M.R. G. 1—20,000—16-10-28.

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No. ~~705~~ 107 Press ~~Mis.~~

Dated 27-2-~~19~~ 1886

Not to be folded or roughly handled

No. 30. Read the following letter from J. B. NORTON, Esq., Agent, &c.; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 22nd February 1860.

I have the honor to forward herewith a printed protest signed by my Clients of the Royal Family at Tanjore, against the Proceedings of the Madras Government of the 5th of December 1859. As I learn that the valuable private armoury of the late Rajah of Tanjore is either dispatched or about to be dispatched to Madras for sale by public auction, and that it is the intention of Mr. Phillips to proceed with the sale of the cloths and jewels which he has taken possession of on behalf of the Madras Government, I beg to inform you that it is the intention of my Clients to avail themselves of the course pointed out in the letter of Her Majesty's Secretary of State for India, by appealing to that Minister through the channel of the Madras Government against the Proceedings of the Madras Government under the date 5th of December last.

This appeal would have been already before the Government of Madras, but for their Proceedings of the 9th February 1860, No. 72, requesting me to furnish formal powers from the ladies before any memorial could be forwarded to the Secretary of State.

My powers from many of the ladies are already on their way to England. My powers from Her Highness Avoo Sahiba and Her Highness Kamachee Bhoyee I could have shown to the Government but I understand that the power should accompany the memorial. My special authority to place that memorial before the Government was contained in a letter, and I have thought it therefore the best course to forward a special power to my Clients, which as soon as it arrives, I will forward to your office to be attached to the memorial of which, as you request, two more copies shall be sent.

This same power will authorize me to memorialize the Secretary of State for India against the Proceedings of the Madras Government of the 5th December last. This memorial in the course of a few days shall be sent in triplicate and I have the honor to request that you will lay this letter together with the protest herewith sent before the Council; and I have further to request that the sale of arms, jewels, cloths and other property may be stayed pending the result of the appeal which it is well known I am proceeding to England to urge on behalf of my Clients, the more especially as there will in the course of a few days be before the Government of Madras a formal appeal to the Secretary of State for India against the very proceedings of the Madras Government under which such sale is to take place: such memorial only having been hitherto delayed by the necessity of obtaining special powers to verify that which my general powers authorize me to do on behalf of my Clients.

To

THE HONORABLE SIR CHARLES EDWARD TREVELYAN, KT., K. C. B.,
GOVERNOR IN COUNCIL OF FORT ST. GEORGE.

The respectful Protest of H. H. AVOO SAHIBA, KAMACHI BAYEE SAHIBA, and the other undersigned Members of the family of the late Rajah of Tanjore.

SHEWETH,

That by the Order of Government, No. 705, under date the 5th of December 1859, it is declared that the effect of the decision of the Privy Council in the appeal of the East India Company against Kamachee Bayee Sahiba is to leave the Government at liberty, without further interference, to carry out those arrangements which it was conducting when checked by the injunction of the Supreme Court.

That the idea of any distinction between the public and private property of the late Rajah proceeds upon a mistaken view of the nature of the case. That the Raj has merged in the Government of India: that every thing which belonged to the Rajah at the time of his death *therefore* belongs now of right to the Government to whom in default of heirs it has lapsed as *ultimus hæres*, as the paramount authority representing the general public.

That the bulk of the landed property of the late Rajah was retained by the former Rajah contrary to the provisions of the treaty of 1799, and therefore that it is now liable to be resumed.

That 14 villages though granted by Purwannahs now extant to Avoo Sahiba, by her late husband the Rajah Surfojee, were treated by the Rajah as his own from the year 1827, and must, therefore, according to the right opinion of the Advocate General, be considered as belonging to the Rajah.

That the whole of the family of the late Rajah are henceforth to be made prisoners on the principles laid down in Mr. Secretary Edmonstone's letter of the 8th September 1856, paras. 10 and 14.

