M.R.O. 1—38,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G O. No. 533 ~~Mis.~~ Press

Dated 20 - 8 - ~~19~~ 1858

Not to be folded or roughly handled

No. 533.

From

T. PYCROFT, Esq.,
Chief Secretary to Government, Fort St. George,

To

C. BEADON, Esq.,
SECRETARY TO THE GOVERNMENT OF INDIA,
IN THE FOREIGN DEPARTMENT, CALCUTTA,
Dated Fort Saint George, 20th August 1858.

SIR,

In their Despatch to this Government, Political Department, No. 5 of 1858, 7th July, on the affairs of the Carnatic Family, the Honorable the Court of Directors, paras: 5 and 6, (for more convenient reference given in the margin) after noticing the Stipend of one Lac of Rupees per annum, which at the instance of this Government* had been assigned to Prince Azeem Jah Bahadoor, Uncle of the late Nawaub, authorize under certain considerations the Stipend being raised to a Lac and a half Rupees per annum, if this Government should be of opinion that the augmentation would, under all the circumstances be proper, and if the Government of India should concur in this view.

Para: 5. To Prince Azeem Jah, in lieu of 48,000 *Rupees per annum which he received from the late Nawaub one Lac of Rupees per annum has been assigned. This Stipend the Prince has hitherto refused to receive, and you have informed him that, if he persists in his refusal, the Stipend will not at any future period be paid to him in arrear.*

Para: 6. Considering the high Rank of the Prince, the influence of his name and position over the numerous Mahomedan population of Madras, the excellent conduct of that population during our recent difficulties, and considering also that the Prince was accustomed to receive not only 4,000 *Rupees per month from the Nawaub, but* 3,000 *Rupees per month from his mother, Saeed Oon Nissa Begum, making* 84,000 *Rupees per annum, not much short of the Lac of Rupees which you have assigned to him; you may perhaps be inclined to think that a larger Stipend, amounting perhaps to a Lac and a half per annum, might with propriety be assigned to him for life. Should you be of this opinion, and should the Government of India concur in it, we authorize you to act on that opinion without further reference to us.*

* *To Government of India, Political Department,* 17*th June* 1856, *Para:* 5.
From Government of India, 17*th September* 1856, *Para:* 4.

2. This Government, I am instructed to state, consider that on the grounds noticed by the Honorable Court the Prince's Stipend may properly be raised to the amount suggested Rupees 1,50,000) One Lac and fifty thousand Rupees per annum, and they desire me to solicit the sanction of the Government of India to the measure. It should be remarked that the Prince has hitherto refused to draw his present Stipend, and that he has been informed by the Madras Government, that if he persisted in his refusal, it would not at any future time be paid to him in arrear. The Governor in Council would not however now wish to press that Resolution, but would propose that the enhanced allowance authorized by the liberality of the Honorable Court, should, if assented to by the Supreme Government, be offered to Prince Azeem Jah Bahadoor from the date of the Nawaub's death.

FORT ST. GEORGE,
20*th August* 1858.

I have the honor to be,

Sir,

Your most obedient Servant,

Chief Secretary.

Exd. A. P. W. Begbie.

No. 13. From H. D. PHILLIPS, Esq., Commissioner at Tanjore; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th August 1858, No. 311.

SIR,

Minutes of Consultation, 4th May 1858. Adverting to the communication from your Office marginally noted; I have the honor to transmit a copy

24th July 1858. of an Extract from the proceedings of the Civil Court at Combaconum from which the Government will perceive that the Suit in which Ramakistnier is Plaintiff against the late Acting Collector Mr. Cherry and others, has been remanded to the Subordinate Court to be there decided on its merits.

2. I beg also to enclose a translation of the Petition which was presented in the Civil Court as counter to that prepared in this matter in the Office of the Government Pleader.

Motion presented to the Civil Court of Combaconum by Ramakristnen, Plaintiff, in Suit, No. 29 of 1856, on the file of the Sub-Court.

1. The present appeal having been instituted against an order of the Sub-Court, 4 months after it was passed, the Defendants have forfeited their right of appeal.

2. The Defendants are not right in their statement in para: 7. of their motion of 1857, No. 643, that the Sub-Court have not the authority of awarding costs at their discretion. The Sub-Court possesses that authority under Section 27, Regulation 14 of 1816, and Circular Order of the Sudr-Court, dated 6th May 1824. The Defendants did unjustly interfere with my property on rent beyond doubt; and have still withheld that property from me with great injustice. That this fact has been acknowledged by the Defendants themselves will be apparent beyond doubt to the Honorable Court, from a Yadast written to my Vakeel Rengayengar by the Government Vakeel on behalf of the Defendants; besides it will rather support the order of the Sub-Court.

