

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.

574

Press
Mis.

Dated

2-5-

19 1871

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Department,

2nd May 1871.

No. 8. Read the following letter from Colonel T. B. BUTT, Agent for the Hon. Mrs. Forester, to the Secretary to the Government of India, Home Department, dated Sirdhana, 20th March 1871, No. 607 :—

I have the honour to offer the following observations, for the consideration of the Government of India, with reference to a charitable and religious endowment made by the late Begum Sombre, and to three other endowments of a similar nature made by the late Mr. Dyce Sombre, in accordance with the wishes and intentions of Her late Highness.

2. I have already in my letter, No. 590, dated 11th February 1871, to the address of the Secretary to Government, North-Western Provinces (which letter will, I presume, in due course, come before the Supreme Government), fully considered the question of five similar endowments established in the North-Western Provinces. In addition, however, to those five trusts, there are four other endowments in India, viz., one in Bombay, one in Madras, and two in Calcutta.

3. The following is an epitome of the four Deeds of Trust for these Endowments. The deeds themselves are in my possession :—

FIRST.—Bombay.

Date.—January 16th, 1838.

Between David Ochterlony Dyce Sombre and the most Rev. Don Pietro deAlcantara Rammazzini, Vicar Apostolic of Bombay, in his official capacity as such, and Ignacio deSilva and Joseph Maria deGaboth of Bombay, Wardens of the Roman Catholic Church of Bombay, in their official capacity as such—Trustees of the trust.

Amount.—Sicca Rupees 31,800 in the form of a Government Promissory Note, which is to be transferred to the trustees in their official capacity as such.

Object.—To educate and maintain persons in view of their becoming Roman Catholic Priests in the Diocese of Bombay.

The Securities may be changed “ with the consent of the Government Agent.”

Vacancies.—If the trustees, all, or any of them, neglect, &c., their duties, or if there are any trusteeships or trusteeship vacant for five years, the Governor of Bombay can appoint a new trustee or trustees.

SECOND.—Madras.

Date.—April 9th, 1838.

Between D. O. Dyce Sombre and the most Rev. Daniel O'Connor, Vicar Apostolic of Madras, and George Ricketts Mayers and George Joseph Useinian (Wardens as in first trust)—Trustees of the trust.

Amount.—Rupees 31,800. Other conditions identical with first trust.

THIRD.—Calcutta.

Date.—May 27th, 1836.

Between D. O. Dyce Sombre and the most Rev. Robert St. Leger, Vicar Apostolic of Bengal, and John Lackersteen and Michael Crow (Wardens as in first trust)—Trustees of the trust.

Amount.—Rupees 32,000.

*Proceedings of the Madras Government, Public Department,
2nd May 1871.*

The Begum Sombre, it is recited, had prepared an indenture in her lifetime for this trust, but she died before it was executed.

The money has, it is recited, been paid to the trustees, who are at once to invest the amount in Government paper.

Securities can be changed "with the approval of the Government Agent" as in first trust), "or other person nominated by the Governor-General in Council."

No power is reserved for the Governor-General to appoint new trustees. Other conditions identical with the first trust.

FOURTH.—*Calcutta.*

Date.—February 18th, 1834.

Between the Begum Sombre and Daniel, Lord Bishop of Calcutta, and Daniel Corrie, Archdeacon of Calcutta, in their official capacity as such—Trustees of the trust.

Amount.—Two distinct sums of money, viz.—

Sicca Rupees 95,600, Government Promissory Note, No. 1501 of 1832-33, and Sicca Rupees 47,800, Government Promissory Note, No. 1505 of 1832-33.

The trustees may change the securities at their own discretion.

The first sum, Rupees 95,600.—The interest of this sum is to provide instruction and maintenance to young men who may be considered eligible for ordination in the Protestant Established Church. Any surplus to be applied to general purposes, such as maintaining those who have been ordained.

The second sum, Rupees 47,800.—The interest of this sum is to be distributed on the anniversary of the Begum's death by the Bishop and Archdeacon of Calcutta, to the poor of Calcutta and its suburbs, and to deserving debtors in Jail; but if there are no such persons as the latter class at the time, then the entire amount is to be given to the poor of Calcutta and suburbs.

In case of the absence of the Bishop, the Archdeacon and two Senior Chaplains may, in the case of the latter sum Rupees 47,800, dispose of the interest in accordance with the terms of the trust.

In case of the absence of the Archdeacon, the Bishop may act by himself in both matters. If the Bishop and the Archdeacon are both absent, the two Senior Chaplains can act, but they must immediately give in an account on the return of the Bishop. The two Chaplains must always act together.

4. I have been directed by the Hon. Mrs. Forester (formerly the Hon. Mrs. Dyce Sombre), who is the personal representative of the Begum Sombre and of Mr. Dyce Sombre in India, and also the recognised legal claimant of their entire personalty, to bring these trusts under the notice of the Government of India.

5. As the trustees of these four trusts reside in the three towns in which the trusts exist, Mrs. Forester hopes that they are all in active performance of their duties as trustees; but, taking into consideration the revelations that have taken place with regard to the other five trusts in the North-Western Provinces, she respectfully solicits Government, in its position of protector of such institutions (there being no Charity Commissioners in India), to take steps to ascertain the exact present position in all respects of these four trusts, which inquiry she considers can

*Proceedings of the Madras Government, Public Department,
2nd May 1871.*

be made more effectively by Government than by herself as representative of the donors.

6. In this view I am directed to make the following suggestions as to the inquiry :—

First.—Are the trustees, described in the deeds, all of them performing their duties as such? If not, which of the trustees are not acting?

From what date have they ceased to act, and by what authority?

