

MADRAS RECORD OFFICE.

Government of Madras.

Police DEPARTMENT.

G.O. No.

359

Press

~~Mis.~~

Dated

3-12-1963

1963

Not to be folded or roughly handled

Read the following papers :—

No. 10. From Major R. S. WILSON, Government Agent at Chepauk, and Paymaster of Carnatic Stipends; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated 11th November 1863, No. 297.

I beg to submit the following for the orders of Government :—

2. His Highness Prince Azeem Jah Bahadoor, has been recently desired to settle with his creditors, and I have been ordered to furnish him from this office with any documents which may be required to enable His Highness to do so, and to the furnishing of which there may be no objection.

3. His Highness has accordingly applied to me for the records of a Commission called the Tunkee Cutcherry, which was formed in 1836, and continued to act till the late Titular Nabob's death in 1855. There appear to be the strongest objections to putting these papers into His Highness' hands; but, if his request be not complied with, I do not doubt that His Highness will represent them to be indispensable for the purpose abovementioned, and will allege that he is willing to settle with his creditors but is prevented from doing so by the want of the papers in question. It is therefore necessary for me to explain the nature of his application, and to request instructions.

4. In 1836 His Highness being pressed by his creditors, found it necessary to take some steps towards a settlement with them. The course he adopted was to form the Commission above-named, the duties of which were to take account of his liabilities, and put them in course of liquidation. As the liabilities in question were personal to His Highness, those duties ought certainly to have been entrusted to His Highness' own Agents; but His Highness being then Regent, took advantage of that position, to form the said Commission of Officers of the Sirkar. The proceedings of the Commission therefore assumed a *quasi*-Sirkar character. When His Highness ceased to be Regent, the papers connected with it remained with the Sirkar records, and were subsequently transferred with them to this office. His Highness cannot therefore now represent the papers in question to be private documents, which ought to be given up to him, as concerning merely his own private affairs. The proceedings of the Commission extend over a period of nineteen years, and are involved with many questions affecting the interests of Government. Their possession is also a question affecting seriously the interests of the other parties to the transactions recorded in them. It is obvious that the written records of accounts between debtor and creditor ought not to be placed in the hands of either.

5. These reasons appear to me to render compliance with His Highness' request impossible; but as it may be thought that the difficulty may be met by furnishing His Highness with copies of the correspondence in question, I beg to submit the following remarks.

6. The correspondence, as has been already mentioned, extends over a period of nineteen years. It is very voluminous, and the accounts extremely intricate. The labor and responsibility of furnishing a true copy of it, would be so serious, that I do not believe it would be possible for this office to furnish it without an increase to the establishment. This circumstance, however, I should not have submitted, had I any reason to believe that the requisition spoken of were made in good faith. I am so far however from having any reason for believing it to be so, that I have what appear the best reasons for believing the contrary. His Highness' requisition has made it necessary for me to examine the records from 1825 till the present time, and the impression left on my mind, is, that His Highness will never pay any thing till he is compelled to do so, and that no dependence is to be placed on his most solemn assurances. I have prepared a Memorandum in support of the above opinion, which I can submit if required. It will perhaps be sufficient to mention here two facts. His Highness ceased to be Regent in 1842, and the proceedings of the Tunkee Cutcherry then became public. According to the plan laid down by His Highness in 1836, when the Cutcherry was formed, His Highness' debts, which then amounted to 14 lacs, ought to have been decreased in 1842, by six-eighths; they had, on the

contrary, increased to 16 lacs. In 1854 the Titular Nabob ordered the Cutcherry to resume its labors, which had been for some time suspended. It did so, and continued them till 1857; the result was that in January 1858, His Highness' debts amounted to more than 17 lacs.

7. I beg also to state that His Highness' recent conduct is incompatible with the supposition that he is honestly desirous of meeting his liabilities. At the time when the orders of Government became positive on the subject, His Highness had in the Treasury undrawn arrears of stipend to a large amount. Of this amount His Highness has drawn out and expended (not in the payment of his recorded debts) eight-tenths. It is true that His Highness has also lodged one-tenth of the amount in the hands of Trustees for his creditors; but he did this under the strongest pressure from an English gentleman whose assistance is valuable to him, and who threatened to break with him unless the measure in question were carried out.

