

C.F. New No. 20, Old No. 67. 23-12-58. 808,842

MADRAS RECORD OFFICE.

Government of Madras.

Internal DEPARTMENT

G.O. No. 2116

Press
Mis.

251-253

Dated _____

$$\frac{10}{11}$$

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
23rd December 1862.*

Read the following papers ;—

No. 251. MINUTE by His Excellency the PRESIDENT, dated 22nd December 1862.

With reference to the proposal to appoint Mr. Holloway to act as Puisne Judge of the High Court in place of Mr. Phillips, to whom leave has been granted for three months, I think it right to state my reasons for selecting the junior on the list of those members of the Covenanted Civil Service who are eligible for the office.

The office of Judge of the Supreme Court in the Presidency must, at all times, be a very important one, but it is especially so at the present juncture, when, for the first time, men who have received a special legal training as Barristers are associated with Covenanted Civilians as Judges of the same Court; this Court being the High Court of Appeal and one to which is entrusted the responsibility of supervising the proceedings of the subordinate tribunals. The Chief Justice has been but a short time in India, and must necessarily be comparatively new to the system in operation in the local Courts of the Presidency. Great changes have already been made in the Judicial system of the country, and others are impending. Within the last few weeks a Bill has been sent down for the consideration of this Government by the Government of India which, if passed, would effect a radical change in the up country Courts. Under such circumstances it is more than ever desirable that the Civilian Judges of this High Court should be the very ablest men in that branch of the service; and it is on the ground of Mr. Holloway's superior ability and legal knowledge that I have recommended his appointment. From the date of my arrival in the Presidency, up to the present time, Mr. Holloway's name has always been brought before me in terms of high commendation; his general ability and his knowledge of law seem to be admitted by every one. From the enquiries which I made, when I heard of the proposed retirement of Mr. Strange, I found that the three junior Judges, Mr. Innes, Mr. Collett and Mr. Holloway were considered to be the ablest among the Judicial Members of the Covenanted Service. Mr. Collett is not yet eligible for a seat in the bench, and believing Mr. Holloway to be both in respect of legal attainments and in natural mental powers superior to Mr. Innes, I have no hesitation in recommending him to the vacancy on the bench caused by the departure of Mr. Phillips.

(Signed) W. T. DENISON.

No. 252 MINUTE BY THE HONORABLE T. PYCROFT, dated 23rd December 1862.

I should have contented myself with expressing my entire concurrence in the remarks made by His Excellency the President in the above Minute, in relation to his proposed appointment of Mr. Holloway to act as a Puisne Judge of the High Court were it not that my official position for several years past has enabled me to mention some particulars in connection with Mr. Holloway's judicial career, and in support of his appointment, of which the President has forborne to speak, probably because they did not fall within his personal knowledge. During the whole time that I was in the Government Secretariat, or for more than twelve years, I had charge of the Judicial Department, and had thereby the opportunity of watching Mr. Holloway's course of service as a Judicial Officer, and of knowing the regard in which he is held in that capacity by all, both in the service and out of it, who are best qualified to judge of his merits. Mr. Holloway has devoted himself to legal studies ever since his first arrival in the country, and there are probably few men in India more thoroughly versed in those branches of law which are necessary for Indian Judges. I should observe that, although Mr. Holloway be low in the Civil List, he has served as a Judicial Officer, first as a Subordinate Judge, and latterly as a Civil and Sessions Judge for nearly eight years. He had been previously employed for a short time in the Registrar's Office of the late Sudr Court; and in 1859 as Secretary to the Judicial Commission appointed by Sir C. Trevelyan, he won the respect of the members, both Barristers and Civilians, by his sound legal knowledge and general ability. Sir C. Trevelyan had a high opinion of him, as had Mr. Morehead, and the former would have confirmed him as Zillah Judge of Tellicherry in April 1860, but for the consideration, mainly I believe of my suggesting, that there were so many of his seniors awaiting promotion:

*Proceedings of the Madras Government, Judicial Department,
23rd December 1862.*

I would add that I deem it to be of great importance that the vacancy now about to take place, which on Mr. Strange's departure will become permanent, should be filled from the ranks of the Covenanted Civil Service. Both the Judges of the late Supreme Court are comparatively new, the one to the country, and both to the judicial system of India. It is consequently by no means advisable that a third Barrister Judge, still more destitute of local experience should be sent out from England; and at the local bar, there is no one, as far as I can learn, at all superior, if indeed equal to Mr. Holloway, in general capacity and in special attainments.

23rd December 1862.

(Signed) T. PYCROFT.

No. 253.

ORDER THEREON, 23rd December 1862, No. 2,116.

Ordered that copies of the Minutes recorded above be forwarded to the Right Honorable the Secretary of State.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

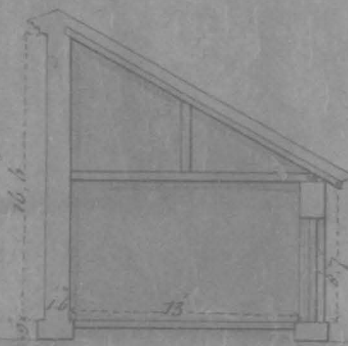
Plan of the Fort of Cannanore



Elevation of Gateway.



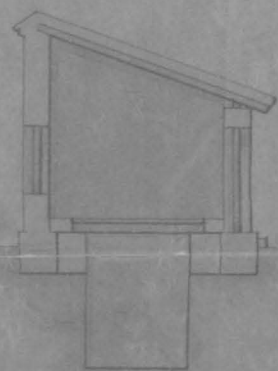
Section at C.D.



Section at A.B.



Section at E.F.