Against this decision, your memorialists, who have not been represented or heard before the Council of the Madras Government in support of their rights, now respectfully beg to record their solemn protest.

1st. As to there being no tenable distinction between the public and private property of the late Rajah :

Your Memorialists submit that there is by the Hindoo Law the clearest possible distinction, which is laid down by the best text-writers upon that Law, acted upon constantly by the Natives of India, whenever the occasion arises, recognized by the highest Judicial tribunals, and repeatedly admitted and sanctioned by the Legislature and the State itself.

Sir Thomas Strange lays down the Law in the following unmistakeable terms :—

> " As to things vesting in an individual of a family in exclusion of the other members, " the instances of Regalities and of Zemindaries, standing upon the same ground, has been " already noticed ; of which it has been thought however, that it is the ruling power only " that is not subject to division while the effects and *private estate* of a sovereign, like those " of any ordinary individual, are in common, and distributable among all his sons."

The Supreme Court of Madras in the case of *H. H. Kamachee Bayee Sahiba* v. the *East India Company*, after solemn argument and deliberation, delivered its Judgment on the 11th of December 1857, and thereby decided that the contention of the East India Company that the Rajah was " an independent and absolute sovereign, and as such was not possessed of any private estate as distinguished from the public or State property," was altogether untenable. " I think," said the Chief Justice delivering the unanimous Judgment of the Court, " that the " Plaintiff, according to Hindoo Law, is as the senior and first married widow of the late " Rajah Sewajee, entitled to her late husband's private and particular estate and effects :" and again ; " I am also satisfied that the late Rajah Sewajee, a Hindoo of the Sudra Caste, " was possessed of private and self-acquired property, both real and personal, and that a " distinction was observed during his life between his State or Crown jewels and those " which he either purchased himself or caused to be made for the use of his numerous " wives and their families."

Then, as to the argument that an independent absolute sovereign cannot have, or die leaving private as distinguished from public or State property, the Chief Justice decided upon the evidence, that even if such a sovereign can be found in this age, the Rajah Sewajee was not such :

> " Upon the whole of the evidence before us, " he concludes," I am satisfied that the " late Rajah Sewajee was not the absolute sovereign suggested by the defendants and that " he had private property, both real and personal, as I have stated ;" and finally it is declared :
>
> " That the plaintiff as senior or first married widow is entitled to the private and par- " ticular estate and effects of her late husband the Rajah Sewajee."

It is true that the Privy Council has reversed the decision of the Supreme Court ; but only upon the point that the Act of the Company in seizing the property was an Act of State, and as such not the subject of discussion or decision in any Municipal Court of Justice ; but in their Judgment, the Lords of the Privy Council fully recognize and maintain the distinction taken by the Supreme Court between the public and private property of a deceased sovereign, and of the late Rajah Sewajee in particular.

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> " But then" says Lord Kingsdown " it is contended that there is a distinction between " the private property of a Hindu sovereign, and that although during his life, if he be an " absolute monarch, he may dispose of all alike, yet on his death, some portions of his pro- " perty termed private property will go to one set of heirs, and the Rajah with that portion " of the property which is called public, will go to the succeeding Rajah. It is very pro- " bable that this may be so ; the general rule of Hindu inheritance is partibility, the suc- " cession of one heir as in the case of a Rajah, is the exception."

On this point then, the decision of the Supreme Court, so far from being reversed or disputed, is confirmed by the highest legal tribunal capable of pronouncing a judgment on the subject.

Further, the Legislature has recognized the distinction expressly and in terms, Act XVIII of 1848, was passed to enable the Government of Bombay to *administer the private estate* of the late Nawab of Surat, after the Government had declared the Nawabship extinct ; and the same distinction pervades the Acts passed for the Settlement of the affairs of the late Nawab of the Carnatic, whereby after the Musnud had been declared by the State to have lapsed for want of an heir, the office of Receiver was instituted, expressly for the purpose of getting in and administering to the *private* estate and effects of the late Nawab.

