MR. G. 1—32,000—15-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No.	81	Press	~~Mis.~~
Dated	16. 3	~~19~~	1867

13-14

Not to be folded or roughly handled

Proceedings of the Madras Government, Political Department,
16th March 1863.

Read again the following Memorial from MOHTAMID KHAN BAHADUR, dated 27th November, and recorded in Proceedings of 26th December 1862, No. 519.

No. 28. To His Excellency Sir W. DENISON, K.C.B.,
Governor in Council of Fort Saint George.

The humble Petition of MOHTAMID KHAN BAHADOOR, late Dabeer Khas to His Highness the Nawab of the Carnatic.

Respectfully Sheweth,

1. That the Government Agent at Chepauk has duly communicated to your Petitioner the Order of Government on his prayer for the grant of a pension for the support of himself and his father's family.

2. That your Petitioner is greatly disappointed and deeply grieved at the decision which has been passed on his case, more especially as the Government seemed to be under the impression that your Petitioner is in such circumstances as not to need pensionary relief, and that either he or some member of his family is possessed of property from which he can obtain support.

3. That your Petitioner begs to submit for the inspection of your Excellency in Council an original document containing Counsel's opinion in regard to the property belonging to his own and his brother's daughters, which opinion he trusts will satisfy your Excellency that the property in question cannot be made available for his own maintenance or that of his late father's family ; that in fact according to Counsel's opinion he is not entitled to any share in, nor has he any claim for support on such property.

4. That the said property cannot be used for the benefit of any Member of your Petitioner's family, and it must pass on the marriage of his daughter from the possession of your Petitioner to that of her husband for the benefit of herself and children.

5. That your Petitioner humbly represents that he has no property whatever of his own, and that the little he possessed, when he lost his employment* on the discharge of the Nawab's establishments, has been consumed in maintaining himself and his family ; and also his brother has no property of his own, but those in his name belong to his daughters.

* 14th June 1859.

6. That your Petitioner waited upon the Government Agent at Chepauk more than once, and freely mentioned to him all his circumstances, concealing nothing whatever from him ; that Major Wilson made particular inquiries in regard to all his affairs ; and that your Petitioner thought he had satisfied the Agent that he was possessed of no property whereupon he and his father's large family could live.

7. That your Petitioner begs leave further to represent that his father, the late Moulavee Mahomed Hussain Alli Saib, was first employed in Fort William College as a Teacher from the year 1802 to 1816 ; and that it was on the invitation of the Madras Government he came here* and was employed in the same capacity in Fort Saint George College from 21st October 1816, to 15th April 1829 ; and afterwards by desire of the Judges of the Sudder Udalut he took up the appointment of Mooftee in the said Court on a salary of Rupees 350 per mensem, which he held from the 16th April 1829, to the 6th September 1842, the date of his demise, having served the British Government for a period of 40 years and left a large family and number of dependants, of whom 19 females and 18 males are now surviving.

* In proof of which, if kindly referred to the Government Records in a letter from the Register of the Sudder Udalut to the Chief Secretary to Government, dated 25th May 1839.

8. Under the foregoing circumstances, and considering that your Petitioner's father's family were refused a pension because your Petitioner held at the time an appointment under the late Nawab, he humbly trusts that your Excellency in Council will reconsider the order passed on his case and favorably view his claim to relief, granting him an allowance suitable to the position he lately held in the service of the Nawab of the Carnatic.

And your Petitioner, as in duty bound, shall ever pray.

(Signed) MOHTAMID KHAN BAHADOOR.

Madras, 27*th November* 1862.

P. S.—An original Statement (together with a translation thereof) furnished to your Petitioner by Madar-ool-Omrah, late Dewan of the Carnatic Sircar, is also submitted for the perusal of your Excellency in Council, as affording full and correct information of his former position in the service of the late Nawab and his present circumstances, as well as regarding the property said to have been bequeathed to the daughter of his late wife.

(Signed) MOHTAMID KHAN BAHADOOR.

That Mohtamid Khan Bahadoor is the son of the late Moulavee Hussun Alli Sahib the Mooftee of the late Sudder Udalut Court in the judicature of Madras who had been drawing the monthly salary of 350 Rupees.

The said Mohtamid Khan Bahadoor was the scholar, the favourite, and one of the principal Officers of His Highness the late Nabob of the Carnatic, who being satisfied with his confidence bestowed on him the responsible office of Private Secretary in order to carry on his own and the official discourse through him, and the said Mohtamid Khan Bahadoor, having satisfactorily performed the work assigned to him, was very much qualified and approbated by His Highness.

