

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>764</i>	Press <i>Mrs.</i>
<i>86-91</i>	
Dated <i>12. 6. 1881</i>	<i>19</i>

*10/10*Not to be folded or roughly handled

No. 86. Read the following papers:—

To the Honorable Sir WILLIAM THOMAS DENISON, K.C.B., Governor in Council, Fort Saint George.

The humble Petition of SREE SREE SREE CROOSTNA CHENDRA DEO, Maharauze, the present Pedda Doogarauze, and late Mudhea Doogarauze, second son of the late Zemindar of Jeypoor in the District of Vizagapatam.

SHEWETH,

1. That the family of Jeypoor to which your Memorialist has the honor of owing his birth, is as ancient as any in the world, and that his ancestors, previous to the establishment of the British dominion, possessed a Principality 250 miles in length, and 150 in breadth, lying between the ancient States of Nagpore, Cuttack, Ganjam, Vizagapatam, and Rajahmundry.

2. On the introduction of the Permanent Settlement, Jeypoor in common with other Independent Principalities, was reduced to the level of a Zemindaree, but as a token of recognition of their importance and fidelity, the ancestors of your Memorialist were permitted to retain certain administrative functions conceded to very few Zemindars.

3. Owing to its remote position, the difficulty of access, and its reputed unhealthiness, Jeypoor is not so well known to Europeans as other Zemindarees in the immediate vicinity of Mofussil Stations, and on that account may not have been deemed of so great consequence as Zemindarees of less pretension, but notwithstanding, the family is no less ancient, important, and of pure descent than that of any existing Zemindar.

4. Proud of their birth and former power, the ancestors of your Memorialist, as well as the members of his family, have ever maintained their dignity and ancient privileges when receiving or visiting Native Noblemen of equal or inferior rank.

5. These allusions to the dignity and importance of the family are not made from ideas of questionable pride, but are introduced as a necessary prelude to enable your Excellency the better to understand the feelings which prompted your Memorialist to avoid yielding to the wishes of your Agent at Vizagapatam, in a matter humiliating to those feelings; especially as he believes that his remonstrances in endeavoring to avoid what he considered a mortifying position, originally created a prejudice in the Agent against him, and induced that functionary subsequently to treat your Memorialist with an indignity, rarely exhibited except towards offenders against the Laws, or Traitors against the State.

6. The father of your Memorialist Sree Sree Sree Vecrama Deo Maharauze, late Zemindar of Jeypoor, having had no issue by his first wife, married the mother of your Memorialist, and, on his marriage executed a document in favor of her father, covenanting to place her and her issue male, in every respect, on terms of equality with his first wife, and her issue male; to bestow upon her certain villages in the Talook of Goonooipoor, for her private expenses; and, on his death, to divide his Zemindaree between the male issue of both wives.

7. Subsequent to this second marriage, the first wife was delivered of your Memorialist's elder brother; two years after your Memorialist was born; and three years after the first wife

Named respectively—1st, Ramachendra Deo, Maharauze.

2nd, Croostna Chendra Deo, Maharauze.

3rd, Vishwambarra Deo, Maharauze.

was again delivered of another son, your Memorialist's younger brother. Your Memorialist's brothers and himself had, in the order of their birth, the titles of, 1st, Pedda Doogarauze; 2nd, Mudhea Doogarauze, and 3rd, Chinna Doogarauze, conferred upon them by their father.

8. The father of your Memorialist in accordance with his covenant placed and treated his two wives and their issue male on terms of perfect equality, and before he became incapacitated for business, recognized your Memorialist and his elder brother, as joint Heirs to his Estate.

9. No good-will ever existed towards your Memorialist's mother on the part of his father's first wife, who succeeded in instilling her sentiments against his mother and her issue into the mind of her elder son, who, from a very early age, exhibited symptoms of animosity towards your Memorialist and his mother.

10. Unfortunately, being unable to read or write, having become deaf, imbecile and child-like,* and being surrounded by evil counsellors who exercised the influence they acquired over him for the furtherance of their own

sinister views, the father of your Memorialist was, for some years previous to his death, unequal to the management of his affairs, and unable to exercise any efficient control over his household or his Zemindaree. His father's evil counsellors having likewise ingratiated themselves into the good will of his elder brother, by pandering to his vices, he also became equally subjected to their influence. Such a state of things produced the result which might be expected. Law and Justice were set at defiance, crime was committed with impunity, and the evil disposed were encouraged to disturb the public peace. Owing to some disagreement with his father, your Memorialist's elder brother placed himself at the head of a large body of men, and kept the Zemindaree in a state of continual ferment for the

† *Vis.* 1848 to 1850.

Vide Mr. Smollett's Report to Government.

space of three years.† Your Memorialist and his mother having reason to fear that their lives were not safe at Jyepoor, and his father, the Zemindar, being unable to render them effectual protection, they were obliged to proceed to Goonooipoor for refuge, and have lived there ever since, from an apprehension that they would be exposed to danger were they to return to Jyepoor.

11. Circumstances compel your Memorialist to contrast his own conduct with that of his brother. While at Goonooipoor, your Memorialist had an opportunity (which he trusts will receive due consideration in connection with the subject of the present address) of proving his allegiance and fidelity to the State. The notorious Dundoo Shainoo in 1855 and 1856 raised an insurrection in the neighbouring Province of Kimeddy, committed great ravages, occasioned great loss of life, put the Government to immense expense, and for a long time, successfully eluded the search of the Troops sent to seize him and quell the insurrection. Through means of your Memorialist he was apprehended and delivered up to the authorities, and his capture enabled them

† *Vide Enclosure O and Mr. Thornhill's Report in 1859 on the claims of your Memorialist.*

to restore peace to the District. For this service, Government were pleased to instruct their Agent‡ to transmit their approbation to your Memorialist, and subsequently in consideration thereof, and the favorable report made of your Memorialist, sanctioned an increase to his monthly allowance.

12. Your Memorialist's father having died on the 10th August 1860, your Memorialist, with reference to the 3rd Clause of the 13th Section of the Agency Rules, urged upon the Government his claim to the succession, on the ground that he was better fitted, both by education and his antecedents, to succeed as the Chieftain of a rude uncivilized peasantry than his elder brother, who, by his ignorance and antecedents, had proved his disqualification to be entrusted with so important a charge. At the same time your Memorialist urged his claim to the division covenanted to be made by his father, but as these points are not directly involved in the subject of this address, he need not at present dwell upon them at greater length.