Lastly, the State itself in its Supreme executive capacity, and independently of the Legislature, has drawn the distinction in every single case which has occurred except that of Tanjore : for in every case of annexation from that of Sattarah downwards, the right and title of the adopted son to the *private* estate and effects of his adopted father has been admitted and sanctioned, notwithstanding it was determined that such an adoption, without the express assent of the State conferred no title to the Raj.

Relying upon all these authorities, your Memorialists respectfully protest against the proposition, that the distinction between the public and private property of the late Rajah Sewajee " proceeds upon a mistaken view of the nature of the case."

They submit that assuming the Raj to be legally extinct, the State cannot thereby acquire any legal right or title to the private property of the late Rajah Sewajee. Though there may be no heir capable of succeeding to the Raj, it is impossible, they contend, consistently with the authorities above quoted, to maintain that the Rajah left *no private* property, or that it also passes to the State in default of an heir, so long as there is any member of the late Rajah's family capable of inheriting it according to Hindu Law.

2nd. As to the proposition that the Government of Madras is, by the effect of the decision of the Privy Council, left unfettered to dispose of the whole of the property of the late Rajah, according to its own free will and discretion :

Your Memorialists respectfully submit, that so far is this from being the case, that the very decision quoted lays down, in the clearest manner, the principles upon which the British Nation is bound to act by your Memorialists in fairness and justice, in dealing as well with the Raj as with the private property of the Rajah.

> " It is extremely difficult" says Lord Kingsdown, " to discover in these papers *any ground* " *of legal right* on the part of the East India Company, or of the Crown of Great Britain, to the " possession of this Raj *or of any part of the property of the Rajah on his death ;* and indeed the " seizure was denounced by the Attorney General (who from circumstances explained to us at " the hearing appeared as Counsel for the Respondents and not in his official character for the " Appellants) as a most violent and *unjustifiable* measure. The Rajah was an independent " Sovereign of territories undoubtedly minute, and bound by treatise to a powerful neighbour, " which left him practically little power of free action ; *but he did not hold his territory*, such as " it was, *as a fief of the British Crown or of the East India Company : nor does there appear to* " *have been a pretence for claiming it on the death of the Rajah without a son, by any legal title,* " *either as an escheat or as bona vacantia.* It should therefore *seem* that the possession could " hardly have been taken on any such grounds."

If there was no "pretence" for claiming the *Raj* " by any legal title, either as an escheat or as *bona vacantia*," *a fortiori* could there be no such pretence for seizing the *private* property of

the Rajah. And if there did exist any legal ground for seizing the Raj, it by no means follows that the private property could legally be declared liable to confiscation on the same ground.

But it is indisputable that no other grounds for declaring the Raj extinct have ever been put forward up to the present moment; the Court of Directors by their letter of 16th April 1856 detail the reasons by which they have been led to the conclusion that the Raj is extinct. They rest solely upon the allegation that there is in the Rajah's family no heir capable of succeeding to the Raj. The East India Company in their answer to your Memorialist's H. H. Kamachi Bhayee Sahiba's Bill of complaint, rested their case upon the same footing, they took up no new ground; they asserted the extinction of the Raj upon the same ground only as the Court of Directors.

In a legal point of view that decision declaring the extinction of the Raj has been declared to be incapable of justification. The Lords of the Judicial Committee of the Privy Council have declared that there is not a "pretence" for dealing with it as an "escheat" or "*bona vacantia*;" and unless the act, though an Act of State, can be justified on other ground, it is clear that a wrong has been done, a wrong so enormous that no Court of Justice can give any redress.

But is that an argument for *no* redress being given? Is it not the strongest possible argument for the State itself giving that redress, the moment it sees that it has acted upon erroneous views of its own and others rights?