Scale to Plan.



Scale to Elevation & Sections.



Cannanore.
29th November 1852.

True copy.
Signed P. W. Boswell
Executive.
Robert James

Enclosure of the ship
of dark letter of
the 19th Nov 1862. No 677

Minutes

with reference to the proposed
to appoint Mr. Stollaway
to act as Justice Judge of
the High Court in place
of Mr. Phillips, whose
leave has been granted
for three months. I thought
ought to state my
reasons for selecting
the junior in the list
of those members of the
Covenantal Civil Service
who are eligible for the
office.

W

The office of Judge of the
Supreme Court in
the Presidency must
at all times be a very
important one, but
is especially so at
the present juncture
when for the first time
Ministers men who
have received a special
legal training as
Ministers are as-
sociated with Covenantal
Civilian as Judges

The same Court. The
Court being the high
Court of appeal and
in fact is virtually
the responsibility of
superiority the proceedings
of the judicial tribunals.
The Chief Justice has
been a short time
in India & much
necessity be com-
paratively new to
the system in opera-
-ration in the local
courts. The Presidency
great changes have
already been made
in the judicial system
and there are in-
-pendent, within
the last few weeks
a Bill has been
sent down for the
consideration of the
Govt by the Govt of
India & it is
passed. would
effect a radical change

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in the up country courts.
Under such circumstances
it is more than ever
desirable that the
Civilian judges of the
High Court should be
the very ablest men
in that branch of the
service, and it is
the proud of Mr
Holloway's superior
ability & legal know-
ledge that I have
recommended his
appointment.
From the date of my
arrival in the Presi-
-dency up to the
present time Mr
Holloway's name has
always been brought
before me in terms
of high commendation.
His general ability &
his knowledge of law
seem to be admitted
by every one. From
the enquiries which
I made when I heard

The proposed reliever,
 J. H. Strang, I found
 that the three ~~junior~~
 junior judges Mr. Jones
 Mr. Collet and Mr. Hollway
 were considered to be
 the ablest among the
 judicial members of
 the Government Service.
 Mr. Collet is not yet eligible for a seat on the Bench &
 relieving Mr. Hollway
 to be both in respect
 of legal attainments
 & in natural man-
 dat power superior
 to Mr. Jones & have
 no hesitation in
 recommending him
 to this vacancy on the
 Bench caused by the
 departure of Mr. Phillips.



22 Dec/62

Minute

I should have contacted myself with expressing my entire concurrence in the remarks made by H & H President in ^{the} above his note, in relation to his proposed appointment of Mr Holloway to act as a Justice Judge of the High Court, were it not that my official position for several years past has enabled me to mention some particulars in connection with Mr Holloway's Judicial Career and in support of his appointment, of which H President has professed to speak, probably because they did not fall within

W

Jan 28 1862 Report

Minute by the Senate, the President

Dec 22 1862

1862

Relation to the
 appointment of Mr
 Holloway as Judge
 of the High Court

Jan 28 1862
 Dec 22 1862

his personal knowledge -
During the whole time that
I was in the Government
Secretariat or for more
than twelve years I had
charge of the Judicial
Department, and had
then by the opportunity
of watching Mr. Halloway's
conduct of business
as a Judicial Officer,
and of knowing the
regard in which he is
held in that capacity
by all both in the Service
and out of it who
are best qualified to
judge of his merits. Mr.
Halloway has devoted his
self to legal studies ever
since his first arrival
in the Country and there
are probably few men
in India more thoroughly
versed in those branches
of Law which are neces-
sary for Indian Judges.

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I should observe that,
although Mr. Halloway be
low in the Civil List, he
has served as a Judi-
-cial Officer first as a
Subordinate Judge &
later as a Civil & Ses-
-sions Judge for nearly
eight years. He has
been previously employ-
-ed for a short time in
the Legislative Office of
the late Sudder Court; and
in 1854 as Secretary to
the Judicial Commis-
-sion appointed by Sir
C. Trevelyan. He won the
respect of the members
both Barristers & Citi-
-zens and by his sound
legal knowledge and
general ability. Sir C.
Trevelyan had a high
opinion of him - as
had Mr. Macleod -
and the former would
have confirmed him
as a Judge of the
-chamber in April 1860.

but for the consideration,
mainly I believe of my
superior, that there were
so many of his decisions
awaiting promulgation —

I would add that I
deem it to be of great im-
portance that the vacancy
now about to take place,
which on Mr. Stanger's
departure will become
permanent, should be
filled from the ranks of
the Government Civil Ser-
vice — Both the Judges of
the State Supreme Court
are comparatively new,
from the County and
both the judicial system
of Justice. It is consequently
by no means advis-
able that a third Justice
in Judge, while in our dis-
cuss of local experience
should be sent out from
England — and at the
same time, there is no
one, as far as I can learn,
at all superior or indeed
equal to Mr. Holloway either
in general capacity or

W. H. H.

23 Dec - 1862

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Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following Minutes

By His Excellency the Governor — Here enters 22^d Dec/62
" The Honble J. Pycroft — " — 23^d do —

Order thereon 23^d Decr 1862 No 2116

Ordered that ^{copy} of
the Minutes recorded above be
forwarded to the Right Honble
the Secretary of State.

L/h

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Judicial Department
22^d Decr 1862.

22^d Decr 1862

Minute by the
Honble J. Pycroft

At 23^d Decr 1862

No 2866

Relative to the
appointment of a Judge
to the High Court

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Printed by the
Gov. 22-22 of 1862.

Pro. deer

Chattel 1862. Department.

No. 2116

PROCEEDINGS OF GOVERNMENT.

Dated 23rd Decr/62

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