

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No.

547

Press

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Dated

13. 9.

~~19~~ 1960

Not to be folded or roughly handled

*Proceedings of the Madras Government, Political Department,
13th September 1860.*

No. 38. Read the following letter from Surgeon Major E. G. BALFOUR, Esq., Government Agent at Chepauk, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 29th August 1860, No. 1,127.

I have the honor to forward for the consideration of the Honorable the Governor in Council a communication* received from His Highness Prince Azim Jah

* Requested to be returned. Bahadoor.

2. His Highness encloses a petition from Aziz-ul-Moolk Bahadoor asking the Prince to submit for the favorable consideration of Government, that Rupees 2,49,659-14-0 may be paid from the Treasury to, and on the receipt of, that Bahadoor.

3. Aziz-ul-Moolk states, as the grounds for his request, that, during the last four years, under the orders of the Prince, he had been managing the Prince's affairs and, from time to time, for His Highness' use, been raising loans on bonds to that extent, in order to provide the household and necessary supplies, and that none of these loans have been paid. That the parties to whom these monies are due, are annoying him with pressing demands for the principal and the interest, and will not listen to any proposal to wait until His Highness' claim be settled in Parliament, especially as they have learned that other creditors have been paid through the means of Dhanapala Chettyar.

4. The Prince's letter remarks that the statement in Aziz-ul-Moolk Bahadoor's Petition "is quite true and the said amount is also correct; His Highness therefore forwards the Petition for the best consideration of Government."

5. In forwarding this request from His Highness the Prince, I have the honor to submit that from its great magnitude it is not, in my opinion, capable of being considered in the same light as the petty claims of the Affghan Dealers, and on the other hand, it does not rest on the strong ground from which Dhanapala Chettyar's request was made.

6. Dhanapala is a servant of the Prince's household, an old servant, was only for about 6 years in the Regency, a servant of the Nabobs of the Carnatic; but before that till now, for nearly forty years, has been the Prince's own servant, and has followed the Prince's fortunes. Any application from him to the Prince might, therefore, be regarded as truly for the household of his master. But Aziz-ul-Moolk Bahadoor (without purposing to enter on the consideration as to whether the amount claimed be legally due,) can only be regarded as one of His Highness' many creditors. And, though in his petition to the Prince, he states that he is now applying for this money because his own (Aziz-ul-Moolk's) creditors are pressing him, especially since they have learned that other creditors have been paid through the means of Dhanapala Chettyar, his own position is exactly what he relates as to others; and if his request were complied with, such would give him a preference to all other creditors and pay him to the extent of 2½ lacs of Rupees, nearly half of all the Prince's arrears.

7. I think it would be a kindness on the part of Government to save His Highness the Prince from his own mistakes or partialities in such cases as these. How partial His Highness can be, is shown by the cases of the Affghans Shahab-ud-Din Khan, Futteh Khan, Jehangir and Futteh Khan, Zilla Khan and Mulla Mahomed, the first of whom has obtained a Decree in Her Majesty's Supreme Court, and the claims of others have been declared by His Highness to be justly due; yet His Highness has not paid any of their small debts out of the large sum which he lately drew. And, without noticing their truly urgent claims and the many debts which His Highness has owed for nearly 30 years, His Highness now recommends payment of one single creditor, who is not at all in difficulty, of the large sum of 2½ lacs, all of which, accepting its correctness, is mentioned to have been incurred since 1857, or in the past three years.

8. The Honorable the Governor in Council may perhaps deem it fit to ask the Prince's serious consideration to his state of large indebtedness and express the hope that all his creditors may share alike in his distributions.

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9. As to the case now submitted, I am able to commend to Government compliance only with such recommendations from His Highness Prince Aziz Jah Bahadoor as shall be for the persons designated in para. 35 (page 10) of my letter of 24th December, No. 155 of 1856 (sanctioned by para. 15 of Extract Minutes of Consultation of 19th March 1857), viz., "servants of the household with authority to seal and draw the amount of their stipend receipt." This description was applicable to Dhanapala Chetty, not applicable to Aziz-ul-Moolk Bahadoor, with whose request, until his very large claim be investigated either by Her Majesty's Supreme Court, or by some servant or servants of Government, and a specific sum found due, it would not, in my opinion, be safe for Government, or just to other creditors, to comply.

