M.R.O. 1—38,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No.	402	Press ~~Mis.~~
Dated	6 - 7 -	No 6859

Not to be folded or roughly handled

No. 16. From RAJAH STREE YAIKOJEE; to His Excellency Sir CHARLES TREVELYAN, Governor in Council, Fort Saint George, dated 31st May 1859.

MAY IT PLEASE YOUR EXCELLENCY,

I respectfully beg the favor of having the enclosed letter and petition forwarded to the Right Honorable Lord Stanley, Her Majesty's Secretary of State for India in Council.

From RAJAH STREE YAIKOJEE, ; to the Right Honorable LORD STANLEY, Her Majesty's Secretary of State For India in Council, dated 30th April 1859.

MY LORD,

With great respect I enclose copy of a Petition my Agents in England are about to present to the Imperial Parliament which I now beg to transmit to your Lordship through the Government of Madras with a view of affording that Government an opportunity of furnishing your Lordship with any remarks it may be considered expedient to offer thereon.

To the Right Honorable the Lords Spiritual and Temporal of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble Petition of Rajah STREE YAIKOJEE, Adopted Son of His Highness the late Rajah STREE PRETAUB SING JEE, also Grandson by Adoption of His Highness AMEER SING JEE, formerly Rajah of Tanjore and Heir to His late Highness STREEMUNT Rajah STREE SEVOJEE Maha Rajah of Tanjore in the East Indies.

SHEWETH,

That your Petitioner is the son by adoption of the late Rajah Stree Pretaub Sing of Tanjore in the East Indies, who succeeded his father the late Ameer Sing Jee in the enjoyment of a Grant of Star Pagodas twenty-five thousand per annum, secured by the 8th Article of a Treaty between the Honorable the East India Company and His Excellency Maharajah Surfoojee, dated 26th October 1799.

2. That the late Government of India, through the East India Company, continued the allowance to Your Petitioner's adopted Father, the late Rajah Stree Pretaub Sing, but refused the same to Your Petitioner; and assigned their reasons for so doing in a General letter in the Political Department, dated 11th September 1850; but Your Petitioner submits that such letter is simply answered by referring to the origin of the Grant, which, being permanent in its nature, the mentioning of Heirs and Successors was unnecessary; and, as regards the question of adoption, Your Honorable House must be well aware that adoption could form no legal grounds of disqualification. The rights of an adopted son are, under the Hindoo Law, in every respect equal to those of a natural born son. Your Petitioner was born, and lives, under the Hindoo Law, and which Law, he submits, the Government of India were bound to administer to him.

Para. 3. The deceased Prince left no Legitimate or male issue. In his last illness he adopted a son, but as you were not bound by the Treaty or by any other engagement to continue his stipend [Rupees 87,500 per annum] to an adopted son (indeed the Treaty makes no mention even of lineal descendants, or of Pretaub Sing himself, but only of Ameer Sing) we approve your having refused to admit, on the part of the adopted son, any claim to a provision from Government, though if the adoption be legal as appears to be the case he will succeed to the private property left by the deceased including the Palace.

3. That the above grant, stated to be a charge upon the Revenues of Tanjore, is by its nature permanent and is not conferred by the East India Company, but by Surfoojee; and had

it been intended as a personal Grant it would doubtless have been made a charge upon the Treasury and not upon the Revenues; whereas, it is stipulated that it shall be made a first charge, after which the Revenues are to be at the disposal of the East India Company.

4. That by Hindoo Law an adopted son, if disqualified for inheritance from Insanity, informality of the forms of adoption, consanguinity, or other causes, is nevertheless entitled to maintenance from the estate of his adoptive father: while he has for ever forfeited all claims on his natural father.

5. That the Hindoo Laws and Religion being intimately blended, and attributed by the Hindoos themselves to divine origin, regulating as they do, not only the rules of succession to property, but even the minutest acts of social life, cannot be changed by the ruling power without a violation of the compact existing between the Rulers and the People and which compact has repeatedly guaranteed to the natives of the soil their own laws and customs.

