1896

Government {190 } of Madras.

Political

Printed

G.O. 15, January 14th, 1896.

14th January

Muhammad Amin-ud-din Husain
Sahib's stipend

Approving the proposals of the Paymaster, Carnatic stipends for the distribution of Commutable pension of the late —, and directing that those members of the family that do not receive [illegible] be informed that the stipends now granted to them are for life only.

BACK PAPERS.

B.P.	No.	Department.	Date.	B.P.	No.	Department.	Date.

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Government {1896} of Madras.

POLITICAL.

Recd. } 1896. *Enclosures*
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G.O., No. 15, 14th January 1896.

NP

JANUARY.

Muhammad Amin-ud-din Husain Sahib's stipend.

Approving the proposals of the Paymaster, Carnatic Stipends, for the distribution of the continuable pension of the late —, and directing that those members of the family that do not receive bonuses be informed that the stipends now granted to them are for life only.

GOVERNMENT OF MADRAS.

POLITICAL DEPARTMENT.

READ—the following papers:—

[C. No. 1594.] From Colonel H. S. STEWART, I.S.C., Paymaster, Carnatic Stipends, Chepauk, to the Chief Secretary to Government, dated 11th November 1895, No. 480.

A

I have the honour to report the demise on the 8th instant of Carnatic Stipendiary No. 300, Muhammad Amín-ud-dín Husain Sáhib in the 83rd year of his age. The deceased was in the enjoyment of two stipends, viz., one of Rs. 300 per mensem as a grandson of Nawab Wallaja by E.M.C. No. 23, dated 26th January 1854, and the other of Rs. 17 per mensem for the upkeep of a mosque (built by his aunt Fazilat-un-nisá Bégam Sáhiba at Saidapet) by G.O., No. 331, Political, dated 30th June 1881.

check 208 on p. 5 (M)

2. As regards his first allowance of Rs. 300 per mensem, I beg to state that it is returned "continuable" in appendix "E" to G.O., No. 359, Political, dated 22nd May 1885. I therefore beg respectfully to recommend the continuance of the usual two-thirds amongst the 36 members of his family as apportioned below to be divided into 62⅔ shares of Rs. 3–3–0 each, in accordance to Lord Clive's scale—*vide* G.Os., Nos. 778 and 321, Political, dated 29th November 1888 and 21st May 1892:—

LIST showing the names of the late Muhammad Amín-ud-dín Husain's family.

Number.	Names.	Relationship to the deceased.	Number of shares.	Amount per mensem.			Remarks.
				RS.	A.	P.	
	Shadi Family.						
1	Qádir Husain (insane)	Shadi son	10	31	14	0	
2	Ahmad Husain	Do.	10	31	14	0	
3	Mustafá Alí	Do.	10	31	14	0	
4	Karím-un-nisá Bégam (insane)	Shadi daughter	5	15	15	0	
5	Abd-us-samad	Shadi grandson	3⅓	10	10	0	Family of a predeceased shadi son.
6	Muhammadí Bégam	Shadi granddaughter	1⅔	5	5	0	
7	Abd-ul-bári	Shadi great-grandsons (sons of a predeceased shadi granddaughter).	1⅔	2	10	6	
8	Abd-ul-ghaffár			2	10	6	
	Nikahi Family.						
9	Tálib Muhí-ud-dín	Nikahi son	2	6	6	0	
10	Amír Alí	Do.	2	6	6	0	
11	Ghulám-í-Muhí-ud-dín	Do.	2	6	6	0	
12	Ghulám-í-Qádar	Do.	2	6	6	0	
13	Mazhar Husain	Do.	2	6	6	0	
×14	Ináyat-ulláh	Do.	2	6	6	0	
15	Ghausí Bégam	Nikahi daughter	1	3	3	0	
16	Abidá Bégam	Do.	1	3	3	0	
17	Qádiría Bégam	Do.	1	3	3	0	
18	Malik-un-nisá Bégam	Do.	1	3	3	0	
19	Fátimá Bí	Nikahi widow	1	3	3	0	
20	Muín-ud-dín Husain	Grandson	2	1	4	0	"Shádi." Family of a predeceased nikahi son.
21	Abd-ul-wahháb	Do.		1	4	0	
22	Muhammad Alí	Do.		1	4	0	
23	Abd-ul-majíd	Do.		1	4	0	
24	Mahbúb Bégam	Granddaughter		0	10	0	
25	Abd-ur-raúf	Grandson		0	4	6	"Nikahi."
26	Azíz-un-nisá Bégam	Granddaughter		0	2	6	
27	Hafiz-un-nisá Bégam	Do.		0	2	6	
28	Rausnan Bí	Daughter-in-law		0	2	6	
29	Haidar Husain	Grandson	1	1	4	6	Family of a predeceased nikahi daughter.
30	Khatima Bégam	Granddaughter		0	10	2	
31	Khair-un-nisa Bégam	Do.		0	10	2	
32	Kubrá Bégam	Do.		0	10	2	
33	Azíz-un-nisá Bégam	Do.	¼	0	12	9	Family of another predeceased nikahi daughter.
34	Muib-un-nisá Bégam	Do.	¼	0	12	9	
35	Ghulám Muhammad	Dependants	½	0	14	9	
36	Tandroya			0	14	9	
		Total ..	62⅔	200	0	0	

3. Nos. 1 and 4 are idiots and the deceased in one of his letters (translation of which was submitted to Government with this office report No. 130, dated 19th March 1895) states that one of his son Mustafá Alí (No. 3 in the list) be appointed their guardian, and I beg to propose that the share of No. 4 *alone* be drawn by Mustafá Alí, but the stipend of No. 1, Kadir Husain, be drawn by his own shadi son Abd-ul-hadí who already takes care of his insane father (Kadir Husain).

4. It will be observed by perusing the translation of document marked "F" which was sent to Government with my report No. 130, dated 19th March 1895, that the deceased disowned two of his surviving sons Ahmad Husain and Talib Muhí-ud-dín (Nos. 2 and 9 of the list), but as stipends are granted from the pure bounty of Government and not in accordance with individual wishes, the Muhammadan, or any other law, I have included their names in the list of the heirs of the deceased.

5. The deceased had two more sons, besides those given in the list, by his nikahi wife Husain Bakhsh, who is reported by the deceased to have fled with her two sons about 40 years ago, and that their whereabouts are not known, I have therefore excluded them from the list.

6. No. 13, Mazhar Husain draws a stipend of Rs. 13–14–0 per mensem in right of his mother by G.O., No. 435, Political, dated 2nd July 1884, I propose that his share in the present distribution be amalgamated with the stipend he is already in receipt of.

7. In allotting shares to Nos. 20 to 28 and 29 to 32, I was guided by paragraph 2 of G.O., No. 321, Political, dated 21st May 1892, Nos. 7 and 8 are great-grandsons of the deceased, and as no provision is made for great-grandchildren in the scale published with G.O., No. 778, Political, dated 29th November 1888, I have divided the share of the mother of the lads to which she would have been entitled to had she survived her grandfather. The deceased, in almost all his letters that he addressed to this office during his lifetime, particularly requested his servants (Nos. 35 and 36) should be provided for, I have therefore allotted to them a sum of Rs. 1–13–6, being the remainder left in the continuable portion of Rs. 200, after allotting shares to the numerous members [illegible]is family.

8. As regards the other allowance of Rs. 17 per mensem drawn by the deceased for the upkeep of a mosque at Saidapet, I have the honour to respectfully invite the attention of Government to G.O., No. 766, Political, dated 29th December 1892, and beg to propose that until the final decision of Government is passed on the subject of "Ceremonial Allowances" and as a *temporary measure* the allowance of Rs. 17 per mensem be drawn by Amír Alí (a nikahi son of the deceased, No. 10 in the list) who was actually looking after the mosque and had the full confidence of his father, provided he furnishes every month the accounts of expenditure to this office as his late father did.

9. In conclusion I beg to state that after the receipt of orders from Government on my above proposals, I will submit (through the Accountant-General) a list of bonuses with age and health certificates of Nos. 5, 7, 8, 9 to 12, 14 and 20 to 36; the shares of the rest being drawn in the shape of monthly stipends in pursuance with clause (*b*), paragraph 1 of G.O., No. 359, Political, dated 22nd May 1885, and No. 422, Political, dated 29th June 1895.

Memorial from GHULAM HUSAIN ALI, a Carnatic Stipendiary, to His Excellency the Governor in Council, dated Triplicane, 16th November 1895. [C. No. 1625]

HUMBLY SHEWETH,—That the late Fazilat-un-nisá Bégam Sáhiba, a Government Carnatic Stipendiary in receipt of Rs. 416, was the daughter of His Highness Nawab Wallajah of Carnatic, departed this life some years ago.

That prior to her death she made her last will and testament appointing seven persons amongst whom are your Excellency's memorialist and the late Muhammad Amín-ud-dín Husain Sáhib were appointed as executors to superintend her charitable properties situated at Saidapet taluk, district of Chingleput.

That the said late Muhammad Amín-ud-dín Husain Sáhib departed this life about 8 days ago and who prior to his death managed the said charitable properties with the consent of the memorialist.

That the said late Muhammad Amín-ud-dín Husain Sáhib was drawing Rs. 17 in right of the said Fazilat-un-nisá Bégam's stipend from the Honourable Government of Madras for the expenses of her mosque and inn situated at Saidapet.

That memorialist is the only surviving executor and superintendent or moothuvallee of the said mosque, inn, and houses and also garden left by the said Fazilat-un-nisá Bégam for charitable purposes.

Memorialist is informed that the Paymaster of the Carnatic Stipends is about to report for the issue of the said charitable allowance of Rs. 17 in the name of Amír Alí Sáhib, the son and the legal representative of the late Muhammad Amín-ud-dín Husain Sáhib.

That your Excellency memorialist humbly prays that your Lordship may justly pleased to suspend the issue of the said charitable allowance of Rs. 17 for two months with a view that memorialist have issue by the judgment of the District Court of Chingleput that he is an executor to the last will and testament of the said late Fazilat-un-nisá Bégam. Memorialist shall as in duty bound ever pray.

[C. No. 1702.]

From SHAIKH MUSTAN and others, residents of Fanepet, Saidapet, to His Excellency the Governor in Council, dated 28th November 1895.

We the residents of Fanepet, Saidapet, and the only parishioners of the mosque of Fazilat-un-nisá Bégam Sáhiba situated at Fanepet, most respectfully beg to submit our mahazar as follows :—

MAY IT PLEASE YOUR EXCELLENCY,—We have submitted a mahazar, dated 9th November 1895, to the Paymaster, Carnatic Stipends, Madras, and a confidential letter to that officer, dated 12th November 1895, regarding the damage and destruction caused to the property of the masjid of Fazilat-un-nisá Bégam Sáhiba, situated at Fanepet, Saidapet, by the sons of the deceased Muthavalli Amín-ud-dín Husain Khan Bahadur and to take charge of the masjid immediately. But we are sorry to express that nothing has been done with regard to our humble request in the mahazar and the confidential letter as yet. We therefore most humbly pray that your Excellency will be pleased to call for our mahazar and the confidential letter from the Paymaster, Carnatic Stipends, and to give due consideration to it immediately, as we fear the said masjid, which is maintained by the Government and which is also a public property according to the second will of the Bégam, will be robbed of to its very last stone, if things are allowed to remain in the present state.

The acknowledgment in token of our mahazar having been received by the Paymaster, Carnatic Stipends, Madras, is herewith enclosed for reference.

[C. No 1729.]

Memorial from GHULAM HUSAIN, a Carnatic stipendiary and grandson of the late Fazilat-un-nisá Bégam Sáhiba, daughter of His Highness the late Nawab Wallaja, and also an executor to the last will and testament of the said late Fazilat-un-nisá Bégam Sáhiba, to His Excellency the Governor in Council, dated 29th November 1895.

SHEWETH,—That memorialist on the 16th instant submitted an humble memorial to your Lordship praying that the allowance of Rs. 17 granted in right of the said late Fazilat-un-nisá Bégam Sáhiba for the performance and expenses of her *mosque* and *inn* situated at Saidapet to the late Muhammad Amín-ud-dín Husain Sáhib as superintendent and executor to her last will, be continued in his (memorialist's) name as the only surviving executor.

That the said late Fazilat-un-nisá Bégam Sáhiba during her lifetime made her last will and testament thereby appointing the said Muhammad Amín-ud-dín Husain Sáhib, memorialist and five others as her executors and superintendents of the said endowed property.

That the said Muhammad Amín-ud-dín Husain Sáhib having departed this life on the 7th instant your Lordship's memorialist is now the only surviving executor under the said will of the said Fazilat-un-nisá Bégam Sáhiba to occupy his post.

That a perusal of the order of the District Court will show that the said Muhammad Amín-ud-dín Husain Sáhib therein described as Muhammad Amín-ud-dín Husain Khan Bahadur who was counter-petitioner stated the name of the memorialist who is described in the said Civil Judge's order Ghulam Husain Ali Mian.

That after the death of the said Muhammad Amín-ud-dín Husain Sáhib memorialist presented three petitions to the Paymaster of Carnatic Stipends requesting that he be recommended to your Lordship to have the said allowance of Rs. 17 received by the said Muhammad Amín-ud-dín Husain Sáhib continued in his name.

That memorialist is informed that the said Paymaster of Carnatic Stipends has unreasonably recommended to your Lordship one Amir Ali Sáhib, son of Muhammad Amín-ud-dín Husain Sáhib to have the said charitable allowance of Rs. 17 received by his said father as superintendent to manage the said endowed property to be continued in his name knowing that memorialist is the only surviving executor her surviving. An endowment is not a fit subject of sale gift or inheritance.

Under the aforesaid circumstances memorialist prays that your Lordship will be pleased under the aforesaid circumstances to issue an order to have the said allowance of Rs. 17 received by the said late Muhammad Amín-ud-dín Husain Sáhib in right of the late Fazilat-un-nisá Bégam's stipends for the expenses of the said endowed property continued in his name.

ENCLOSURE.

IN THE DISTRICT COURT OF CHINGLEPUT.

1ST DECEMBER 1877.

Present :

J. HOPE, ESQ., *Acting District Judge.*

M.P. No. 234 *of* 1877, *District's Court file.*

Counter-Petition No. 310 *of* 1877.

GHULAM JÍLANÍ KHAN SAHIB .. .. *Petitioner.*

(*By Vakil Saiyid Keyasudin Sahib.*)

v.

(1) MUHAMMAD AMÍN-UD-DÍN HUSAIN Khan Bahadur .. .. } *Counter-Petitioners.*
(2) KADIR ALÍ Khan Bahadur .. .. }

(*By Vakil V. Viruda Putchho.*)

Petition praying that a certificate of heirship may be granted to petitioner under Act XXVII of 1860 as legatee and abhimanaputra of the late Fazilat-un-nisá Bégam Sáhiba for the collection of Rs. 1,000.

