Political (1897) Department.

ORDINARY MS.

G.O., No. 422

Dated 28. 6. 97

3/17

[Despatch Abstract.]

4.6.

Referring Ret. Vaughan to previous orders in his case and informing him that further petitions from him for pecuniary assistance will remain unnoticed.

21 CLB

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர்: 8/2008

செப்பனிடுவதற்காக எடுத்துக்-கொள்ளப்பட்ட நாள் 9/2008

சரிபார்க்கும் முதல் முறியாள் கையொப்பம்

சரிபார்க்கும் 2ம் முறியாள் கையொப்பம்

ஒராய்ச்சி உறுவியாளர் கையொப்பம்

Political (1897) Department.

CURRENT No. 714

Madras office for papers.

Cur 8/VI/1897

Order

D.

From

H. A. Stein Esq Ics.
Ag Private Secretary to H.E. the Governor.

No.

Dated 1st June 1897.

Received 4th June 97

Registered 4th June 97

Enclosures 5

Spare copies "

SUBJECT.

Transfers a petition dated 17 May 1897 from W. J. C. Van Spall, Cochin praying that he may be recommended to the Government of Netherlands for the continuance of the personal allowance enjoyed by his late father.

By order

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

(1)

To,

His Excellency the Right Honble
Lord Wenlock
G.C.S.I. Governor and President in Council
&c. &c. &c.
Madras - and its Dependencies

Fort St. George

[illegible] Lordship,

That your Memorialist takes the liberty to represent his claims under the following circumstances. That your Memorialist's late Father [illegible] from the Island of [illegible] India, having upon [illegible] principles of fairness & true and Reason [illegible] incidents [illegible] & true [illegible] Lordship's Record with that Nation with a Large Family, consisting of Daughters, and five Sons during & Considering his Family circumstances from the Honorable Services of his late Father & Grand Father the Honble John Lambertus Van Spall

Dutch Governor and Governor in India, Malabar Coast - under their rules, are their possessions were ceded to the Great Britannic Majesty's arms, as per secret Treaty of Capitulation concluded between His Majesty the King of Holland, and His Gracious Majesty Government. ——

That your Memorialist is the paternal Grand Son of the said Rustle was Governor as proved and declared by the High Court of Justice in Ceylon in its Suit on the file of that Court in which & his Maternal Grand Father were Co Plaintiffs and a Baron by name "Christian van Speyk" of Ottersum ——

That from the Cession of Malabar Coast to the British Government the said certain Regulations were in India. London. under the municipal and Charter of the British Government. of India

and by whose interference & Recommendation
obtained a life provision both for Daughters
former (with one exception) declined, being
married & Military Officers of Her Majesty
Services in India - as will be evident
from the records of the Collector of Malabar
from whom the provision was paid to
the Recipients by the Madras Government
on Receipt from the Govt of the N. Westward
India Balance -. This was done
after the cession of Cochin, & the Grant
be traced from the Cochin authorities, &
the last of his Knowledge from info-
-mation collected from his late pos-
-ter. Money was
Malabar in great
granted to his
Considering his
was from his
Government, &
hitherto after his decease at

in the year 1822, as Provisional -

That your Memorialist prepared to provide and support himself with his own exertion and gains, and to maintain himself up to this time, as Commissioner of the Local Court was to Malabar. but to his utter pain and injury Before the acting District Judge of Tellicherry was unlawfully interfered and deprived him of his Living, & on his appeal to the High Court of Judicature in their proceedings pointed out to that Office of his mistake - This roused his Revenge and Mr. Low resolved that Mandate, which was pleine to his unjust and unjustifiable, and your Memorialist brought the rebels fact- to His Lordships notice, but the Reply was to the effect. that Gl. C. interfere, and thus your Memorialist had been deprived of his Income and existing on mere injustice

Under the above circumstances and as your Memorialist is this

entirely without means of any support,
with a family - as stated above, he humbly
begs to the benevolent clemency of
your Lordship's Government, to provide
a family, so well known both in Europe
and India, of his family circumstances,
and his present position in India,
and be gracious to recommend your
Memorialist as the Grand Sons remaining
existence, to obtain for him the
pension annually allowed both from
the Nizam and Government of India
as well as that from Her Majesty's
Government towards his support and
Father Barns now dead, on the same
circumstances they were originally
entitled, & bestowed by the
for which act of justice and mercy
your Memorialist & his unprotected
family shall ever pray God
for your Lordship's long life, and
prosperity - but ever remain per
alert

Liberality and protection of the British nation to the last moment of his existence, and your memorialist shall ever be in duty bound.

Residence
24th July 1892

Ever Pray
Signed / H. C. van Lycall

Proceedings of the Madras Govern
Read the following
From Mr G. C. Swinton
Tellicherry dated 12th July 1884

Order thereon 28th July
Mr Swinton's Letter will be
Communicated to the Di
Tellicherry for Compliance.

Extracts from the
2 part of his letter will be
the Postmaster General
the Inspector General.
for Consideration.

(True

(True Copy) (Signed)
G. C. Swinton
Ag

Mr G. S

Enclosure No. 14.

(1)

Malabar Coast.

Cochin

17th May 1897

H. A. Stuart Esqre

C. S.

Private Secretary to His

Excellency The Governor

&c &c &c

Madras

Sir, I beg to trouble you, and to request you to be pleased to lay the following grievances before His Excellency Sir Arthur Havelock for his gracious consideration & orders.