8. I do not believe therefore that His Highness does desire the documents he has applied for, for the purpose of settling the claims against him, and I am persuaded that there is only one measure by which such settlement can be obtained, viz., by granting to such persons as may show cause, permission to sue His Highness in Court for the amount of their respective claims; nor would the granting of such permission in reality cause His Highness any annoyance, if he is really willing to meet his creditors on fair grounds. His Highness has recently established a Commission for the purpose of settling his debts. The persons who have claims against His Highness are perfectly aware of the extent of His Highness' means, and for their own sakes, will not sue His Highness in Court, if they see any prospect of obtaining some reasonable composition by agreement. If therefore Government is pleased to grant the permission recommended, those to whom it is given will not avail themselves of it, till they have made application to His Highness' Commission, and ascertained what terms are there offered them. If these terms are fair, they will be only too glad to accept them, and if His Highness' terms are not fair, he cannot reasonably complain of being sued in Court.

9. I beg therefore to recommend that His Highness be informed, in reply to his requisition for the records of the Tunkee Cutcherry, that these records belong as much to His Highness' creditors as to His Highness, and cannot be made over to either side; but that it appears His Highness' debts cannot be settled without them; that there is only one course by which the above dilemma can be met, viz., to give His Highness' creditors permission to sue His Highness in Court; that Government has therefore resolved to do so; that they have the less reluctance in doing so as it appears the measure will not cause His Highness any annoyance, inasmuch as His Highness has formed a Commission for the purpose of settling his debts, to which there can be no doubt, all claimants will gladly apply before availing themselves of the permission granted them; that if any doubt should arise as to claims so submitted to that Commission, to remove which it is necessary to examine the Tunkee Cutcherry records, such examination will be made by the Chepauk Agent on condition that the Agents of both sides concerned in the transaction be present, and that if true copies of documents be required, they will also be furnished by the Agent in like manner, on condition that both parties agree in the application.

10. After the best consideration which I can give to the case, there appears to me no choice except to adopt the above course, or to resign all intention of inducing His Highness to do any thing in settlement of his debts.

No. 11. From Major R. S. WILSON, Government Agent at Chepauk, and Paymaster of Carnatic Stipends; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated 20th November 1863, No. 326.

I have the honor to forward herewith, at the request of His Highness Prince Azeem Jah Bahadoor, a letter* addressed to me by His Highness, dated 16th instant, and copy of my answer thereto, dated this day.

* Requested to be returned.

His Highness Azeem Jah Bahadoor presents his compliments to Major R. S. Wilson, Government Agent, Chepauk, and Paymaster Carnatic Stipends, and begs to state that having heard that some of His Highness' creditors, in consequence of not having received a reply to the application submitted by them, almost three months ago, to the Committee appointed by His Highness to investigate into the pecuniary claims which exist against him, have solicited, or purpose to solicit the permission of Government to sue His Highness in the High Court, His Highness has to observe, that according to the wishes of Government, as set forth in the Agent's letter No. 94, dated 15th April 1863, namely, that His Highness should take decided steps for the settlement of his debts before the 1st June (1863), and that unless His Highness did so Government will be compelled to permit His Highness' creditors to sue him before the established Courts, His Highness, in his letter, dated 20th April 1863, intimated his intention to appoint a Committee for the purpose of making the necessary arrangements with his creditors, one of the Members of which Committee was to be a legal gentleman, and His Highness at the same time explained that this course was similar to that pursued at His Highness' voluntary request by the late Nawab in the enquiry instituted relative to His Highness' debts in 1854, pursuant to the late Nawab's order issued on the 25th September 1854; and that in order to enable the Committee proposed to be appointed by His Highness to enter upon their duties, it was necessary that they should be put in possession of all the records which were placed before the Commission of 1854 relating to His Highness' liabilities, and His Highness requested that the Government Agent would do him the favor to obtain the sanction of Government for the delivery of those records to His Highness.