After his father's death, the said Mohtamid Khan Bahadoor was deprived of his ancestry right which he had on Government, as he was the servant of the Sircar. The whole of the demise's property, (from which nothing remains), was spent in clearing away his debts. After the abolition of the Sircar of His Highness and the dismission of the said Mohtamid Khan Bahadoor from his duty, the whole of his late father's family became quite dependent on him, from which the said Mohtamid Khan Bahadoor has been brought into trouble and distress.

And whatever property, of Mohtamid Khan Bahadoor's wife (the younger daughter of the late Neezam-Ool-Moolk), was, it had been bequeathed by her during her life-time, and while the late Nabob was alive, to her daughter Rahmut Oon-Nissa-Begum who was under-aged, consequently the said Mohtamid Khan Bahadoor cannot take any thing from this bequeathed property (as it being strictly prohibited by the law), for the sustenance of his late father's family.

The circumstance of the said Mohtamid Khan Bahadoor's brother, is that whatever property his wife had received from her father, the Mooftee Sudder Ameen of the District of Nellore, she bequeathed it to her two daughters who are under-aged, while she was alive; on this account the law does not permit him also to give whatever from this property to his brother Mohtamid Khan Bahadoor.

Under these circumstances, as there not being any sort of income, it is impossible for them to look after themselves while regarding the respectable dignities which they held before, consequently they are unable to support their father's large family. As he the said Mohtamid Khan Bahadoor requested me to write the real circumstance in which he is, therefore, I have written these few lines without partiality, but for the sake of God. Dated 1st Jamadee Ool Sawy 1279, corresponding with 24th November 1862.

Seal of

MADAR-OOL-OMRA, the Dewan of the Carnatic Durbar.

Translation of the Persian bequest paper.

I, Omdat-oon-Nissa Begum, daughter of the late Moulavee Syed Mahmed Buzlay Alli Saib, the Mooftee Sudder Ameen of Nellore Zillah, do hereby truly acknowledge during my complete health and sound understanding that my whole property, namely, jewels, apparels, utensils and ready cash, &c., which had been granted to me from my late father and which had been in my possession without the partnership of any body, I do hereby bequeath to my daughters Khy-roon Nissa Begum and Ghouse-oon-Nissa Begum, but on account of they being under-aged, I entrust

Proceedings of the Madras Government, Political Department,
16*th March* 1863.

this property to the charge of my husband, Mahomed Tahir Alli Saib, the younger son of the late Moulavee Hassan Alli Saib, the Mooftee of the Sudr Udalut Court, in order that the property may be given to my daughter after they reach their majority. Hereafter, neither I nor any o may relatives have any claim on this bequeathed property. I have given this written agreement with my own signature and with the seals and signatures of my relatives, that no one after me has a claim of any thing from my daughters. I have given this paper of bequest in writing in order that it may serve as a document in the future.

Dated 10th Zeekhaida 1276, corresponding with 1st June 1860.

Hand-mark of
O
OMDAT-OON-NISSA-BEGUM.

Witnesses,
GHOOLAM ALLI,

Seal of MOHTAMID KHAN BAHADOOR,
GHOOLAM SAFEE,
MAHOMED ZOOHOOR OOLLAH,
MAHOMED BAHA-OOD-DEEN,

SYED ABDOOL ULLAM-OOL-HOOSSAINEE.

Counsel will observe from the Proceedings of the Madras Government, Political Department, 23rd October 1862, paragraph 2, that because Mohtamid Khan Bahadoor's daughter and his brother are well off, that he therefore, as the head of the family, cannot be supposed to have any claim on the Government for a charitable maintenance.

Mohtamid Khan Bahadoor admits his daughter, who is of the age of 8 years, to possess separate property according toMahomedan Law which she inherited on her mother's death from property of her own father Nazim-ool-Moolk.

Mohtamid Khan Bahadoor also admits that his brother is possessed of property belonging to his daughters who are respectively infants under the age of 4 years, which were bequeathed o them by their mother in her will of property which she held separately from her father.

Counsel is requested to advise as to whether Mohtamid Khan Bahadoor is entitled to any share in the property of his daughter which she inherited on her grand-father's death, and whether he has any claim for support on the property of his daughter inherited by her under the circumstance hereinbefore mentioned.