It was my earnest desire to present myself personally before His Excellency, and to convey my name, but to my great disappointment, I accidentally met with a fall that left me bed-ridden for seven months, and I am still bad, and weak, that precludes even now to do it; and as I cannot, with propriety delay any longer, I venture to submit it herewith, and beg you will kindly excuse my trouble. —

I am Sir Cochin

Great Britannic Majestijs Ami
by the Late Dutch Governor an
Commodore Duke L. L. Vanspa
and who, to our great misfortun
soon after died here, leaving hi
descendents to the care & protection
of the British Government and by
whose recommendation obtained
a life provision from the Netherl
Government of India, to each of
Sons & daughters and amongst the
latter, One of my Aunts "Johana
Wilelmina" and my late Fathe
Francis Christian Vanspall, and
Uncles only accepted the grant
and the remainder their daughter
of the deceased, thankfully declin
the said support on grounds o
their respective, husbands being
Commissioned Officers, in Hi
Majestijs Services, can well p
vide them, and that none of t
are now in existance. ——

My said Father subsequ
left the Coast to Bombay, an
in addition to his said pen
sioner he was

12

...n whose service Sir Willoughby
...his then Chief Secretary, permit
...me, and my widowed mot...
...to return to the Coast; and on
...attaining my age, I prefer...
...to earn my living in the C...
...covenanted Branch of Govern...
...Service, and I soon rose my...
...self as Commissioner in the C...
...Courts under the Jurisdiction of
...District Court North Malaba...
...Madras Presidency, and af...
...conducting the same with ca...
...and uprightness, for 14 to 15 long
...years. Mr Cox to my surpr...
...and pain, then acting Distric...
...Judge, only for a short time
...and to whom I gave no c...
...whatever, apparently brought
...misunderstanding as I used
...to salute him, for on doing
...twice, or more, he never
...tiously returned it by one,
...an uncalled proceeding to
...pause my services, and I
...was then deprived of

my finances, and which any
man labouring under similar
wrongs, can, I presume, be justly
to do and to bring that odious
hole to screen Mr Cox's wrongful
another act of injury against me
and ever since the receipt of that
reply, no Commission was
issued to me, now for the last
7 to 8 years, that I have plunged
with my unfortunate family
to the fatalest privation & penury
and considering my present age
sickness, and weakness, &c I fear
I can no longer be able to
out my livelihood, that compels
me to represent my family
circumstances to your Excellency
predicessor, and claimed that
provision I have a right to
particularised in my said
-dress, Copy whereof I enclose
for His Excellency's perusal & mercy
perusal, but no consideration
reply, was vouchsafed to me
yet, was the paper I submitted
to address

the Dutch representatives here, relative to me. — The vouchers are as
(1) Copy & an extract of a letter to the Madras Government from the British Resident of Travancore & Cochin, Colonel Macauley, referring to Governor Van Spall's affairs. —
(2). An original letter to me from Sir Elphinstone on his late tour in India, and in which he suggested I should apply to Government for permanent support. —
The High Court of Judicature has declared me Grand Son to the deceased J. L. Van Spall in the administration Suit on file of that Honorable Court; and as the Diamond Jubilee of Her Gracious Majesty the Queen of India's Reign of 60 years is to be commemorated on that Auspicious date, in fact approaching I humbly and earnestly solicit His Excellency Sir Arthur Lawley, Vice Roy, and Governor General of India, kindly to confer on me the honor of Knighthood

No. In 1807 after the cession

direct to continue the personal
allowance of his Maternal Grand
father as an Hanoverian, and
a Baron of Otterburgh, by name
Christian Von-Geyer, enjoyed up
to his death in the year 1822, at
at Tellicherry Malabar Coast
from the Madras Government; an
that neither my mother, his on
daughter by name "Charlotte", m
myself, had occasion to apply
for, save the address made by
Excellency's Predicessor, as state
above, also fractionly recommen
by the Government of Netherland
continue towards me that

[illegible] caused the
[illegible] Bodega to [illegible] Collect
[illegible] Mr Cuff [illegible] Collect the Ind
[illegible] Litchenig and all the Co the Ind
[illegible] of the place [illegible]
[illegible] Judge of the [illegible]
[illegible] very good [illegible]
[illegible] very good reasons from w
[illegible] especially that the Collector Off
must have prejudiced my ri
by his interference of the prem
delay would not have originated
ameliorate my hard [illegible]
as I am left to pine the benefi
national support or benevolen
helpers or givers here before the
of this Stage Steamer.
I beg to forward under sepa
Correct an original order from
Judge to satisfy His Excellency
Governor of the Court & under
manner he began with me a

1 18

Letter to the Secy of State
№6 of 1852 para 2.
R. M. C № 242
of 21-4-49.

C № 714 The present current is an application from Mr George Christian Van Spall for a compassionate allowance. Mr VanSpall began addressing Govt for assistance in the year 1849 and has ever since, ~~at varying intervals, been~~ continued writing begging letters to ~~Govt~~ the Local Govt, the Govt of India and the Secretary of State; but although the Govt of India and the Secy of State interested themselves in his case and called for reports from the Local Govt., they have not found it possible to admit the claim of the petitioner to ~~any compassionate allowance~~ pecuniary assistance.

2. Mr Van Spall states, apparently with truth, that his paternal grandfather was Mr John Lambertus Van Spall the last Dutch Governor of Cochin. He also asserts that his maternal grandfather was Baron C. Von Geyer, an Hanoverian by birth and in receipt of a pension from the Govt of Madras until his death in 1821.

3. In 1809 after the cession of

Cochin

maintenance of Mr Lambertus Van Spall and assigned him a stipend of Rs 100 a month. On his death in 1816 the British Govt continued the same amount on charitable grounds, to the deceased's children.

