

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	990	Press
	58 57	Mis.
Dated	12 8	1837

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 11th August 1857.

No. 58. Read the following letter from F. LUSHINGTON, Esq., Civil Auditor; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 29th July 1857, No. 179.

Genl. Department.

SIR,

I have the honor to acknowledge the receipt, on the 1st Instant, of an Extract from the Minutes of Consultation, No. 732, in the Judicial Department, dated the 27th Ultimo, referring for my report, a letter to your address from Mr. Rohde, Inspector of Prisons, dated the 17th Idem: in which that officer adverting to his intention of applying for permission to visit England for three months on privilege leave, submits for the favorable consideration of Government, that advantage might be taken of his absence in England on that occasion by permitting him to be absent on duty for a month or two in addition to the period of his leave, to enable him to make himself acquainted with the details of matters relating to Prison arrangements and Prison discipline in England.

2. In reply, I beg to state, that Mr. Rohde having been thirty-three months "at his station," or on duty uninterrupted by absence on leave, is entitled to privilege leave for a period of three months; which is the utmost period of leave an officer can obtain under Section XII, of the Absentee Rules. Any further leave therefore which may be given to Mr. Rohde, must be viewed as a special case: and it will be for the Government to determine, whether the reasons set forth by that officer in his application are of sufficient cogency to warrant a departure from the prescribed rules, by complying with his request.

3. After a careful search through the records of my office for any case analagous to that now under report, the only instance I beg to observe in which I have been able to discover an officer absent on leave in England, was granted an extension of that leave on account of special duty, is that of Mr. W. H. Bayley, who, on the expiration of his furlough in England, obtained an extension of leave for six months; on the termination of which period, he was detained by the Honorable the Court of Directors in England, with a view to his affording any further evidence that he might be required to give in the proceedings then pending against Captain Douglas, late of this Presidency. Mr. Bayley may therefore be fairly considered to have been in the position of an officer placed temporarily on special duty, but it is obvious that his case differs in many respects from that of Mr. Rohde's, and it can hardly therefore be viewed as a precedent in the disposal of the present application.

4. A case somewhat more to the point perhaps is that of Lieut. Haig, Civil Engineer, Upper Godavery, to whom the Honorable Court have not only granted his full Civil and Military allowances during his deputation on special duty, but have also sanctioned his proceeding on this duty at the public expense.

(Signed) F. LUSHINGTON,
Civil Auditor.

No. 59. ORDER THEREON, No. 990; dated 10th August 1857.

Adverting to his intention of applying for permission to visit England for three months on privilege leave of absence, the Inspector of Prisons proposes that he may be allowed to remain there on duty one or two months longer, with a view to making himself acquainted with the details of matters relating to prison arrangements and discipline, as they obtain in England. The Right Honorable the Governor in Council does not feel himself competent to grant to Mr. Rohde the extra leave requested, and he resolves to solicit the pleasure of the Honorable the Court of Directors in regard to that Officer's proposal.

(Signed) E. MALTBY,
Acting Chief Secretary.

Exd. F. Cartledge.

For orders.

Mr. Rodde is entitled to
three months privilege
if you see fit to grant
it. But his further ex-
-pense. He is allowed to remain
a longer period in England
on duty & therefore drawing
his salary, can only, it seems
to me, be sanctioned by the
Court of Directors

Yrs

I enclose herewith a
copy of the report of the
Committee on the subject of
the proposed extension of the
term of office of the Directors

Judicial Department.

N^o. 990

Extract from the Minutes of Consultation

Dated 10th August 10, 1857.

Read the following again sent
from the Inspector of Prisons
dated 17th and recorded in 87.
Comm. 30th June 1857.

Read the following letter
from the Civil Auditor
(Here enters 29th July 57 No 179)

Addressing to his situation
of applying for permission to
visit England for three months
on privilege leave of absence,
the Inspector of Prisons ~~states~~
prisoners that he ~~may~~
be allowed to remain there
on duty one or two months
longer with a view to making
himself

of the Empire of China
Mar 19 of 1857

See also p. 11. and was
fractured 1857. Document

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Edward Mins. Cons.

Dated 17th September 1951.

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Printed at the Government Press.

himself acquainted with the details of matters relating to Prison arrangements and discipline as they obtain in England. The Right Hon^{ble} the Governor in Council does not feel himself compelled to grant to the Hon^{ble} the Pleas^{er} the request and he resolves to submit the pleasure of the Hon^{ble} the Court of Directors in regard to their application for a passport.

He

Copy to Inspector of Prisons. Dec 9 12th