In one sense the State is above all law, as the result of the litigation between your Memorialist H. H. Kamachi Bhayee Sahiba and the East India Company too plainly proves; but in another and a higher sense, the State is bound by every principle of morality and equity, to obey the law in its dealings with those with whom it has entered into contracts whether foreigners or its own subjects; and to observe as good faith in its own relations with individuals, as it compels individuals to observe between each other.

The only question, your Memorialists submit, which can arise to defeat their just rights is this. The grounds upon which the Raj was erroneously declared extinct having been declared by the highest judicial tribunal utterly untenable, does there exist any *other* ground, such as the Privy Council supposes it possible, on which the taking possession of the Raj and the private property may be justified? Your Memorialists might well argue that it is too late now to put forward any new grounds, after the Court of Directors' letter and the East India Company's answer; but as the only *political* ground on which the seizure could be justified must arise from the establishment of some gross treason or other infidelity to his engagements on the part of the late Rajah Sewajee, they wave all technical objection, and are so strongly fortified in their conviction of the merits of the late Rajah, that they challenge its production.

It is thus that the late Resident Mr. Forbes characterizes the conduct of the Rajahs of Tanjore in their relation to the British nation, in his letter to Government, under date the 6th of November 1855.

> "In considering the question" (the disposal of the Raj) "they (the Government) will "not lose sight of the manner in which we became possessed of Tanjore. It is not a conquer-"ed country; its acquisition never cost the British Government the life of a single soldier, nor "the value of a single rupee: the cry of the orphan was never heard, nor was the tear of the "widow ever shed, when the rule of the country passed from the Rajah to the hands of our "Government. In the fifty years during which we have held possession, we have in round "numbers drawn from it a total revenue of twenty crores or as many millions sterling. *Neither "Surfojee nor Sewajee even offered the smallest hindrance to our peaceable settlement of the "country or in any degree whatever departed from the strictest adherence to the Treaty.*"

Other grounds might possibly be put forward as a political justification of the measure, which might as easily be shown to be fallacious. Such for instance is the assumption that certain political benefits would be bestowed upon the people of Tanjore by the exchange of the British for Native rule. But your Memorialists would point out that with the exception of the scanty limits within the Fort, the Rajahs exercised no judicial power, and even that has now been swept away by the Legislature; while for the last fifty years they have exercised no political sway whatever

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either within or without the Fort. Tanjore has in point of fact been as much a British District as any other Zillah within the Presidency of Madras, administered by the Company's Revenue and Judicial officers, and protected by its troops and police, precisely as all other districts. Your Memorialists will not however seek to combat this or any other supposable ground, because all such are merely based upon considerations of expediency of a very secondary character, whereas they rest their case upon this broad proposition, that the legal claim of the State to the Raj and private property having been declared without foundation, the only other ground which would justify the extinction of the Raj must arise from the proved infidelity of the Rajah to his engagements. And this is not even pretended.

Your Memorialists therefore submit that the effect of the decision of the Privy Council, while it relieved the Government from the further interference of the Supreme Court, left the State scarcely an option as to the disposal of the Raj, and much less of the private property of the late Rajah. The question of their claim to have the Raj declared restored they are aware must be mooted before another tribunal; but so far as the disposal of the *private* property is concerned, they respectfully protest against the entire liberty of action which the Government has assumed to be left to it by the Lords of the Judicial Committee of the Privy Council.

3rd. As to the proposition that the bulk of the Rajah's landed property was retained by the former Rajah contrary to the treaty of 1799, and the inference that the Government has therefore a present right to its resumption:

Your Memorialists are here at grave disadvantage, as they have never seen the evidence upon which the Government has arrived at this conclusion. They gather however that this discovery has been only recently made by the acumen of Mr. H. D. Phillips in the year 1857. They take upon themselves however utterly to deny its truth.

