M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 341
(2) Date of repair 29.7.69
(3) Initials of the Referencer Y

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. ~~B.P. No.~~	1747	Press ~~Mis.~~
Dated	21-11-1876 ~~196~~ .	

Not to be folded or roughly handled

1747/17

Proceedings of the Madras Government, Revenue Department, 21*st November* 1876.

No. 371. Read the following Proceedings of the Court of Wards, dated 16th November 1876, No. 2,848:—

Read again—

Board's Miscellaneous Proceedings, dated 21st September 1876, No. 8,097, and 11th October 1876, No. 8,705.

Read the following Telegram from Sri Rajah Inuganti Vengayami Garu, Bobbili, through Vizianagaram, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 7th October 1876.

"My husband died 26th August, giving authorization for adoption. My opponents created a false Will that the adoption had been done before he died, and reported the matter to the Vizagapatam Collector. Now it came to my knowledge that the matter had been brought to your notice by Collector's report. I beg your honor to order the Collector to register the Siripuram estate in my name. From proprietor of Siripuram, widow Sri Rajah Inuganti Seetaramaswami Garu."

Referred to the Collector of Vizagapatam for immediate report.

2. With reference to his letter, dated 15th September 1876, No. 1,376, Mr. Goodrich should state whether any action has been taken in regard to probate of the Will by the executors.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

To the Collector of Vizagapatam.

Read also the following letters:—

From H. St. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Vizianagram, 15th September 1876, No. 1,376.

In my letter, No. 1,331, dated 29th August 1876, I reported the death of Inuganti Seetaramaswami Garu, proprietor of the Siripuram estate. He has left a widow and an adopted son, named Raja Raya Gopaulraw, aged two years. The collections of the estate probably amount to Rupees 17,500. Deducting from this Rs. 10,618-8-0, being the amount of peishcush payable to Government, there remains a sum of Rupees 6,881-8-0 to meet the maintenance of the ward and his mother and the establishment charges, &c.

2. The estate is encumbered with a debt of Rupees 4,142-3-6 payable to certain merchants, &c. The late proprietor gave lands assessed at Rupees 1,850 of his proprietary estate to certain pagodas and some of his relations and dependants and desired that they should be separately assessed and made over to the parties concerned. He made over his Inam lands situated in this and in Ganjam Districts, yielding about 36 garces of paddy for the maintenance of a choultry to be established at Siripuram and to some of his dependants, &c., and gave some jewellery to certain pagodas.

3. He desired that Chinna Seetaramaswami Garu, father of his adopted son, should be appointed guardian to the minor, and that he should at the same time manage the estate under the supervision of the Rani of Bobbili.

4. As the estate is inherited by a minor, I apprehend that there is no alternative but to bring it under the management of the Court, in which case Chinna Seetaramaswami cannot be appointed both as guardian and manager, as desired by the late proprietor. I have, therefore, the honor to recommend that the said Chinna Seeta[illegible]swami may be appointed as guardian to the minor, and the present Amin of the estate, Maramunda Lakshminarsimulu Puntulu, be appointed as manager. On receipt of the sanction of Government to assume the management of the estate, I shall submit proposals regarding the maintenance allowance and the establishment charges, &c.

5. Translation of the Will executed by the late proprietor is herein enclosed. It will be observed that the separation of lands of certain value and their assignment to a pagoda is among the testator's depositions. Previously to the execution of the Will, the testator had adopted the boy who now succeeds as his heir. It would seem that an alienation of part of a permanently-settled estate would hold good against the alienator during his own life only. The heir would have the right to resume according to several decisions in point.

6. The lands wherewith the choultry at Siripuram is to be endowed and the gifts to dependants, &c., are enfranchised Inam lands, the personal acquisition of the late Dewan, and his intentions regarding them may, I presume, be carried into effect.

Enclosure No. 1.—Translation of Will.

From the same Officer, dated 23rd October 1876, No. C.

I have the honor to supplement my letter of 15th ultimo to you with certain particulars. Board's Proceedings of 11th October 1876 (Miscellaneous No. 8,705) and 13th October 1876 (unnumbered) have been received by me.