It is not known what portion of the amount was distributed between the children of Lam. Van Spall was alloted to the petitioner's father ~~never known~~ but according to the petitioner the 100 Rs were divided between 4 of the children, ~~acknowledging~~ his father's share would not have exceeded Rs 25.

Petitioner states that his father went to Bombay where he was employed in the Secretariat and that he died there about the year 1837.

In 1849 the present petitioner, George Christian Van Spall, wrote his first appeal to Govt. He asked for a continuation of his father's stipend on the plea that he was in indigent circumstances. But Govt refused to help him. He next appealed to the Secy of State and was informed that he had no claim to pecuniary support from Govt.

M

Go No 9 Pol. d/8-1-76

C 714 p. 2.

* That is if the Rs 100 was shared equally Cash

C 714 p 7

Σ A

R

Go. No 317 Pol. d/11-8-62

K

Go. No 490 Pol d/5-7-82

also Go. No 502 Mis d/2-7-83

D

J

Go No 876 Mis d/17-12-84

6. In 1882 the petitioner began a series of petitions with a view to obtaining possession of a certain estate on the outskirts of the town of Cochin on the allegation that this property, which had once belonged to his grandfather, Lambertus Van Spall, had, after the cession of Cochin been wrongfully appropriated by strangers. No proof was adduced in support of this assertion on the contrary, an enquiry held by the Collector of Malabar revealed that the title deeds of the last were in perfect order and that there was evidence that the estate had been alienated by Lambertus Van Spall himself. The Secy of State to whom the petitioner finally appealed intimated to the petitioner that his case was not one for the interference on the part of Govt. and referred him to the civil courts if he considered the title of the present holder to be invalid.

7. The subsequent petition[s] of G. C. Van [illegible]

into mere applications for pecu-
niary assistance and several
of them were lodged.

8. He next turned his attention
to his claims as the grandson of
the Hanoverian Baron, C. Von
Geyer. This was really a claim
for compassionate allowance
and was treated as such by
both the Local Govt and the
Govt of India; the petitioner,
however, argues on the analogy
that as
the pension of Lambertus Van
Hall had been continued
for one generation that
C Von Geyer might be similar-
ly treated; and that as his
mother, Charlotte Von Geyer,
did not receive any pension,
it might now be continued to him.

9. The petitioner complains in
his present letter that he has
not received any reply to a
petition which he forwarded in
July 9[2] and that certain
documents he subsequently
forwarded in support of his
claims have not been returned.
A search has been made for
the papers referred to: but it

C No 891 of 94
C No 1278 of 84
C No 290 of '85
F.O. No 189 dy 23-2-
F.O. No 817 of 17-11-85 L

A. F

not appear that they have
been registered in this
office; the petition was addressed
to Lord Wenlock and the reference
which the petitioner states was
issued to Mr Twigg was probably
made direct by the Private
Secretary's office.

10. Petitioner's request is that
the allowance granted to Baron
C. Von Geyer be continued to
him and that the Govt of
Netherlands India be addressed
with a view to secure for him
a continuation of
the personal allowance granted
to his father — the allowance
was a compassionate one granted
by the British Govt. he is evidently
not aware or has forgotten that
the pension his father received was
granted as a compassionate
allowance by the British Govt.

CS

Order W. 422 of 28 June '97.

Mr Mr. Vanspall will be referred to
previous orders in his case informed
that further petitions from him for
assistance will remain unnoticed —
any urgent papers which he may

1892 ... to in the Comm-
ioner under disposal was not recd.
by Sec

Cecil
28/6/92

28/6/92

Echinus (900)
with 3 ant. molas:

GOVERNMENT OF MADRAS.

POLITICAL DEPARTMENT.

Read—again the following papers :—

A	G.O., dated	22nd May	1885,	No.	359,	Political.
B	,,	,, 5th	,, 1887	,,	350	,,
C	,,	,, 3rd Nov.	,,	,,	835	,,
D	,,	,, 21st Feb.	1891	,,	114	,,
E	,,	,, 29th Nov.	1893	,,	825	,,

Read—also the following paper :—

From the Paymaster, Carnatic Stipends, dated 13th May 1895, No. 32.

Order—dated 29th June 1895, No. 422, Political.

His Excellency the Governor in Council directs that the rules regarding the compulsory commutation of stipends be cancelled, so far as they relate to female Carnatic Stipendiaries.

In future, no female Carnatic Stipendiary shall be permitted to commute her pension without the express sanction of Government.

2. The Paymaster, Carnatic Stipends, will take steps to make this ruling generally known.

(True Extract.)

Chief Secretary.

To the ymaster, Carnatic Stipends.
,, countant-General.

NOTES CONNECTED WITH G.O., No. 422, POLITICAL, DATED 29th JUNE 1895.

Note by His Excellency the Governor on G.O., No. 250, *Political, of* 19*th April* 1895.

The heirs in this case are living at Hyderabad, and as soon as they are paid off, we shall no longer be concerned with them.

But I should like to ask Colonel Stewart to tell Government exactly what his opinion is as to our policy of commuting small pensions payable to females. I believe in most cases their male relatives get hold of and squander these bonuses, and that great hardships are suffered by the poor women.

My own idea is that these poor females should in no cases have their pensions commuted unless they fall below, say, Rs. 2 a month, but I should like to hear what Colonel Stewart has to say in the matter. I think we should also invite Mrs. Firth to give her opinion, as she knows far more of the inner lives of these poor creatures than does any other European.

(Intld.) W[enlock].
19-4-95.

Demi-official from the Hon'ble Mr. J. F. PRICE, Chief Secretary to Government, to the Paymaster, Carnatic Stipends, dated Ootacamund, 5th May 1895, No. 225.

