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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	572	Press ☒
~~B.P. No.~~		~~Mis.~~
Dated	9. 2 / 1877	197

Not to be folded or roughly handled

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572/1

*Proceedings of the Madras Government, Revenue Department,
9th February 1877.*

No. 239. Read the following petition from VENKATA RAO, the Agent and Vakil of the Rani of the Shivaganga Zamindary.
(Here enter No. 1193, dated 9th February 1877.)

No. 240. ORDER THEREON, 9th February 1877, No. 572.

Miscellaneous.

THIS is a series of very grave imputations of scandalous misbehaviour, preferred against Mr. Nicholson, c.s., Acting

Head Assistant at Ramnad, in the Madura District—by a responsible person.

2. He states his belief that Mr. Nicholson will not deny the allegations.
3. The Collector will be called upon, through the Board, to procure Mr. Nicholson's explanation; and at the same time to state what notice he took of petitioner's complaint to him; he *appears* to have advised Mr. Nicholson to compromise the matter—a suggestion which is stated to have not only been disregarded but to have been followed by fresh insults.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue, with original petition.

To
The Most Noble Richard Plantagenet Campbell Temple
Agent Brydges Chandos Grenville, G. C. S. J.,
Duke of Buckingham and Chandos,
GOVERNOR OF THE PRESIDENCY,
FORT SAINT GEORGE.

The humble Petition of VENKATA ROW,
Agent and Vakil of the Shevagungah
Zemindary and of the Peraumalay and
other Devastanams in the District of
Madura.

MAY IT PLEASE YOUR GRACE,

With much pain I feel constrained to bring to your Grace's notice the following particulars relative to the conduct of Mr. F. A. Nicholson, Acting Head Assistant Collector of Madura, in the hope that your Grace will take steps to prevent a recurrence of conduct so unbecoming and undignified on the part of one holding the post Mr. Nicholson does.

On the 30th December 1876, I appeared before Mr. Nicholson on behalf of the plaintiff in a suit under the Rent Recovery Act (Act VIII of 1866). While conducting the said suit, his honor got into a furious passion without the least cause, and forgetting alike his own dignity and my position, he grossly abused me saying, "you fool, damned soor." As this language was uttered publicly in the presence of parties, Vakils and officials, and as it was likely to lower me in the estimation of the public and of my constituents, I quietly withdrew from the Court, and after making arrangements with another Vakil to appear in my stead in certain other cases, I started at once for Madura for the purpose of reporting the matter to the higher authorities there. Towards the evening of the same day, Mr. Nicholson inferring, I believe, from the result of the enquiries he had made regarding me from my Gumasta and others, that I had left the place intending to bring the matter to notice, he passed a verbal order that I should no longer appear as a Vakil, and that my name should be struck off the list of Vakils practising in his Court.

Having communicated in writing what took place on the 30th of December to the Agent of the Rancee of Shevagungah, the matter was brought to the notice of the Collector, who communicated with Mr. Nicholson thereon, and I was advised to take no further notice of the matter but return to my duty at Ramnad. Acting under this advice, I came to Ramnad and appeared before Mr. Nicholson on the 8th proximo. On my coming into Court, Mr. Nicholson at once said in an angry tone, "I had suspended you, who ordered you to appear here as Vakil." I replied respectfully that I was then appearing not as Vakil but as Shevagungah Zemindary Agent, and as such I had to put in a number of petitions and certain applications for the sale of distrained property under the Rent Recovery Act, Mr. Nicholson received the petitions one by one and made the

necessary endorsements. Feeling keenly the insult that had been publicly done to me, I resolved to leave the district for a time, and I then presented a petition requesting permission for another Vakil to appear for me for 6 months as I wished to leave the district on private affairs. I also stated that I was informed by some, that I had been dismissed and by others that I had been suspended, to which Mr. Nicholson said that he had not passed any written order, and taking up my petition he endorsed, sanctioned thereon and asked me where I had been on the 30th of December, and why I wanted to take 6 months' leave. I replied that I felt very much pained and disgusted at the treatment that I had received at his hands on the morning of the 30th of December, and that as I could not really bear the abusive language used by him on that day, I intended to leave the district, and that I had reported every thing to Mr. R. Fischer, the Shevagungah Agent at Madura and to Mr. Scott, Vakil, who had advised me not to do anything in a hurry, and that he would see that the matter was arranged and compromised. Mr. Nicholson then got enraged, cancelled the order and said, "what has Mr. Fischer got to do. I know Mr. Scott is the Zemindary Vakil. Oh! you threaten me." I humbly submitted that I did not mean to threaten, but as he had asked me, I had told him what I had done at Madura on the 30th December 1876. On hearing this, Mr. Nicholson said in a very loud voice "Oh! compromise! I shall admit that I abused and called you a bloody fool, damned soor, and still I tell you that you are a bloody fool and a damned soor. I have good reasons for it." Here I begged Mr. Nicholson's pardon and requested him not to use such language towards me. But Mr. Nicholson grew still more enraged and shouted out "you think yourself that you are a respectable man, because you are a Brahmin, damn the Brahmins, bloody Brahmins. Oh! you reported to Mr. Fischer, you complained, get out of my Court, you can no longer appear in my Court." As I had to put in some more applications for the Ranees of Shevagungah, I represented that I had something more to do for the Ranees as her Agent. His honor insultingly said, "damn the Ranees, I won't allow you here, go to the Collector, go to Government, I don't care." Astonished and pained at the treatment that I had received, I lingered for a time not knowing what to do. Mr. Nicholson called out "leave my Court, leave my Court," ordering the Revenue Deloyet and the Constable to push me out. Then a Mussulman Peon came and pushed me. Since that time, Mr. Nicholson has sent to my address at Madura at different dates, 2 different endorsements (the second cancelling the first) on the petition that I had presented requesting permission for another Vakil to appear instead of me for 6 months. The first endorsement is as follows:—

"Dated 8th January 1877.—Endorsement passed on the petition of Venkata Row, a Vakil allowed to practice in the Head Assistant Collector's Court, applying for 6 months' leave to enable him to go to Benares and other places on pilgrimage.

