

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT

G.O. No.

199

Press

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Not to be folded or roughly handled

Fort Saint George, Political Consultation, 23rd March 1858.

No. 13. From COLONEL J. C. BOULDERSON, Commissioner of Police; to
T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 12th
March 1858, No. 28.

SIR,

I have the honor to acknowledge receipt of Extract Minutes of Consultation, dated 8th Instant, No. 166, Political Department, requesting me to report, as far as my information may extend, upon the allegations made by Messrs. G. G. K. and J. S. S. Richardson, in respect to the asserted violent proceedings of Her Highness Kyre Oon Nissa Begum, in forcibly expelling their Peons from Pater's Garden.

I have the honor to submit that, on the 14th or 15th of July last, I declined complying with the requisition of the Messrs. Richardsons for Peons to be placed by them in charge of Pater's Garden because of a dispute regarding right was likely to arise.

In all cases of disputed right of property the Police Officers are necessarily obliged to keep aloof; and unless a Felony is committed, or the peace of the neighbourhood is threatened, or a riot or affray is committed in the public road, or thoroughfare, they dare not interfere.

With the view to guard against any or these contingencies on the occasion noticed, I took care, in addition to the Infantry Police, to post a Picket of the Mounted Police in the immediate neighbourhood to be at hand in case of necessity.

On Wednesday the 17th of last month, Mr. G. G. K. Richardson appeared at this Office with his Solicitor* and laid before me his information on Oath, copy of
* *Mr. Ritchie.* which is herewith forwarded; and from his own showing I felt satisfied that it would be indiscreet on my part to do more than what I deemed necessary to protect the Peace. And as to the ousting of his Peons, and the assault complained of, he, as well as his Peons, who came to this Office, were told that they should seek redress in the usual way at the Magistrate's Court, by applying for a Summons against the parties who, they said, committed the assault on them.

On the 20th Ultimo, I received from Dr. Balfour, Government Agent Chepauk, an Extract from a communication from Her Highness Kyre Oon Nissa Begum, (copy given in margin.)
“ *Afterwards I caused them to be turned out in a gentle way. But I learn that Mr. Richardson having gathered together riff-raff, is preparing to enter my garden by force.*”
* * * * *
In reply I asked Dr. Balfour to communicate to Her Highness that the Courts of Law were open for the settlement of Suits regarding rights of property; and to these Courts Her Highness and the Messrs. Richardsons ought to resort. Should however either, or both the parties commit any act likely to lead to a Breach of the Peace, they would be arrested with their respective retainers.

From what has been submitted, the Right Honorable the Governor in Council will, I hope, observe, that I have endeavoured not only not to compromise the Police Officers in any way likely to involve them in an Action in the Supreme Court; but that I have done all that was necessary for the protection of the Peace.

The information of George Gilbert Keeble Richardson of Madras Inhabitant taken on Oath at Madras this Seventeenth day of February 1858, before John Carne Boulderson, Esq., one of Her Majesty's Justices of the Peace.

I am an Inhabitant of Madras and reside in Brodie Castle Road and carry on business as a Merchant. On the 14th of last month (Janua'y) certain Premises situated in Royapettah,

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known as General Pater's Gardens, were put up for Sale by Auction by Mr. Teed, the Master of the Supreme Court, under a Decree of that Court, and they were purchased by my Brother Mr. James Richardson, and myself. These Premises were formerly the property of the late Nabob of the Carnatic, and they were mortgaged to me, by one Goolam Mahomed, son of the Dewan, and with the permission of the Court, I and my Brother purchased the property at the Sale, after the mortgage was fore-closed. The Premises were in charge of certain parties at the time of Sale, the Dewan Madar Ool Omrah, being one, and due notice to quit after the expiration of one month was served upon the Dewan and others. Having heard that the said Dewan was removing his property from the said House, called Pater's, I was told that my Brother Mr. James Richardson on Monday morning the 15th Instant, had sent Peons to take charge of the Premises. That he did take charge of the Premises I know, because, I myself went to the place on the same Monday, in the afternoon, I saw that my Peons were in charge of the house and the whole of the grounds. The Son of the Dewan was then removing the property of the late Nabob. The gate which opens towards the Club was walled up, I ordered my Peons to open it, they did so, I left them there, and returned to my Shop. I was informed by persons there that there were certain women servants of the late Nabob residing in the Zenana. I did not see them, I again went to the house yesterday morning the 16th Instant, between 9 and 10 o'clock, and again in the afternoon, between the hours of three and four, up to that time every thing was quiet, and the Dewan's Son promised to give up the house to-day. The notice by Mr. Ritchie, our Solicitor, to quit was given on the 17th or 18th of last month, and I entered on the Premises two days before the time expired. Notice to quit was served on the following persons. The Dewan, Madar Ool Oomrah, Nuddaen Ood Dowlah, Guffoor, the Darogah, and others. When I took possession on Monday, the Dewan was moving out. Nudden Ood Dowlah moved out yesterday. The time given to Guffoor to quit, will expire to-morrow, according to the notice served.