13. It cannot, however, escape your Excellency, that the very fact of his having advanced these claims, though in a perfectly legitimate manner, must have rendered your Memorialist the more obnoxious to his elder brother, (whose pretensions were supported by the Agent), and added to the enmity he always bore him.

14. Your Memorialist therefore naturally felt suspicious on receiving on the 19th September and 8th November last, letters§ and messages from his brother inviting him to Jyepoor for the purpose of amicably arranging their respective claims. Nevertheless, being desirous of meeting his advances in a

§ *Vide enclosures A, B, C.*

becoming spirit, if in reality they were sincere, he resolved to accept the invitation, but to guard against treachery, he thought it prudent to apprise your Agent of the intended visit, and accordingly when setting out addressed the Agent, on the 19th November, intimating the invitation and its acceptance.

15. The circumstances which subsequently arose out of this invitation and its acceptance are the cause of your Memorialist troubling your Excellency with his complaints against the proceedings of the Agent, and justify the conclusion, that so far from his brother being desirous of amicably arranging matters, when giving the invitation, he was influenced by a desire not only to place your Memorialist in a false position, hurtful and mortifying to his feelings, but also to involve him in unpleasant discussions with the Agent, during the progress of which he has dexterously managed to insinuate suspicions to the detriment of your Memorialist, and to his insinuations and those of his counsellors, your Memorialist in part attributes the indignities to which he has been subjected by the Agent.

16. Having met his brother on his way to Jyepoor, your Memorialist, at his request, accompanied him to Vizianagrum, and on the 20th December occupied the tents pitched for his brother's accommodation by the Zemindar of that place, on the express understanding entered into with his brother, that should your Memorialist meet the Zemindar of Vizianagrum, the meeting, as on a former occasion, should take place on terms of perfect equality, without any acknowledgment of superiority on the one side, or admission of inferiority on the other. It was only after this understanding was arrived at, that your Memorialist was induced to occupy the tents, and the reason of its being insisted on will be apparent on reference to paras. 1 to 5. The ignorance of a European unacquainted with Native customs and prejudices may excuse his attaching no importance to them; but the experience of Officers acquainted with the language, social customs, prejudices, feelings, and sentiments of Natives of birth and rank, will inform your Excellency, that in Native estimation, more especially in the estimation of Natives living in accordance with their primitive manners, the regulation of the ceremony of visits among Native gentlemen of rank and birth is deemed of the first importance. They may yield when visiting Europeans; but cannot, without self-humiliation and degradation in the eyes of the Native Public, yield an iota of respect when visiting Natives of equal or inferior rank.

17. The next day a visit having been arranged between the Zemindar of Vizianagrum and your Memorialist's elder brother, it was agreed on their part that they should occupy the Musnud or Superior Seat, and that your Memorialist, an adult, should occupy the Fursh or Inferior Seat, in company with children, namely, his younger brother and the Vizianagrum Zemindar's sons.

18. When this arrangement was made known to your Memorialist, he declined to accompany his brother, because he considered the arrangement a studied insult, wanting in courtesy, and a departure from the usage of his family on such occasions.

19. On the 27th December, Mr. Fane the Agent, having called on his brother, asked your Memorialist why he had not accompanied him in his visit to the Zemindar of Vizianagrum. Your Memorialist explained his reasons. After that gentleman's departure, his brother proceeded to Mr. Fane's quarters, and shortly after, Mr. Fane's Juvabnevis waited on your Memorialist with a message from the Agent, desiring him to visit the Vizianagrum Zemindar in the mode above arranged. Your Memorialist declined, and the same day received a letter from the Agent desiring him to wait on the Zemindar, and in the event of refusal, to remain at Vizianagrum till your Memorialist heard from him again.

20. The Agent likewise, on the same day, issued an Order* to his Jemadar, commanding him to seize five individuals, who, he alleged, had advised your Memorialist to avoid meeting the Zemindar of Vizianagrum, to the great disparagement of the dignity of that personage as well as the dignity of the Zemindar of Jyepoor. The Jemadar accordingly seized three of the servants of your Memorialist, as well as two Sirdars who had come to visit him and his brother as a token of respect, all five being equally innocent of any endeavour to influence your Memorialist. These parties were placed in confinement in

* *Your Memorialist has been unable to procure a copy of this document.*

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the Police Jail at Vizianagum at 9 o'clock that night, and as Mr. Fane left Vizianagum for Vizagapatam about the same time, they were kept without food till 5 o'clock the following evening. Your Memorialist at that hour despatched a Telegram*

* *Vide Enclosure E.* to the Agent at Vizagapatam representing the circumstance, and as the Telegram† of the Agent to the Head of Police did not reach that Officer till 10 p. m., the prisoners were unable to procure any food before the morning of the 20th, and were kept 36 hours fasting.

21. After Mr. Fane's return to Vizianagum, your Memorialist on the 2nd January last, addressed to him a letter‡ representing his repugnance to meet the Zemindar of Vizianagum, otherwise than as an equal, as heretofore; and remonstrating against Mr. Fane's wish that he should meet that gentleman in a manner so humiliating to his feelings and self-respect, as well as against the confinement of his servants, and his own detention at Vizianagum.

22. On the 5th January, the Agent wrote§ to your Memorialist to call upon him next day. He accordingly went, and found assembled at Mr. Fane's bungalow, his elder brother, his brother's Vakeel, the Vakeel of the Zemindar of Vizianagum and your Memorialist's declared enemy and brother's adviser, the Ameen of Goonooipoor. The Agent broached the subject of the visit. Your Memorialist repeated his objections. The Agent treated them with contempt and insisted on the visit being paid in the manner arranged. The visit was accordingly paid under the compulsion thus exercised towards him, and your Memorialist feels deeply disgraced at being compelled, through the coercion of the Agent, to accept an inferior position in public, tacitly acknowledging his inferiority to a private individual whose family is in no way superior to his own.

