

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 466

Press
~~Mis.~~

Dated 21. 10. 1918

Not to be folded or roughly handled

*Proceedings of the Madras Government, Political Department,
21st October 1861.*

No. 57. Read the following letter from Rajah STREE YAIKOJEE; to J. D. SIM, Esq.,
Secretary to the Government of Fort Saint George, dated Madras, 4th October 1861.

I had on the 20th April 1859, submitted to this Government a letter to the address of the
Right Honorable Lord Stanley, the Secretary of State for India, giving cover to a copy of Petition
to the Imperial Parliament, which my Agents in England were about to present to that body.

It was found inconvenient for my Agents in England to present the Petition in the Sessions
of 1859, while they were prepared to submit in the Sessions of the following year 1860; the letters
of the Governor General, dated 20th April and 10th May 1860, and the reply thereto of the
Secretary of State for India, dated 26th July 1860, made them render unnecessary to Petition
the Parliament on the subject, as the question of adoption was by the above communications
disposed of.

I therefore beg to forward herewith Petitions in Triplicate to the present Secretary of State
for India, and request you will be pleased to forward the same to Honorable Gentleman for his
favorable consideration with your kind recommendation.

To the Right Honorable Sir CHARLES WOOD, K.C.B., Secretary of State for India, &c.
&c. &c.

The humble Petition of Rajah STREE YAIKO-
JEE, adopted son of His Highness the late
Rajah STREE PRETAUB SING GEE,
and grandson by adoption of His Highness
AMEER SING GEE, formerly Rajah of
Tanjore.

SHEWETH,

1. That your Petitioner is the son by adoption of the late Rajah Stree Pretaub Sing Gee of
Tanjore, son of the late Ameer Sing Gee, formerly Rajah of Tanjore.

2. That the aforesaid Ameer Sing Gee was the second son of Rajah Pretaub Sing, whose
first son Toolgoogee succeeded to the throne of Tanjore on the death of his father, the said Rajah
Pretaub Sing. The Rajah Toolgoogee died issueless in 1787, but leaving an adopted son Surfojee
between whom and Ameer Sing Gee, brother of his adoptive father, the succession to the throne
was disputed, a contention which was eventually settled after due investigation by a British Com-
mission in favor of Ameer Sing Gee, who was accordingly placed on the throne by the late Hon-
orable the East India Company, and acknowledged by them as its rightful occupant in opposition
to the pretensions of Surfojee the adopted son of the then deceased Rajah Ameer Sing Gee.
Your Petitioner's adoptive grandfather thus became Rajah of Tanjore in 1787. Up to this time
and for several years subsequently the revenues of Tanjore were collected and administered by
the Rajah himself independently of the East India Company, and on the accession of Ameer Sing
Gee, a treaty was concluded by which the Rajah undertook to pay unto the hands of the East
India Company, annually, a proportion of his revenues towards the Military establishments main-
tained for the mutual security and protection of the two contracting parties. The connection of
the East India Company with the revenues of Tanjore extended no further than has been already
stated. Your Petitioner will only mention in addition that the succession of a collateral heir to
the throne as in the case of Ameer Sing Gee was no unusual event in Tanjore. Shajee, who

succeeded Yauckajee the founder of the kingdom, was succeeded by his brother Surfojee whose successor was his younger brother Toorkajee. Toorkajee had male issue Bava Saib and Pretaub Sing and was succeeded by his first son Bava Saib, on whose death his brother Pretaub Sing, father of Ameer Sing Gee, your Petitioner's adopted grandfather succeeded him.

3. That the state of things described in the preceding paragraph continued uninterruptedly for the long period of twelve years, when to the great detriment and humiliation of the reigning Sovereign Ameer Sing Gee, your Petitioner's adoptive grandfather, the British Government made terms with Surfojee, Toolgoogee's adopted son whose claim to the succession was disallowed in the first instance, and placed him on the throne in 1799, Ameer Sing Gee being deposed to make room for its new occupant. A treaty was concluded in the same year between the East India Company and Surfojee under which the latter transferred to the British Government the collection and management of the revenues of Tanjore which had heretofore been collected and administered by the Rajahs of the Province, and Surfojee became a Pensioner of the East India Company.

