M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT**

G.O. No. 796 Press ~~Mis.~~

Dated 6 – 12 – ~~19~~ 1838

Not to be folded or roughly handled

No. 28. From Surgeon E. G. BALFOUR, Government Agent at Chepauk; to W. H. BAYLEY, Esq., Acting Secretary to Government, Fort Saint George, dated 20th November 1858, No. 1849 of P. C. S.

SIR,

Acting up to the Orders on paras: 4 and 5 of Extract Minutes of Consultation, No. 558 of 28th August last, I have the honor to name Rupees 100 per mensem as a sum amply sufficient to fulfil the intentions of Government.

No. 29. ORDER THEREON, No. 796; dated 6th December 1858.

The Agent reports what allowance he would give to the Widow of the late Shah Sawar Jung, a Son of Omdut Ool Omrah, who was pensioned by Lord Clive in 1801 at Rupees 10,000 per annum.

2. This man died in 1856. All the circumstances of the Widow's unfortunate case were fully reviewed by Government in Extract Minutes of Consultation, dated 28th August last, No. 558, and the Agent was then called upon to report, first, what sums the Dewan used to give out monthly to the Widow, while he had charge of the Estate; and, secondly, what has been the usual grant made to the Widow's of Stipendiaries of the same class as Petitioners late husband. Dr. Balfour has not complied with either of these requisitions, but states simply that he "would name Rupees 100 per mensem."

3. The Government consider Rupees 1,200 a year rather a small provision to assign on the occurrence of the 1st lapse in a Stipend of Rupees 10,000 a year. They wish the Agent to report, as already requested, the nature of the Scale usually followed in such cases. Two Petitions have been received from the Widow, setting forth that of the means left by her husband, upwards of 36,000 Rupees has been swallowed up in *bonâ fide* legal expenses, in which she has been involved owing to the other claimants to her husband's property having forced her into the Supreme Court. If this is the case, nothing is left to her, the one-eighth share allowed to her by Mahommedan Law being of course expended. The decree of the Court, it appears, is in her favor and in that of her daughter. The latter will be entitled to what remains out of the Estate, but the Widow's share is apparently gone.

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

Exd. J. A. Wilson.

Supreme court
Madras
In Equity

Shurfoon Nissa Baigum an Infant &c

Vs

Maron Nissa Baigum and others

The account of the Defendant Madar Col counsel
Bahdoor of the Estate &c of Shah savar Jung Bahdoor the
Intestate &c which came to the hands of the Defendant

1857
April 28th Cash paid to the Defendant Maron Nissa Baygum- 5283-15-0

Do Do Do 4000-0-0

Do Do Do 775-0-0

29th Do Do Do in
1412 Gold Mohurs of 15 Rupees 21180-0-0

30th Do Do Do in 1015 Gold
Mohurs of 5 Rupees 5075-0-0

Total Rupees 36310-15-0

8th April
1858

(Signed) C. M. Teed

Schedule B referred in the foregoing account

1857

April 28th Cash paid to the Defendant

Maroon Vissa Baigum 6283-15-9

Do Do Do 4000-"-"

Do Do Do 771-10-7

29 Do Do Do in

1412 Gold Mohurs of 15 Rupees 21180-"-"

30th Do Do Do in

1015 Gold Mohurs of 5 Rupees - 5075-"-"

Rupees 36310-10-4

requested, the nature of the seals

To

The honorable Walter Elliot Esqre

&c &c &c

The humble petition of Mara
Nissa Begum the Widow of
the late Shah Sawar Jung
Bahadur, the son of the
late Dondatool Umrah
Bahadur, Nabob of the
Carnatic.

Most humbly
Sheweth.

That your petr has learned, that
C. Balfour Esqre, made the following re-
port to the Government respecting her, that
as She was receiving Rs 70 per Month, from
the Diwan of the Durbar for her main-
tenance, She should receive the same
amount of pension, and that her daugh-
ter has no need of a pension, as She is
rich, and will receive Rs 70 from the
Court to maintain herself. But as the
estate of the petitioners daughter is in
the Custody of the Court, She receives
no benefit by it, and it is also uncertain,
whether it would be of any avail to
her in future, when She shall come to

Requesteth, the patience of the Leale

Transferred
to Govt
26/11/58

Nett Cost 788/58

and to enable her to attend to the legal proceedings
in the Supreme Court, he did not wish to comply with
her request but made the following answer. That they Govt
is to be considered as a loan from me as it is not borne
in the accounts of the Govt therefore I shall have to deduct
the amount paid for you from your share in the property of your
husband. If I were to grant you money to the extent you
desire I shall have to do so in case the Courts decision
ought turn out to be so. Petitioner being thus forced
to entertain an idea that the proportion in which the Devan
stands to her is no more than a Creditor. She Considered
that her Contracting debt from him is equal to her dealing
with the Govt, and Consequently she raised a loan on the
security of the Govt for the expenses of the house as well as
for her own Comfort. After the Decision of the Supreme Court
was given in favour of the Petitioner. The within 3 days
from the 28th to 30th of April 1857 received from the Devan a
sum of 30,000 Rs for the liquidation of the debt (allowed
him including) 783-15-9 paid by him in the manner as stated
above. The truth of this would be perceived from the
Statement submitted by the Devan to the Register of the
Supreme Court on the 8th April 1858 the Copy of which is herewith
for a ref. And although the Supreme Court's decision
finally pass'd a few months ago is in favour of the Petitioner
the Govt has not yet the regret that she is ordered by the
Decree of the Court to refund to it the portion she has
received in trust, for that she is entitled to by the Mohamedan
Law of the whole property

