

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No.

576

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Dated

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Proceedings of the Madras Government, Political Department,
23rd December 1862.

No. 61. Read the following letter from G. LEE MORRIS, Esq., Officiating Government Agent at Tanjore; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallum, 15th November 1862, No. 333.

I have the honor to submit for the orders of Government a petition addressed to me by J. B. Norton, Esq., on behalf of the ladies of the Mangalavilas, or Seraglio of His late Highness the Raja, respecting certain property belonging to that institution which is now lying in a room in the Palace under the seal of the Commissioner Mr. Phillips.

2. There is no question as to the fact of the aforesaid property which is stated to consist of jewels and sundry other articles, belonging to the institution abovementioned and really forming no part of the property of the late Raja. The circumstances under which the room containing the articles in question happened to be sealed up by the late Commissioner, were as follows:—

3. The jewels belonging to the young Princess, were originally for some reason or other which is immaterial to the present purpose, mixed up with those of the ladies of the Seraglio, and kept in a room under the custody of the common agent of the latter. These jewels were required for the use of the Princess on the occasion of her marriage which took place in 1860, but owing to the divisions and disagreements which had latterly arisen amongst the members, of the Seraglio, there was some difficulty in inducing them to give up the said jewels, and Mr. Phillips therefore opened the room and removed them from it, placing his seal at the same time over the room, for the security of the remainder of its contents which belonged to the ladies of the Seraglio. This last measure appears to have been adopted by Mr. Phillips either in consequence of the members of the Seraglio having declined to take charge of the property, or on account of there having been some difficulty in distributing it among them.

4. There is nothing on record in regard to this transaction, and my information has been derived entirely from enquiries made of parties acquainted with what then occurred.

5. Under these circumstances, and there being, as I have already stated, no question as to the property in question belonging to the Mangalavilas, it now only remains to make it over to the parties entitled to it. This could be easily done if all the parties concerned would agree to receive it; but unfortunately, they do not do so. Some of the ladies state that the contents of the room should be divided equally among all the 42 concubines who form the members of the Seraglio; others again contend that it should be divided equally among ladies and children both male and female, by which a child would get as much as a lady; whilst a third party alleges that the property in question consists of articles given by the Raja individually to the several members of the Seraglio, and have thus become exclusively the property of such individual members the articles being so marked and kept in separate cases. If this assertion be satisfactorily proved from an inspection of the articles themselves and an examination of the accounts which are stated to contain the requisite particulars; it would be the best and safest arrangement to make over to each lady such articles as are found to be her's. If however, no such data are available, the question arises as to how the contents of the room should be divided.

6. It appears from the records that this point was raised by Mr. Cadell last year, regarding the division of the proceeds of the villages belonging to this institution which are under the management of the Collector, and the Government in their Order marginally noted, directed that the same should be divided in equal shares among ladies and children. This decision of Government, as a matter of principle, bears as much on the case now under consideration as on that of the proceeds of the villages, but under the peculiar circumstances stated above, and considering the responsibility involved in the adoption, in respect of private property, of a course which may not be strictly in accordance with the law, I beg to solicit the instructions of Government for my guidance.

7. I would take leave to add that it is obviously unsafe and unadvisable to allow the valuable property in question, whatever it may be, to lie in its present state, under the ostensible custody of Government for any further length of time; and that it appears to me absolutely necessary that its disposal should be no longer delayed.

*Proceedings of the Madras Government, Political Department,
23rd December 1862.*

From J. B. NORTON, Esq., Agent to the Mungalavelasum Ladies; to G. LEE MORRIS, Esq., Government Agent, dated Tanjore, 21st October 1862.

It appears that Mr Phillips placed his seal upon a room in the Palace belonging to the Mungaleswara ladies, containing certain property belonging to them.

2. This property was not taken possession of as forming any part of the late Rajah's property, nor is there any claim now made to it by Her Highness Kamatchee Boyee Sahibah or the other Boyee Sahibas.

3. It is in fact admitted in all hands to be property, which during the late Rajah's lifetime, belonged exclusively to the Mungaleswara ladies.

4. Under these circumstances I presume that this property will *not* be delivered to Her Highness Kamatchee Boyee, but to the ladies to whom it unquestionably belongs.