Counter-petition objecting to the grant of the certificate prayed for on the ground that the petitioner was not recognised by the deceased as her abhimanaputra and therefore he or his minor son is not legal heir that the counter-petitioners the nephew of the deceased and Ghulam Husain Ali Miah Sáhib and Ghulam Ajam Ali Miah Sáhib, the nephews of the second counter-petitioners are the nearest heirs that the deceased having left a will authorizing the counter-petitioners and others, the Assistant Agent of Government, the petitioner and one Muhammad Namdar, altogether seven in number. Jointly to manage the charities connected with her fruit-bearing garden and the bungalow, tombs, mosques, etc., situated at Saidapet the petitioner cannot ask for heirship certificate in his name exclusively and that the deceased had no outstanding debts.

Order.—No particular necessity is shown for the granting of an heirship certificate to the petitioner. A debt of Rs. 1,000 by the deceased is , but no proof of this is adduced, and the duty of the heir would appear rather to be to make payments on account of the deceased redeem mortgages and the like than to collect debts. Again there is nothing on the face of Exhibit No. 1 to point to its being a forgery, and it is quite consistent with the existence of a previous will which is cancelled by it. This Court can only grant the petitioner's application by promising this will (No. 1) which has been produced by most respectable parties (including the petitioner's own father) a rank forgery. Now although the will is open to considerable suspicion I am not prepared to decide upon such an enquiry as this will in question is a forgery. I must therefore have the petition to seek such redress as can by suit or otherwise and dismiss the petition with costs.

J. HOPE,
District Judge.

[C. No. 1734.] Petition from TALIB MUHI-UD-DIN and H. GHULAM MUHI-UD-DIN, children by nikah wives of late Muhammad Amin-ud-din Husain Khán, Carnatic Stipendiary No. 300, son of Husain Muhammad Khán Bahádur Diláwar Jang, and the paternal grandson of Nawab Muhammad Alí Khán Bahádur, Wallajah, Nawab of the Carnatic, to His Excellency the Governor in Council, dated 29th November 1895.

Most respectfully sheweth,—That the petitioner's father Muhammad Amin-ud-din Husain Khán, Carnatic Stipendiary No. 300, till recently in receipt of Rs. 300 *per mensem* died on the 8th November 1905, and before his demise forwarded to Government a petition, dated 17th May 1895 which, along with the fatwa attached thereto, is also herein enclosed for the Government's kind consideration.

2. That their father, aware of the condition of his children, begged in the said petition "that the Government might be pleased to make a slight deduction in his stipend and distribute the remainder not in strict accordance with Lord Clive's minute", but that they would make an exception as regards his own children, and that after his death they might obtain equal shares without any distinction whatever between his children by shadi wife and those by nikah wives.

3. Keeping in view the honour which is inseparable from the petitioner's father deceased, it will be hard for them to support their families, large as they are, if Lord Clive's scale, which has been overlooked in many instances on various considerations, is to be observed in their case.

4. Being informed that the Paymaster is about to report against the request of their father, the petitioners have ventured to address their benign Government to have merciful regard not for them, but for the honour of their venerable father who exists no more to plead for it as he did a year before his demise.

5. In conclusion, they request that the Government will be graciously pleased to allow the humble petitioners an equal enjoyment of pension with their other brothers by shadi wife as was done in the case of their late uncle Taqi Alí Sahib or a recomfrence thereof as was done to the children of Mooneer-ud-daula, etc.

For which act of kindness and benevolence, the humble petitioners shall, as in duty bound, ever pray.

Enclosures.

Petition from MUHAMMAD AMIN-UD-DIN HUSAIN KHÁN, Carnatic Stipendiary No. 300, son of Husain Muhammad Khán Bahádur Diláwar Jang, and the paternal grandson of Nawab Muhammad Alí Khán Bahádur, Wallajah, Nawab of the Carnatic, to His Excellency the Governor in Council, dated Madras, 17th May 1894.

That the petitioner's deceased father was the son of Nawab Muhammad Alí Khán Bahádur, Wallajah, who was in receipt of a monthly pension of Rs. 832-5-4 from the Local Government, *i.e.*, enjoyed an annuity of Rs. 10,000. After the demise of petitioner's father, the Madras Government made a slight deduction of Rs. 3-5-4 from his stipend and distributed the remainder on the 16th January 1854 amongst his heirs.

2. That the petitioner begs to submit that he has grown more than eighty years old and has a large family dependent on him, and enjoys a monthly stipend of Rs. 300 at the hands of Government and is a very close relative of the Nawab Wallajah who was a *loyal friend* of the

British Government, and requests respectfully that Government may be pleased to make a slight deduction in his stipend and distribute the remainder amongst his large family as it has done in the case of his father on the ground of his being the son of Nawab Wallajah and also in the case of his brother, the late Muhammad Taqi Alí Sahib, on the 3rd May 1876 who also had a large family to support.

3. The petitioner further begs to direct the attention of Government towards one serious and compassionable matter, viz., that the petitioner has two grades of children—one from the shadi wife (shadi wife is one whose marriage is performed according to Hindu rites and customs with a nikah in the conclusion), and the other from the nikah wife (nikah wife is one whose marriage is performed solely according to the Muhammadan Law and Arab principles without any bustle of Hindu rites and customs).

4. According to the laws of Muhammad (may His Soul rest in peace) there is not the slightest difference between the children begotten by a shadi wife or a nikah wife, and in Muhammadan Law all the children are entitled to equal shares; the same ruling is also observed in the Law Courts throughout India.

5. The petitioner amassed a large fortune consisting of cash amounting nearly to two lakhs of rupees and lands, gardens and houses for the behoof of his children, and it produced a monthly income of about Rs. 800, and handed it over to the shadi children with the sole intention that they would pay due regard to the welfare of his nikah children and would maintain them from the income; but the shadi children acted in strict opposition to his intentions and never cared about his nikah children, but on the other hand wasted money away and turned out their open enemies.

6. The petitioner has now no property either moveable or immoveable, but is involved in heavy debts on account of his large family; his monthly stipend of Rs. 300 is his only moveable and immoveable property, and therefore requests that Government would be pleased to place his nikah children on a par with his shadi children in respect of their respective stipends.

7. The petitioner further begs to request that if His Excellency does not wish to make a general rule as to distinction between shadi and nikah children, His Excellency may make it an exception as regards his own children, and that after his death they may obtain equal shares without any distinction whatever, since his nikah children have neither means of subsistence other than what will be continued to them out of his stipend nor does he leave any property behind him.

8. A copy of the fatwa of the Ulamas of Madras regarding shadi and nikah children is herewith enclosed for His Excellency's information and perusal. It is clearly inferred from the above fatwa that there is no difference between shadi and nikah children, and that they possess equal rights according to the laws of Muhammad.

9. In former times when Carnatic pensioners were enjoying thousands of rupees Lord Clive's scale did not work harshly, whereas now the Carnatic pensioners enjoy only very small pensions, and if as formerly such a difference between shadi and nikah children is to work on and the nikah children are allowed only a fifth share of the shadi children, then the nikah children would have to labour under severe hardships and miseries. For example, if a shadi child is entitled to a monthly stipend of Rs. 10, then a nikah child would receive only a fifth, *i.e.*, Rs. 2, which would in no way suffice to maintain himself and his family.

10. The petitioner's children have a large family to support, and he therefore humby prays for the mitigation of the sufferings of his children an equal distribution of his stipend amongst his children without any distinction whatever. Your petitioner trusts that having regard for his status in the Carnatic family and to the fact that he is the sole surviving lineal descendant of Nawab Wallajah in the male line, His Excellency the Governor in Council may be pleased to take this memorial into favourable consideration and pass orders which will be a solace in this the evening of his life.

The list of petitioner's heirs is herewith annexed for your Excellency's perusal—

By Shadi.

(1) Muhammad Qádir Husain (*lunatic*), (2) Ahmad Husain (*disinherited*), (3) Husain Alí (*deceased*) (*disinherited*), (4) Ghulám Mustafá Alí, (5) Karim-un-nisá Bégam.

By Nikahi.

(1) Tálib Muhi-ud-din (*eldest son*), (2) Ghulám Jilani (*deceased*), (3) Amir Alí, (4) Ghulám Muhi-ud-din, (5) Mazhar Husain, (6) Ghulám Qádir, (7) Abd-ur-rahmán *alias* (Ináyat-ulláh), (8) *Qádir Muhi-ud-din and* (9) *Ghulám Dastgir have discarded forty years ago, and it is not known whether they are alive or dead*, (10) Ghausi Bégam, (11) Abidá Bégam, (12) Husaini Bégam (*deceased*), (13) Ráhat-un-nisa Bégam (*deceased*), (14) Qádiria Bégam, (15) Malik-un-nisá Bégam.

Wife—Fátimá Bí. *Rabeeb son* Ghulám Muhammad. *Adopted son* Muhammad Abd-ur-rahmán *alias* Moulvi. *Servant* (*old*)—Tondrayan.

For which act of kindness and benevolence, the petitioner shall, as in duty bound, ever pray.

Fatwa.

Question.

A Muhammadan married a Muhammadan lady, *i.e.*, performed the nikah with all the Hindu rites and ceremonies now in practice in India and afterwards married three other Muhammadan ladies (which he is lawful to do according to the Muhammadan Law) without the performance of any Hindu rites and ceremonies, and all these have issues, but afterwards that person dies, then in that case do all his children begotton from each of his wives, hold equal rights of inheritance, or is there any difference as to their respective rights?

Answer.

Since the burden of proof of the right of inheritance lies on the solemnity of nikah, and according to the terms of nikah, all these ladies are equal and thus their children too are entitled to equal shares in their father's inheritance. The Hindu rites performed along with the nikah have no place in the Muhammadan Law, and their performance is strictly forbidden by it.

SAIYID AHMAD MUHI-UD-DIN.
OOBAID-ULLAH (*Chief Kazi of Muhammadans Soonni sect*).
KHUDRUTH HALEEM ANNASIRI.
MAHMOOD *bin* SIBGATH-ULLAH.
MUHAMMAD GHOUSE.
SAIYID SHAH MUHAMMAD
HAFIZ MUHAMMAD LUTF-ULLAH (*SHAMS-UL-ULLAMAH*).
MIR HAIDAR ALI.
SAIYID AZMUTH PAIRAN QADIR.
AB-DUL WAHHAB.
SAIYID MUHAMMAD.
MUHAMMAD ABD-UL-MAJID.
GHULAM MUHI-UD-DIN.
RUKN-UD-DIN SAIYID MUHAMMAD QADIR (*SHAMS-UL-ULLAMAH*).
ABD-UL-RAHIM.
MUHAMMAD MURTAZA.
MUHAMMAD MUHI-UD-DIN HUSAIN.
GHULAM RASUL.

N.B.—In Military Regulations shadi and nikah widows and offspring of commissioned officers, non-commissioned officers, soldiers, etc., are equally treated without any distinction whatever with regard to the grant of family pensions. Under any circumstance nikah is considered a legal marriage.

[C. No. 1735.] Petition from GHULAM MUHAMMAD, the "reputed" son of the late Muhammad Amin-ud-din Husain Sahib, Carnatic Stipendiary, dated 3rd December 1895.

Abstract.—Praying that something more than the sum proposed by the Paymaster in his case may be granted to him from the stipend of the late Muhammad Amin-ud-din Husain Sahib.

[C. No. 1741.] From SAIYID MUHAMMAD GHAUS, to the Chief Secretary to Government, dated Triplicane, 3rd December 1895.

I the undersigned most respectfully beg to submit, for the favourable consideration of Government, that I was under the service of late Muhammad Amin-ud-din Husain Khán Bahádur, a Carnatic Stipendiary member. The deceased gentleman in his lifetime gave me to understand that I being his old and faithful servant, he had included my name in the list of those to whom he had desired the stipends to be awarded by Government after his death and that he had made thereby sufficient provision for my maintenance.

As my age has almost reached its limit, and as I am consequently too feeble and infirm to work, I most earnestly trust that Government will be pleased to consider my claims favourably and kindly grant me a stipend as it has been pleased to have sanctioned stipend to the servants of the members of the Carnatic similarly circumstanced as myself. I beg to mention here below, amongst many other things, the names of Carnatic members whose servants have had the privilege of being granted stipends on or after the death of their masters:—

1. Dilar Jang Bahádur.
2. Hasam Mulk.
3. Husain Nawáz Khán.
4. Rashid-daula.
5. Itabar-daula.
6. Baqar Husain Khán.
7. Safeed-daula.
8. Fazelut-un-nisá Bégam.
9. Majd-ud-daula.
10. Mother of Qadir Husain Alí Khán.
11. Sahib Daula.
12. Wife of Nazir-ul-mulk.
13. Abd-ul-qádir Khán Bahádur.
14. Nawab Ahmad-un-nisá Bégam

SAIYID MUHAMMAD GHAUS.

Petition from AMIR ALI, son of the late Muhammad Amin-ud-din Husain Sahib, to His Excellency the Governor in Council, dated 9th December 1895. [C. No. 1769.]

May it please Your Excellency,—That memorialist is the nikahi son of the late Muhammad Amin-ud-din Husain Sahib who was drawing a monthly Carnatic pension of Rs. 300 and died on the 8th November 1895.

That memorialist's father had much confidence in him, and it was for this reason that the deceased entrusted to him the management of the Saidapet mosque of which he was superintendent as also of his household affairs for the past twenty years or thereabouts.

The deceased recorded his opinion in almost all of his letters which he submitted to the different Paymasters of Carnatic Stipends, a reference to which will prove memorialist's statement true.

Such being the case, memorialist begs humbly to submit that he was not recommended by the Paymaster for any higher rate of allowance in compensation for his services rendered so honestly to his deceased father, although there are instances on record to show that children of Carnatic pensioners similarly circumstanced were recommended for a higher rate of pension than other members of the family; to instance a few out of many, memorialist begs humbly to quote the following examples in support of his claim:—

(i) Mahmud Khán Bahádur was granted Rs. 25 in excess to his own brother in virtue of his services rendered to his late mother Nawab Ahmad-un-uisá Bégam Sahiba—*vide* G.O., No. 308, dated 17th May 1893.

(ii) Abd-ul-ghani Khán Bahádur was granted twice as much as his own brothers by G.O., No. 231, dated 5th June 1874.

(iii) Shajee-ul-mulk was granted Rs. 10 more than his own brother by G.O., No. 231, dated 5th June 1874.

(iv) Nasir-ud-din was allowed Rs. 15 for services rendered as Khansama of the late Mumtáz Bégam by G.O., No. 275, dated 12th March 1886.

Under these circumstances Your Excellency's humble memorialist begs that he be granted a similar indulgence as he has a large family to support, and that the allowance of Rs. 6–6–0 recommended for him would be quite inadequate to meet their support.

For which act of charity and justice memorialist shall, as in duty bound, ever pray.

Petition from GHULAM MUHAMMAD, step son of late Muhammad Amin-ud-din Husain Sahib, a Carnatic pensioner of Rs. 300 a month, residing on Ice House Road, Royapettah, Madras, to His Excellency the Governor in Council, dated December 1895. [C. No. 1772.]