10. If His Highness were drawing the monies himself, there could be no objections offered to his so doing: and, except that Government might express their strong wish that all His Highness' creditors might share in his instalments, or threaten, or actually give power to see in Court, His Highness could distribute his income as he might choose; but, as His Highness is not so drawing and distributing his own stipend, but in this case is, by his recommendation, giving a preference to one particular creditor, it seems to me not safe for Government, by complying, to be an authority for that preference, by issuing for one creditor so great a portion of the Prince's accumulated arrears, which if applied as well as the former Committee did, would go far to extinguish, and that too, to the satisfaction of the creditors a vast portion of the Prince's encumbrances.

No. 33,

ORDER THEREON, 13th September 1860, No. 547.

In the above letter the Government Agent at Chepauk submits, with his remarks, an application preferred by Aziz-ul-Moolk Bahadoor, for the payment to him from the public Treasury on his report of Rupees 2,19,639-14-0 on account of His Highness Prince Azim Jah Bahadoor. The application has been forwarded by the Prince for the best consideration of Government.

2. The Government have very attentively considered the petition of Aziz-ul-Moolk, and the observations made upon it by the Agent. They agree with Dr. Balfour that the present application differs greatly from that recently made by Danapala Chetty, and acceded to by Government, and they concur in the view which has been taken of it by the Agent in paragraphs 6, 7, 8, 9 and 10 of his letter.

In lieu of the personal sealing of the receipts which all Carnatic Stipendiaries comply with, the Members of the immediate family whose names appear as parties exempted from the jurisdiction of British Courts have been allowed to nominate by letter a servant of their household with authority to seal and draw the amount of their stipend receipt. I recommend the continuance of this course.

"Informs to pay to Danapala Chetty the money on his own receipt."

point of form or official etiquette, in the belief that His Highness' necessities were very pressing, and that the sum granted would be prudently applied.

4. Aziz-ul-Moolk Bahadoor cannot be regarded by any means in the same light as Danapala Chetty, but merely as one of the many creditors of the Prince.

5. The Government therefore must decline to accede to the request made by Aziz-ul-Moolk. They cannot authorize payment of any part of His Highness' arrears or of his current allowances except to some servant of his household duly nominated according to the course already referred to.

*Proceedings of the Madras Government, Political Department,
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6. In paragraph 8 of his letter the Agent observes that the Honorable the Governor in Council may perhaps deem it fit to ask the Prince's serious consideration to his state of large indebtedness, and express the hope that all his creditors may share alike in his distributions.

7. The Government have more than once declined to mix themselves up with the settlement of the Prince's affairs. They cannot at the same time but deeply regret his present state of embarrassment, and desire that he should be honorably extricated from it. But no effectual arrangements can be made to that end unless by His Highness himself.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Political Department

Transactions of the Madras Government.

Read the following letter
from the Govt. Agent at
Serpent.

(Here enter 29 Aug. 1860
No. 1127.)

Order thereon 13 September 1860, No. 547.

[Handwritten signature]

[Handwritten initials]

In the above letter
the Govt. Agent at Ser-
pent submits, with
his remarks, an applica-
tion preferred by Ajmal
Moolk Bahadur for
the payment to him
from the public Treasury
on his receipt of Rs. 2,000
on account
of the ~~Highness~~ Prince
Ajmal Bahadur. The
application has been
forwarded by the Prince
for the best considera-
tion of Govt.

[Handwritten signature]

The Govt. have very attentively considered the petition of Azizool Moolk, and the observations made upon it by the Agent. They agree with Dr. Balfour that the present application differs greatly from that recently made by Danapala Chitty, and acceded to by Govt., and they concur in the view... which has been taken of it by the Agent in paras. 6, 7, 8, 9 & 10 of his letter...

The case of Danapala Chitty might be regarded as falling within the spirit of the rule proposed by the Agent in para. 35 of his report of 24 Decr. 1856, and approved by Govt., Danapala Chitty being, as shown by the Agent, an old and confidential servant

"informs to pay to Danapala Chitty the money on his own receipt."

of His Highness Konachota. He has not indeed been expressly "nominated by the Prince by letter with authority to seal and draw the amount of his stipend receipt." But the request made by the Prince in his letter to the Agent of 26 July last may be considered as nearly equivalent to such nomination and authorization, and the Govt. were reluctant to press on point of form or official etiquette, in the belief that His Highness's necessities were very pressing, and that the sum granted would be prudently applied.

4. Azizool Moolk Bahadur cannot be regarded by any means in the same light as Danapala Chitty - but merely as one of the many creditors of the Prince. The Govt. also have reason to believe that the large

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unless by his Highness
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J.P.

To the Govt. Agent, at Chepauk
with original enclosure } Signed 17th
returned