Whether Mohtamid Khan Bahadoor is entitled to a share in the property of his brother's children inherited by them under the circumstances above stated, and whether Mohtamid Khan Bahadoor has any claim for support on the property of his brother's children.

Order.—The writer of this Memorial is the same Mohtamid Khan Bahadur, whose case was considered in the Despatch of the Right Honorable the Secretary of State for India, dated the 23rd May last, and subsequently in the Proceedings of Government, No. 432 of 23rd October.

2. In the latter of these papers the Government arrived at the conclusion that the circumstances of the Memorialist were not such as to warrant their recommending him for a compassionate allowance. In forming this opinion they were mainly guided by a report of the Chepauk Agent to the effect that "his family including his daughter and brother" were well off and that it was incredible that the Memorialist himself had no share in the property standing in their names.

3. With the present application Mohtamid Khan Bahadur submits an opinion of Counsel, stating, in the most unequivocal manner, that under the facts submitted he could have no share in, or claim to, the property either of his own, or his brother's daughter. The Governor in Council resolves to request that Major Wilson will report whether the facts submitted to Counsel seem to have been correct, and if so, whether Mohtamid Khan Bahadur himself, or any other member of his family possess any other source of income than that indicated.

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

Read also the following papers :—

No. 28A. From MOTAMID KHAN BAHADOOR ; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 10th February 1863.

With reference to my petition to Government, dated 27th November 1862, I beg to enclose, for submission to His Excellency the Governor in Council, an original Statement (together with a translation thereof), furnished to your Petitioner by Mahomed Atta Oollah, Cazee-ool-Coozat of the High Court, as affording full and correct information of his late father's services, as well as regarding the property said to have been bequeathed to his, and that of his brother's daughters. I most humbly entreat your honor will be pleased to support my case with your favorable recommendation, in consideration of my father's long and faithful services to Government.

TRANSLATION.

Moulavee Mahomed Hussun Ally Saib deceased, was employed for a long time in the Bengal College as an Arabic and Persian Tutor, &c. His proficiency in those languages was so great that he was sent for by the Madras authorities in 1816, and soon after his arrival, he was appointed to the high post of Mooftee in the Adalut Court on a monthly salary of Rupees 350, which duty he performed faithfully and with great care and attention up to his death which occurred on 6th September 1842. He left behind him a large family, and I perfectly knew that he was expressly sent for from here. His whole Estate was consumed in satisfying his creditors and nothing was left of it. He had none in Madras nor in his native land whether closely or distantly related to him, who could maintain his family. His two sons Mothamed Khan Bahadur and Mahomed Tahir Ally Saib have no private property wherewith to maintain the large family of the deceased. The wife of Mothamed Khan Bahadur received her share out of the Estate of her late father Nazim-ool-Moolk Auzam-ool-Qomrah, but before her death bequeathed the whole of that property to her daughter Rahmat-oon-Nissa Begum, a girl of 8 years of age, during the lifetime of Nawab Saib as per *Hiba Nama* or the Deed of Gift, bearing her seal and signature as well as of her relatives. Under such circumstances neither Mothamed Khan Bahadur, nor his brother or the family of his deceased father, by virtue of law has any claim to the Estate, and if they lay claim to it, they shall be culpable at law. The wife of Mahomed Tahir Ally Saib has during her lifetime similarly bequeathed the whole of her property descended to her from her late father Moulavee Mahomed Buzla Ally Saib, Mooftee Sudder Ameen of the Zillah Court of Nellore, to her two daughters of minor age, the one of 4 years and the other of three, as per Deed of Gift bearing her seal and signature as well as of her relatives; so that Mahomed Tahir Ally Saib or his brother Mothamed Khan Bahadur or the family of their late father could not by virtue of law be entitled to claim the said Estate, and if they endeavour to do so they shall be culpable at law.

As Mothamed Khan Bahadur and Mahomed Tahir Ally Saib requested me to give a correct and clear account of it, also desired me to give my decision in the matter alluded to, I have partially apart, and for charity's own sake, written these few lines according to the provision of law, dated 19th Shaban 1279 Hijira, corresponding with 9th February 1863.

(Signed) MAHOMED ATTA OOLLAH,
Cazee-ool-Coozat, High Court.

Proceedings of the Madras Government, Political Department,
16th March 1863.

No. 29. 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 February 1863, No. 36.

I have the honor to acknowledge receipt of G. O.* of the 26th December 1862, No. 519, directing me to report, with reference to an opinion of Counsel in the case of Mothamed Khan Bahadur, whether the facts submitted to Counsel appear to have been correct, and, if so, whether Mothamed Khan Bahadur himself, or any other member of his family, possess any other source of income than that indicated.

