M.R.O. 1—89,000—18-10-22.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1153 Press Mis.

321-327

Dated 29-7- 1886.

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(Signed) FF,

From sq., Civil and Session Judge P. P. HUTCHINS, Esq.,
the High Court of Judicature, Madras, dated Bellary,
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Proceedings of Government, dated 29th July 1864, No. 1153.

It having been brought to the notice of Government that Mr. John Ratliff, Civil and Sessions Judge of Bellary, was absent from his station without lea days in the month of April last, the Governor in Council directs that Mr. Ratliff's entire salary for that period be retrenched.

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

Exd, T. O'Connor.

1864

[redacted]

[redacted]

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read again the following
from Vanaja Road
of 16 recorded
Proc: of 26 Jan. No. 505—

Letter from
of the 16th
Proceedings of the 1st
Appellate Court

Order thereon. 29th Feb. No. 115

Foregoing correspondence originated on a telegram addressed to Govt. by an inhabitant of Bellary, complaining of the frequent affrays

absence of the Circuit and Sessions Judge, Mr John Ratliff, from his station which was forwarded to the Judges of the High Court for such notice as they might deem proper. —

2. It appears that Mr Ratliff left his ~~station~~ Bellary for Ramanorroy on the 9th April in the afternoon (how long after the hour of noon is not stated) and returned to Bellary half an hour before noon on Tuesday the 11th April. Thus, excluding Sundays and the days of his departure and return, which last however between them probably made up one day more, he was absent seven full days. He made no report of his absence on his return, and after remaining in Bellary one days started again on Saturday the 23rd April in the afternoon for Ramanorroy and returned to Bellary on Monday the 25th at 11-30 A.M. His absence on this second occasion was for three clear working days. Three days afterwards the Court closed for the annual vacation.

3. On his second return on the 28th April, Mr Ratliff reported to the High Court his two absences, but in terms so general that the Judges deemed it necessary to call upon him for further explanation.

The

Judges had been previously furnished with the telegram above referred to which was despatched from Bellary and received by Govt during Mr Ratliffs second absence. Mr Ratliff states that when on the 28th April he reported his two absences to the High Court, he was wholly unaware of any such telegram having been despatched. The rule under which Mr Ratliff professes to have absented himself on those occasions is that contained in the Order of Govt of the 16th Novr 1841 to the effect that "on occasions of holidays, or otherwise when a Judicial officer can be absent from his

his station without impediment to the performance of his du he may be absent for a period not exceeding five days, but on such occasions he shall report the circumstance to the Sudder Adalut, which Court shall check any immoderate use of such indulgence."

same Order declares that any Judge absent from his Court Station without leave for more than five days shall be liable not only to the loss of his allowances during his absence, but to the loss of his appointment.

4. The High Court considers Mr Ratliff's explanation to be very unsatisfactory. His

letter

letter of the 6th ultimo is mainly taken up with abuse of the person from whom the telegram emanated - He does not attempt to explain his having, on his first absence, taken seven clear work-days instead of a period not exceeding five days. His excuse for not having reported his first absence immediately on his return is, that he meant to go away again immediately and to report both absences together; but this explanation, as the High Court observes, is irreconcileable with the statement made in his letter of the 28 ultimo that the second absence was the result of "unforeseen and special circumstances."

The

5. The Governor in Council considers Mr Ratliff's conduct in this matter to have been most discreditable. He must have been perfectly well aware that the Order of the 16 Nov 1841 had in view only occasional absences in holiday time and when no public inconvenience could arise from the absence of the Judge - such a proceeding as a Judge absenting himself for two periods with an interval of only three days, and both within the space of less than twenty days, was never contemplated. Mr Ratliff says that he left no business behind him which he could possibly have done, but he must ~~perfectly well~~ have known that

that the days so closely
pree - the adjourn-
ment at his Court were
just the days on which
business was likely to
come in and on which
it was the obvious duty
of the Judge to be present.
The general tenor of the
letters which Mr. Radliff
has addressed to the
High Court and to the
Govt is objectionable
in the extreme. Filled
as they are with abuse
of the person who brought
his conduct under the
notice of the Govt, and
with [redacted] excuses for his
neglect to report his first
absence, which the Governor
in Council cannot but
regard as ~~unsatisfying~~ sinister and
disingenuous, these
letters raise serious
questions as to Mr
Radliff's moral fitness
for the duties of a Judge.

On

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On the present occasion the
Governor in Council
will abstain from in-
flicting on Mr Radliff
a more severe punish-
ment than his removal
to another Zilla and
the forfeiture of his entire
salary for the period
of his two absences, viz.,
nine days. Mr Radliff
will be transferred to
the Judgeship of the
Zilla of Nuwara and
will proceed to Nuwara
with as little delay as
possible. He will dis-
tinctly understand that
any repetition of similar
misconduct on his
part will be followed
by his immediate re-
moval from ~~the Bench~~ office.

To the Civil & Sessions Judge
of Kellany.

Copies to the Judges of the
High Court.

Dept 29/7.

523 of 525

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'ca/1864. Department.

No. 1152

PROCEEDINGS of GOVERNMENT.

Dated 29 July 1864.

174

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Order thereon dated 29th July 1864 No. 115

It having been brought to the notice of Govt that Mr. John Ratliff, Civil and Sessions Judge of Bellary, was absent from his station without leave for nine days in the month of April last, the Governor in Council directs that Mr. Ratliff's entire salary for that period be retrenched.

To the Civil Paymaster. Dept 29/7
" Civil & Sessions Judge of Bellary.
" Four the Registrar of the High Court

Judicial 1864. Department.

No. 1153.

PROCEEDINGS *of* GOVERNMEN

Dated 29 July 1864

Rec'd from City 29th