Most humbly sheweth,—That your Excellency's petitioner's deceased mother Rahmat-un-nisá Bégam Sahiba was the nikah wife of Muhammad Amin-ud-din Husain Sahib deceased. It is because she had an estate of Rs. 40,000 that the said Muhammad Amin-ud-din Husain Sahib made a nikah with her while your Excellency's petitioner was quite young. Three years after her nikah, the said Rahmat-un-nisá Bégam died. As your Excellency's petitioner was quite young then, your Excellency's petitioner's said step-father distributed the said estate among his children, but did not give a single pie to your Excellency's petitioner. But your Excellency's petitioner's said step-father, the said Muhammad Amin-ud-din Husain Sahib, was maintaining your Excellency's petitioner as his own son.

That the said Muhammad Amin-ud-din Husain Sahib died on the 7th November 1895; and on the 27th of the same month the Paymaster of the Carnatic Stipends submitted his report to your Excellency regarding the distribution of his stipend among his descendants, etc., in which he recommended your Excellency's petitioner for a stipend of As. 14-9, though in the said Muhammad Amin-ud-din Husain Sahib's letters of the 10th May 1880, 16th January 1882, 5th May 1890, 7th April 1892, to the Paymaster of Carnatic Stipends it is stated that your Excellency's petitioner should be given an equal share with his other sons from his stipend.

That in the said report submitted by the Paymaster there is room enough to increase the stipend of your Excellency's petitioner, as the mother of Abd-ul-bári and Abd-ul-ghaffar died during the lifetime of Hasan Áli (the shadi son of the deceased) who also died during the lifetime of his father and both of these, namely, Abd-ul-bári and Abd-ul ghaffar, are fifth in descent from Dilawar Jung Bahadur deceased. On behalf of these, the Paymaster's report is quite contrary to Lord Clive's minute.

That the said Muhammad Amin-ud-din Husain Sahib deceased wrote two letters to the Paymaster, dated 16th January 1883 and 7th April 1891, in which he stated that his four children are not nikah ones, but sometimes after he wrote a letter that those four were nikah ones. Regarding these four too the Paymaster has submitted a report recommending them, which is quite against Lord Clive's minute.

That Muhi-ud-din Husain was punished twice by Police, but he too is recommended for a stipend.

That when the said Muhammad Amin-ud-din Husain Sahib deceased did not give your Excellency's petitioner any share from the estate of your Excellency's petitioner's mother, your Excellency's petitioner was quite prepared in 1880 to take legal steps against him for the recovery of his late mother's estate. At that time the deceased wrote and gave your Excellency's petitioner an agreement and forwarded the same registered to Colonel C. D. Baynes, the then Paymaster. A copy of this agreement along with the original your Excellency's petitioner begs to enclose herewith.

Taking the above circumstances into consideration, your Excellency's petitioner begs that your Excellency will be kind enough to increase your Excellency's petitioner's stipend, as the benevolent Government is maintaining Nawab Khurshid-un-nisá Bégam Sahiba, Muzhar Husain Sahib, Ráhat-un-nisá Bégam and Qadiría Bégam from the stipends of their respective step-fathers.

For which act of kindness, benevolence and charity your Excellency's petitioner shall, as in duty bound, ever pray.

Enclosure.

True translation of the Agreement.

I, Muhammad Amin-ud-din Husain, resident of Madras, do promise and write down to Ghulám Muhammad Miyan, my step-son, that I will hereafter support you in just the same way as I was doing in the lifetime of your deceased mother. That for your clothes, I will annually give you mushroo trousers. I will give Rs. 5 monthly for your own pocket expense. That I will never write to the Paymaster of Carnatic Stipends to cancel the letter I had already written to him for your share from my stipend. I have written these few lines as an agreement in order that they may be of use in future.

15th *May* 1880.

MUHAMMAD AMIN-UD-DIN HUSSAIN.

AMIR ALI
AHMAD HUSAIN } *Witnesses.*

[C. No. 1778.]

Petition from GHULAM MURTOOZA HUSAIN, nephew of the late Azam Ali Sahib, residing at No. 182, Fakir Sahib Street, Jam Bazaar, Triplicane, Madras, to His Excellency the Governor in Council, dated 9th December 1895.

Sheweth,—That the late Fazeelath-un-nisá Bégam Sahiba during her lifetime made in her last will in which she appointed seven persons, namely, (1) Muhammad Aeen-ud-din Husain Sahib, (2) Quadir Ali Sahib, (3) Ghulám Husain Ali Sahib, (4) Ghulám Azam Alí Sáhib, (5) Mír Husain Alí Sáhib, (6) Ghulám Jíláni Sáhib, (7) Muhammad Namdard, jointly heirs to manage the works of mosque, garden, house, tomb, etc. Out of the seven abovesaid persons, six died and there is one still alive named Ghulám Husain Alí Sáhib. I am the son-in-law of the late Azam Alí Sáhib, one of the joint heirs of abovesaid Bégam Sáhiba's property. I have right in three ways of the late Azam Alí Sáhib—(1) adopted son, (2) son-in-law, (3) nephew.

So I request that your Lordship will be pleased under the aforesaid circumstances to issue an order to Ghulám Husain Alí Sáhib to take me as one of the heirs to manage the works of the abovesaid property of the late Bégam in lieu of my father-in-law as he was one of the seven heirs and this case is going to appeal in the Court to take heirship from there.

Therefore the petitioner humbly prays that your Lordship will wait to issue order for pension of mosque to any one till judgment is passed by Court.

Memorial from MIR HUSAIN-UD-DÍN, a luggage clerk of Raichur, Madras Railway station, residing at Raichur, and father and guardian of his minor daughters, Azíz-un-nisá Bégam and Mujib-un-nisá Bégam by his wife the late Rahat-un-nisá Bégam, daughter of late Muhammad Amín-ud-dín Husain, Khán Báhádur, grandson of His Highness Nawab Wallaja of Carnatic, to His Excellency the Governor in Council, dated 9th December 1895. [C. No. 1781.]

Sheweth,—That memorialist considering your Lordship as the guardian and benefactor of the helpless and poor with the deepest sense of your Lordship's justice towards all who approach your Lordship for protection and redress and with every mark of respect and submission begs to represent the following, hoping that he shall be successful in doing so.

That the said late Muhammad Amín-ud-dín Husain, Khán Bahádur, who had enjoyed a monthly Government stipend of Rs. 300, departed this life in November 1895.

That the Paymaster of Carnatic Stipends, as memorialist is informed, has submitted a report to your Lordship recommending that two-thirds of the stipend enjoyed by the said Muhammad Amín-ud-dín Husain, Khán Bahádur, will be paid amongst his shadi and nikahi sons, grandsons, daughters and granddaughters as per following scale for the shadi sons at the rate of Rs. 31-14-0 per month for each and a moiety of the said sum to shadi daughters and for the nikahi sons at the rate of Rs. 6-6-0 for each and moiety of the said sum to the nikahi daughters.

That under the said scale the Government Agent reported to grant Rs. 6-6-0 to the two sons of the late Ghulám Jíláni Sáhib, nikahi son of the said late Muhammad Amín-ud-dín Husain, Khán Bahádur.

That your Lordship's memorialist's said two daughters Azíz-un-nisá Bégam and Mujib-un-nisá Bégam are the daughters of the late Rahat-un-nisá Bégam, nikahi daughter of the late Muhammad Amín-ud-dín Husain, Khán Bahádur.

That the Paymaster of Carnatic Stipends instead of recommending your Lordship's memorialist's said two daughters for a monthly stipend, Rs. 3-3-0, in right of their said mother Rahat-un-nisá Bégam, has wrongly recommended a monthly stipend of As. 12-9 to each.

Under the aforesaid circumstances memorialist humbly prays that your Lordship will be mercifully pleased to issue an order for the grant of Rs. 3-3-0 to his said two daughters as per said scale laid shown for the said two sons of late Ghulám Jíláni Sáhib, nikahi son of the late Muhammad Amín-ud-dín Husain, Khán Bahádur.

Memorialist shall as in duty bound ever pray.

[C. No. 1784.] Petition from GHULÁM MUSTAFÁ ALÍ, shadi son of late Muhammad Amín-ud-dín Husain Sáhib of the Carnatic family, to His Excellency the Governor in Council, dated Royapettah, Madras, 11th December 1895.

Most respectfully sheweth,—That the memorialist's father, the late Muhammad Amín-ud-dín Husain Sáhib, who was a memoer of the Carnatic family and was drawing a pension of Rs. 300, was the grandson of Nawab Wallaja and the son of Husain Muhammad, Khán Diláwar Jang Bahádur, whose Government pension was Rs. 832. That on the 7th November 1895 the abovenamed Muhammad Amín-ud-dín Husain Sáhib, your memorialist's venerable father, breathed his last and was buried the very next day. Accordingly application for the continuance of the pay signed by me and by the members of the whole family was sent to the Paymaster, Carnatic Stipends. But the Paymaster reported to the Government only for Rs. 200, and a round sum of Rs. 100 was cut off from the pay. The number of the members of family is very large and each and every one of these was maintained by Muhammad Amín-ud-dín Husain Sáhib during his lifetime.

It can be imagined to what straitened circumstance your memorialist's large family and other members of the family should have been reduced by such a reduction in the pay.

That your memorialist herein cites the reasons given in the application sent by the Paymaster, in hope that Her Majesty the Queen's Government will magnanimously grant the memorialist's request for, instances of having continued the pay almost in full have occurred often and often, and your memorialist prays that the same concession will be granted to him and his family.

The following are cases in which a nominal reduction was made and the remainder was continued among the members after the death of the head of the family in cases, similar to your memorialist:—

Husain Muhammad, Khán Diláwar Jang, who was getting Rs. 832 *per mensem*, was my grandfather. After his death the pay with a nominal reduction of few rupees was continued and the family was not very large.

Turáb Alí, Khán Bahádur, who was getting Rs. 107. After his death the whole pay was continued to the members of his family.

Taq Alí Sáhib, the son of the nikahi wife of my grandfather the Diláwar Jang Bahádur, was getting Rs. 60. After his death with a reduction of only Rs. 2-8-0 the pension was continued in his family. In this case it is specially to be noted that Taq Alí Sáhib was by a nikahi wife, only a nominal reduction was made as can be seen in this your memorialist's case, though his father was a shadi and legal son of Diláwar Jang Bahádur's and with a large family, the reduction should be so excessive as to quite deprive the members from the bare necessity of life, for each member of your memorialist's father's family has himself a family quite enough to give them cares.

Our family has met with unfortunate reverses these few years and our circumstances now a day sare deplorable. After the death of my father's grandmother Daulat-un-nisá Bégam Sáhiba, who was the wife of Nawab Wallaja, the whole of her pension, amounting to Rs. 416, was stopped by the Government, although there has been legal heirs for the same, and we the members of the same family, who ultimately would have shared some part of the pension of our father's grandmother, were left without a shadow of mercy having shown to grieve our very existence, troubles and cares of the world consequent upon the scanty means of maintenances.

It is the now the earnest request of your memorialist and the whole of the family of the late Muhammad Amín-ud-dín Husain Sáhib that the Government will save from ruins and utter destruction the children of Nawab Wallaja who willingly gave up the whole of his dominions and also left his children in charge of the benevolent Government, believing fully that the justice-loving Government of the Empress of India will not ruin his family and children, but shall ever keep his departed spirit by just patronage and justice in giving the deserves their due. Ever and anon during all these years the spirit of our benevolent Government have been no less, aige, more than can have been done by any under the same position. It is further to be noted that Muhammad Amín-ud-dín Husain Sáhib, your memorialist's father, during his life times executed a will, wherein your memorialist as the son of shadi wife was made also the head of the whole family. A copy of the same was sent to the Paymaster. Having all such circumstances quite favourable to my case and having also had seen cases in which heads of the family do receive remuneration more than the other members of the family as can be by the cases cited below.

I do not for a moment doubt that concession same as given them shall be granted to me. I do not wish to get an increase in my pay by cutting off from the pension of other members of the family but I most humbly request your Excellency to grant me from the money that has been stopped from my father's pension, viz., Rs. 100.

Here are below the cases in which the heads of the family have received more than the others:—

(1) Muhammad Ibád-ulláh, Khán Bahádur, from the pay of Rashíd-ud-daula, Bahádur.

(2) Muhammad Abd-ul-ghani, Khán Bahádur, from the pay of Sikandar, Jang Bahádur.

(3) Ghulám Abd-ul-qádir Sáhib from the pay of Itibar-ud-daula, Bahádur.

(4) Razá Husain Sáhib from Turáb Alí, Khán Bahádur.

It can be corroborated by a reference that all these are facts, when such are the matters, I hope the Government shall consider my case favourably and, as can be seen from the above that the reasons cited are quite strong save my family and me from the cares of the world.

Memorial from GHULÁM HUSAIN ALÍ, grandson of the late Fizalat-un-nisá Bégam Sáhiba, a Government Carnatic stipendiary, and also an executor to the last will and testament of the said Fizalat-un-nisá Bégam Sáhiba, residing at No. 9, Fakír Sáhib Street, Jambazad, Madras, to His Excellency the Governor in Council, dated 12th December 1895. [C. No. 1794.]

Sheweth,—That memorialist on the 29th November 1895 submitted a petition to your Lordship praying that the allowance of Rs. 17 received by the late Muhammad Amín-ud-dín Sáhib in right of the late Fizalat-un-nisá Bégam Sáhiba for the performance of the service connected with the endowed property consisted of mosque and inn, etc., as her executor to her last will and testament will be continued in his name as he is the only surviving executor her surviving.

That with a view to remove the doubt as to who is the proper person entitled to receive the said allowance, petitioner prays that your Lordship in case of refusing to comply his request as per report of the Paymaster of the Carnatic Stipends the said allowance may be suspended as petitioner is about to apply and obtain probate from the High Court, Madras, in his favour as the only surviving executor to the last will of the said late Fizalat-un-nisá Bégam Sáhiba.

Memorialist shall as in duty bound ever pray.

Order—No. 15, Political, dated 14th January 1896.

The Paymaster's proposals are approved except that contained in paragraph 6 of his letter in regard to the amalgamation of the present stipend of Mazhar Husain with the share he will receive in the distribution of the pension of late Muhammad Amín-ud-dín Husain Sáhib. The latter will be disbursed to him in the form of a bonus as it falls within the limits of compulsory commutation. p 3 and [illegible]

2. The Paymaster will make those members of the family who do not receive bonuses understand clearly that the stipends now granted to them are for life only.

3. The petitioners will be referred to the Paymaster, Carnatic Stipends, who has received orders on the subject of their petitions.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Paymaster, Carnatic Stipends.
,, the Accountant-General.
,, the Petitioners (paragraph 3 of order).

Exd K, Murugesan.

NOTES CONNECTED WITH G.O., No. 15, POLITICAL, DATED 14TH JANUARY 1896.