In consequence of information, I received between the hours of 5 and 6, I went back to Pater's Gardens again, and I found the gates closed, and I saw a great mob in the garden, and on the outsides also, at both gates. I reported the circumstances to the Police, I know nothing more. On arrival there I found that the men I had left in possession had been put outside. They will tell their own story.

(Signed) G. G. K. RICHARDSON.

Taken on Oath before me at Madras as aforesaid the day and year first above written.

(Signed) J. C. BOULDERSON,

Justice of the Peace and Commissioner of Police.

No. 14 From Surgeon E. G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 11th March 1858, No. 558 of G. A.

Sir,

I have the honor in reply to the orders in para. 1, of Extract Minutes of Consultation of the 8th Instant, No. 166, to give, as a narrative of events connected with the Agency, that, in consequence of the necessity for Madar Ool Oomrah Bahadoor, removing from Pater's Garden, the property of the Nabob there, of which he was in charge, the passing in and out of Carts to convey the same away became necessary, a duty which the Dewan commenced to perform on the 14th February, 1858.

2. Prior to this, in consequence of the Messrs. Richardson having become the Owners by purchase of Pater's Gardens, they had, to all persons claiming, or residing, serving on, or having property on, the premises, served a Notice to quit, giving one month's grace. The month of grace would have expired on the 19th February 1858.

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3. In breach of the their own term of grace, however, four days prior to its expiry, viz., on the morning of Monday the 15th February, one of the Messrs. Richardson (stated to be Mr. George) was reported to have come to Pater's Garden in company with that Son of the Dewan, who is named Gholam Mahomed Sahib, Shurfood Dowlah Bahadoor, and what was then done they explain in their first letter to me which was sent to Government, and in which they mention that Gholam Mahomed gave orders for their admission. Another statement however has been reported to me to the effect that the Dewan issued such an order.

4. On the afternoon of the following day at about 5 P. M. of Tuesday the 16th February, the servants of the Begum put those of the Messrs. Richardson, again, out of possession, but as I have understood, without any personal violence.

5. On the 18th, Her Highness the Nabob Begum wrote to me complaining of the unlawful entrance of Messrs. Richardson into her Garden and of their breaking down the wall and asking that the unworthy conduct alluded to might be brought to the notice of Government, as also that the Commissioner of Police might protect herself and property, as she had on the 13th January filed a Bill in Equity in Her Majesty's Supreme Court of Judicature, as she has caused them to be turned out again in a gentle way, and as she had heard that the Messrs. Richardsons were to reforce an entry by the aid of blackguards.

6. I sent this letter on to the Commissioner of Police on the 19th, to which he replied the following day (20th), requesting me then to intimate to Her Highness the Begum that if either or both parties attempt or commit any Act likely to cause a breach of the Peace, he would have them arrested and as many as possible of their retainers on either side. I told the Commissioner on the same day, that Her Highness being exempted from the Jurisdiction of British Courts, I had not conveyed that message, but on re-perusing the Act XVIII of 1857, I sent, on the 22nd, the Commissioner's letter to Her Highness the Begum.

7. Government notice that I had sent to Her Highness (on the 22nd) the Messrs. Richardsons' letter of the 20th February; this Her Highness acknowledged in two letters, in that of 28th February she said she would reply to it on her return to Madras (from the Red Hills where she was for a month,) and, in her second, of 1st March, she mentioned that she would do so when I called on her, on her return. Her Highness returned late on Wednesday last, but I have not yet called owing to difficulties intervening.

8. I have, on the 9th, forwarded to Her Highness, Extract Minutes of Consultation, No. 166, of the 8th Instant, and will have the honor of communicating the explanation which she may furnish.

9. I would add that from several sources, I became aware that a considerable body of men were kept within Pater's Garden, to prevent any sudden attempt on the part of the Messrs. Richardson to re-possess that property, but the information since acquired has been that the presence of that body was discontinued about the beginning of last week.

No. 15 From Surgeon E. G. BALFOUR, Government Agent at Chepauk; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th March 1858, No. 592 of G. A.

