

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	580	Press
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256-257		
Dated	23-4-	1864

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Not to be folded or roughly handled

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Proceedings of the Madras Government, Judicial Department,

23rd April 1864.

No. 256. Read the following letter from M. J. WALHOUSE, Esq., Civil and Sessions Judge of Mangalore; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Mangalore, 15th April 1864, No. 106.

I have the honor to submit copy of an Official Memorandum* received from the Civil Paymaster, and to request the Government will be pleased to take the matter into their favorable consideration.

* 7th April 1864, No. 43, objecting to pass Mr. Walhouse's pay for the time he remained out of charge.

2. I arrived at Mangalore on Sunday the 13th ultimo, and on the same day the telegram noted in the margin was received from you.

Government Telegram Department...Office Monthly No. 2.
Received the 11th of March 1864, at Words charged Rs. 4s. 6d.
—hours.

From Madras..... To Mangalore through
Meroara.

From Chief Secretary..... To J. G. Thompson, Esq.,
Acting Civil and Sessions Judge.

Words 10 S. P.

The Government wish you to retain charge of the Civil and Sessions Court, until you have finished the Forgery case now under trial. Please tell Walhouse, 11th.

Received 18th March 1864, 4 1/2 P. M.

(Signed) J. G. T.

Sender's Signature. (Signed) R. Lowry,
Assistant in charge, G. T. O. Meroara.

3. On forwarding the Pay bill of the Court establishment at the beginning of this month, Mr. Thompson explained the circumstances and annexed the telegram received from you, pointing out that both he and I would be entitled to our pay. With respect to the Civil Paymaster's Memorandum, I beg to observe that I cannot think it could have been the intention of Government that, through obeying their orders, I should be held not entitled to pay as Judge during the time Mr. Thompson continued in charge of the Court.

4. I have therefore the honor to request that the Government, in the special circumstances of the case, will be good enough to instruct the Civil Paymaster to pass my Pay bill for last month, and also for the days in the present month that I continued out of charge, when the bill for this month is submitted. As Mr. Lodwick did not see fit to save time by making a reference himself, I venture to enclose a Pay bill, and respectfully request it may be forwarded direct to him to be passed and returned to me.

No. 42.

OFFICIAL MEMORANDUM.

Your letter dated 1st instant.

2. It is contrary to rules to pass officiating allowances to an officer after the permanent incumbent has assumed charge, and therefore this office cannot pass deputation to Mr. Thompson and pay to Mr. Walhouse at the same time if Mr. Walhouse is to be understood to be the head of the Court from the 14th ultimo. It would seem, however, that the intention of Government has been misunderstood for in ordering Mr. Thompson to continue in charge it is presumed that they intended him to receive his allowances up to such time as he continued in charge of the Court, Mr. Walhouse being held not to be entitled to pay as Judge during that time. Accordingly Mr. Thompson's deputation has been passed, and Mr. Walhouse's pay deducted; and if this course be objected to, a reference to Government should be made without delay.

FORT SAINT GEORGE,

CIVIL PAYMASTER'S OFFICE,

7th April 1864.

(Signed) R. W. LODWICK,

Civil Paymaster.

To J. G. Thompson, Esq., Officiating Civil Judge, Mangalore.

(True Copy.)

(Signed) M. J. WALHOUSE,
Civil and Sessions Judge.

Proceedings of the Madras Government, Judicial Department,
23rd April 1864.

No. 257.

ORDER THREEON, 23rd April 1864, No. 580.

Mr. Thompson having been directed, for special reasons, to retain charge of the Civil and Sessions Court of Mangalore after Mr. Walhouse's arrival, in order that he might complete the trial of an important criminal case pending before him; the Governor in Council directs that, as a special case, the Civil Paymaster will pass to Mr. Walhouse the full salary of his appointment as Civil and Sessions Judge from the date of his arrival at Mangalore.

2. This order will not effect Mr. Thompson's claim to the prescribed deputation allowance for the period for which he continued to act as Civil and Sessions Judge after Mr. Walhouse's arrival,

(True Extract.)

Chief Secretary.

To M. J. Walhouse, Esq., Civil and Sessions Judge of Mangalore.
„ J. G. Thompson, Esq., Acting Collector and Magistrate of South Canara.
To the Civil Paymaster.

Edw. J. Tulloch.

Her Majesty's Government of India

Date of
appointment.

10th April 1863.

To my salary as Civil and Sessions
Judge of Mangalore for the
Month of March 1864

Amount.

Rs. 2333. 5. 4.

Civil & Sessions Court
Mangalore.
13th April 1864.

Rupees two thousand, three hundred and
thirty three, annas five & pie four.

M. J. Walhouse
Civil & Sessions Judge

Deductions

Civil Fund @ 4 per Cent 93. 5. 4
Income Tax @ 2 „ 42. 12. 0
„ „ @ 1 „ 22. 6. 0

Rupees 158. 7. 4

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the
Civil and Sessions Judge of Mangalore
(Recd. under 13th April 1864 No.)
Order thereon 23rd April 1864. No. 580.

Mr. Thompson having
been directed, for special
reasons, to retain charge
of the Civil and Sessions
Court of Mangalore after
Mr. Wathorne's arrival, in
order that he might com-
plete the trial of an
important criminal case
pending before him; the
Governor in Council
directs that, as a special
case, the Civil Paymaster
will pass to Mr. Wathorne
The

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Enclosure II.

In a letter from the
Civil and Sessions Judge of Mangalore
to the Chief Secretary
dated 13th April 1864

No. 414

Copy bill of the
Civil and Sessions Judge
for March 1864

20/4/64
20/7/11

the full salary of his
appointment as Civil and
Sessions Judge from the
date of his arrival at
Mangalore.

2. This order will not
affect Mr. Thompson's
claim to the prescribed
deputation allowance for
the period for which he
continued to act as Civil
and Sessions Judge after
Mr. Mathew's arrival.

W/K

To M. J. Mathew, Esq., Civil &
Sessions Judge of Mangalore }
J. G. Thompson, Esq., } despatch 25/4
The Civil Paymaster

Admiral 1864. Department.

No. 536

PROCEEDINGS OF GOVERNMENT,

Dated 25 April 1864.

28.89