M.R.O. 1—38,000—16-10-29

MADRAS RECORD OFFICE.

Government of Madras.

political DEPARTMENT.

G.O. No.	72	Press Mis.
Dated	9 – 2 –	1860

Not to be folded or roughly handled

No. 34. Read the following letter from J. B. NORTON, Esq., Agent to Her Highness AVOO SAHIBA, Her Highness KAMACHEE BHOYEE SAHIBA; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 7th February 1860.

I learn from my clients that the marriage of the princess is fixed for the 10th instant. My clients have therefore specially requested me to prepare and forward for them a petition of appeal against the determination of the Right Honorable the Governor in Council touching this matter to the Right Honorable Her Majesty's Secretary of State for India.

This I have prepared in accordance with their instructions and I have the honor to request that you will submit the appeal to the Right Honorable the Governor in Council with a view to its immediate transmission to England.

The humble Memorial of Her Highness AVOO SAHIBA, Her Highness KAMACHEE BHOYEE SAHIBA, nine of the Widows of the late Rajah SEEVAJEE of Tanjore, the Ladies of the MUNGALEESAWA, and KALIAHNA MAHALS, by JOHN BRUCE NORTON, Esq., their Agent and legal Adviser.

To the Right Honorable Her Majesty's Secretary of State for India.

RESPECTFULLY SHEWETH,

That Seevajee the Rajah of Tanjore, died in October 1855, leaving your Memorialist Her Highness Avoo Sahiba his mother, Her Highness Kamachee Bhoyee Sahiba his senior widow, and two daughters; the eldest of whom was married in her father's life time to one Suckeram Sahib, and died shortly after the Rajah; the youngest, an infant of 10 years: who resided with your Memorialist, her grandmother Avoo Sahiba and the widows of the late Rajah.

That the young Princess so lived in all comfort and happiness, until, as hereinafter mentioned, she was forcibly removed from the care and custody of your Memorialists.

That her grandmother and the Rajah's senior widow, after the death of her father and mother, became her natural and legal guardians.

That on the night of the 27th September 1856, the Princess was forcibly removed from the care of your Memorialists, her guardians and relations, by two slave women, acting under the orders of the Acting Resident, in spite of the tears and protestations of the girl and the ladies about her.

That she was then placed in the apartments of her sister, under the solemn assurance of the Acting Resident, personally given to your Memorialists Agent, that her removal was merely temporary, and that she should be restored to the society of the ladies as soon as the result of her sister's sickness should be known.

That the elder Princess died towards the end of December 1856; whereupon the young Princess, instead of being restored to her guardians and relatives in accordance with the promise of the Acting Resident, was removed to another suite of apartments in a separate part of the Palace, far distant from your Memorialists, who have never seen her from that day to this.

That a concubine of the Rajah Surfojee, was brought in from the Palace at Triviar, and placed with her as a companion; and that she has been accessible by the Durbar and creatures of Suckeram Sahib, with whom it has been an object ever since the death of the Rajah, to obtain the young Princess in marriage for Suckeram Sahib.

That your Memorialists have frequently by themselves and their Agent appealed to the authorities, the Goverment, the Governor, the Resident—against the continuance of this state of things; praying that the Princess might be restored to them, and protesting against her marriage with Suckeram Sahib.

That in spite of their Petitions, your Memorialists lately learnt with the gravest sorrow and alarm, that the Government has determined to carry on this marriage without further delay.

It is asserted by the Government that the Princess is of an age to choose for herself; and that she has repeatedly declared her desire to marry Suckeram Sahib; in which right of choice, it is stated to be the duty of Government, standing *in loco parentis* to the Princess, to protect her.

Your Memorialists submit, as they have repeatedly done to the authorities in India, that Government has no right to interfere; and that the grounds on which it sanctions the marriage are unreasonable and unjust.

Firstly.—Because the Princess is still an infant of the age of 14 years, and as such lawfully subject to the control of her grandmother and her father's widow, as her next of kin, and natural and legal guardians.

Secondly.—Because the claim of Government to act as the guardian of the Princess, is a mere illegal exercise of power.

Thirdly.—Because it is no function of Government to interfere in the purely domestic concerns of your Memorialists.

Fourthly.—Because the Princess being an infant can exercise no right of choice, or give any valid assent, or do any legal act.

Fifthly.—Because it is unheard of in Hindoo Law and custom, that an infant should select her own husband, while she has relatives and guardians, ready and willing to select a husband for her. Still more preposterous is the proposition, that an infant girl can select her own husband in direct opposition to the express wishes of her family.

Sixthly.—Because it is notorious that marriages of Hindoos are invariably contracted for the parties by the heads of their respective families, and not by the parties themselves.

