

Revenue Special (1920) Department.
(war)

This SERIES.

Letter
G.O. No. 242 W

DATED 19-7-20

8

[Despatch Abstract.]

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

No. 2045.

Ward 17/16
22/5/20

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE.

SIMLA, the 12th MAY 1920.

R. B. EWBANK, ESQUIRE, I. C. S.,

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA,

TO

The Secretary to the Government of Madras,
Revenue (Special) Department.

Sir,

I am directed to state that the attention of the Government of India has been drawn to the position in which certain British born ladies who have acquired hostile nationality by marriage will be placed when the Clearing Office is established under Section 298 of the Versailles Treaty. The Governor General in Council has exercised his discretion under the proviso to section 5 of the Treaty of Peace Ordinance, 1920, in several cases in order to allow periodic payments to be made to such ladies from the vested funds of their husbands for the support of themselves and their families. But when the vested property of hostile aliens is placed at the disposal of the Controller of the Clearing Office, these payments will be discontinued, and it is important to give timely notice to such ladies of the intentions of the Government of India in order that no step may be taken which may cause avoidable hardship to them.

2. It will be necessary to consider each case on its merits and it is obviously impossible for the Government of India to issue precise instructions as to the sort of case which should be regarded as deserving of special treatment. As at present advised, however, they are disposed to accord special treatment under Section 5 of Ordinance I of 1920 to any British born lady who can establish

- (1) that she has resided with her minor children in the territory of Great Britain or of an Allied country since 3rd August 1914;
- (2) that her children are being educated or have been educated in ~~Great Britain~~ ^{The British Empire}; and
- (3) that her near male relatives have served during the war on the British side.

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if such a lady is a widow, the Government of India will be willing to release in her favour, or, in favour of her minor children, her own vested property, if any, and such amount of the vested property of her late husband as she or her minor children would ^{be} legally entitled to apart from the Treaty. There will be no objection also releasing to such of her children as have attained their majority such amount of the vested property of her husband as they would be legally entitled to, provided that they have resided in the territory of Great Britain or of an Allied country since the 3rd August 1914. If the German husband of such a lady is still alive, the Government of India are prepared to agree that her own vested property and her husband's vested property should be released in her favour provided that the following additional condition is fulfilled viz., that her husband has resided in the territory of Great Britain or an allied Power since August 3rd, 1914 and is not being repatriated and that he has authorised the payment to his wife of any vested property that may belong to him. If this additional condition is not fulfilled, some relief falling short of the general release of the vested property might be accorded. A suitable sum might be paid to her from her own vested property, if any, or, with her husband's consent, from the vested property of the husband, according to the merits of each case, for such purposes as the education of the children in British territory or any other reasonable object not entailing expenditure in a lately hostile country. It will be necessary, however, for the Local Government to obtain a satisfactory assurance from the lady that the money will be spent solely for the purpose for which it has been obtained.

3. The recommendations of Local Governments should be submitted to the Government of India as soon as possible, since, after the assets have been transferred to the Clearing Office, it will not be practicable to order further payments in such cases.

I have the honour to be,
Sir,
Your most obedient servant,

The British Deputy Secretary
R. W. B. B. B.
DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA.

M.C.S.

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Revised deposit

	Initials.	Date.
Received in Fair-copying Section.	bo	31/5/20
Copied	..	31/5 3.5 pm.
Examined	.. bo	31/5
Signed	.. bo	31/5
Despatched	..	2/6

CT 1716

WWS
7/20

Indt. No. 1716-14821-5-20

Referred to the

Custodian of Enemy Property.
Madras for ^{favorable} very early remarks.

To

The Custodian of Enemy
Property, Madras
(at Indt.)

See
26.5.20
CRS
26.5.20
file 10
28-5-20

Reminded on 5.7.20

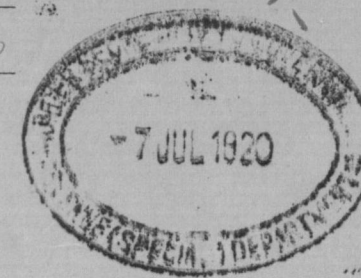
Handwritten signature

Letter should be headed
with the name of the Estate.

Separate letters should be
written regarding separate
Estate.

No. 0187

Enc. one



at no. 2090 W
9-7-20
Custodian
ADMINISTRATOR-GENERAL'S
OFFICIAL TRUSTEE'S OFFICE,

HIGH COURT HOUSE,

Madras, 6th July 1920.

Dr 6/7

From

D. Chamier Esq., Bar-at-law,

Ag Custodian of Enemy Property, Madras.

To

The Secretary to Government,

Revenue (Special) Department,

Stonehousehill, Nilgiris.

Sir,

b3 ante

With reference to endorsement No. 1716-1 W,
dated 31st May 1920, Revenue (Special), I have the
honor to state that this office has only one case to
deal with of a British-born lady who has acquired
hostile nationality by marriage, viz. that of Mrs. Avis
Hilda Illgen, wife of Mr. Georg Illgen.