* Memorial with four enclosures herewith returned.

2. Agreeably to the above directions I have the honor to report, first, that the facts in question appear to be the same as those stated in my former report on this subject, of the 17th September 1862, No. 437, paragraph 2, and that there seems no reason to impugn their correctness. Secondly, that it is not in my power to *prove* that either Mothamed Khan Bahadur himself or any other member of his family possess any other source of income than that indicated ; but that I do not consider such absence of proof sufficient reason for believing that the family is in such a state of pecuniary distress, as to make the Bahadur a fit object for a compassionate grant ; and that I adhere to the opinion expressed in my former report, which was formed after the fullest inquiry.

3. The above are the points on which I am ordered to report. I beg permission to add that these two points are not the only ones a consideration of which is necessary in the case, that they are in fact only of secondary importance.

No. 30. ORDER THEREON, 16th March 1863, No. 81.

In 1861 Mothamed Khan Bahadur, an Officer on the establishment of the late Nawab of the Carnatic and the son of a late Mooftee of the Sudder Court applied for a pension and his claim having been rejected, memorialized the Secretary of State, who, in his Despatch of the 23rd May last, intimated his willingness to authorize his being granted a compassionate allowance in the event of his circumstances being such as to render him a fit object for such an indulgence.

2. A reference on this point was made to the Government Agent, who, in his letter of the 17th September last, reported that although Mothamed Khan has no property *in his own name*, his family his well off; and that consequently, in his (the Agent's) opinion, Mothamed Khan Bahadur has no claim on Government for a charitable maintenance. Major Wilson also pointed out that Mothamed Khan's father was not (as stated in the Secretary of State's Despatch) brought from Bengal for the purpose of being employed as a Mooftee, but that he was brought down to hold the office of Master in the College of Fort Saint George and was promoted to the office of Mooftee some years afterwards.

3. On this report Mothamed Khan's claim was rejected in the Proceedings of Government, under date the 23rd October last.

4. In his petition of the 27th November he requested that his case might be reconsidered, submitting an opinion of Counsel in support of his assertion that it is not in his power to appropriate to his own use the property referred to by the Government Agent as belonging to his family, a part of the said property having been bequeathed by his late wife to his daughter, a girl of 8 years of age, while the rest was similarly bequeathed to the daughter of his brother, a child of 4 years of age.

5. The Agent having been directed to ascertain whether the facts submitted to Counsel were correct, and also whether Mothamed Khan had any other source of income, reports in his letter of the 11th ultimo, that there is no reason to impugn the correctness of the facts in question, and that he cannot ascertain whether Mothamed Khan or any other member of the family is possessed of any other source of income than that indicated.

6. The Agent repeats his opinion that Mothamed Khan is not a fit object for a compassionate allowance.

Proceedings of the Madras Government, Political Department,
16th March 1863.

7. Under all the circumstances, the Governor in Council deems it proper to refer the case to the Right Honorable the Secretary of State for India for such orders as he may think fit to pass, and to state that, in the event of his deeming it proper to grant a compassionate allowance to Mothamed Khan Bahadur, Rupees 30 per mensem will be an appropriate sum. At the same time the Governor in Council thinks it right to observe that he does not consider Mothamed Khan to have any valid claim to a pension. His father, it is observed, was not brought from Bengal for the purpose of being appointed to the office of Mooftee in the Sudder Court, nor is there anything to show that any such inducement as is represented was held out to him.

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

Exd. T. M:Mootry.