Seventhly.—Because it is opposed to the custom of your Memorialists family, that a person who has married one daughter of a Rajah of Tanjore, should contract a second marriage, in the event of his becoming a widower.

Eighthly.—Because the late Rajah of Tanjore, *expressly forbad this very marriage*; as appears by a letter from the late Resident Mr. Forbes to the Acting Sirkle of the Palace, under date the 6th January 1857, whereof the Government of Madras has notice.

Ninthly.—Because Suckeram Sahib is personally disliked by your Memorialists, and his marriage with the Princess will be a source of perpetual unhappiness to them and sow endless dissensions in the Palace.

Tenthly.—Because Suckeram Sahib, is every way unfitted to become the husband of the Princess, he is old enough to be her father and so worn out with sensual indulgence, that a prolongation of the Royal Line will be hopeless from such a marriage.

Eleventhly.—Because there are within the precincts of the Palace, many young men of the Royal Line, the equals of the Princess in respect of age and other qualifications, by a marriage with any one of whom, her happiness might be secured, while such a marriage would give perfect satisfaction to your Memorialists.

Twelfthly.—Because, assuming that the Princess has a right of choice, your Memorialists deny that there is any satisfactory evidence that she has exercised, or is exercising, any such choice your Memorialists maintain, and submit, that her merely stating from behind the Purdah a wish to marry Suckeram Sahib, under the circumstance of the case, may be, and is, the mere result of tuition: and that it is only reasonable that your Memorialists should learn from her own mouth the real state of her inclinations.

Thirteenthly.—Because it is not decent that your Memorialists should be refused the opportunity of explaining themselves in this respect: and they submit, that the Princess ought to be restored to their society for a reasonable period, so that she might listen to their counsels and advice, before determining on so important a step in life as her marriage.

Proceedings of the Madras Government, Political Department, for the month of February 1860.

Fourteenthly.—Because the action of the Madras Government is in this instance diametrically opposed to the gracious promises and assurances of Her Majesty's Proclamation, "to respect the honor and dignity of the Native Princess as her own."

Fifteenthly.—Because this is not a mattier in which the local Government, ought to act upon its own responsibility, without referring the matter for the consideration of the higher authorities, especially, as there is no necessity for immediate haste, and the members of Government themselves are not unanimous in approving the line of action which the Government has adopted.

That your Memorialists have neglected no opportunity of endeavouring to see the Princess and to obtain from the Government the restoration of her society.

That in reply to their last petition to Government on the subject, they were informed, that the Government had advised the young Princess to consult with her family on the subject of her marriage, and that there existed no obstacle to freedom of intercourse between herself and her family.

That acting upon this information, your Memorialist, Her Highness Avoo Sahiba, at once wrote (on the 12th January 1860) to the Sirkele, requesting him to send palanquins and make the necessary preparations, for her visiting the Princess. The Sirkele, however, instead of complying with this request, took the Commissioner, Mr. Phillips, to the apartment of the Princess, when she explicitly stated her refusal to see her grandmother; whereupon the Sirkele sent word to your memorialists that the visit could not take place.

That a few days afterwards, upon the occasion of His Excellency Sir Charles Trevelyan visiting your Memorialists in their Palace, they presented to him a letter, bringing these circumstances to his notice, and requesting to be permitted to visit the Princess.

That in reply thereto His Excellency Sir Charles Trevelyan, who had in the interim visited the Princess, sent your Memorialists the following reply.

No. 3.

To Her Highness AVOO SAHIBA, Her Highness KAMAHCHIE AMMA BHOI SAHIBA and other Ladies of the family of the late Rajah SIVAJEE of Tanjore.

LADIES,

"I have had the pleasure of receiving your letter in which you state that you had sought "and been refused an interview with the Princess, daughter, and only remaining child of His "Highness the late Rajah Sivajee in order that you might personally ascertain her wishes and "give her your advice in regard to her marriage, and you request that leave may now be given "for you to see and confer with her, notwithstanding her reluctance however strong.

"The Princess is of an age and character to judge for herself and she has for many months "consistently declared her preference for Sukha Ram Sahib in a manner which leaves no doubt "as to the real state of her affections. She has also signified her opinion that intercourse with "those ladies of her family who are opposed to her marriage would not at present, be attended "with advantage, and has declined to see them.

"However much the existence of a difference between the Princess and other members of "the family is to be regretted, the Government has declared its resolution to protect that "young lady in the exercise of her rights. As therefore, she has determined not to see at the "present time, those of her female relatives who are opposed to her marriage with Suckaram "Sahib, she cannot be forced to do so."

I remain,

Ladies,

Your sincere friend and well wisher,

(Signed) C. E. TREVELYAN.