H

2nd That considering whether a grant should be
recommended to H.H. in behalf of the Petitioner of the Govt such
what grants are allowable given only to the widows & sons
& daughters of the Petitioner and Petitioner in regard that the
large Pension that according to the rate of Land Allowance is not
1000 Rs. Annum also granted to each of the three deceased
sons daughters of the former state to be for the Comfort and
Support which pension there is no standard rate for such
deceased daughters but that there is of pensions to such
pensioners father were also increased in proportion to the
Number of heirs of the deceased Shepherdesses. If a Shepherdess
were to die leaving Grandsons and daughters, his widow
either by Khadgi or Decree was granted proportionally
smaller pension than was Could enjoy when the Children are
fewer in number. From these it will be known that as the
Petitioner and the daughter are the only heirs of the late Shepherdess
Sing. they are entitled to the full allowance of the deceased
at 1000 Rs per Annum according to the scale of Land Allowance and in
Consideration of the Circumstance as below.

3rd That the Petitioners husband was the original
Shepherdess and the son of One Dotal Omra the late Patel
of the Jornalee and according to the record of the Honorable Court
of Directors the practice and prevailing in the Govt is
that the stipends of the original Shepherdess
was full to his heirs for their lives and which is confirmed
by C.M.P.C. 16 January to 16 Nov. 1854 paper Upon the
Recommendation of this very agent regarding the full
pension being Continued to the Grandsons of the Hoosyar
Mohamed Khan Dahasoor Delaver Sing — on to
Magistrate

Rajah Begum the original Petitioner. The Petitioners
of Gul Khan has been unable to [illegible] under the
pension of Rs 1200 a Annum Khan who was at the original
Petition being Continued on [illegible] from the 15th
of the August 1856 and when pension of Rs 1200 Khan
was Continued in full to her heirs in the Male generation
from the original Petitioner of that Grant Khan died
on the 23rd of May 1856 at the Rs 1200 a Annum Petitioner
Petitioner Continued and received in full to Gul for granting the
pension of Rs 1200 a Annum to her heirs in full when a
mother from the generation for the original Petitioner of that
family. Under these Circumstances it appears your Petitioner
no Small degree of Grief and Sorrow to hear that the
Agent has recommended Rs 1200 a Annum which is taken belong
to your Petitioner and Grant Khan to the grandchild
notwithstanding your Petitioner the daughter are much
in need to be taken to the State of Bombay Country and
Palaya whereas the powerful State of the Carnatic

4 The Petitioner further begs to state that
the Decree of her daughter which was the Supreme Court
with not avail her with the affairs her progress and
besides the prospering of a Capital work to make any way
for Gul from granting pension to Such as are daily
greatly poor [illegible] the Court have in the Cases of Khan Bahadur
Dowlah Bahadur and Ryeel
Omrah Bahadur the officers of the Carnatic Carnatic
settle arise the objection stated by the Agent in granting
the pension on score of their benign application
Circumstance have granted their pension [illegible]

Ex

Ex Left July 1857 without being prejudiced by
the Ground — How Could they deprive the grand daughter
of the powerfull Nabob of the Carnatic of her just
right of pension

5 In Conclusion the Petitioner hope
that the Right Honorable the Governor Council
will view the whole of the above urged facts &
grant her and her daughter the pension they are
justly entitled to from the date of the decease of her
husband the 23rd May 1856 and release them from the
distress and misery they are at present subjected to —

For which act of Charity Your Petitioner
Shall as in duty bound —

Shall ever Pray

26 November 1858

Political Dept 911

No. 796.

E. & C. D./ 6 December 1858.

Read the following letter from the Agent at Chepauk } Received under No 849 D/ 20th Novr/58.

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2. This man died in 1856. All the circumstances of the widow's unfortunate case were fully received by Govt in Edl. D/ 28th August last No 558, & the Agent was then called upon to report, first, what sums the Dewan used to give out monthly to the widow while he had charge of the Estate, & secondly, what has been the usual grant made to Widows of stipendiaries of the same class as Rebis late husband. Dr Balfour has not complied with either of these requisitions but states simply that he "will grant Rs 100 per mensem".

3- The Govt consider Rs 1200 a year rather a small provision to assign on the occurrence of the first case in a Stipend of Rs 10,000 a year. They desire the Agent to report, as already requested, the nature of the claim

followed in such cases. Two Pabbrons have been sent from the widow, setting forth that of the means left by her husband, upwards of £ 36000 Rs has been swallowed up in bona fide legal expenses, in which she has been involved owing to the other claimants to her husband's property & forced her into the Supreme Court. If this is the case, nothing is left to her, the one eighth share allowed to her by Muhammadan Law being of course expended. The decree of the Court, it appears, is in her favor & in that of her daughter. The latter will be entitled to what remains out of the estate, but the widow's share is apparently gone.

D. F. C. 2/12/58.

To the Govt Agent at Chepauk. Despd 7th

Pol. Let. to Engd. 15th Feb.
No. 2 of 1859 Pam 3

Replied to by the Secy of State for India 8th Dec.
No 20 of 1859

In Lt Govs. of Decr
Political 1858 Departt

No 796

Extract Mins. of Cons

8/6 December/58.

F. 1269 f 60

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