PROCEEDINGS

OF THE

MADRAS GOVERNMENT

IN THE

POLITICAL DEPARTMENT,

FOR THE YEAR 1861.

(IN FOUR VOLUMES.)

VOL. I.

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1861.

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POLITICAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT,

For the month of January 1861.

No. 1. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property, to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 21st December 1860, No. 255.

Letter from the Receiver of the Carnatic Property, to Chief Secretary to Government, 10th April 1860, *No.* 78.
Proceedings of Government, 23rd April 1860, *No.* 257, *Political Department.*

Paragraph 1. With reference to the letter and Order of Government noted in the margin, on the subject of the claim put forward by the Official Assignee of the Court for relief of Insolvent Debtors, as the Assignee of the Estate of one Gholam Mahomed Niamud Khan, to certain portions of the gardens at Arcot and Trichinopoly, which belonged to His late Highness the Nabob of the Carnatic, and are known as the Ally Bagh and the Ameer Bagh, I do myself the honor of stating for the information of the Honorable the Governor in Council, that after receipt of the Proceedings of Government, I placed myself in communication with the Government Solicitor, requesting him to furnish to me copies of all information he had obtained from the Dewan of the Carnatic Durbar in June 1857, in pursuance of the Order of Government dated the 5th June 1857, No. 428, with any other information it was in his power to afford me. Subsequently the Government Solicitor forwarded to me a copy of a report submitted by the Dewan to the Government Agent under date the 25th of June 1857.

2. On receipt of this paper, I communicated to the Official Assignee all the information I had obtained, and from what fell from him, I understood he was of opinion that he could not establish a claim to the land in question; he moreover intimated he had no objection to my selling the lands claimed by him, with the other properties at Arcot and Trichinopoly belonging to the Nabob, on my undertaking to retain the purchase money for the portions claimed by him, until the question of his claim was settled; either by his withdrawing it, or by a judgment of the Supreme Court, to be obtained on a special case submitted by us, and the Official Assignee was to consult with the creditors of his Insolvent, and with the Insolvent himself, for the purpose of obtaining their ultimati as to supporting or abandoning the claim.

3. Upon this understanding, I advertised for sale the whole of the property at Arcot and issued catalogues, soon after doing which the Official Assignee intimated to me, that creditors of his Insolvent, and the Insolvent himself, disapproved of the course proposed, and insisted on his stopping the sale, and asserting his right to the property claimed; in consequence, I desisted from offering for sale 6 of the lots.

4. Under these circumstances the claim put forward by the Official Assignee must be disposed of, and it is my present intention, to concur in the proposal of the Official Assignee to submit to the Supreme Court a special case, and thus obtain the judgment of the Court upon the claim set up.

5. In a special case all the facts must be stated, and it follows that the parties must previously agree upon such facts, the Court not having the power in such a proceeding to take evidence of any fact which is not fully admitted, or is disputed.

6. Now the Official Assignee asserts, that the gardens, &c., which he claims were the private property of the late Nabob; whereas I am satisfied that such gardens did not come under that category. Here therefore is an important fact upon which at present we cannot agree, and unless we do agree upon it, or upon some data, from which the Court can decide whether the gardens were or were not the private property of the late Nobob, it is clear no special case can be submitted for the opinion of the Court.

7. I feel assured that much information may be obtained from the Records in the possession of the Government Agent at Chepauk, and under that impression I, on the 17th of September last, addressed the letter of which I enclose a copy, but after repeatedly soliciting the information there sought, I have been lately informed by the Government Agent that search was being made in the Records, but "the constant presence in Court (of himself I presume) prevents that constant attention to my requests which they require."

8. The want of information and data prevents my arranging with the Official Assignee, and until I am enabled to do so and dispose of his claim, I am stopped from offering the property for sale, and from complying with the wishes of Government for speedily disposing of the property.

9. It is under these circumstances I solicit that His Excellency in Council will permit an immediate and careful search to be made amongst the Government Records, with the view of ascertaining whether any of the information I seek can be furnished from those Records.

10. I think it probable that some of the information referred to in my letter to the Government Agent may not be procurable from the Government Records, owing to change of names given to the properties, and the length of time that has elapsed, but I apprehend much information may be procured, particularly the Orders of Government for restoring the possession of the gardens to Azeem-Ood-Dowlah.

11. In my letter to the Government Agent I have entered so fully into the subject, I do not believe I can add anything that would facilitate the search, but (as there observed) in disposing of the claim set up, much will depend on the fullness and accuracy of the information afforded; and it is not improbable, if it be clearly and satisfactorily shown that the gardens now claimed were the public property of the Carnatic Sircar, the Official Assignee may not further press his claim, I have therefore the honor to request that the search may be most carefully made and that copies (or translations if in a Vernacular) of any correspondence or papers which can be found on the subject may be forwarded to me.

From CLEMENT DALE, Esq., Receiver of the Carnatic Property, to E. G. BALFOUR, Esq., Government Agent at Chepauk, dated 17th September 1860, No. 163.

Mins. Cons. 27th November 1855, *No.* 474, *Political Department.*
Letter from the Dewan of the Durbar, to Government Agent, 20th May 1857.

Para. 1. From the Minute of Consultation and letter noted in the margin, I learn that you are aware that the Official Assignee of the Court for relief of Insolvent Debtors, as the Assignee of the Estate of one Gholam Mahomed Niamud Khan, claims to be entitled to certain portions of the Gardens at Arcot and Trichinopoly known as the Ally Bagh and the Ameer Bagh which belonged to His late Highness the Nabob of the Carnatic.

2. Previously to communicating again with the Official Assignee, I am desirous of obtaining some further information regarding these properties, and as the claim of the Official Assignee may become a matter for decision of the Supreme Court, it is requisite I should be in possession of accurate and trustworthy information, and therefore I do myself the honor of soliciting your assistance.

3. I am informed that prior to the Treaty of 1781, the properties in question belonged to the Nabobs and formed part of their Highnesses territorial possessions. That on the Honorable Company assuming the management of the Carnatic, these properties were retained by the then Nabob.

4. I am aware that from 1781 to 1785, the Honorable Company were in possession of certain Districts of the Carnatic and received the revenues. That in 1785 those Districts were returned to the Nabob, but by the Treaty of 1785, the Honorable Company had power in certain events to possess themselves of certain Districts; and by the Treaty of 1792, other events were mentioned on the occurrence of which the Company were to "possess full authority over the Carnatic," and might "assume the management of and make the collection of the revenues from the Districts mentioned." I cannot, however, ascertain whether subsequent to 1785, and prior to 1801, the Honorable Company did assume the management or take possession of any part of the Carnatic; and if they did so, whether such management and possession extended to the Districts in which these properties are located.

5. I should wish to be informed regarding that point; and if such management were assumed or possession taken, then I should wish to be informed (should the information be obtainable), whether these particular properties were included in the portions managed or possessed by the Honorable Company; or whether during that interval they remained in the possession of the Nabobs.

6. From a letter addressed by the Dewan of the Durbar to Major P. T. Snow, under date the 16th of August 1859, I learn that "the GARDENS at Arcot were originally possessed by the "Nabob Wallajah, on whose death they came into the possession of the Nabob Oomdut Ul "Omrah, and on his demise they were seized by the late East India Company. Subsequently in "June 1802, these *Gardens* were at the desire of Nabob Azeem-Ood-Dowlah Bahadoor allowed "by the Government of Madras to be possessed by His Highness, and from him they have "descended in succession to his successors." That "a copy of the Minute of Government enjoin-"ing the transfer of *these properties* to the Nabob Azeem-Ood-Dowlah would be found in the "records of the Sircar English Department now in your custody."

7. I gather that in penning that letter the Dewan referred to *all* the *Gardens* at Arcot and its vicinity; and I assume that the information there conveyed applies equally to the various properties at Trichinopoly and its vicinity, and would include the 2 Gardens now claimed by the Official Assignee. I should wish however to have certain information and do myself the honor of requesting that. The Dewan will state whether I am correct in my conclusions.

8. In forwarding the Dewan's letter to me, Major Snow subjoined to his letter, dated the 17th of June 1859, No. 1,351 of 1859, a copy of a letter from Lord Clive to His Highness the late Nabob Azeem-ood-Dowlah, dated the 12th June 1802; and in a subsequent letter, dated the 14th of September 1859, No. 1,445, Major Snow enclosed me a copy and translation of a letter, dated 29th June 1802, addressed by the Nabob to Lord Clive in reply to His Lordship's letter of the 12th June; in both of these only one Garden is mentioned, the Nowluckah, whereas the Dewan mentions that *these Gardens* were at the desire of the Nabob allowed by the Government of Madras to be possessed by His Highness, and that a copy of the Minute of Government enjoining the transfer of *these properties* to the Nabob would be found in the records of the Sircar in your custody. In adjusting the question now *raised* by the Official Assignee a great deal may turn on the fact of the Gardens in dispute having been so restored to the Nabob Azeem-ood-Dowlah, and it is probable if that were satisfactorily shown, the Official Assignee might be disposed to withdraw his claim. I therefore do myself the honor of soliciting, that a most careful search may be made for any correspondence or papers which can be found bearing on the subject, and that I may be favored with copies or (if in a Vernacular) translations of any such that can be found.

9. In his letter to the Dewan dated the 14th of May 1857, No. 343 of 1857, the Official Assignee states that by an order dated the 28th Jamadeewolowal 1261 Higree, made by Nazrmood Dowlah Bahadoor President of the Maul Dewanee, the Dewan was directed to separate from that of other sircar property the produce, &c., of the disputed Gardens, in order that they might be paid to the Donee Gholam Mahomed, I do myself the honor of requesting that I may be furnished with a translate copy of such order, if any such were issued, together with any explanation which you may consider would be useful to me showing the nature of the office and the powers held by Nazrmood Dowlah, and whether it was within the scope of his general authority to issue such order, or whether there is any evidence to show it was issued by the direction, or with the knowledge or sanction of His late Highness.

10. I learn that the Gardens in dispute were in the possession of the Sircar Naibs at Arcot and Trichinopoly, that the Dewan drew the revenues from the Naibs on his own receipt and paid them to Gholam Mahomed receiving his acknowledgment for the same. I do myself the honor of soliciting that I may be informed up to what month the last amount of revenue was so paid to Gholam Mahomed and that I may be favored with a translate copy of the last acknowledgment given by Gholam Mahomed to the Dewan. I presume from the time that the revenue was last paid by the Dewan to Gholam Mahomed the revenues have been credited to the Sircar.

No. 2. ORDER THEREON, 3rd January 1861, No. 2.

Resolved, that the Record Keeper be directed to cause careful search to be made among the Government Records for any papers bearing on the subject of the properties referred to in the above letter, and to submit a list of them with their contents for communication to the Receiver of the Carnatic Property. The Government Agent at Chepauk will also be desired to prosecute the search in the Records of his Office.

2. Mr. Dale, to whom these Orders will be communicated, will be informed at the same time that there seems no reason why the other properties in the Trichinopoly and North Arcot Districts not yet disposed of, and not affected by the Official Assignee's claim, should not be sold at an early date.

(Signed) T. PYCROFT,
Chief Secretary.

No. 3. Read the following letter from FRANCIS N. MALTBY, Esq., Resident of Travancore and Cochin, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Cochin, 17th December 1860, No. 88.

I have the honor to submit for the information of Government, that a Mr. James Darragh has requested permission to reside in Travancore, with the view of establishing a manufacture of Coir matting.

2. I have further the honor to state that Mr. Darragh, a native of Ireland and who has been in the matting business for six years in Calcutta, appears to be a respectable man. The Travancore Government has gladly accorded permission to Mr. Darragh to reside in that country, and likewise issued orders for the free importation of his machinery, and allowed the exportation for one year of his fabrics at the rate of the raw material.

3. I have the honor to request the sanction of the Government of Madras for Mr. Darragh being allowed to reside in Travancore.

No. 4. ORDER THEREON, 3rd January 1861, No. 3.

The Government see no objection to Mr. Darragh residing in the Travancore territory with the sanction of that Government.

(Signed) T. PYCROFT,
Chief Secretary.

No. 5. Read the following Memorandum :—

No. 86.

MEMORANDUM.

With reference to the Order of Government No. 670 of 14th November 1860, the Resident begs to transmit for the information of Government copy of a letter from the Dewan of Travancore, No. 2,045 of 5th instant.

(Signed) F. N. MALTBY,
Resident.

RESIDENT'S OFFICE, COCHIN,
13th December 1860.

To the Chief Secretary to the Government of Fort Saint George.

From T. MADAVA ROW, Dewan, to F. N. MALTBY, Esq., British Resident of Travancore &c., &c., &c., dated Travandrum, 5th December 1860, No. 2,045.

I have the honor to acknowledge receipt of your letters, Nos. 1,791 and 1,934, dated respectively the 27th October last and 21st ultimo, forwarding two Orders of Government, on the alleged claim of Mr. J. Oughterson of Cochin against the Sirkar.

2. The subject is, I beg to state, receiving my best consideration. As however it involves the careful perusal of extensive correspondence, portions of which I have to obtain from other Departments, I feel I shall need some weeks more, to send in my report.

(True Copy.)

(Signed) F. N. MALTBY.
Resident.

No. 6. ORDER THEREON, 4th January 1861, No. 4.

Resolved that the Resident be requested to inform the Dewan that the Government very much regret to learn from his letter of the 5th instant, that he will need some weeks more to send in his report on Mr. Oughterson's claim upon the Travancore Government.

2. It is observed that Mr. F. Maltby's own views upon the subject were communicated to the Dewan before they were submitted to Government. The question is one with which he must have long been in a great degree familiar, and the Government cannot think that much more information is obtainable in respect to it. The Resident will impress upon the Dewan that the Government are anxious for an early settlement of the claim, and that they will expect him to allow no delay that can be avoided.

From Resident 12th October 1860, No. 607, paragraph 36.

(Signed) T. PYCROFT,
Chief Secretary.

No. 7. Read the following letter from W. M. CADELL, Esq., Government Agent, Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallam, 12th December 1860, No. 556.

In continuation of the statement submitted with my letter of the 22nd September last, No. 370; I have the honor herewith to submit a further statement containing 748 applications for the commutation of the pensions of the late Tanjore Raj, of Rupees 2 and *under* per mensem, and to solicit the sanction of Government for disbursing the amount of Rupees 1,36,656-8-0 being the commutation value thereof.

2. Inclusive of this statement, the total number of pensions hitherto commuted is 1,645, and the aggregate amount of commutation Rupees 3,52,352-6-0.

No. 8. ORDER THEREON, 4th January 1861, No. 5.

The Government observe that the total expense which is involved in the commutation of all the pensions entered in the list now under submission, or Rupees 1,36,656-8-0, is much more than under present circumstances they would be disposed to incur.

2. Added to the payments already made on the same account, it gives an aggregate disbursement of Rupees 3,52,352-6-0, being Rupees 54,352-6-0 in excess of the sum (Rupees 2,98,000-0-0) assigned—it is to be presumed on information received from the Government Agent—by the Accountant General in his prospective estimate of the year 1860-61 for the commutation of Tanjore pensions.

3. The Government therefore resolve to return the present statement to the Agent and to request him to revise it, so as to bring it within an aggregate expenditure of not more than

half a lac of Rupees. In his revision Mr. Cadell will give the preference to those persons who may possibly have made arrangements in expectation of the pensions being commuted and might suffer loss or inconvenience were their hopes to be disappointed, as also to pensioners drawing one Rupee per mensem, and under.

4. The Government Agent, after he has furnished the revised list now called for, will not submit any more applications for commutation until further orders.

(Signed) T. PYCROFT,
Chief Secretary.

No. 9. Read the following letter from H. L. ANDERSON, Esq., Chief Secretary to Government, Bombay, to T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George, dated 24th December 1860, No. 4,888.

Political Department.

I am directed by the Honorable the Governor in Council, to acknowledge the receipt of your letter dated the 3rd instant, No. 717, with accompaniment; and to inform you, that the necessary instructions have been issued to the Collector of Rutnaghery, for the payment, from his Treasury, of the stipends of the persons alluded to in your communication.

No. 10. ORDER THEREON, 4th January 1861, No. 6.
To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following papers :—

No. 11. From G. G. K. RICHARDSON, Esq., to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George.

I have to solicit the favor of your submitting for the consideration of the Honorable the Governor in Council the following circumstances connected with my claim to a sum of Rupees 11,330, in respect of certain Istafa Cutcherry Bonds issued by order of His Highness the late Nawab in payment of the debts of Ghoolam Moortooza Khan, for the payment of which, Act 30 of 1858 expressly provides.

2. Had I been able to trace the Bonds in question in time to file them in Court in February 1859, under the Provisions of Act 2 of 1859, I should have received the Rupees 11,330 long ago, there being no question as to their validity, or as to Ghoolam Moortooza Khan having received value for the same. The only objection arose from the non-production of the Bonds, which, as I have mentioned, I had not then been able to trace.

3. It has now transpired from the evidence adduced in support of Fakeer Saib's claim against the Nawab's Estate, that he had received these Istafa Cutcherry Bonds and fraudulently withheld and concealed them from me. These very Bonds were included in Fakeer Saib's particulars, but the payment of this sum of 11,330 Rupees and interest was successfully resisted by the Law Officers of Government on the very ground that I, and not Fakeer Saib, was entitled to the amount.

4. I would now, therefore, request the attention of Government to the fact that the Supreme Court, in its judgment in this suit, disallowed this sum to Fakeer Saib, expressly on the ground of the objection taken on the part of Government, that the same was due to me and not to him; and I respectfully submit my claim and pray that Government will be pleased to issue instructions to their Law Officers to cause the amount to be paid to me the person confessedly entitled thereto.