VELLUM,
17*th January* 1860.

Your Memorialists submit that the reluctance of the infant, however strong, to receive your Memorialists, and to listen to their counsel and advice, ought not to be permitted to prevail against their legal rights as guardians, and their interest in her welfare, as her nearest relatives, more especially when there is every ground for believing that her asserted repugnance to your Memorialists, and her preference for Suckeram Sahib, are the results of the tutoring and intrigues of those very parties, who first succeeded in tearing the infant Princess by force and violence from your Memorialists,—they isolated her in a distant portion of the Palace, and have now all but succeeded in the object of their desire, by inducing the Government of Madras to sanction and carry out the marriage of the Princess with Suckeram Sahib.

Your Memorialists submit that if this marriage is completed, under all the circumstances above stated, it will not only inflict unnecessary and incurable pain upon the last remnant of a Royal Family, who have ever been the steadfast friends and allies of the English, but will establish a precedent, altogether novel and unheard of, for the interference of Government in the purely domestic affairs of Native families; which cannot but be viewed with alarm and distrust by the millions in India. It is in direct antagonism to and violation of Her Majesty's Gracious Proclamation, and will, your Memorialists submit fix an indelible stain upon the honor of the British name and nation.

For these reasons your Memorialists humbly pray that the orders of the Madras Government in respect to the residence and marriage of the Princess may be reversed. That your Memorialists may have free access to her; and the fullest opportunity of consulting with and advising her. That the promise made by the Acting Resident to restore her to your Memorialists, her guardians and relatives, may be fulfilled. That their feelings and affections may be respected—and the *express orders of the late Rajah*, forbidding the contemplated marriage, may be obeyed; and that a suitable husband may be chosen for the Princess, with the consent and approbation of your memorialists, from among the youths of the Royal line resident in the Palace, her equals in rank, age, and those other qualifications, which promise to secure for her an useful and a happy union. And your Memorialists as in duty bound, will ever pray, &c.

MADRAS,
7th February 1860.

(Signed) JOHN BRUCE NORTON,
for the Memorialists.

No. 35.

ORDER THEREON, 9th February 1860, No. 72.

It is observed that Memorials to the address of the Right Honorable the Secretary of State for India, must be presented in Triplicate. Two more copies of this memorial will therefore be required.

Further before the Memorial can be transmitted to the Secretary of State, it is necessary that Mr. J. B. Norton, should produce formal powers from the ladies, from whom it purports to emanate, authorizing him to present it on their behalf.

The Right Honorable the Secretary of State, it is remarked, has recently declined to receive a Memorial on Tanjore affairs, because such authority was wanting.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. S. T. Augustin.

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Inum.

I remind this Memorial from Mrs
Appa I have circulated to Hole
& President minute.

Memorials to Home Authorities have to be furnished in
triplicate — two more copies of this
will therefore be required —

Further this Memorial is not
signed by the Ranees but in their
behalf by Mr J Norton as their
agent —

I am not aware that Mr
Norton has any professional powers

from the Queen showing that he has authority to act in their behalf in this matter. — and it may be a doubt whether the absence of such this memorial can be transmitted from Washington to the Secretary of State; would obviate it.

He would be quite willing that the matter in question should be referred to the Queen herself — and he has directly pressed upon her address relative to the marriage proposition to Prince

from H. Davis and signed in the same way that this is —

8/12/00

— It seems true that a formal Power of Attorney must be produced by Mr. J. B. Walton before a Memorial presented by him in the name of the Queen can be forwarded to the Secy of State — In a quite recent instance the same Authorities refused to enter on any action from the want of such formal power.

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Mr Norton ought to be called upon to produce his authority — if he has not a formal power with him — but I do not doubt any thing he says on my part — there can be no doubt — but I quite approve with Mr Norton that he should be in possession of such documents

Political Dept.

Proceedings of the Madras Govt.

Read Letter from Mr Norton dated the 7th inst forwarding for Communication to the Right Honble Secretary of State for India a Memorial from ~~his Highness~~ His Highness Sivaji Sahebu Maha Raja — the Boya Sahebu Minor of the children of the late Rajah Serfoji of Tanjore & the Ladies of the Mungalasawmy & Kalianna Mahaly, Relative to the marriage of the Princess daughter of the late Rajah.

Ans. a.

Order thereon 9th February 1860 No. 72.

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J P

Mr J B Norton Dft 9th

Reported to England
25th Jan 1861 No 91 of 1860

Replied to by the
Sec of State for India
of 9th June 1861 of 60

25-7-12-

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Political 1860 Dept.

No 4/2

Proceedings of the
Madras Government

Dated 9th Feby 1860

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