I am directed to ask you, for your opinion, as to the policy of commuting small pensions payable to female Carnatic stipendiaries. It is feared that in most cases their male relatives get hold of and squander the bonuses and that great hardships are consequently suffered by the poor women. Probably a rule might be laid down that in no case should the stipends of females be commuted unless they fall below, say, Rs. 2 *per mensem*.

Demi-official from the Hon'ble Mr. J. F. PRICE, Chief Secretary to Government, to Mrs. FIRTH, The Parsonage, St. Thomé, Madras, dated Ootacamund, 5th May 1895, No. 226.

I am directed to ask if you would be so good as to favour Government with your views as to the policy of commuting small pensions payable to female Carnatic stipendiaries. It is feared that in most cases their male relatives get hold of and squander the bonuses and that great hardships are consequently suffered by the poor women. Probably a rule might be laid down that in no case should the stipends of females be commuted unless they fall below, say, Rs. 2 *per mensem*.

Under present rules no stipend of less value than Rs. 10 is continued in the case a female. When the sum, or share of a sum, continuable from a pension is less than Rs. 10, such sum or share of a sum is commuted.

Demi-official from Mrs. FIRTH, to the Chief Secretary to Government, dated St. Thomé, Madras, 11th May 1895, No. 309.

From personal observation, and from what the poor Carnatic pensioners who have commuted their pensions have told me, I think it most advisable that the commutations of pensions, large or small, of women stipendiaries should be discontinued. I brought many pitiful cases to Colonel Underwood's notice some three years ago, and begged him to bring the ill-results of commuting the pensions of ignorant, helpless, gosha women to the notice of Government. The misery and destitution among respectable gosha ladies who have already commuted their pensions, on the interested advice of their relatives and friends, is most sad to see and, as a proof of

my statement, I may mention that some of the aged destitute women now on the "Gosha Fund List" were once Carnatic stipendiaries, but now are very thankful for 2 rupees a month from the "Fund," which enables them to obtain a little rice for their daily food, from which, I think, it is clear that to commute the pensions of women stipendiaries in any case is a mistake.

From Colonel H. S. STEWART, Paymaster, Carnatic Stipends, to the Chief Secretary to Government, dated Chepauk, 13th May 1895, No. 32.

I have the honour, in reply to your demi-official of the 5th instant, to report that, in my opinion, it is highly desirable to frame a rule enacting that in future in no case will the commutation of female Carnatic stipendiaries be allowed. In my humble opinion I would make *no* exception, not even for sums below Rs. (2) two. This rule, if established, will remove the possibility of those evils you allude to in your letter under reply, viz., male relatives squandering the bonuses of their gosha relatives; and will be a great boon to my office as very great difficulty and responsibility is experienced in dealing with gosha females through interested "go-betweens."

2. I would respectfully submit, for the consideration of Government, the advisability of effecting the above change by confidential instructions on the matter to the Paymaster, Carnatic Stipends, as it seems to me desirable not to change the rules framed by Colonel Baynes and approved of by Government so recently as 1885, and, moreover, alterations in regulations when published appears to me to have the objection of creating disturbing influences in the minds of Carnatic stipendiaries resulting in agitations, &c.

For the Chief Secretary—

Both Colonel Stewart and Mrs. Firth appear to be in favour of the absolute prohibition of the commutation of female stipends. The former considers it inadvisable that any alterations in Colonel Baynes' rules should be notified to stipendiaries and asks that any change may be effected by confidential instructions to the Paymaster.

2. In dealing with this question there are two classes of pensioners to be considered—

(i) *Stipendiaries Proper*, *i.e.*, those who are now in receipt of stipends or who may hereafter be granted stipends which do not fall within the limits of compulsory commutation.

(ii) *Nominal Stipendiaries*, *i.e.*, those who are granted pensions which fall within the limits of compulsory commutation and have to be commuted under the rules: who, therefore, never draw a stipend but receive a bonus instead and are only on the rolls for a week or two.

3. Neither Mrs. Firth nor Colonel Stewart has distinctly stated whether the new rule should apply to both classes, but it is submitted that no change should be made in the present practice as regards the second class.

4. The evils of granting small pensions have been recognised by Government for some time past. They are clearly set out in paragraphs 2 and 13—16 of Colonel Baynes' letter on pages 2 and 4 of G.O., No. 357, dated 22nd May 1885, which also contains Dr. Balfour's opinion on the point. It was in consequence of this representation of Colonel Baynes that the limits at present in force as regards stipends to be continued—Rs. 15 in the case of a male and Rs. 10 in that of a female—were laid down in paragraph (*b*) of G.O., No. 359, dated 22nd May 1885. It seems, moreover, to have been recognized all long that special measures are not required in the case of these "Nominal stipendiaries." In G.O., No. 414, Political, dated 21st February 1891, they were expressly excluded from the forty-five years' rule. In G.O., No. 825, dated 29th November 1893, it seems to have been conceded that their cases were absolutely different from those of the "Stipendiaries proper"— please see the note, dated 8th November, in the original of that order.

5. If it is considered that no action is required as regards the "Nominal stipendiaries," the decision as to whether female "Stipendiaries proper" are to be permitted in future to commute their pensions could be communicated to the Paymaster

confidentially. If, however, any change is to be made in the rules regarding compulsory commutation, it is not clear how Colonel Stewart's proposal not to notify such change to stipendiaries can be carried out. They know the present rules well enough and the first departure from them will lead them to the correct conclusion.

(Intld.) C.M.S.
5–6–95.

Note by the Chief Secretary.