2. In the matter of the former Proceedings, I have the honor to report that as no person attended before me to question the validity of the Will propounded by the Rani's party as that of the late Dewan, and as the fact of the death was not doubtful and it was necessary to provide for the management of the property by some one without unreasonable delay, I gave notice to the father of the boy, alleged to have been adopted in the Will propounded, to attend and discuss the questions of the management of the property and the guardianship of the boy said to have been adopted.

3. It was not until the 15th September 1876 that I wrote to the Court of Wards in the matter, having first seen the father of the boy (who is but two years old) and the Bobbili Vakils and the manager of the estate, whom the late Dewan employed during his life-time.

4. I have lately been informed that the widow of the Dewan, a near relative and the best friend of the Rani, was practically a prisoner in the fort after her husband's death. Her father, who went up to see her, could not obtain access to her, and I was obliged to send to the Taluq Magistrate orders to procure bearers for her, and enable her to leave the place. She is now under her father's protection.

5. The Will, dated 23rd August 1876, contains internal evidence of being composed by some other person than the late Dewan, or if drafted by him, so drafted after his physical weakness had affected his mental powers. He could not have made such a declaration as that contained in the so-called Will, viz., that the Rani had herself mainly directed the administration of the estate.

6. Dr. Dalgairns, Surgeon of the 7th Regiment (who is familiar with the Telugu language), visited Bobbili on the 21st August and saw the Dewan twice on that day, thrice on the 22nd, and thrice on the 23rd. I enclose Dr. Dalgairns' letters to me for the consideration of the Board. In his second letter he refers to certain questions put by me to him; they were—

(1) "Did you understand that the Dewan had adopted any one?"

(2) "Did you understand that he had given his wife general authority to adopt?"

(3) "Could the Dewan have signed his name, and was he in a fit state to make a Will on the 23rd?"

7. I have only seen a copy of the so-called Will, and do not know whether it is signed in full or with a mark. It has not been as yet alleged that any ceremonies of adoption have been performed, though I cannot say what evidence might not be prepared.

8. The facts reported appear to me to justify no other course than the registration of the widow as the successor to the estate of the late Dewan, leaving the propounding of a Will or Wills to such persons as may come forward in the Court for that purpose.

I enclose Dr. Dalgairns' two letters (A and B) and a petition received from the widow (C).

Enclosure No. 1.

From Surgeon A. E. Dalgairns, to H. St. A. Goodrich, Esq., Acting Collector of Vizagapatam, dated Waltair, 18th October 1876.

I received your letter of the 16th instant this morning. When I visited Bobbili on the 21st August 1876, I called on the late Dewan of Bobbili twice that day. I also saw him on the 22nd and 23rd, paying him three visits on each of those days. I remember distinctly his telling me, either on my first or second visit, that he had no hopes of ever getting well, and that he had made his Will and had settled his worldly affairs. Seeing him in this desponding state, I tried to cheer him up and told him that there was no reason for him to suppose that he was going to die because he had made his Will, for all Europeans, more or less, make their Wills when in good health and long before they die, and told him to keep his spirits up and not to think so gloomily of his present state. The particulars of the Will he did not mention to me. I heard from others who attended on him and also from the Hospital Assistant at Bobbili, that he had willed large sums of money to various temples and Brahmins, and that he had also left a large share to a young lad who was a relation of his. This is all I know about the case. I think, if you remember when I returned to Vizianagram, I mentioned to you that the Dewan had made his Will and had given large sums in charity and also about the lad, a relation of his, to whom he had left a large sum.

Enclosure No. 2.

From the same Officer, dated Waltair, 21st October 1876.

In reply to your letter received this morning, I send you all the information I know of the Dewan's inheritance. The late Dewan, during my visit, did not mention to me that he had adopted any one; in fact, no particulars of the Will were told me by him. I am only able to answer the first two questions from what I heard said by people who were in attendance on him. I was given to understand that the late Dewan adopted no one, but that a certain sum was willed to a young lad, a relation of his. In answer to the second question, I am unable to state whether the Dewan had given his wife leave to adopt any one. From the time I first called on the late Dewan, on the afternoon of the 21st August, he was in a very feeble state, and on the 23rd was

four

very much worse, becoming delirious and unable to answer correctly questions put to him. I am of opinion that the late Dewan was not able on the 23rd August to sign his name, and, moreover, I do not think he was in a fit state of mind to make his Will on that day. After the 23rd August, the night I left Bobbili, the Dewan became worse, for I had a letter from Hospital Assistant Sreenivasarow, to say that when he went over the next morning to see the Dewan, he found him quite insensible, and that he continued in that state till the 26th night, when he died.