After enquiry I find:

1. That Mrs. Illgen was born in British India
of British parents:
2. That she was married to Mr. Georg Illgen in
February 1910:
3. That she has children of the marriage as
follows:
 - i. Marie, daughter, aged $9\frac{1}{2}$ years, and
 - ii. George, son, aged $8\frac{1}{2}$ years:
4. That she has always resided with her
children in British India:
5. That her children have been educated in
British India, viz. at Ootacamund. They are studying
at the Brecks' school, Ootacamund. Neither she nor they

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2.

can speak German:

6. That her brother Capt. C.R.Wright and her cousins have served during the War on the British side. The names of her cousins are as follows:

- i. Chisnell Eagan, a private in the motor service:
- ii. George Eagan, an officer in the Territorials: and
- iii. Don Perin, also an officer in the Territorials.

In his letter to the Custodian dated 21st May 1919, Mr.Georg Illgen requested that a total allowance of Rs.300/ per mensem might be ~~allotted~~ granted to his wife for herself and two children. The same request was made by him to Government direct in his letter dated 28th Aug.1919.

AP-3
9/10/19
471-72 Rev (8/11)
27.10.19
N The facts thus summarised show that Mrs.Illgen cannot bring her case within the provisions stated in clause 2 of the Notification of the Government of India dated 12th May 1920.

pTmfr Mrs. Illgen's solicitors, Messrs.Edge and Genge, Ootacamund, have, however, made a written statement on Mrs.Illgen's behalf, and a copy of it is enclosed herewith.

From this it seems obvious that Mrs.Illgen would suffer grave hardship if she should be compelled to follow her husband to Germany, so as to be supported by him there.

A sum of Rs.9,682-8-5 remains in the custody of this office, where it is being held as the property of Mrs.Illgen's husband, Mr.Georg Illgen.

In the circumstances, I feel that I can submit that Mrs.Illgen's is a case in which an appeal may be made to the Government of India to accord special treatment: and as the lady is educating two young children, it is submitted that the present allowance of Rs.300/ may be ordered to be continued until the funds in hand are exhausted.

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I have the honor to be, Sir,
Your most obedient servant,

8 Chamber
Ag Custodian.

Copy of letter ~~from~~ from Messrs. Edge and Genge, Solicitors, Ootacamund, dated 29th June 1920 to the Custodian of Enemy Property, Madras.

Mrs. Illgen.

We have the honor to address you regarding the position of our client Mrs. Avis ~~xxxx~~ Illgen, and to urge that her case is one for special and favourable ~~xxxxxxx~~ treatment by Government in regard to the continuance of the allowance which she is at present receiving out of the assets of her husband in your hands.

Mrs. Illgen was born in British India of British parents and was married to her German husband in British India about ten years ago, and she has resided in British India ever since. She has never been to Germany and cannot speak German language. She has two children, viz. a daughter aged 9½ years and a son aged 8½ ~~years~~. Neither of the children can speak German, and they are being educated at Brecks' school, Ootacamund.

Mrs. Illgen has not seen her husband since the War broke out in 1914, and the children have lived with her since then. She has also since then worked for her own living and with the assistance of her brother Capt. C.R. Wright supported her children up till Aug. 1919, when the allowance was granted ~~xxxx~~ to her by Government.

Mr. Illgen, it is believed, was repatriated about Xmas 1919 and his wife has not heard of, or from him since, and does not know his whereabouts. Letters which the children have written to him have not been answered. When he was first interned his wife offered to join him, but he refused her request.

Mrs. Illgen's brother Capt. C.R. Wright, served during the War and is still serving and cousins of hers also served on the British side.

Unless the allowance can be continued Mrs. Illgen will be practically destitute, as there is no certainty that Capt. Wright will be able to give her an allowance or at least an allowance sufficient to ^{tain} maintain her.

We trust therefore that our client's case will receive favourable consideration from Government.

Received in Fair-copying Section

	Initials.	Date.
Copied	<i>AK</i>	17/7
Examined	<i>.. m</i>	17/7
Signed	<i>..</i>	17.7.20
Despatched	<i>..</i>	17/7

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Review special (w/m)
rept

Letter No 242 d 19.7.20
mis

To

The Secy to the Govt of
India. Dept of Commerce
(with copy of pp 4-7 CF)

Sir,

With reference to
Mr. Ewbank's letter No 2045
dated the 12th May 1920
regarding the position in which
certain British born ladies
who have acquired ^{enemy} hostile
nationality by marriage
will be placed when the Clearing
office is established, I am
directed to enclose copy of
letter (with its enclosure) No 818)
dated the 6th July 1920 from
The Custodian of Enemy Property,
Madras and to request that
the case of Mrs. Ilgen may be
accorded special treatment

Sd/-
15.7.20.

Sd/-
17.7.20

Sp her 17/7

pp 1-2 CF

pp 4-2 CF

When given for copying —
 When copied —
 When examined —
 When signed —

192 .

READ AGAIN G.O. No.
 192

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT ... A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT ... DITTO.

PAPERS NOT FILED UP, BRING HEART FOR DESPATCH
 IN ORIGINAL.

N.B. —

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.

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