6. That Your Petitioner begs to refer Your Honorable House to a Genealogical sketch annexed, whereby it will be seen that the family to which Your Petitioner by adoption belongs was not the least among the Princes of India, and that Toolgagee, who died in 1708, left a Brother, Ameer Sing, and an adopted son, Surfoogee. This adoption having been pronounced invalid, Ameer Sing was, at the instance of the East India Company, elevated to the Musnud and executed a Treaty with that Company in the year 1787 and again in 1793, and in the 10th Article of the latter Treaty an annual sum of Eleven thousand Pagodas was allotted as a provision for Surfoojee the adopted son of Toolgagee.

7. That Your Honorable House will herein perceive a distinct recognition of the Principle of Hindoo Law which renders the maintenance of an adopted son imperative, when the adoption, after having been made, has been pronounced invalid.

8. That after a reign of 12 years the East India Company, with what degree of justice or consistency Your Petitioner does not pretend to assert, entered into Treaty negociations with Surfoogee, and pronounced in favor of the validity of the adoption and against the rights of Ameer Sing.

9. That it will be thus apparent to your Honorable House that the Rights accruing from adoption, ignored by the late Government in the case of Your Petitioner, were, in the instance of Surfoogee, upheld as against the claims of collateral heirs; and that the line of succession thus changed had nothing but adoption for its basis.

10. That it was on thus descending to a private station the above grant was made to Ameer Sing, an Ex-Sovereign Prince, being the only estate he received as a consideration for the peaceable relinquishment of a Kingdom; and in lieu of the provision he was undoubtedly entitled to by Hindoo Law and usage, as a Member of an undivided family. This exchange was obviously intended to be permanent in its nature, or to endure so long as the new line of succession could be continued; and it never could have been contemplated that the descendants of Ameer Sing were to become paupers after one generation.

11. That the Kingdom of Tanjore was, and has continued to be, one of the most fruitful and productive countries of Southern India, and Your Petitioner, whose adoption is uncontested, has been compelled to stand forth before a numerous people as the representative of an ancient line of Princes, stripped of every thing but a name and associations still held dear and sacred among the dense inhabitants of the rich and fertile soil over which his ancestors ruled—denied the protection of his own laws, he has not even a like share of maintenance allowed to the females of his family, and which by Hindoo Law extends to disqualified heirs by adoption, and even to outcasts; all of whom are chargeable on the funds and Estate of a Hindoo Family.

12. That while Your Petitioner's adoptive Mother, lately deceased, has, since the death of Pretaub Sing, received an allowance of Rupees 550 Monthly out of the ancestral charge on the Revenues and the Concubines of Your Petitioner's adoptive father 200 Rupees monthly, Your Petitioner has personally exhibited to his people the humiliating spectacle of being held in less estimation by the local Government than his father's Concubines; and it is thus that the late Government has degraded in the eye of the people the sacred institution of adoption.

Proceedings of the Madras Government, Political Department, from 2nd to 8th July 1859.

13. That a reference to the annexed genealogical tree will shew Your Petitioner to be the second Cousin* of the deceased Rajah of Tanjore, an heir of parallel grade, and the successor to his Rights, Titles, and dignities according to the Hindoo Law and the usages of the Royal family of which Your Petitioner is a Member.

14. That since the death of His late Highness the Rajah of Tanjore in 1855 Your Petitioner has awaited a fitting opportunity of preferring these his just and legitimate claims; but until the moment when Her present Most Gracious Majesty assumed the immediate controul of this country, the Princes of India felt and knew that they were virtually without appeal against the proceedings of the late Government of India.

15. That the dissatisfaction pervading the whole of India which manifested itself in so fearful a manner by rebellion in the North West Provinces, and in which rebellion the people of Tanjore took no part, bids fair to be removed by the vigorous councils and direct interposition of Our Gracious and Revered Sovereign, whose promises conveyed in a Proclamation of the 1st November last, gladdened the hearts of desponding millions, in assuring them that Treaties and engagements made with the Princes of India by the Honorable the East India Company, will be henceforth scrupulously maintained, and their rights, dignity, and honor respected.

16. That firmly relying on these benign promises Your Petitioner humbly prays as follows.

1. That copies of the treaties herein referred to and all correspondence bearing on the subject may be laid before Your Honorable House.