Enclosure No. 3.—Petition.

From H. St. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 2nd November 1876, No. 1,552.

In continuation of my letter of 23rd ultimo, I submit, for the consideration of the Board, the statement made before me by the widow of the late Dewan of Bobbili at an interview held at Vizianagram on the 25th ultimo.

2. After taking her statement, I ordered that Nishtala Subanna should take over the management of the landed estates from Maremalla Lakshminarasayya Puntulu, who was one of several who had combined to keep from me the knowledge of the true state of affairs, well knowing it to be his duty to tell what he knew. The lady's Gumastah Vissam Razu, is now taking over charge of the moveable property from Chinna Seetaramaswami.

3. I believe the widow to be capable of managing the estate well and to be now surrounded by good advisers. The management which she desires to retain ought to be left to her. A notification has been published in the District Gazette, stating that her name will be registered as that of the successor to her husband's estate unless an order of a competent Court within three months prohibits this course.

Enclosure No. 1.– Statement of Widow of late Bobbili Dewan.

Enclosure No. 2.—Translation of Petition.

In his letter recorded in the first of the foregoing Proceedings, the Collector of Vizagapatam reported the death of Inuganti Seetaramaswami Garu, Dewan of Bobbili and proprietor of the Siripuram Estate on the 26th August, and stated that on the 17th idem the deceased had adopted a relative, a boy of two years old, and had by a Will, executed on the 24th, confirmed the adoption and appointed the boy's natural father to be his guardian. A copy of the Will was furnished to the Collector. On the 15th September, Mr. Goodrich supplemented his former report by affording particulars of the estate left by the deceased, and stated the arrangements which he proposed to make in the event of the management of the estate being assumed by the Court on behalf of the minor adopted son.

2. Meanwhile a telegram was received from the widow of the deceased proprietor, declaring the Will forwarded to the Collector to be a forgery, and praying that the estate might be registered in her name. A report was called for, and in his letter of

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the 23rd October, the Collector stated that his previous report was written under the supposition that the validity of the Will was not questioned, that he had sinc[illegible] that the widow of the late Dewan had been practically kept a prisoner in t[illegible] after her husband's death, and that he had since received information which tended to cast grave suspicion on the document produced. The letters from Dr. Dalgairns, who attended the late Dewan in his last illness, show that no allusion to the alleged adoption was made by the latter, and that he was becoming delirious on the 23rd, and not in a fit state to make a Will, whereas the document put forward purports to have been executed on the 24th (not 23rd as erroneously stated at paragraph 5 of the Collector's letter). Mr. Goodrich, therefore, recommends that the estate be registered in the widow's name, leaving the question of the validity of the adoption for settlement by a Civil Court.

3. In a subsequent letter, dated 2nd November, the Collector reports that the widow is competent to manage her estate, and is surrounded by good advisers. He has published a notification in the District Gazette, stating that the estate will be registered in her name, unless an injunction of a competent Court prohibiting such registry is produced within three months.

4. From the testimony of Dr. Dalgairns it appears that there are good grounds for suspecting the validity of the document produced. The widow states that her husband told her a few days prior to [illegible] ase that he h[illegible] a Will and given her [illegible] destroyed. As the widow is stated to be in a positio[illegible] to manage her estate properly, the Court do not consider that their intervention is called for at present, and the Collector's action is accordingly approved.

5. The petitioners will be referred o the Collector.

(True Copis and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 372. Order thereon, 21st November 1876, No. 1,747.

Miscellaneous.

Recorded. The Board's Proceedings are approved.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Govt. of 1876] Madras

REVENUE.

To

The BOARD of REVENUE.

Dated November, 21st.

Read

Enc

G.O., 21st November 1876, No. 1,747.

NOVEMBER.
Nos. 371-372.

[illegible] Estate in Vizagapatam District.—Approving the Proceedings of the Board Revenue regarding the registration of the — in the name of the widow of the deceased proprietor.

1747/4

No. 2,571.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 13th October 1876.

Read the following papers:—

From H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Vizianagram, 12th September 1876, No. 1,369.