Referred for the report of the Government Solicitor.

11*th December* 1860. (Signed) T. PYCROFT,
Chief Secretary.

No. 12. From J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 21st December 1860, No. 2,104.

Letter from G. G. K. Richardson, without date. Order of Government thereon, dated 11th December 1860.

1. I have the honor to acknowledge the receipt of the papers noted in the margin and herewith returned.

2. I have since conferred thereon with the Advocate General, a copy of whose opinion I herewith forward.

COPY—OPINION.

I was satisfied, and so was the Government Solicitor, when we went, together, over the claims of the various parties, who claimed as holders of the Istafa Cutcherry Bonds issued on account of Gholam Moortaza Khan, that value had been received for an amount which included the Rupees 11,330 respecting which Mr. Richardson has now addressed Government. Government were, therefore, in my opinion, liable to pay that amount, and that amount has not been paid; and when it was claimed by Fakeer Saib, I objected, and successfully, that on his own showing it was due to Mr. Richardson not to himself, and that he could not include in his claim a demand on account of any other person, and of this opinion was the Court.

Mr. Richardson is barred in law from claiming this sum; having accepted the amount offered him on behalf of Government in full satisfaction of all his claims in respect of the Nabob's Estate.

It is therefore a matter solely for the consideration of Government, whether, under the circumstances above mentioned, they will take Mr. Richardson's application into their favorable consideration.

(Signed) THOMAS SYDNEY SMYTH,
Advocate General.

20th December 1860.

(True Copy.)

(Signed) J. R. BOYSON,
Government Solicitor.

No. 13. ORDER THEREON, 5th January 1861, No. 7.

Under the opinion given by the Advocate General and the explanation furnished by Mr. G. G. K. Richardson of the reasons which prevented him from filing in Court under Act XXX 1858, the Istafa Cutcherry Bonds for Rupees 11,330 alluded to in his letter; resolved, that the Sub-Treasurer be authorized to disburse to Mr. G. G. K. Richardson, on his receipt, the sum of Rupees (11,330) eleven thousand three hundred and thirty in satisfaction of the claim upon the Estate of the late Nawab of the Carnatic preferred by him in respect of those Bonds.

(Signed) T. PYCROFT,
Chief Secretary.

No. 14. Proceedings of the Madras Government, dated 5th January 1861, No. 8.

Under date the 12th November 1860, the Government directed their Agent to inform Her Highness Kyroon-Nissa Begum, that she must either take immediate measures for executing the necessary repairs to the Wallajah Baug, in which she had been permitted to reside, or give up possession of it to Government.

2. Her Highness was required in the same Order to inform Government at an early date, which of the above alternatives she proposed to adopt. Nothing has since been heard from the Government Agent on the subject, and it is to be inferred that he has not received any reply from Her Highness.

3. The Government cannot permit any further delay in this matter. They therefore request that the Government Solicitor will ascertain from the Government Agent whether Her Highness is really taking any steps towards putting the house in good and sufficient repair, and if she is not, that he will then at once proceed to take possession of it on behalf of Government.

(Signed) T. PYCROFT,
Chief Secretary.

No. 15. Read the following letter from Lord H. ULICK BROWNE, Officiating Under Secretary to the Government of India, to the Chief Secretary to the Government of Fort Saint George, dated Fort William, 20th December 1860, No. 6,097.

Foreign Department.

With reference to your letter dated 26th ultimo, No. 691, I am directed to request that the Government of Madras will be good enough to order the payment of Rupees 500-2-0 to Vencut Row, on account of arrears of salary due to him as Persian Moonshee of the Nagpore Residency from 1st December 1833 to 21st March 1834, at the rate of Nagpore Rupees 150 or Company's Rupees 136 per mensem.

2. Vencut Row is stated to be employed in the Sub Collector's Office at Madura.

No. 16. ORDER THEREON, 5th January 1861, No. 9.

Ordered that the Accountant General be desired to issue the necessary instructions for the payment to Vencut Row of the amount sanctioned by the Government of India,

(Signed) T. PYCROFT,
Chief Secretary.

No. 17. Read the following letter from His Excellency M. D'UBRAYE, Governor of the French Establishments in India, to His Excellency the Right Honorable the Governor of the Presidency of Fort Saint George, dated Pondicherry, 31st December 1860.

GOUVERNEMENT DES ETABLISSEMENTS
FRANCAIS DANS L'INDE.

Cabinet du Gouverneur.

No. 22.

MONSIEUR LE GOUVERNEUR,

J'ai l'honneur de prier Votre Excellence de vouloir bien donner des ordres pour que la somme de cinquante mille Roupies Sicca formant la moitié du 4e terme de la rente des quatre lacs dûe á la France par le Gouvernement Britannique de l'Inde, pour l'anneé courante, soit payeé, à son échéance á Goudelour, au Trésorier des Etablissements Francais de l'Inde.

Veuillez aggreér, Monsieur le Gouverneur, l'assurance de la haute considération avec laquelle j'ai l'honneur d'etre.

De Votre Excellence,
Le trés humble et trés obéissant Serviteur,
Le Commissaire Genéral,
Gouverneur des Etablissements Francais de l'Inde,
(Signed) D'UBRAYE.

Referred for the report of the Accountant General.

3rd January 1861. (Signed) T. PYCROFT,
Chief Secretary.

No. 338.

The Accountant General has the honor to report that the sum of Sicca Rupees (50,000) fifty thousand, being the moiety of the fourth instalment of the rent due to France for the year 1860, may be discharged at Cuddalore by the Collector of South Arcot.

(Signed) R. P. HARRISON,
Accountant General.

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
4th January 1861.

No. 18. To His Excellency M. D'UBRAYE, Governor of the French Establishments in India, dated Fort Saint George, 5th January 1861, No. 10.

I have the honor to acknowledge the receipt of your Excellency's letter of the 31st ultimo, No. 22, and to acquaint you that the necessary orders have been issued for the disbursement at Cuddalore, of the sum of Sicca Rupees (50,000) fifty thousand, being a moiety of the fourth instalment due to France by the East India Company, for the year 1860, the other moiety being payable at Calcutta.

Accept Sir, &c.,

(Signed) T. PYCROFT,
Chief Secretary.

No. 19. Read the following letter from Messrs. BOYSON and MILLER, Solicitors, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 24th December 1860.

1. As Solicitors for Azeezood Dowlah Bahadoor, we have the honor to request that you will be pleased to bring the following circumstances under the consideration of Government with a view to the expression of an opinion as to whether the Receiver of the Carnatic Property is or is not a "Public Officer in a public capacity" within the meaning of the general exemption at foot of Schedule A. to the Stamp Act No. XXXVI of 1860, the words of which exemption are as follows "Deeds, instruments and writings of any kind in which Government, or any Board, "Commission, Court or Public Officer may, in a public capacity, be a party, do not require "Stamps."

2. Azeezood Dowlah Bahadoor was the purchaser of Lots 1, 2, 4, 5, 7, 14, 15 and 31, forming part of certain property at Arcot belonging to the Estate of the late Nabob of the Carnatic and sold by the Receiver of the Carnatic Property.

3. We contend on behalf of Azeezood Dowlah Bahadoor, that the conveyances from the Receiver of the Carnatic Property to Azeezood Dowlah Bahadoor are exempted from Stamp duty. The Receiver on the other hand requires that they shall be stamped before he executes them.

4. We would respectfully submit that, in as much as the Receiver of the Carnatic Property was appointed by Government under the authority given to it by an Act of the Local Legislature of an essentially public nature (seeing that it charges the Public Revenue with the payment of the Nabob's debts and deals with the whole question upon public grounds) and is moreover removeable by Government, he is a "Public Officer in a public capacity" and Deeds to which he is a party are exempted from the payment of Stamp duty.

Referred to the Advocate General for his opinion.

FORT SAINT GEORGE,
26th December 1860.

Signed) T. PYCROFT,
Chief Secretary.

No. 20. From J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 29th December 1860, No. 2,117.

By desire of the Advocate General, I have the honor to return herewith the Order of Government, dated 26th instant, and endorsed on Messrs. Boyson and Miller's letter to your address of the 24th idem, together with a copy of his opinion on the subject to which that Order relates.

COPY—OPINION.

1. The office of "Receiver of the Carnatic Property" is created by Act 30 of 1858, and his duties, independent of the Supreme Court, are defined in Sections I to V inclusive, and Sections XXV, VI and VIII of that Act.

2. Unless either immoveable property is sold by the Receiver with the sanction of the Court, or a suit is instituted for the administration of the Nabob's Estate, the Supreme Court has nothing whatever to say to the Receiver.

3. The Governor in Council has appointed the Officer who is now "Receiver" under the provisions of Section I of this Act and may suspend or remove him—Sections 3 and 4.

4. As therefore the office has been created by a special Legislative Act for the carrying out of duties defined by the Act itself, of a purely public and very important character, and as the Officer has been under the provisions of that Act, appointed by the Governor in Council to carry out those duties and may be suspended or removed by the same authority and is responsible to no one else, no administration suit having as yet been instituted, I am clearly of opinion that the Receiver is in every sense of the word a "Public Officer in a Public capacity" and that Deeds, &c., executed by him in his capacity of "Receiver of the Carnatic Property" come within the exemptions in Schedule A. of Act XXXVI of 1860.

28th December 1860. (Signed) T. S. SMYTH,
Advocate General.

(True Copy.)

(Signed) J. R. BOYSON,
Government Solicitor.

No. 21. ORDER THEREON, 7th January 1861, No. 11.

Resolved that a copy of the opinion received with the above letter be communicated to Messrs. Boyson and Miller in reference to their letter under date the 24th ultimo, and also to the Receiver of the Carnatic Property. Under this opinion Deeds to be executed by Mr. Dale in his capacity of Receiver of the Carnatic Property must be held to fall within the exemptions in Schedule A, Act XXXVI, 1860.

(Signed) T. PYCROFT,
Chief Secretary.

No. 22. Read the following letter from WILLIAM C. GIBSON, Esq., Colonial Secretary, Colombo, to the Chief Secretary to Government, Fort Saint George, dated 15th December 1860, No. 113.

With reference to the annexed copy of a letter from the Auditor General, I am directed to request that you will move the Honorable the Governor of Madras in Council to cause the Descriptive Returns of the Kandyan Pensioners of this Government to be revised, as suggested by that Officer.

From T. SKINNER, Esq., Acting Auditor General, to the Honorable the Colonial Secretary, dated 7th December 1860, No. 649.

On comparing the names in the Descriptive Returns of the Kandian Pensioners of the Ceylon Government in the districts of the Presidency of Madras, dated Fort Saint George, Civil Auditor's Office, 5th December 1859, received with your letter No. 34, of the 11th January last, with the names in the several abstracts of payments for 1859, received from the Accountant General, Fort Saint George, I find that a number of names which appear in the latter, are omitted in the former.

To facilitate reference, I beg leave to enclose a list of Pensioners paid in the Madras Presidency during the year 1859, compiled from the various pay abstracts and also a copy of the "Descriptive Return" above quoted, showing in red ink the names in the former, which are wanting in the latter.

It being very desirable that this "Descriptive Return" should be as complete and accurate as it can be made, I take the liberty of suggesting that the Madras Government should be requested to cause it to be revised.

When satisfied of the completeness of the "Descriptive Return," I propose to submit for the consideration of His Excellency the Governor and Executive Council, a classification of the Pensioners, shewing those, to whose next of kin it is proposed to grant a reduced pension, on the death of the present holder, and those at whose death, the present pensions are to lapse.

Such a classification with the List submitted with my letter No. 624, of the 21st ultimo, and referred to in my letter No. 627, of the 23rd ultimo, will I hope reduce the frequency of applications from the Kandian Pensioners for grants, for which there are no sufficient claims, and afford greater facilities for future references, and decisions, in all matters connected with the Pensioners.

(True Copy.)

(Signed) WILLIAM C. GIBSON.

No. 23. ORDER THEREON, 7th January 1861, No. 12.

Ordered that the foregoing letter and its enclosures be forwarded to the Civil Auditor, and that he be requested to revise the Descriptive Return of Kandyan Pensioners in this Presidency furnished with his letter of the 5th December 1859, No. 791, as desired by the Ceylon Government. He will, if necessary, place himself in communication with the Accountant General and the Collectors by whom the Pensioners are paid, and submit a complete and accurate Return, explaining at the same time how the omissions in his List noticed by the Auditor General at Colombo, have occurred.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following Petition:—

To the Right Honorable the Governor in Council, Fort Saint George.

No. 24. From M. RADHABAYE AMNI, the daughter of late RY. NANAH SAHIB, the cousin of the late Rajah of Tanjore, and other undersigned members of his family.

MY LORD,

After the death of Ry Tukoje Sahib my brother and descendant of the late Rajah of that name, in 1845, his allowance had been withheld for about 5 years and on my frequent application to the then Resident and the Rajah a reduced monthly allowance of Rupees 300, together with the accumulated arrears of 5 years, were ordered to be paid to me as the recognized head of the family.

1. *Vide Resident's letter dated* 28/2/1851.

2. One Sakharam Sinda whom I had nominated as my Agent for conducting the affairs of our palace, began to create dissensions, and discord, among myself and Sakoovarbaye Amni, the unmarried daughter of my brother Ry Tukojee Sahib; and upon my bringing the matter to the notice of the Rajah and of the Resident Mr. Forbes, the latter issued strict orders prohibiting the said Sakharam Sinda from entering our palace on pain of incurring severe punishment, and nominated in his stead one Narahary Row, in communication with the Rajah, and caused the debts to be duly discharged under his superintendence.* Sakoovarbaye Amni, my niece, in the meantime, desired to dispense with the new Agent; but the Sirkele would not consent to disturb the then arrangement.

2. *26th April* 1854.

3. *29th June* 1854.

4. *Vide Endorsement on her address, 6th June* 1856.

3. Mr. Phillips, while Resident in 1857, wished to make some final arrangement of the expenses of our palace and by communicating with the Sirkele it was arranged, that Rupees 200 should be disbursed to the establishment of our palace and the remaining 100 Rupees should be the limit within which, the kitchen expenses of four of the undersigned members of the family be constrained.

5. *Vide list prepared and sent by the Sirkele and approved of by Mr. Phillips, dated 21st July* 1857.

4. The facts being as aforesaid, and as they also may be proved by the Residency records, Mr. Phillips while Commissioner forgetting his past proceedings, made a new arrangement as he then pleased to do, by which he allotted Rupees 78 to certain of our relations and Rupees 222 fixed exclusively on S. Sakoovarbaye Amni in prejudice to the interests of others the undersigned and this arrangement it seems the Government have implicitly approved, without ascertaining the fact from any other source. They perhaps have allowed the names of others in the Schedule sanctioned* by them. We, the undersigned afterwards exclaimed and objected to the Commissioner's arrangement, by which we are made to depend for our maintenance on S. Sakoovarbaye Amni, with whom we are at variance owing to some domestic difference since a few years and requested him to assign a separate allowance on each of us as proposed before, and make us independent with each other as it is the case with several other inmates of the Rajah's palace; but no notice was taken by the Commissioner to several of our applications to that effect.

* *Minute Consultation, 5th December* 1859, *No.* 705.

5. The Government having however mentioned our names successively, with the exception of one, in the list appended to their Proceedings of the 5th December 1859, No. 705, and entered against the names the aggregate amount of 300 Rupees, being the settled allowance, long continued, in lump, to our family, we addressed the Assistant Collector Mr. Carr, to whom the Government Agent has entrusted the management of passing the several stipends and requested him to sanction the apportioning of our allowance as intimated by Government in their list, but to no purpose and his answer thereto is herein enclosed for information.

6. *24th May* 1860.

6. Again the subsequent endorsement of the Commissioner and a letter from the Government Agent in answer to my applications, are also herewith submitted for the information of Government. Another from the latter to my address to the same effect also accompanies this.

7. *28th July* 1860.
8. *7th August* 1860, *No.* 282.
9. *8th October* 1860.

7. A sum of 2,000 and odd Rupees has long been held in deposit in the Rajah's Treasury in favor of our family as it being the amount accumulated from our monthly allowance having left undrawn for some time, owing to some family dispute and maintained ourselves by contracting debts. This amount Mr. Phillips recommended the Government (as it seems) as due exclusively

to Sakoovarbaye Amni and the Government have accordingly passed their sanction as recommended, in favor of the said lady. We represented the Government Agent that this award in favor of Sakoovarbaye Amni is a mistaken and biassed one and protested against the sum being made over to her in prejudice to our claims to it, until at least, we obtain the final decision of Government on the point, but of no use. His Endorsement passed on our application is given cover to.

10. 15*th September* 1860.

8. The Civil Auditor once properly objected to pass the monthly Abstract of the allowance of our family as the payment had been made exclusively to Sakoovarbaye Amni, on taking a receipt for the same from her only, while the aggregate amount has been entered in the list sanctioned by Government, against the names of four others; but the Government Agent seems to have satisfied him by a circuitous explanation.

9. We therefore humbly beg in conclusion that the Governor in Council, may be pleased to take into their serious and favorable consideration the several papers above enumerated and on a further reference of our respective claims to the Government Agent at Tanjore, and through him to the Sirkele, cause a permanent arrangement to be made by which each of us shall enjoy their respective allowances as may be fixed by Government on a reference to past proceedings independently with each other, as they have done in the case of several other relatives of the Rajah and order the payment of deposit money to be paid both to Sakoovarbayee Amni and Radahboye in equal portions, so, that the both may be enabled to satisfy their respective creditors.

