I believed that the only means of redress open to the parties aggrieved was to ask for a Jury, as pointed out in Section 310 of the Criminal Procedure Code, and pointed it out to them—a fact known and approved of by the Sessions Court.

3. Lastly, I beg to deny most solemnly that I preferred with "obvious virulence" the charge of bribery against the District Moonsiff, but, on the contrary, I was averse to the prosecution of the charge—a fact well known to you and Lieutenant Hodges, Police Superintendent.

4. With these explanations, I leave my case in the hands of Government for rendering me justice.

No. 339.

ORDER THEREON, 31st December 1867, No. 2141.

To be recorded.

(True Extract).

R. S. ELLIS,
Chief Secretary.

Exd. J. H. Burns.

Judicial 1868 Dec 31

From

By. Tana Agnew

By. Magistrate
Trichinopoly

Dated 24 Dec 67
Received 6 Jan 68

N. 34

Enclosure

An unauthorised
copy of the
order of the
Magistrate
furnished to him
on the 27 Jan
1870.

Copy of the order of
the 31 Dec 1867
furnished to R. S. Ellis
on the 13 Jan 1870.

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Explains the conduct
of Ragoonath Roy, Deputy
Collector, with reference
to the late proceedings
in connection with
the District Moonsiff
Trichinopoly

Dec 1867 No. 2141

Recorded