IN continuation of my letter of the 29th ultimo, No. 1,331, I have the honor to report that I visited Bobbili last week and had an interview with the Rani, in order that I might lay before Government, through the Board, her personal wishes as to the future management of the estate as well as my own recommendations.

2. The Orders of Government bearing on the question directly are: Revenue Department, No. 2,695, dated 26th November 1868, No. 1,432, dated 9th September 1870, No. 571, dated 29th March 1871, No. 651, dated 5th April 1871, No. 1,049, dated 7th August 1876.

3. First, as to the Rani's wishes. She desires to represent that she has since her husband's death, eight years ago, taken a large share of the work of administering, taking advice in important matters from her Diwan. She repeated to me the arguments set forth in her Vakil's letter, copy whereof is enclosed. On being pressed to name any person of her establishment whom she would nominate as Diwan, if the position should be ordered to be filled, she named Damira Appayya, whom I believe to be a highly respectable man; he is the brother-in-law of the late Diwan. The Lady, however, was distinctly anxious that no Diwan should be appointed.

4. Secondly, as to the minor and his interests. [I beg that my remarks now submitted may be accepted in reply to the reference contained in Proceedings of the Board, Miscellaneous No. 7,265, dated 25th ultimo, passed on the Proceedings last in date recited in paragraph 2 *supra.*] He is in his fourteenth year, a handsome, healthy boy; he was fond of riding and of field sports, but has been almost confined to the Fort by his mother since last November when the Diwan left Bobbili for Madras; he is not allowed to see any person whatever without her special leave. I learnt incidentally that neither my Sheristadar nor any other of the Government officials has ever seen him except during his interviews with me on the three or four occasions on which I have visited Bobbili. The boy is beginning to chafe at his exclusion. His tutor, Singarachari, is a clever man and a skilful teacher, and has taught this pupil diligently. He is now reading the subjects taught in the 3rd class of a school. I thought his knowledge of English had certainly fallen off since the middle of March when I was at Bobbili last, and this I attribute to his tutor having more frequently been denied access to him since the illness of the Diwan. The tutor has been employed a good deal by the Rani to translate papers and conduct correspondence, and made such employment a ground for requesting an increase of pay. I have told him that the consideration of this request must be deferred until other matters are definitely settled, and I think it will be well if he generally confine himself to his proper duties. I have very frequently urged that a visit to Waltair should be paid by the minor. The family has a good house there, and there are no difficulties in the way. I have on every occasion however been met by some frivolous excuse on the Rani's part. I will arrange that he pay the place a visit in November if the prevalence of cholera does not still constitute an argument

Jour

against it. I believe that if the minor be left in the uncontrolled custody of the Rani, he will be practically a prisoner in the harem as long as she can keep him there.

5. The Rani has the good fortune to succeed several excellent landlords in the previous Zemindars of Bobbili, and it will be observed that the Collector reported that she was "capable of managing her estate *as* she will have the assistance of Inuganti Sitaramaswami Garu, Diwan of the late Rajah," on which report the order cited above of 26th November 1868 was passed. She was then twenty years old, and necessarily little known to the Collector, and I think the Board will not doubt that the management in which they and the Government expressed confidence was that of the Diwan, an excellent man in all the relations of life. He was second cousin to the late Zemindar. It is his administration which endured until last November when, already an invalid, he left for Madras. Much has been in the Rani's hands since then, and some extravagant grants have been made to her own female attendants.

6. The Velamas are proverbial for an overweening sense of their own importance and for a Chinese exclusiveness. I had an opportunity of observing that these faults are conspicuous in this Lady's case when (last March) I presented her with the medal sent graciously by His Royal Highness the Prince of Wales for her acceptance. She stoutly maintained for a long time that the Agent alone should enter the Fort; and the admission to the Durbar of my Head Assistant Sheristadar, the Manager of my Court, and the Taluq Magistrate was scouted. Nothing could be sent to do honor to the gift or the giver. I need not add that the lamented Diwan was greatly distressed at the obstinacy of the Lady which for a long time he could not overcome. [Eventually I procured all the elephants in Durbar tappings to escort the medal from my camp to the Durbar-room in the Fort and made the presentation to the minor (acting on his mother's behalf), all the principal persons then in Bobbili attending.] I have concluded, not without inquiry from such as could inform me, but without listening to any mere gossip, that the Rani's management might be expected to result in loss to the estate as well as to the character of its future possesson.