For this act of charity we as in duty bound, shall ever pray.

No. 25. ORDER THEREON, 7th January 1861, No. 13.

Radah Bóyi Amni is one of the four persons entered in the Commissioner's list as being 'descendants of Tookoji, 4th Raja of Tanjore.'

2. Her present claim, that the stipend granted to the family may be divided and a portion assigned her to be drawn on her separate receipt, has been frequently brought forward. The disagreement is of long standing, and it is not the intention of Government now to discuss the matter. It is sufficient to know that Sakkavara Boyi the *daughter*, is nearer of kin than Petitioner the *sister*, of Tookoji Sahib, and that it is proper this stipend which has been granted for the support *of the family* should be drawn upon the receipt of its principal member. Petitioner does not appear to assert that either herself or any of the family entitled to participate, has been denied support from the allowance, but if any of them consider that sufficient consideration is not shown them, and that the head of the family neglects to provide for their support, it is for them to address the Government Agent who will see that the rights of all are respected.

3. Mr. Cadell will communicate to the Petitioner the substance of the above remarks and will inform her that her request cannot be acceded to.

(Signed) T. PYCROFT,
Chief Secretary.

No. 26. Read the following letter from FRANCIS N. MALTBY, Esq., Resident of Travancore and Cochin, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 21st December 1860, No. 89.

I have the honor to forward, for the information of His Excellency the Governor in Council, a Proclamation issued by His Highness the Rajah of Cochin, abolishing the Monopoly of Pepper in his dominions, and substituting a duty of 15 Rupees per candy of 500 lbs. English, and I have the honor to request that this Proclamation may be published in the Government Gazette.

2. I beg at the same time to forward copies of the rules under which it is proposed that the duty be collected in the two States.

3. You will observe that the duty is to be collected rather in the manner of an excise than as a frontier duty. This was found to be necessary owing to the open frontier on the Northern boundary of Cochin, and to the difficulty of collecting the duties on the back-waters, since the Pepper once on the back-waters can be conveyed up to the Ports of Malabar, and there would be no security against corrupt practices on the part of the Customs Officers of the Sirkars at the numerous small Custom houses.

4. The present arrangement is much the same as used to prevail in Canara for the collection of the Hawlut duties.

5. It is only necessary that an arrangement be made with the Collector of Malabar for the Rowanahs of the two Sirkars being received at the Custom house of British Cochin in lieu of cash payable to the Rajahs, and I have the honor to request the consent of the Government to my making this arrangement with Mr. Grant.

6. The working of these rules will be carefully watched; but I see every reason to hope that they will attain the object of securing the revenue without more interruption to the trade than is unavoidable.

PROCLAMATION.

By His Highness Ravee Wurmah Rajah of Cochin, under date the 30th Vrichegom 1,036 *M. E. corresponding with the 13th December* 1860.

Whereas the Pepper Monopoly, has been found to be a source of great oppression and has tended to discourage the cultivation of this staple in my country, its abolition and the substitution of a duty on exportation has been resolved on, and we hereby notify to all that the said Monopoly will cease from the 18th Dhanoo 1,036, corresponding with the 31st December 1860.

2. The growers of Pepper are henceforth relieved of the obligation of delivering over this produce to the Circar, and are at liberty to dispose of it in the way they may consider most advantageous to themselves in like manner as they dispose of other articles of produce.

3. After the 31st December 1860, a Duty of 15 Rupees per Candy of 500 English pounds will be imposed on Pepper exported from Cochin, whether by land or sea, and the duty will be levied at such places, and under such rules, as shall hereafter be resolved on.

4. With the view of affording every encouragement to the cultivation of the Pepper vine; We hereby notify that no Special Tax will be imposed on it but that lands hereafter devoted to the cultivation of this Staple, will be taxed according to its own value, without reference to the Pepper that may be derived from it. Lest apprehension should exist in the minds of any that in consequence of the abolition of the Monopoly so good a price may not be obtained for their Pepper, as heretofore; We hereby notify, that for the period of one year from this date the Circar will receive any Pepper that may voluntarily be brought to its Banksalls paying for the same at the old Monopoly rate; but as before stated, the growers of Pepper will be at liberty to sell it where and to whomsoever they please.

No. 27. ORDER THEREON, 7th January 1861, No. 14.

His Excellency the Governor in Council is much gratified at learning that His Highness the Rajah of Cochin has issued the Proclamation for the abolition of the Pepper Monopoly in his State, of which a copy is enclosed in the above letter. The Proclamation will be published in the Fort Saint George Gazette, and the Resident will inform His Highness of the high approval with which his enlightened conduct is viewed by the Madras Government.

2. A copy of Mr. Maltby's letter, and of the rules for the collection of the Pepper duty which accompanied it, will be furnished through the Revenue Department to the Collector of Malabar, who will make with the Resident the arrangement alluded to in paragraph 5. Mr. Maltby will, as he proposes, watch carefully the working of these rules.

(Signed) T. PYCROFT,
Chief Secretary.

We beg to state that a few months ago while on circuit at Cudmoor we presented to your honor a petition submitting the original endorsement from Mr. Stokes as well as copies of Sunnuds of the late Nabob, and the orders we obtained from Captain Russell the late Government Agent, and you were kind enough to promise that you will write to the Government recommending the continuance of our pension in full, and we were satisfied.

We also beg to state that we have lately received orders from your honor intimating that one-third of the pension now continued will be resumed and the remaining portion will be confirmed for a limited period of 5 years. We are in consequence greatly disappointed in our expectations because we thought that we are taken under the protection of the Government in common with its other faithful servants.

Shah Kamall Sahib, Khader Ally Khan Naghûr, wife of Nowraud Khan, Saryage wife of Goolzar Khan Naghur and many others the heirs of the other deceased parties are still in the enjoyment of the Government bounty. After the demise of Oomer Draz Khan Looryazie, his son Goolam Mohaddeen Khan has been appointed in the room of his father. Our father honestly discharged the duties of the Circar for 21 years since the assumption of the countries, and we hold an endorsement to the effect that what is allowed to us as pension will be continued to our family. On this ground we hoped to get our father's step, together with the pension without limited period, and now we are exceedingly sorry to state, that after the expiration of term fixed for the continuance of our pension we shall be left quite destitute.

Further we beg to state that we look to you for our protection being dependants on you for our future views. We humbly therefore entreat you will be good enough to recommend to the Government in the manner, that the pension will be allowed to us, may be continued to our family without limitation, which kindness will ever be remembered by us with gratitude. There are several references in the records of your Office which we humbly hope will be in support of our claim, and if you will be graciously pleased to forward your kind recommendation on the subject of our claim, we will be very thankful for that kindness.

(Signed) SYED ALLAWOODDEEN, and
SYED SYFOODDEEN.

1st August 1859.

ORDER THEREON, 4th November 1859, No. 641.

Resolved, that the Petitioners be informed through the Collector of Kurnool, that the pensions lately granted to them cannot be extended beyond the term for which they have been sanctioned by the Government of India.

(True Extract.)

(TRANSLATION.)

From the Office of JOHN RUSSELL, Acting Commissioner of Kurnool.

To Syed Yasseem Mean, the asylum of dignity and honor. May you be safe.—We have perused the Petition which you have sent to us in connection with your Pension and also the endorsement of Mr. Stokes and it appears to us that the salary which you now draw monthly is in the room of your former Jagheer, although you are at present in service, but it does not appear only to be a monthly stipend, consequently the Government will take your case into consideration after your death, and it is not according to its Regulations to change it in your life-time according to your request I have returned to you the endorsements which you have sent me.

5th December 1857 *corresponding with the*
17 *Rabeesanee* 1274 *Higrie.*

(Signed) THOMAS RUSSELL.

From Syed Aseen of Kurnool, dated 21st Ramzan 1257 H.
Received 10th November 1841 by T. with 1 enclosure.

Received from P. S. 2nd December 1841.

Prays that Government may grant him the village which he enjoyed for 12 years under the rule of the Nabob of Kurnool.

No. 2,013 of 1841.

The Petitioner is required to produce an endorsement from the Commissioner at Kurnool.

FORT SAINT GEORGE,
14th December 1841.

By Order,
(Signed) ———
Secretary to Government.

Endorsement on Petition No. 2,013 of 1842.

On the assumption of Kurnool the petitioner was in the enjoyment as Jagheer of the village of Nursapoor of which the Taktah beris is Gudwal Rupees 1,361-4-0, but of which the rent is stated in the Sunnud as Gudwal Rupees 1,920-0-0; the Commissioner in October 1839 commuted the Jagheer for a monthly salary in the Mootfarkhat of Gudwal Rupees 160-0-0 which he still receives, the Sunnud dated Shaban 22nd Hegira 1250 makes the Jagheer heriditary and he therefore prays that it may be so considered by the Government. This course seems to have been considered objectionable in the case of Lalkhatum. See letter from the Secretary to Government of India dated 17th May 1841, paragraph 9. The claims of the petitioner will again be brought under the notice of Government in reporting on the revision of the Sawars and Mootfarkhat.

KURNOOL, COMMISSIONER'S OFFICE,
On Circuit Naemoor, 14th February 1842.

(Signed) H. STOKES,
Assistant Commissioner in charge.

———

A true copy of a Purwanah issued with the seal of Nabob Goolam Russool Khan Bahadoor.

Be it known to the present and future Magaddins and Putwaries of the Mouza of Nursapoor of the Taluqa of Changel Mari of the Purgana of Qamar Nagar alias Kurnool, that the said Mouza has been conferred on Syed Yaseen Meyan the asylum of dignity and honor as an hereditary Attamgha Inám in lieu of 1,920 Rupees. Let all the inhabitants, &c., of the said Mouza be continually engaged in rendering advice to the said Meyan and labour for the increase of agriculture and population. Let (them) not demand a new Sanad yearly and let (them) regard our order as peremptory in this particular and act according to it. 22nd of the month of Shaban 1250 Higrie.

———

No. 29. ORDER THEREON, 8th January 1861, No. 15.

Ordered that the following letter be despatched.

(Signed) T. PYCROFT,
Chief Secretary.

———

No. 30. To the Secretary to the Government of India, dated Fort Saint George, 8th January 1861, No. 16.

To Govt. of India, 17th May 1839, No. 302.
From do. 23rd June 1859, No. 1,216.
From Collector of Kurnool, 20th Octr. 1839, No. 29.
Order of Govt., 4th Novr. 1839, No. 641.

I am desired by the Honorable the Governor in Council, to bring again under the consideration of the Government of India the case of Said Alla Ud Din and Said Saif Ud Din, sons of the late Said Yasam Meeya of Kurnool.

2. Said Yasam Meeya, a member of the Mootafar-i-Khat, in receipt of Rupees 86 per mensem, died in 1839, and an application was submitted to Government in behalf of the present

Read the following Petitions:—

No. 28. To T. PYCROFT, Esquire, Chief Secretary to Government, &c., &c., &c.

The humble Petition of SYED ALAOODDEEN KHADRY and SYED SYFOODDEEN KHADRY, sons of the late SYED YASSEEN MEEAH SAHIB, Superintendent of the Household of the Nabob of Kurnool.

MOST RESPECTFULLY SHEWETH,

That the Nabobs of Kurnool had treated the ancestors of your Petitioners with great respect and regard and conferred on them Jagheers, which they have been enjoying from five generations.

That Gholam Russool Khan Bahadoor the late Nabob of Kurnool, had conferred on their father the Jagheer of Narsapoor in perpetuity, to be continued to his heirs, which he enjoyed till Kurnool and its adjacent territory was sequestrated of by the Honorable East India Company.

That, after the assumption of the Jagheer T. L. Blane, Esquire, the then Commissioner of Kurnool gave to their father a pension of Rupees 160 per month in lieu of the said Jagheer, and that Mr. Stokes his successor, resumed one third of the aforesaid pension and settled on him two thirds of it (Rupees 86-11-1) without attaching to it any restrictions whatever.

That, when the said Yasseen Meeah Sahib petitioned him about the said reduction, he gave him an endorsement, which shows, that the said stipend was given him in lieu of Jagheer, which, he and heirs, and descendants would have enjoyed in perpetuity, had it not been taken possession of by Government, a copy of which your Petitioners have herein enclosed for your honor's perusal.

That the father of your Petitioners then petitioned Captain J. Russell thrice, about it, and he too sent an order to the effect "that the said stipend was in lieu of the proceeds of the said perpetual Jagheer, and that the Government will take his case into consideration in future also." The English translation of this order, the Petitioners have also herein enclosed for your honor's perusal.

That the Government has dealt liberally with the following inhabitants of Kurnool, by settling full pensions on their heirs and descendants after their decease, viz., Shah Kamall Peeran Sahib, Nowraud Khan, Goolzar Khan, Khadur Allee Khan, Shaleem Khan, and others, after whose demise their sons and issues have pensions settled on them conditionally and restrictions of any kind being attached to them. Gholam Mohyaddeen Sarbagee, had the entire pension and situation of his father conferred on him.

That the Petitioners also hoped to be similarly treated to be favored with the full pension and situation of their father, but instead of which this Honorable Government has ordered only two thirds of their father's pension to be paid them only for five years not known why this restriction is so rigidly contemplated.

That the Jagheer, out of the proceeds of which their late father's stipend was paid and was a perpetual one, for the Purvanah issued by the late Nabob Ghulam Russool Khan Bahadoor, when he conferred the said Jagheer on their deceased father, plainly says, "that it is to be enjoyed by him and his heirs and descendants after him generation after generation." Had the Government not taken possession of the said Jagheer, it would have descended to them and their heirs and descendants after them.

That the Petitioners pray your honor to take their case into your merciful consideration; that the Jagheer conferred on their late father and assumed by Government was a perpetual one: to see how unjust it is to take away such a Jagheer, and to confer a small pension in lieu of the Jagheer and that too for a period of five years, and have compassion on their utter destitute and helpless condition either to grant them their Jagheer or continue their pensions to them, to their heirs and descendants after them.

For which act of charity and generosity the Petitioners as in duty bound, shall ever pray.

MADRAS,
The 21st November 1860.

Petitioners his sons. The application was strongly supported by the Collector, but it was considered by this Government to be unnecessary to adopt, to its full extent, his proposal, which was that ⅔rds of the stipend should be continued to the sons *for life*. It was thought that it would be sufficient to continue the pension for 5 years, within which time they might fairly be expected to find some mode of livelihood for themselves. This, under the recommendation of the Madras Government, was sanctioned by a Resolution of the Government of India, dated 17th June 1859, Financial Department, No. 5,109.

3. Petitioners earnestly solicit a re-consideration of this decision, resting their claim mainly on the ground that at the time of the assumption of Kurnool in 1839, their father enjoyed a Jághir village distinctly declared in the Sunnud to be *hereditary*, and that the allowance subsequently granted him and which he enjoyed till his death was *in lieu of* that *hereditary Jághir*. They say, too, that both Mr. Stokes formerly Commissioner at Kurnool, and Captain Russell, formerly Government Agent at Kurnool, assured their father that the pension would be continued to his descendants. On this latter point it will be proper to remark that those Officers had no authority to give any such assurance. Mr. Stokes clearly gave none, as will appear from his endorsement which has been produced by Petitioner among the enclosures to his Petition, and Captain Russell, in an endorsement which he gave to Petitioners' father in 1857, merely expressed his opinion that the allowance in question was in lieu of his former Jághir, and that as it was not to be regarded purely in the light of an ordinary salary for service, the Government would take the case into consideration after his death.

4. The Government have not altered their views in respect to the abstract right of these persons to a pensionary provision. His Excellency the Governor in Council does not consider the State is under any obligation to support these Petitioners, but as from their period of life and past habits they are little fitted to support themselves by their own exertions, while one of them is weak and sickly, and they are stated to have no other means of subsistence, the Government direct me to submit the case for favorable consideration. They would suggest that the amounts which they at present enjoy may be continued to them, as a compassionate allowance, *for their lives*. At their death their shares will, of course, lapse absolutely.

(Signed) T. PYCROFT,
Chief Secretary.

No. 31. Read the following letter from G. S. FORBES, Esq., Collector and Agent to the Governor in Ganjam, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 28th November 1860, No. 315.

Paragraph 1. Adverting to the Orders of Government dated 6th November 1860, No. 659, desiring me to report on a proposal made by the Meriah Agent to undertake the suppression of robberies in a Hill Tract adjoining the Chinna Kimedy Zemindary, I have the honor to inform the Government that the robberies in question are not, as far as I have understood, the work of gangs, as Captain McNeill's letter might lead them to suppose, but are effected by two or three persons at a time who generally gain an entrance into a house or Cow-shed at night and carry off either brass utensils or one or two Buffaloes, and whom it is difficult to trace as they make off to the Hills. I had ntended posting guards of Sibbundies in such positions as would afford protection to the people who isuffer from these depredations, but was anxious before doing so to compel the Chinna Kimedy Zemindar who has a number of armed retainers holding lands on the special condition of such services, to perform his proper duty by posting guards himself. He has returned no answer to two urgent letters addressed to him on this subject within the last few months. This Zemindar is the man who received a pardon from the late Mr. Lushington, when Agent, for suborning certain Government officials to forgery in the Boodeky case. Captain Saxton of the Topographical Survey lately complained to me that notwithstanding the instructions issued by me to this Zemindar to afford Captain Saxton his support and assistance when in the Hills on duty, he refused to render him any aid whatever. His conduct certainly merits the severe displeasure of Government, and I suggest that

POLITICAL DEPARTMENT.

