M.R.O. 1—32,000—16-10-22.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 414 Press ~~Misc~~

Dated 14 — 10. ~~19~~ 1862

Not to be folded or roughly handled

No. 25. Read the following letter from NABOB AHAMED-OON-NISSA BEGUM, to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated Shady Mahel, 8th October 1862.

With reference to the Order of Government, No. 379, dated 20th September 1862, I have the honor to forward herewith a Memorial in triplicate to the address of the Right Honorable the Secretary of State for India, on the subject of my claim for Rupees 58,000, on account of arrears of allowance due to my late mother by the Carnatic Circar and setting forth some additional facts and arguments omitted in my petition to Government, dated 17th August 1861, and to request that the same may be forwarded to its destination as early as possible so as to reach the Secretary of State before the matter referred for his orders is disposed of by him.

To the Right Honorable Sir CHARLES WOOD,

Secretary of State for India.

The humble Petition of NABOB AHAMED-OON-NISSA BEGUM, daughter of the late Nabob AZEEM-OON-NISSA BEGUM.

Sheweth,

1. That your Petitioner having been informed, by the local Government,* that her claim relative to a sum of Rupees 58,000, due to her late mother, from the Estate of the late Nabob of the Carnatic, on account of arrears of allowance, as set forth in the Petition to the Government, dated 17th August 1861, has been referred to your Excellency, she therefore humbly and respectfully craves permission to submit the following succinct statement, together with a few additional facts, which were omitted in her said Petition, in the hope that the same will receive your Excellency's favorable consideration and help towards an equitable adjudication of the matter which forms the subject of the present prayer.

* In their Order No. 379, dated 20th September 1862.

2. Your Petitioner's mother, the late Nabob Azeem-oon-Nissa Begum, had, from the time of her father, Nabob Azeem-ood-Dowlah, with whom the Treaty of 1801 was concluded, received an allowance (at the rate of Rupees 2,000 per mensem) of Rupees 24,000 annually, which was paid to her out of the Punjoomhissa, or one-fifth share of the Carnatic Revenue. This allowance was withheld by the late Nabob for the periods shewn in the margin, thereby leaving to be paid to your Petitioner's mother the sum of Rupees 58,000.

From 1st January to 24th August 1842,* 7 months and 24 days.....Rs.		15,484-6-3
From 25th August 1842, the day of the Accession, to August 1844, 24 months and 7 days.....Rs.	48,451-9-9	
Deduct for 3 months..... ,,	6,000-0-0	42,451-9-9
Total amount for 29 months, Rupees..		58,000-0-0

* Although this period is previous to the Accession of His late Highness the Nabob, yet the allowance was only payable at the end of the year out of the Annual Income, namely, the Poonjoomhissa which in that year was received by His Highness the late Nabob in full.

3. Your Petitioner's mother frequently addressed His Highness the late Nabob on the subject of such arrears, and your Petitioner herself, after the demise of her mother, on several occasions, urged her claim with the Nabob in right of her mother. Eventually His Highness was pleased to refer the matter for report to the Dewan as the Head Treasury Officer. That Officer then explained the reason of the stoppage of the allowance, which was to meet a liability of the Circar to Miss Arathoon, incurred not on account of your Petitioner, or your Petitioner's mother, but on account of the amount of instalment payable† by the Carnatic Circar to the late Nabob Syed-oon-Nissa Begum, more commonly known as Nabob Begum Sahiba, the paternal grandmother of the late Nabob, and the maternal grandmother of your Petitioner, as the said amount was not at the time available in the Circar Treasury. On your Petitioner representing the matter to His Highness the Nabob, and appealing against the impropriety of such appropriation of her mother's allowance, His

† Vide Document marked J. in Memorialist's Petition to Government.

Highness was pleased to submit the matter for the investigation and report of the Isteefa Cutcherry, which body, in their report dated 18th January 1853,‡ declared that His Highness the Nabob was *legally* and *morally* bound to adjust the claim, a declaration which was accepted as correct by His Highness, who recognized the claim, and admitted your Petitioner as a creditor of the Circar, in lieu and instead of Miss Arathoon, as will be seen by the order passed by His Highness on the 21st March 1855.§

‡ Vide Document marked O in Appendix to Memorialist's Petition to Government.

§ Vide Document marked S. in Appendix to Memorialist's Petition to Government.

4. Such then are the simple facts of the case, facts which, it is respectfully submitted, are sufficient in themselves thoroughly to establish your Petitioner's claim; but in order to remove all possible doubt and uncertainty the following observations are offered for the favorable consideration of your Excellency.

5. I.—That the transaction with Miss Arathoon had no connection whatever with your Petitioner's mother, whose property and transactions were, from the date of her marriage, distinct and separate from those of Nabob Begum Sahiba, as their families also were divided and separate, a fact which was fully substantiated in the Supreme Court of Judicature at Madras, by the testimony of the Dewan of the late Carnatic Circar, when the present claim came to be tried before that tribunal. That your Petitioner's mother never at any time, since coverture, entered into any transaction jointly with Nabob Begum Sahiba for their mutual benefit, and that she never raised money either for her own use or that of Nabob Begum Sahiba, or their joint purpose, on the joint security of their allowances from the Circar; nor can any thing to the contrary be proved by the Circar records now in the possession of the Government Agent at Chepauk.