7. There seem to be four possible courses of action: (1) to accede to the Rani's request and give her the management absolutely, leaving things as they are. This course I have above deprecated; (2) to advise the Rani in the appointment of a Diwan, leaving matters as they stand. This would leave to Government the discredit of any possible failure, and the estate is one which, though rich, thanks to its seldom failing water-supply would not be easily managed by any one not well acquainted with the people and with local usages and not cordially supported from the Fort; (3) to advise the Rani in the appointment of a Diwan bringing the estate under the Court of Wards. The two previous courses would result in the succession of the minor at 18, and I think this third course less advisable than either of them, inasmuch as it would leave the estate three years longer in female hands; (4) to appoint an officer of special local knowledge and experience of the charge of encumbered estates to manage the zemindari, leaving ample allowances to the Rani and her private lands which are worth, I believe, Rupees 2,000 per mensem. The estate would then be brought under the Court of Wards, and administered by the Special Assistant to their Agent for the next seven years.

8. The estate lies compactly on the banks of two large affluents of the Nagavalli; it marches with Salur, and the two zemindaris together are estimated to cover about 600 square miles with a population of a quarter of a million. I have already reported to the Board the unsatisfactory situation of Salur. Were the minor a young man of intelligence and energy, the care of an embarrassed estate might be entrusted to him with the hope that his efforts would set matters right, but the Salur minor possesses neither quality and a continuance of his wardship to the age of 25 will be desirable in the interests of the estate and of the young man. The management of two such estates might be entrusted to an officer of Sub-Collector's standing in my anticipation with the best results. Among other benefits my Senior Assistant's Division, which is now, I believe, the largest in the Presidency with the exception of that under my Special Assistant Agent, would be much more easily looked after.

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9. Such allowances as should amount to Rupees 1,200 per mensem (over and above the necessary deduction) would secure an officer of twelve years' standing for the appointment. The late Diwan of Bobbili received Rupees 1,000, and the late Diwan of Salur Rupees 200 I believe. I append a statement of the estimated rental of the estates and a map. I should advise that, if my recommendation be adapted, the officer appointed travel three months of each year with the Bobbili Minor.

P.S.—With reference to the map which is enclosed, I have to observe that the Salur estate occupies nearly the whole of the block of territory colored as "Minor Zemindari lying west of Bobbili between Parvatipur on the north-east and Hill Panchipenta on the south-west."

ENCLOSURE No. 1.—Translation of Arzi.

ENCLOSURE No. 2.—Statement.

ENCLOSURE No. 3.—Sketch map.

Telegram from the Rani of Bobbili, to the Board of Revenue, dated 18th September 1876.

As I will soon present you a petition with several important matters on the Collector's report for the management of my Bobbili estate and my son's education, I pray you to pass final orders on perusing the report and my petition.

THE Court will postpone the consideration of the Collector's proposals until the representations which the Rani promises to make are received. Mr. Goodrich will request the Rani to submit her suggestions as soon as she conveniently can. Meanwhile the Court would like to be informed of the views of the Maharajah of Vizianagram.

2. The Collector of Godavery will also be requested to ascertain the opinion of the Rajah of Pittapur who is a relative of the Bobbili family.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

To the Acting Collector of Vizagapatam.
„ the Collector of the Godavery District.

Exd. A. Grubert.

Jour

Board of Revenue,
MADRAS.

PROCEEDINGS, 13TH OCTOBER 1876, No. 2,571.

Rev: 4951/76

Encl.

Received

OCTOBER.
No. 2,571.

Bobbili Estate—in Vizagapatam District.—Postponing consideration of Collector's proposals for future management of — until the Rani's petition is received; and requesting to be informed of the views of the Maharajah of Vizianagram and the Rajah of Pittapur on the

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Revenue Department

Proceedings of the Board of Revenue

Dated 16 November 1876.

Read again Board's Miscellaneous Proceedings dated 21 September 1876 No 8077

Read again the following Miscellaneous No 8705.

Proceedings of the Board of Revenue dated 11 October 1876

Read the following Telegram from Sri Rajah Inugunti Vengayamma Garu, Bobbili through Vizeanagaram, dated 7 October 1876.