Proceedings of the Madras Government.

Read the following letter from the Honorable D. ARBUTHNOTT, Collector of Kurnool, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Kurnool, 20th October 1859, No. 29.

1. With reference to the Proceedings of the Madras Government, under date the 19th July last, No. 411, in the Political Department, communicating Extract from the Proceedings of the Government of India, in the Financial Department, dated 17th June 1859, No. 5,109, conferring on the two sons of the late Yaseen Meeah a member of the Mootafarkhat in equal portions two-thirds of his monthly pension of Rupees 86-6-0, *i. e.* Rupees 57-9-4 for 5 years only. I have the honor to report that on the Order being communicated to the parties they importuned me to represent their case again to Government with a veiw to the limit being removed.

2. It would appear from the enclosed petition that Yaseen Meeah had a Jagheer* in perpetuity granted him during the late Government in which service he was for 40 years (till the territory came under British control) that the late Commissioner Mr. Blane granted him a pension of Gudwall Rupees 160-0-0 in lieu thereof, that during the time Mr. Stokes was Commissioner it was reduced to two-thirds, when the other Mootafarkhat pensions were reduced to one-third, that he was told that his pension would be hereditary, and that he held a Sunnud† which is now in the possession of his sons and that Captain Russell gave him a similar reply to his Urzee on the same subject.

* *Village of Nursapoor.*

† *Sunnud is said to have been lost but the sons hold endorsements from Mr. Stokes and Captain Russell shewing that these Officers were of opinion that this family had really possessed the Jagheer in question.*

3. I may here add that the 2 Petitioners are about 40 and 38 years of age respectively, and that their father Yaseen Meeah left a large family with no other means of support than this pension.

To the Honorable D. ARBUTHNOTT, Collector of Kurnool.

MOST RESPECTED SIR,

Most respectfully I beg leave to bring the following circumstances to your favourable consideration, trusting you will kindly excuse the liberty I have taken of intruding upon your most valuable time.

That our family was for years together under the protection of the late Nabob of Kurnool, and in the enjoyment of Jagheers granted by them. Our father Syed Aseen Meeyan was for upwards of 40 years in the service of the late Nabobs. The late Nabob been pleased to leave our father in the possession of the village of Nursapoor and the Sunnud of this grant plainly shews that it was to be enjoyed by our family for ever and ever. My father continued to enjoy this Jagheer until the assumption of the country. When Mr. Blane was appointed Commissioner for the enjoyment of this country, he granted a pension of 160 Gudwal Rupees in lieu of the said Jagheer which was resumed; and again in time of Mr. Stokes who succeeded him, one-third of this pension was resumed confirming the rest, or Company's Rupees 86-11-0 to his family, saying that it will be continued for ever and we hold the Sunnud granted for the purpose; when my father presented a petition to Mr. Stokes regarding the reducement of his pension, that gentleman was pleased to favor him with endorsement to the effect that his pension will be continued to him, and his lineal descendants after him. Also he presented a petition to Captain Russell the late Government Agent and heard from him the same reply. Our father served the Circar during his life time faithfully although the bounty of the Government he enjoyed was too small to maintain himself and the large family he had to protect. Previous to his demise and at the time he was on the point of death he forwarded two petitions to your honor on the subject of our future prospects, leaving us also under your patronage.

Petitioners his sons. The application was strongly supported by the Collector, but it was considered by this Government to be unnecessary to adopt, to its full extent, his proposal, which was that $\frac{2}{3}$rds of the stipend should be continued to the sons *for life*. It was thought that it would be sufficient to continue the pension for 5 years, within which time they might fairly be expected to find some mode of livelihood for themselves. This, under the recommendation of the Madras Government, was sanctioned by a Resolution of the Government of India, dated 17th June 1859, Financial Department, No. 5,109.

3. Petitioners earnestly solicit a re-consideration of this decision, resting their claim mainly on the ground that at the time of the assumption of Kurnool in 1839, their father enjoyed a Jághir village distinctly declared in the Sunnud to be *hereditary*, and that the allowance subsequently granted him and which he enjoyed till his death was *in lieu of* that *hereditary Jághir*. They say, too, that both Mr. Stokes formerly Commissioner at Kurnool, and Captain Russell, formerly Government Agent at Kurnool, assured their father that the pension would be continued to his descendants. On this latter point it will be proper to remark that those Officers had no authority to give any such assurance. Mr. Stokes clearly gave none, as will appear from his endorsement which has been produced by Petitioner among the enclosures to his Petition, and Captain Russell, in an endorsement which he gave to Petitioners' father in 1857, merely expressed his opinion that the allowance in question was in lieu of his former Jághir, and that as it was not to be regarded purely in the light of an ordinary salary for service, the Government would take the case into consideration after his death.

4. The Government have not altered their views in respect to the abstract right of these persons to a pensionary provision. His Excellency the Governor in Council does not consider the State is under any obligation to support these Petitioners, but as from their period of life and past habits they are little fitted to support themselves by their own exertions, while one of them is weak and sickly, and they are stated to have no other means of subsistence, the Government direct me to submit the case for favorable consideration. They would suggest that the amounts which they at present enjoy may be continued to them, as a compassionate allowance, *for their lives*. At their death their shares will, of course, lapse absolutely.

(Signed) T. PYCROFT,
Chief Secretary.

No. 31. Read the following letter from G. S. FORBES, Esq., Collector and Agent to the Governor in Ganjam, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 28th November 1860, No. 315.

Paragraph 1. Adverting to the Orders of Government dated 6th November 1860, No. 659, desiring me to report on a proposal made by the Meriah Agent to undertake the suppression of robberies in a Hill Tract adjoining the Chinna Kimedy Zemindary, I have the honor to inform the Government that the robberies in question are not, as far as I have understood, the work of gangs, as Captain McNeill's letter might lead them to suppose, but are effected by two or three persons at a time who generally gain an entrance into a house or Cow-shed at night and carry off either brass utensils or one or two Buffaloes, and whom it is difficult to trace as they make off to the Hills. I had ntended posting guards of Sibbundies in such positions as would afford protection to the people who isuffer from these depredations, but was anxious before doing so to compel the Chinna Kimedy Zemindar who has a number of armed retainers holding lands on the special condition of such services, to perform his proper duty by posting guards himself. He has returned no answer to two urgent letters addressed to him on this subject within the last few months. This Zemindar is the man who received a pardon from the late Mr. Lushington, when Agent, for suborning certain Government officials to forgery in the Boodeky case. Captain Saxton of the Topographical Survey lately complained to me that notwithstanding the instructions issued by me to this Zemindar to afford Captain Saxton his support and assistance when in the Hills on duty, he refused to render him any aid whatever. His conduct certainly merits the severe displeasure of Government, and I suggest that

a very emphatic expression of their disapproval should be given, and that I may be authorized to warn him that if he fails to satisfy the just requirements of his position the Government will set aside his authority in favor of his brother (a former claimant of the Estate.)

2. There is no necessity for Captain McNeill's interference, and I am surprised that he should not have communicated with me before proposing to undertake a portion of my duties.

No. 32. ORDER THEREON, 8th January 1861, No. 17.

Resolved that a copy of the foregoing report be furnished to the Government of India, in reference to their letter dated the 19th October last, No. 2,353, with an expression of the opinion of this Government, that they do not think that the Meriah Agent should be employed in Ganjam in any other than in the special duties of his Agency, and that the robberies complained of, as committed by persons on the Bodogodah Hill-tract, may best be checked through the instrumentality of the new Police which, it is hoped, will soon be extended to Ganjam. Meanwhile the Agent will be directed to make every effort with the means at his command to suppress these robberies and to warn the Zemindar of Chinna Kimedy that he will incur the serious displeasure of Government if he continues contumacious in withholding his aid; but he will not make any allusion to the transfer of the Estate to the Zemindar's brother, as proposed at the end of the first paragraph of his letter.

(Signed) T. PYCROFT,
Chief Secretary.

No. 33. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 8th January 1861, No. 18.

I am directed by the Honorable the Governor in Council to acknowledge the receipt of Under Secretary Lord U. Browne's letter dated the 19th October last, No. 2,353, transmitting a copy of one from the Agent in the Hill Tracts of Orissa, and requesting the opinion of this Government, as to the propriety or otherwise of Captain McNeill's suggestion in regard to that portion of the Hill Tracts of Chinna Kimedy lying near Ganjam which is stated to be infested by robbers.

2. Captain McNeill's suggestion having been referred for the opinion of the Agent in Ganjam, I am now desired to forward a copy of that Officer's report, and to state that this Government do not think that the Meriah Agent should be employed in Ganjam in any other than the special duties of his Agency. They are of opinion that the robberies complained of, as committed by persons on the Badogodah Hill Tract, may best be checked through the instrumentality of the new Police which, it is hoped, will soon be extended to Ganjam. Meanwhile the Agent has been directed to make every effort with the means at his command to suppress these robberies, and to warn the Zemindar of Chinna Kimedy that he will incur the serious displeasure of Government if he continues contumacious in withholding his aid.

Dated 28th November 1860, *No.* 315.

(Signed) T. PYCROFT,
Chief Secretary.

No. 34. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 5th December 1860, No. 1,555.

I have the honor to submit the List of arrears ordered in paragraph 3 of Extract Minutes of Consultation No. 49 of 18th January, and paragraph 2 of Extract Minutes Consultation 28th January, No. 77 of 1858, amounting to Rupees 36,559-4-9.

2. The first of the Orders commanded (1) that, of those promoted from a one-third to one-half rate, the arrears should be calculated from the date on which they were pensioned on the one-third rate: and (2) that the pensions in lieu of gratuities not disbursed should commence from the date when the service of the party and his salary ceased. The second Order No. 77 of 1858, was that all the arrears of the men then pensioned should be issued from date of discharge.

3. I have understood, as the spirit of those Orders, that in all cases of servants or dependants of the Carnatic Circar who have been pensioned, the pensions granted to them should be issued from the several dates of their discharge from the Nabob's service.

* 1857, 19*th March* No. 230 *para.* 11.
„ 24*th* „ „ 244 „ 12.
„ 12*th November* „ 960
„ 18*th* „ „ 975
„ 16*th December* „ 1,054 „ 12.
1858, 7*th June* „ 363
1859, 9*th July* „ 413
† 1859, 13*th May* „ 296 „ 2.
„ *G. A, letter* „ 1,626 *of 8th November.*

4. Owing to the several Orders as per margin,* as to the right of hereditary service of persons who had been already discharged under former Orders of Government—admission of the Madrassa servants—and the Orders as per margin† extending the periods for which claims could be made, intervals have occurred from dates of discharge to receipts of pension of varied extent.

5. Though the individuals are numerous, it is hoped that the case of every Madras servant &c., has been here submitted, and that the List, so far as regards the persons already pensioned, is a final one, and embraces all with whom an interval occurred between discharge from Nabob's service and receipt of pension.

6. I would mention that the individuals named in it have obtained their pensions not for services only, but also as pensioners proper; as diseased men; as aged men; as youths till their 18th year, and as Niaz and Bekar. All but those with services have notes placed against their names, on the margin of the List, indicating to which of these classes they belong. And I have acted thus in the belief that the liberality of Government should be restricted to servants and pensioners proper.

7. Of the individuals in this List who have died, I have not ascertained their heirs, deferring inquiry till receipt of final orders regarding these arrears. But if now sanctioned, issue will be made to the heirs of all who already have or may hereafter prove casualties.

8. It will also be observed that some persons have never appeared to draw their pensions: that others have commuted their pensions, and some been transferred to other stations; the probability is that such as have never appeared died without heirs between the date of recommendation and grant. A notification will be put up for all who, having commuted their stipends, are no longer coming to the Agency, and a separate List will be prepared and sent to the Accountant General, of all Stipendiaries who have been transferred to other stations.

9. In paragraph 5 above, I have mentioned that this List contains all the servants &c., of Madras, for I much regret to add that I have not yet been able to procure from the outstation of North Arcot information on which I could rely, and though anxious to have a settlement of these matters, it seems preferable to defer transmission of the Lists of the other districts till that from North Arcot be received.

No. 35. ORDER THEREON, 8th January 1861, No. 19.

With the above letter the Agent submits Lists of arrears of pension due to the servants and dependants in the several Departments of the Carnatic Sarkar amounting to Rupees 36,559-4-9, and quotes in support of them the Orders of Government dated the 18th and 28th January 1858, Nos. 49 and 77. The first of these Orders directed that in the cases of those servants whose claims to the benefit of ancestral service had been admitted, the higher or one-half rate awarded to them

in lieu of the one-third of which they were then in receipt should be disbursed to them from the date on which they had been pensioned on the latter rate, and that the pensions in lieu of gratuities previously sanctioned but not paid, should commence from the date on which the service of the party and his salary had ceased. The second of the Orders above cited directed, in reference to ten* of the discharged personal servants of the late Nawab who had been admitted to pensions *under the Rules*, that the payment should be made in arrear from the date of discharge.

* NOTE.—*It is not clear whether these parties had received a gratuity at the time of their original discharge. If they had, it must be deducted from the arrears now payable to them unless it has been already repaid.*
See E. M. C. 28th January 1858, p. 4, Political Department, No. 77.

2. The Agent has, as stated in paragraph 3 of this letter, correctly understood that, according to the spirit of those Orders, the servants and dependants of the Sarkar who had been pensioned should have their stipends issued to them from the several dates of their discharge from the Nawab's service; but it was never contemplated that persons admitted to pensions on purely charitable grounds and not otherwise entitled—such as men pensioned on account of disease or old age, youths pensioned until their attainment of the age of 18 and were retainers such as Neaz and Becar—should be allowed arrears. These classes, it is presumed, received their pensions from the dates on which the Orders in their several cases gave effect to the payment; and they must be considered to have been liberally treated in obtaining a provision prospectively.

3. "Pensioners proper" of the Carnatic Sarkar are entitled to arrears equally with the servants who have been admitted to pensions under the Rules, but all those parties who have had their stipends commuted for a bonus should be considered as having had their claims finally adjusted and entitled to nothing more.

4. With the exceptions above noted, the Government sanction the Lists of arrears, which will be returned to the Agent to be modified in accordance with the foregoing remarks, and forwarded by him direct to the Offices of Account, Audit and Payment for information and guidance.

5. With reference to paras. 7 and 8 of the Agent's letter, the Government direct that, as suggested, a Notification be made calling on all parties entitled to these arrears, according to a List published, or their heirs, to appear and claim before the 1st of May next, failing which they will be peremptorily excluded the benefit.

6. The Agent will be good enough to use every exertion in procuring the List of servants entitled to pensionary arrears from the outstations of North Arcot, and submit it with the Lists of the other Districts as quickly as possible.

(Signed) T. PYCROFT,
Chief Secretary.

No. 36. Read the following Despatch from the Right Hon'ble Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated London, 30th November 1860, No. 21.

1. The letters of your Excellency's Government noted in the margin,* having been considered by me in Council, I now reply to such portions of them as seem to require notice.

* 20th July (No. 28) 1860.
10th Aug. (,, 30) ,,
10th ,, (,, 31) ,,
17th ,, (,, 32) ,,

No. 37. ORDER THEREON, 8th January 1861, No. 20.

1. The following paras. of the foregoing Despatch will be communicated to the Officers and parties concerned.

Letter dated 20th July (No. 28) 1860.

Remarks of Advocate General on proposed abolition of Act XVI of 1859.

2. It is unnecessary to notice the remarks of your Advocate General,* in recommending that Act XVI of 1859 should not be disallowed, as the reasons for the change were set forth in my Legislative Despatch to the Government of India, of the 29th June last, a copy of which was forwarded to your Excellency's Government.

* See his letter of July 18th, 1860.

2. Communicated to the Advocate General in reference to his letter of the 18th July 1860.

Letter dated 10th August (No. 30) 1860.

Further claims against the Estate of late Nabob of Carnatic.

3. I have perused with great attention the able report of the Advocate General on the claim of Salar-ool-Moolk, lately decided in the Supreme Court. The difficulties with which the Law Officers of Government had to contend, in this case, were of no ordinary kind, and I entirely concur in the commendation bestowed by you on the patience and sagacity, with which they were met and overcome. I have also noticed with great satisfaction the highly meritorious conduct of the Dewan, Madar-ool-Omrah Bahadoor, who appears to have acted most honorably in circumstances of a peculiarly trying and harassing nature. The result of the trial is very satisfactory.

4. My attention has been attracted by the complaints against "the carelessness and "negligence, if not worse" of the Native employés at Chepauk, contained in the letter from the Advocate General to your Excellency's Government of the 22nd February. This letter, although referred to in the Report of the trial in question does not, as I should have expected, form part of this collection. It is, however, recorded on the Consultations of your Government, and I cannot but think that your Government should have called on Major Snow for a distinct explanation and report on the instances of neglect and of erroneous statement brought to your notice by the Advocate General, so that you might have formed a decided opinion upon the degree of culpability attaching to each of the persons concerned, and have dealt with the case in the manner suitable. Your Law Officers ought to be able to place dependence on the written and verbal statements of the Officers of every department of your Government, whereas in this case there appears to have been not only great laxity, but much unaccountable error in the information fur-

3. Paragraphs 3, 5 and 6 will be communicated to the Law Officers of Government.

4. A copy of paragraph 3 will also be furnished to the Government Agent at Chepauk, who will communicate to the Dewan that portion which relates to him.

5. Paragraph 7 will be communicated to the Revenue Department with reference to the Proceedings dated 16th April 1860, No. 224.

nished by the accountants whose special duty it was to keep and explain the Carnatic accounts.

