

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1609	Pres
		<u>Mis.</u>
99		
Dated	11-11	19-1865

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

11th November 1865.

Read the following papers :—

No. 99. From the Deputy Adjutant General, to the Secretary to Government, Fort Saint George; dated 27th October 1865, No. 476.

With reference to the Proceedings of Government in the Judicial Department, and Order thereon, dated the 26th August 1864, No. 1283, I have the honor, by order of the Commander-in-Chief, to

Stating that references on points of Hindu and Mahomedan law may, in future, be made to Government in the Judicial Department.

forward the enclosed summary of evidence regarding the marriage of Sawyer Mooncan, No. 1128, of the Ordnance Department, and to request you will be good enough to favor this Department, with the opinion of the Law Officers, as to the legality of the marriage.

ORDNANCE DEPARTMENT.

CLAIM No. 1.

Statement of the ceremonies performed on the occasion of an alleged Cuttoo Thalee marriage between Sawyer Mooncan, No. 1128, of the Ordnance Department, and Nursamah, as given in evidence before a Committee on Claims of heirs to pension, assembled at Rangoon on the 1st June 1865.

1st Witness.—Store Lascar Laxur, No. 2686, of the Ordnance Department, states as follows :—

I know the claimant Nursamah. She is the wife, by Cuttoo Thalee, of the late Mooncan, Sawyer of the Ordnance Department, at Rangoon. I was present at their marriage. It took place at Moulmein, as well as I can recollect, in the year 1848. Nursamah's age at the time I cannot tell, nor am I acquainted with any of her relatives. The marriage took place in the verandah of a Burmese house, where about 20 persons, friends of the parties, were assembled. A Brahmin (name unknown) was present on the occasion, and performed the ceremony of Omum, and then handed to Mooncan the Thalee, which he tied round Nursamah's neck. Mooncan with his wife then left the place, and the guests were provided with food and pawn. After the feast was over we dispersed. Beyond what I have stated, no other ceremonies were performed. I am not aware whether any dowry, either in money or jewels, was given on the occasion. I do not know whether Nursamah was ever married before. I have known Mooncan and Nursamah ever since their marriage in 1848, they resided in our lines and lived as man and wife.

2nd Witness.—Bellows boy Ramasawmy, No. 1661, attached to the Ordnance Department, states as follows :—

I know the claimant Nursamah. She is the wife, by Cuttoo Thalee, of the late Mooncan, Sawyer in the Ordnance Department, Rangoon. I was present at the marriage which took place at Moulmein about 16 or 17 years ago. The ceremonies were performed in the house of a Burman, and consisted of the following: A Brahmin, whose name I do not know, went through the Omum, and showed to about 20 persons who were there assembled the Thalee, which Mooncan tied round Nursamah's neck.

A feast was then given, and we dispersed. I am not aware whether any dowry was given on the occasion; nor do I know whether Nursamah was ever married before. I am not acquainted with any of her relatives.

I have known Mooncan and Nursamah ever since their marriage in 1848. We lived in the same lines and they always lived as man and wife.

(Signed) D. SHAW, Captain,
Dy. Asst. Adjutant General.

Referred to the Government Solicitor, for the opinion of the Advocate General.
FORT SAINT GEORGE,
28th October 1865.

(Signed) W. HUDLESTON,
Acting Secretary to Government.

Exa. J. H. Burns.

The foregoing opinion
of the Advocate General is com-
municated to the Adjutant General

To the Adjutant General. desps 16/11