23. Your Memorialist most respectfully submits that the proceedings of the Agent in this matter cannot be justified by law, good policy, the orders of your Government, the common usage of society, or the courtesy which one gentleman owes to another; and as a most arbitrary and unwarrantable act, which Mr. Fane would not venture to compel an English Gentleman to endure, your Memorialist is constrained to appeal to your Excellency for redress||.

24. Your Memorialist attributes the subsequent proceedings adopted towards him entirely to his having opposed Mr. Fane's wishes regarding the mode of meeting the Zemindar of Vizianagum, and to the advantage taken of the prepossession engendered in consequence, by his brother and his advisers, to raise a prejudice against him by insinuations against the loyalty and peaceable intentions of your Memorialist, to which unfortunately the Agent appears to have lent too credulous an ear. In what shape these insinuations were conveyed, your Memorialist has no means of ascertaining, but he feels confident that your Excellency will not sanction any restrictions on his liberty without the fullest and most impartial inquiry, and without affording your Memorialist an opportunity of knowing and answering what has been alleged against him.

25. On the 8th January 1861, the Agent addressed a letter¶ to your Memorialist desiring him to accompany his brother to Jyepoor, or remain at Vizagapatam. In the reply¶ sent the same day, your Memorialist declined to proceed to Jyepoor, ostensibly because the place did not agree with him; but in reality, because he feared the enmity of his brother in a place so remote and secluded, filled with his brother's counsellors and his immediate adherents, where, as shown by Mr. Reade in his Journal, life is but little regarded, and the most unjustifiable acts are perpetrated with impunity. The apprehension entertained by your Memorialist, he submits, was justified by the enmity displayed by his brother during his father's life-time, and by the additional animosity naturally to be expected in consequence of the claims to the Zemindaree or division asserted by your Memorialist. His determination was likewise influenced by the invincible repugnance he felt to reside in the same place with an individual whom he could not possibly avoid, and to whose machinations he attributes the disgrace put upon him in the matter of the visit to the Vizianagum Zemindar.

|| Your Memorialist would further observe that under Her Majesty's Warrant of Precedence, dated 10th January 1857, no authority under the Governor General in Council is empowered to determine the mode of intercourse among Native gentlemen.

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26. On these considerations your Memorialist readily agreed to reside at Vizagapatam, and accordingly informed* the Agent that he would proceed thither.

27. On the 10th January the Agent again wrote† to your Memorialist, desiring him to call immediately. Your Memorialist in consequence waited on that gentleman, and was informed by him that he could not consent to your Memorialist's remaining at Vizagapatam. This change of purpose cannot but strike your Excellency as somewhat extraordinary, seeing the Agent himself in his letter II had named that station as the residence of your Memorialist in the event of his not consenting to proceed to Jyepoor. Such interference with the liberty of motion, your Memorialist most respectfully submits is in the present instance in no way warranted either by Political considerations, or by the spirit of Legislative or Governmental injunctions. At Vizagapatam your Memorialist would be under the immediate eye of the Agent, who, if he thought proper, might, without exciting the suspicions of your Memorialist, place him under a system of espionage. He would also have ample opportunity of becoming personally acquainted with the character and disposition of your Memorialist, instead of trusting as heretofore to the insinuations of his brother, and his brother's friends, or the information of his own Cutcherry servants, whose good or evil report is not above purchase. Your Memorialist would also be under the restraint of the Court and public opinion at a large Military and Commercial station, and by intercourse with European gentleman of education, might have an opportunity of enlarging his views, and convincing himself of the tendency of prejudices imbibed by constant intercourse with pure native society. Viewed under every aspect, Vizagapatam was the best place that your Memorialist could have selected as a residence, and he cannot conceive what possible objection the Agent could have to offer against your Memorialist's residence in that Town free and unfettered.

28. The Agent, moreover, informed your Memorialist that he might reside either at Paulcondah or Goonooipoor if he consented to execute a document required by his brother. Being willing to conciliate the Agent, your Memorialist agreed to hold a conference with his brother on the subject of the document.

29. That evening the three servants of your Memorialist who had been placed in confinement on the 28th December were released, and directed to proceed to their own houses and avoid returning to the service of your Memorialist. The two other prisoners who were confined at the same time were transferred to the Police Cutcherry at Vizagapatam.

30. The interview with his brother having terminated unsatisfactorily, your Memorialist and his brother next day at 6 p. m. waited on the Agent who pressed your Memorialist to sign the document, but as he deemed the conditions humiliating and injurious, he refused. Whereupon a warm discussion ensued, and the Agent became so excited as to apply the opprobrious epithet of "Bhonthuth" to your Memorialist, a man of the highest Military Caste and Noble Descent, whose ancestors were Princes in the land. It is needless to remind your Excellency, that had Mr. Fane applied such an epithet to an English gentleman, he would have had to stand the consequences of "satisfaction"—and had your Memorialist been the character, the Agent may, in self-justification, endeavor to depict, Mr. Fane would have been instantly despatched to plead his excuse before a higher Tribunal.

31. Insulted twice by Mr. Fane under the protection of the authority conferred upon him by Government, your Memorialist submissively lays this additional grievance before your Excellency, in the full confidence that your Excellency will not permit your Agent thus to insult and trample on the feelings of Native gentlemen, who, from the accident of his official position, are constrained to have intercourse with him.

32. On this occasion your Memorialist had also to submit to other petty slights. He was kept standing for some time by Mr. Fane, and on arriving and departing, the courtesy of Tauzeem, usually paid to Natives of respectability of far inferior position to your Memorialist, was withheld.

33. When leaving Mr. Fane's Bungalow, your Memorialist was astounded at finding that the Agent had crowned his insults by making your Memorialist a prisoner. He was placed under charge of two Delayers and a Trooper who received instructions to shoot him in case of resistance. Under their escort he was conveyed to Vizagapatam, where he has been confined ever since. He is deprived of the services of all his usual attendants, with the exception of a cook and two menials.* His confidential Vakeel is not allowed to approach him. He is separated from his aged mother and family, and he is suffering in health from mental disquietude and the deprivation of his usual comforts and personal liberty. Finally, he has no hope, so far as Mr. Fane's power extends, of regaining his liberty and being restored to the bosom of his family, except by putting his signature to a document renouncing claims submitted in a legitimate manner for the adjudication of Government.