5. Your proceedings relative to the trial for perjury of P. Veerapermal Pillay are approved. It is to be regretted that, although there could be no moral doubt of his guilt, there was not sufficient reliable evidence to secure his conviction.

6. The claims against the estate of the late Nawab of the Carnatic preferred on account of debts due to the late Mr. G. D'Castellas, and to the late Mr. S. P. Arathoon, appear to have been fully investigated, and under the circumstances represented, and on the advice of your Law Officers, you properly authorized their liquidation.

7. I approve of the orders which have been issued relative to the exemption from quit-rent of the late Nawab's gardens at and near Arcot. It is presumed that proper steps have been taken in the case of the Tahsildar, whose reprehensible conduct was reported to your Government in Mr. Dale's letter of the 5th April, No. 69.

8. The Memorials* which have been addressed to your Excellency's Government respecting claims against His Highness Prince Azim Jah Bahadur, seem to have been fully considered, and your decision, in each case, appears to have been equitable.

* See last para. of letter under reply.

Letter dated 10*th August (No.* 31*)* 1860.

Memorial from Gholam Mahomed Savee, praying for restoration of his pension.

9. This letter forwards a Memorial from one Gholam Mahomed Savee, praying for the restoration of his pension, and the payment of the arrears from the date of its discontinuance. You will inform the Petitioner that, as he lost his pension consequent on conviction of fraud against Government, I decline to accede to his request.

6. Communicated to Gholam Mahomed Savee with reference to his Memorial dated 29th June 1860.

Letter dated 17*th August (No.* 32*)* 1860.

Payment to Dhanpal Chettiar of Rupees 1,15,275-6-5 on behalf of His Highness Prince Azim Jah Bahadoor.

10. I approve the disbursements to Dhanpal Chettiar, which you have sanctioned on behalf of Prince Azim Jah Bahadoor, from the arrears of allowance undrawn by His Highness. You properly carried out the intentions of the Government of India by deciding that Income Tax should not be deducted from sums which accrued before the institution of the Tax.

7. Communicated to the Government Agent at Chepauk with reference to the Proceedings of Government dated 21st July 1860, No. 441.

(Signed) T. PYCROFT,

Chief Secretary.

Read the following papers :—

No. 38. From MIR ZULFAKAR ALLY KHAN and MIR AKBER ALLY KHAN of Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 17th December 1859.

Under the Orders of Government, dated 26th May 1859, No. 328, Brigadier White the Officer Commanding Vellore was directed to institute an enquiry as to the truth of our statement that we were related to the family of the late Tippoo Sultan. Instead of resorting for the required information to the records of his own Office and to the Commissioners of Mysore, the only authority that has the means to establish the fact in question, Brigadier White deemed it expedient to make that reference to Dr. Balfour, Government Agent at Chepauk and Paymaster of Carnatic Stipends, who possessed no means whatever to authenticate or contradict the truth of our statement, and forwarded a report upon the statement of Dr. Balfour.

We now crave permission to annex herewith an original document in our possession, being a letter addressed by Lieutenant Colonel G. M. Stewart, Commanding Vellore, to Colonel Cubbon, Commissioner of Mysore, under date the 8th May 1835, with its enclosure attested by Colonel Napier, then Commanding Vellore, shewing the connexion of our father with Tippoo Sultan, and authenticating his service under the Sultan, and to which also is annexed a copy of the letter from the Prince Sultan Mahomed Yaseen Saheb son of the late Tippoo Sultan to the address of Captain H. Logan, soliciting that Officer strongly to recommend the case of our father, and which was delivered to him by Colonel G. M. Stewart attested by his own signature—the perusal of which at once establish beyond any doubt the fact of our relationship to the late Sultan's family. And thus falsify the statements laid before Government by Dr. Balfour and Captain Batten.

We cannot conjecture what motive could have influenced the two last named gentlemen to place the statement made by us in our memorials to the Home Authorities in such an *unfavorable light* to the Government. Unless that object was to bring discredit on our character for integrity and to hold us up as impostors and endeavouring to practice an imposition on Government by fraudulent means. We trust however, the present documents will satisfy the Government that we were not influenced by such unworthy and dishonest motives, and that that redress which we have long been seeking will now be accorded to us agreeably to the humane views of the Right Honorable the Secretary of State for India in their recent Despatch.

We beg to enclose a most respectful Appeal to the address of His Excellency the Governor, offering certain observations upon the statements contained in the Brigadier's report—we humbly beseech your honor will submit the same for the consideration of His Excellency the Governor in Council together with the original documents now forwarded to your honor, and pray to receive your indulgent consideration to our humble prayer.

———

To the Right Honorable Sir CHARLES TREVELYAN, K. C. B., Governor in Council, Fort Saint George.

The Humble Petition of MEER ZOOLFAKAR ALLY KHAN and MEER AKBUR ALLY KHAN, sons of the late MEER AMEENNOODDEEN ALLY KHAN a relative of His Highness the late TIPPOO SULTAN of Mysore.

Most Humbly Sheweth,

1. Adverting to the Orders of the Madras Government dated 23rd September 1859, No. 554, passed upon the report of Brigadier White, Commanding Vellore, framed upon one from Mr.

Balfour the Government Agent at Chepauk, your Petitioners most deferentially beg to submit once more their extremely hard case before your Lordship, and to beseech towards it your Lordship's humane and benevolent consideration.

2. Your Petitioners are prepared and have every means to establish the fact of their relationship, that the maternal grandmother of their father, and the maternal grandmother of Tippoo Sultan, were uterine sisters, as well as of the service of your petitioners' father in the Government of Mysore, as narrated in your petitioners' memorial to the Home Authorities, who in consideration of the said two circumstances, have in their letter of 13th March 1859, No. 4, paragraphs 37 to 41 conveyed their order to allow pensions to your petitioners, but before your petitioners were afforded the opportunity to prove the above facts, they feel it bound now to offer certain observations upon the remarks of Mr. Balfour

3. In the 2nd paragraph of Mr. Balfour's letter to Brigadier White conveyed in his above report, he alludes to the fact of your petitioners' mother being a Carnatic Stipendiary of Rupees 10 a month. Your petitioners have in reference thereto to enquire, how the above circumstance could have prejudiced their claim by the right of their father founded upon his connection with Tippoo Sultan, and that although your Petitioners' mother had a small pension, yet she was the granddaughter of Hakeem Meer Mahomed Hoossain who enjoyed an allowance of Rupees 250 a month, under the Nabob Wallajah, who esteemed him very highly.

4. In the 3rd paragraph he affirms that your petitioners' father was in the service of Syfood Dowlah and latterly of his sons, which was nevertheless the case; but your petitioners' father on arriving here from Arrengabaud in 1827, with the intention of submitting his claim on the bounty of Government, he was on account of his respectability, but being in very limited circumstance, was desired by the said Dowlah with pecuniary assistance, and after his death, he stood in the same position to his sons, who afforded the same assistance as he received from their father, which circumstance would be elucidated by the accompanying document from the eldest son. It is therefore evident from this that your petitioners' father was never a servant, even should it be otherwise, your petitioners cannot perceive how that could damage their claim on the bounty of Government.

5. In the 4th paragraph Doctor Balfour refers to the letter of Lieutenant Campbell as affording information that *his* office records do not contain any mention of your petitioners. Your petitioners have to state that should a search be made into the records of the office of the Commissioner of Mysore, he will there find a letter from Colonel Stewart under date the 8th May 1835, and its enclosures, which will at once shew the connection of your petitioners' father with Tippoo Sultan, and his service under him was fully authenticated. Your petitioners regret from the latter part of the above para. *that when enquiries were made regarding your petitioners, only one man could state that when he saw their father about 15 years ago, he had heard him state that he (their father) was a relative of Tippoo Sultan.* Whatever it may be, whether it may be true or to the contrary, your petitioners beg to state that when enquiries were made at Vellore, regarding your petitioners' connection, it was brought to the notice of Captain Batten by Mahomed Badeeyoodeen Khan and Moulvee Moheyooddeen Saib that your petitioners' father's grandmother was the own sister of the grandmother of Tippo Sultan.

6. In reference to the 5th paragraph, your petitioners beg to state that your Excellency will perceive from the letter therein alluded to and its enclosures, that the connection of your petitioners' father with Tippoo Sultan both by relationship and service was fully established and not merely alleged.

7. With regard to the 7th paragraph, your petitioners have to state that your petitioners' statement in their petition to the Brigadier of Vellore *that their father as a brother of Tippoo Sultan* is perfectly consistent with the Mahomadan view of relationship. The descendants of two sisters or two brothers, since the grandmother of your petitioners' father and the grandmother of Tippoo Sultan, were sisters of the same womb, consequently their father and Tippoo Sultan were cousins, and among Mahomedans they are styled brothers to each other. It is true that their father did not at the time, when the other relatives of Tippoo Sultan were pensioned, submit his claim for pension, and that he should have then done so, there would not have

existed the present necessity or difficulty on the part of your petitioners and their father to establish their claim for pension.

8. In the 8th paragraph Doctor Balfour introduces certain facts alleged to have been stated by your petitioners in answer to a question from Captain Batten, your petitioners beg to observe that those answers, were nevertheless the literal interpretation of what your petitioners had stated in Hindoostanee at the time when the enquiry was held. It would be nothing but unreasonable and absurd to suppose, that your petitioners could have stated, that none of their ancestors were ever Mysore pensioners, inasmuch that it is a fact apparent that their connection with the Mysore family commenced from the time of their father by his grandmother who was the sister of the grandmother of Tippoo Sultan, so that their father was the only person who could have any claim for a Mysore pension, and that after him, your petitioners. Your petitioners have not stated that the monthly stipends of 10 Rupees of their mother was the only means of their support, but the sale proceeds of their father's property and by borrowing money from Soucars. Your petitioners' father was not ignorant of pensions being allotted to the relatives of Tippoo Sultan, but he was unable to submit his claim from so distant a country as Arrengabad, where he having fled at the capture of Serungaputnum remained there with his brother until 1827, and in which year he came down to Madras on the demise of his brother. The records of Mysore Commission will contain only *the names* of such of the relatives and dependants &c., of Tippoo Sultan, as have set forth their claims on the bounty of Government and pensioned—consequently it was needless to expect that your petitioners' father's name could be traced in the above records as he was not one of them at the time, but if a reference be made to the old Persian records of Tippoo Sultan's Durbar, your petitioners' father's name would doubtlessly be traced out as the Buckshee of Infantry and the cousin of Tippoo Sultan.

9. With regard to the 10th para., your petitioners have to state that they never claimed to have descended from Tippoo Sultan, but they asserted to have been related to him by the side of his father's grandmother, as the grandmother of your petitioners' father and the grandmother of Tippoo Sultan were own sisters. Petitioners were not ignorant of their lineage or descent or asserted any thing to the contrary; their father in his Memorial to the Supreme Government dated 19th September 1851, which was attached to the Memorial to the Home Authorities had distinctly narrated his said connection with Tippoo Sultan, and subsequently your petitioners have in their several communications to the Local and Home Government, urged their said relationship, and the circumstance of your petitioners' admission that they were not descended from Tippoo Sultan, and the establishment of their relationship with him in their several communications, as well as of their late father to the Local and Home Authorities, would your petitioners consider sufficient to justify the statements made in the above para.

10. With reference to the 11th para., your petitioners beg to state that the fact of your petitioners' father's service in the Mysore state, was not only proved by the document of Mahomed Baddeeyoodeen Khan Bahadoor, but his respectability and the above service has been fully authenticated before Brigadier F. P. Stuart in 1829, who intimated the same to the Private Secretary to Government in his letter of the 3rd October 1829. The copy of which was submitted by Colonel G. M. Stuart to the Commissoner of Mysore in his letter of the 8th May 1853. Mr. Balfour states that your Petitioners' father had died about 2 years ago, but the case is not so, he died on the 19th October 1851. About 8 years ago as stated in your petitioners' memorial to the late Honorable Court of the 22nd March 1852. Their father at his death was about 87 years of age, consequently at the close of the Tippoo Sultan's dynasty, he might have been 35 years old, your petitioners beg to add that their great grandfather Nabaub Begler Bege Khan was first appointed by Mohomed Shaw the King of Delhi, to the Suba of Bijapoor and afterwards, his son your petitioners' great grandfather Nabaub Meer Mohomed Ally Khan succeeded his father to the said Subah, and after him your petitioners' grandfather Nabob Meer Assadully Khan succeeded him, and the Subah was lost by conquest, the same having been taken by the Mahrattas. Your petitioners' father while about 12 years of age, Tippoo Sultan in consideration of his ancestral respectability and his family connection with him, bestowed the appointment of Bukshee

Enclosures A. & C.

of Asham, and Bubbur Jung was nominated by Tippoo Sultan to conduct his duties during his minority and putting him in the way of business. The above facts are too well known among petitioners' family and they have been urged in the several applications of your petitioners as well as that of their father.

11. In reference to the other paragraphs from 12 to 16, your petitioners beg to state that they are not blood relatives of Tippoo Sultan and that they never claimed to be such in any of their petitions, but Mr. Balfour states that *your petitioners have failed even to prove any collateral connection*, is a mis-statement, as from circumstances urged above and detailed below, your petitioners have not failed to establish their claim submitted in their petitions to the Supreme Government and Home Authorities, as the grandmother of their father and the grandmother of Tippoo Sultan were uterine sisters. Although your petitioners' father's petition was rejected by the Supreme Government in 1851, yet on your petitioners appealing in 1852, to higher Authority in England, they in consideration of the same claim issued a favourable order, the claims of only those persons connected with the Mysore family which were then preferred were investigated in 1799, and of the others whenever they had occurred. As the claim of Meer Mohomed Ally Khan who came from Nagpore about 4 years before your petitioners' father's arrival from Arrungabad in 1827, was admitted during the Government of Sir Thomas Monro, and a pension of Rupees 875 a month, was granted to him on account of his collateral relationship with Tippoo Sultan by the side of his mother.

12. In taking the above circumstance into your Excellency's favorable consideration, your Excellency would perceive that the opinion of Mr. Balfour as to your petitioners' ineligibility for pension is without any real foundation.

13. It is extremely to be regretted that Brigadier White should have stated that the ladies of the Mahal now in existence have distinctly denied all knowledge of relationship of your petitioners with Tippoo Sultan, while the own brother (Hafiz Assadoola Khan Syed) of Moonaver Bagum alluded to by the Brigadier, has written a letter to your petitioners on their asking to certify their relationship and the service of their father under Tippoo Sultan's Government, as also Colonel F. P. Stuart, having instituted full enquiries reported in his letter to Government of the 3rd October 1829, that their relationship with Tippoo Sultan has been authenticated before him, and that the Bagums of the Mahal style your petitioners' father a rather near relative.

14. In submitting the above observations on the report of Mr. Balfour and of Brigadier White, your Petitioners would for the elucidation of the fact of their father's connection with Tippoo Sultan, and that of his service under him, beg to refer your Excellency to the following documents herewith accompanying.

Letter of Brigadier F. P. Stuart, Commanding Vellore, to the Private Secretary to Government, dated 3rd October 1829,——marked A.

Original copies of enclosures of A, B and C, attested by Collector Napier and Colonel G. M. Stuart, are enclosed in the letter addressed to the Chief Secretary.

Letter from the Prince Sultan Mohomed Yasseem Saib the son of Tippoo Sultan, to Captain H. Logan, Paymaster of stipends at Vellore, dated 16th January 1835,—marked B.

Letter of Colonel G. M. Stuart, Commanding Vellore, to Colonel Cubbon, Commissioner of Mysore, dated 8th May 1835, enclosing the copy of the document A, as well as a Certificate which might have been lodged either in the Mysore or Vellore records——marked C.

Letter from Hafiz Assoodoolah Khan Syed, a Mysore pensioner, to your petitioners' address, dated 9th October 1859,——marked D.

Letter from Baddeyoodeen Khan, Mysore pensioner, to your petitioners' address, dated 9th October 1859,——marked E.

Letter from Molvie Moheyoodeen Saib, dated 9th October 1859,---marked F.

Letter from Syed Goolam Hussain Khan, Mysore pensioner, dated 23rd October 1859,——marked G.

A Mahazur sealed and signed by many people of Arcot, some of them Mysore pensioners——marked H.

15. To prove the fact that they had never claimed than this, that the grandmother of their father and the grandmother of Tippoo Sultan were own sisters, and that your petitioners' father served under him as Bukshee of Asham—your petitioners beg to enclose the copies of petitions of their father to the Government of India and to the Court of Directors—marked I and J, respectively.

16. By the submission of the above, your petitioners earnestly request your Excellency will be pleased to call for the originals of the appendices marked A, B and C, with the Certificates and the copy of the letter from Colonel G. M. Stuart to the Commissioner of Mysore, dated 15th April 1835, recommending upon the Prince's letter to the address of Brigadier Logan, and by the perusal of the report of Brigadier Logan to Government upon the petition of your petitioners to him dated 18th February 1858, as well as other accompaniments, and after a full satisfaction that your petitioners are related to Mysore family, bestow upon them a suitable pension agreeably to the order of the Right Honorable the Secretary of State, dated 31st March 1859, No. 4.

———

No. 4,891 of 1859.

Forwarded to the Acting Collector of North Arcot who will report, with reference to former correspondence, upon the subject, whether the papers petitioners refer to, and the arguments they adduce, which certainly deserve consideration, bear out their assertion that they are related to Tippoo.

By Order,

FORT SAINT GEORGE,
29th March 1860.

