M.R.O. 1—77,006—8-6-37.

(1) Number of pages 6.

(2) Date of repair 2-8-38

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 497 Press Mis.

46-47.

Dated 4-2 1875.

415

Not to be folded or roughly handled

Furlough Rules.

No. 46. Read the following letter from R. B. CHAPMAN, Esq., Secretary to the Government of India, Financial Department, to the Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Fort William, 12th February 1875, No. 928 :—

Leave and Allowances.

I am directed to acknowledge the receipt of your letter, No. 2103, of the 15th December, enclosing a despatch from the Government of Fort St. George to Her Majesty's Secretary of State for India, in which it is proposed, with reference to the case of Mr. Justice Holloway, of the High Court in Madras, that the rule which limits the aggregate furlough of a Judge of a High Court to two years and a half should be modified in favor of Civilian Judges.

2. In reply, I am desired to state that the despatch will be forwarded to the Secretary of State, but that His Excellency in Council regrets that he is unable to support the proposal—

First, because His Excellency in Council does not think that there are grounds for altering the furlough rules in regard to Civilian Judges, and

Secondly, because any privileges in regard to furlough which may be granted to Civilian Judges will have before long to be extended to their Barrister brethren.

3. At the same time the Governor-General in Council quite agrees with the Government of Madras in thinking it important that Mr. Justice Holloway's services should be retained.

4. Under these circumstances, I am to suggest to the Government of Fort St. George that the best course to adopt will be to accept Mr. Holloway's resignation, and in the vacancy thus caused to appoint an officer to act as Judge until Her Majesty's pleasure be known. It should then be explained to the Secretary of State that it is not desired to confirm the officer so appointed to act, but to reappoint Mr. Holloway on the expiration of his furlough.

Ordered that a copy of the foregoing correspondence be forwarded to the Home Department.

(By order, &c.)
(Signed) J. A. BOURDILLON,
Offg. Under Secy. to the Govt. of India.

No. 47. ORDER THEREON, 4th March 1875, No. 497.

Ordered that the following letter be despatched to the Right Honorable the Secretary of State for India.

(True Extract.)
W. HUDLESTON,
Chief Secretary.

Exd. J. Wright.

Govt. of Madras.

FINANCIAL.

Dated March 4th.

Recd.

G.O., 4th March 1875, No. 497.

MARCH.
Nos. 46-47.

Furlough Rules.—The Secretary of State addressed regarding the modification of these Rules as applicable to Civilian Judges of the High Court with reference to the case of Mr. Justice Holloway.

No. 928.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Leave and Allowances.

To

THE ACTING CHIEF SECRETARY TO THE GOVERNMENT OF FORT ST. GEORGE.

FORT WILLIAM, *the 12th February* 1875.

SIR,

I am directed to acknowledge the receipt of your letter No. 2103 of the 15th ultimo, enclosing a despatch from the Government of Fort St. George to Her Majesty's Secretary of State for India, in which it is proposed, with reference to the case of Mr. Justice Holloway, of the High Court in Madras, that the rule which limits the aggregate furlough of a Judge of a High Court to two years and a half should be modified in favor of Civilian Judges.

2. In reply I am desired to state that the despatch will be forwarded to the Secretary of State, but that His Excellency in Council regrets that he is unable to support the proposal—

First—Because His Excellency in Council does not think that there are grounds for altering the furlough rules in regard to Civilian Judges.

Secondly—Because any privileges in regard to furlough which may be granted to Civilian Judges will have before long to be extended to their barrister brethren.

3. At the same time the Governor General in Council quite agrees with the Government of Madras in thinking it important that Mr. Justice Holloway's services should be retained.

4. Under these circumstances, I am to suggest to the Government of Fort St. George that the best course to adopt will be to accept Mr. Holloway's resignation, and in the vacancy thus caused to appoint an officer to act as Judge until Her Majesty's pleasure be known. It should then be explained to the Secretary of State that it is not desired to confirm the officer so appointed to act, but to re-appoint Mr. Holloway on the expiration of his furlough.

I have the honor to be,

SIR,

Your most obedient Servant,

Secretary to the Government of India.

ORDERED, that a copy of the foregoing correspondence be forwarded to the Home Department.

By order, &c.,

J. A. BOURDILLON,

Offg. Under Secretary to the Government of India.

O. S. G. P.—No. 1027 C. F.—11-2-75.—50.

Judicial 1875 Department

From

His Excellency
the Governor
of India
in Council

Dated 12th
Rec'd 24th February 1875.

No 928.

No 537.
3 S.C.

Replying to the letter of the Madras Govt. proposing with reference to the case of Mr. Justice Holloway, that the rule which limits the aggregate furlough of a Judge of a High Court to 2½ years should be modified in favor of Civilian Judges. —

With order

Order thereon 4th March 1875. Mr. Grey.
Ordered that the following letter be
despatched to the Govt. of Madras the Secretary
of State for India. —

10/3/75

Govt. of 1875 Madras.

Financial

Furlough Rules

G. O., 4 March, 1875, No. 497.

Nos. 46. 7.

Furlough Rules. The Secy. of State addressed regarding the modification of these Rules as applicable to Civilian Judges of the High Court with reference to the case of M. Justice Holloway.