*Vide Enclosures K. L. M. N.

34. Your Memorialist has always proved himself true and faithful to the State; his allegiance has never yet been doubted by any of Mr. Fane's predecessors; on the contrary, he has had the high honor of meriting and receiving the approbation of Government for his loyal conduct in capturing a notorious rebel, and his character has been most favorably noticed in a report† to Government by Mr. Thornhill, the present Agent's immediate predecessor. Under these circumstances, your Memorialist feels confident that your Excellency will not, without the clearest and most satisfactory evidence of delinquency, permit either Mr. Fane's hasty and inconsiderate proceedings, or the crafty insinuations of his brother and his advisers, of which that gentleman has been made the unconscious medium of conveyance, to justify the indignities heaped upon your Memorialist.

35. He therefore prays that the copies of the documents‡ herewith submitted may be taken into consideration, and the originals, together with the original Orders issued by the Agent sent for; that an investigation may be instituted, the restraint imposed upon the liberty of your Memorialist removed, and such further redress as the case demands granted.

36. In conclusion, your Memorialist further prays that he may be permitted either to reside at Chicacole, as requested in his letter to the Chief Secretary of the 13th instant, pending the final decision on this Memorial, or that he may be permitted to proceed to Madras for the purpose of paying his respects to your Excellency in person.

For which as in duty bound your Memorialist shall ever pray.

APPENDIX.

A.

Translation of a letter addressed by SREE SREE SREE RAMACHENDRA DEO MAHARAUZE (the present Zemindar of Jyepoor;) to his younger brother SREE MUDDIA DOOGARAUZE, dated Thursday the 5th Soodhum, month Adhikah Aussejum of the year Rowdry, (19th September 1860.)

As I myself have ordered and sent both Ramacroostanapatroodoo and Haribundhoodullayee, you should hear a few circumstances. I ordered them to represent both before you and in the Hoozoor of Sree mother.

NOTE.—The original is with your Memorialist.

B.

Translation of a letter addressed by BHOOVANASWARAH PRAHARAUZE, to BHOOKTA BAULUNKIDOSS, dated Thursday the 9th Bohoolum, month Nijah Aussejum of the year Rowdry, (8th November 1860.)

I hear by a letter that Sree Sree Sree Croostana Chendra Deo shall come, but as Sree Sree Sree Maharauze (the Zemindar of Jyepoor) is on this 5th Soodhum (the 5th Soodhum month

Caurteegum or 17th November 1860) going to Vizagapatam, Sree Sree Sree Croostana Chendra Deo Gauroo should come here only in case he has already been on his route. If not, why should he take the trouble of coming here. He may with the same equipage of journey come to Rayaghadah taking along with him the Managers, &c. of that place, (Goonoopoor) and wait there, (Rayaghadah) and as soon as Sree Sree Sree Maharauze comes there, he (Croostana Chendra Deo) may meet him (Maharauze) and go to Parvateepoor. These circumstances must not be published. As I wrote these circumstances under orders of Sree Sree Sree Ramachendra Deo Maharauze, you should inform them in the Hoozoor of Sree Sree Sree Croostana Chendra Deo Gauroo.

NOTE.—Your Memorialist has the original.

C.

Translation of a Letter addressed by SREE SREE SREE CROOSTANA CHENDRA DEO PEDDA DOOGARAUZE MAHARAUZE; to E. G. R. FANE, Esq., Agent to the Governor in the Zillah of Vizagapatam, dated Monday, the 7th Soodhum, month Caurteegum of the year Rowdry, (19th November 1860.)

Ever since you are informed of the state of my family after your arrival to this Zillah, you are inclined especially to make peace between myself and my brother. Now my brother addressed me a letter on Thursday, the 5th Soodhum, month Adikah Ausweejum, of the year Rowdry (19th September 1860), stating that he and I coming to an amicable settlement, would bring the Samastanum to a good state; and that I should come to Jyepoor. He has sent to my Hoozoor Ramacroostanapatroodoo and Haribundhoo Dullayee. As I am also well inclined to come to an amicable settlement with my brother, I beg to bring to your notice that I am going to-day to Jyepoor; and on my arrival there, I shall write to you from that place the state of affairs that will take place there, I therefore trust that you will keep your favor on my family, and adopt measures how we may prosper.

NOTE.—The Agent has the original.

D.

Translation of a letter addressed by the Agent to the Governor in the Zillah of Vizagapatam; to SREE CROOSTANA CHENDRA DEO PEDDA DOOGARAUZE MAHARAUZE, dated Thursday the 15th Soodhum, month Margasirum of the year Rowdry, (27th December 1860), No. 8,298.

I hope to inform that you should, after the receipt of this letter, go to the Maharajah of Vizianagram, as soon as possible and meet him. If you do not go and meet him so, you should remain only at Vizianagram till I write again.

NOTE.—Your Memorialist has the original.

E.

TELEGRAM.

From SREE SREE SREE CROOSTANA CHENDRA DEO PEDDA DOOGARAUZE MAHARAUZE, Vizianagram; to E. G. R. FANE, Esq., Agent to the Governor, Vizagapatam.

In accordance to your orders, my servants were yesterday at 8. p. m. placed in the Police custody, from which up to this time they were allowed neither to eat nor even to wash their faces. I therefore hope you will kindly order the Police not to put them to such hard imprisonment.

28th December 1860, at 5 o'clock in the evening.

NOTE.—The Agent has the original.

Proceedings of the Madras Government, Judicial Department,
12th June 1861.

F.

Translation of a letter addressed by SREE SREE SREE CROOSTANA CHENDRA DEO PEDDA DOOGARAUZE MAHARAUZE; to E. G. R. FANE Esquire, Agent to the Governor of the Zillah of Vizagapatam, dated Wednesday the 6th Bohoolum, month Margasirum of the year Rowdry, (2nd January 1861.)