Sir,

After a second time calling on Her Highness Nabob Khyre Oon Nissa Begum, for Her Highness' observations on Extract Minutes of Consultation, No. 166 of 8th Instant, Her Highness has sent, for transmission to Government, along, with a Persian letter, the letter which I have the honor to enclose.

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2. As Her Highness in this again expresses her wish that the case should be settled by the progress of Suits in Court, it would seem advisable that Certificate be issued permitting prosecution of any Suit in this case.

3. It seems to me that a grave error was committed by the Messrs: Richardsons in not waiting till the expiry of the month of grace.

To Surgeon E. G. BALFOUR, Esq., Government Agent at Chepauk.

MY DEAR SIR,

I have the honor to acknowledge the receipt of your letter of the 9th Instant, giving cover to an Extract of the Minutes of Consultation of His Lordship the Governor in Council, No. 166 of the 8th Instant, (which is herewith returned as requested,) and in reply have to inform you that I never resorted to violent proceedings to expel the Peons of Messrs: G. G. K. and J. S. S. Richardson from Pater's Garden, but that on contrary it was Messrs: G. G. K. and J. S. S. Richardson who illegally, unlawfully, and violently, during my absence, entered into, and took possession of a portion of the said Premises and attempted to oust the inmates thereof, composed chiefly of Gosha Mohomedan females and women who belonged to the household of His late Highness Ghoolam Mohommed Ghouse Khan Bahadoor, the Nabob of the Carnatic.

I beg to intimate you that I was informed that the Peons who had been placed by Messrs: G. G. K. and J. S. S. Richardson in charge of the said Pater's Garden attempted to intrude upon and disturb the ladies of the Zenana, and that upon this being remonstrated with, they quitted the said Premises, of their own accord, and without a blow being struck. I here beg to mention, that I positively deny that my servants used or resorted to force to expel the Peons of Messrs: G. G. K. and J. S. S. Richardson or that they attempted to do so, indeed if such had been the case, the Magistrates would have taken cognizance of the matter, and their not having done so, only shews that not only, that no force was attempted, but that the assertions of Messrs. G. G. K. and J. S. S. Richardson are not to be relied on.

I beg particularly to bring to your attention the fact of Pater's Garden and other property being the subject of a Suit now pending between me and the said Messrs: G. G. K. and J. S. S. Richardson, and one Ghulam Mohommed Saheb on the Equity Side of the Supreme Court, and that such Suit has been pending since 13th January last, and that although the said Messrs. G. G. K. and J. S. S. Richardson did, some time in the month of February last, serve several of my servants with a notice to quit and deliver possession of Pater's Garden and threaten them that in default thereof an Action of Ejectment would be brought against them to recover possession, yet they the said G. G. K. and J. S. S. Richardson did, sometime in the said month of February, and after serving such notice illegally, and unlawfully place their Peons as above mentioned and attempt to take violent possession thereof, during my absence, instead of adopting the more peaceful and lawful mode of restoring to the Supreme Court, and bringing their Action to eject me therefrom.

In conclusion I mention that Messrs. G. G. K. and J. S. S. Richardson having failed to obtain possession of Pater's Garden as above mentioned, have since in every possible way endeavoured to disgrace and injure me and to bring me into bad odour with the Honorable Government, and to do which they have not hesitated to adopt the most foul means and insidious insinuations. I solicit therefore that under these circumstances His Lordship the Governor in Council will be kindly pleased to help me, a Widow, as my Patron, and not to rely on the fabricated Statements of Messrs. G. G. K. and J. S. S. Richardson in the matter.

17th March 1858.

No. 15.A ORDER THEREON, No. 199; dated 23rd March 1858.

The Government resolve to forward the foregoing letters, through the Honorable Company's Solicitor, to the Advocate General for his remarks in reference to his previous opinion, communicated in letter of the 4th Instant, No. 126.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. J. A. Wilson.

Political Department

No. 199

*Extract from the Minutes of Consultation
under date 23rd March 1858.*

*Read the following
letters:*

*From the Commissioner
of Police (dated 12 March 1858. No. 28)*

*From the Govd. Agent
at Chepauk (dated 11/2/58. No. 592)*

HL

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Will

*The Govd. resolution
to forward the fore-
going letters, through
the Honble Company's
Solicitor, to the Advoca-
te General for his
remarks in reference
to his previous opinion
communicated in let-
ter of the 4th Instant No.
126.*

JP

To the H. C. Solicitor - Dispt 24

Dr. Comd. 23rd March
Retired 1858 26 Jan 1859

1859

Abstract of M. 1. of 1858

29/23 March 1858

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