The treaty of 1799 makes no specific mention of the villages to be handed over or those to be retained. It is well known that the Rajah did retain, with the knowledge and sanction of the then Resident and of the Government, certain villages and gardens for himself and the members of his family. In his letter of 6th April 1800 to the Secretary of Government, the Resident, Mr. Benjamin Torin, details the results of a conference between himself and the principal officers of the Rajah, between whom it was previously agreed among other things, "that the royal palaces, gardens, and chutrums belonging to the Rajah, and the gardens, bazaars and lands appropriated to houses of Charity and to the Queens, *be retained by them and held under their respective authorities.*" This was ratified by the Government, according to the letter of Mr. Secretary Webb to the Resident under date the 6th of July 1800, and communicated to the Rajah by the Resident in his letter of 1st December 1800. The accounts of all the gardens retained, or subsequently purchased or exchanged, are kept on record in the Palace, under the departments to which they respectively belong. The enjoyment of these villages has been open and notorious; under the eyes of the very Government which was interested in proving, if the case were really so, that the Rajah had no title to this property. Mr. Torin must have been cognizant of the precise villages retained and which the Rajah had the sanction of Government to retain. Nearly sixty years possession would of itself confer a perfect title; 50 years are held sufficient under the Enam Commission. It is strange, that in 1833 when an exchange was effected of certain lands between the Government and the Rajah, the discovery was not then made, if there were really any foundation for a belief in its existence. The whole of the villages were measured by the Agents appointed by the Government and the Rajah in the year 1809 when they were assessed for contribution towards the Police; and again in 1836 when the Pymash accounts were settled. Never before was a suggestion so injurious to the reputation, honour and dignity of the Rajah breathed before this, singularly apposite moment when the opportune discovery is stated to have been made. And your Memorialists will only further submit that Mr. Phillips may have looked upon these villages, perhaps inconveniently interspersed among the possessions of Government, rather with the eye of a Collector than a Judge.

If however *all* passed to the State on the death of the Rajah, it seems superfluous to justify the resumption of any particular portion of his property: nor would your Memorialists have asked to occupy your time with these few observations, but for the fear lest their silence should be misconstrued into acquiescence with the doctrine laid down.

4th. As to the villages settled on your Memorialist Avoo Sahiba by her late husband:

When these lands were seized, in common with all the landed property of the late Rajah, by the late Acting Collector Mr. Cherry, on the 23rd October 1856, the zufting order expressly stated that the seizure was made for the purpose of enabling the Commissioner to inquire into the titles of the occupants. It invited all parties to prove their titles before the Commissioner, and promised the restoration of their lands to such as could show a title to them. On the 11th February 1857, Your Memorialist H. H. Avoo Sahiba addressed the Commissioner through her Agent, requesting to be allowed to prove her title to her property seized, according to the permission given in the zufting order. A correspondence followed, but on one pretext or another this offer was ultimately declined. Your Memorialist has never been heard, and she now finds, that though the grant of the villages to her by her husband is admitted by the Government, it is asserted that the Rajah treated the property as his own since 1827, and that therefore she has lost all title to it. Such is the opinion of the Advocate General; and the Government says his opinion is "right." But your Memorialist H. H. Avoo Sahiba submits that it is not correct to say that the Rajah dealt with these villages as his own. The accounts were always kept separately in the department of Avoo Sahiba's gardens; copies of the Accounts so headed, were submitted to the Collector; and though the Rajah did not pay over the whole of the proceeds to your Memorialist as they accrued due, she submits that he was in law a trustee for her, and that her legal title to this property, together with that of many other villages and gardens which are vested in her by various titles, remains unimpeached and perfect. This is not the time or place to bring forward all her proofs: it is enough that she respectfully protests against the decision of the Government.

5thly. As to the proposition that Your Memorialists are sufficiently and liberally provided for by being made pensioners upon the bounty of Government.

This conclusion is arrived at upon a perusal of Mr. Secretary Edmonstone's letter of the 8th of September 1856.