مولوی محمد حسن علیف جیہ مرحوم در کالج بنگالہ مدت دراز بخدمت مدرسی علوم عربی و فارسی وغیرہ مامور بودہ لہذا بلقب کامل المطلب لدیار جلگی مہت مدراس
در سنہ ۱۸۱۶ عیسوی والد اینجا گردیدہ بخدمت مدرسی دوم وارد کالج اینجا سرفراز یافتہ در سنہ ۱۸۲۹ عیسوی بعہدہ جلیلہ افتاء صدر عدالت ہزہ ۳۰۰ صد روپیہ ماہوار سربلند شدہ امور مفوضہ خود را کماہی دیانت و امانت بتقدیم رسانیدہ بتاریخ شش سپتمبر سنہ ۱۸۴۲ عیسوی از قضاء الٰہی انتقال نمودہ فیملی کثیرہ گذاشتند
و طلبیدن حضرت موصوف بایں جا خوب معلوم و واقف ہستہ و کل امداد ایشان لہذا قرضدار بہ فیملہ قرضخواہان بقروض درآمد خویش باقی نماند و بسی از اقربا قریب
و بعید مرحوم مذکور رحلت و قدرت ہر دو دختر فیملی مرحوم دارستہ باشد چہ در ملک و چہ در وطن مرحوم معلوم و چہ بہ نسبت و ہر چہ فروزندان ایشان نیز معتمد خان بہادر
و محمد طاہر علیف ہیچگاہ ملک دارند نہ گذاشتہ اوقات متعلقان کثیرہ مرحوم ازان صورت بندد و اینکہ ملک زوجہ مرحومہ معتمد خان بہادر از بندرش ناظم بملک
اعظم الامرا مرحوم رسیدہ مرحومہ مذکورہ پیش از انتقال خود در حیات تولیت جہت بذختر خود مسماۃ بہ رحمت النساء بیگم ہر ہشت سالہ بموجب بیعنامہ مہری و دستخطی خود
و دیگر قرائن ازان خود تمام و کمال ہبہ نمودہ پس در ملک مذکورہ معتمد خان بہادر یا برادران یا فیملی ایشان را اصلاً و عرفاً ہیچ نوع تعرف جایز نیست
اگر گنجد گنہ گار شرع شریف ہستند و اینکہ ملک زوجہ مرحومہ محمد طاہر علیف از بندرش مولوی محمد ذکی علیف جہت مرحوم منعم صدر امین نیلور رسیدہ مرحومہ مذکورہ
نیز پیش از انتقال خود بہر دو دختر خود در یک چہار سالہ و دیگری ۳ سالہ اندہ بموجب بیعنامہ مہری و دستخطی خود و دیگر قرائن ازان خود تمام و کمال
ہبہ نمودہ پس در ملک مذکورہ ہم محمد طاہر علیف یا معتمد خان بہادر یا فیملی ایشان را اصلاً و عرفاً ہیچ نوع تعرف جایز نیست اگر گنجد گنہ گار شرع
شریف ہستند چونکہ معتمد خان بہادر و محمد طاہر علیف استدعای ارقام احوال واقعی و فیصلہ شرعی ازو نمودند بنابران اینہمہ کامہ حسبۃ للہ بلدہ
و خاطر بہ طبق حکم شرع شریف لگاشتم مرقوم ۱۹ شعبان سنہ ۱۲۷۹ ہجری موافق ۹ فبروری سنہ ۱۸۶۳ عیسوی

محمد حسن عفی قاضی القضاۃ بمدراس

Original document
from the
Cazee del Coozal, High Court.

Poll 1/13 Dt.
No. 57

Private

6

Elephanta Agency
Office
26th February
1863

My dear Arbuthnot

I consider that Rs 10
/Rupees Ten/ per mensem,
would be a suitable
compassionate Allowance in
the event of the Secretary of
State sanctioning one to
Mothamid Khan. The Secretary's
view is, that the Khan's claim

is derived from his father not from his position in the late Nabab's Service

Yours very Sincerely

R. J. Wilson

To

The Honble

C. J. Attenborough

I don't remember that the simple party Statement of property in the Petitioner's Settlement to entitle Govt in granting him a Pension

JW

7

Memorandum for Orders.

In 1861 Mohamed Khan Bahadoor, an Officer on the Establishment of the late Nawab of the Carnatic and the son of a late Moofee of the Sudder Court, applied for a pension and, his claim having been rejected, memorialized the Secretary of State, who in his despatch of the 23d May last intimated his willingness to authorize his being granted a Compassionate allowance in the event of his circumstances being such as to render him a fit object for such an indulgence.

A

A reference on this point was made to the Govt. Agent, who in his letter of the 17th Septr. last reported that although Mothamed Khan has no property in his own name, his family is well off; and that consequently, in his (the Agent's) opinion, Mothamed Khan Bahadoor has no claim on Govt. for a suitable maintenance - Major Wilson also pointed out, that Mothamed Khan's father was not (as stated in the Secy. of State's despatch) brought from Bengal for the purpose of being employed as a Moofftee, but that he was brought down to hold the office of Master in the College of Fort St. George, and was promoted to the office of Moofftee some years afterwards. On

On this report, Mothamed Khan's claim was rejected in the Proceedings of Govt. under date the 23d August last.