It will be seen from the note in G.O., No. 825, dated 29th November 1893, how few of the pensions of female stipendiaries proper have of late been commuted. Since that note was written the number of such commutations has, to the best of my recollection, been but very small and applications to commute have been rejected. On the other hand, there have been cases in which they have been granted, but only after due consideration and inquiry. As there are cases in which permitting commutations is not objectionable and even desirable, I submit that there is no need considering how few applications for them really come up to make any change in the rules. Every application for commutation from a female stipendiary proper is received by the office and me with suspicion and no note recommending the grant of it is sent up without looking, as thoroughly as one can in such matters, into it. If it is made a rule in the Secretariat that no case is sent up for favourable orders unless it is clearly shown that the grant of commutation can be based on good and sufficient grounds, all that is requisite will, I venture to think, have been done, and it will not be necessary to, at times, consider the desirability of making exceptions to a hard-and-fast rule.

Such exceptions always as time goes on form inconvenient precedents. It seems better to leave the rule as it is and to allow all applications for commutation to come up as heretofore, but to insist upon a rigorous inquiry into the circumstances of each case and to reject all those which cannot be clearly shown to be quite unobjectionable.

I have often had doubts when dealing with cases of "Nominal stipendiaries," which are naturally more frequent than those of "Stipendiaries proper," whether it is not there that the shoe really pinches. In these cases, *nolens volens*, the pensions are commuted and the money probably goes to the male relatives of the unfortunate women and is squandered without their having a chance of a say in the matter. No inquiry is made as what is to become of the money when paid. All that is seen to is the question as to who are the heirs or dependents, the money is distributed into pension shares, and all of these shares which come within commutation limits are commuted into lump sums and paid. When there are minors the money is usually lodged by the Paymaster in the bank and when they come of age is paid over to them. All those of age at the time of the settlement get their money without further question. Departing from this course, however, appears to be contrary to the policy of the Court of Directors laid down in, I think, 1845 and continued by the Government of India later on, viz., to gradually extinguish all non-permanent Carnatic stipends by, when they reach small pensions, commuting them.

(Intld.) J.F.[Price].
8–6–95.

Note by His Excellency the Governor.

I do not any more than Sir T. Munro or the Court of Directors or Colonel Baynes uphold the system of pensions to these poor people, as it has only resulted in demoralizing and pauperizing this section of the community, and I quite agree with them that any means which can be found efficient to bring the system to an end should be adopted. But we must look at facts as we find them. The result of commuting small pensions to females is that the unfortunate recipients (?) of the commutation bonus get no benefit therefrom, for their male relatives get the money in a lump and squander it as they like, while those who ought to get the money drift till eventually Government has to relieve them in the Lungarkhana. The commutation rule, however desirable in the cases of men is, I think, shown to work great hardship to the poor females, and I think we may now very rightly alter the present rule and say that to a female from henceforward no stipend which falls under the compulsory commutation rules shall be commuted without the express sanction of Government.

These may, of course, be cases where it can be shown that the commutation would be advantageous, or the stipend may be so small, that its continuance could hardly be considered as any real benefit; but I do believe that to the greater number of female small stipendiaries, the continuance of a monthly dole is a real benefit, and would enable them to make sure of their daily bread to the end of their lives.

As regards "Nominal stipendiaries", I would wish my proposed rule also to apply to them. They are usually relations of or dependents on the deceased stipendiary, whose stipend is cut up into several portions, and the evils of commutation fall equally heavily upon them. Of course it must be understood that I am only speaking of females.

I hope my Honourable Colleagues will agree with me that the existing rules, however excellent in theory, have been shown in practice to press heavily on the unfortunate women, who by the peculiarity of their position and the greed of their male relations, are subjected to real suffering by the commutation of their pittances.

P.S.—It appears to me that if any change is made, it ought to be notified. It will not affect a large number, but it would place the Paymaster in an awkward position, if he were seen (as he would be instantly) to be going contrary to established rule.

(Intld.) W.

I concur.

(Intld.) H.W.B[LISS].
13-6-95.

(Intld.) J.G[ROSE].
15-6-95.

Draft Order.

His Excellency the Governor in Council directs that, as a general rule, female Carnatic stipendiaries shall not be permitted, in future, to commute their pensions [and that the sums, or shares of sums, continuable to a female from the stipend of a deceased Carnatic stipendiary, shall in no case be compulsorily commuted]. Any exception to this rule will require the sanction of Government.

2. The Paymaster, Carnatic Stipends, will take steps to make this ruling generally known.

(From orders.)

(Intld.) C.M.S.
15-6-95.

(Intld.) J.F.P.
22-6-95.

Note on Draft Order.

It seems best to put the ruling in this form. Any exception to the rule will require the sanction of Government. The ruling, it is understood, is to apply to Carnatic stipendiaries only.

(Intld.) C.M.S.
15-6-95.

Note for His Excellency the Governor—

As matters at present stand, no commutation of a pension is carried out either in the case of "Stipendiaries proper" or "Nominal stipendiaries" without the express orders of Government, but in the case of the latter commutation is ordered, as a matter of course, without inquiry into the circumstances, &c., of the parties.

(Intld.) J.F.P.
22-6-95.

Then should not this appear? The order seems to me to tie the hands of Government too much.

If there should be an exceptional case, the papers will have to be circulated, and it may be only a trivial matter. As altered, I think it will serve the purpose best.

(Intld.) W.
24-6-95.

Is it necessary to put in the words in brackets? The females there described are "Carnatic stipendiaries" and would fall under this description in the first part.

(Intld.) W.