II.—That on his accession to the throne in 1842, His late Highness the Nabob declined to accept payment of the Treasury debt of 5 Lacs of Rupees, incurred in the time of the Regency;* of this sum the Dewan of the Carnatic Circar had made himself liable, by endorsement for Rupees 1,03,410 (as shewn in the margin) of which Miss Arathoon's Bond was one, and in consequence of such non-recognition by His Highness, suits were instituted against the Dewan and judgment and writs obtained in 1843 by all the holders of the Bonds endorsed by him, except the holders of the Bonds for Rupees 20,140 and Rupees 10,600.

* 1st May 1842, 2 Bonds

	1 for	Rs. 40,000
	1 for	,, 15,120
19th May 1842,	1 Bond for	,, 20,140
11th June ,,	2 Bonds 1 for	,, 1,700
	1 for	,, 1,500
6th July ,,	1 Bond for	,, 10,600
12th ,, ,,	3 Bonds for together	,, 8,600
15th August 1842,	1 Bond for	,, 5,750
	Total Rupees...	1,03,410

It is true that His Highness did liquidate Miss Arathoon's claim, though he, at the time, did not intend to satisfy any of the other judgments just mentioned, which have since been paid by Government from the Nabob's Estate; but this was simply because Miss Arathoon had agreed, through Moomtaz-ool-Moolk Bahadoor, commonly called Ghoolam Moortooza Khan, to accommodate His Highness with a separate loan on condition of that for Rupees 40,000 being at once discharged; so that Miss Arathoon's claim was met by His Highness, not to release the Dewan from the tender mercies of the Circar creditors, but for his own behoof and advantage. Hence from the above two observations it will be seen that His Highness the Nabob had no right whatever to deduct from the allowances of your Petitioner's mother the amount paid to satisfy Miss Arathoon's claim, an amount which was not borrowed either by your Petitioner or your Petitioner's mother, but by the Circar.† It was upon these strong and valid grounds that the Isteefa Cutcherry, in their abovementioned report to His Highness the Nabob, declared it

† Vide the Madras *Examiner*, dated 27th March 1843, containing a Report of the Trial on the 24th and 25th of the same month of the claim against the Dewan of the Carnatic Circar, then called Sherf-ool-Moolk Bahader, by Miss Arathoon, then bearing the name of Mrs. Chambers; from which it will be seen that it was clearly established by the examination of all the parties concerned, that the Bonds were issued on account of the Carnatic Circar under the orders of the Regent, and no statement whatever was made during the Trial, that the money was borrowed either by your Petitioner and her Mother, or Nabob Begum Sahiba, or that their allowances were in any way liable to be appropriated for the purpose of meeting the claim in question.

as their judgment and award that the Nabob was legally and morally bound to meet your Petitioner's claim.

6. Your Petitioner further begs to point out that, on His Highness the Nabob receiving the abovementioned report of the Isteefa Cutcherry he directed‡ that Cutcherry to ascertain from the abovementioned Moomtaz-ool-Moolk Bahadoor, commonly called Ghoolam Moortooza Khan, the reasons for the allowance of your Petitioner's mother having been appropriated in the manner set forth, namely, towards payment of the sum of Rupees 40,000 borrowed from Miss Arathoon; but as before the Cutcherry could make any such investigation His Highness the Nabob had in his letter† to the then Governor dated 20th April 1853, accepted to pay the Treasury debts of the Regency, among which was included the amount of Miss Arathoon's Bond, the Isteefa Cutcherry did not deem it necessary to enter into any investigation, agreeably to their Resolution dated 26th April 1853,* as your Petitioner's claim had by such acceptance on the part of His Highness of the Treasury debts, been recognized and would be paid in common with the other Treasury debts incurred during the Regency of the Naib-i-Mookhtar.

‡ In order dated 26th February 1853, marked P. in Appendix to Memorialist's Petition to Government.

† Vide the concluding portion of the document marked J. in Appendix to Memorialist's Petition to Government.

* Marked Q. in the abovementioned Petition.

7. When his late Highness the Nabob took upon himself, as abovementioned, the payment of the Five Lacs of Treasury debts and included in that sum the amount of Miss Arathoon's Bond, which had already been liquidated from the allowance of your Petitioner's mother, it is clearly established thereby that, His Highness had taken upon himself the re-imbursement to your Petitioner of the amount of her mother's allowances which had been withheld, and it is also further distinctly evident that it was for the purpose of enabling him so to re-imburse the amount, that the amount of Miss Arathoon's Bond was entered in the fresh List of the Treasury debts which was prepared in 1853. Nor can it be urged, your Petitioner submits, that if the amount of claim now preferred be paid it will then be twice disbursed; for instead of the amount paid to Miss Arathoon being taken from the Circar Treasury, it was made available by deductions from the allowance of your Petitioner's Mother, who thereby became, *defacto*, a *bonâ fide* Creditor of the Carnatic Circar, in lieu of Miss Arathoon, and it will be seen by reference to the document marked S in the Appendix to your Memorialist's Petition to Government, that, irrespective of the reasons assigned by the Isteefa Cutcherry, in their report of 18th January 1853, it is for the very reason named at the head of this para. that His Highness the Nawab based his order dated 21st June 1855, recognising your Petitioner as a Creditor of the Circar, instead of Miss Arathoon, and directing the amount due to be paid by instalments, which would have been done had His Highness been spared sufficiently long, and such, your Petitioner submits, was the opinion held by Sir Adam Bittleston when the case came before him.†

† Vide para. 9 of Memorialist's Petition to Government.