4. That under the same treaty of 1799 above referred to, the sum of 25,000 Star Pagodas was set apart annually from the revenues of Tanjore for the maintenance and support in a manner becoming his rank and position of the deposed Rajah Ameer Sing Gee. The clause of the treaty in which this arrangement is set forth follows the stipulations respecting the transfer of the revenues to the East India Company, and is as follows:—Article 8—“It is stipulated and agreed that the sum of 25,000 Star Pagodas shall in all cases be appropriated to the support of the late Rajah Ameer Sing and shall be considered as a charge on the revenues to be deducted previous to the calculation of the proportion one-fifth above mentioned. The residue of the revenues after the foregoing deductions shall be at the disposal of the said Company.”

5. That Ameer Sing Gee died in the full enjoyment of the allowance so provided in the year 1802, leaving one son Pretaub Sing Gee the adoptive father of your Petitioner.

6. That on the death of Ameer Sing Gee, Pretaub Sing Gee succeeded to the allowance of 25,000 Star Pagodas enjoyed by his father.

7. That the Rajah Pretaub Sing Gee died in January 1849, leaving no issue but an adopted son your present Petitioner.

8. That immediately on the death of the Rajah Pretaub Sing Gee your Petitioner's adoptive mother Emoona Boye senior widow of Rajah Pretaub Sing, your Petitioner being then a minor, having communicated with the local Government on the subject, that authority refused to continue the allowance to your Petitioner, and the Court of Directors approved of such refusal stating as their reason that they were not bound by treaty or any other engagement to continue the stipend to an adopted son. “Indeed” add the Court, “the treaty makes no mention even of lineal descendants or of Pretaub Sing himself but only of Ameer Sing.” A sum of Rupees 550 monthly was thereupon granted for the support of Emoona Boye, smaller sums for the maintenance of the other members and dependants of the deceased Rajah's family not forgetting his concubines, two of whom received Pensions of Rupees 200 each monthly, whilst your Petitioner was cut off without a fraction for his support. Against this total abandonment of him by the paramount power your Petitioner begs most respectfully to appeal.

9. That it is apparent from the terms of the despatch from the East India Company above quoted, that the substantial and in fact only objection to the continuance of the allowance in question to your Petitioner was that he was an adopted son. In fact the Court say so in so many words.—“You were not bound,” they observe to the local Government, “by treaty or any other engagement to continue the stipend to an adopted son.” The omission of all mention of lineal descendants or even of your Petitioner's adopted father Pretaub Sing from the treaty is also noticed in the despatch, but your Petitioner humbly submits that the despatch clearly shows that what weighed with the Court in acquiescing in the refusal of the local Government to continue the allowance to your Petitioner, was the circumstance that he was an adopted son, and it is equally clear from the same despatch that had your Petitioner been the natural born son of the deceased Rajah, whatever their construction of the terms of the treaty may have been, the repre-

sensation of his adopted mother Emoona Boye would not have been met by the peremptory and absolute refusal of the local Government to continue the allowance to your Petitioner; and your Petitioner is confirmed in this belief by the circumstance that the allowance was continued to his adoptive father, for the argument that the treaty names only Ameer Sing and no one else applies equally to Pretaub Sing son of Ameer Sing. A still stronger ground of confirmation is furnished by the following extract from the letter of the Resident of Tanjore, dated 27th January 1849, communicating to the Begum Emoona Boye the decision of Government on her Petition with reference to the continuance of the allowance to your Petitioner:—

“Paragraph 2nd. I am also instructed by the Right Honorable the Governor in Council to apprise you and the members of the family that the Government could not under any circumstances recognize the claims of an adopted son of the late Rajah Pretaub Sing Gee to any allowance for his support from the British Government, and especially in the present instance when the adoption is directly opposed to the notification of Government dated the 16th March 1846, prepared and promulgated under the specific orders of the Honorable the Court of Directors, and in which notification it is ordered that no adoption will be countenanced or recognised unless such adoption is registered with the Collector for the district six months prior to death—whereas no such precaution was observed in the present instance.”