I understood the contents of your letter, dated 27th December last, No. 298, which states that I should, after the receipt of that letter, go to the Maharajah of Vizianagrum as soon as possible and meet him, and that, if I do not go and meet him so, I should remain only at Vizianagrum, till you write again. The ancestors of the Maharajah of Vizianagrum and my ancestors, had on account of friendship and custom of family, been in the habit of meeting each other, whenever occasion offered. Accordingly, I have lately once met (on chairs) this Maharajah of Vizianagrum, and he now having wanted to act contrary (to sit down by his Musnud) to the then made manners, which were long time since observed, I could not meet him at present, but no body advised me not to meet the Maharajah of Vizianagrum, and this circumstance I have informed personally—you are aware that we cannot meet each other, unless the usual manners are observed when we do it through the custom of family. In such a case, it is not justifiable to write me that I should meet the Maharajah of Vizianagrum, and if not, I must remain only at Vizianagrum till you write again, and to imprison my people who have been with me for the management of my domestic affairs and for the protection of my body. Your having imprisoned some of my servants would occasion the rest of my servants, for fear that you would imprison them also without cause, to quit my service and run away, thereby putting me to trouble for want of servants. I therefore request that you will release my servants who are in the imprisonment, and to remove the prevention that I should remain only at Vizianagrum.

NOTE.—The Agent has the original.

G.

Translation of a letter addressed by the Agent to the Governor in the Zillah of Vizagapatam; to SREE CROOSTANA CHENDRA DEO MUDDIA, DOOGARAUZE MAHARAUZE, dated Saturday the 9th Bohoolum Margasirum of the year Rowdry, (5th January 1861,) No. 82.

As I have some circumstances to speak to you, I hope you should come to my Bungalow for my visit to-morrow at 8 o'clock in the morning.

NOTE.—Your Memorialist has the original.

H.

Translation of a letter addressed by the Agent to the Governor of Vizagapatam; to SREE CROOSTANA CHENDRA DEO MUDDIA, DOOGARAUZE MAHARAUZE, dated Tuesday the 12th Bohoolum, month Margasirum of the year Rowdry, (8th January 1861,) No. 86.

There has been lately enmity existed between you and your brother Sree Ramachendra Deo Maharauze, and now alone friendship ensued between you and him. It is your brother's opinion that you should remain along with him at Jyepoor, until a sincere friendship is established between you both. I have also entertained the same opinion. I therefore hope that you should go along with him to Jyepoor. Your going to Jyepoor at present without telling any interruptions, would be a proof of your having no any suspicion in your mind. I therefore advise you to go accordingly. Till a sincere friendship is established between you and your brother, your going to Goonopoor will not be safe, and I therefore hope that in case you do not agree to go now to Jyepoor, you should remain at Vizagapatam till I write again.

NOTE.—Your Memorialist has the original.

Proceedings of the Madras Government, Judicial Department,
12th June 1861.

I.

Translation of a letter addressed by SREE SREE SREE CROOSTANA CHENDRA DEO PEDDOO DOOGARAUZE MAHARAUZE; to E. G. R. FANE, Esquire, Agent to the Governor of Vizagapatam, dated Tuesday the 12th Bohoolum, month Margasirum of the year Rowdry (8th January 1861.)

I understood the contents of your letter of this date. As the water of Jyepoor does not at all agree to my constitution, and as I have been sick on account of the water in the road to Jyepoor, I being now unable to follow my brother to Jyepoor, have resolved to remain at Vizagapatam as mentioned by you. I therefore hope to bring to your notice that I shall either this night or to-morrow leave this for Vizagapatam.

NOTE.—The original is with the Agent.

J.

Translation of a letter addressed by the Agent to the Governor of Vizagapatam; to SREE CROOSTANA CHENDRA DEO MUDDIA DOOGARAUZE MAHARAUZE, dated Thursday the 14th Bohoolum, month Margasirum of the year Rowdry, (10th January 1861,) No. 12.

As I have some circumstances to speak to you, I hope you will on the immediate receipt of this letter, come for my visit.

NOTE.—Your Memorialist has the original.

K.

Translation of a letter addressed by SREE SREE SREE CROOSTANA CHENDRA DEO PEDDA DOOGARAUZE MAHARAUZE; to E. G. R. FANE, Esquire, Agent to the Governor of Vizagapatam, dated Monday the 2nd Bohoolum, month Pusheum of the year Rowdry, (28th January 1861.)

I addressed you a letter stating that as it was inconvenient to me to address anything from want of a man that can write Telooگوو, you would order a Vakeel to come to me without prevention, but not receiving an answer for it, I have been put to great inconvenience. I therefore request that you will allow me a Vakeel to come to me. If not I shall be put to great trouble from want of a Telooگوو writer to write letters.

NOTE.—The original is with the Agent.

L.

Translation of a letter addressed by the Agent to the Governor of Vizagapatam; to SREE CROOSTANA CHENDRA DEO MUDDIA DOOGARAUZE MAHARAUZE, dated 2nd February 1861, No. 836.

I have received your letter in Oria requesting permission for a writer to come to you to write Telooگوو letters. As I have considered to give permission accordingly, I hope you will let me know the name of that writer.

NOTE.—Your Memorialist has the original.

M.

Translation of a letter addressed by SREE SREE SREE CROOSTANA CHENDRA DEO PEDDA DOOGARAUZE MAHARAUZE; to E. G. R. FANE, Esquire, Agent to the Governor of Vizagapatam, dated Tuesday the 4th Bohoolum, month Pusheum of the year Rowdry, (4th February 1861.)

I understood the contents of your letter, dated 2nd February. I have two years since appointed Batalopanumrty Soorish, an inhabitant of Vizagapatam, to act as a Vakeel for myself in your Catcherry. He understands Telooگوو, English and a little Oria. He has been conducting himself confidently by me. I therefore request you will allow him to come to me without

prevention. I understand you would go on circuit. The three servants you now allowed me being insufficient for the performances of my service, I have been suffering much, and hope you will also take this into consideration.

NOTE.—The original is with the Agent.

N.

Translation of a letter addressed by the Agent to the Governor of Vizagapatam; to SREE SREE SREE CROOSTANA CHENDRA DEO MUDDEA DOOGARAUZE MAHARAUZE, dated 12th February 1861, No. 42.

I have received your letter dated Tuesday 11th Boholum, month of Pusheum last. You state that Batalopanumrty Sooriah who was lately your Vakeel, may be permitted to come again to you. As I understand that the useless discourse you made at the time you visited me lately at Vizagapatam was done by the advice of the said Sooriah, I do not like his coming to you. You should therefore choose any other proper individual excepting him, and let me know his name.

