M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

political DEPARTMENT.

G.O. No. 76 Press ~~Mis~~

Dated 29-1- 1859

Not to be folded or roughly handled

No. 7. **From Suregon E. G. BALFOUR, Government Agent at Chepauk; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th December 1858, No. 2023 of P. C. S.**

SIR,

I have the honor to report, with reference to Extract Minutes of Consultation, No. 796 of 6th Instant, that the Right Honorable the Governor in Council in Extract Minutes of Consultation, No. 558, dated 28th August last, reviewed a Petition which was not sent to this Office for report, the contents of which therefore could only be guessed at by this Office, from the nature of the review, and from this Office having been kept aware that such Petition was meditated, was being prepared, and, ultimately, was sent to Government, and Government before a report from this Office, on that Petition, came to certain conclusions and issued certain orders to this Office. As the information in the Agency on the subject of that Petition was not in accordance with the Statement, which Government, assuming it to be correct, had issued orders on, it became a most difficult task for me to frame such a report as would not appear to be opposing the orders of Government. I wrote three reports on the subject and all of them were fair copied with the intention of submitting the whole to the Acting Chief Secretary for him to select such a one as he might deem suitable and took them to my own house so that I might call on him for that purpose: but, at last, thinking it would be better, under all existing circumstances, that Government, having once come to a decision upon a point, should not be embarrassed by my urging reasons for a departure from that decision, I kept back the two other reports, one of 2 and the other of 14 Paragraphs, and sent on the brief one which Government in No. 796 of the 6th Instant review.

558 28-8-58 796 7-2-58

2. I am prepared to send on either one of the two reports still lying ready in the Agency, or to frame a new report on all the circumstances of this case, as Government may desire. In both the reports lying here, I have given the items of former Grants to Nickah Widows of Nickah Sons of Nabobs, and these have varied from Rupees 10-13-0 to Rupees 53-8-0 per mensem. But, before reporting, I beg very respectfully to draw the attention of Government to a point in para: 3 of No. 796 of 6th Instant, under reply, causing me the very same difficulty which I experienced in framing a suitable report on No. 558 of 28th of August last. It is that Government in para: 3 assume her statement to be correct, also that 36,000 Rupees have been swallowed up in *bonâ fide* legal expenses, a statement which is not in accordance with the information in this Office, which seems wholly incredible, and which, as I had only private means of knowing what was actually *bonâ fide* spent by this woman, I beg, if Government see no objection, that the legal Officer of Government be asked to obtain correct information as to what amount was *bonâ fide* expended by this woman for legal expenses: and then, if Government see fit, I will have the honor of submitting a full report on this case.

3. Should Government, however, not adopt this view, I have the honor to intimate that the allegations contained in that Petition, which I have not seen, but which Government assume to be correct, are not in accordance with our information. Her's is not a case that I could recommend any thing being granted; but Government having resolved to regard her as a Nickah Widow of a deceased Nickah Son of a Nabob, and to grant to her an allowance similar to what have been received by Pensioners of her resolved condition, I do not recommend Government to depart from its original resolution. I have the honor to place on the margin* the amounts granted amongst the 1801 Carnatic Stipendiaries to every Nickah Widow of the Nickah Sons of Nabobs, and, in my letter of 20th November 1858, I named the large sum of Rupees 100, because this was about the amount, in money, food and Servants, &c., that the Dewan reported he had been accustomed to allow her.

		Rs. A. P.
* *Extract from the Minutes of the Honorable the Governor in Council, dated 27th June* 1820.	*Roushun Munkohee of the late Mahummud Ismaeel Khan,*	20-0-0
Do. Do. 9th January 1821.	*Two Nickah wives of the late Hoossyn Nawaz Khan, each,*	49-8-0
Extract Minutes of Consultation, 16th September 1828.	*Fizzoo Bee Nickahee of the late Ghoolam Mahomed Khan Kussoor Jung,*	53-8-0
Do. Do. 12th February 1839.	*Zahrah Begum, Nickah Widow of Abdul Hamed Khan,*	10-13-0
Do. Do. 18th May 1847.	*Budr Oon Nissa, Nickah Widow of Aboo Turab Khan,*	36-3-5
Do. Do. Do. Do.	*Azeem Oon Nissa, Nicka Widow of do.*	36-3-5

4. If it meet with the approval of Government, I have the honor respectfully to ask where a Petition is to be referred to the Agency, it would greatly facilitate our reporting not in any way hinder Government carrying out its own views, if the Petitions could be sent before Government record a resolution.

5. On the point, however, of the alleged *bonâ fide* expenditure for legal expenses has amounted to 36,000 Rupees, the Right Honorable the Governor in Council is aware that contested claims where, as in this case, the Petitioner, the mother, appeared as the guardian an infant child, and these, the mother and child, are the only two heirs, *bonâ fide* legal expenses are allowed by the Court out of the Estate. I have no doubt it will be found that the Court the Master in Equity have not recognized or allowed Rupees 36,000 for *bonâ fide* legal expenses as this person states she has received; but whatever amount may have been expended I may claim credit for the recommendation which this Office years ago made to prevent the Estate of the deceased being wasted in litigation, and how I urged my wish, I beg to refer to para: 4 of my letter, No. 81, dated 17th July 1856.

No. 8. **ORDER THEREON, No. 76; dated 29th January 1859.**

The Government desire that the Government Agent at Chepauk will state concisely and explicitly to what portion of her deceased husband's Pension Mihr Oon Nissa Begum and her Daughter would, by rule or practice, be entitled, as the Nicka Widow and Daughter of a Nicka Son of the Nabob Omdut Ool Omrah, or if there is no exact case as the Widow and Daughter of a Nicka of a first Class Stipendiary, who left no Shadee wife or child.