10. That your Petitioner humbly conceiving that nothing can be more conclusive than the language used in the foregoing extract as shewing that the refusal to continue the allowance to your Petitioner is attributable wholly and solely to your Petitioner being an adopted son, proposes confining himself to this point to the exclusion of all considerations as to whether the treaty of 1799 applies solely to Ameer Sing or whether the intention was that it should extend to his heirs and successors, as both unnecessary and uncalled for here and as calculated needlessly to swell the proportion of this appeal which he is anxious to compress within the narrowest possible limits. Your Petitioner is prepared to show, if need be, that although no mention is made in the treaty of heirs and successors, yet from the fact that the Rajah Ameer Sing was a member of the Royal family of Tanjore, that he was the son of one Rajah and brother of another, that he had himself filled the throne for the long period of twelve years, that the allowance was secured to him by treaty and was made a first charge upon the revenues of the country the residue alone of such revenues being available to the Company, that his children had an indisputable claim to succeed to the allowance after his death, for it is not to be supposed for a moment that any single member of the Royal house was to be turned adrift on the world so long as the Province yielded a fraction of revenue; and from other circumstances which it is not necessary here to refer,—that the allowance was not limited to Ameer Sing but was a permanent charge upon the revenues of the country. Waiving therefore all consideration of this subject here, your Petitioner begs respectfully to urge that as an adopted son he has the same rights and privileges that a natural son possesses and is fully entitled to the full provision for his support enjoyed by his adoptive father at the hands of the British Government for the following reasons:—

Firstly.—Your Petitioner is a Hindoo and under the Hindoo law his rights are equal in every respect to those of a natural born son.

Secondly.—That in the estimation of the Hindoos it is necessary for the peace of the departed in a future life that he should leave behind him a son to perform the rights and obligations sanctioned by his religion.—That adoption is an institution of divine origin intended to provide against possible contingencies in this respect, and an adopted son takes the place of a lineal heir and has the same legal rights to enable him to fulfil the duties and responsibilities imposed upon him by his adoption.—That if the allowance enjoyed by his adoptive father is withheld from your Petitioner his adoption is of no avail to the deceased whom he represents, the personal property of his deceased father being barely enough to afford him adequate subsistence.

Thirdly.—Because the British Government has always recognised the law of adoption and acted upon it. To speak only of Tanjore, adoption has been admitted in the case of Surfojee alluded to in this Petition, an adopted son, to the prejudice of the rights of a lineal heir, Ameer

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Sing—admitted in his accession to the throne—admitted when Ameer Sing was installed, in the allowance granted for the adopted son Surfojee's support of Rupees 35,000 a year. This case is precisely similar to your Petitioner's.

Fourthly.—Because, notwithstanding the statement of the Resident as above quoted, that your Petitioner's adoption was not in accordance with the Government notification of the 16th March 1846, the validity of the same has been subsequently admitted both by the local Government and the Governor General who have recognised him as heir to his adoptive father's personal property small as it may be. This point has been finally determined in your Petitioner's favor.

Fifthly.—That on the assumption by Her Most Gracious Majesty of the direct Government of India, Her Majesty was pleased to announce to her native subjects that their laws, usages and customs would be treated with all due respect and consideration. Your Petitioner has the fullest confidence that the treatment meted out to him by your Excellency will be in accordance with the benign sentiments thus graciously made known to the millions of Her Majesty's liege subjects in India.

Sixthly.—That very recently the question of adoption by native Princes and Chiefs having formed the subject of various communications between the Governor General of India and Your Excellency as Her Majesty's Secretary for India, it has been officially made public that the British Government have resolved to recognise and uphold the right of adoption, that the Princes and Chiefs of the country are free to exercise it, and that any son admitted into a family by adoption would be considered as possessing the same rights and privileges that are inherent in a natural born son. (Vide letters from the Governor General dated 20th April and 10th May 1860, and Your Excellency's reply dated 26th July of the same year.)

