Receive Contribution

No 646

Dated 4th to 10th May 1859.

No. 63. Read the following letter from G. E. COWER, Esq., Acting 3rd Judge of the Madras Court of Small Causes; to T. PYCROFT, Esq., Chief Secretary to Government Fort St. George; dated Madras 21st April 1859, No. 44.

I have the honor to state that the tenor of the Minutes of Consultation No. 467 dated 4th April 1859, forwarded to the Small Cause Court, leads me to doubt whether the precise facts of the case No. 2684 tried by me on the 10th March last, have been laid before the Honorable the Governor in Council, I threfore trust I may be pardoned if I state them shortly here.

The action was for money had and received to the use of the Plaintiff.

The evidence went to shew that the defendant Teroovengadasawmy Naidoo, led the Plaintiff to believe, that through personal influence with one of the Judges of the Sudr Court, and other Gentlemen, whose names were mentioned, he could secure a probably favorable re-hearing of a petition, which had been dismissed by that Court, and that in accordance with the advice of these Gentlemen, it would be necessary to file a fresh petition, and obtain the services of a Pleader of talent. Influenced by these representations, the Plaintiff, an ignorant native from the Mofussel, advanced a sum of Rupees 300, to cover the expenses of such fresh petition, and to fee the late Mr. Salmon the Barrister.

It appeared that no fresh petition had been filed, nor had Mr. Salmon been retained. The issue tried really was, had the money been received, or not? I was clearly of opinion that it had, and I gave judgment for the Plaintiff, and as far as I can recollect, remarked strongly on Defendant's conduct.

Probably the Honorable the Governor in Council may be of opinion, that the culpability of the accused was such, as fully to merit the punishment awarded him, still I think it but right, that the case should be truly reported, as it came before me at the trial.

No. 64. ORDER THEREON, 10th May 1859, No. 646.

Ordered that the foregoing Extract be recorded.

(Signed) J. D. BOURDILLON,
Secretary to Government.

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I have the honor to be
Sir
Your most Obed Servant
C. Chauncey
Acting 3rd Judge.

Halifax
21st April 1839.

N.B. - His account of the affair does not differ from that given in the Athenæum except in being less circumstantial - he Covers the exception apparently to the word "convicted" in the order

Rec.d 5th April 59 No 16-17.

Revenue 1859 Depart.
Cons 10th May No 732

P.C. Cons. Cty No

Acts 3d Judge of the Madras Court of Smale Causes

To J. Pycroft Esq.
Chief Secretary to
Government
Fort St. Geo.

Dated 21st April 1859
Rec.d 27th

Submitting for the information of the Honorable the Govern in Council the Case of Veeravenga Mudaliar tried in the Madras Court of Smale Causes.

No 63 & 64

No 646

Recorded

May 1859

Cy 4th April 25th May