[Subject.—*Muhammad Amin-ud-din Husain Sahib's stipend.*]

From C. Nos. 1594, 1625, 1709, 1729, 1734, 1735, 1741 *and* 1769.

In C. No. 1594, the Paymaster, Carnatic Stipends, reports the demise of Carnatic Stipendiary No. 300, Muhammad Amin-ud-din Hussain, who was in receipt of a pension of Rs. 300 and an allowance of Rs. 17 *per mensem* for the upkeep of a mosque and choultry at Saidapet.

2. The pension was continuable (*vide* No. 49 on page 6 of G.O., No. 150, Political, dated 6th March 1894). The allotment amongst the 34 members of the deceased pensioner's family proposed by the Paymaster follows Lord Clive's scale (G.O., No. 778, Political, dated 29th November 1888). G.O., No. 778 of 1888 made no provision for great grand children, and Colonel Stewart explains in paragraph 7 of his letter that in the case of Nos. 7 and 8 in his list, who are great grandsons of the deceased, he has divided amongst them the share to which their mother would have been entitled had she survived her grandfather. This procedure appears to be correct. The Paymaster has added two dependants to the list has the deceased had on several occasions prior to his death particularly requested that these servants should be provided for. Nos. 1 and 4 in the list are idiots, and the late Muhammad Amin-ud-din Hussain requested that Mustafa Ali (No. 3 in the list) should be appointed their guardian (*vide* papers marked D in G.O., No. 223, dated 9th April 1895). The Paymaster proposes that the share of No. 4 alone should be drawn by Mustafa Ali and that that of No. 1 should be drawn by his own shadi son who is already in charge of him. There seems to be no objection to this proposal.

Yes, but continuable for how long?
W[enlock].

3. In the document marked F in G.O., No. 223 of 1895 the deceased disowned two of his sons (Nos. 2 and 9 in the list). Colonel Stewart points out, however, that stipends are granted from the pure bounty of Government. He has included their names in the list of the heirs of the deceased. The two sons cannot well be omitted, it is submitted.

4. Muhammad Amin-ud-din Hussain had a nikahi wife, Hussain Bakhsh, who is reported to have fled with her two sons about forty years ago. Their whereabouts are not now known and they have been excluded from the list.

5. No. 13 in the Paymaster's list is already in receipt of a stipend of Rs. 13-14-0 in right of his mother and the Paymaster proposes that his share in the present distribution should be amalgamated with that stipend. There seems to be no reason why this should be permitted. If the share of Mazhar Husain is not amalgamated as suggested, it must be commuted as it falls within the limits of compulsory commutation. In paragraph 9 of his letter the Paymaster apparently proposes that the stipends of Nos. 1-4, 6, 13 and 15-19 in his list should not be commuted. Nos. 1-4 do not fall within the limits of compulsory commutation. No. 6, a female, is to receive Rs. 5-5-0. No. 13 has already been alluded to in the preceding paragraph. Nos. 15-19 who are females each receive Rs. 3-3-0. This proposal may except as regards No. 13 be approved.

6. The allowance of Rs. 17 drawn by the deceased for the upkeep of the mosque at Saidapet, the Paymaster proposes to issue, as a temporary measure, to Amir Ali (No. 10 in the list) who has actually been in charge of the mosque. The question of ceremonial allowances is awaiting the returns from all districts. Those that have been received are being tabulated and prepared for orders.

7. The other currents in the file are petitions from various relatives and dependants of the deceased.

8. C. No. 1625 is a petition from one Ghulam Hassain Ali who prays that the issue to Amir Ali of the allowance of Rs. 17 for the upkeep of the mosque may be suspended for two months to enable him to procure the judgment of the District Court of Chingleput proving that he is an executor to the estate of the late Fazelat-un-nisa Begam Sahib.

C. No. 1702 is a petition from Sheik Musthan and other residents of Saidapet protesting against the upkeep of the mosque being entrusted to the family of Muhammad Amin-ud-din Hussain. These petitioners state that they have addressed the Paymaster of Carnatic Stipends on the subject.

C. No. 1729 is a further petition from Ghulam Hassan Ali in which he encloses the judgment of the District Court of Chingleput, which, however, proves nothing in his favour.

The prayers in these petitions need not, it is submitted, influence the decision on the Paymaster's proposal regarding the disbursement of the allowance for the upkeep of the mosque.

9. C. No. 1734 is a petition from the nikahi children of Muhammad Amin-ud-din Hussain in which they enclose a copy of the petition submitted by the deceased himself and rejected in G.O., No. 364, Political, dated 31st May 1894, under paragraph II of the petition rules. The prayer in this petition is that the shares of the deceased's stipend continued to the nikahi children may be the same as those continued to the shadi children. There appears to be no reason for departing from the long-established practice under which shadi and nikahi branches are treated according to Lord Clive's scale.

10. C. No. 1735 is a petition from one Ghulam Muhammad in which he prays that something more than the sum proposed by the Paymaster in his case may be granted. This individual is apparently No. 35 in Colonel Stewart's list where he is shown as a dependant. He calls himself the " reputed son " of the deceased.

11. C. No. 1741 is from one Syed Muhammad Ghaus, a servant of the deceased, who prays for a pension out of the stipend. The Paymaster has made no recommendation in his case.

12. C. No. 1769 is a petition from Amir Ali, No. 10 in the Paymaster's iist. The prayer in this is much the same as that in C. No. 1734, viz., that a larger amount should be allotted to the nikahi branch.

C. M. SCHMIDT—12-12-95.

J. F. PRICE—19-12-95.

I approve of the proposals made. I notice that those whose shares are small enough are to have them commuted (except certain females), while those whose shares are above the commutation line are to have them continued, as also certain females under the late ruling. If these persons' stipends are not to be continued after their deaths, the order should say so.

W[ENLOCK]—6-1-96.

[G.O., No. 15, Political, dated 14th January 1896.]

CURRENT NO. 1594

Political (1895) Department

422: 29.6.95 Sc
223: 9.4.95. Sc
766: 29.12.92 Sc
321: 21.5.92 — was printed
778: 29.11.88 Sc
359: 22.5-85. Sc
6-3-94

11-NOV 1895

From,

The Paymaster,
Carnatic Stipends
Chepák

To,

The Chief Secretary
to Government
Fort Saint George

Dated 11th }
Received 11 } November 1895
Repd 12th

No. 480 of 1895

CMS
18/11/95

Reports the death of Carnatic Stipendiary No. 300 Mu: Amir-ud-din Husain Sahib and recommends the continuation of two-thirds of the lapsed stipend amongst his 36 heirs and dependants, and further, proposes the transfer of the mosque allowance of Rs: 17 per mensem, drawn by the deceased, in the name of his son Amir Ali.

R O papers
15

10

2

1702

Pdh

From

Sheik Musthan & others
Residents of
Fanepet,
Saidapet

~~Endt~~

~~Referred to the Paymaster, Carnatic Stipends, for report.~~

~~(By order)~~

~~Ag Assistant Secretary.~~

Dated. 28 - 11 - 95
Recd 29 - 11 - 95
Repd 29 - 11 - 95

Encl - 1

Subject

Requests that the Mahazar submitted by the petrs to the Paymaster C.S. reg the Musjid of Fazeelathunnisa Begum Saiba, may be called for and may be given due consideration D.

To

the Paymaster Carnatic Stipends.

Wd

[9]
2,000—12-3-95.

Current No. 1729 DEPARTMENT.

From

Godlamaf Hasan.

A Carnatic Stipendiary

No.

Dated 29. 11. 95

Received 2-12. 95

Recd 3- 12. 95

Enclosures

SUBJECT.

Requests, that the allowance of Rs 17 recd by the late Aminuddin Hussain, may be contd in this petr's name.

Cwo 1625/95

CURRENT No. 1734

Pol (1895) DEPARTMENT.

24^{4}

B.O. 15-14/1/96

From C. J. Mac Cartie Esq. I.C.S.

~~THE~~ PRIVATE SECRETARY TO THE

RIGHT HONORABLE THE GOVERNOR.

To

THE CHIEF SECRETARY

TO GOVERNMENT,

DEPARTMENT.

Dated 3rd
Received 4th } December 1895.

ENCLOSURE 12

Subject.

TRANSFERS a petition from Talib Mohideen Sahib and another praying that Government may be pleased to sanction an equal amount of pension to them.

5

Petition from Talib Mohideen Sahib and another.

DATED 29th November 1895.

TRANSFERRED to the Chief Secretary to Government for disposal.

(By Order.)

Private Secretary.

GOVERNMENT HOUSE,
Madras.
3rd December 1895.

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[9]
2,000—15-8-95.

32

5

Current No. 1735 DEPARTMENT.
Pol.

From

Ghulam Mahamad
Son of
the late Md. Aminuddin Husain
Saib

No.

Dated 3 - 12 · 95

Received 3 - 12 · 95
Recd 4 · 12 - 95

Enclosures 2

SUBJECT.

Praying for an increase to his stipends

33

Copy of the letter to Major
C. D Benson
Paymaster, Carnatic Stipen

17 Spr

To
Major C. D Benson
Paymaster, Carnatic Stipends
Chepack

Dear Sir

After my best regards & the desire of paying a visit to you & seeing the sudden changes of the times, it passed over my mind to inform you about my inward intentions I have been supporting Gulam Mohamed my step son from his very youth i e from 2 years before the death of his mother my Nika wife. I had been supporting him like my other sons & am still doing the same. He had no one else besides me on whom he could rely for support. Consequently make it known to you to give him an equal share from my stipen with my other sons after my death, in order that he may not be entangled in the claming which time may bring on him. I hope that you will kindly enter this in your record and make use of it when required.

3U Stamped Paper 7 188

I Md Aminuddin Hossain, resident of Madras do hereby promise and write down to Ghulam Muhammad Mian my step son that I will hereafter support you in just the same way as I was doing in the lifetime of your deceased mother. That for your clothes I will annually give you Mushroo trousers. I will give you 5 Rs monthly for your own pocket use. That I will never write to the Paymaster of Carnatic Stipends to Cancel the letter I have already written to him for your Share in my Stipend. I have written these few lines as an Agreement in order that they may be of use in future: Dated 15th May 1880.

(Sd)
Md Aminuddin
Hossain

Seal of
Md Aminuddin Hossain

Witness
(Sd) Ahmad
Hossain

Witness
(Sd) Ameer
Ali

E
Pol
2
1735

3.8

8

PD- 15-14/1/95

From

Syed Md Khan
Supplicant

Dated 3-12-85
Recd 4-12-85
Regd 4-12-85

Applying, as an old servant of Md Ameeruddin Husain Khan Br. a Carnatic Stipendiary, for Stipend

47 9

No. 87 **Weight** 3 **Rates.**

10-5-80

9

Received a registered article addressed to

Major C. D. Baynes.
Coonoor or
Ootacamund

TOO LATE

Stamp of despatching office.

ROYAPET.
MAY 10

A.D.

Receiving Officer.

(NOTE.)—A rate is equal to one-eighth of a tolah.

ON POSTAL SERVICE.

To

Mahomed Ameenoodeen
Hoosain Khan Bahadoor's
Vencatachella Moodely Street
No. 45 & 46 Mutsaib pettah,

CARE OF POSTMASTER,

ROYAPETTAH
D^T. MADRAS

Above address to be legibly written by the despatching post office.

I. DEL^Y
ROYAPETTA
MAY. 15.

ACKNOWLEDGMENT.

(To be signed by the addressee and returned to the despatching office for delivery to sender.)

From ROYAPETTAH
DT. MADRAS *Post Office.*

No. 87 *Weight* 3. *Rates.*

NOTE.—A rate is equal to one-eighth of a tolah.

Address

Major C. D. Baynes
Coonoor or
Ootacamund

Signature of the addressee

Date of delivery 18

STAMP OF DESPATCHING OFFICE.

REDIRECTED

ROYAPET.
MAY 10.

OOTACAMUND
MAY 13

TOO LATE

STAMP OF RECEIVING OFFICE.

2.DE.
OOT
MAY 12

Fd to Coonoor [illegible] 13 May 80

Govt. Central Press.—No. 31 G.—2-5-79.—3,00,000.

48

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1.DEL.
ROYAPETTA
MAY.19

ON POSTAL SERVICE.

To [illegible]

CARE OF POSTMASTER,

Above address to be legibly written by the despatching post office.

[illegible]

ACKNOWLEDGMENT.

(To be signed by the addressee and returned to the despatching office for delivery to sender.)

From Royapettah *Post Office.*

No. 87 *Weight* Dist Madras

3 *Rates.*

NOTE.—A rate is equal to one-eighth of a tolah.

Address

Major C. D. Baynes
Coonoor or
Ootacamund

Signature of the addressee H. Pacy for Major Baynes.

Date of delivery May 13th 1880.

STAMP OF DESPATCHING OFFICE.

STAMP OF RECEIVING OFFICE.

OOTACAMUND
MAY '13

COONOOR
MAY 13

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1772

Press.—No. 31 G.—2-5-79.—3,00,000.

Govt. Central Press.—No. 308 G.—20-3-79.—1,50,000.

12

EIGHT ANNAS INDIA

ONE RUPEE (1) ایک روپیہ

EIGHT ANNAS INDIA

THOS DE LA RUE & CO LONDON

میں محمد امین الدین حسین ساکن مدراس کا ہوں

اقرار کرتا ہوں اور لکھدیتا ہوں برخوردار غلام محمد میاں کو جو میرے فرزند حبیب ہیں دستبردار تمہارے
والدہ مرحومہ کے حین حیات سے تمکو پرورش کرتا آیا سو ایسا ہی آیندہ بھی میرے برخورداروں کے موافق
پرورش کرتا رہونگا اور تمہارے ملبوس سالیانہ اپنی عادت کے موافق مشروع کے پایجامے دیا
کرونگا اور ماہوار نقد تمہارے جیب خرچ کے لئے پانچ روپے دیا کرونگا اور جو خط کہ میرے بعد
میرے پنشن سے تمکو پنشن جاری کرنیکے واسطے گورنمنٹ دفتر کو روانہ کیا ہوں کبھی
انکار نکرونگا اسواسطے یہ چند کلمات بطریق اقرار نامہ کے لکھدیا ہوں تا آیندہ سند ہو

تحریر مرقوم پانزدہم [illegible] ۱۸۸۰ع

گواہ شد
محمد [illegible]

محمد رحیم [illegible]

گواہ شد
امیر علی [illegible]

STAMP OFFICE
24 SEPTEMBER 79
MADRAS

STAMP DEPT. DEPY. COLL.
APR
1880
TOWN OF MADRAS

ரு/355. [illegible] 1/5/80. [illegible]

64

1784

Pd.

13

From

Ghulam Mustapha Ali

No. 3 m

Rozapetah

Dated 11. 12. 85

Recd 11. 12 85

Regd 12. 12 85.