That it only remains for your Petitioner humbly and respectfully to call the attention of Your Excellency in Council to the anomalous and humiliating position to which he has been reduced by the refusal of the authorities to entertain his claim to a continuance to him of the allowance enjoyed by his late father for his maintenance in accordance with his rank and position in life. He now represents the Rajah Ameer Sing once a Sovereign of the country and a prince of the blood: he is by virtue of his adoption the head of the family of the Rajah Ameer Sing and of his son your Petitioner's adoptive father the late Rajah Pretaub Sing, and of those dependants who abandoning the honors and rewards accessible to them in the court of the newly installed Rajah, with a fidelity and devotion which excited the admiration and evoked the sympathies of the British authorities, attached themselves to the household of their degraded and humiliated master, and have in their own persons in many instances, and in those of their descendants remained faithful to it up to this time.—Estranged from his own family on which he has no claims—incapable from his position, connections, early training and associations from holding any employment, and yet, while all around him even to the concubines of his lamented father are amply provided for by the State, the Government has elected to abandon him in his misfortunes and has cut him off without a penny as possessing no claim whatsoever in this respect and so placed him below even the lowest servant of the household of which he is head—unprotected and uncared for. Your Petitioner feels that he need say no more to secure for himself Your Excellency's best sympathies in his wretchedness and degradation, wherefore placing his case in Your Excellency's hands, he humbly prays—

That he may be decreed entitled to the Annual Stipend of 25,000 Star Pagodas enjoyed by his late father, and that the same may be regularly paid to him for his maintenance. And your Petitioner as in duty bound, shall ever pray.

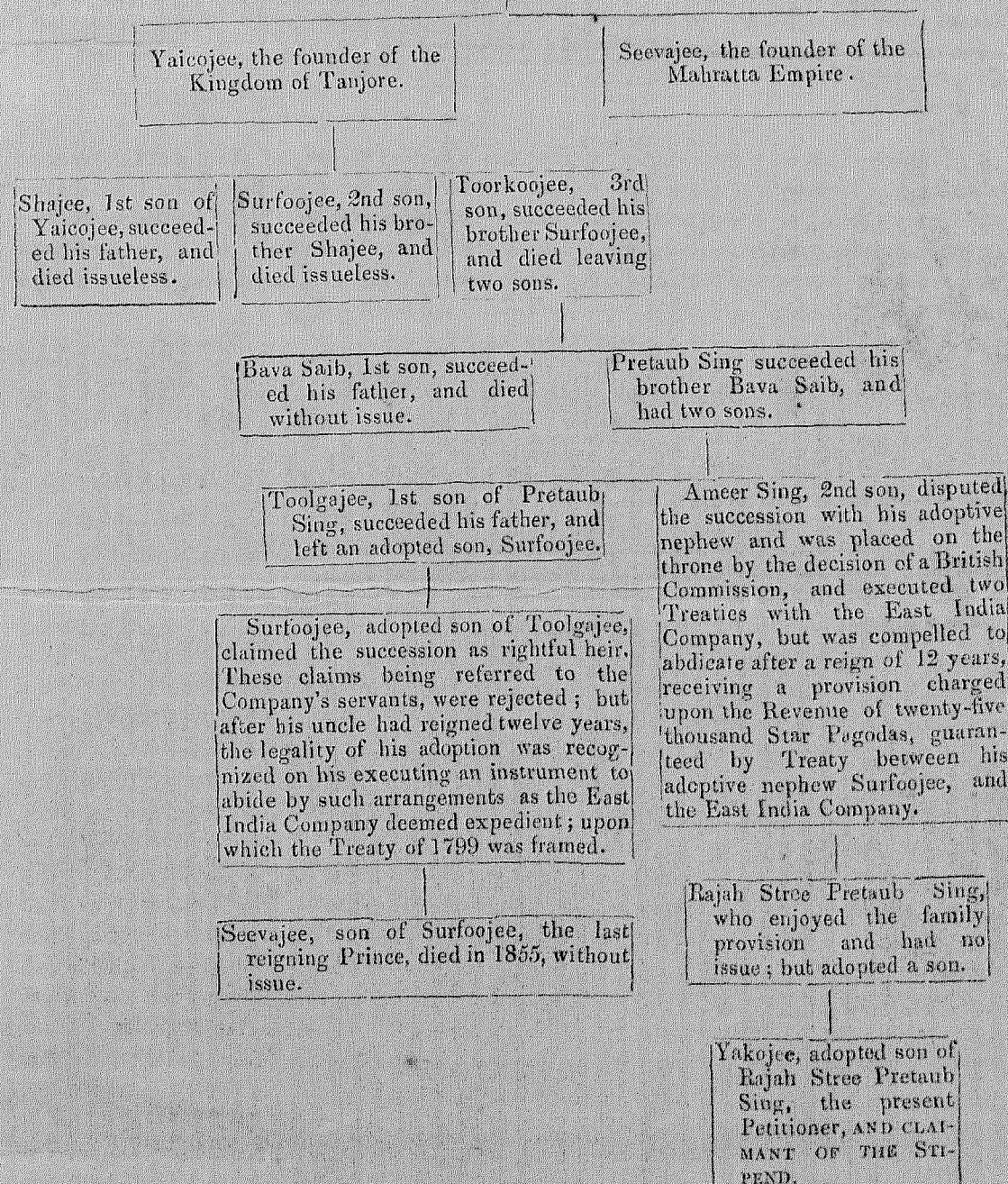
MUDDYAYANUN,
TANJORE DISTRICT,
4th October 1861.