NOTE.—Your Memorialist has the original.

O.

No. 187.

To

RAJAH MUDDIA DOOGARAUZE MAHARAUZE GAROO.

We are well up to Saturday the 11th Paulgoonna Boholum of Nala. You must inform us of your welfare.

On our writing to Government that you seized and delivered up Dundoo Shaina who created a rebellion in the Zemindaree of Purlah Kimedy in the Ganjam Zillah, the Government desired us to intimate to you their high approbation of the services you have rendered, and to bestow on your servants the donation they have sanctioned. Government recorded a Minute, No. 218, to the above effect on the 20th of last December, therefore we have informed you of the above circumstance. Take it into your consideration.

(Signed) _____,
Governor's Agent.

VIZAGAPATAM, GOVERNOR'S AGENT'S CUTCHERRY, 21st March 1857.

NOTE.—Your Memorialist has the original.

No. 87. From SREE CROOSTANA CHENDRA DEO, MAHARAUZE, 2nd Son of the late Zemindar of Jyepoor in Vizagapatam; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vizagapatam, 23rd April 1861.

With reference to paragraph 35 of my printed Memorial to His Excellency the Governor in

• A, D, E, G, H, J, L, N.

B being in Cadjan is not sent.

O is not sent the circumstance being on record.

Council, I beg to enclose the original* papers alluded to for the purpose of being taken into consideration with the rest of the proceedings.

No. 88. To the Honorable Sir WILLIAM THOMAS DENISON, K.C.M., Governor in Council, Fort Saint George.

The humble Memorial of SREE SREE SREE CROOSTANA CHENDRA DEO, Maharauze, the present Pedda Doogarauze, and late Mudhea Doogarauze, second son of the late Zemindar of Jyepoor in the District of Vizagapatam.

SHEWETH,

1. That the father of your Memorialist Sree Sree Sree Vicrama Deo Maharauze, late Zemindar of Jyepoor, having had no issue by his first wife, married the mother of your Memori-

alist, and on his marriage with her, executed a document on the 10th Paulgoonna Bahoola of Vicrooty, corresponding with 9th March 1831, in favor of her father Sree Bahobalundrony, Vencata Croostana Deo Maharauze, covenanting to place her, and her issue male, on terms of equality with his first wife and her issue male; to bestow upon her certain villages in the Talook of Goonoooor, for her private expenses; and, that on his death, his Zemindaree should be divided between the issue male of both wives.

2. Your Memorialist submits that his father was at liberty to make such a covenant; and that the terms of the Sunnud-i-Milkeat-Istimrar, present no obstacle to its being carried into execution.

3. The 15th Clause of the said Sunnud binds the Government to certain conditions, but imposes no restriction on the holders of the Sunnud, with regard to the assignment or apportionment of their property among their heirs; consequently, covenants solemnly entered into, are, your Memorialist submits, entitled to respect; and in non-Regulation Provinces where the technicalities of the law are professedly moderated by the principles of natural equity and justice, as well as a regard to political expedience, such a covenant is the more specially entitled to consideration.

4. Although Government is prohibited by the terms of the Sunnud from interference for the purpose of setting aside the regular order of succession, it is not prohibited, either in Regulation or non-Regulation Provinces, from sanctioning and giving effect to an assignment; and as the covenant of the late Zemindar is tantamount to an assignment, suspended during his existence, but operative after the occurrence of a certain event, which has happened, your Memorialist prays, that Government, in its capacity as a Court of Equity, exercising judicial jurisdiction over the Vizagapatam Agency, will be pleased to pronounce a definite opinion respecting the validity of this covenant.

5. Subsequent to the marriage with the mother of your Memorialist, three sons were born to the late Zemindar, viz.:

1st. Ramachendra Deo Maharauze, late Pedda Doogarauze—issue of the 1st wife.

2nd. Your Memorialist, Croostana Chendra Deo Maharauze, late Mudhea Doogarauze—issue of the 2nd wife.

3rd. Vishwambara Deo Maharauze, Chinna Doogarauze—issue of the 1st wife.

6. His father having died on the 10th August last, your Memorialist submitted two claims* for the consideration of Government, viz.:

1st. A claim to succeed to the Jyepoor Estate, and to be considered the Chieftain of the Province.

2nd. A claim to the division covenanted by his father.

7. The first claim is based on the consideration that he is better fitted by education, character, the fidelity evinced, and the services he rendered to Government during the late insurrection in Kimedy, to succeed to so important a trust, than his elder brother, who is not only devoid of all education, but has proved himself by his proceedings in 1848, 1849 and 1850, to be unfit to be invested with the responsible duties required of the Chieftain of a rude uncivilized people.

8. This claim was advanced with reference to Clause 3rd, No. 13 of the Agency Rules, as well as with reference to a letter which he was given to understand was addressed in 1849 or 1850, by his father, to a former Agent, requesting that your Memorialist might be considered his heir; but as its recognition depends solely on the pleasure of Government, your Memorialist leaves its disposal entirely in the hands of your Excellency in Council.

Proceedings of the Madras Government, Judicial Department,
12th June 1861.

9. The second claim was grounded on the document above adverted to, and your Memorialist would observe that previous to his father's death, in communications* addressed to the Agents and Government, he made several attempts to obtain a public recognition of this document. Mr. Fane, however, having mentioned to your Memorialist that the late Zemindar denied its execution, he respectfully submits that this denial, even if correctly understood by Mr. Fane, does not prejudice your Memorialist's rights. The state of his father's intellects, for some time previous to his death, and the undue influence so notoriously exercised over him by his father's counsellors, who are all in the interest of his elder brother, are sufficient to show that his father could scarcely have been accounted a responsible Agent. Moreover, the difficulty Mr. Fane must have encountered in communicating his question, through the medium of an interpreter of signs, to the comprehension of a stone deaf, imbecile, child-like old man, must have been considerable, and the probability of misinterpretation by one of his brother's adherents is not impossible. These considerations, therefore, render the alleged denial per se of little consequence.