Subject

Applying for Stipends out of the sum of Rs 100, cut off from the amount ~~that was~~ granted to the late Aminuddin Hussain Saib

Returned to Cutcherry

5
OM

Consisted of Mosque and Inn &c. as her executor to her last will and testament will be Continued in his name as he is the only Surviving executor her Surviving.

That with a view to remove the doubt as to who is the proper person entitled to receive the said allowance Petitioner prays that Your Lordship in case of refusing to Comply his request as per Report of the Pay Master of the Carnatic Stipends the said allowance may be suspended as Petitioner is about to apply and obtain Probate from the High Court Madras in his favor as the only Surviving executor to the last will of the said late Fazeelathoon Nissa Begum Sahiba

Memorialist Shall As in duty bound

12th Decr 1895

Ever Pray

غلام حسین

غلام حسین

72

NT No 1794

P Ch

my Hasan ali

CHIEF SECRETARY'S
13 DEC 1895
GOVERNMENT OF MADRAS

12. 12 95

13-12-95

14. 12-95

Subject

to suspend the
of final orders
mosque allowance

no/625

74

15

Political Department.

Read the following:-

C.No.1594 from the Paymaster Carnatic Stipends.

" 1735 " 1772	"	Ghulam Muhammad.
" 1781	"	Mir Hussain-ud-din
" 1784	"	Ghulam Mustapha Ali.
" 1625 " 1729 " 1794	"	Ghulam Hussan Ali
" 1702	"	Sheik Musthan & others.
" 1734	"	Talib Muhi-ud-din Sahib & another
" 1769	"	Amir Ali
" 1741	"	Saiyid Muhammad Ghaus
" 1773	"	Ghulam Murtuza Hussain

35 P

Order No. 15 d/ 14 Jany 1896

The paymaster's proposals are approved except that contained in paragraph 6 of his letter in regard to the amalgamation of the present stipend of Mazhar Hussain with the share he will receive in the distribution of the pension of late Muhammad Amin-ud-din Hussain Sahib The latter will be disbursed to him in the form of a bonus as it falls within the limits of compulsory commutation.

Please see list flagged B

2 The paymaster will make those members of the family who do not receive bonuses understand clearly that the stipends now granted to them are for life only.

Modified by GO 170 Pol / 9.3.96

C
For modification vide GO 170 / 9/3/96

3 The petitioners will be

referred

16

referred to the Paymaster Carnatic Stipends who has received orders on the subject of their petitions.

(From orders)

C.S.
8/1/96

Ini
11/1/96.

CS

To

The Paymaster Carnatic Stipends (Q&O)
" Accountant-General (1594-A &O)
" ~~General~~ Petitioners (para 3 of order)

despd
17/1/96

Note Some petitions in the file were received after the papers circulated but they contain nothing new.

C.S.

17

[G./25]
1,000—5-11-95

Pol Notes 15
14-1-96

73

Political **DEPARTMENT**

C. No.

18

C.Nos. 1594, 1625, 1709, 1729, 1734
1735 ~~&~~ 1741 & 1769

FOR ORDERS.

In C.No. 1594, the Paymaster, Carnatic Stipends, reports the demise of Carnatic stipendiary No.300, Muhammad Amin-ud-din Hussain who was in receipt of a ~~stipend~~ pension of Rs.300 and an allowance of Rs.17 per mensem for the ~~expenses~~ upkeep of ~~the~~ a mosque and choultry at Saidapet.

2. The pension was ~~a~~ continuable ~~one~~ (vide No.49 on page 6 of G.O. No.150 Political, d./ 6th March 1894). The allotment amongst the 34 members of the deceased pensioner's family proposed by the Paymaster follows Lord Clive's scale (G.O.No.778 Political d./ 29-11-88). G.O.No.778 of 1888 made no provision ~~to~~ for great grand children and Col: Stewart explains, in para 7 of his letter, that in the case of Nos. 7 and 8 in his list, who are great grand sons of the deceased, he has divided amongst them the share of their mother to which ~~she~~ would have been entitled had she survived her grandfather. This procedure appears to be correct. The Paymaster has added two dependants to the list as the deceased had ~~at~~ on several ~~times~~

persons stipends are not to be continued after their deaths, the Order shd. say so. W
6 Jan

for mc more life
CS

Yes – but continuable for how long? W

I approve of the proposals made – ~~On the understanding that the [illegible]~~. I notice that those whose shares are small enough are to have them commuted (except certain females) while those whose shares are above the com. line are to have them continued – as also certain females under the late ruling. If these occasions [redacted] prior to his death particularly requested that these servants should be provided for. Nos. 1 & 4 in the list are idiots and the late Muhammad Amin-ud-din Hus~~s~~ain requested [redacted] that Mustafa Ali (No.3 in the list) should be appointed their guardian (vide papers marked D in G.O.No.223, d./ 9th April 1895). The Paymaster proposes that the share of No.4 alone should be drawn by Muatafa Ali and that that of No. 1 should be drawn by his own Shadi son who is already in charge of him. There seems to be no objection to this proposal.

3. In the document marked in G.O.No.223 of 1895 the deceased disowned two of his sons (Nos.2 & 9 in the list). Col: Stewart points out, however, that stipends are granted ~~in~~ from the pure bounty of Govt. He has included their names in the list of the heirs of the deceased. The two sons cannot well be omitted, it is submitted.

Para 4 of his letter

4. Muhammad Amin-ud-din Husain had a nikahi wife, ~~of the same~~ Husain Bakhsh, who is reported to have fled with her two sons about 40 years ago. Their whereabouts are not now known and they have been excluded from the list.

Para 5 of C.No.1594 A

5. No.15 in the Paymaster's list is already in receipt of a stipend of Rs.13/14 in right of his mother and the Paymaster proposes that his share in the present distribution should be amalgamated with ~~this~~ that stipend. There seems to be no reason why this should be permitted. If the share of Mazhar Husain is not amalgamated as suggested, it must be commuted as it falls within the limits of compulsory commutation. ~~From~~ In para 9 of his letter the Paymaster apparently proposes that the stipends of Nos. 1-4, 6, 13,&15-19 in his list should not be commuted. Nos.1-4 do not fall within the limits of compulsory commutation, No.6, a female, is to receive Rs.5/5. No.13 ~~is~~ has already been alluded to in the preceding para. Nos.15-19 who are females each receive Rs.3/3. This proposal may except as regards No.13 be approved.

Para 6 of C.No.1594

6 The allowance of Rs.17 ~~drawn~~ drawn by the deceased for the upkeep of the mosque at Saidapet the Paymaster ~~ter~~ proposes to issue, as a temporary measure, to Amir Ali (No.10 in thelist) who has actually been in charge of the mosque. The question of ceremonial allowances is awaiting the returns from all districts. Those that have been received are being tabulated and prepared for orders.

New para

7 The other currents in the file are petitions from various relatives and dependents of the deceased.

8. C.No.1625 is a petition from one ~~Gul~~ Ghulam Hassan Ali who prays that the issue to Amir Ali of the allowance of Rs.17 for the up-keep of the mosque may be suspended for two months to enable him to procure the judgment of the District Court of Chingleput proving that he is an executor to the

estate

FOR ORDERS.

H. E. THE GOVERNOR.
THE HON'BLE MR. H. W. BLISS, C.I.E.
THE HON'BLE MR. J. GROSE.

estate of the late Fazilat-un-nisa Begum Sahib

C.No.1702 is a petition from Sheik Musthan and other residents of Saidapet protesting against the up-keep of the mosque being entrusted to the family of Muhammad Amin-ud-din Husain. These petitioners state that they have addressed the Paymaster of ~~the~~ Carnatic Stipends on the subject.

C.No.1729 is a further petition from Ghulam Hassan Ali in which he encloses the judgment of the Dt. Court of Chingleput which, however, proves nothing in his favour.

The prayers in these petitions need not, it is submitted, influence the decision on the Paymaster's prosal regarding the disbursement of the allowance for the up-keep of the mosque.

9. C.No.1734 is a petition from the nikahi children of Muhammad Amin-ud-din Husain in which they enclose a copy of the petition submitted by the deceased himself and rejected in G.O.No.364 Poll., d./ 31st May 1894, under para II of the petition~~s~~ rules. The prayer in this petition is that the shares of the deceased's stipend continued to the nikahi children may be the same as those continued to the shadi children. There appears to be no reason for departing from the long established practice under which ~~the~~ Shadi and nikahi branches are treated according to Lord Clive's scale.

E

10 C.No.1735 is a petition from one Ghulam Muhammad ~~apparently No.34~~ ~~in~~ in

~~in the Paymaster's list~~ in which he prays that somethimg more than the sum proposed in his case by the Paymaster may be granted. This individual is apparently No.35 in Col: Stewart's list where he is shown as a dependent He calls himself the "reputed son" of the deceased.

11 C.No.1741 is from one Syed Muhammad Ghans a servant of the deceased who prays for a pension out of the stipend. The Paymaster has made no recommendation in his case.

12. C.No.1769 is a petition from Amir Ali, No.10 in the Paymaster's list The prayer in this is much the same as that in C.No.1734, viz. that a larger amount should be allotted to the nikahi branch.

C.S.
12.12.95

19/12/95

22

Muhammad Amin-ud-din Husain Sahi

Stipend

V6

(FOR ORDERS)

H. E. The Governor.

Received from Press 27. 3. 1905

Sent to Poll Dept. 27. 3. 1905

2 Pol
307/3/5
15

24/3

23

8 Ank
Vb
29/3/5

307/3

No. 15, Political, 14th January 1896.

GOVERNMENT OF MADRAS.

POLITICAL DEPARTMENT.

Read—the following papers :—

[C. No. 1194.] From Colonel H. S. STEWART, I.S.C., Paymaster, Carnatic Stipends, Chepauk, to the Chief Secretary to Government, dated 11th November 1895, No. 480.

I have the honour to report the demise on the 8th instant of Carnatic Stipendiary No. 300, Muhammad Amín-ud-dín Husain Sáhib in the 83rd year of his age. The deceased was in the enjoyment of two stipends, viz., one of Rs. 300 per mensem as a grandson of Nawab Wallaja by E.M.C. No. 23, dated 26th January 1854, and the other of Rs. 17 per mensem for the upkeep of a mosque (built by his aunt Fazilat-un-nisá Bégam Sáhiba at Saidapet) by G.O., No. 331, Political, dated 30th June 1881.

2. As regards his first allowance of Rs. 300 per mensem, I beg to state that it is returned "continuable" in appendix "E" to G.O., No. 359, Political, dated 22nd May 1885. I therefore beg respectfully to recommend the continuance of the usual two-thirds amongst the 36 members of his family as apportioned below to be divided into 62⅔ shares of Rs. 3-3-0 each, in accordance to Lord Clive's scale—*vide* G.Os., Nos. 778 and 321, Political, dated 29th November 1888 and 21st May 1892 :—

List showing the names of the late Muhammad Amín-ud-dín Husain's family.

Number.	Names.	Relationship to the deceased.	Number of shares.	Amount per mensem.			Remarks.
	Shadi Family.			RS.	A.	P.	
1	Qádir Husain (insane)	Shadi son	10	31	14	0	
2	Ahmad Husain	Do.	10	31	14	0	
3	Mustafá Alí	Do.	10	31	14	0	
4	Karím-un-nisá Bégam (insane)	Shadi daughter	5	15	15	0	
5	Abd-us-samad	Shadi grandson	3⅓	10	10	0	Family of a predeceased shadi son.
6	Muhammadí Bégam	Shadi granddaughter	1⅔	5	5	0	
7	Abd-ul-bárí	Shadi great-grandsons (sons of a predeceased shadi granddaughter).	1⅔	2	10	6	
8	Abd-ul-ghaffár			2	10	6	
	Nikahi Family.						
9	Tálib Muhí-ud-dín	Nikahi son	2	6	6	0	
10	AmírAlí	Do.	2	6	6	0	
11	Ghulám-í-Muhí-ud-dín	Do.	2	6	6	0	
12	Ghulám-í-Qádar	Do.	2	6	6	0	
13	Mazhar Husain	Do.	2	6	5	0	
14	Ináyat-ulláh	Do.	2	6	6	0	
15	Ghausí Bégam	Nikahi daughter	1	3	3	0	
16	Abidá Bégam	Do.	1	3	3	0	
17	Qádiría Bégam	Do.	1	3	3	0	
18	Malik-un-nisá Bégam	Do.	1	3	3	0	
19	Fátimá Bí	Nikahi widow	1	3	3	0	
20	Muín-ud-dín Husain	Grandson	2	1	4	0	"Shádi." Family of a predeceased nikahi son.
21	Abd-ul-wahháb	Do.		1	4	0	
22	Muhammad Alí	Do.		1	4	0	
23	Abd-ul-majíd	Do.		1	4	0	
24	Mahbúb Bégam	Granddaughter		0	10	0	
25	Abd-ur-raúf	Grandson		0	4	6	"Nikáhi."
26	Azíz-un-nisá Bégam	Granddaughter		0	2	6	
27	Hafíz-un-nisá Bégam	Do.		0	2	6	
28	Raushan Bí	Daughter-in-law		0	2	6	
29	Haidar Husain	Grandson	1	1	4	6	Family of a predeceased nikahi daughter.
30	Khatima Bégam	Granddaughter		0	10	2	
31	Khair-un-nisa Bégam	Do.		0	10	2	
32	Kubrá Bégam	Do.		0	10	2	
33	Azíz-un-nisá Bégam	Do.	¼	0	12	9	Family of another predeceased nikahi daughter.
34	Muíb-un-nisá Bégam	Do.	¼	0	12	9	
35	Ghulám Muhammad	Dependants	½	0	14	9	
36	Tandroya			0	14	9	
		Total	62⅔	200	0	0	

2

3. Nos. 1 and 4 are idiots and the deceased in one of his letters (translation of which was submitted to Government with this office report No. 130, dated 19th March 1895) states that one of his son Mustafá Alí (No. 3 in the list) be appointed their guardian, and I beg to propose that the share of No. 4 *alone* be drawn by Mustafá Alí, but the stipend of No. 1, Kadir Husain, be drawn by his own shadi son Abd-ul-hadí who already takes care of his insane father (Kadir Husain).

4. It will be observed by perusing the translation of document marked "F" which was sent to Government with my report No. 130, dated 19th March 1895, that the deceased disowned two of his surviving sons Ahmad Husain and Talib Muhí-ud-dín (Nos. 2 and 9 of the list), but as stipends are granted from the pure bounty of Government and not in accordance with individual wishes, the Muhammadan, or any other law, I have included their names in the list of the heirs of the deceased.

5. The deceased had two more sons, besides those given in the list, by his nikahi wife Husain Bakhsh, who is reported by the deceased to have fled with her two sons about 40 years ago, and that their whereabouts are not known, I have therefore excluded them from the list.

6. No. 13, Mazhar Husain draws a stipend of Rs. 13-14-0 per mensem in right of his mother by G.O., No. 435, Political, dated 2nd July 1884, I propose that his share in the present distribution be amalgamated with the stipend he is already in receipt of.