3. In case of the Honorable Court overruling the objection stated in para: 1, and taking into their consideration the appeal, I request that the last and concluding part of the Sub-Court's Orders that "the case cannot be decided on by the Court as it now stands," may also be cancelled, and the motion may be referred for investigation, that the Suit may be decided on its merits.

4. The first part of Section 15, Regulation 2 of 1802, is repealed by Regulation 1 of 1823.

5. Supposing that it is not repealed the present Act under litigation has not been proved by the Defendants to be based on the Orders of Government.

6. The Acting Collector who was examined as a witness has merely stated that the order referred to in a letter from the Commissioner to the Acting Collector was an Order of Government, dated the 25th September; but he has not produced the Order itself on the only ground that it was a document connected with the Politics. But this Order is not one of the description; because this Order has been produced and filed in No. 13, before the Supreming Court at Madras, in a Suit between Kamachyamba Boysaib and the Honorable Company. Besides it has been decided by the Court that that Order does not authorize any one to interfere with the private property of an Individual. I therefore request that the Court will reject the appeal on the consideration of the records and the documents above referred to; and refer the case for re-investigation that a decision may be passed on its merits.

No. 14. ORDER THEREON, No. 534; dated 20th August 1858.

Ordered to be communicated to the Government Pleader, Sudr Udalut, with reference to his letter of the 27th April 1858, No. 41.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. J. A. Wilson.

Political Department.

No. 533

To

C. Beadon Esquire,
Secretary to the Govt. of India.
in the Foreign Department.
Calcutta.

Sir,

In their Despatch to the Government Political Dept.t No 5 of 8th July on the affairs of the Carnatic family, the Hon.ble the Court of Directors para 5 & 6 for more convenient reference ✱ given in the margin) after noticing the Stipend of One lac of Rupees per Annum, which, at the instance of this Government had been assigned to Prince Azeem Jah Bahadoor, Uncle of the late Nawaub, authorize under certain considerations the Stipend being raised to a lac and a half Rupees per Annum - if this Govt should be of opinion that the Augmentation would

under

✱ 5. To Prince Azeem Jah, in lieu of a 45,000 Rs per annum which he received from the late Nawaub One lac of Rs per annum has been assigned. This Stipend the Prince has hitherto refused to receive, and you have informed him that if he persists in his refusal the stipend will not at any future period be paid to him in arrear.

6. Considering the high rank of the Prince, the influence of his name and position over the numerous Mahommedan population of Madras, the excellent conduct of that population during our recent difficulties and considering also that the Prince was accustomed to receive not only 45000 Rs per month from the Nawaub but 3,000 Rs per month from his Mother Sayed Begum Sahiba Begum making 84000 Rs per annum not much short of the lac of

Rupees

To Govt. Fort St. Geo.a Pol.l Dep.t 17th July 1801 No 5.
From Secretary Govt. of India 17th July 1801 No 4.

Respecs which you have assigned to him, you may perhaps be inclined to think that a larger stipend … perhaps to a lac and a half per annum, might with propriety be assigned to him to take. Should you be of this opinion and should the Govt of India concur with us … authorize you to act on that opinion without further reference to us.

… under all the circ… be proper and of … of … should … this view.

2. … Gov't, … directed to state, … that on the ground … by the Hon Court … stipend may prop… raised to the amount … Rs 150,000 … and fifty thousand … annum, and they … me to solicit the … of the Govt of India … measure. It should … remarked that the Pr… has hitherto refused … his present stipend, … that he has been inf… by the Madras Govt, … if he persisted in his … sal, it would not at … future time be paid to … in Arrear. The Govern… in Council would not … ever now wish to prop… resolution, but would prefer … that

that the enhanced allowance authorized by the liberality of the Honorable Court, should, if assented to by the Supreme Govt, be offered to Prince Azeem Jah Bahadoor from the date of the Nawab's death.

I have &ca.

[illegible]

Fort St George
20 August 1838.

L. Seeshan

No. 534.

Ordered to be communicated to the Govt. Pleader Sudr Udalut, with reference to his letter of the 24th April 1858. No. 41.

Fort St. George
20th August 1858

To the Govt. Pleader
Sudr Udalut. } Dispd. 20th
with an Ex: from the Pdo: of the Comb Court on Stamped Paper

Rcd: Augt 58 No 20721

Date 24th Augt 58.

Coll. Lahore 13th Septr

No 21 of 1858 Para 25

In 4th Home Division

Political Department

1858

From

H. D. Phillips Esqre

Commissioner of Jullundur

To

F. Cuthbert Esquire

Chief Secretary to

Government Fort St George

Date 14th

Rec'd 18 } August 1858

No 311

Enclosures 2

No 561.

Submitting an Ex. from the Proc: of the Civil Court in Ramakistnien's Case v. Translation of a counter petition presented to the Civil Court by the Plaintiff in that case

With all Orders

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~~19 005~~