8. Under such circumstances it is, your Petitioner submits, placed beyond all controversy or the possibility of doubt that, the abovementioned order of His Highness was not the result of any importunity or the effect of any extraordinary pressure brought to bear upon him, that it was not obtained by any unfair means or secured by improper force being applied. The matter was dealt with fairly, honestly and above board. The claim was submitted by His Highness himself to the Isteefa Cutcherry, a board composed of a number of the principal and most respectable Officers of the Circar including the Dewan of the late Carnatic Durbar, all men of well-known probity and worth, appointed by His Highness for his own protection, and which board after a patient enquiry and careful and impartial investigation, declared it to be their opinion that His Highness was morally and legally bound to adjust the claim. Nor was it upon this declaration alone that His Highness' order was based; it had its rise in his own free will and act, whereby he took upon himself the payment of 5 Lacs of Treasury debt.

9. Such being the case, your Petitioner humbly craves, that your Excellency will be graciously pleased to take her case into favorable consideration and comply with her prayer, namely, that the amount of her mother's allowance, aggregating Rupees 58,000 which has been withheld, as above set forth, may be paid to her.

For which act of justice your Petitioner as in duty bound will ever pray.
MADRAS, *7th October* 1862.

No. 26. ORDER THEREON, 14th October 1862, No. 414.

Before transmitting to its address the Memorial received with the foregoing letter, the Governor in Council resolves to refer it to the Government Agent at Chepauk for his remarks, more especially in regard to that part of it (para. 5) in which it is said that the Petitioner's mother's "property and transactions were, from the date of her marriage, distinct and separate from those of Nabob Begum Sahiba, as their families also were divided and separate, a fact which was fully substantiated in the Supreme Court of Judicature at Madras by the testimony of the Dewan of the late Carnatic Circar, when the present claim came to be tried before that tribunal," and that "Petitioner's mother never at any time, since coverture, entered into any transaction jointly with Nabob Begum Sahiba for their mutual benefit, and that she never raised money either for her own use or that of Nabob Begum Sahiba, or their joint purpose, on the joint security of their allowances from the Circar; nor can any thing to the contrary be proved by the Circar records now in the possession of the Government Agent at Chepauk." The contrary to this, it is remarked, is asserted in Major Wilson's letter of the 10th July last, No. 369, para. 4.

(Signed) T. PYCROFT,
Chief Secretary.

Exd T. O'Connor.

X13

Order thereon

Ordered that the Memorial received with the foregoing address be transmitted to the R. H. the Secretary of State for India, with reference to the despatch in this Department dated the 25th Ultimo. No. 13.

List
No 4

Political Department

Proceedings of the Madras Govt

Read the following
letter from Nabob Ahmed-
oon Nissa Begum.

(Dated 8th October, 1862.)

Order thereon 14 October 1862 No 4114

Before transmitting
to its address the Offic-
-ial received with the
foregoing letter, the Gover-
-nor in Council resolved
to refer it to the Govt
Agent at Chapauk for
his remarks, more es-
-pecially in regard to
that part of it (para 5)
in which it is said
that the Petitioner's mother's
"property and transactions
were, from the date of
her marriage, distinct
and separate from those
of Nabob Begum Sahiba,
as their families also
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substantiated

substantiated in the Supreme Court of Judicature at Madras by the testimony of the Dewan of the late Carnatic Circar, when the present claim came to be tried before that tribunal." and that "Petitioner's Mother never at any time, since Coverture entered into any transaction jointly with Nabob Begum Sahiba for their mutual benefit, and that the money raised money either for her own use or that of Nabob Begum Sahiba, or their joint purpose, on the joint security of their Allowances from the Circar; nor can any thing to the contrary be proved by the Circar records now in the possession of the Govt. Agent at Chepauk." To the contrary to this, it is remarked, is asserted in Major Kirkwood's letter of the 15th July last. 1769. para 4.

To Govt. Agent at Chepauk with one copy of the Memorial. } dispd 14th

JP

8C 180

Political 1862 Dept.

No 1414.

Proceedings of Govt.

Dated 14th Oct. 1862

Nabob Ahmud ooa Nissa Begum's Memorial regarding her claim on the Nabobs Estate preferred to the Government Agent at Chapauk for his Remarks before it's transmission to the Secretary of State for India

Pol. Letter Engd 20th Nov.
No. 16 of 1862.

Despatch to Sec. Govt
No 1 of 63

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