2. A notice, dated 25th June 1863, was published for the information of His Highness' creditors in the Fort Saint George Gazette and other papers, intimating the intention of His Highness to appoint the Committee alluded to above, and on the 24th July 1863, the day previous to the Committee holding their first sitting, His Highness submitted a second requisition to the Government Agent for the immediate delivery of the documents specified above, enclosing copy of the Government Agency's receipt of the same as per margin. In making this requisition His Highness deemed it necessary at the time to explain, in order to remove all difficulty from the mind of Major Wilson as to the surrender

Received from the Dewan of the Durbar two boxes said to contain Records relating to the Tunkee Cutcherry, His Highness Prince Azeem Jah Bahadoor and the late Syed Don-Nissa Begum.
CHEPAUK,
15th February 1859.

(Signed) E. BALFOUR,
Government Agent.

of the documents to His Highness, that in 1859 the Government Agent asked the Dewan to send to him the Records in question (in order to enable the Agent to repudiate the claims of certain Tunkee Cutcherry creditors against the estate of the late Nawab, not for the purpose of getting possession of them as the property of the Sirkar), but as they were the property of His Highness, the Dewan, who at the time of handing over to the Government Agent all the records of the Sirkar retained those under reference as not belonging to the Sirkar, felt compelled first to obtain the permission of His Highness to comply with the request, and having obtained that permission he forwarded the documents to the Agent, who granted a receipt for the same, which receipt was forwarded to the Dewan in the Agent's letter, No. 327, dated 15th February 1859, and a true copy of it was sent to His Highness for his information by the Dewan. In reply (No. 197, dated 24th July 1863) to this urgent requisition Major Wilson intimated his inability to send the papers so soon (the day after the requisition), but stated that he would forward them as soon as he possibly could.

3. His Highness waited for nearly three months, and upon receiving a requisition from the President of the Committee, forwarded the same to Major Wilson, in letter dated 14th October 1863, and earnestly requested that the documents may be forwarded, as Major Wilson must have seen from the requisition of the President of the Committee that they were urgently required. To this third and most urgent request Major Wilson replied in letter No. 279, dated 16th October 1863, that he regretted the delay, that the delay had been occasioned by circumstances over which he had no control, and that within a few days he hoped to be able to furnish His Highness with satisfactory explanation of all the particulars of the case; but in the mean time Major Wilson asked for information as to the particular papers that were required, stating that it was

necessary for His Highness' interest that the Agent should understand. To this His Highness, on the 20th October, afforded the fullest explanation, but as the documents are not yet forthcoming, His Highness begs Major Wilson will state at once what is the nature of the difficulty which precludes him from surrendering to His Highness papers which His Highness considers as belonging to himself as his private property, and on which grounds alone His Highness' several requisitions were based.

4. With the view of placing the matter of the proprietorship of the records in question in the clearest possible light, His Highness begs to state, that in 1836 a Commission called the Tunkee Cutcherry was appointed by him for the purpose of taking measures for liquidating the debts contracted by His Highness and several members of the family, and to this end the Cutcherry granted Bonds under their seal to the creditors; His Highness arranging that a handsome annual instalment should be paid to the Cutcherry out of His Highness' own share of the Carnatic Revenues, and out of the annual allowances of the members of the family as granted by His Highness' father and brother. This instalment was paid regularly up to the year 1841, but in 1842 the arrangements were put an end to by the late Nawab on his ascending the Musnud reducing the whole income of the family, and His Highness was compelled to take upon himself the entire debt, as the Bonds were issued by the Cutcherry on his responsibility. During the Regency of His Highness most of the principal Sirkar Officers and their current records were in the Shaudée Mahul, where also were the records connected with the Tunkee Cutcherry, but when the late Nawab ascended the Musnud all the records were transferred by His Highness, with the Offices, to the Chepauk Palace, with exception of Tunkee Cutcherry* records and others of a

* Vide His Highness' letter, dated 27th December 1854, to the Government Agent, forwarded under a communication from the late Nawab, dated 8th January 1855.

private character called Thumpaul Chetty records, belonging to His Highness. These records were in His Highness' custody in the Shandee Mahul for more than twelve years.