(Signed) L. FORBES,
Dy. Secy. to Government.

———

No. 39. From J. D. ROBINSON, Esq., Acting Collector of North Arcot, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Chittur, 23rd July 1860, No. 35.

On receipt of the endorsement on petition, No. 4,891 of 1859, and the papers which accompanied it, I wrote to Mr. Eliott, the Acting Sub-Collector, who is in charge of the Stipend Pay Office and records, requesting him to draw up a report on the subject for submission to Government.

That report I have now the honor to enclose together with copy of the Certificate which accompanied it. From these papers, Government will gather that petitioners are merely remotely connected with Tippoo Sultan by marriage on the female side, and that no blood relationship existed between the two families. By old precedent in such cases, petitioners would, Mr. Eliott observes, be entitled to a pension of Rupees 437-8 per mensem, but at this distance of time, and under the peculiar circumstances of the case which render it very questionable whether petitioners have any claim whatsoever on the liberality of the Government, this is a scale of allowance which is not to be thought of. I have myself so poor an estimate of that claim, that I hesitate to make any recommendation and would merely suggest that if Government should be pleased to take a favorable view of the case, an allowance of $\frac{1}{4}$th of the pension formerly granted, *viz.*, Rupees 109-6 per mensem be made to petitioners.

From E. F. ELIOTT, Esq., Acting Sub Collector and Joint Magistrate of North Arcot, in charge of Stipend Pay Office, to J. D. ROBINSON, Esq., Acting Collector of North Arcot, dated Vellore, 14th July 1860, No. 176.

Paragraph 1. With reference to my letter to your address, dated 7th instant, No. 166, I have the honor to forward copy of the Certificate alluded to in Lieutenant Colonel Steuart's letter of the 8th May 1835, received from the Commissioner's Office, Mysore, this day, from which and the four* letters to the address of the petitioners, it would appear that a relationship by marriage between Memorialists' and the late Sultan's family, has been fully established, by the maternal Aunt of the late Tippoo Sultan and the mother of Memorialists' father, the late Meer Ahmeenoodeen Ally Khan, being sisters, by which connection, Memorialists' father becomes a cousin of Tippoo Sultan by marriage.

* *From Hawfiz Assadoollah Khan Saeed, brother-in-law of the late Prince Sultan Moizuddeen, son of Tippoo Sultan, dated 9th October* 1859.
From Mahomed Buddeyauddeen Khan, Nephew of the late Padshaw Beigum, widow of Tippoo Sultan, dated 9th October 1859.
From Syed Goolam Hoossain Khan, son of the late Novilabsur Khan, brother-in-law of the late Tippoo Sultan, dated 23rd October 1859.
From Moheddeen, Moulvie of Vellore, dated 9th October 1859.

2. With reference to paragraph 3 of your letter to my address dated 3rd instant, No. 94, I have the honor to state that there are only two Beigums now in the Mahals who are Nickah wives of the late Tippoo Sultan, who have denied all knowledge of the relationship between Memorialists' father and Tippoo Sultan's family, but the Beigums referred to in Brigadier Napier's letter to James Lushington, Esq., dated 3rd October 1839, who styled Memorialists' father "a rather close relation" must have since died.

3. As Memorialists' father's relationship with the late Sultan and the manner of his employment under the late Government of Mysore as Buckshee, have been fully established, according to precedent, they would be entitled to Rupees 437-8-0 per month, being equal to the amount granted by Order of Government, dated respectively 21st February 1815, and 10th April 1819, to the families of the late Ally Rezah Khan and Goolam Ally Sadoor, who were, the former a Vakeel, and the latter a Buckshee under Tippoo Sultan.

4. The Memorial of Meer Zoolfakar Ally Khan and Meer Akbur Ally Khan with enclosures, received with your letter dated 3rd instant, No. 94, are herewith returned.

———

We have herein written what we know concerning of Meer Ameen Addeen Aly Khan.

That the wife of the maternal Uncle of the late Tippoo Sultan and the mother of Meer Ameen Addeen Aly Khan were sisters, by this connection he becomes a brother to Tippoo Sultan.

The Seal of	AHOMED BEG, and his signature.
The Seal and Signature of	HAUFIZ SIED MOORTZAH,
The Seal and Signature of	GOOLAM MOORTZAH KHAN,
The Seal and Signature of	REZAH BEG,

(Signed) SHAIK AHOMED, Pensioned Subidar.
(,,) MIRJAH ESMOHL BEG,

(True Copy.)
(Signed) ROBERT COLE,
for Officiating Secretary.

(True Copy.)
(Signed) E. F. ELIOTT,
Ag. Sub Collr. and Joint Magte., of North Arcot in charge of Stipend Pay Office.

(True Copy.)
(Signed) J. D. ROBINSON,
Acting Collector.

No. 40. ORDER THEREON, 8th January 1861, No. 21.

The Government have carefully considered all that Petitioners have urged in their petition, and have come to the conclusion that their claim is altogether inadmissible. Even accepting as true the account they give of their connection with Tippoo, it only amounts to this, that they are *very remote collateral* relations in the female line, and are distantly connected by marriage. This would, under any circumstances have constituted a very doubtful ground on which to base a claim on the British Government; but, as the case stands, Petitioners' father having allowed his claim—if he ever possessed any—to lie over for 27 years, and a period of more than half a century having elapsed since the events out of which this claim arose occurred, it is clearly out of the question to entertain any application of the nature of that put forward. Petitioner must consider his claim definitively settled and the Government will receive no more applications from him.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following papers.

No. 41. From Colonel A. ABOUDON, Prince of Johanna, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 3rd January 1861.

I regret very much in being obliged to bring this to your consideration, but I hope that I will be excused.

After too late I find that I have acted contrary to the regulations of my Uncle by drawing money from the Government upon him, although it is a trifle.

I am authorized to do so from one of the Firms here should I be obliged to go to England, but if not so I must apply myself to the Government for any assistance and endeavor to return back to Johanna by the earliest convenient: this Sir is the only way I am authorized to do, and if the error is not corrected it will be very bad for me. Will you have the goodness to take back the amount of twelve hundred Rupees which I received, although in doing so I consider myself as one who lost and expect nothing but to be in a *great trouble and poverty*, but I am obliged to do so on account of the oath that I took before I left the Island.

I am now without hope of return back to my family, as it is not in my power to clear away myself from all *the difficulties* that I shall oblige to be in this stranger country, nor indeed do I know in what manner to proceed in an affair of so much dangerous for my life.

It appears that my Uncle have made a great mistake by thinking that the Madras Government will give me any assistance that I may require in the same way that he himself always do to all the British Man-of-Wars and Officers that calls to Johanna occasionally, and that he had not the slightest objection that the Government will not procure me all things that are necessary for me especially on account of the circumstances that he has sent me here.

The friendship which subsists betwix the British Government and us and the great attention that we always take towards any Officer of our Ally, the British Government gives me some encouragement to hope that the Madras Government will direct me how to proceed under these painful circumstances, for I know no one here to whom I can address myself for assistance but the Government of our good friend the British.

No. 42. From Colonel A. ABOUDON, Prince of Johanna, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 7th January 1861.

I beg to apprize you that sixteen hundred Rupees will pay all my expenses in the Hotel, Carriage hire, &c., &c., &c., and a passage for myself and servants to Gall and also pay the expenses up to Colombo and a passage down to Mozambique whence I shall be able to go to Johanna, within very little expense.

If I shall be allowed this sum of money, I hope to get it sooner as I must get ready to go on board the Steamer on the 13th instant.

I beg that you will not forget the letter to my Uncle.

No. 43. ORDER THEREON, 9th January 1861, No. 22.

In the first of the above letters Colonel A. Abodon represents that he finds that he has acted contrary to the Regulations of his Uncle, the King of the Comooro Island, in drawing for money upon him through this Government.

2. He requests that Government will take back the twelve hundred Rupees which he received from the Treasury under the Order of date the 21st ultimo, and explaining his present position, states that he "knows no one here to whom he can address himself for assistance but the Government of our good friend the British." In a subsequent letter he says that the amount which he will require to defray his expenses at Madras, and the cost of proceeding viâ Colombo to Mozambique whence he will be able to reach Johanna is sixteen hundred Rupees.

3. Under the above circumstances resolved that the bill for Rupees 1,200 drawn by the Prince upon his Uncle be returned to him, and that the sum received upon it which he has made over to the Chief Secretary be repaid into the Treasury. Resolved also that the sum of sixteen hundred Rupees be paid to the Prince on his receipt, and that that amount be charged to the Political Department.

4. The accompanying letter will likewise be furnished to the Prince for delivery to his Uncle.

(Signed) T. PYCROFT,
Chief Secretary.

No. 44. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROT, Esq., Chie Secretary to Government, Fort Saint George, dated 22nd December 1860, No. 1,609.

I have the honor to submit to the Honorable the Governor in Council, List of Gratuities payable to Sircar Servants at Out-stations, and beg that instructions may be given through the Accountant General's Department for their payment to the respective individuals at their several Stations.

2. This is not any new List, but these individuals' names were included in List No. 69, dated 8th, and sanctioned by Order in Proceedings of Government dated 12th November 1859, No. 664. It ought to have been framed into a separate List as was done with List No. 21, dated 19th May 1857, and sanctioned by Extract Minutes of Consultation, dated 23rd July 1857.

3. None of the individuals of this List have appeared at the Agency for payment, and I have struck them out of our Book of issue in the words as per margin.*

* *Trichinopoly Station not to be paid at the Agency.*
Arcot ,, ,,
Sautgur ,, ,,
Cuddalore ,, ,,

EXTRACT FROM LIST No. 69.

BEING A LIST of individuals to whom Gratuities have been recommended in List No. 69, dated 8th, and which were sanctioned by Order in Proceedings of Government, dated 12th November 1859, No. 664; but who, being at the Out-stations of Trichinopoly, Arcot, Sautghur, and Cuddalore, cannot be paid here, and their names are therefore here furnished as per letter No 1,609, dated 22nd December 1860.

Letter of List from Circar.	Agency No. in List No. 69.	Name of Sircar Servant.	Occupation.	Salary in receipt of from His Highness Circar.			Date on which service commenced.	Total service.			Gratuity.			Remarks.
		TRICHINOPOLY.		RS.	A.	P.					RS.	A.	P.	
F.	12	Nuthud Hoossain, son of Mahomed Eusoof...	Darogah	2	8	0	1851	5	9	4	3	7	8	0	
"	13	Mahomed Nuthud, son of Mahomed Razah ...	Do.	5	0	0	1845	10	9	4	6	30	0	0	
"	14	Putchay, son of Murday	Watch man.....	3	8	0	1854	2	9	4	3	10	8	0	
"	15	Ramaswamy, son of Sawmy Naick	Gong beater	3	0	0	1839	16	9	4	9	27	0	0	
"	16	Ruggooputty, son of Sawmy Naick.....	Do.	3	0	0	1839	16	9	4	9	27	0	0	
"	17	Vurdah, son of Sawmy Naick	Do.	3	0	0	1839	16	9	4	9	27	0	0	
"	18	Shaik Madar, son of Mahomed Jaffur.....	Moojanur	3	0	0	1842	13	9	4	6	18	0	0	Reported dead.
		ARCOT.													
F.	19	Teroovengada Charry, son of Gopaul Ahcharry	Vakeel.....	5	0	0	1834	21	9	4	12	60	0	0	Reported dead.
"	20	Gholam Russool, son of Rahmuttoollah.....	Darogah	8	0	0	1843	12	9	4	6	48	0	0	Reported dead on the 23rd March 1857.
"	21	Govindoo	Gardener.....	2	8	0	1854	2	9	4	3	7	8	0	
"	22	Mootoo, son of Mooniah.....	Do.	3	8	0	1855	1	9	4	3	10	8	0	
"	24	Moonylaul, son of Lutchy Ram	Gong beater	2	12	0	1854	2	9	4	3	8	4	0	
"	25	Damoodra	Head Gardener	5	0	0	1855	1	9	4	3	15	0	0	
		SAUTGHUR.													
F.	26	Shaik Madar, son of Mahomed Uckbar.....	Peon	3	0	0	1847	8	9	4	6	18	0	0	
"	27	Noor Mahomed, son of Shaik Hoossain.....	Do.	3	0	0	1852	5	9	4	3	9	0	0	
"	28	Gholam Dustagheer, son of Hussun Khan.....	Do.	3	0	0	1852	5	9	4	3	9	0	0	
"	29	Shaik Hyder, son of Rauj Mahomed	Do.	3	0	0	1854	2	9	4	3	9	0	0	
		CUDDALORE.													
F.	32	Shaik Ismael, son of Mahomed Soolaman	Peon	4	0	0	1st Jany. 1855.	1	9	4	3	12	0	0	
											Total Rupees...	353	4	0	

GOVERNMENT AGENT'S OFFICE, *22nd December* 1860.

(Signed) EDWARD BALFOUR,
Government Agent.

No. 45. ORDER THEREON, 10th January 1861, No. 23.

Ordered that the List submitted by the Agent of Gratuities payable to the servants of the late Carnatic Sarkar at Out-stations,* be printed in separate parts for each of the three Districts of Trichinopoly and North and South Arcot, and that four copies be furnished, with the above letter, to the Accountant General, who will issue the necessary instructions to the Collectors for disbursing to the parties the amount of their respective gratuities. With respect to those that are dead, the amount should be paid to their heirs after careful enquiry.

* *Trichinopoly. Arcot. Satghur. Caddalore.*

2. Ordered that two copies of the List be also furnished to the Civil Auditor for his information and guidance.

(Signed) T. PYCROFT,
Chief Secretary.

No. 46. Read the following letter from W. M. CADELL, Esq., Government Agent of Tanojre, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 28th December 1860, No. 596.

Paragraph 1. I have the honor to request that you will be good enough to lay before Government the following circumstances connected with the case of a Stipendiary of the late Tanjore Raj, and to obtain their instructions for my guidance.

2. Under the arrangements proposed by the late Commissioner, Mr. Phillips, in his letter* of the 8th June 1857, relative to the allotment of Stipends to the relations of His late Highness the Raja, and sanctioned by Government in their Proceedings under date the 5th December 1859, No. 705, the individual marginally† noted had a life grant of Rupees 15 per mensem, assigned to him in No. 66 of the list B. appended to those Proceedings, in lieu of a similar personal allowance which he enjoyed during the life time of the late Prince. And again, when arrangements were made to provide for the maintenance of the heirs and families of such of the relations who demised during the intermediate period between the death of the Rajah and the date of the Government Order above specified, the same individual has (as the son of one of the deceased Vazaratmobs, by name *Ram Rau Khande Rau Zadhava) further secured an additional allowance of Rupees 25, being a portion of that enjoyed by his father (vide Proceedings of Government, under date the 5th April last, No. 209.) Thus, one and the same individual is in possession of two separate and independent Stipends granted to him on 2 separate and distinct grounds, but apparently without reference to the recipient being one and the same party.

* *No.* 180.

† *Venkat Rau Ram Rau Zadhao, nephew of the mother-in-law of the late Rajah's nephew.*

* *Vide No.* 5 *of the statement appended to the Commissioner's letter of the* 20*th March* 1860, *No.* 912.

3. Looking therefore to the spirit of the instructions contained in paragraph 16 of the Proceedings of Government, dated 5th December 1859, the right of Venkata Rau Zadhao, who already had an allowance granted in respect of himself and the position he personally held, to a separate provision from that allotted to his deceased father, would appear to be questionable. But on the other hand, it must be observed that, the aggregate of both the Stipends now assigned to this individual, viz., Rupees 40, is less than even a moiety of the allowance enjoyed by his father and which was Rupees 109.

4. I, however, deem it my duty to submit the circumstances for the Orders of Government and would only further observe that, as there is no reason to suspect that the two separate grants were secured by means of any deception on the part of the Stipendiary, it appears to me that Venkat Rau Zadhava may be permitted to draw both allowances and which he may have been led to expect would be paid to him.

5. In the event of the Government concurring in the recommendation now made, I would beg to suggest that, to avoid all future difficulties and doubts, both the Stipends in question be consolidated into one, that originally assigned in No. 66 of the appendix B. to the Proceedings of Government, dated 5th December 1859, being raised to Rupees 40 and the other granted in the Proceedings of date the 5th April last, being cancelled.

6. I beg in conclusion to add that no payment whatever has yet been made to the individual in question. He only very lately applied for payment and on examining the authority for the amounts claimed, the anomaly now brought to notice was discovered.

No. 47. ORDER THEREON, 10th January 1861, No. 24.

Under the opinion expressed in paragraph 4 of the Agent's letter, the Government sanction the arrangement proposed for consolidating the two allowances of 15 and 25 Rupees assigned to Venkut Rau Zadhau into one payment of 40 Rupees per mensem, which will accordingly be disbursed to him in arrear and for the future.

(Signed) T. PYCROFT,
Chief Secretary.

No. 48. Read the following letter from Lord H. ULICK BROWNE, Officiating Under Secretary to the Government of India, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Fort William, 14th December 1860, No. 6,013.

Letter dated 29th August, No. 515.
„ „ *6th November, No.* 657.

I have the honor to acknowledge the receipt of your tow letters as noted in the margin, reporting the death of the Rajah of Travancore, the installation of Rama Vurmah and the arrangements made for the future succession owing to the almost hopeless mental imbecility of the second Prince Ravi Vurmah.

2. In reply I am directed to state that the Proceedings of the Madras Government as reported in the above letters are approved by the President in Council.

No. 49. ORDER THEREON, 10th January 1861, No. 25.