(Signed) RAJAH STREE YAIKOJEE.

*Proceedings of the Madras Government, Political Department,
21st October 1861.*

GENEALOGICAL TREE.

SHAJEE.



Nq. 58.

ORDER THEREON, 21st October 1861, No. 466.

To Court of Directors, 7th February, No. 2 of 1859.
From do. 11th September, 2 of 59,
paragraphs 3 @ 5.
To Secretary of State for India, 8th July, No. 21 of 1859.
From do. 12th Jan. 3 of 1860.
paragraph 2.

Ordered that the Petition submitted with the foregoing letter be forwarded to the Right Honorable the Secretary of State for India, with reference to the correspondence noted in the margin.

(Signed) J. D. SIM,
Secretary to Government.

Exd. T. O'Connor.

Political Department.

PROCEEDINGS of the MADRAS GOVERNMENT

Read the following letter from
Rajah Shee Gaojee, a adopted son
of the late Rajah Shee Poteah Sing
jee of Tanjore.

(Dated 4 October, 1867.)

Order thereon 28th October 1867, No 466.

Ordered that the Petition
submitted with the foregoing
letter be forwarded to the R. & C.

To Comptroller of the Treasury, 1852 of 1850.	the Secretary of State for India with reference to the correspon- dence.
From do 11 th Feb 1852 of 1850.	
To Secy of State for India 8 th July 1852 of 1850.	
From do 12 th Aug 1852 of 1850.	

correspondence noted in the
margin.

L.D.P.

list of 8 Nov

Col. L. to Eng. 25th
October 24 25. of 1861.

Repl. to 8. Feb
19 of 62

Political 1861 Report
Memorial of Rajah Shee
Ganges of Tanjore.

No. 466.

Proceedings of Govt.

Of 21st October 1861.

Forwarding to the
Secretary of State for India
a petition from Rajah Shee
Ganges, adopted Son of
the late Rajah Shee Putta
Sringar of Tanjore - pro-
suing for a continuance
to him of the allowance
enjoyed by his late father
for his maintenance in
accordance with his
rank and position in
life.

Political
1861

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