Second.—Is any person, not described as a trustee in the deeds of trust, acting as such; and if so, from what date, and by what authority?

Third.—On what system is the present working of the trusts carried on? (Whether by the legal trustees or not?)

Fourth.—Have the funds been expended strictly in accordance with the terms of the Deeds of Trust? And in this connexion Mrs. Forester suggests that copies of the accounts for the last two years should be called for.

7. I have further to request that Government may be good enough to furnish Mrs. Forester's Agent with copies of the reports and accounts received in answer to the inquiries which may be instituted by Government in this matter.

No. 1928.

Copy forwarded to the Governments of Madras, Bombay, and Bengal, with request that a report may be submitted on the trusts within their several jurisdictions. An early reply is requested.

By order of the Governor-General of India in Council,

HOME DEPARTMENT, PUBLIC,
SIMLA, the 15th April 1871.

(Signed) W. VERNON,
Offg. Under Secy. to the Govt. of India.

No. 9. ORDER THEREON, 2nd May 1871, No. 574.

Ordered accordingly that the Right Rev. the Vicar Apostolic of Madras be requested to furnish the desired information regarding the "Dyce Sombre" Trust Fund in Madras.

(True Extract.)

W. HUDLESTON,
Acting Chief Secretary.

To the Right Rev. Dr. S. Fennelly, Bishop and Vicar Apostolic of Madras.

Exd. J. Wright.

From—COLONEL T. B. BUTT, Agent for the Hon'ble Mrs. Forester.
To—The Secretary to the Government of India, Home Dept.

I HAVE the honor to offer the following observations, for the consideration of the Government of India, with reference to a charitable and religious endowment made by the late Begum Sombre, and to three other endowments of a similar nature made by the late Mr. Dyce Sombre, in accordance with the wishes and intentions of Her late Highness.

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Amount—*Sicca* Rs. 31,800 in the form of a Government Promissory Note, which is to be transferred to the trustees in their official capacity as such.

Object—To educate and maintain persons in view of their becoming Roman Catholic Priests in the Diocese of Bombay.

The Securities may be changed "with the consent of the Government Agent."

Vacancies.—If the trustees, all, or any of them, neglect, &c., their duties, or if there are any trusteeships or trusteeship vacant for five years, the Governor of Bombay can appoint a new trustee or trustees.

SECOND.—*Madras.*

Date—April 9th, 1838.

Between D. O. Dyce Sombre and the Most Reverend Daniel O'Connor, Vicar Apostolic of Madras, and George Bicketts Mayers and George Joseph Useinian (Wardens as in first trust).—Trustees of the trust.

Amount—Rupees 31,800. Other conditions identical with first trust.

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PUBLIC.

THE RIGHT REV. DR. S. FENNELLY,
Bishop and Vicar Apostolic of Madras

ated May, 2nd.

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G. O. 2nd May 1871, No. 574.

MAY.
Nos. 8-9.

Requesting the Right Rev. the Vicar Apostolic of Madras to furnish certain information regarding the "Dyce-Sombe" Trust Fund in Madras.

Amount—Rupees 32,000.

The Begum Sombre, it is recited, had prepared an indenture in her life time for this trust, but she died before it was executed.

The money has, it is recited, been paid to the trustees, who are at once to invest the amount in Government paper.

Securities can be changed "with the approval of the Government Agent" (as in first trust), "or other person nominated by the Governor General in Council."

No power is reserved for the Governor General to appoint new trustees. Other conditions identical with the first trust.

FOURTH.—Calcutta.

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In case of the absence of the Archdeacon, the Bishop may act by himself in both matters. If the Bishop and the Archdeacon are both absent, the two Senior Chaplains can act, but they must immediately give in an account on the return of the Bishop. The two Chaplains must always act together.

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6. In this view I am directed to make the following suggestions as to inquiry—

First.—Are the trustees, described in the deeds, all of them performing their duties as such? If not, which of the trustees are not acting? From what date have they ceased to act, and by what authority?

Second.—Is any person, not described as a trustee in the deeds of trust, acting as such; and if so, from what date, and by what authority?

Third.—On what system is the present working of the trusts carried on? (Whether by the legal trustees or not?)

Fourth.—Have the funds been expended strictly in accordance with the terms of the deeds of trust? And in this connection Mrs. Forester suggests that copies of the accounts for the last two years should be called for.

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No. 1928

Copy forwarded to the Governments of Madras, Bombay, and Bengal, with a request that a report may be submitted on the trusts within their several jurisdictions. An early reply is requested.

By Order of the Governor General of India in Council.

HOME DEPARTMENT
PUBLIC;

Simla, the 15th April 1871.

Offg. Under Secy. to the Govt. of India.

8-9-11

To the Rev. Dr. S. J. Tennant,
 Bishop & Vicar Apostolic of Madras.
 Madras.
 I beg to inform you that
 in connection with the
 information regarding the
 Trust Fund in Madras.
 I have the honor to inform you
 that the same is being
 forwarded to you for
 your consideration.

Enclosed for you are
 three copies of the
 report of the
 Committee of the
 Trust Fund in Madras.
 I have the honor to
 inform you that the
 same is being
 forwarded to you for
 your consideration.

No. 308 of 1873
 23.9.73

Public. 1077. 1078.
 23.9.73

Govt. of (1871) Madras.

Public
 The Rev. Dr. S. J. Tennant,
 Bishop & Vicar Apostolic of
 Madras.

Recd. 23.9.73
 G. O. 1871, No. 308

Requesting the Right Rev. the
 Vicar Apostolic of Madras to
 furnish certain information
 regarding the "Bye Laws"
 Trust Fund in Madras.