

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No.	661	Press Mis.
Dated	22.8.	1918.57

Not to be folded or roughly handled

Fort Saint George, Political Consultation, 25th August 1857.

No. 30. From Surgeon E. G. BALFOUR, Government Agent at Chepauk ; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort St. George, dated 28th July 1857, No. 216 of G. A.

SIR,

With reference to para : 26 of Extract Minutes of Consultation of 19th March, No. 230 of 1857, I have the honor to forward a Memorial from Zaheer Ood Deen Hoossain Khan Bahadoor, complaining against Carnatic Stipendiary, No. 1313, Itabar Ood Dowlah Bahadoor, exempted from the Jurisdiction of British Courts.

(Signed) EDWARD BALFOUR,

Government Agent.

To the Right Honorable LORD HARRIS, Governor in Council, &c., &c., &c., dated 25th July 1857.

The humble Petition of Zaheer Ood Deen Hoossain Khan Bahadoor, and Budrood Deen Hoossain Khan Bahadoor, Brothers of the late Padcha Begum, Lady of His late Highness Nabob Azemud Dowlah Bahadoor of the Carnatic.

HUMBLY SHEWETH,

That your Petitioner's late Sister Padcha Begum departed this life on the 24th February last, and on her dying Bed she was out of her mind, and Yatebear Ood Dowlah Bahadoor made a cheating Will and made himself the Executor of it, and of her Estate, and in consequence, your Petitioner's went to the Law on these affairs, but he the said Yatebear Ood Dowlah Bahadoor, compromised matters with your Petitioners and has given them a written Agreement in Persian which they beg to enclose for your Lordship in Council's kind persual with a Translation of the same, but after this he became excluded from any Laws taking cognizance of his Case, and there is neither a Macama Court against him, and in consequence he would not keep to his agreement, but he has sold the properties of your Petitioner's late Sister, and did not settle her debts under the circumstance your Petitioner's have no alterative but to resort to your Lordship in Council, for justice in this case, and humbly to beg that your Lordship in Council will be pleased to issue Orders to the Government Agent, to settle the matter, or otherwise that by the orders of the Government Agent, the matter may be settled by Punchayeth or Arbitration, and for which Act of kindness your Petitioners as in duty bound,

Seal.

Shall Ever Pray.

(Signed) in Hindustani.

TRANSLATION.

I, Yatchbar Ood Dowlah Bahadoor, states that the late Padcha Begum, has authorized me, as her Executor, on the 23d of Jamadassanee in the Heegeeree 1273, to sell her properties, &c., and to settle her true dues, her Will accordingly I have taken the Supreme Court and I identified it, and received authority, and now according to my wish, I have joined with the Brothers of the late Padcha Begum, *Viz* : Zaheer Ood Deen Hoossain Khan Bahadoor, and Mahomed Budrood Deen Hoossain Khan Bahadoor, to sell her properties, and settle her dues, in presence of them, according to share, I further state that I will not in any ways go against their orders, and I beg of them, that the expences incurred in the Supreme Court, according to the charges of Lawyer Ritchie, Esq., and the expences of her funeral according to true account, be paid to me, on the sale of the

Fort Saint George, Political Consultation, 25th August 1857.

properties, I have written this friendly agreement to the above Brothers, that it may be of use to them in time of necessity, dated 27th Shabaw 1273, or 23rd April 1857.

(Signed) YATEBAR OOD DOWLA BAHADOOR.

Witnesses.

(Signed) CAJAH HYDER,
" KHADER PADCHA KADANEE,
" MEER TASDOOK HOSSAIN,
" SYED YAHALLEE.

No. 31.

ORDER THEREON, No. 661; dated 22nd August 1857.

* "It will still be open to Government, on any demand being made against any of the parties entered in the last List (of exempted persons) of 5th January 1855, in regard to debts contracted during their period of exemption, to refer such matters for the inquiry of the Government Agent, and if it appeared from his report that there was a prima facie case, to give the party complained against the option of satisfying the demand or of having liberty given to his creditor to sue him before a Court of Law.

Adverting to para: 26, * Extract Minutes of Consultation, 19th March last, No. 230, the Agent submits a complaint from Zaheer Ood Deen Hoossain Khan Bahadoor, who states that Itebar Ood Dowlah Bahadoor, one of those exempted from the jurisdiction of the Courts, refuses to fulfil the terms of a certain written agreement executed between them.

2. The Governor in Council resolves to refer this application to the Agent for early report.

Exd. J. A. Wilson.

Pol. Sept

At. 11/11

C. M. C. 3/22 August 1857

Hand be filing of letters
from be report Agent at Clepauk } Here enter 20th July/57

20.7.57.

Adverting to Para 26 - E. M. C.

19 March last, No. 230,

be agent submits a complaint from Zaheer Ood Deen Hoossain Khan Bah, who states that

Itebar Ood Dowlah Bah, one of those exempted from the jurisdiction of the Courts refuses to fulfil the terms of a certain written agreement executed between them.

2. The G. in C. resolves to refer this application ^{early} to the Agent for report.

D. H. 15/8/57

* It will still be open to Government, on any demand being made against any of the parties entered in the last List (of exempted persons) of 5th Jan 55 in regard to debts contracted during their period of exemption, to refer such matters for the inquiry of the G. Agent, and if it appeared from his report that there was a prima facie case, to give the party complained against the option of satisfying the demand or of having liberty given to his creditor to sue him before a Court of Law.

To the Agent at Clepauk and to the Agent at Clepauk and to the Agent at Clepauk

Wm. D. & Co. 12th July 1813
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