M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1835 Press ~~Mis.~~

227-229
Dated 20-12-~~19~~ 1864

4/5

Not to be folded or roughly handled

Read the following papers:—

No. 227. From R. W. LODWICK, Esq., Civil Paymaster, Fort Saint George, to the Chief Secretary to Government, Fort Saint George, dated Madras, 15th December 1864, No. 206.

I have the honor, with reference to Government Order, No. 1764, dated 7th instant, to report that I have discovered that Mr. Brooks was absent from his duties in the High Court from 15th May 1863 to 25th April 1864, upon leave granted to him as intimated to this Department in a letter from the Registrar, dated 22nd May 1863, during which time the whole of his salaries were drawn by the gentlemen who performed his duties. I feel doubtful, therefore, whether his personal allowance, with reference to the rule which declares that such allowances are, like salary, liable to deduction during absence, can be passed to him from 1st June 1863 to 25th April 1864. I have, therefore, withheld it for that period, and beg to be favored with the orders of Government on the subject.

Vide G. O., 19th August 1862, "Fort Saint George Gazette," page 274.

No. 228. From R. W. LODWICK, Esq., Civil Paymaster, Fort Saint George, to the Chief Secretary to Government, Fort Saint George, dated Madras, 19th December 1864, No. 210.

Presidency Department.

I have the honor, at the request of Mr. Brooks, to enclose copy of a letter* from that gentleman, on the subject of his personal allowance, in regard to the payment of which from 1st June 1863 to 25th April 1864, I solicited orders in my letter, No. 206 of the 15th instant.

Dated 16th December 1864.

From B. BROOKS, Esq., to R. W. LODWICK, Esq., Civil Paymaster, dated Madras, 16th December 1864.

I beg to address you with reference to an endorsement, dated 15th instant, made by you upon a money abstract for Rupees 3600, sent by me to you on the 1st instant, and returned to me yesterday evening.

2. I must beg leave respectfully to express my surprise at the objection now taken by you, and that after the very clear and explicit order Government has passed, with reference to the period from which I am entitled to draw this "*personal allowance*," in the nature of compensation, you should deem it necessary to make a second reference to Government almost upon the same point as the first, Government, by the Order dated 7th December 1864, No. 1764, on your own application, having authorized the drawing from the 1st June 1863.

3. The "personal allowance" in question, sanctioned by the Secretary of State for India, has not been awarded to me in the nature of *salary*, but as compensation for the very great loss I am subject to by deprivation of appointments, and is in no way affected by my absence on leave on medical certificate. Similar cases to mine of officers of the late Supreme Court being compensated and drawing that compensation while on leave, are not wanting, and they are Mr. Teed's case, the late Master; Mr. Serle's case, the late Registrar; and Mr. Orme's case, the late Examiner. This latter gentleman has retired from office for many years, and is in receipt of his compensation.

Proceedings of the Madras Government, Judicial Department,
20th December 1864.

3. In conclusion, I have to solicit that you will be pleased, with the reference you purpose submitting to Government, also to forward this explanation of the special circumstances, should you, now that you know them, deem further reference necessary.

(True Copy.)

(Signed) W. DONALD,
Chief Assistant, Civil Paymaster.

No. 229. ORDER THEREON, 20th December 1864, No. 1835.

Under all the circumstances of Mr. Brooks' case, the Governor in Council resolves to direct that the full amount of the personal allowance which has been granted to him by the Secretary of State be paid to him from the 1st June 1863, the date on which the revision of the High Court establishment took effect.

(True Extract)

Chief Secretary.

To the Civil Paymaster.
" Honorable the Judges of the High Court.
To B. Brooks, Esq.

Exd. J. Wright.

Jud. C Department. Pros. 20. 12. 64 / 7. 12. 64

PROCEEDINGS of the MADRAS GOVERNMENT

Read the following letter from the Civil Paymaster.

(Here enter 18th & 19th Dec. Nos. 200 and 210.)

Order thereon 20 December 1864 No. 1835.

Under all the circumstances of Mr. Brooks' case, the Governor in Council resolves to direct that the full amount of the personal allowance which has been granted to him by the Secretary of State be paid to him from the

the 1st June 1863 the date
on which the revision of
the High Court Establishment
took effect

to the Clerk Paymaster
— Wm Noble the Judges of the } days 24/12
High Court
3 — B. Brooke Esqre — 3
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Judicial 1864. Department.

No. 835

PROCEEDINGS of GOVERNMENT.

Feb 59167

Dated 20 Dec 64

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