Your Memorialists protest against the principles there laid down being deemed to afford a fitting basis for their future provision, comfort, and dignity.

That letter was written at a time when a very different policy with respect to the families of Native Princes prevailed in the Supreme Councils of the State, from that which obtains at the present moment. Then, it was deemed a wise policy to sweep away every royal and noble family, and in the language of Lord Dalhousie, to "consolidate" thereby the territories of the East India Company within their own boundaries; now, the wisdom as well as the justice of maintaining the remaining nobility of India is admitted. The Rebellion was in a great measure a protest against the policy of Annexation; the Company's Government has been swept away, and the immediate assumption of her Indian Empire by the Queen has been inaugurated by Her Majesty's Gracious Proclamation, which solemnly promises and undertakes to "respect the *rights*, *dignity*, and honor of Native Princes" as Her Majesty's own. "We desire" that document continues "that *they*, as well as our own *subjects*, should enjoy that *prosperity* "and that social advancement which can only be secured by internal peace and "good Government. "We held ourselves *bound* to the Natives of the Indian territories "by the *same obligations of duty* which bind us to all our other subjects; and these obligations by the blessing of Almighty God, we shall *faithfully* and *conscientiously* fulfil."

If it should be argued that this Proclamation is subsequent to the extinction of the Raj, your Memorialists reply that so far as the Raj is concerned, the question of its retrospective effect will be raised by them before other authorities and in another place; but they submit that the principles and obligations hereby laid down and undertaken, apply to subjects as well as Princes, and must, they submit form the guiding rule in the consideration of all questions left unsettled at the date of its promulgation.

Such is the future status of your Memorialists family; and they would respectfully ask, if their 'dignity' and 'honour' are sufficiently maintained by reducing them to the pitiable condition of mere pensioners, their very pensions being fixed upon a principle of gradual but certain diminution and extinction, which embitters every hour of your Memorialists lives by the pros-

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pect of that time, when their descendants of the Royal Family of Tanjore, ever the steadfast friend and ally of the British Nation, will find their poverty pressing harder upon them as their members increase, until after the third generation, they are to be cast forth beggars and wanderers upon the face of the Earth.

Here is the 14th paragraph of Mr. Secretary Edmonstone's letter.

"By these Rules the object recently attained in the case of the decendants of "Tippoo Sultan, security for the cessation of the system of Pensions will be ensured prospectively as regards the family of Tanjore. The heirs and relations of the pensioners will "know exactly what to expect, and will see before them the time when they must take their "places amongst the people of India, and rely upon there own exertions. No change will "come unforeseen upon any one. The warning will extend through three generations, *making* "*itself sensibly felt* upon each succession, and serving, it may be hoped, to dispel gradually "the habits of improvident dependence and vicious idleness, which have been found inseparable from stipendiary royalty, when maintained indefinitely.

Your Memorialists will not stoop to comment upon the principles here unfolded, principles which would justify the stripping the nobility of England of their ancestorial possessions: principles which are false in morality as they are in political economy: principles utterly opposed to the changed temper of the present time; principles which nothing but the "high-handed insolence of a dominant race" could ever have suggested to the imperious will of a despotic power.