7. In allotting shares to Nos. 20 to 28 and 29 to 32, I was guided by paragraph 2 of G.O., No. 321, Political, dated 21st May 1892, Nos. 7 and 8 are great-grandsons of the deceased, and as no provision is made for great-grandchildren in the scale published with G.O., No. 778, Political, dated 29th November 1888, I have divided the share of the mother of the lads to which she would have been entitled to had she survived her grandfather. The deceased, in almost all his letters that he addressed to this office during his lifetime, particularly requested his servants (Nos. 35 and 36) should be provided for, I have therefore allotted to them a sum of Rs. 1-13-6, being the remainder left in the continuable portion of Rs. 200, after allotting shares to the numerous members of his family.

8. As regards the other allowance of Rs. 17 per mensem drawn by the deceased for the upkeep of a mosque at Saidapet, I have the honour to respectfully invite the attention of Government to G.O., No. 766, Political, dated 29th December 1892, and beg to propose that until the final decision of Government is passed on the subject of "Ceremonial Allowances" and as a *temporary measure* the allowance of Rs. 17 per mensem be drawn by Amír Alí (a nikahi son of the deceased, No. 10 in the list) who was actually looking after the mosque and had the full confidence of his father, provided he furnishes every month the accounts of expenditure to this office as his late father did.

9. In conclusion I beg to state that after the receipt of orders from Government on my above proposals, I will submit (through the Accountant-General) a list of bonuses with age and health certificates of Nos. 5, 7, 8, 9 to 12, 14 and 20 to 36; the shares of the rest being drawn in the shape of monthly stipends in pursuance with clause (*b*), paragraph I of G.O., No. 359, Political, dated 22nd May 1885, and No. 422, Political, dated 29th June 1895.

[C. No. 1625.] Memorial from GHULAM HUSAIN ALI, a Carnatic Stipendiary, to His Excellency the Governor in Council, dated Triplicane, 16th November 1895.

Humbly Sheweth,—That the late Fazilat-un-nisá Bégam Sáhiba, a Government Carnatic Stipendiary in receipt of Rs. 416, was the daughter of His Highness Nawab Wallajah of Carnatic, departed this life some years ago.

That prior to her death she made her last will and testament appointing seven persons amongst whom are your Excellency's memorialist and the late Muhammad Amín-ud-dín Husain Sáhib were appointed as executors to superintend her charitable properties situated at Saidapet taluk, district of Chingleput.

That the said late Muhammad Amín-ud-dín Husain Sáhib departed this life about 8 days ago and who prior to his death managed the said charitable properties with the consent of the memorialist.

That the said late Muhammad Amín-ud-dín Husain Sáhib was drawing Rs. 17 in right of the said Fazilat-un-nisá Bégam's stipend from the Honourable Government of Madras for the expenses of her mosque and inn situated at Saidapet.

That memorialist is the only surviving executor and superintendent or moothuvallee of the said mosque, inn, and houses and also garden left by the said Fazilat-un-nisá Bégam for charitable purposes.

Memorialist is informed that the Paymaster of the Carnatic Stipends is about to report for the issue of the said charitable allowance of Rs. 17 in the name of Amír Alí Sáhib, the son and the legal representative of the late Muhammad Amín-ud-dín Husain Sáhib.

That your Excellency memorialist humbly prays that your Lordship may justly pleased to suspend the issue of the said charitable allowance of Rs. 17 for two months with a view that memorialist have issue by the judgment of the District Court of Chingleput that he is an executor to the last will and testament of the said late Fazilat-un-nisá Bégam. Memorialist shall as in duty bound ever pray.

[C. No. 1702.] From SHAIKH MUSTAN and others, residents of Fanepet, Saidapet, to His Excellency the Governor in Council, dated 28th November 1895.

We the residents of Fanepet, Saidapet, and the only parishioners of the mosque of Fazilat-un-nisá Bégam Sáhiba situated at Fanepet, most respectfully beg to submit our mahazar as follows :—

MAY IT PLEASE YOUR EXCELLENCY,—We have submitted a mahazar, dated 9th November 1895, to the Paymaster, Carnatic Stipends, Madras, and a confidential letter to that officer, dated 12th November 1895, regarding the damage and destruction caused to the property of the masjid of Fazilat-un-nisá Bégam Sáhiba, situated at Fanepet, Saidapet, by the sons of the deceased Muthavalli Amín-ud-dín Husain Khan Bahadur and to take charge of the masjid immediately. But we are sorry to express that nothing has been done with regard to our humble request in the mahazar and the confidential letter as yet. We therefore most humbly pray that your Excellency will be pleased to call for our mahazar and the confidential letter from the Paymaster, Carnatic Stipends, and to give due consideration to it immediately, as we fear the said masjid, which is maintained by the Government and which is also a public property according to the second will of the Bégam, will be robbed of to its very last stone, if things are allowed to remain in the present state.

The acknowledgment in token of our mahazar having been received by the Paymaster, Carnatic Stipends, Madras, is herewith enclosed for reference.

[C. No. 1729.] Memorial from GHULAM HUSAIN, a Carnatic stipendiary and grandson of the late Fazilat-un-nisá Bégam Sáhiba, daughter of His Highness the late Nawab Wallaja, and also an executor to the last will and testament of the said late Fazilat-un-nisá Bégam Sáhiba, to His Excellency the Governor in Council, dated 29th November 1895.

SHEWETH,—That memorialist on the 16th instant submitted an humble memorial to your Lordship praying that the allowance of Rs. 17 granted in right of the said late Fazilat-un-nisá Bégam Sáhiba for the performance and expenses of her *mosque* and *inn* situated at Saidapet to the late Muhammad Amín-ud-dín Husain Sáhib as superintendent and executor to her last will, be continued in his (memorialist's) name as the only surviving executor.

That the said late Fazilat-un-nisá Bégam Sáhiba during her lifetime made her last will and testament thereby appointing the said Muhammad Amín-ud-dín Husain Sáhib, memorialist and five others as her executors and superintendents of the said endowed property.

That the said Muhammad Amín-ud-dín Husain Sáhib having departed this life on the 7th instant your Lordship's memorialist is now the only surviving executor under the said will of the said Fazilat-un-nisá Bégam Sáhiba to occupy his post.

That a perusal of the order of the District Court will show that the said Muhammad Amín-ud-dín Husain Sáhib therein described as Muhammad Amín-ud-dín Husain Khan Bahadur who was counter-petitioner stated the name of the memorialist who is described in the said Civil Judge's order Ghulam Husain Ali Mian.

That after the death of the said Muhammad Amín-ud-dín Husain Sáhib memorialist presented three petitions to the Paymaster of Carnatic Stipends requesting that he be recommended to your Lordship to have the said allowance of Rs. 17 received by the said Muhammad Amín-ud-dín Husain Sáhib continued in his name.

That memorialist is informed that the said Paymaster of Carnatic Stipends has unreasonably recommended to your Lordship one Amir Ali Sáhib, son of Muhammad Amín-ud-dín Husain Sáhib to have the said charitable allowance of Rs. 17 received by his said father as superintendent to manage the said endowed property to be continued in his name knowing that memorialist is the only surviving executor her surviving. An endowment is not a fit subject of sale gift or inheritance.

Under the aforesaid circumstances memorialist prays that your Lordship will be pleased under the aforesaid circumstances to issue an order to have the said allowance of Rs. 17 received by the said late Muhammad Amín-ud-dín Husain Sáhib in right of the late Fazilat-un-nisá Bégam's stipends for the expenses of the said endowed property continued in his name.

ENCLOSURE.

IN THE DISTRICT COURT OF CHINGLEPUT.

1ST DECEMBER 1877.

Present:
J. HOPE, ESQ., *Acting District Judge.*
M.P. No. 234 *of* 1877, *District's Court file.*
Counter-Petition No. 310 *of* 1877.

GHULAM JÍLANÍ KHAN SAHIB .. .. *Petitioner.*
(*By Vakil Saiyid Keyasudin Sahib.*)
v.
(1) MUHAMMAD AMÍN-UD-DÍN HUSAIN Khan Bahadur .. .. } *Counter-Petitioners.*
(2) KADIR ALÍ Khan Bahadur ... . }
(*By Vakil V. Viruda Putchho.*)

Petition praying that a certificate of heirship may be granted to petitioner under Act XXVII of 1860 as legatee and abhimanaputra of the late Fazilat-un-nisá Bégam Sáhiba for the collection of Rs. 1,000.

Counter-petition objecting to the grant of the certificate prayed for on the ground that the petitioner was not recognised by the deceased as her abhimanaputra and therefore he or his minor son is not legal heir that the counter-petitioners the nephew of the deceased and Ghulam Husain Ali Miah Sáhib and Ghulam Ajam Ali Miah Sáhib, the nephews of the second counter-petitioners are the nearest heirs that the deceased having left a will authorizing the counter-petitioners and others, the Assistant Agent of Government, the petitioner and one Muhammad Namdar, altogether seven in number. Jointly to manage the charities connected with her fruit-bearing garden and the bungalow, tombs, mosques, etc., situated at Saidapet the petitioner cannot ask for heirship certificate in his name exclusively and that the deceased had no outstanding debts.

M. Sundararangiah

No. 15, POLITICAL, 14TH JANUARY 1896.

Order.—No particular necessity is shown for the granting of an heir-ship certificate to the petitioner. A debt of Rs. 1,000 by the deceased is , but no proof of this is adduced, and the duty of the heir would appear rather to be to make payments on account of the deceased redeem mortgages and the like than to collect debts. Again there is nothing on the face of Exhibit No. 1 to point to its being a forgery, and it is quite consistent with the existence of a previous will which is cancelled by it. This Court can only grant the petitioner's application by promising this will (No. 1) which has been produced by most respectable parties (including the petitioner's own father) a rank forgery. Now although the will is open to considerable suspicion I am not prepared to decide upon such an enquiry as this will in question is a forgery. I must therefore have the petition to seek such redress as can by suit or otherwise and dismiss the petition with costs.

J. HOPE,
District Judge.

[C. No. 1734.] Petition from TALIB MUHI-UD-DIN and H. GHULAM MUHI-UD-DIN, children by nikah wives of late Muhammad Amin-ud-din Husain Khán, Carnatic Stipendiary No. 300, son of Husain Muhammad Khán Bahádur Diláwar Jang, and the paternal grandson of Nawab Muhammad Alí Khán Bahádur, Wallajah, Nawab of the Carnatic, to His Excellency the Governor in Council, dated 29th November 1895.

MOST RESPECTFULLY SHEWETH,—That the petitioner's father Muhammad Amin-ud-din Husain Khán, Carnatic Stipendiary No. 300, till recently in receipt of Rs. 300 *per mensem* died on the 8th November 1905, and before his demise forwarded to Government a petition, dated 17th May 1895 which, along with the fatwa attached thereto, is also herein enclosed for the Government's kind consideration.

2. That their father, aware of the condition of his children, begged in the said petition "that the Government might be pleased to make a slight deduction in his stipend and distribute the remainder not in strict accordance with Lord Clive's minute", but that they would make an exception as regards his own children, and that after his death they might obtain equal shares without any distinction whatever between his children by shadi wife and those by nikah wives.

3. Keeping in view the honour which is inseparable from the petitioner's father deceased, it will be hard for them to support their families, large as they are, if Lord Clive's scale, which has been overlooked in many instances on various considerations, is to be observed in their case.

4. Being informed that the Paymaster is about to report against the request of their father, the petitioners have ventured to address their benign Government to have merciful regard not for them, but for the honour of their venerable father who exists no more to plead for it as he did a year before his demise.

5. In conclusion, they request that the Government will be graciously pleased to allow the humble petitioners an equal enjoyment of pension with their other brothers by shadi wife as was done in the case of their late uncle Taqi Alí Sahib or a recomfrence thereof as was done to the children of Mooneer-ud-daula, etc.

For which act of kindness and benevolence, the humble petitioners shall, as in duty bound, ever pray.

ENCLOSURES.

PETITION from MUHAMMAD AMIN-UD-DIN HUSAIN, KHAN, Carnatic Stipendiary No. 300, son of Husain Muhammad Khán Bahádur Diláwar Jang, and the paternal grandson of Nawab Muhammad Alí Khán Bahádur, Wallajah, Nawab of the Carnatic, to His Excellency the Governor in Council, dated Madras, 17th May 1894.

That the petitioner's deceased father was the son of Nawab Muhammad Alí Khán Bahádur, Wallajah, who was in receipt of a monthly pension of Rs. 832-5-4 from the Local Government, *i.e.*, enjoyed an annuity of Rs. 10,000. After the demise of petitioner's father, the Madras Government made a slight deduction of Rs. 3-5-4 from his stipend and distributed the remainder on the 16th January 1854 amongst his heirs.

2. That the petitioner begs to submit that he has grown more than eighty years old and has a large family dependent on him, and enjoys a monthly stipend of Rs. 300 at the hands of Government and is a very close relative of the Nawab Wallajah who was a *loyal friend* of the British Government, and requests respectfully that Government may be pleased to make a slight deduction in his stipend and distribute the remainder amongst his large family as it has done in the case of his father on the ground of his being the son of Nawab Wallajah and also in the case of his brother, the late Muhammad Taqi Alí Sahib, on the 3rd May 1876 who also had a large family to support.

M. Sundararamaiyer

3. The petitioner further begs to direct the attention of Government towards one serious and compassionable matter, viz., that the petitioner has two grades of children—one from the shadi wife (shadi wife is one whose marriage is performed according to Hindu rites and customs with a nikah in the conclusion), and the other from the nikah wife (nikah wife is one whose marriage is performed solely according to the Muhammadan Law and Arab Principles without any bustle of Hindu rites and customs).

4. According to the laws of Muhammad (may His Soul rest in peace) there is not the slightest difference between the children begotten by a shadi wife or a nikah wife, and in Muhammadan Law all the children are entitled to equal shares; the same ruling is also observed in the Law Courts throughout India.

5. The petitioner amassed a large fortune consisting of cash amounting nearly to two lakhs of rupees and lands, gardens and houses for the behoof of his children, and it produced a monthly income of about Rs. 800, and handed it over to the shadi children with the sole intention that they would pay due regard to the welfare of his nikah children and would maintain them from the income; but the shadi children acted in strict opposition to his intentions and never cared about his nikah children, but on the other hand wasted money away and turned out their open enemies.

6. The petitioner has now no property either moveable or immoveable, but is involved in heavy debts on account of his large family; his monthly stipend of Rs. 300 is his only moveable and immoveable property, and therefore requests that Government would be pleased to place his nikah children on a par with his shadi children in respect of their respective stipends.

7. The petitioner further begs to request that if His Excellency does not wish to make a general rule as to distinction between shadi and nikah children, His Excellency may make it an exception as regards his own children, and that after his death they may obtain equal shares without any distinction whatever, since his nikah children have neither means of subsistence other than what will be continued to them out of his stipend nor does he leave any property behind him.