Note for the Chief Secretary—

With reference to His Excellency the Governor's query, it is respectfully submitted that the words in brackets are required to make it clear that the system of compulsory commutation has, so far as female stipendiaries are concerned, been abolished. This system was introduced by paragraph 1 (*b*) of G.O., No. 359, dated 22nd May 1885, and, under it, the stipendiaries have no choice as to commuting. It is not that they are *permitted* to commute, but that they are *forced* to do so. The omission of the words in brackets might lead to the impression that the order applied to *stipendiaries proper* only, who have to ask for permission to commute. The words in brackets bring *nominal stipendiaries* within the scope of the order.

(Intld.) C.M.S.
25-6-95.

Order in Council

Decided that the rules regarding the compulsory loan of stipends be cancelled so far as they regard female stipendiaries. In future no female stipendiary shall be permitted to commute her pension without the express sanction of Government.

(Intld.) J.F.P.
28-6-95.

E 11

NOTE FOR THE CHIEF SECRETARY.

This carries out the Chief Secretary's direction. Will he please sign two copies of the order if he approves.

CK
8/7/95

Fwd

The Lo. L has not initialled the revised draft.

For H.Lo.

Draft

Please file this slip with the original papers

8/7

NOTE FOR THE H.C.

Poll y/o 422
29/6/95

In this case corrections made in red ink are from order in Council the L.S. has not approved of them. Therefore, the D.A. desires that only 4 copies ~~should~~ be printed and clean proof sent up for approval. If Hroved, I shall get them signed and let you know. Then you can instruct the press to print the usual number of slave copies.

H.C.'s note in red chalk has to be ~~filed~~ original with the original carefully.

46 Lady - with 4 copies
4 corrected to 4 copies
with the original Gh. 677

submitted to D.A. 4 copies
1900
30/6/95

1815

(1)

Do. No 225 Octacamund
5th May 1895

My dear Stewart,

I am directed to ask you for your opinion as to the policy of commuting small pensions payable to females. Camplē Stipendiaries It is feared that in most cases their male relatives get hold of and squander these the bonuses and that great hardships are consequently suffered by the poor women. Probably a the rule might be laid down that in no cases should the stipends of females be commuted unless they fall below - say - Rs. 2. per. men

✓ JE 2/5/95

Col. H.S. Stewart

Dupdt 5/5

Octacamund
5 May 1895

Dear Mrs Duthy,

I am directed to ask if you would be so good as to favour Govt. with your views as to the [then from * above].

C.S.
25/4/95.

[From Order]

JE 2/5/95

Under present rules
no stipend of less value than Rs 10
is continued in the case of a female.
When the sum, or share of sum, continuable
from a pension is less than Rs 10, each
sum or share of a sum
is commuted

Mrs. A. Duthy
c/o The Parsonage
St. Thomas
Madras

Dupdt 5/5

Commutation of Stipends of Females

C.S.
D.O.

[G / 9]
2,000—2..-95.

Current No. 209

DEPARTMENT.

From

Mrs A. Firth
St Thomas. Madras.

No.

Dated 11th May 1895

Received 14th —o— "

Reply 15th " "

Enclosures

SUBJECT.

Re ill-results of commuting the pensions of ignorant helpless Indian women.

Previous papers from Col Stewart

Circl

R

Sel up the original of 825/29.11.93 in 114/21.2.91 Pd return me as soon as they come. Please

Circl 1615

St. Thomé - Madras
5th May 1895.

CHIEF SECRETARY'S
14 MAY 1895
GOVERNMENT OF MADRAS

3 19

Dear Mr. Price

From personal observation, & from what the poor Carnatic pensioners who have commuted their pensions have told me, I think it must admissible that the commutations of pensions, large or small, of women stipendaries, should be discontinued -

I brought many pitiful cases
to Colonel Underwood's
notice some three years ago,
& begged him to bring the
ill-results of commuting
the pensions of ignorant,
helpless, gosha women, to
the notice of Government.
The misery & destitution
among respectable
gosha ladies who have
already commuted their

pensions, as the interested
advice of their relatives &
friends is wont to be
said, as a proof of my
statement, I may mention,
that some of the aged
destitute women now on
the "Gosha Fund List"
were once Carnatic
Stipendaries, but now
are very thankful for
Rs: a month from the

"Fund," which enables them
to obtain a little rice for
their daily food. From
which I think it is clear
that to commute the
pensions of women
Stipendaries in any case
is a mistake.

Yours Sincerely
A. Fuller

[G. / 25.]
600—5-95.

DEPARTMENT.

6

C. No.

FOR ORDERS.

of the Court of Directors laid down
in 1 March 1845 and confirmed by
the Govt. of India later on - viz
to gradually extinguish all unpensioned
Carnatic stipends by when they reached
small pensions commuting them

JS 8/6/95.

How come this as originally drafted - follow the
blank ink - & read it

Draft order

Communication of Secretary of State

FOR ORDERS.

H. Schmidt Esq

CURRENT No. 657

Political (1895) Department

GOVERNMENT OF MADRAS * CHIEF SECRETARY'S OFFICE * RECEIVED 15 MAY 1895

"Confidential"

From The Paymaster
Tanatic Sepoys
Chepauk

To The Chief Secretary
to Government
Fort St George

Dated 13th
Received 15
16
} May 1895

Reg.

Papers rec'd 15/VII/95

No. 32 of 1895

Submits opinion on enquiries prohibition of Commutations of Sepoys by Cochin Finance.

No. 52.

"Confidential"

Office P.C.S Chepauk
13th May 1895.

28
27

From
Lieut.-Col. H.S. Stewart.
Pay. Carnatic Stipend.

To
The Honble J. F. Price C.S.I.
Chief Secretary to Govt.
Fort St. George.