When, in 1854, another Commission was appointed at His Highness' voluntary request by the late Nawab, the papers of the Cutcherry of 1836, as well as Thumpaul Chetty records, were handed over by His Highness' then Record-keeper, Thumpaul Chetty, to the second Commission, which sat in the Chepauk Palace, and which continued until 1856. When the late Nawab died, all the records of whatever description which were in the Chepauk Palace were placed in the custody of the Dewan, who in 1857, in handing over to the Government Agent the Sirkar records, retained those now referred to as not belonging to the Sirkar, as stated above, and that this Official considered these records to belong to His Highness is proved by the fact of his having first obtained the permission of His Highness before handing them over, in 1859, in compliance with the request of Dr. Balfour, the then Government Agent. If reference be made to the Dewan proof will be obtained that the papers of the Cutcherry of 1836 were not transferred with other Sirkar records in 1842, but remained in the Shandee Mahul, the residence of His Highness, and if reference be made to the Members of the Commission of 1854, proof will be obtained that these records, together with the others called Thumpaul Chetty records, were handed to them from the Shandee Mahul.

5. It is now seven months since His Highness made his first application for the records now again asked for, for the fourth time, and if even after the detailed explanation now given the Government Agent does not consider himself competent to surrender the records, His Highness begs he may be immediately informed of the same, when he will send Moosuddees for the purpose of making copies. His Highness requests that this communication may be at once submitted to Government for the purpose of their being made acquainted with His Highness' earnest desire to give effect to the wishes of Government to take decided steps for the settlement of His Highness' debts, and to enable them consequently to decline compliance with any request for the removal of the exemption.

MADRAS, SHAUDEE MAHUL,
16th November 1863.

Read the following papers :—

No. 13. From W. FISHER, Esq., Resident of Travancore and Cochin; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Trevandrum, 26th September 1863, No. 56.

With reference to the Order of Government, Political Department, dated 7th August 1862, No. 311, I have the honor to annex a statement showing the exact strength of the Nair Brigade, the proposed reduction having now been carried out.

2. Great delay has occurred in effecting the reduction in question, and in explanation of this delay, I must observe that the reductions have to a great extent been made from guards over different Government Stores and buildings scattered over the whole of Travancore.

3. The men of the Brigade perform, as Government are aware, many of the duties ordinarily assigned in former days in British Territory to Revenue and Police Peons and now performed by the Police Force.

4. On first making arrangements, the Dewan understood from the Officer Commanding the Brigade, that there were three regular reliefs for each guard and took his measures accordingly. On these being completed, it was found that Colonel Drury had been misunderstood and that there were in point of fact not 3 but only 1½. This necessitated a further set of arrangements; but when completed, it was still found that the full number of men (300) could not be struck off, as it then came out that before the reduction commenced there were only 1½ reliefs, though they had since risen to 1½ owing to the reductions made.

5. Further arrangements were again necessitated, as it was impossible that duty could be performed at all, if the ordinary reliefs were not allowed for, and at last the reduction of the Brigade has been completed.

6. However insufficient these reliefs would be considered for regular Troops prepared for all emergencies, it must be observed that the Nair Brigade is chiefly kept up for purposes of State, and has hitherto been largely occupied in performing work which can with propriety be entrusted to peons.

Statement showing the exact strength of the Nair Brigade after the proposed reduction.

	Subadars.	Jemadars.	Havildars.	Naigues.	Sepoys.	Drummers, Fifers & Buglers.
1st Battalion.....	10	10	40	40	570	23
2nd Battalion.....	10	10	40	40	570	23
Artillery.....	...	1	2	2	25	...
Band.....	...	...	1	1	20	...
Total....	20	21	83	83	1185	46

No. 14. From W. FISHER, Esq., Resident of Travancore and Cochin; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Trevandrum, 7th October 1863, No. 58.

In my letter of the 26th ultimo, No. 56, I had the honor to report the reduction of the Nair Brigade by three hundred men.