ORDER.

The applicant can take leave, after his behaviour in my Cutcherry to-day, he can no longer appear in my Court to plead as a Vakil of the Court.

(Signed) F. A. NICHOLSON,
Acting Head Assistant Collector."

The second endorsement is as follows:—

Endorsement passed on the petition, dated 8th January 1877, presented by Venkata Row a Vakil, allowed to practise in the Head Assistant Collector's Court of Madura, applying for 6 months' leave on private affairs. For the reasons recorded, the former endorsement which was despatched without orders has been cancelled and the subjoined endorsement passed.

ORDER.

The applicant can take leave.

(Signed) F. A. NICHOLSON,
Ag. Head Assistant Collector."

RAMNAD, 10th January 1877.

I respectfully crave your Grace's protection from these insults. It is well known throughout the District that I belong to a very respectable Mahratta family of pensioned public servants for generations, and that I am myself a successful Vakil who have practised for 6 years, earning an income of not less than 300 Rupees a month, besides the monthly salaries I receive and doing business in the said Head Assistant Collector's Office for the Ranees of Shevagungah and Ramnad Zemindaries and some big Adinums and Davastanums in the District as their authorized Agent under general powers of attorney.

I further beg to bring to your Grace's consideration that this was not the only instance in which Mr. Nicholson has acted similarly both towards me and others, and I beg leave to particularize below a few instances as briefly as possible.

In Suit No. 5 of 1876, under Regulation VI of 1831, on the file of his Court, I on behalf of Ranees of the Shevagungah Zemindary had to raise an objection to the Jurisdiction of the Court, when his honor very passionately cried out, "you fool."

On the 24th of November 1876, under instructions from Mr. Fischer as the District Court Receiver of the Shevagungah Zemindary, I presented a Criminal complaint. Mr. Nicholson refused to entertain the complaint, and in very unbecoming terms threatened to turn me out of the Court if I spoke.

On the 18th of December 1876, in a suit under the Rent Recovery Act, I appeared for the Ranees of Shevagungah, and while I was examining one of my witnesses, a very respectable person named Muthirula Pillai, Mr. Nicholson ordered a peon to station himself behind the witnesses and to beat him if he fails to give ready answers to the questions put.

In Suit No. 852 of 1876, Surun Callan, *versus* the Special Assistant Collector, one Andiappa Pillai appeared for the plaintiff as the Vakil. While conducting the suit, Mr. Nicholson got enraged and aimed a blow at the said Vakil with a paper weight and under orders from the Bench, the said Vakil was seized by the neck and pushed out of the Court to a distance of nearly 50 yards.

In June 1876, in one Revenue Suit, a Mr. Nagalingam Pillai, an undergraduate of the Madras University was so overcome by the abusive language used towards him by Mr. Nicholson from the Bench that he fainted away in Court and was carried out of the Court by the attendant peons.

I am quite prepared to substantiate every one of the particulars referred to in this petition, though I feel confident that Mr. Nicholson himself will in the main admit these facts.

I have brought these circumstances to your Grace's notice as much from a sense of duty to the public as for my own protection, and I humbly pray that after receiving such explanation from Mr. Nicholson as he may offer, and after making such enquiry as may be thought necessary, your Grace will be pleased so to dispose of the matter as to prevent a recurrence of similar acts on the part of this gentleman, and as in duty bound, your Petitioner will

EVER PRAY.

9 February 1877
Venkata Rao
Vakil

3.6.9 1877
18572

REVENUE DEPARTMENT.

G.O.

Read

No. 572 of 9 Feb 1877
Venkata Rao
Petition from the Agent & Vakil
of Shivaganga Zamindary

From

(Here enter No)

Dated

9 Feb 1877

FOR ORDERS.

This is a series of very grave imputations of scandalous misbehaviour, preferred agt. Mr. Nicholson, C.S. acting Head agt. at Ramnath in the Madura district - by a responsible person.

2. He states his belief that Mr. Nicholson will not deny the allegations -

3. (Submitted that) the Collector (Sh. G. G. G.) called upon, through the P.T., to procure Mr. Nicholson's explanation; and at the same time to state what notice he took of Pabis complaint to him; he appears to have advised Mr. Nicholson to

compromise the matter - a suggestion which is stated to have not only [added fuel to that young officer's inflammable disposition]

but disregarded but to have been followed by a fresh insult to the P.T. If however the P.T. desires to put Mr. Nicholson on his trial, the procedure is provided by Act 37/50. If Mr. N. denies the charges, a trial should certainly be held in view to the subsequent counsel

of the accuser for perjury.]

82-9-2-7.

To P.T. Rev. in original petn. on 10 Feb

He must have his explanation before us before we can decide. We do as proposed. The Secretary's Memo. 9/2

Not
yes let us hear
the other side
for 9/2

FOR ORDERS.

Charges against
Mr. Highston. C.S.

Circ.

Witness by His Grace

preps money
L.

C. 9 Feb 1877 R. 9.