

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No.	755	Press Mis.
Dated	9-9-49	1857

Not to be folded or roughly handled

No. 755.

Extract from the Minutes of Consultation, under date the 9th September 1857.

Read the following letter from H. D. PHILLIPS, Esq., Commissioner of Tanjore ; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort Saint George, dated Tanjore, 7th September 1857, No. 220.

SIR,

I have the honor to reply to your letter dated the 2nd instant, No. 715, relative to the production before H. M.'s Supreme Court, at the hearing of M. Kammatchee Boyee's Suit, "of the Treaty of the 25th October 1799."

As yet, I have been unable to obtain possession of that Treaty, which, however, is no doubt in the hands of Ry Succaram Sahib, son-in law of the late Rajah of Tanjore. This person, for some time past, has been playing in respect of the Treaty, a game of which I cannot comprehend the drift. At one period he almost acknowledged that it was with him ; he then altered his tone and

denied having it : more recently he seems to have been disposed to contend that
** Copy sent.* being "heir to the Raj" he was entitled to keep it ; but the day before yesterday, on a *communication which I made to him in writing he sent me the reply of which I beg to forward a transcript.

I had arranged to receive him this morning at 8 o'clock A. M., at the Residency, and expected that I should then receive from him the Treaty, and thus be enabled to transmit it to you by the post of this day. Instead of the promised visit, I have had a message from Succaram Sahib, pleading temporary illness as the cause of his inability to keep his appointment, but he has not sent the document to me. His health is extremely good, and the failure to wait on me is merely, in my opinion, arranged to give himself importance. He will call to-morrow, according to the intimation sent me ; but I am not disposed to reckon on the performance of any promise he may make, and I therefore beg to suggest that the Solicitor of the Honorable Company be directed to issue such a process as will force Succaram Sahib to bring with him to the Residency any and every paper belonging to the records of the Raj which may now be in his possession, including any Treaty signed by either of the former Rajah's. Should he come to me to-morrow morning and bring the paper required, it will be easy enough to stay the service of the process which the Company's Solicitor may forward.

Mr. Berryman, of the Supreme Court, arrived to day ; but there appears to be no necessity for his detention here, as the additional witnesses required
Minutes of Consultation 4th September 1857, No. 732. in consequence of your recent communication, will proceed to Madras without any more formal requisition than my own order.

If when produced by Saccaram Sahib the Treaty of which he acknowledges the possession should prove to be other than that which your letter under reply refers to, I fear that it will be out of my power to discover any other official document of that kind.

Careful search had been made in the Residency records previous to the receipt of your communication, but none had been found, and under existing circumstances, if there be any in the Raj records, the difficulty of bringing it to light will be almost insuperable.

(Signed) H. D. PHILLIPS,

Commissioner.

From H. D. PHILLIPS, Esq., Commissioner of Tanjore ; to RY SUCCARAM SAHIB, Tanjore, 5th September 1857.

SIR,

You are aware, I believe, that it is of importance to the interests of Government in the approaching trial of the Kamatchee Bhojee Sahib's Suit that the original Treaty of 1799 should be produced for inspection by the Judges of Her Majesty's Supreme Court. I have for some time past had strong reason to believe that that document is in your hands, and if the matter had then appeared sufficiently important to justify the measure, I am satisfied that enquiry would already have proved it to be with you.

Information more recently obtained as to the document being with you induces me, as your well wisher and friend, to suggest that no time be lost in restoring the Treaty to its proper place of deposit.

The authorities at Madras, you may be sure, will not consent to your retaining what does not belong to you, and an appearance of a desire on your part to thwart their wishes, might be productive to you of disagreeable consequences. Further, if the Judges of Her Majesty's Supreme Court become aware that the paper is with you, its non-production, when called for, might be treated by them as a contempt of Court.

(Signed) H. D. PHILLIPS,
Acting Resident.

(True Copy.)

(Signed) H. D. PHILLIPS,
Commissioner.

From RY SACCARAM SAHIB ; to H. D. PHILLIPS, Esq., Acting Resident at Tanjore
dated 5th September 1857.

SIR,

I have had the honor to receive your letter of yesterday's date, desiring me to return the original Treaty of 1799, which is in my possession, as it is required by Government for the Suit of M. Kamochee Boyee Sahib, in the Supreme Court. Being also desired to the same effect by Ry Romachendra Row, I beg to inform you that I have never wished to deny the Treaty to Government. I take this opportunity to observe that the Treaty being a principal document of the Raj was given to me by His late Highness, who considered me as his own son, and I am quite willing to give it up, in the hope that the Government who now stand in the place of His Highness will treat me with the same kindness and favor.

Since His Highness made me his family son-in-law, he treated me as his own son, allowing me to enjoy all the honors that were due to himself, and being desirous to speak with you regarding my rights and claims, I request that you will be pleased to receive me at the Residency on any early day that may be most convenient to you, when I shall be glad to bring and deliver the original Treaty to you in person.

(Signed) RY SACCAROM SAHIB.
(True Copy.)

(Signed) H. D. PHILLIPS,
Commissioner.

Ordered that the foregoing letter and its enclosures be communicated to the Honorable Company's Solicitor, for his information and guidance.

(True Extract and Copies.)

Acting Chief Secretary.

To the Honorable Company's Solicitor.
„ Commissioner of Tanjore.

Exd. H. Morgan.

No. 755
Ordered that the
foregoing letter and its encls.
be communicated to
the Honble Company's Solicitor
for his information & guidance
To Mr George,
9 September, 1857. E. Smithy

To the Honble Company's
Solicitor }
" Commissioner of } Dispd. 10.5
Tanjore }