5. I am aware that on a reference as to the course to be pursued with respect to property claimed by certain other ladies, the Government has laid down the principle that every thing must be delivered to Her Highness Kamatchee Boyee Sahibah, and that all claimants must look to her.

6. But there, the property was mixed up with the great bulk of the property seized by the Government, and the claim was disputed.

7. I would therefore submit that the above ruling has no applicability to the present case; and I am quite satisfied that justice would be best met and much bickering, if not worse consequences avoided, should the Government sanction the course which I suggest.

8. There is another point closely connected with this matter which it may be convenient to consider at once.

9. The Government I am aware, has declined to interfere in any way in the distribution of the ladies jewels or other property.

10. But if in giving up this particular property the Government would sanction the division according to what the respective parties are legally and equitably entitled to, it would not entail much trouble on yourself personally (and I shall be happy to assist you to the best of my ability) while it would at once put an end to disputes which unfortunately exist as to the principle of division.

11. The ladies are 42 in number; eleven have children, and these last claim an extra share by virtue of their having children; that is to say, that the property should be divided into 53 shares not 42, and that every lady who has a child should take 2 shares, while those who have not a child shall only take one share.

12. There is no legal ground for any such principle of division. These ladies were not the wives of the Rajah, or the children would be entitled to the whole property, while the mothers would be only entitled to maintenance.

13. Situated as these ladies are, each must have an equal independent right; the accident of one having a child can give her no claim to a larger share than the others.

14. And this principle, I am informed, has been hitherto recognized and acted on. The ladies, I am told, have paid their common debt in 42 shares; and certain monies which they have had to receive from the Government during the last year and a half have been accepted by them in 42 shares, although at first the 11 ladies with children demurred, and claimed to have an extra share on account of their children.

15. As there is not either any legal or equitable ground for this claim, I submit that the property ought to be divided into 42 shares; and my only reason for requesting this is the conviction that while acting in conformity with what is fair and expedient, that you would thereby at once put an end to all disputes and differences of opinion at any rate in this Department of the Palace.

No. 62, ORDER THEREON, 23rd December 1862, No. 516.

In the foregoing letter the Acting Government Agent at Tanjore applies for instructions regarding the distribution of certain jewels belonging to the Mangalavilas or Seraglio of the late

*Proceedings of the Madras Government, Political Department,
23rd December 1862.*

Rajah of Tanjore, and which are at present locked up in a room under the seal of the late Commissioner.

2. His Excellency the Governor in Council directs that the Acting Government Agent will examine the property in question with the view of ascertaining whether any, and if any, what articles can be proved to belong to particular individuals among the ladies of the late Rajah's Seraglio. Such of the jewels as may be proved to be the property of particular individuals will be made over to them by the Acting Agent. The remainder will be divided into 42 equal shares and distributed among the ladies.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. O'Connor.

Political Department

No.

Memorandum for orders.

From the Offg. Govt. Agent
Sanyo

Dated 15th Novemb. 1862

No. 333

In the foregoing letter the Acting Govt. Agent at Sanyo applies for instructions regarding the distribution of certain jewels belonging to the Mangalavillas or Seraghis of the late Rajah of Sanyo, and which are at present locked up in a room under the seal of the late Commissioner. He submits a letter from ^{Mr.} I. B. Norton who represents himself to be Agent to the Ladies of the Mangalavilas requesting that the property in question

may

may be divided into
42 equal shares, that
being the number of
ladies belonging to the
Seraglio, and without re-
ference to the circumstance
of their having children
or not.

3 A reference regard-
ing the property was
made to Govt. by the
late Commissioner. Mr.
Phillips in his letter of
the 18th July 1860. Mr.
Phillips' views as ^{to} the pro-
per mode of distribution
do not appear to have
been very decided. In
para 11 of his letter he
proposed to divide the
property into 42 shares
assigning as he worked
on ^{to} any of the females what
might be clearly shown
to be her own ornament.
In para 13 he observed
that

that "some of ^{the} concubines
must beyond doubt have
at times received from
the Royal presents
which were intended
for themselves alone,
and which though se-
cured in the strong room
of the department, ought
to be secured to them if proof
of ownership can any
how be arrived at.

