

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 476

Press
~~Mis.~~

Dated 29-10-1864

Not to be folded or roughly handled

*Proceedings of the Madras Government, Political Department,
29th October 1861.*

Read the following Memorial :—

No. 69. To the Right Honorable the Secretary of State in Council for India.

The humble petition of GUNSHAM DOSS, of
Sallay Street, in the Black Town of Madras,
Soucar.

SHREWETH,

That your Petitioner on or about the 29th day of September 1858 filed a Declaration in the Supreme Court of Judicature at Madras, claiming to be a Creditor of the late Nabob of the Carnatic, and agreeing to accept payment of the amount due to him as such Creditor under the provisions of Act No. 30 of 1858.

That your Petitioner afterwards filed particulars of his claim against the said Nabob's Estate in the Office of the Registrar of the Supreme Court, and delivered a copy of such particulars to the Government Solicitor.

That in such particulars as amended by a Notice to the Government Solicitor, dated 16th April 1859, your Petitioner claimed payment of the amount of principal and interest due on the following Tunkee Cutcherry Bonds, viz.

No. 113 of 1st January 1836 for Rupees 10,000
No. 125 of 1st January 1836 for Rupees 8,700
No. 222 of 1st August 1836 for Rupees 10,000
No. 232 of 1st August 1836 for Rupees 7,000
No. 236 of 1st August 1836 for Rupees 8,000
No. 237 of 1st August 1836 for Rupees 8,000
No. 241 of 1st August 1836 for Rupees 17,700, and
No. 223 of 1st August 1836 for Rupees 10,000,

the amount of principal and interest due on a Cajanah Bond for Rupees 20,000, dated 7th January 1840—and the sum of Rupees 6,293-6-0 for goods sold and delivered.

That your Petitioner before filing such particulars had, on the 14th day of January 1859, delivered all the above mentioned Bonds to the Receiver of the Carnatic Property, as required by the said Act No. 30 of 1858.

That a Commission was issued out of the Supreme Court on the 12th May 1859, for the examination of His Highness Prince Azeem Jah, in the matter of your Petitioner's claim aforesaid, and that the said Prince Azeem Jah was examined on behalf of your Petitioner, and cross-examined on behalf of the Government, and his deposition signed by him on the 18th May 1859.

That on or about the 6th day of July 1859, your Petitioner received an offer from the Solicitor for the Government of Fort Saint George of the sum of 18,009 Rupees, 4 Annas and 11 Pice, in full discharge of what was justly and fairly due to your Petitioner from the Estate of the late Nabob of the Carnatic.

That such last mentioned sum was offered in payment of the balance due on the abovementioned Cajanah Bond for Rupees 20,000, and for goods sold and delivered, the Government Solicitor being of opinion upon a consideration of the evidence of the said Prince Azeem Jah taken upon the said Commission that all the abovementioned Tunkee Cutcherry Bonds had been given for debts due by the Prince Azeem Jah Bahadoor, and not by the late Nabob of the Carnatic.

That your Petitioner was at first unwilling to accept such offer, but after the investigation of his claim had been proceeded with to a considerable extent, he was advised, reference being especially had to the said evidence of His Highness Prince Azeem Jah, to accept the abovementioned offer.

That some expense having in the meantime been incurred by Government in investigating your Petitioner's claim, the Government Solicitor refused to abide by his offer, unless your Petitioner would agree to pay the costs of the Government, which your Petitioner accordingly

29th October 1861.

did, and on the 17th day of February 1860, an order was made by the Supreme Court, with the consent of the Advocate General, on behalf of the Government of Fort Saint George acting for the Secretary of State in Council for India, that the Receiver of the Carnatic Property should pay to your Petitioner the sum of Rupees 18,909-4-11, in full discharge of what was justly and fairly due to your Petitioner from the Estate of the late Nabob of the Carnatic, and that the costs of the Government of Fort Saint George as between party and party of and incident to all the items in the particulars of your Petitioner's claims mentioned and set forth above and except the items covered by the tender of Government bearing date the 6th day of July 1859, should be paid by your Petitioner to the Solicitor for the Government of Fort Saint George.

That by an order made in this cause by the late Chief Justice Sir Henry Davison, on the 16th day of March 1860, upon hearing the Solicitors of your Petitioner and the Government of Fort Saint George, it was ordered that the Registrar do deliver out to your Petitioner or his Solicitor all the Books of Account filed by your Petitioner under Act 11 of 1859, and the Receiver of the Carnatic Property do deliver out to the Claimant or his Solicitor all the Cajanah or Tankee Cutcherry Bonds deposited with him the said Receiver excepting the Cajanah or Tankee Cutcherry Bonds for Rupees 20,000, dated 7th January 1840.