10. Your Memorialist has already briefly detailed his reasons to show that the document is in equity entitled to consideration, and he begs to leave the disposal of this claim likewise in the hands of your Excellency, in the full confidence, that in taking into consideration the terms of the document, the surrounding circumstances, and his father's evident intention to provide out of his Zemindaree for the issue of his second marriage, your Excellency will not fail to pronounce a just and equitable decision upon this claim.

11. Should the decision of your Excellency unfortunately prove adverse to the validity of the claims of your Memorialist, he submits, that as a Member of an undivided Hindoo family, and the Heir Apparent to the Zemindaree, he is entitled to a provision out of the joint family property, befitting his station in life, and the position occupied by his ancestors.

12. None of the younger brothers of the family ever had a pecuniary allowance assigned to them for their maintenance, it having always been customary to provide for their expenses by the assignment of Talooks, and at the present moment Chaitan Deo, your Memorialist's second cousin, holds a free grant yielding 16,000 Rupees a year. Your Memorialist therefore begs, should his other claims be rejected, that a Talook may, according to family usage, be made over to him. He at present receives 6,000 Rupees a year. His brother has offered to increase this allowance to 12,000 Rupees; but as the amount is insufficient, and the receipt of a money allowance is contrary to the old and established usage of the family, and is otherwise open to objection, your Memorialist declined to accept the proposal.

13. Deprived as your Memorialist will be of all occupation, should he accept a money allowance, your Excellency will perceive that compliance with his wish will place him in a position gratifying to his feelings, wherein he may find employment for his energies, and by usefully engaging him in the discharge of the active duties of life, prevent that degeneration of character, moral and physical, so commonly attendant on pensioners compelled to lead a life of indolence and ease.

14. Your Memorialist therefore requests that the Talook of Goonoooor may be assigned to him for his maintenance. Having resided at Goonoooor for many years he has become attached to the place, and is willing to receive the Talook subject to all liabilities. It yields at present an annual revenue of 36,000 Rupees,—the Zemindaree Peishcush amounts to 16,000 Rupees,—and the costs to 4,000 Rupees. Your Memorialist is willing to pay the peishcush and costs. The net balance will not exceed 16,000 Rupees, which sum is only 4,000 Rupees more than the sum offered to your Memorialist by his brother. In requesting that this Talook may be assigned over to him, your Memorialist submits he is not exorbitant in his desires, seeing the produce is dependent on the seasons, and in unfavorable years, your Memorialist must submit to any loss which may occur.

Proceedings of the Madras Government, Judicial Department,
12th June 1861.

15. Goonoooor having been pointed out to your Memorialist by the Agent as a place of residence, your Memorialist imagines there can be no objection against that Talook being assigned over to him as a provision.

16. But should any objection be made, your Memorialist begs that he may be permitted to select Rayagudda, a Talook equal to Goonoooor.

17. These two Talooks having hitherto been usually assigned for the maintenance of the younger brothers of the family, your Memorialist begs that one or other may be placed in his possession, but he would prefer Goonoooor if its assignment be considered free from objection.

18. The late Zemindar having left personal property to the extent of five lacs of Rupees and upwards, all of which will continue as at present under the control of your Memorialist's elder brother, as the Head of an undivided Hindoo family, who will also have possession of thirty Talooks, yielding a net Revenue of 2 lacs of Rupees, your Memorialist submits that in claiming for his maintenance a Talook yielding net 16,000 Rupees a year, subject to the fluctuations of the seasons, his claim is moderate and reasonable, and as such is entitled to the favorable consideration of your Excellency in Council.

For which as in duty bound your Memorialist shall ever pray.

VIZAGAPATAM, 4th May 1861.

APPENDIX.

I.

Translation of a Karanamah or Promissory Document executed by Sree Sree Sree Vecrama Deo Maharauze, Zemindar of Jyepoor; to Sree Bahooobalandroony Venkatacroostamah Deo Maharauze, dated Wednesday the 10th Decreasing Moon, month Falugoonum of the year Vecrooty or 1831.

As you have given me in marriage your daughter Sree Bangaramah, I would, after the performance of the marriage, grant her, for the present, for her man and maid servants, pay, &c., monthly expenses, Challacamba, Juttily, Sunniasypoorum, Chinna Atchaba, and Limmadah Villages attached to Goonoooor Talook of my Zemindary, which were lately under Sree Ganganah Puttamahadavy, and the Sary land, Mango Garden, Cocanut Garden, Sweet Orange Garden, &c., situated in Goonoooor Village; and in future, if my first wife Sree Lawloogaroo's daughter bring forth sons, they should succeed to the right of the Zemindary from Narrainapatam Talook as far as Jyepoor Talook to the west; and if your daughter get sons, they should inherit the right of the Zemindary from Rayagadah Talook as far as the boundry of Goonoooor Talook to the east, and the Jamabundy (Peishcush) of my Zemindary payable to the Company should be respectively paid according to the above divisions. I would treat both my first Puttamahadavy (wife) and your daughter with equal respect, and the sons that they may both bring forth shall also be treated with the same respect. At the Gawdy or Royal seat that may be prepared on the day of Dasara feast, I would act according to the former custom. After the performance of the marriage, I would, with this wife and family, reside a year in the Fort of Goonoooor, and in another in Jyepoor Talook with my first wife and family, and thus I would reside here a year and there another. Besides this, I would give in marriage to Deo Gauroo my sister Lolitamoney, daughter of my step-mother Sree Paupamah Mahadavy, and would grant to the said sister a Village of 500 Rupees dowle in Goonoooor Talook of my Zemindary for the purpose of her Turmarick and Koonkoomah (a red powder used to put a mark on face of a woman). I have voluntarily executed this document with all the circumstances stated above.

Proceedings of the Madras Government, Judicial Department,
12th June 1861.

No. 1,101 of 1861.

Forwarded to the Agent in Vizagapatam for his remarks.

By order,

(Signed) W. H. KERR,

Depty Secy. to Govt.

FORT SAINT GEORGE,
30th April 1861.

No. 89. From E. G. R. FANE, Esq., Agent to the Governor, Vizagapatam; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 27th May 1861, No. 462.

I have the honor to acknowledge the receipt of Petition* No. 1,101, * *Herewith returned.* of 1861, presented to Government by Mudea Doogaraue, 2nd son of the late Rajah of Jyepoor, and forwarded to me for my remarks.