(4)

Sir I have the honor in reply to your
D.O. of the 5th Inst. to report that in my
opinion it is highly desirable to frame
a Rule enacting that in future in no
case will the Commutation of Female
Carnatic Stipendiaries be allowed.
In my humble opinion I would make
no exception but even for ones below
Rs (2) Two. This Rule if established
will remove the possibility of those
evils you allude to in your letter under
reply viz: Male relatives squandering
the Monies of their Female Relatives
and will be a great boon to my Office
as very great difficulty & responsibility
is experienced in dealing with Female
Females through interested Go betweens.
2. I would respectfully submit for the con-
sideration of Govt. the advisability of ef-
fecting the above change by Confidential
Instructions on the matter to the Paymas-
ter C.S. as it seems to me desirable
not to change the Rules framed by
Colonel Baynes & approved by

Government as it exists as 1885.
and moreover alterations in Rig-
ulations when published appears to
me to have the objection of creating
disturbing influences in the minds
of Carnatic Stipendiaries resulting in
agitations &c.

I have the honor to be
Sir
Your most obedt servant
H. S. Stewart Colonel
Pay Carnatic Stipends

38 29

Political Department.

[G.
25.
5-95.]

Do. No. 309
& C. No. 657.

Mr. Smith

Mrs

These papers have been delayed owing to a fruitless search for the papers referred to in Mr. Inglis note on C. No. 1345 in S.O. 825 of 29.11.93.

From Mrs Fritz

CS
57 VII 95

I do not any more than Sir T. Munro - or the Court of Directors - or Col. Baynes uphold the system of pensions to these poor people, as it has only resulted in demoralizing & pauperizing this section of the community - and I quite agree with them that any means wh. can be found efficient to bring the system to an end should be adopted. But we must look at facts as we find them. The result of commuting small pensions to females is that the unfortunate recipients[?], of the commutation bonus get no benefit therefrom - for their male relatives get the money in a lump, and squander it as they like, while those who ought to get the money drift till eventually Govt has to relieve them in the Annigar Khana. The commutation rule however desirable in the cases of men -

FOR ORDERS.

The above are the replies of Mrs Fritz & Colonel Stewart to the references made to them, in accordance with their instructions in G.O. of 19th April 1895, No. 250, on the subject of the commutation of the pensions of female Carnatic Stipendiaries.

Both Colonel Stewart & Mrs Fritz appear to be in favour of the absolute prohibition of the commutation of female stipends. The former considers it inadvisable that any alterations in Colonel Baynes' rules should be publicly notified to Stipendiaries & asks that any change may be effected by confidential instructions to the Paymaster.

In dealing with this question there are two classes

of pensioners to be considered:-

(i) Stipendiaries Proper. i.e. those who are now in receipt of stipends or who may hereafter be granted stipends which do not fall within the limits of compulsory commutation

(ii) Nominal Stipendiaries i.e. those who are granted pensions which fall within the limits of compulsory commutation & have to be commuted under the rules who therefore never draw a stipend but receive a bonus instead & are only on the rolls for a week or two.

Neither Mr. Firth nor Col. Stewart has distinctly stated whether the new rule should apply to both classes but it is submitted that no change should be made ~~as regards~~ in the present practice as regards the second class.

The evils of granting small pensions have been recognised by Govt. for some time past. They are clearly set out in paras 2, & 13-16 of Colonel Bayne's letter [illegible] (C.O.)

FOR ORDERS.

HON'BLE MEMBER.

10

is, I think, shown to work great hardship to the poor females and I think we may now very rightly alter the present rule, and say that from henceforward, no stipend to a female falls under the compulsory commutation rules shall be commuted without the express sanction of Govt.

There may of course be cases where it can be shown that the commutation would be advantageous, or the stipend may be so small, that its continuance could hardly be considered as any real benefit - but I do believe that to the greater number of female small stipendiaries, the continuance of a monthly dole is a real benefit, and would enable them to make sure of their daily bread to the end of their lives.

As regards nominal stipendiaries I would wish my proposed rule also to apply to them. They are usually relations of or dependents on the deceased stipendy. whose stipend is cut up into several portions, and the evils of commutation fall equally heavily [illegible]

11

course it must be understood that I am only speaking of females. I hope my hon. colleagues will agree with me that the existing rules, however excellent in theory, have been shown in practice to press heavily on the unfortunate women, who by the peculiarity of their position, and the greed of their male relations, are subjected to real suffering by the commutation of their pittances.

W

I. S. M. appears to me that if any change is made, it ought to be notified. It will not affect a large number, but it would place the Paymaster in an awkward position, if he were shewn (as he would be inevitably) to be going contrary to established rule.

W

I concur

BB 13/6/95 JL 15/6

dated 22nd May 1886 No. 357

(in the brown paper file headed "Commutation file"), which also contains Dr. Balfour's opinion on the point. It was in consequence of this representation of Col. Bayne's ~~which~~ that the ~~rule~~ limits at present in force as regards stipends to be continued - Rs 15 in the case of a male & Rs 10. in that of a female - were laid ~~laid~~ down in ~~G.O.~~ para (6) of G.O. of 22nd May 1886 No. 359 (also in "Commutation File"). It seems, moreover, to have been recognised all along that special measures ~~were~~ are not required in the case of these "nominal stipendiaries". In G.O. of 21. February 1891, No. 114 Political they were expressly ~~specially~~ excluded ~~excepted~~ from the 45 years rule. In G.O. of 29. 11. 93, No. 825, it seems to have been conceded that their cases were absolutely different from those of the "stipendiaries proper." Please see Mr. Pringle's note of 8/11 in the original of that order marked with slip X

If it is considered that no action is required as regards the "Nominal Stipendiaries" the decision as to whether female "Stipendiaries Proper" are to be permitted in future to commute their pensions could be communicated to the Paymaster confidentially. If however any change is to be made ~~as regards it~~ in the rules regarding compulsory commutation, it is not clear how Col. Stewart's proposal ~~is~~ not to notify such change to Stipendiaries can be carried out. They know the present rules well enough & the first departure from them will ~~prove to~~ lead them to the correct conclusion.