8. A copy of the fatwa of the Ulamas of Madras regarding shadi and nikah children is herewith enclosed for His Excellency's information and perusal. It is clearly inferred from the above fatwa that there is no difference between shadi and nikah children, and that they possess equal rights according to the laws of Muhammad.

9. In former times when Carnatic pensioners were enjoying thousands of rupees Lord Clive's scale did not work harshly, whereas now the Carnatic pensioners enjoy only very small pensions, and if as formerly such a difference between shadi and nikah children is to work on and the nikah children are allowed only a fifth share of the shadi children, then the nikah children would have to labour under severe hardships and miseries. For example, if a shadi child is entitled to a monthly stipend of Rs. 10, then a nikah child would receive only a fifth, *i.e.*, Rs. 2, which would in no way suffice to maintain himself and his family.

10. The petitioner's children have a large family to support, and he therefore humby prays for the mitigation of the sufferings of his children an equal distribution of his stipend amongst his children without any distinction whatever. Your petitioner trusts that having regard for his status in the Carnatic family and to the fact that he is the sole surviving lineal descendant of Nawab Wallajah in the male line, His Excellency the Governor in Council may be pleased to take this memorial into favourable consideration and pass orders which will be a solace in this the evening of his life.

The list of petitioner's heirs is herewith annexed for your Excellency's perusal—

By Shadi.

(1) Muhammad Qádir Husain (*lunatic*), (2) Ahmad Husain (*disinherited*), (3) Husain Alí (*deceased*) (4) (*disinherited*), Ghulám Mustafá Alí, (5) Karim-un-nisé Bégam.

By Nikah.

(1) Tálib Muhi-ud-din (*eldest son*), (2) Ghulám Jilani (*deceased*), (3) Amir Alí, (4) Ghulám Muhi-ud-din, (5) Mazhar Husain, (6) Ghulám Qádir, (7) Abd-ur-rahmán *alias* (Ináyat-ulláh), (8) *Qadir Muhi-ud-din and* (9) *Ghulam Dastgir have discarded forty years ago, and it is not known whether they are alive or dead*, (10) Ghausi Bégam, (11) Abidá Bégam, (12) Husaini Bégam (*deceased*), (13) Ráhat-un-nisa Bégam (*deceased*), (14) Qádiria Begum, (15) Malik-un-nisá Begám.

Wife—Fátimá Bí. *Rabeeb son* Ghulám Muhammad *Adopted son* Muhammad Abd-ur-rahmán *alias* Moulvi. *Servant* (*old*)—Tondrayan.

For which act of kindness and benevolence, the petitioner shall, as in duty bound, ever pray.

No. 15, POLITICAL, 14TH JANUARY 1896.

FATWA.

Question.

A Muhammadan married a Muhammadan lady, *i.e.*, performed the nikah with all the Hindu rites and ceremonies now in practice in India and afterwards married three other Muhammadan ladies (which he is lawful to do according to the Muhammadan Law) without the performance of any Hindu rites and ceremonies, and all these have issues, but afterwards that person dies, then in that case do all his children begotton from each of his wives, hold equal rights of inheritance, or is there any difference as to their respective rights ?

Answer.

Since the burden of proof of the right of inheritance lies on the solemnity of nikah, and according to the terms of nikah, all these ladies are equal and thus their children too are entitled to equal shares in their father's inheritance. The Hindu rites performed along with the nikah have no place in the Muhammadan Law, and their performance is strictly forbidden by it.

SAIYID AHMAD MUHI-UD-DIN.
OOBAID-ULLAH (*Chief Kari of Muhammadans Soonni sect*).
KHUDRUTH HALEEM ANNASIRI.
MAHMOOD *bin* SIBGATH-ULLAH.
MUHAMMAD GHOUSE.
SAIYID SHAH MUHAMMAD.
HAFIZ MUHAMMAD LUTF-ULLAH (*SHAMS-UL-ULLAMAH*).
MIR HAIDAR ALI.
SAIYID AZMUTH PAIRAN QADIR.
AB-DUL WAHHAB.
SAIYID MUHAMMAD.
MUHAMMAD ABD-UL-MAJID.
GHULAM MUHI-UD-DIN.
RUKN-UD-DIN SAIYID MUHAMMAD QADIR, (*SHAMS-UL-ULLAMAH*).
ABD-UL-RAHIM.
MUHAMMAD MURTAZA.
MUHAMMAD MUHI-UD-DIN HUSAIN.
GHULAM RASUL.

N.B.—In Military Regulations shadi and nikah widows and offspring of commissioned officers, non-commissioned officers, soldiers, etc., are equally treated without any distinction whatever with regard to the grant of family pensions. Under any circumstance nikah is considered a legal marriage.

[C. No. 1735]. Petition from GHULAM MUHAMMAD, the "reputed" son of the late Muhammad Amin-ud-din Husain Sahib, Carnatic stipendiary, dated 3rd December 1895.

ABSTRACT.—Praying that something more than the sum proposed by the Paymaster in his case may be granted to him from the stipend of the late Muhammad Amin-ud-din Husain Sahib.

[C. No. 1741]. From SAIYID MUHAMMAD GHAUS, to the Chief Secretary to Government, dated Triplicane, 3rd December 1895.

I the undersigned most respectfully beg to submit, for the favourable consideration of Government, that I was under the service of late Muhammad Amin-ud-din Husain Khán Bahádur, a Carnatic Stipendiary member. The deceased gentleman in his life-time gave me to understand that I being his old and faithful servant, he had included my name in the list of those to whom he had desired the stipends to be awarded by Government after his death and that he had made thereby sufficient provision for my maintenance.

As my age has almost reached its limit, and as I am consequently too feeble and infirm to work, I most earnestly trust that Government will be pleased to consider my claims favourably and kindly grant me a stipend as it has been pleased to have sanctioned stipend to the servants of the members of the Carnatic similarly circumstanced as myself. I beg to mention here below, amongst many other things, the names of Carnatic members whose servants have had the privilege of being granted stipends on or after the death of their masters :—

1. Dilar Jang Bahadur.
2. Hasam Mulk.
3. Husain Nawáz Khán.
4. Rashid-ddula.
5. Itabar-ddula.
6. Baqar Husain Khán.
7. Saifeed-daula.
8. Fazelut-un-nisá Bégam.
9. Majd-ud-daula.
10. Mother of Qadir Husain Alí Khán.
11. Sahib Daula.
12. Wife of Narir-ul-mulk.
13. Abd-ul-qádir Khán Bahádur.
14. Nawab Ahmad-un-nisá Bégam.

SAIYID MUHAMMAD GHAUS.

[C. No. 1769.] Petition from AMIR ALI, son of the late Muhammad Amin-ud-din Husain Sahib, to His Excellency the Governor in Council, dated 9th December 1895.

May it please Your Excellency,—That memorialist is the nikahi son of the late Muhammad Amin-ud-din Husain Sahib who was drawing a monthly Carnatic pension of Rs. 300 and died on the 8th November 1895.

That memorialist's father had much confidence in him and it was for this reason that the deceased entrusted to him the management of the Saidapet mosque of which he was superintendent as also of his household affairs for the past twenty years or thereabouts.

The deceased recorded his opinion in almost all of his letters which he submitted to the different Paymasters of Carnatic Stipends, a reference to which will prove memorialist's statement true.

Such being the case, memorialist begs humbly to submit that he was not recommended by the Paymaster for any higher rate of allowance in compensation for his services rendered so honestly to his deceased father, although there are instances on record to show that children of Carnatic pensioners similarly circumstanced were recommended for a higher rate of pension than other members of the family; to instance a few out of many, memorialist begs humbly to quote the following examples in support of his claim:—

(i) Mahmud Khán Bahádur was granted Rs. 25 in excess to his own brother in virtue of his services rendered to his late mother Nawab Ahmad-un-uisá Bégam Sahiba—*vide* G.O., No. 308, dated 17th May 1893.

(ii) Abd-ul-ghani Khán Bahádur was granted twice as much as his own brothers by G.O., No. 231, dated 5th June 1874.

(iii) Shajee-nl-mulk was granted Rs. 10 more than his own brother by G.O., No. 231, dated 5th June 1874.

(iv) Nasir-ud-din was allowed Rs. 15 for services rendered as Khansama of the late Mumtáz Bégam by G.O., No. 275, dated 12th March 1886.

Under these circumstances Your Excellency's humble memorialist begs that he be granted a similar indulgence as he has a large family to support, and that the allowance of Rs. 6–6–0 recommended for him would be quite inadequate to meet their support.

For which act of charity and justice memorialist shall, as in duty bound, ever pray.

[C. No. 1772.] Petition from GHULAM MUHAMMAD, step son of late Muhammad Amin-ud-din Husain Sahib, a Carnatic pensioner of Rs. 300 a month, residing on Ice House Road, Royapettah, Madras, to His Excellency the Governor in Council, dated December 1895.

Most humbly sheweth,—That your Excellency's petitioner's deceased mother Rahmat-un-nisá Bégam Sahiba was the nikah wife of Muhammad Amin-ud-din Husain Sahib deceased. It is because she had an estate of Rs. 40,000, that the said Muhammad Amin-ud-din Husain Sahib made a nikah with her while your Excellency's petitioner was quite young. Three years after her nikah, the said Rahmat-un-nisá Bégam died. As your Excellency's petitioner was quite young then, your Excel lency's petitioner's said step-father distributed the said estate among his children, but did not give a single pie to your Excellency's petitioner. But your Excellency's petitioner's said step father, the said Muhammad Amin-ud-din Husain Sahib, was maintaining your Excellency's petitioner as his own son.

That the said Muhammad Amin-ud-din Husain Sahib died on the 7th November 1895; and on the 27th of the same month the Paymaster of the Carnatic Stipends submitted his report to your Excellency regarding the distribution of his stipend among his descendants, etc., in which he recommended your Excellency's petitioner for a stipend of As. 14-9, though in the said Muhammad Amin-ud-din Husain Sahib's letters of the 10th May 1880, 16th January 1882, 5th May 1890, 7th April 1892, to the Paymaster of Carnatic Stipends it is stated that your Excellency's petitioner should be given an equal share with his other sons from his stipend.

That in the said report submitted by the Paymaster there is room enough to increase the stipend of your Excellency's petitioner, as the mother of Abd-ul-bári and Abd-ul-ghaffar died during the lifetime of Hasan Ali (the shadi son of the deceased) who also died during the lifetime of his father and both of these, namely, Abd-ul-bári and Abd-ul-ghaffar, are fifth in descent from Dilawar Jung Bahadur deceased. On behalf of these, the Paymaster's report is quite contrary to Lord Clive's minute.

That the said Muhammad Amin-ud-din Husain Sahib deceased wrote two letters to the Paymaster, dated 16th January 1883 and 7th April 1891, in which he stated that his four children are not nikah ones, but sometimes after he wrote a letter that those four were nikah ones. Regarding these four too the Paymaster has submitted a report recommending them, which is quite against Lord Clive's minute.

That Muhi-ud-din Husain was punished twice by Police, but he too is recommended for a stipend.

That when the said Muhammad Amin-ud-din Husain Sahib deceased did not give your Excellency's petitioner any share from the estate of your Excellency's petitioner's mother, your Excellency's petitioner was quite prepared in 1880 to take legal steps against him for the recovery of his late mother's estate. At that time the deceased wrote and gave your Excellency's petitioner an agreement and forwarded the same registered to Colonel C. D. Baynes, the then Paymaster. A copy of this agreement along with the original your Excellency's petitioner begs to enclose herewith.

Taking the above circumstances into consideration, your Excellency's petitioner begs that your Excellency will be kind enough to increase your Excellency's petitioner's stipend, as the benevolent Government is maintaining Nawab Khurshid-un-nisá Bégam Sahiba, Muzhar Husain Sahib, Ráhat-un-nisá Bégam and Qadiría Bégam from the stipends of their respective step fathers.

For which act of kindness, benevolence and charity your Excellency's petitioner shall, as in duty bound, ever pray.

ENCLOSURES.

True translation of the Agreement.

I, Muhammad Amin-ud-din Husain, resident of Madras, do promise and write down to Ghulám Muhammad Miyan, my step son, that I will hereafter support you in just the same way as I was doing in the lifetime of your deceased mother. That for your clothes, I will annually give you Mushroo trousers. I will give Rs. 5 monthly for your own pocket expense. That I will never write to the Paymaster of Carnatic Stipends to cancel the letter I had already written to him for your share from my stipend. I have written these few lines as an agreement in order that they may be of use in future.

15th May 1880.

MUHAMMAD AMIN-UD-DIN HUSSAIN.

Amir Ali
Ahmad Husain } *Witnesses.*

[C. No. 1773.] Petition from GHULAM MURTOOZA HUSAIN, nephew of the late Azam Ali Sahib, residing at No. 182, Fakir Sahib Street, Jam Bazaar, Triplicane, Madras, to His Excellency the Governor in Council, dated 9th December 1895.

SHEWETH,—That the late Fazeelath-un-nisá Bégam Sahiba during her lifetime made in her last will in which she appointed seven persons, namely, (1) Muhammad Aeen-ud-din Husain Sahib, (2) Quadir Ali Sahib, (3) Ghulám Husain Ali sahib,

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(4) Ghulám Azam Alí Sahib, (5) Mír Husain Alí Sahib, (6) Ghulam Zilani Sáhib, (7) Muhammad Namdard, jointly heirs to manage the works of mosque, garden, house, tomb, etc. Out of the seven abovesaid persons, six died and there is one still alive named Ghulám Husain Alí Sáhib. I am the son-in-law of the late Azam Alí Sahib, one of the joint heirs of abovesaid Bégam Sahiba's property. I have right in three ways of the late Azam Alí Sahib—(1) adopted son, (2) son-in-law, (3) nephew.

So I request that your Lordship will be pleased under the aforesaid circumstances to issue an order to Ghulam Husain Alí Sahib to take me as one of the heirs to manage the works of the abovesaid property of the late Bégam in lieu of my father-in-law as he was one of the seven heirs and this case is going to appeal in the Court to take heirship from there.

Therefore the petitioner humbly prays that your Lordship will wait to issue order for pension of mosque to any one till judgment is passed by Court.

[C. No. 1761.]

Memorial from MIR HUSAIN-UD-DÍN, a luggage clerk of Raichur, Madras Railway station, residing at Raichur, and father and guardian of his minor daughters, Azíz-un-nisá Bégam and Mujib-un-nisá Bégam by his wife the late Rahat-un-nisá Bégam, daughter of late Muhammad Amín-ud-dín Husain, Khán Bahádur, grandson of His Highness Nawab Wallaja of Carnatic, to His Excellency the Governor in Council, dated 9th December 1895.

Sheweth,—That memorialist considering your Lordship as the guardian and benefactor of the helpless and poor with the deepest sense of your Lordship's justice towards all who approach your Lordship for protection and redress and with every mark of respect and submission begs to represent the following, hoping that he shall be successful in doing so.

That the said late Muhammad Amín-ud-dín Husain, Khán Bahádur, who had enjoyed a monthly Government stipend of Rs. 300, departed this life in November 1895.