"My husband died 26 August "giving authorization for adoption "My opponents created a false will "that the adoption had been done "before he died and reported the "matter to the Vizagapatam Collector. "Now, it came to my knowledge that "the matter had been brought to

"your notice by Collectors report
"I beg your honor to order the Collector
"to register the Seriapurum Estate
"in my name. From proprietor
"of Seripurum, widow Sri Rajah
"Imugunti Seetharamaswami Garu".

Referred to the Collector of Vizagapatam for immediate report.

2. With reference to his letter dated 15th September 1876 No 1376 Mr. Goodrich should state whether any action has been taken in regard to probate of the will by the Executors.

(True copy & Extract)
(Sd) E. Gibson
Ag Sub Secretary

To
The Collector of Vizagapatam

Read

No 1376 Read also the following letter

From
H. St A Goodrich Esqr
Ag Collector, Vizagapatam
To,
C. A. Galton Esqr
Secretary to the Board of Revenue
Madras.

Sir,

In my letter No 1331, dated 29 August 1876, I reported the death of Imugunti Seetaramaswami Garu Proprietor of the Siripurum Estate. He has left a widow and an adopted son named Raja Raya Gopal Row aged 2 years. The collections of the Estate probably amount to Rs 17500 Deducting from this Rs 10618-8-0 being the amount of peishcush payable to Government there remains a sum of Rs 6881-8-0 to meet the maintenance of the ward and his mother and the Establishment Charges &c &c.

2. The estate is incumberred with

a

with a debt of Rs4142-3-6 payable to certain merchants &c. The late Proprietor gave lands assessed at Rs1850, of his Proprietory Estate to certain Pagodas and some of his relations and dependants and desired that they should be separately assessed and made over to the parties concerned. He made over his Inam lands situated in the said in Ganjam Districts, yielding about 36 garces of Paddy for the maintenance of a Choultry to be established at Seripuram, and to some of his dependants &c and gave some jewellery to certain Pagodas.

3 He desired that Chinna Sitaramaswami Garu father of his adopted son should be appointed guardian to the minor and that

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he should at the same time manage the estate under the supervision of the Rani of Bobbily.

4. As the estate is inherited by a minor I apprehend that there is no alternative but to bring it under the management of the Court in which case Chinna Sitaramaswami cannot be appointed both as guardian and Manager as desired by the late proprietor. I have, therefore, the honor to recommend that the said Chinna Sitaramaswami may be appointed as guardian to the minor and the present amin of the Estate Maramunda Lutshmi Narsimulu Puntulu be appointed as Manager. On receipt of the sanction of Government to assume the management of the Estate, I

shall submit proposals regarding the maintenance allowance and the Establishment Charges &c.

5. Translation of the will executed by the late proprietor is herein enclosed. It will be observed that the separation of lands of certain value and their assignment to a Pagoda is among the Testators dispositions. Previously to the Execution of the will the testator had adopted the boy who now succeeds as his heir. It would seem that an alienation of part of a permanently settled estate would hold good against the alienator during his own life only. The heir would have the right to resume according to several decisions in point.

6. The lands wherewith the Choultry at Sirupuram is to be

endowed

endowed and the gifts to dependants &c are enfranchised inam lands the personal acquisition of the late Dewan and his intentions &c regarding them may I presume be carried into effect.

Vizagapatam Collr office
Camp Vizianagaram
15 September 1876

I have &c
(sd). H Goodrich
Ag Collector

No. C.

From,
H. St. A. Goodrich Esqr.
Ag Collector, Vizagapatam

To,
C. A. Galton Esquire
Ag Secretary to the Board of Revenue

Sir,

I have the honor to supplement my letter of 15 ultimo to you with certain particulars. Boards Proceedings of 11 October 1876 (Miscellaneous No 8705) and 13 October 1876 (unnumbered) have been received by me

2. In the matter of the former

Proceedings. I have the honor to report that as no person attended before me to question the validity of the will propounded by the Rani's party as that of the late Dewan and as the fact of the death was not doubtful and it was necessary to provide for the management of the property by some one without unreasonable delay, I gave notice to the father of the boy alleged to have been adopted in the will propounded, to attend and discuss the questions of the management of the property and the guardianship of the boy said to have been adopted.

3. It was not until the 15 September 1876 that I wrote to the Court of Wards in the matter, having first seen the father of the boy (who is but 2 years old) and the Bobbily Vakils and the

the Manager of the Estate, whom the late Dewan employed during his lifetime.