Communicated to the Resident of Travancore in reference to the Proceedings of Government, dated 29th August, and 20th, 24th and 26th September last.

(Signed) T. PYCROFT,
Chief Secretary.

No. 50. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 9th January 1861, No. 27.

I have the honor to mention that up to receipt of Order of Government No. 8, Her Highness Nabob Khyre Un Nissa Begum, had not made such a reply as I could submit to the Honorable the Governor in Council on the subject of the Wallajah Bagh.

2. On receipt of that Order on the 6th instant I forwarded copy to Her Highness begging a reply by the following day, but have only to-day received the communication, copy of which is subjoined, and of which a copy has been sent to the Government Solicitor.

8th January 1861.

MY DEAR SIR,

After presenting my compliment I have the honor to acknowledge the receipt of your communication of the 6th instant, along with an Order of the Government No. 8. I am sorry that a delay, owing to my illness, has taken place to answer your letters. Now I beg to apprize you

that, I am always disposed to please the Government. I have, therefore, agreeably to the Order of the Government ordered my Officers to repair the premises situated in Wallajah Baugh.

You will oblige me by reporting the same to the Government.

Let your favor be increasing.

Seal L.S. of Nabob Khyre Un Nissa Begum.

(True Copy.)

(Signed) E. G. BALFOUR,
Government Agent.

No. 51. ORDER THEREON, 11th January 1861, No. 26.

Resolved that a copy of the above letter be furnished to the Government Solicitor in reference to the Order of Government, 5th instant, No. 8.

2. Mr. Boyson will ascertain in communication with the Government Agent whether Her Highness Kyre-oon Nissa Begum is really taking measures for the immediate and thorough repair of the Wallajah Baug premises. If she is, he will defer taking possession of the House on behalf of Government,—otherwise he will proceed to do so, under the instructions already received.

3. The Government Solicitor will settle with the Government Agent an early day within which the workmen are bona fide to commence operations on the premises, and if they do not begin within that date, will take proceedings for entering on the property on behalf of Government without further delay or reference.

(Signed) T. PYCROFT,
Chief Secretary.

No. 52. Read the following letter from WILLIAM C. GIBSON, Esq., Colonial Secretary at Colombo, to the Chief Secretary to Government, Fort Saint George, dated 28th December 1860, No. 116.

With reference to former correspondence on the subject, I am directed to transmit to you the annexed copy of a letter from the Government Agent for the Northern Province, and to request that you will be good enough, with the permission of the Honorable the Governor in Council, to inform me of the views and intentions of the Madras Government with respect to the monopoly of the trade in Tobacco in the State of Travancore.

From P. A. DYKE, Esq., to the Honorable the Colonial Secretary at Colombo, dated Jaffna, 8th December 1860, No. 363.

Having reason to believe, from notices of the subject in the Madras Newspapers, and otherwise, that the matter of the Government monopoly of the trade in Tobacco in the State of Travancore has engaged the attention of the Madras Government, with the view to procuring its abolition, or some great modification of the arrangements under which it is exercised, I have the honor, in connection with my letter of the 30th December last, and the previous correspondence therein indicated, to solicit that in the interest of the people of this Province information may be obtained of the views and intention of the Madras Government.

In the numerous reports that have been made on this subject by my predecessors and by me, a point much dwelt upon has been the ruinous effects to the people of this District of the extreme fluctuation of prices caused by the system under which the trade under the monopoly, a system of contracts for the supply of the Travancore Government, is carried on.

And the extent of this evil, cannot, I think, fail to be duly appreciated from the facts that, last year at which Tobacco for export on this account was sold was £4-10 per cwt.,and that it is now fourteen shillings.

(True Copy.)

(Signed) WILLIAM C. GIBSON.

No. 53. To the Colonial Secretary at Colombo, dated Fort Saint George, 12th January 1861, No. 27.

I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter under date the 28th ultimo, transmitting a copy of a letter from the Government Agent for the Northern Provinces and requesting information as to the views and intentions of the Madras Government with respect to the Monopoly of the trade in Tobacco in the State of Travancore.

2. In reply I am instructed to inform you that the Resident at Travancore and the Dewan of that State are earnestly engaged in considering its fiscal system in view to the introduction of such reforms as may be feasible. As you are no doubt aware, the Pepper Monopoly has recently been abolished in the territories both of Travancore and Cochin and an export duty has been substituted for it. This Government are very anxious that the Tobacco Monopoly of both States should in like manner be abolished, and its place be supplied by the imposition of a moderate duty on Tobacco imported by sea or by the land Frontier. But from the very large amount of revenue at stake, and other causes, the question is one of much difficulty, and the Government, however much they may desire a change, cannot speak with any certainty as to when it is likely to take place. For the present at least the Tobacco Monopoly must be maintained.

(Signed) T. PYCROFT,
Chief Secretary.

No. 54. Read the following letter from Lord H. ULICK BROWNE, Officiating Under Secretary to the Government of India, to the Chief Secretary to the Government of Fort Saint George, dated Fort William, 27th December 1860, No. 6,189.

Foreign Department.

In reply to your Despatch, dated 3rd instant, No. 714, reporting the abolition of the Pepper Monopoly by the Rajah of Tranancore, I am directed to state that the President in Council concurs with the Government of Fort Saint George in highly approving the liberal and enlightened policy of the Rajah, and desires that the sentiments of this Government may be made known to His Highness.

No. 55. ORDER THEREON, 12th January 1861, No. 28.

Communicated to the Resident of Travancore in reference to the Proceedings of Government dated 3rd ultimo, No. 713.

(Signed) T. PYCROFT,
Chief Secretary.

No. 56. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th December 1860, No. 1,594.

I have the honor to submit to the Honorable the Governor in Council the enclosed letter A* from His Highness Prince Azim Jah Bahadoor, in which His Highness nominates "Azeez-ool Moolk Bahadoor, the household Officer of His Highness, to draw on his receipt, the sum "of Rupees 2,49,659-14 out of the monies which have accumulated on His Highness' account "in the General Treasury. His Highness would at the same time, in accordance with the 2nd "paragraph of His Highness' letter of the 26th July last, request that by so drawing on the "fund in question he may not be understood to have abandoned his claim now pending before "the Home authorities."

**Requested to be returned.*

2. I beg also to submit that there has been previous correspondence with His Highness Prince Azim Jah Bahadoor on this subject since the date of the Orders of Government, No. 679, dated 16th ultimo, with which, as I did not feel able to be the medium of their communication, I have not thought it necessary to occupy the time of Government; but I may mention that His Highness' letters were in some places obscure, and in other parts unnecessary subjects were introduced.

3. I pointed out these defects to His Highness who has now to a great extent modified them, but in his letter B† of same date as letter A, as His Highness mentions, in B, that 'he cannot under any circumstances consent to the withdrawal of the expressions which termi-"nate His Highness' letter relating to His Highness' claim," it seems to me, after such an expression of His Highness' opinion, advisable to submit His Highness' present letters for such decision as the Honorable the Governor in Council may deem proper.

†*Requested to be returned.*

A.

His Highness Azeem Jah Bahadoor presents his compliments to Surgeon Major E. G. Balfour, Government Agent at Chepauk and Paymaster of Carnatic Stipends, and has the honor to inform him that he has nominated Azeezool Moolk Bahadoor, the household Officer of His Highness, to draw on his receipt the sum of Rupees 2,49,659-14 out of the monies which have accumulated on His Highness' account in the General Treasury. His Highness would at the same time, in accordance with the 2nd paragraph of His Highness' letter of the 26th July last, request that by so drawing on the fund in question, he may not be understood to have abandoned his claims now pending before the Home authorities.

SHADY MAHAL,
18*th December* 1860.

عظیم جاہ

B.

His Highness Azeem Jah Bahadoor presents his compliments to Surgeon Major E. G. Balfour, Government Agent Chepauk and Paymaster of Carnatic Stipends, and in reply to his letter of yesterday's date the 17th December, begs to inform the Government Agent that in accordance with his suggestion His Highness in transmitting a fresh application has omitted the words which the Agent objected to, viz., in satisfaction of the amount due to him by His Highness.

With regard to para. 3rd of the Agent's letter, His Highness cannot agree with Surgeon Major Balfour as to the concluding portion of His Highness' letter being unnecessary. His Highness wishes the Agent to understand that he cannot under any circumstances consent to the withdrawal of the expressions which terminate His Highness' letter relating to His Highness' claims, and His Highness would draw the attention of Surgeon Major Balfour to the Orders of the Government dated respectively, the 2nd December 1857, No. 1,010, and of the 17th December 1858, No. 817, by which His Highness is led to consider that his appeal is still before the Secretary of State for India.

His Highness in conclusion requests that the Agent would oblige him by at once transmitting his application for the favorable consideration of Government without further communication with His Highness on the subject.

SHADY MAHAL,
18*th December* 1860.

عظیم جاہ

No. 57. ORDER THEREON, 12th January 1861, No. 29.

Resolved, that the Sub-Treasurer be authorized to disburse the sum of Rupees (2,49,659-14-0) two lacs forty-nine thousand six hundred and fifty-nine, and Annas fourteen to Azeezool Moolk Bahadoor, who has been nominated by His Highness Prince Azeem Jah Bahadoor to receive the amount, out of the arrears of allowance which have accumulated in the Treasury on His Highness' account.

(Signed) T. PYCROFT,
Chief Secretary.

No. 58. Read the following letter from R. P. HARRISON, Esq., Accountant General, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 10th January 1861, No. 348.

1. With reference to a letter from this Office dated 25th September 1860, No. 203, I have the honor to forward herewith a Statement, for the Quarter ending 31st October last, of payments, amounting to Company's Rupees 738-2-4 made by several Officers of this Government to the Netherlands' Pensioners on account of their Pensions during that Quarter (according to the list transmitted by the Government of Batavia) together with the Receipts of the parties to whom the payments have been made.

2. From the above amount, the sum of Company's Rupees (6-11-0) six, Annas eleven has been deducted on account of Contributions and Subscriptions to the "Widows' and Orphans' Fund," received from the Pensioners, as shewn in columns marked A in the Statement, according to the list of the Netherlands' Government received in a letter from Government, dated 3rd June 1831.

3. A Bill for the remaining sum of Company's Rupees (731-7-4) seven hundred and thirty-one, Annas seven and Pice four drawn on that Government, in favor of the Resident Councillor at Singapore, is herewith enclosed for signature, and transmission to the last mentioned Officer.

4. The net amount paid, Company's Rupees (731-7-4) seven hundred and thirty one, Annas seven and Pice four as exhibited in the Statement, will be debited in the Books of this Office, to the head "General Government of India." I beg to suggest that information be given to the Government of India of the aforesaid Bill having been drawn on the Authorities at Batavia, in order that, when payment thereof shall have been received by the Resident Councillor at Singapore, the amount may be credited to this Government.

QUARTERLY STATEMENT of PAYMENTS made to the undermentioned Pensioners by the Government of Fort Saint George, from 1st August to 31st October 1860 as per List from Batavia, the amount of which is repayable by the Netherlands' Government at Batavia, agreeably to the arrangement communicated by the Supreme Government in Mr. Molony's letter, dated 13th March 1828, and as per enclosures of the letter from Mr. Chief Secretary Clive, dated 8th August 1828.

Names of the Pensioners.	By whom paid.	For what period.	No. of Vouchers.	Amount. RS.	A.	P.	Total. RS.	A.	P.	A. Amount of Subscriptions paid by the Netherlandish Pensioners to the Widows' and Orphans' Fund for the Quarter ending 31st Oct 1860. Amount. RS.	A.	P.	Total. RS.	A.	P.
		1860.													
Mrs. N. Vonsohsten	Collector of Godavari District.	July,	1	50	0	0									
		August,	2	50	0	0									
		September.	3	50	0	0									
							150	0	0						
Baroness A. E. D'Albedyhll. ...	Collector of Malabar.	July,	4	76	3	9									
		August,	5	76	3	9									
		September.	6	76	3	9									
							228	11	3						
Mr. F. C. Van Blankenberg. ...	Collector of Tinnevelly.	July,	7	22	0	0									
		August.	8	22	0	0									
							44	0	0						
Mrs. S. C. Kluge.	Do.	July,	9	9	7	1									
		August.	10	9	7	1									
							18	14	2						
Mr. J. M. Dormieux	Collector of Madras.	May,	11	20	0	0									
		June,	12	20	0	0									
		July.	13	20	0	0									
							60	0	0	2	3	8			
		August,	.....	0	0	0				2	3	8			
		September.	.....	0	0	0				2	3	8			
													6	11	0
Miss G. D. Henricos	Do.	May,	14	3	8	0									
		June,	15	3	8	0									
		July.	16	3	8	0									
							10	8	0						
Purgassee	Do.	May,	17	0	8	4									
		June.	18	0	8	4									
		July.	19	0	8	4									
							1	9	0						
Mrs. Ritta Aubert	Do.	May,	20	7	3	1									
		June.	21	7	3	1									
							14	6	2						
Mrs. H. G. Ide...	Sub Treasurer Fort Saint George.	July,	22	52	14	0									
		August,	23	52	14	0									
		September.	24	52	14	0									
							158	10	0						
Miss Mary Meyers	Collector of Madras.	From 7th Oct. 1859 to 31st July 1860 at Rs. 5-4 per mensem.	25				51	7	9				6	11	0
				Co.'s Rupees...			738	2	4						
DEDUCT.															
Credit due to the Netherlands' Government for Subscriptions to the Widows' and Orphans' Fund, received from the Nertherlands' Pensioners, as per two last columns marked A.							6	11	0						
				Company's Rupees...			731	7	4						

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
10*th January* 1861.

(Signed) R. P. HARRISON.
Accountant General.

No. 59. To the Accountant General, dated Fort Saint George, 14th January 1861, No. 30.

I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter of the 10th instant, No. 348, and to acquaint you that the original Receipts and Statement of payments made on account of and repayable by the Netherlands' Government, amounting to Company's Rupees 731-7-4, together with the Bill drawn on the Governor General of Netherlandish India for that sum in favor of the Resident Councillor at Singapore, will be forwarded by the first opportunity for presentation.

(Signed) T. PYCROFT,
Chief Secretary.

No. 60. To the Resident Councillor at Singapore, dated Fort Saint George, 14th January 1861, No. 31.

With reference to my letter of the 28th September last, No. 580, I am directed by the Honorable the Governor in Council to transmit to you
Dated 10th January 1861, *No.* 348. copy of one from the Accountant General at this Presidency with the original Receipts and Statement of payments made by this Government to the Netherlands' Pensioners from 1st August to 31st October 1860, amounting to Company's Rupees 738-2-4; from this amount the sum of Company's Rupees 6-11-0 has been deducted on account of Contributions and Subscriptions to the Widows' and Orphans' Fund received from the Pensioners, and a Bill drawn in your favor on the Governor General of Netherlandish India for the remaining sum of Company's Rupees 731-7-4, being the amount repayable by that Government, is herewith forwarded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 61. To the Secretary to the Government of India, dated Fort Saint George, 14th January 1861, No. 32.

I am directed by the Honorable the Governor in Council to forward for the information of the Government of India, copy of a letter from the Account-
Dated 10th January 1861, *No.* 348. ant General at this Presidency and its accompanying Statement, and to acquaint you that a Bill under my signature has been drawn on the Netherlands' Government in favor of the Resident Councillor at Singapore for Company's Rupees 731-7-4, being the amount of Pensions paid on account of and repayable by the Netherlands' Government.

2. A copy of the Accountant General's letter and the original Statement and Receipts which accompanied it, have been transmitted to the Resident Councillor at Singapore.

(Signed) T. PYCROFT,
Chief Secretary.

No. 62. Read the following letter from JAMES INNES MINCHIN, Esq., Acting Collector of Kurnool, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 20th December 1860, No. 48.

I venture again to address the Government on the subject of the pension granted in the Order of Government of the 5th November 1860, No. 653, to the two daughters of the late Gooldar Khan, a member of the Mootafarakhat, with reference to a petition presented by Oomadaraz Khan, son of the deceased pensioner.

2. The family of the deceased Gooldar Khan, consisted of

1 Son, Oomadaraz Khan, aged 60.

1 Grand son, Ameer Ally Khan, aged 30.

2 Daughters, Massoom Khatoon, and Dhannah Khatoon.

In the Order above referred to the Government were pleased to sanction a pension of Rupees 15 each, to the two daughters, to lapse absolutely on their death, being unable to accede to my proposal to grant pensions to that amount to the son and grandson of the deceased, which would in effect be to continue portions of the stipend for two generations longer.

3. Oomadaraz Khan, the son of the deceased represents that himself and Ameer Ally Khan, a cripple dependant on him for support, are without any means of subsistence, but the late Gooldar Khan's pension, while the daughters of the deceased have sons in service, who are well able to support them.

4. Oomadaraz Khan, as head of the family, is also reluctant to live in a position of dependance on the females of the family.

5. I find on enquiry that the statements of Oomadaraz Khan are correct. Massoom Khatoon has a son in service in Hyderabad, and another in the Kurnool Rissálla. Dhannah Khatoon has a son in the service of the Nizam in the nominal receipt of a salary of Rupees 50 with whom she resided previous to the receipt of the Government Order for her pension.

6. On the other hand Oomadaraz Khan, and Ameer Ally Khan have no means of support or relatives to assist them, and the latter is a cripple unable to work for his livelihood.