C.S. 5.6.95

(6)

It will be seen from Mr. Smith's note in G.O. N° 825 dated 29. 11. 93 how few of the pensions of Stipendiaries have of late been commuted. Since that note was written the number of such commutations has ~~been~~ to the best of my recollection been but

Commutation of Female Stipends

For Orders

M.S. the Governor Hire

[G/29]
2,000—10-10-94.

7838

ORDER IN COUNCIL.

(15)

Note

With reference to H. E. the Governor's query, it is respectfully submitted that the words in brackets are required to make it clear that the system of compulsory commutation has, so far as female Stipendiaries are concerned, been abolished - This system was introduced by para 1 (b) of S.O. of 22nd May 1885, No. 359 and under it, the stipendiaries have no choice as to commuting. It is not that they are permitted to commute but that they are forced to do so - The omission of the words in brackets might lead to the impression that the order applied to Stipendiaries proper. only, who must ask for permission to commute. The words in brackets bring nominal Stipendiaries within the scope of the order.

C.S.
26.6.95

26/6/95.

x Commutation File

Commutation of Female Stipends

H.E. the Governor.

[G. 25.] 600 7-5-95.

DEPARTMENT.

FOR ORDERS.

very small and applications to commute have been rejected. On the other hand there have been cases in which they have been granted but only after close consideration and enquiry. As there are cases in which permitting commutations are not objectionable and even desirable I submit that there is no need considering how few applications for them really come up, to make any change in the rules. Every application for commutation from a female Stipendiary properly recorded by the Office and dealt with suspicion and no rule recommending the Rank Officer to send up without looking as thoroughly as one can in such matters into it. If it is made a rule in the Department that no case is sent up for favourable orders unless it is clearly shown that the grant of commutation can be based on good & sufficient grounds all that is requisite will I venture to think have been done and it will not be necessary at times consider the desirability of making the exception to the hard and fast

such exceptions always as time goes on form inconvenient precedents. He seems better to leave the rule as it is and to allow all applications for commutation to come up as heretofore but to insist upon a rigorous inquiry into the circumstances of each case and to reject all those which cannot be clearly shown to be quite unobjectionable.

I have often had doubts when dealing with cases of "Nominal Stipendiaries" which are naturally more frequent than those of "Stipendiaries Proper" whether it is not those which the Govt really pinches. In these cases nobody benefits by the pensions are commuted and the money probably goes to the male relatives of the unfortunate women and is squandered without their having a chance of a say in the matter. No inquiry is made as to what is to become of the money when paid. All that is seen to is the question as to who are the heirs or dependents, the money is distributed with pious words thereon and all of those shares which come within commutation limits are commuted into lump sums and paid. When there are minors the money is usually lodged by the Paymaster in the bank and when they come of age is paid over to them. All those of age at the time of the settlement get their money without further question.

Departing from this course appears

FOR ORDERS.

[G. 24.] 600—8-95.

Political DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated 22—5—1895, No. 359
" " 5—5—1887, " 350
Ag[illegible].O., dated 3—11—1887, No. 835
" " " 21—2—1891, " 114
~~Current No. " " of 189 , dated from~~
" " " 29—11—1893, wl. 825

} Q

Current No. 651 of 1895, dated 13 May from Paymaster C.S.—(Q)

D.O. 309—(B)

ORDER. 29th June 1895. No. 422.

Print (new out turn)

seems best to put the ing in this form. Any tion to the rule will ire the sanction of Govt. the ruling, it is understood apply to Carnatic Stipendiaries only.

CS 15/VI

Then should not this appear? The order seems to me to hit the hands of Govt. too much. If there should be an exceptional case, the papers will have to be circulated it may be only a trivial matter. ed. I think it e the purpose best.

W 24 June

× Note for HE the Governor. As matter of present stands no commutation of a pension is carried out either in the case of "Stipendiaries proper" or "Nominal Stipendiaries" without the express orders of Govt. but in the case of the latter commutation is ordered as a matter of course without enquiry into the circumstances & of the parties

H.E. the Governor-in-Council directs that ~~as a general rule~~ In future no female Carnatic stipendiaries shall not be permitted, ~~in future~~, to commute their pensions ~~Land that the sums~~ or shares of sums, continuable to a female from the stipend of a deceased Carnatic Stipendiary shall in no case be compulsorily commuted.] × Any exception to this rule will require the sanction of Govt.

2. The Paymaster, Carnatic Stipends, will take steps to make this ruling generally known.

(From orders)

CS 15/VI 1895

The Paymaster C.S. " Accountant

} dated 29/6/1895

Print (new out turn)

The rules regarding the compulsory commutation of stipends be cancelled as far as they relate to female Carnatic stipendiaries

No 32

as a general rule. In future no

without the express sanction of Govt.

Print in full.
Not to be printed.
Print abstract only.
heading only.

Commutation of
female stipends

H.E. the Governor.
P.S.

(From Orders)

copy sent to Press.

rfied for signature.

atched in print.

s G.O., No.
189

NUMBER OF COPIES REQUIRED. { Order complete. / Letter only. / Order complete with Letter.

OF GOVERNMENT.

OF GOVERNMENT.

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4-7-21

17-2-22

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18-10-29 IV

27-8-30 IV

2-2-32 I

18-9-34 I·B

2-3-35 I

18·6·37 IV