That there is now due to your Petitioner for principal and interest up to the 30th day of June 1861, upon the said several Tankee Cutcherry Bonds the sum of Rupees 2,25,893, as appears by the sworn admission of Prince Azeem Jah made on his examination under the Commission as aforesaid.

That your Petitioner is informed and believes that there is a large sum in the Treasury of the Government of Fort Saint George amounting to several lacs of Rupees, and far exceeding the amount of your Petitioner's claim, being the arrears of an allowance granted by the Government of Fort Saint George to the Prince Azeem Jah Bahadoor out of the Revenues of the Carnatic.

That your Petitioner addressed a petition to His Excellency the Governor in Council of Fort Saint George, under date the 25th July 1861, setting forth the above facts and circumstances, and praying that His Excellency the Governor in Council of Fort Saint George would be pleased to order that the amount of your Petitioner's claim be paid from and out of the arrears of the allowance so accumulated as aforesaid, or that His Excellency in Council would be pleased to direct the Governor in Council of Fort Saint George to sanction your Petitioner's proceeding against His Highness the Prince Azeem Jah Bahadoor in the Supreme Court to recover the amount of your Petitioner's claim against him on the said 8 Bonds in the form prescribed by Section I. of Act 37 of 1858, or that His Excellency in Council would make such other order in the premises as to His Excellency in Council should seem meet.

That your Petitioner received an order of Government, in reply to his petition under date the 12th August 1861, that the Governor in Council could not comply with your Petitioner's requests.

Your Petitioner therefore humbly prays your Honor in Council that this his petition may be received, and that your Honor in Council may be pleased to direct the Governor in Council of Fort Saint George to order that the amount of your Petitioner's claim be paid from and out of the arrears of the allowance so accumulated as aforesaid, or that your Honor in Council may be pleased to direct the Governor in Council of Fort Saint George to sanction your Petitioner's proceeding against His Highness the Prince Azeem Jah Bahadoor, in the Supreme Court, to recover the amount of your Petitioner's claim against him on the said 8 Bonds, in the form prescribed by Section I of Act 37 of 1858, or that your Honor in Council will be pleased to make such other order in the premises as to your Honor in Council may seem meet.

And your Petitioner will ever pray, &c.

MADRAS,

28th September 1861.

29th October 1861.

No. 70.

ORDER THEREON, 29th October 1861, No. 476.

Resolved that the Memorial of Gunsham Doss be forwarded to the Right Honorable the Secretary of State for India with reference to

Proceedings 2nd Nov. 1860, Nos. 3 and 4.

„ *12th August 1861, Nos. 23 and 24.*

the previous correspondence on the subject, and that copies of the Proceedings noted in the margin, be also submitted with it for the information of Her Majesty's Government.

(Signed) J. D. SIM,

Secretary to Government.

Madras 30th September 1861

From Messrs Ritchie and Shaw
Solicitors

Madras

To

J. D. Sim Esq^{re}
Secretary to Government.

Sir,

We have the honor to forward herewith three Printed Petitions preferred by Lunschun Doss of Madras Solicitor to the Right Honorable the Secretary of State for India in Council against the late Order of the Governor in Council on his Petition to his Excellency in Council dated 25th July 1861 and will thank you to forward them with the consent of His Excellency in Council to the Right Honorable the Secretary of State for India in Council at your earliest convenience. -

We have the honor to be
Sir

Your Obedient Servants
Ritchie Shaw

*Recd
Original from the
Political Department*

Political Department.

PROCEEDINGS OF THE GOVERNMENT

*Received from
the Political Department
all the Delhi & Dero
Gazettes, &c. &c.
of the month.*

*(Dated: Sept. 1861)
Order of the Government, 1861, No. 1476.*

Resolved that the
Memorial of the
Shaw be forwarded to
the Right Honble the
Secy of State for India
with reference to the
previous correspondence
on the subject, & that
copies

Bro. 2 Nov 1860 N. 324
12 Sept 1861 - 23426

copies of the Proceedings
noted in the margin
be also submitted with
it for the information of
Her Majesty's Government

Despatch of the Memorial
submitted to Government

Memorial submitted

23426

list of Moors

Political 1861 Reports
Signatures of Gunchaan
Law, Council of Madras.
No 11/6.

Letter to the Secretary
No 27 of 1861

Proceedings of Govt.

Replied to Feb 9. 1862

29th October 1861