4 I have lately been informed that the widow of the Dewan, a near relative and the best friend of the Rani, was practically a prisoner in the Fort after her husband's death. Her father who went up to see her could not obtain access to her and I was obliged to send to the Taluq Magistrate orders to procure bearers for her and enable her to leave the place. She is now under her father's protection.

5. The will dated 23d August 1876 contains internal evidence of being composed by some other person than the late Dewan, or if drafted by him, so drafted after his physical weakness had effected his mental

powers. He could not have made such a declaration as that contained in the so called will: viz: that the Rani had herself mainly directed the administration of the Estate.

6 Dr Dalgairns Surgeon of the VIIth Regiment (who is familiar with the Telugu language) visited Bobbily on the 21st August and saw the Dewan twice on that day, thrice on the 22nd and thrice on the 23rd; I inclose Dr Dalgairns' letters to me for the consideration of the Board. In his second letter he refers to certain questions put by me to him; they were (1) "Did you understand that the Dewan had adopted any one"? (2) "Did you understand that he had given his wife general authority

to

174/II

to adopt"? (3) "Could the Dewan have signed his name and was he in a fit state to make a will on the 23rd"?

7. I have only seen a copy of the so called will and do not know whether it is signed in full or with a mark. It has not been as yet alleged that any ceremonies of adoption have been performed though I cannot say what evidence might not be prepared.

8. The facts reported appear to me to justify no other course than the registration of the widow as the successor of the Estate of the late Dewan leaving the propounding of a will or wills to such persons as may come forward in the Court for that purpose.

I inclose Dr Dalgairns' two letters (A+B) & a petition received from the widow (C)

Vizagapatam Collrs office
28th October 1876

I have &c
(sd) A Goodrich
ag Collector

Enclosure 1.

My dear Goodrich

I received your letter of the 6 Instant this morning. When I visited Bobbili on the 21 August 1876, I called on the late Dewan of Bobbili twice that day, I also saw him on the 22nd and 23rd paying him three visits on each of those days. I remember distinctly his telling me, either on my first or second visit, that he had no hopes of ever getting well and that he had made his will and had settled his worldly affairs, seeing him in this desponding state I tried to cheer him up and told him that there was no reason for him to suppose that he was going to die, because he had made

made

1747/2

made his will, for all Europeans more or less, make their wills when in good health and long before they die, and told him to keep his spirits up and not to think so gloomily of his present state. The particulars of the will he did not mention to me. I heard from others who attended on him and also from the Hospital Assistant at Bobbili that he had willed large sums of money to various temples and brahmins, and that he had also left a large share to a young lad who was a relation of his. This is all I know about the case. I think, if you remember when I returned to Vizeanagarum I mentioned to you that the Dewan had made his will and had given large sums in Charity and also about the lad a relation of his, to whom he had left a large sum.

Waltair
18 Octr /76 }

I remain &c
(Sd) Alfred E. Dalgarino

Enclosure 2

My dear Goodrich.

In reply to your letter received this morning, I send you all the information I know of the Dewan's inheritance. The late Dewan during my visit did not mention to me that he had adopted any one, in fact no particulars of the will were told me by him. I am only able to answer the first two questions from what I heard said by people who were in attendance on him. I was given to understand that the late Dewan adopted no one, but that a certain sum was willed to a young lad a relation of his

In

In answer to the second question I am unable to state whether the Dewan had given his wife leave to adopt any one. From the time I first called on the late Dewan on the afternoon of the 21 August he was in a very feeble state and on the 23d was very much worse, becoming delirious and unable to answer correctly, questions put to him. I am of opinion, that the late Dewan was not able on the 23d August to sign his name, and moreover, I do not think he was in a fit state of mind to make his will on that day. after the 23d August the night I left Bobbili, the Dewan became worse, for I had a letter from Hospital Assistant Sreenewassa Row, to say that when he went over the next morning to see the Dewan, he found him quite insensible, and that he continued in that state till the 26th Night, when he died.

Waltair
21st Septr 83

Yours sincerely
(Sd) Alfred E Dalgairns

No. 1552.

From:
H. G. A. Goodrich Esqre
Ag Collector

To:
H. E. Stokes Esqre
Ag Secretary to the Board of Revenue
Madras

Sir,

In continuation of my letter of 23rd ultimo I submit for the consideration of the Board the statement made before me by the widow of the late Dewan of Bobbili at an interview held at Vizianagaram on the 25 ultimo.