2. This reduction, and that of one European Officer which follows as a consequence, renders necessary a re-distribution of duty between the remaining Officers of the Brigade.

3. Of the three Subordinate Officers hitherto attached to the Force, one Officer performed the duties of Quarter Master and Station Staff Officer with charge of the Artillery and Band on a salary of Rupees 460 per mensem, whilst each of the others commanded a Battalion, their respective salaries being Rupees 445-6 per mensem.

GOVERNMENT AGENT'S OFFICE, CHEPAUK,
20th November 1863.

No. 325.

Major R. S. Wilson, Government Agent at Chepauk, presents his compliments to His Highness Prince Azem Jah Bahadoor, and has the honor to acknowledge receipt of His Highness' letter of yesterday's date, enclosing another dated 16th instant, which latter Major Wilson has forwarded to the Chief Secretary to Government.

2. Major Wilson begs to thank His Highness for having complied with the request conveyed in Major Wilson's letter of the 16th instant.

3. Major Wilson also begs to assure His Highness that he much regrets the great delay which has taken place in returning a definite answer to His Highness' application of the 24th July 1863. The matter is now before Government, and will no doubt be decided shortly. Until that decision is received Major Wilson cannot enter into the details of the subject, nor is it necessary to do so. The great delay above spoken of is owing altogether to one cause, which is found to affect more or less almost all the questions referred to this office, viz., the habit which appears to have obtained in the Carnatic Sirkar for a long time past, of not concluding any transaction, but carrying on all matters from one stage to another, so that to understand the true character of an affair of to-day, it is necessary to trace it to its origin, perhaps thirty years back. For instance, His Highness' application under notice, concerned the Proceedings of a Commission instituted in 1854, but that Commission was found on enquiry to be a continuation of another instituted in 1836, and questions arose connected with the history of the latter, which made it necessary to prepare a connected sketch of His Highness' pecuniary arrangements (public and private) since 1825. Major Wilson hopes that His Highness will take these facts into consideration, and will make allowance for the labor and responsibility thrown on this office, by the sole charge of all the records of the late Sirkar.

(Signed) R. S. WILSON, Major,
Government Agent, Chepauk.

No. 12. ORDER THEREON, 3rd December 1863, No. 359.

The Governor in Council concurs in the opinion of the Government Agent at Chepauk that the records of the Tunkce Cutcherry should not be placed in the possession of His Highness Prince Azem Jah Bahadoor, or of the Commission which has been appointed for the settlement of his debts. His Highness, however, should be informed that the Commissioners will be allowed to examine these records, in presence of the Government Agent, at all reasonable times, that copies will be furnished of any documents they may require, and that the originals will be produced before the Commission if required; in fact, that every facility will be given to the Commission in obtaining any information which may be contained in the records in question.

2. The Governor in Council is not prepared at present to act on the suggestion made in the concluding paragraph of Major Wilson's letter of the 11th ultimo. It is possible, and indeed probable, that the Government Agent is correct in his impressions as to the intentions of His Highness, and it may become necessary at no distant date to deprive His Highness of his exemption from legal process, as the Government intimated in their Proceedings of the 28th March last that they would be compelled to do unless His Highness took decided steps for the settlement of his debts. But until the Commission recently appointed by His Highness shall have been allowed a reasonable time for prosecuting their enquiries and making such arrangements as shall be satisfactory to His Highness' creditors, the Governor in Council would not be disposed to deprive His Highness of the protection hitherto accorded to him; the Agent, however, will intimate to His Highness that the Government cannot permit the settlement of this matter to be postponed for an indefinite period.

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

Copy
N:314/1863
Govt. Agent's Office
Chepauk
16th November 1863.

Major R. S. Wilson, Government Agent at Chepauk, presents his compliments to His Highness Prince Azem Jah Bahadoor and much regrets to be obliged to return His Highness' letter of this date, received this morning, for the following corrections.

II. His Highness after detailing the progress of a correspondence between himself and Major Wilson, in which His Highness appears to consider that he has not been treated properly "by Major Wilson will be frank & candid with him" - an expression which taken with the context obviously implies that Major Wilson hitherto has not been so. Major Wilson feels sure that the above implication is unintentional, but he cannot under any circumstances allow such an imputation to be placed on record. He trusts therefore that His Highness will alter the expression.