That the Paymaster of Carnatic Stipends, as memorialist is informed, has submitted a report to your Lordship recommending that two-thirds of the stipend enjoyed by the said Muhammad Amín-ud-dín Husain, Khán Bahádur, will be paid amongst his shadi and nikahi sons, grand sons, daughters and granddaughters as per following scale for the shadi sons at the rate of, Rs. 31-14-0 per month for each and a moiety of the said sum to shadi daughters and for the nikahi sons at the rate of Rs. 6-6-0 for each and moiety of the said sum to the nikahi daughters.

That under the said scale the Government Agent reported to grant Rs. 6-6-0 to the two sons of the late Ghulám Jilani Sáhib, nikahi son of the said late Muhammad Amín-ud-dín Husain, Khán Bahádur.

That your Lordship's memorialist's said two daughters Azíz-un-nisá Bégam and Mujib-un-nisá Bégam are the daughters of the late Rahat-un-nisá Bégam, nikahi daughter of the late Muhammad Amín-ud-dín Husain. Khán Bahádur.

That the Paymaster of Carnatic Stipends instead of recommending your Lordship memorialist's said two daughters for a monthly stipend Rs. 3-3-0 in right of their said mother Rahat-un-nisá Bégam, has wrongly recommended a monthly stipend of As. 12-9 to each.

Under the aforesaid circumstances memorialist humbly prays that your Lordship will be mercifully pleased to issue an order for the grant of Rs. 3-3-0 to his said two daughters as per said scale laid shown for the said two sons of late Ghulam Jálani Sáhib, nikahi son of the late Muhammad Amín-ud-dín Husain, Khán Bahádur.

Memorialist shall as in duty bound ever pray.

Im. No.-II.

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No. 15, POLITICAL, 14TH JANUARY 1896.

[C. No. 1784.] **Petition from GHULÁM MUSTAFÁ ALÍ, shadi son of late Muhammad Amín-ud-dín Husain Sáhib of the Carnatic family, to His Excellency the Governor in Council, dated Royapettah, Madras, 11th December 1895.**

MOST RESPECTFULLY SHEWETH,—That the memorialist's father, the late Muhammad Amín-ud-dín Husain Sáhib, who was a member of the Carnatic family and was drawing a pension of Rs. 300, was the grandson of Nawab Wallaja and the son of Husain Muhammad, Khán Dilláwar Jang Bahádur, whose Government pension was Rs. 832. That on the 7th November 1895, the abovenamed Muhammad Amín-ud-dín Husain Sahib, your memorialist's venerable father, breathed his last and was buried the very next day. Accordingly application for the continuance of the pay signed by me and by the members of the whole family was sent to the Paymaster, Carnatic Stipends. But the Paymaster reported to the Government only for Rs. 200, and a round sum of Rs. 100 was cut off from the pay. The number of the members of family is very large and each and every one of these was maintained by Muhammad Amín-ud-dín Husain Sáhib during his lifetime.

It can be imagined to what straitened circumstance your memorialist's large family and other members of the family should have been reduced by such a reduction in the pay.

That your memorialist herein cites the reasons given in the application sent by the Paymaster, in hope that Her Majesty the Queen's Government will magnanimously grant the memorialists request, for, instances of having continued the pay almost in full have occurred often and often, and your memorialist prays that the same concession will be granted to him and his family.

The following are cases in which a nominal reduction was made and the remainder was continued among the members after the death of the head of the family in cases, similar to your memorialist:—

Husain Muhammad, Khán Dilláwar Jang, who was getting Rs. 832 *per mensem* was my grandfather. After his death the pay with a nominal reduction of few rupees was continued and the family was not very large.

Turáb Alí Khán Bahádur, who was getting Rs. 107. After his death the whole pay was continued to the members of his family.

Taq Alí Sáhib the son of the nikahi wife of my grandfather, the Diláwar Jang Bahádur was getting Rs. 60. After his death with a reduction of only Rs. 2–8–0 the pension was continued in his family. In this case it is specially to be noted that Taq Alí Sáhib was by a nikahi wife, only a nominal reduction was made as can be seen in this your memorialist's case, though his father was a shadi and legal son of Diláwar Jang Bahádur's and with a large family, the reduction should be so excessive as to quite deprive the members from the bare necessity of life, for each member of your memorialist's father's family has himself a family quite enough to give them cares as they are.

Our family has met with unfortunate reverses these few years and our circumstances nowadays are deplorable. After the death of my father's grandmother Daulat-un-nisá Bégam Sahiba, who was the wife of Nawab Wallaja, the whole of her pension, amounting to Rs. 416, was stopped by the Government, although there has been legal heirs for the same, and we the members of the same family, who ultimately would have shared some part of the pension of our father's grandmother, were left without a shadow of mercy having shown to grieve our very existence troubles and cares of the world consequent upon the scanty means of maintenances.

It is the now the earnest request of your memorialist and the whole of the family of the late Muhammad Amín-ud-dín Husain Sáhib that the Government will save from ruins and utter destruction the children of Nawab Wallaja who willingly gave up the whole of his dominions and also left his children in charge of the benevolent Government, believing fully that the justice-loving Government of the Empress of

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India will not ruin his family and children, but shall ever keep his departed spirit by just patronage and justice in giving the deserves their due. Ever and anon during all these years the spirit of our benevolent Government have been no less, aige, more than can have been done by any under the same position. It is further to be noted that Muhammad Amín-ud-dín Husain Sáhib, your memorialist's father during his life times executed a will, wherein your memorialist as the son of shadi wife was made also the head of the whole family. A copy of the same was sent to the Paymaster. Having all such circumstances quite favourable to my case and having also had seen cases in which heads of the family do receive remuneration more than the other members of the family as can be by the cases cited below.

I do not for a moment doubt that concession same as given them shall be granted to me. I do not wish to get an increase in my pay by cutting off from the pension of other members of the family but I most humbly request your Excellency to grant me from the money that has been stopped from my father's pension, viz., Rs. 100.

Here are below the cases in which the heads of the family have received more than the others :—

(1) Muhammad Ibád-ul-láh Khán Bahádur, from the pay of Rashíd-ud-daula, Bahádur.
(2) Muhammad Abd-ul-ghani, Khán Bahádur, from the pay of Sikandar, Jang Bahádur.
(3) Ghulam Abd-ul-qadir Sahib from the pay of Itibar-ud-paula, Bahadur.
(4) Razá Husain Sahib from Turab Alí Khán Bahadur.

It can be corroborated by a reference that all these are facts, when such are the matters, I hope the Government shall consider my case favourably and, as can be seen from the above that the reasons cited are quite strong save my family and me from the cares of the world.

[C. No. 1794.]

Memorial from GHULÁM HUSAIN ALÍ, grandson of the late Fizalat-un-nisá Bégam Sahiba, a Government Carnatic stipendiary, and also an executor to the last will and testament of the said Fizalat-un-nisá Bégam Sahiba, residing at No. 9, Fakír Sahib Street, Jambazad, Madras, to His Excellency the Governor in Council, dated 12th December 1895.

SHEWETH,—That memorialist on the 29th November 1895 submitted a petition to your Lordship praying that the allowance of Rs. 17 received by the late Muhammad Amín-ud-dín Sáhib in right of the late Fizalat-un-nisá Bégam Sahiba for the performance of the service connected with the endowed property consisted of mosque and inn, etc., as her executor to her last will and testament will be continued in his name as he is the only surviving executor her surviving.

That with a view to remove the doubt as to who is the proper person entitled to receive the said allowance, petitioner prays that your Lordship in case of refusing to comply his request as per report of the Paymaster of the Carnatic Stipends, the said allowance may be suspended as petitioner is about to apply and obtain probate from the High Court, Madras, in his favour as the only surviving executor to the last will of the said late Fizalat-un-nisá Bégam Sahiba.

Memorialist shall as in duty bound ever pray.

ORDER—No. 15, Political, dated 14th January 1896.

The Paymaster's proposals are approved except that contained in paragraph 6 of his letter in regard to the amalgamation of the present stipend of Mazhar Husain with the share he will receive in the distribution of the pension of late Muhammad Amín-ud-dín Husain Sáhib. The latter will be disbursed to him in the form of a bonus as it falls within the limits of compulsory commutation.

C.C C. Manickam

2. The Paymaster will make those members of the family who do not receive bonuses understand clearly that the stipends now granted to them are for life only.

3. The petitioners will be referred to the Paymaster, Carnatic Stipends, who has received orders on the subject of their petitions.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Paymaster, Carnatic Stipends.
" Accountant-General.
" Petitioners (paragraph 3 of order).

Exd.

JANUARY.

G.O., No. 15, 14th January 1896.

Muhammad Amin-ud-din Husain Sahib's stipend.

Approving the proposals of the Paymaster, Carnatic Stipends, for the distribution of the continuable pension of the late —, and directing that those members of the family that do not receive bonuses be informed that the stipends now granted to them are for life only.

Received from Press 15. 3. 1905
Sent to [illegible] Supdt. 15. 3. 1905

15/3

Strike
22/3/5

POLITICAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 15, POLITICAL, DATED 14TH JANUARY 1896.

[SUBJECT.—*Muhammad Amin-ud-din Husain Sahib's stipend.*]

From C. Nos. 1594, 1625, 1709, 1729, 1734, 1735, 1741 *and* 1769.

In C. No. 1594, the Paymaster, Carnatic Stipends, reports the demise of Carnatic Stipendiary No. 300, Muhammad Amin-ud-din Hussain, who was in receipt of a pension of Rs. 300 and an allowance of Rs. 17 *per mensem* for the upkeep of a mosque and choultry at Saidapet.

2. The pension was continuable (*vide* No. 49 on page 6 of G.O., No. 150, Political, dated 6th March 1894). The allotment amongst the 34 members of the deceased pensioner's family proposed by the Paymaster follows Lord Clive's scale (G.O., No. 778, Political, dated 29th November 1888). G.O., No. 778 of 1888 made no provision for great grand children, and Colonel Stewart explains in paragraph 7 of his letter that in the case of Nos. 7 and 8 in his list, who are great grandsons of the deceased, he has divided amongst them the share to which their mother would have been entitled had she survived her grandfather. This procedure appears to be correct. The Paymaster has added two dependants to the list has the deceased had on several occasions prior to his death particularly requested that these servants should be provided for. Nos. 1 and 4 in the list are idiots, and the late Muhammad Amin-ud-din Hussain requested that Mustafa Ali (No. 3 in the list) should be appointed their guardian (*vide* papers marked D in G.O., No. 223, dated 9th April 1895). The Paymaster proposes that the share of No. 4 alone should be drawn by Mustafa Ali and that that of No. 1 should be drawn by his own shadi son who is already in charge of him. There seems to be no objection to this proposal.

Yes, but continuable for how long?
W[ENLOCK].

3. In the document marked F in G.O., No. 223 of 1895 the deceased disowned two of his sons (Nos. 2 and 9 in the list). Colonel Stewart points out, however, that stipends are granted from the pure bounty of Government. He has included their names in the list of the heirs of the deceased. The two sons cannot well be omitted, it is submitted.

4. Muhammad Amin-ud-din Hussain had a nikahi wife, Hussain Bakhsh, who is reported to have fled with her two sons about forty years ago. Their whereabouts are not now known and they have been excluded from the list.

5. No. 13 in the Paymaster's list is already in receipt of a stipend of Rs. 13-14-0 in right of his mother and the Paymaster proposes that his share in the present distribution should be amalgamated with that stipend. There seems to be no reason why this should be permitted. If the share of Mazhar Husain is not amalgamated as suggested, it must be commuted as it falls within the limits of compulsory commutation. In paragraph 9 of his letter the Paymaster apparently proposes that the stipends of Nos. 1-4, 6, 13 and 15-19 in his list should not be commuted. Nos. 1-4 do not fall within the limits of compulsory commutation. No. 6, a female, is to receive Rs. 5-5-0. No. 13 has already been alluded to in the preceding paragraph. Nos. 15-19 who are females each receive Rs. 3-3-0. This proposal may except as regards No. 13 be approved.

Press
Please correct
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21/3

6. The allowance of Rs. 17 drawn by the deceased for the upkeep of the mosque at Saidapet, the Paymaster proposes to issue, as a temporary measure, to Amir Ali (No. 10 in the list) who has actually been in charge of the mosque. The question of ceremonial allowances is awaiting the returns from all districts. Those that have been received are being tabulated and prepared for orders.

7. The other currents in the file are petitions from various relatives and dependants of the deceased.

8. C. No. 1625 is a petition from one Ghulam Hassain Ali who prays that the issue Amir Ali of the allowance of Rs. 17 for the upkeep of the mosque may be sus- nded for two months to enable him to procure the judgment of the District Court Chingleput proving that he is an executor to the estate of the late Fazelat-un-nisa gam Sahib.

C. No. 1702 is a petition from Sheik Musthan and other residents of Saidapet rotesting against the upkeep of the mosque being entrusted to the family of uhammad Amin-ud-din Hussain. These petitioners state that they have addressed ne Paymaster of Carnatic Stipends on the subject.

C. No. 1729 is a further petition from Ghulam Hassan Ali in which he encloses he judgment of the District Court of Chingleput, which, however, proves nothing in is favour.

The prayers in these petitions need not, it is submitted, influence the decision on he Paymaster's proposal regarding the disbursement of the allowance for the upkeep of the mosque.

9. C. No. 1734 is a petition from the nikahi children of Muhammad Amin-ud-din Husain in which they enclose a copy of the petition submitted by the deceased himself and rejected in G.O., No. 364, Political, dated 31st May 1894, under paragraph of the petition rules. The prayer in this petition is that the shares of the deceased's stipend continued to the nikahi children may be the same as those continued to the shadi children. There appears to be no reason for departing from the long-established practice under which shadi and nikahi branches are treated according to Lord Clive's scale.

10. C. No. 1735 is a petition from one Ghulam Muhammad in which he prays that something more than the sum proposed by the Paymaster in his case may be granted. This individual is apparently No. 35 in Colonel Stewart's list where he is shown as a dependant. He calls himself the "rebu[illegible] son" of the deceased.

11. C. No. 1741 is from one Syed Muhammad [illegible]us, a servant of the deceased, who prays for a pension out of the stipend. The [illegible]ster has made no recommendation in his case.

12. C. No. 1769 is a petition from Amir Al[illegible] in the Paymaster's list. The prayer in this is much the same as that in C. N[illegible] 1734, viz., that a larger amount should be allotted to the nikahi branch.

C. ~~S. SIMPSON~~—12-12-95.

J. F. PRICE—19-12-95.

I approve of the proposals made. I notice that those whose shares are small enough are to have them commuted (except certain females), while those whose shares are above the commutation line are to have them continued, as also certain females under the late ruling. If these persons' stipends are not to be continued after their deaths, the order should say so.

W[~~ELBOCK~~]—6-1-96.

[Enlock]

[G.O 15 Pol & 14 Jany 1896]