(Signed) **T. PYCROFT,**
Chief Secretary

Exd. J. A. Wilson.

Political Department

No. 76

Ex: Minutes of Cons: dated 29th Jany 1859.

From Govt. Agent Chepauk 18 Dec. 58.

No. 2023.

The Govt desire that the Govt Agent at Chepauk will state concisely & explicitly to what portion of her deceased husband's Pension Mihr oon Nissa Begum and her daughter would by rule or practice be entitled, as the Nicka widow & daughter of a Nicka Son of the late Nabob Omdut ool Omrah, or if there is no exact case

as the widow
by Nikka
description of a
Class of Superior
who left no Shadow
wife or child

To the Govt Agent @ Chepauk. (Singd) Do

January 17. 1859

My dear Mr Pycroft.

The Alliance and Bombay Native Education Society for the maintenance of the Lopez Christopher Regan of Rupees 70 per mensem and this sum is payable to another Mary Coomkussa Regan who has been appointed her guardian. Annuity trimonthly

Yours very faithfully
C R Regan

Rev. J. Pycroft

Political Letter to Govt. dated Bombay the 13th of 1859

Political Letter from Govt. dated 20th January 1859

Rec'd 7th

Colonels Blind & Wilson

Rec'd January 1859

F. 1108

Lr. Jany/59.

Memo: for Orders

Pol.l Dept.

Letter from Chesapeake Agent. & 18th Dec.r 1860
No 2023.

"This Lady, Nikhr oon Nissa Begum, is
the widow of Shah Sawan Jung, a
son of the Nabob Omdut ul Omrah,
who was pensioned in 1801 by Lord Clive
at Rs 10,000 a year.
2. Her husband died at a very advanced
age in 1856 - Being very thrifty, he left
a considerable sum, upwards of a Lac,
behind him - He trusted no banks, but
hoarded it all in coin on his premises.
The litigation that ensued is detailed
in Fo. M. C. Pol. Dept No 558 of the
26th July last, in which Extract,
Govt "being disposed to make a perma-
"-nent allowance to the Widow & daun,
"called upon the Agent to report what
"sums the Dewan used to allow her
(so long as he had charge of the estate) &
"what has been the usual grant to
'stipendiaries' widows similarly
circumstanced - " The Hon'ble Mr Thorn-
-hill dissented from the principle
of this Order - being of opinion that
Her allowance need not be permanent
but that she ought to get whatever was
usual at once, irrespectively of the
fact of Her husband having been possess-
-ed of a considerable estate.

Govt. 6th Secretariat
No 796

addressed to Hon. W. Ellis & transferred by him to Govt

3. After the lapse of three months, the Agent briefly said "I wd name 100 "Rs a month as a proper sum."

To this the Govt objected that the original stipend being Rs 10,000 a year, 1200 a year was not according to the usual scale. They said too, that they had recently received from Petitioner from the Widow, stating that 36,000 Rs had gone in Legal expenses - so that Law & Usage (wh is * by Mahomedan law) no longer exists. They therefore wished the Agent to report further on the case.

4. This he now does. He seems still extremely loath that the Widow shd get any thing considerable; & affecting to understand that Govt design to give her what often Nickah widows of stipendiaries of her husband's rank have received — puts in a list, showing that in no case has such Nickah widow rec'd so large a sum as he recommends.

5. This is not very ingenuous. He knows very well that where there are Shadee widows, sons & daurs, there the share of a Nickah widow is (of course) small - but where there are no Shadee relations, there the heirs Nickah are placed in the first Class. And such is His case. Deceased left one Nickah widow & her daurs, & no other heirs whatsoever. D[illegible] 15/1/09

this is a mis quotation. she said 'her own & Legal expenses' & the Dewan swore this on Pt. vide Master Reid's certificate (copy) filed by the Widow.

6.

His most vexatious pettifogging such a letter as this when all that was wanted was a brief reply to the plain question.

As known it seems that R100 a month is above what the Dewan used to allow their widows pinshuns but might pin her that at once and close R Cs correspondence.

As they mystical reasons for increasing what in point of fact has been the pension - Com of stipend usually allowed to the Sticklers and daughter of a first class Hispendiary when there have been no Shadee widow or child —

Col Hamilton says, tells me that this widow is a sick and helpless old Lady who has been married to Shah Soon being dead & all her children & she herself entirely supported on such by the Nizam Govt

But a part of the money must be used by

Some 500 Rs 6000 Rs
possibly Mr Boyle is
-formation - The widow
has also taken out Letters
-tal or ought having
received all the money
- although probably she
may actually sink for
it all or has been done
out of a good deal of
it since — and to Duncan Lenfolaa
acquittance which relieves him from
responsibility - The woman likewise
receives an allowance from the Sovereign
Court out of her husband's estate for the
support of her daughter — Mr Boyce
thinks it a matter in which Govt should not
accede to any application from

70 Rup. per mensem

17-1-59

I have always considered that persons having
a claim to pension on grounds independent of charitable
considerations & who have whatever is their just proportion
independently of their circumstances - I imagine that
to be the case in this instance - I think the petitioner
had to trouble as an husband widow would under the
circumstances - if the share of her husband is
C/7 Jany/59 quashed & disposed - this will modify the
822 " amount of pension

Petr was recognized as the Widow
heiress of the late Shah Lower Jemadar
& Subedary of the 1st class and
as his only son is entitled to
the share of her husband
her under the rules laid down
for such cases

I cannot perceive any
what principle the Registrar
founds his recommendation
in this instance - to state
the particulars of the case the operation
of the rule with reference to them
& any reasons that may exist
& offer for pursuing a different course
among the Govt to be adopted

I moved order that the paid be
pensioned at the rate at the
widow of a 1st class Subedary
is lawfully entitled to

21 Wilt