III. His Highness also trusts that one of the Members of the Committee appointed

appointed by His Highness is agreeably
to the advice of the Government Agent,
a legal gentleman. The words which are
underscored appear to imply what
Major Wilson cannot admit. Viz. that
His Highness has been pleased to adopt,
in the arrangements connected with
the appointment of the above Committee,
some part of Major Wilson's advice - and
that His Highness has therefore the
more right to feel surprise at Major
Wilson's present line of conduct. The
advice which Major Wilson ventured
to offer, when his advice was specially
requested by His Highness, was, that
His Highness should do as His Highness's
brother Shuhad or Dowlah Bahadur
has lately done, viz. place his affairs
in the hands of some qualified man
of business (legal or otherwise) & that
he should give a legal authority to
that person to draw His Highness's
allowance and appropriate a certain
portion of it to the liquidation of His
Highness's debts. It is evident that there
is a very great difference between such
a measure and that which His Highness
has adopted - and Major Wilson cannot
consider it his duty to lay before Government

a document containing an imputation
on himself which he feels to be ex-
-traneous.

IV. As His Highness however appears
to be under some apprehension that
Government may act in his case
without due consideration; an appre-
-hension for which Major Wilson is
at a loss to discover any just cause;
he will forward today to the Chief,
Secretary, copy of His Highness's letter
under acknowledgement, and of this
reply.

Signature of R. S. Wilson
Gent. Agent
Leh-pauk.

/A True copy/
R. S. Wilson
Gent. Agent
Leh-pauk.

~~sent to~~ ~~Post Office~~ ~~Office~~
~~Post Office~~ ~~Post Office~~ ~~Post Office~~
16th Dec. 1863

My dear Mr. Arthur

I have forwarded herewith
copies of a letter addressed to
me this day by Prince Agassiz
and of my reply to it.

It will be seen that H. H.
is under alarm that permission
will be given to his creditors
to sue him in bankruptcy and
that the influence of
that alarm, to accomplish
the object of the present

from setting forth their
himself by the detention
of his private papers.

J. H. H. has never before
expressed himself so eagerly
to settle his debts.
and his change of tone
appears to me to confirm
the opinion I have always
held, viz. that H. H. dislikes
the payment of his debts
more than anything except
being used in business with,
I cannot doubt, his friends.

informed of the truth of my
recent letter to you on the
subject, and under the appra-
is about to be removed, and
forward, for the first time,
in something that looks like
earnest. This confirms my
impression that if his excep-
tion be removed, he will
settle with his creditors, rather
than be brought into court,
and that he needs will of
little till his insolvency is
reduced off to the point

an which the whole question
turns, viz. whether the papers
spoken of are public or private.
H. H. in the 2^d Para of his letter,
argues that they are private,
but he backs down his
own argument by an in-
direct admission. He says
that, in 1859, the blatant
Agent induced the Donner
to give up the papers in the
question to enable the Agent
to repudiate the charges of
"butchery, mutilations, &c."
"the state of the late Indian

(the state are mine.) That is
the case, and the fact is
clearly incompatible with
the supposition that the papers
are the Prisoners' private papers,
which concern no interests but
his own. The papers were re-
quired to enable the Agent to
deal with charges brought
against Govt. and the same
reasons which rendered it
necessary they should be placed
in the Agency, render it
necessary that they should
remain there. If they are

remain, the old claimant
 which were dispraced last
 means of these will be
 respected an air protest at
 other ~~and~~ ~~protest~~ ~~and~~ ~~will~~
 be ~~presented~~ ~~by~~ ~~you~~ ~~will~~
 then have to go as a sector
 to the Police for information,
 which is may be ~~withd~~ ~~as~~
~~particular~~ ~~in~~ ~~an~~ ~~adulterated~~
 form. ~~for~~ ~~not~~ ~~disorder~~ ~~was~~ ~~order~~
~~may~~ ~~at~~ ~~touch~~ ~~up~~ ~~the~~ ~~place~~
~~of~~ ~~the~~ ~~large~~ ~~of~~ ~~the~~ ~~is~~
~~small~~ ~~of~~ ~~the~~ ~~is~~
~~also~~ ~~put~~ ~~for~~ ~~the~~ ~~is~~

Police Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from
the Govt Agent at Chempur.