4 The Govt. in their
order of the 1st August
postponed the distribu-
tion of the property
on account of ^{the} their state
of feeling among the
inmates of the Manga-
lavilas, until the larger
questions connected with
the Tanjore family
should have been ar-
ranged.

5 The Acting Govt.
Agent

Agent is now submitting
the question for decision
adverts to the orders of
Govt. of the 14th April
and 13th Novr 1861, direct-
ing that the proceeds
of the villages belonging
to the Mangalavilas
should be divided in
equal shares among
the ladies and children,
and he observes that those
orders as a matter of
principle "bear as much
as the case now under
consideration as on the
proceeds of the villages",
but with reference to
an assertion made by
some of the ladies that
the property consists of
articles given by the
Rajah individually to
the several members of
the Seraglio, which have
thus

thus become exclusively
the property of such in-
dividual members, the
articles being so mark-
ed and kept in separate
cases, he suggests that
if this assertion be satis-
factorily proved from
an inspection of the
articles themselves, and
an examination of the
accounts which are stat-
ed to contain the requi-
site particulars, it would
be the best and safest
arrangement to make
over to each lady such
articles as are proved
to be hers.

6 In regard to the prin-
ciple of distribution
which has been recognized
by Govt. with reference
to the proceeds of the
villages attached to the
Seraglio, viz: that the
children

children as well as the ladies should be included in the decision, Mr. Norton contends that there is.

We have nothing to do with legal ground for such a division, the ladies not having been the legal wives of the Rajah, and that situated as they are, each must have an equal independent right.

7 It appears to me that the Acting Agent should be directed to examine the property in question and ascertain whether exclusive ownership can be traced in the case of all or some of the articles, reporting the result of his examination for further orders. It will be impossible to determine satisfactorily what should be the mode

of distribution until it has been ascertained what portions (if any) are proved to be the exclusive property of some of the ladies. It will have to be de-

termined whether those ladies who may be proved to have an exclusive claim to certain portions of the property should be permitted to share in that part (should there be any such) which has not been exclusive. By a signed, and this can hardly be settled until it is known how much has been so assigned and how much is unappropriated.

It appears to me that the unnecessary delay in the distribution of the jewelry report - given by one of the ladies can prove her right to any of the jewels as having been presented to her individually she must have then traced them to her. but she will have an equal claim with the rest to her share of those to which no individual claim can be proved. I should therefore appropriate to claimants such jewels as they can prove to have been given to them or their decessors or their estate or share as proposed.

As the articles said to belong to particular individuals are described as being marked & kept in separate cases I enclose in the course proposed by the President. The 1/2 pp. in which should contain as much as possible of the other

any discussion or
order of the Council
argued -

Jp

5

Each letter of the
of the Council

520
Poll Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
letter from the Off. Govt.
Agent Tanjore.

(Here enters 15th Novr 1862 N^o 335)

Order thereon 23^d December 1862 N^o 516

In the foregoing letter
the Off. Govt. Agent at Tanjore
applies for instructions re-
garding the distribution of
certain jewels belonging to
the Mangalavilas or
Seraglio of the late Rajah
of Tanjore, and which are
at present locked up in a
room under the seal of
the late Commissioner.

2. His Excellency the
Governor in Council directs
that

MD

Me

Jp

that

that the Agt. Govt. Agent
will examine the property
in question with the view
of ascertaining whether any,
and if any, what articles
can be proved to belong to
particular individuals
among the ladies of the
late Rajah's Seraglio. Such
of the jewels as may be
proved to be the property
of particular individuals
will be made over to them
by the Acting Agent. The
remainder will be divided
into 42 equal shares and
distributed among the ladies.

W. R.

To the Agt. Govt. Agent. } Despd 23^d
Bangalore }

Political Letter to Cong April 12th
April 12th of 1863.

Rebilitated March
of 4 of 1864

20-X-10

Pol.

1862. Department.

No. 576

PROCEEDINGS OF GOVERNMENT,

Dated 23 Dec 1862

Feb 14. 1863 Feb 15. 1863

Discharging duties

For: Agent to the
occurrence the present report
to his letter for a certain
being what can be done
proved to be long to practice
for individuals during
the last of the 12th of May
being to make over to
the whole property and
the whole of the property
42 equal among the
people.

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