In his Petition of the 27th November he requested that his case might be reconsidered, submitting an opinion of Counsel in support of his assertion that it is not in his power to appropriate to his own use the property referred to by the Govt. Agent as belonging to his family, a part of the said property having been bequeathed by his late wife to his daughter, a girl of 8 years of age, while the rest was similarly bequeathed to the daughter of his brother, a child of 4 years of age.

The Agent having been directed to ascertain whether the facts submitted to Counsel were

correct

correct, and also whether Mothamad Khan had any other source of income, reports in his letter of the 11th Instant, that there is no reason to impugn the Correctness of the facts in question, and that he cannot ascertain whether Mothamed Khan or any other Member of the family is possessed of any other source of Income than that indicated.

The Agent repeats his opinion that Mothamed Khan is not a fit object for a Compassionate Grant. ——

In the last Correspondence on this subject, the question has a good deal depended upon the circumstance of his Mama, viz whether he has or has not any income, a means of support. It seems that it cannot be proved that he has any-

In the Correspondence that has passed since the receipt of the Despatch of 23 May last may be reported to the Secretary of State that it may be optional with Mirza Ali Asgar Khan to pension Mothamed Khan if he see fit. The precise mode in which assistance can be rendered to the mother of the Persian

Claim of Mohamed Khan Bahadoor Officer on the late Nabob's Establt for a Compassionate allowance

Memorandum
For
Orders.

Soon

10..

Publ. Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter

From Mohamed Khan Bahadur - Here Sister 10th Feby 1843
From the Govt. Agent at Chepauk (— — 11th — — No 36.
& Mys of Carnatic Stipends

Order thereon 16th March 1843 No 81.

Mohamed Khan Bahadur, an Officer on the Establishment of the late Nawab of the Carnatic and the Son of a late Moofty of the Sudder Court applied for a Pension and his claim having been rejected, memorialized the Secretary of State, who in his despatch of the 23d May last intimated his willingness to authorize his being granted a Compassionate Allowance

c 19 Feb
R 25.

allowance in the event of his circumstances being such as to render him a fit object for such an indulgence.

2 A reference on this point was made to the Govt. Agent, who in his letter of the 17th Sept. last reports that although Mottumed Khan has no property in his own name, his family is well off; and that consequently, in his (the Agents) opinion, Mothamed Khan Bahadur has no claim on Govt. for a charitable maintenance. Major Wilson also points out that Mothamed Khan's father was not (as stated in the Secretary of States Despatch) brought from Bengal for the purpose of being employed as a Interpreter but that he was brought down to hold the Office of Master in the College of Fort St. George and was promoted to the Office of Interpreter

some years afterwards.

3 On this report Mothamed Khans claim was rejected by the Proceedings of Govt. mentioned date the 23d August last.

4 In his petition of the 27th November he requests that his case might be reconsidered, submitting an opinion of Counsel in support of his assertion that it is not in his power to appropriate to his own use the property referred to by Govt. Agent as belonging to his family, a part of the said property having been bequeathed by his late wife to his daughter, a girl of 8 years of age, while the rest was similarly bequeathed to the daughter of his brother a child of 4 years of age.

5 The Agent having been directed to ascertain whether the facts submitted by Counsel were correct, and also whether Mothamed Kh

ha

had any other Source of
income, reports in his letter
of the 11th Instant that there
is no reason to misdoubt the
correctness of the facts in
question, and that he can-
not ascertain whether
Mothamed Khan or any
other member of the family
is possessed of any other
Source of income than that
indicated.

6 The Govt. entertains
his opinion that Mothamed
Khan is not a fit object for
a compassionate Allowance.

7 Under all the circum-
stances, the Governor in Com-
=cil deems it proper to refer
the case to the Rt. Honble the
Secy. of State for India for such
orders as he may think fit
to pass, and to state that,
in the Event of his deeming
it proper to grant a com=
passionate allowance to
Mothamed Khan Bahadur
Rs 30 per mensem will be
an appropriate Sum. At
the

the same time the Governor
Council thinks it right to
-serve that he does not con
Mothamed Khan to have
valid claim to a pensi
His father it is observed w
not brought from Beng
for the purpose of bring
pointed to the Office of Sho
in the Sudder Court, nor is
there anything to shew th
any such endowment as
represented was held out
him.

Political Letter to Engd 24th March No. 2 of 1863

Replied to 31st June No 5 of 63

Political 1863. Department.

No. 81

PROCEEDINGS OF GOVERNMENT,

Dated 16th March 1863

Ft. No 129

28 C 30