2. After taking her statement

I

I ordered that Rishtala Subanna should take over the management of the landed estates from Marawalla Lakshminarasayya Pantulu who was one of several who had combined to keep from me the knowledge of the true state of affairs well knowing it to be his duty to tell what he knew - The lady's gumastah Vissam Razu is now taking over charge of the moveable property from Chinna Sitaramaswami

3 I believe the widow to be capable of managing the estate well and to be now surrounded by good advisers. The management which she desires to retain ought to be left to her. A notification has been published in the District Gazette stating that her name will be registered as that of the successor to her husband's

Estate unless an order of a Competent Court within three months prohibits this Course.

Vizagapatam
Collectors office
2d November 1871

I have &c
(Sd) H Goodrich
Ag Collector

Read also Petitions Nos 2570, 2583 + 2584

In his letter recorded in the first of the foregoing Proceedings, the Collector of Vizagapatam reported the death of Inuganti Sitaramaswami Garu, Dewan of Bobbili and Proprietor of the Siripuram Estate, on the 26° August and stated that on the 17 idem, the deceased had adopted a relative, a boy of two years old and had by a will executed on the 24° Confirmed the adoption and appointed the boy's natural father to be his guardian. A copy of the will was furnished to the Collector. On the 15° September Mr Goodrich supplemented his former report by affording particulars of the estate left by the deceased and stated the arrangements which he proposed to make in the event of the management of the Estate being assumed by the Court on behalf of the minor adopted son.

2 Meanwhile a telegram was received from the widow of the deceased proprietor declaring the will forwarded to the Collector to be a Forgery and praying that the estate might be registered in her name. A report was called for, and in his letter of

the 23rd October, the Collector stated that his previous report was written under the supposition that the validity of the will was not questioned, that he had since learnt that the widow of the late Dewan had been practically kept a prisoner in the Fort after her husband's death, and that he had since received information which tended to cast grave suspicion on the document produced. The letters from Dr. Dalgarins, who attended the late Dewan in his last illness show that no allusion to the alleged adoption was made by the latter and that he was becoming delirious on the 23rd and not in a fit state to make a will, whereas the document put forward purports to have been executed on the 24th, (not 23rd as erroneously stated at para 5 of the Collector's letter) Mr Goodrich, therefore, recommends that the estate be registered in the widow's name, leaving the question of the validity of the adoption for settlement by a Civil Court.

3. In a subsequent letter dated 2nd November the Collector reports that the widow is competent to manage her estate and is surrounded by good advisers. He has published a notification in the District Gazette stating that the estate will be registered in her name, unless an injunction of a Competent Court prohibiting such registry is produced

within three months.

4 From the testimony of Dr. Dalgairns it appears that there are good grounds for suspecting the validity of the document produced. The widow states that her husband told her a few days prior to his decease that he had left a will and given her authority to adopt, but it is not forthcoming and is believed to have been destroyed. As the widow is stated to be in a position to manage her estate properly the Court do not consider that their intervention is called for at present and the Collector's action is accordingly approved

5. The Petitioners will be

referred

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referred to the Collector

(True copies and Extract)
(Signed) C. H. Galton
Actg. Sub Secretary

To
The Collector of Vizagapatam

(True copy)

C. H. Galton
Actg. Sub Secretary

To,
The Secretary to Government
Revenue Department

with 4 Enclosures to be returned
& copy of Bd. Pro. of 13 Octr. 1857 No. 2571

Exd. C. Hogg
[illegible]

Revenue 1st Dept

No. 4951 9

Proceedings of the
Board of Revenue

dated 16 Nov/96

Despd 16 — —
Recd 17 — —

No 1747.
ens 5
4 Ofs Recorded. The
Bd's Props are approved.

[illegible] 18/11/96.

Stipmanu

Bobbili Estate in Vizag Dt

Approving Collr's action publishing a notification in
Dt Gazette stating that
will be registered in the
name of the widow of the deceased
proprietor unless an injunction from Competent Court
prohibiting such registry is
produced in 2 months.

M.re [illegible] Revenue Dept 21-11/96
14 Enclosed Copies On 9 Dec

Ko6 R21:Mr