2. There is little now for me to say on the subject of this Petition, as all the occurrences mentioned in it took place during a visit the Rajah of Jyepore and his brothers paid to the Rajah of Vizianagrum. The visit and its consequences were duly reported by me, both in my Diary for December and in my letter of the 1st March 1861, No. 162, and Government in their Order of the 19th March, No. 382, approved of all that was then done; to that Diary and letter, I therefore beg now to refer the Government.

3. The present petition contains three specific complaints—1st, that I forced Mudea Doogaraue to visit the Rajah of Vizianagrum; 2nd, that I called him a "Banchot;" 3rd, that I placed him in confinement.

4. As regards the 1st, I deny that I used any force. It is true that Mudea Doogaraue at first declined to visit the Rajah of Vizianagrum, unless allowed to sit on the Musnud or a throne of equal height, to that on which the Rajah his brother and the Rajah of Vizianagrum sat—as such was a ridiculous pretension, his elder brother the present Rajah, earnestly urged him not to be so foolish, and begged of me also to tender my advice. I did so and represented to him as strongly as I could the absurdity of his conduct; at last after a couple of days' consideration, Mudea Doogaraue of his own free will accompanied his brother, and paid the Rajah the visit.

5. It was no disgrace to him to sit on the Fursh, as both the Rajah of Vizianagrum's own sons so sat, as did also Mudea Doogaraue's own brother, Chinna Doogaraue, the youngest brother of the Jyepore Rajah.

6. As regards calling Mudea Doogaraue a Banchot, I must say I do not recollect having done so; but his conduct was so absurd, and his manner both to me and his brother so disrespectful, that I admit I was greatly enraged with him and called him a fool, and told him that in proportion to his behaviour alone should respect be shown to him. The fact is the Petitioner is nothing more than a young savage, puffed up with conceit, and with ridiculous ideas of his rank, &c., instilled into him by intriguing servants; as regards the third complaint, viz., my confining him, I do not consider it would be safe at present to remove him from surveillance. He has amongst other pretensions for years past, entertained the idea of becoming the Rajah of Jyepoor, but now seeing his brother finally installed as Rajah, vexation and disappointment have so possessed him, that I am satisfied that his detention at Vizagapatam is essentially necessary for the peace of the Jyepoor country. Mudea Doogaraue from
†To Government 5th April 1855. his long residence at Goonopoor, has considerable influence in that Taluq. In 1855* he created a disturbance there and took forcible possession of the country from the Managers of his late father. Mr. Smollett the

Proceedings of the Madras Government, Judicial Department,
12th June 1861.

then Agent sent a party of Sebundies and Nursingarow the present Ameen to restore order, and after a short resistance, Mudea Doogaraue and his partizans were taken Prisoners. Mudea Doogaraue was then for some time detained at Vizagapatam or Vizianagrum under surveillance, and one of his principal followers Densu Backta was tried and banished to Rajahmundry; the latter remained there until lately, when upon my own recommendation, he was released on bail. Mudea Doogaraue himself decamped from Vizianagrum in 1855 while under surveillance, on pretence of being sick, his conduct in thus doing, was overlooked, as the Talook of Goonopoor to which he went, had been then some time under management; but his having thus escaped from surveillance on one occasion, was the reason of my being extra-cautious as to the guarding of him on the occasion complained of by him, when I sent him away from Vizianagrum to this place. His brother the Rajah of Jyepoor, having now returned to his country, and in consequent readiness to recapture Mudea Doogaraue, should he again evade our surveillance, has induced me to relax the restraint hitherto put upon him, and I have merely required him to reside at the Huzur until further orders, and not to leave the station without my sanction.

No. 90. From the 2nd Son of the late Zemindar of Jyepoor; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 30th May 1861.

1. Having been given to understand that the Agent of Vizagapatam in his remarks on my petition to Government complaining of his proceedings, has accused me of having been guilty in by-gone times of the most serious offences, as a justification of the measures adopted by him, and that he has not shewn by any reference to a single Public record the correctness of the information on which he has relied, I most respectfully request that his Excellency in Council will be pleased to abstain from passing any orders sanctioning restraint upon my liberty, in the absence of official authentic data in support of the offences of which I am said to have been accused by the Agent.

2. I would further observe that even if the alleged by-gone offences were in reality committed, they cannot, justly, reasonably, or legally, be raked up in justification of the proceedings adopted, because Mr. Fane imagined that in defending what I conceived my rights and privileges, I did not exhibit towards him that respect which he failed to show towards me.

3. I would further respectfully request to be favored with a copy of the Agent's letter, and that the Agent may be instructed to furnish me with copies of such Public Documents as may be necessary to enable me to support the statements in my petition, or that the documents not included in the Appendix attached to it may be sent for, particularly Mr. Fane's order to the Jamadar to seize my servants.

4. In conclusion I beg to enclose an original letter with translation from my father to the address of Bookta Balunkidoss one of his servants, in reference to the affair of which I am said to have been accused, which will convince His Excellency that with respect to my father's Ameen of Goonopoor, I acted with his approbation and from no improper motives.

No. 91. ORDER THEREON, 12th June 1861, No. 764.

The Agent at Vizagapatam will inform Mudea Doogaraue that his several Petitions have been received by Government, but that they have no orders to pass upon them. The Talook of Goonopooram or of Royaguddah cannot be made over to him, but he will receive every consideration from the Agent if he submits himself to his authority, discards his evil advisers, and conducts himself in a quiet and orderly manner.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Agent to the
Governor of Port St. George
at Vizagapatam.

From Mudra Doozaur ————
Here dated 27th May 1861, No. 462.
March 24 — 23 April — 23 May 1861.

Order received 12th June 1861, No. 464.

(M)

W. M.

W. M.

The Agent at P.
Vizagapatam will in-
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every

Printed 1861. Department.

No. 761

PROCEEDINGS of the MADRAS
GOVERNMENT.

Dated 12 June 1861.

86691.

2539] Madras—Printed at the Government Press.

every consideration is
from the Agent if
he submits himself
to his authority, dis-
cards his evil ad-
vers, and conducts
himself in a quiet
and orderly manner

JF

The Agent in the Rajahmundry
District is directed to be at the
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