2. That the allowance of Pagodas twenty-five thousand drawn by the late Pretaub Sing Jee may be paid Your Petitioner in arrears from the 17th day of January 1849 (being the date of that Prince's decease) up the 29th day of October 1855 being the date of the decease of his late Highness the Rajah of Tanjore subject to a deduction of such sums as have hitherto been allotted to the maintenance of the Family of the late Pretaub Sing.

3. That the Indian Government may be instructed to place Your Petitioner on the Throne of his ancestors in Tanjore, and to invest him with all hereditary Titles and Dignities as the lawful heir of his Cousin, the late Maha Rajah Sevajee with all arrears of Revenue from the 29th day of October 1855, and full compensation for any Rights or Property irrecoverably alienated or destroyed by the late Government of India.

And for which act of justice Your Petitioner as in duty bound will ever Pray.

The same to the Honorable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

* Where there may be Male issue of undivided brothers the inheritance passes from one Cousin to another to the remotest degree, while remaining undivided (Strange's Manual page 60.)

SHAJEE.

Yaicojee the founder of the Kingdom of Tanjore.

Seevajee the founder of the Maharatta Empire.

Shajee 1st son of Yaicojee succeeded his father and died issueless.

Surfoojee 2nd son succeeded his brother Shajee and died issueless.

Toorkoojee 3rd son succeeded his brother Surfoojee and died leaving two sons.

Bava Saib 1st son succeeded his father and died without issue.

Pretaub Sing succeeded his Brother Bava Saib and had two sons.

Toolgajee 1st son of Pretaub Sing succeeded his father and left an adopted son, Surfoojee.

Ameer Sing 2nd son disputed the succession with his adoptive Nephew and was placed on the the throne by the decision of a British Commission and executed two Treaties with the East India Company but was compelled to abdicate after a reign of 12 years receiving a Provision charged upon the Revenue of 25 thousands Star Pagodas guaranteed by treaty between his adoptive Nephew Surfoojee, and the East India Company,

Surfoojee adopted son of Toolgajee claimed the succession as rightful heir. These claims being referred to the Company's servants, were rejected; but after his uncle had reigned 12 years the legality of his adoption was recognised on his executing an instrument to abide by such arrangements as the East India Company deemed expedient; upon which the Treaty of 1799 was framed.

Rajah Stree Pretaub Sing who enjoyed the family provision and had no issue; but adopted a son.

Sevajee son of Surfoojee the last reigning Prince died in 1855, without issue.

Yaikojee adopted son of Rajah Stree Pretaub Sing, the present Petitioner, AND CLAIMANT OF THE VACANT THRONE OF TANJORE.

The principle of undivision and consequently the order of succession, is clearly indicated as subsisting in this family in Brothers having suceeded to Brothers: as also the mutual obligation of maintenance recognized in the Treaty of 1793, where Surfoojee is provided for as an adopted Son. and who, in like manner, on ascending the Musnud stipulates for a provision for his Uncle Ameer Sing, in the 8th Article of his Treaty with the East India Company in 1799.

R. YAIKOGEE.

Proceedings of the Madras Government, Political Department, from 2nd to 8th July 1859.

No. 17. ORDER THEREON, 6th July 1859, No. 402.

Ordered that the foregoing letter with the two Petitions which accompanied it be forwarded to the Home Authorities by the next Steamer.

(Signed) T. PYCROFT,
Chief Secretary

Prd. A. P. W. Begbie.

Political Department.

Proceedings of the Madras Government.

Read the following letter from Rajah Sttee Gakojee, an adopted son of the late Tulsaw King of Tanjore.—

(Rec.d enter 31st May 1859.)

Order thereon, 6th July 1859. No. 402.

Ordered that the foregoing letter with the 2 Petitions which accompanied it be forwarded to the Home Authorities by the next Steamer.—

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Rajah Sttee Gakojee. Dis.d 9th

Ld. Dt. 6 Aug.t 8 Dt. Aug.t No. 21 of 1859.

Replied to by the Sec.o of State for India No. 12 Law Dt. No. 3 of 1860.

25-7-12

Political 1859 Separate

No. 102

Proceedings of Govt.

21 July 1859.

Ordering the transmission to the Home Authorities by the next Steamer of the letter from R. Yacklooje — adopted Copy of the Late Pretaub Sing and the two Petitions laying claim to the Tanjore Raj: &c.