But your Memorialists will ask, whether the "rules" framed for regulating the pensions of the descendants of Tippoo Sultan have any applicability to the case of the descendants of the Rajahs of Tanjore? Whether there is the faintest analogy between the two? Tippoo Sultan hazarded his kingdom on the fate of war: he was the deadly enemy of the British; their supremacy reeled for the moment under the impetuosity of his and Hider Ally's enmity. When the fortune of war made the British masters of the field, and Tippoo was lying a lifeless corpse under the gateway of his own fortress, there was no obligation, legal or moral, upon the conqueror to make any provision for the relations of the defeated. The doing so was a purely spontaneous act of benevolence: the grant might well assume what form the giver pleased, and be coupled with whatsoever conditions seemed meet to him. But Tanjore never cost the British Nation "the life of a single Soldier or the value of a single Rupee;" when it was ceded the "cry of the orphan" was never heard; nor did the "widow shed a tear;" since the British have held peaceable possession of the territories which the Rajahs of Tanjore voluntarily ceded, they have "drawn from it in round numbers twenty crores or as many millions sterling." They are still drawing vast annual and increasing revenues from the territories of the Rajah; they will ever continue to do so. What was the consideration for which the Rajahs of Tanjore handed over to the East India Company this magnificent heritage? The promise, solemnly ratified by treaty and as confidently accepted, that so long as there should be any "heirs or successors" of the contracting Rajahs, so long the East India Company would pay them the sum yearly reserved by the Rajahs out of the patrimony they were parting with. Can it be maintained that the bestowal of a pension, fading away gradually, is a fulfilment of the treaty either according to the letter or the spirit? Can it be argued that the maintenance of the Royal family is a charge upon the public revenues, when in fact they ask for nothing more than that which their ancestors reserved for them out of their immense wealth, which they were about to hand over to the British Government.

If indeed it were necessary to seek for arguments which should induce liberal treatment of your Memorialists particular case, it is easy to find such. The Government, it must not be forgotten has accumulated a sum of thirty lakhs of Rupees since the death of the late Rajah, by the mere difference between what it has paid for the support of your Memorialists and what it would have been bound to pay the Rajah under the treaties had his life been spared. The scheme of pensions proposed by the Government even at the outset, when it is most costly, requires only an annual outlay of three lakhs whereby the Government is a clear gainer of ten lakhs a year. Mr. Commissioner Phillips has just removed from the Palace upwards of four lakhs of Rupees, a portion of which was actually lying there before the Rajah's death. Not only has the

Royal family of Tanjore been always conspicuous for its loyalty and its fidelity, but it has positively been of material aid to the British in the early times, when it was strong and the English power less assured. During all the recent crisis not a breath of suspicion has been raised against the sincerity of your Memorialists. They have never wavered, when others who fancied they were smarting under injuries, were willing to try the chance of war ; and when other quarters were the source of apprehension, and called for precautions against threatened outbreak, the Government had no cause to fear for the peace of Tanjore. Your Memorialists confident in the ultimate justice of the British Nation were ever on the alert to counsel patience and faith ; they induced their disbanded soldiers to offer their services, whensoever the Government might require them, to assist in restoring or in keeping order. The Raj lives in the love and veneration of the people : who would rejoice in seeing it restored. No political inconvenience stands in the way of such a consummation. Never was there an opportunity for acquiring the justest and most wide spread popularity at so cheap a cost ; never was there an opportunity equal to the present, of stamping with reality the promise of the Proclamation ; if an error have been unintentionally committed, it is the part of a magnanimous nation to repair it ; the declaration of the restoration of the Raj would be one of those signal facts which must be known to all the dwellers in India, and would fail to be appreciated by none. But your Memorialists will not let their feelings run away with them. Their present object is not to supplicate, but to protest. They do not seek to alter the conclusion at which the Government has arrived, or the course of conduct it has thought proper to adopt towards them ; but to place on record their solemn, if ineffectual, dissent from the principles on which their case has been dealt with, together with their reasons for disputing the justice and the expediency ther of.

No. 31. ORDER THEREON, 27th February 1860, No. 107.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Pol. - 1860 Departl
(57)

From J. B. Norton Esqre
Agent &c

No 121

Dated 22 Feby
Rec'd 26 Feby } February 1860

Enclosure &c

Forwarding a protest
from H. H. Nana
Sahiba and others,
against the Proceedings
of Govt of the 5th
December last. No 705
Order No 107

To be recorded
27 Febry 1860

Rep. to the Govt
16th March No 11 of 1860
Refd to by the Govt
of India Dep.
June 2nd No 60

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C 24 Feb
R 27 "

Exd. S. T. Augustin.