Chempur, 11.12.1893. No. 11.12.1893.

Order thereon 3rd Dec. 1893. No. 11.12.1893.

The Governor in Council
 answers in the opinion
 of the Govt Agent at Chempur
 that the records of the
 Indian Catechary should
 not be placed in the possession
 of the District Officer
 because of the shadows
 of the Commission
 which has been appointed
 for the settlement of his

J. M.
 J. P.

the Commissioners will be allowed
 to examine these records in presence
 of the Govt Agent at all reasonable times
 + the Commissioners will
 be allowed to examine the
 records in presence of
 the Govt Agent at all
 reasonable times
 that
 however should be informed
 that again with the present
 of any document that
 Commission may require
 transport of the

originals will be produced
upon the Commission if
required; in fact such easy
facility will be given to the
Commission as in obtaining
any information which may
be contained in the records
in question.

2. Mr. S. in C. is not prepared
at present to act on the suggestion
made in the concluding paragraph
of Justice Wilson's letter of the
11th ultimo. It is possible & indeed
probable that the Court Agent
is correct in his impressions
as to the intention of His Highness,
and it may become necessary at
no distant date to deprive His
Highness of his exemption
from legal process, on the foot-
ing intimated in this promissory
of the 28th March last but they
would be compelled to do so only
if His Highness took decided steps
for the settlement of his debts
but until the Commission is
appointed by His Highness should

the former in Council
is of opinion that such
of the records upon
& in the foregoing letter
as relate to the private
debts of His Highness
Justice Agent
should be furnished to
the Commission monthly
appointed by His Highness
for the settlement of
his debts & the records
in question be ever for
a long time under the
custody of the Justice
Agent which was
appointed by His Highness
in 1898. There is therefore
no apparent reason
for the suggestion that

from the Commission
which has now been
appointed we must
be prepared to justify
in returning documents
which cannot in any
wise be withheld
from the papers,
and relating to
us then with the
Government have no
business. All papers
relating to the affairs
of the late labor camp
of course to be returned.

The Gov. in Council is
not prepared at present
to act on the suggestion
made in the instructions
paragraph of being in
relation to the. It is probable
and indeed probable that
to Col. Agost a committee

instructions of the Highways
and it may become
necessary at no distant
date to deprive this
Highways of his exemption
from legal process, as
the Government in turn
in their pros. of the 18th
March last that they
must be compelled to
do unless the Highways
took decided steps for
the settlement of his debts.
But until the Commission
is actually appointed by
the Highways shall have
been placed in possession
of the records above referred
to & shall have been
afforded a reasonable
time for making such
arrangements as shall be
satisfactory to the Highways
and the, H. E. in Council
should not be disposed
to deprive the Highways
of the protection of the

the Agent however will
intimate to His Highness
that the Govt. cannot
permit the settlement of
this matter & a proposal
for an indefinite period
and that unless a satisfactory
arrangement shall be
entered into within three
months from the date
on which the Govt. should
be able to make one &
compromise (which
will be reported for the
information of Govt.) the
Government will then
have no alternative but
to authorize His Highness
and his to sue His Highness
in the Supreme Court.

Ly H.

have been allowed a reasonable
time ^{prosecuting their enquiries and} for making such
arrangements as shall be
satisfactory to His Highness
and the Govt. would
not be desirous to deprive
His Highness of the protection
his Court would afford him.
The Agent however will
intimate to His Highness
that the Govt. cannot
permit the settlement of
this matter & a proposal
for an indefinite period.

Ly H.

To the Hon. Secy at the Court - Sept 8 in the P.M.

(Encl. are returned on the same)

6 copies
2 letters Enc. of order

No. 205

Dated 3^d December 1863.

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