7. I will not propose anything in opposition to the Order of Government past on this subject, but in consideration of the above facts, I beg that sanction may be granted for the sum of Rupees 10 each to be paid to Oomadaraz Khan and Ameer Ally Khan respectively out of the pension of Rupees 15 granted to the two daughters of Gooldar Khan, Massoom Khatoon and Dhannah Khatoon, the pensions of course lapsing on the decease of the females to whom they were granted by the Government.

No. 63. ORDER THEREON, 14th January 1861, No. 33.

The Government have already applied to the Government of India for their confirmation to the pension of Rupees 15 per mensem each granted to the two daughters of Gooldar Khan, and they are not prepared to modify that application.

2. Oomadaraz Khan must look to his Sisters and Ameer Ally Khan to his Aunts for support.

(Signed) T. PYCROFT,
Chief Secretary.

No. 64. Read the following letter from F. N. MALTBY, Esq., Resident of Travancore and Cochin, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 15th December 1860, No. 87.

I have the honor to acknowledge the Proceedings of the Madras Government of the 8th of October 1860, No. 601, and to state that I have communicated them to the Dewans of Travancore and Cochin, and I am able to inform the Government that both States appear to be prepared to co-operate in placing the trade of the three States on a satisfactory footing.

2. With regard to the State of Cochin the difficulties are trifling, and in a late interview with His Highness the Rajah, I was gratified to find him willing to consider the subject very cordially.

3. On the part of the Government of Travancore, I find the same cordiality, but the very large revenue derived from Tobacco is of such vital importance to the prosperity of its finances that the arrangements to secure an adequate revenue from this source require careful consideration. This they are receiving, and if it is proved to be possible to raise a sufficient revenue under the proposed plan, I believe that His Highness the Rajah will be fully prepared to enter into agreement with the other States.

No. 2,080, *dated* 10*th instant.*

4. But I have the honor to annex a copy of a letter from the Dewan of Travancore in which he forcibly urges the serious injury which the trade of Travancore is now receiving from its being liable to heavy duties in British Ports, and urges the subject on the early consideration of Government.

5. I have on several occasions laid the matter before the Government, and I beg especially to refer to my letter of the 21st February 1860.

6. As this injury is inflicted on the trade of Travancore with little or no benefit to the British Government, and as the present rule seriously deranges the trade, rendering it impossible to determine what portion of the trade belongs properly to Alleppy and what portion to Cochin, and thus renders the adjustment of the future system more difficult, I beg to lay the Dewan's letter before the Government and strongly to support his request, that the British Government will consider as a distinct question the request of the State of Travancore (and of Cochin) that the British Government will be pleased to admit the produce of Travancore and Cochin into the Ports of British India, on the same terms as the produce of other Indian territories (*i. e.* free of duty under the Port to Port Act.)

7. To shew the operation of the present system I will give only the following illustration. Observing in the exports of British Cochin the article of Cardamoms to the value of one and a half lac of Rupees, I was led to make enquiry, how such a trade could exist believing that the article must be stolen. I found however that they were the Cardamoms of Travancore sold by public auction at the *Government sales at Alleppy*. Being intended for the Bombay market they could not be shipped from Alleppy because they would have been liable to a duty of 10 per cent. on entering Bombay. They were therefore taken by backwater to British Cochin (where they

enter by land free of duty) and shipped thence, and thus entered Bombay free of duty. The Government will see by this illustration that the present law injures the trade of Alleppy without any benefit to the British Government. The Merchants had all the expense of conveying the goods from the commodious port of Alleppo to Cochin, and watching a valuable property all the way, without the British Government gaining any duty whatever. At the same time the exports of Cochin are swelled by 1½ lac of Rupees and those of Alleppy diminished by that sum, and the trade diverted from its natural channel without any benefit whatever to the Indian exchequer.

8. This, I believe, to be a fair illustration of the operation of the present system, and as the question is quite distinct from those to be adjusted hereafter, I feel it my duty to lay the Dewan's letter before the Government, recommending for the consideration of the Government, that the produce of Travancore be admitted into British India free of duty by sea as it now is by land.

9. I am satisfied that such a concession on the part of the British Government will materially aid the negociations for placing the whole of the commercial dealings of the three States on a sound footing.

From T. MADAVA ROW, Dewan, to F. N. MALTBY, Esq., British Resident of Tavancore, dated Trevandrum, 10th December 1860, No. 2,080.

I have the honor to acknowledge the receipt of your communication, No. 1,952, of the 23rd ultimo, together with its enclosure, on the subject of the trade of the Travancore and Cochin Sirkar territories and of British Cochin.

2. The subject will of course be carefully considered, and I hope the evils, which you have so forcibly pointed out, will be remedied.

3. But the subject, which is, at present, of the most pressing importance to Travancore, is, as you are aware, that of the heavy duty which Travancore produce, when imported into British India, is subjected to.

4. Nothing can be clearerthan that this duty of 10 per cent., has had a most injurious effect on the trade of Travancore.

5. I beg pointedly to observe, that the British customs revenue cannot derive any but quite inconsiderable benefit; for, to avoid this almost ruinous duty, the produce of Travancore is now mostly borne on the backwater to the British Port of Cochin, to which it gains admission free of duty on the part of the British Government.

6. Our trade is thus diverted from its natural channel, and forced into one, in which there are many facilities for carrying on smuggling. Our customs revenue suffers in this way also.

7. Alleppy, pronounced by eminent professional men, the safest Port on the western coast, and accessible at all times of the year, is rendered almost useless. Equally so are its fine Canals, its tramway, the Light House, which is in the course of erection; and every other improvement.

8. It is, under the circumstances, the earnest desire of this Sirkar that this state of things should have a *prompt* and decisive remedy applied to it. It is hoped that a correct knowledge of the results which have arisen from the imposition of the aforesaid heavy duty on the trade of Travancore, results so very different from those which must have been contemplated, would induce the Government of India to admit the produce of this country into British India free of duty. It is one of the concessions I had in view when I observed as follows, in my letter to you, No. 1,909, dated the 17th ultimo, intimating to you, the abolition of the Pepper monopoly and the substitution of an Export duty. "In taking this step the Sirkar is, I need hardly say, much "encouraged by the disposition manifested by the British Government to render liberal aid; such "aid would obviously be very valuable (as for instance in the matter of the duties), as the Sirkar "in abolishing the Pepper monopoly, incurs a considerable loss, considering the present high "price of Pepper, and this at a time when the revenue of the State, has fallen from drought and "when its expenditure has largely increased."

9. I beg also to observe, that before any comprehensive plan can be adopted to obviate the evils described in your letter to Government, forming the enclosure of the one under acknowledgment, it is very important to know the natural distribution and course of trade under the operation of an equitable arrangement as regards the duties.

(True Copy.)

(Signed) F. N. MALTBY,
Resident.

No. 65. ORDER THEREON, 15th January 1861, No. 34.

Under the circumstances represented in the above letter, and in that from the Dewan of Travancore which forms its enclosure, the Government resolve to address the Government of India on the subject of the present trade between the Ports of Travancore and Cochin and those of British India, and strongly to urge that the produce of the two Circars may be admitted into British Indian Ports free of duty.

2. Resolved that the following letter be despatched.

(Signed) T. PYCROFT,
Chief Secretary.

No. 66. To the Secretary to the Government of India, dated Fort Saint George, 15th January 1861, No. 35.

I am directed by the Honorable the Governor in Council to address the Government of India, relative to the duties now levied at British Indian Ports on the produce of the Travancore and Cochin States entering such Ports.

2. By Act VI, 1848, no duty is chargeable on any goods lawfully carried from *any Port in the Territories subject to the Government of the East India Company* to any other Port in the said Territories, but this does not apply to goods carried from the Ports of Travancore and Cochin to British Indian Ports.

3. Thus Pepper sent from a Travancore or Cochin Port to Bombay for eventual shipment to England, pays on import at Bombay a duty of 10 per cent., whereas if imported from any Port of the Malabar District it would be admitted to entry free, and on being ultimately sent Home would pay only the usual export duty of 3 per cent. The result is that much of the Travancore and Cochin produce is shipped at the Port of British Cochin to the injury of the Cochin and Travancore Ports.

Under Act VII, 1859, it was 20 per cent., but this has been reduced to 10 per cent. in the new Tariff.

4. This anomaly was brought to the notice of the Honorable the late Court of Directors who in their Despatch of 30th August 1858, observed:

"The Dewan's complaint was that the abolition of all duties on articles going from one British Port to another, while a 5 per cent.* duty remained on goods conveyed from Cochin Ports to British Ports, had been ruinous to the Cochin trade. This is highly probable and the extension to the Coasting trade from Cochin Ports, of the benefit which has been conferred on the trade in British Vessels would apparently be consistent with our own laws, and would be one of the concessions which by every consideration of friendship and equity we are bound to offer in consideration of the abolition or relaxation of the monopolies."

* NOTE.—*Now 10 per cent.*

5. In another Despatch written some years before, the Court had observed: "It is our desire that the commercial policy pursued towards all Native States similarly situated (as those of Travancore and Cochin) should be of the most liberal description, and that they should as far as possible be treated with the same favor as the Territories under our direct Administration."

Revenue Despatch, dated 12th November 1845, No. 22, paragraph 27.

6. The effect of subjecting the trade of these two Sircars to these burdens is thus shown by the Resident Mr. F. N. Maltby: "The British Government view Travancore and Cochin as foreign Territory. Goods, therefore, shipped from Alleppy or Malliapooram (the Ports of the Sirkars) to Bombay and other British Ports, are there liable to a duty of 10 per cent. (lately 20 per cent,) while goods shipped at British Cochin are entirely exempt under the Port Act. But they can be imported into British Cochin free of any duty from inland. The goods are

Letter to Collector of Malabar, 22nd August, paragraphs 10 to 15, in letter to Government, 20th September 1860, No.

thus drawn by backwater to British Cochin, and generally by the smuggler to evade the Rajah's Custom houses. In this way an extensive smuggling trade is fostered, but without any benefit to the British Government, for no duty is paid to them.

One or two instances may suffice. The value of Cocoanut oil exported from British Cochin on the average of the last five years is just 4,50,000 Rupees (1,79,000 cwt.) The value of that which paid duty at the Travancore Chowkey (in 1034,) was 57,000 Rupees, and at the Sirkar Cochin Custom houses 66,000 Rupees. In all 1,23,000. The difference between this sum and 4,50,000 Rupees must consist in a great measure of smuggled goods.

Again with Coir and Coir Rope. The export from British Cochin (minus the imports by Sea) amounts to 2,03,000 Rupees in value. The quantity paying duty at the Travancore Chowkies is under 50,000, and that at Sirkar Cochin 58,000 Rupees. In all 1,08,000.

The average total value of exports from British Cochin for 5 years, is about 17,00,000 Rupees. The value of goods paying duty at the Rajah's Custom houses, is for

	Value.	Duty.
Travancore	3,00,000	16,916
Cochin..	1,74,000	8,799
Total...	4,74,000	25,715

Looking down the list of exports, all the larger items consist of staple articles of Travancore and Cochin.

The above statements afford a rough calculation of the loss sustained by the two Sirkars from the smuggling trade of British Cochin, and from the Fiscal laws which treat their produce when shipped from their own Ports as foreign, although both States contribute largely to the expenses of the Imperial Government."

Travancore pays a Peisheush of 8 *lacs.*
Cochin do. do. 2 ,,

From Resident to Government, 13th December 1860.

7. In a later letter he gives this further illustration: "Observing in the exports of British Cochin the article of Cardamoms to the value of one and a half lac of Rupees, I was led to make enquiry, how such a trade could exist believing that the article must be stolen. I found, however, that they were the Cardamoms of Travancore sold by public auction at the Government sales at Alleppy. Being intended for the Bombay market they could not be shipped from Alleppy because they would have been liable to a duty of 10 per cent. on entering Bombay. They were therefore taken by backwater to British Cochin, (where they enter by land free of duty) and shipped thence, and thus entered Bombay free of duty. The Government will see by this illustration that the present law injures the trade of Alleppy without any benefit to the British Government. The Merchants had all the expense of conveying the goods from the commodious port of Alleppy to Cochin, and watching a valuable property all the way, without the British Government gaining any duty whatever. At the same time the Exports of Cochin are swelled by 1½ lac of Rupees and those of Alleppy diminished by that sum, and the trade diverted from its natural channel without any benefit whatever to the Indian Exchequer."

NOTE.—*In the Port of Alleppy there is still water during the heaviest bursts of the South West Moonsoon. This is ascribed to the ponderous nature of the water which is largely charged with fine mud held in suspension, but whatever be the cause, the sea off the Port is smooth and vessels ride safely, at times when a high surf is beating on all other parts of the Coast.*

8. The Port of Alleppy here alluded is the safest on the Western Coast and accessible at all times of the year, and His Highness the Rajah of Travancore is taking liberal measures for its improvement. He has sanctioned the erection of a first class Light-house; the Canal which passes through the town of Alleppy will be extended to within about half a furlong of the Sea, and a small Railroad is commenced to carry goods over the narrow strip of sand from the Sea to the Canal, and to the Sirkar Salt Stores.

But as long as the present high duties are imposed on the Exports to British India, its trade must be most seriously crippled.

9. It may be objected that if the duties on the produce of Travancore entering British India are removed, the Rajahs of these States should reciprocate. Mr. Maltby believes that it will be to the advantage of these States to admit the raw produce of British India free of duty. He adds however that "until the finances have been thoroughly examined, they cannot afford to renounce the duties now received on manufactured articles, metals and opium; or to admit salt, ivory, cardamoms, and such articles as now form a portion of the State revenues, but these will all undergo careful revision. The produce of foreign countries must remain liable to duty as heretofore, or the revenues of His Highness would suffer by piece goods, yarn, &c., being landed at Bombay and Cochin, and thence imported into Travancore; the duties being thus transferred from the Travancore to the British Treasury. But in the meanwhile the interchange of raw produce will be of very great benefit."

From Resident, 21st February 1860, *p.* 10.

NOTE.—*Especially Cocoanuts, Cocoanut oil, Fish oil and Coir, the principal articles of trade on the Coast.*

10. This Government had recently the satisfaction of laying before the Government of India, the Notification issued by His Highness the Rajah of Travancore abolishing the Pepper Monopoly, throughout his dominions. The example has just been followed by His Highness the Rajah of Cochin, who has by a Proclamation, dated the 13th ultimo, abolished the Pepper Monopoly in his State. The Resident is at present in close communication with both Rajahs on various measures necessary towards an improved commercial intercourse between those States and the British Government, and towards the amelioration of the fiscal systems of the two Sirkars themselves. Of these, besides the freedom of the port to port trade, the chief are:

The assimilation of the S. C. Tariffs of Travancore and Cochin to the British Tariff.

The abolition of the Tobacco Monopoly and substitution of an import duty on Tobacco entering the Sirkar Territories.

The withdrawal of all the Custom Houses on the Sirkar backwaters.

11. The progress of these negociations will be perceived from the accompanying papers, as per margin, which are sent for reference in the event of more detailed explanation being desired. The Government at first contemplated postponing any reference to the Government of India, until the whole had been settled, and the entire subject could be submitted in a complete form. But from the magnitude of the question, and the large amount of revenue involved in the Travancore Tobacco Monopoly, some time is likely to elapse before all matters can be decided on. Meanwhile the Resident, and the Dewan, have strongly urged that the free admission by Sea, as now by land, of the produce of the two Sirkars into British India, be dealt with as a distinct question, and in that view the Madras Government concur. They would remark that the concession would be a great relief to the trade of the two States without in any way injuring the imperial revenue. It would be a graceful recognition of the liberality shown by the Travancore and Cochin Governments in abolishing the Pepper Monopoly, and encourage them in carrying out other reforms of a like character, and would simplify the general question of the commercial relations of the two Sirkars and the British Government.

From Resident, 21st February 1860.
20th September ,,
15th December ,,

12. The Government are not certain whether an Order of the Government of India would be sufficient to relieve Travancore and Cochin produce from import duty on being introduced into British ports, or whether an Act of the Legislature would be necessary for the purpose. In the latter case the Government would beg that these papers may be made over to their Member Mr. Forbes in view to the preparation of such a Bill, and its submission to the Council.

(Signed) T. PYCROFT,
Chief Secretary.

No. 67. Read the following letter from THOMAS SYDNEY SMYTH, Esq., Advocate General, to the Chief Secretary to Government, Fort Saint George, dated Supreme Court House, 14th December 1860.

1. I have the honor to submit the following report for the information of the Honorable the Governor in Council, respecting the claim of Ghoolam Moortooza Khan Bahadoor, Moomtaz ul Mulk, against the Estate of the late Nabob of the Carnatic.

2. The claim was divided into two parts :

Part the first for...	Rs.	11,87,380	0 0
Part the second for....	„	1,62,578	9 7
Total...		13,49,958	9 7

exclusive of interest at 6 per cent. from the 3rd of March 1859, to the date of judgment delivered; all this moreover being exclusive of seven lakhs of Rupees, given credit for in the claim, for which the Nabob had granted Istafa Cutcherry Bonds to the Khan's creditors about August 1851, payable to the creditors without interest, but on which the Khan now claims interest for himself, to the amount of Rupees 7,25,380, in part first of his claim.

3. The trial of the claim began on the 8th and continued to the 29th of June; the 3rd Criminal Sessions and the 3rd Term and 4th Term then intervened, and the trial was not resumed till the 26th September, when it continued to the 2nd October. The fourth Criminal Sessions followed immediately, and then began the sittings after Term by means of which, as I lately had the honor to report, nearly all the remaining claims were disposed of. Sir A. Bittleston was thus obliged to defer delivering judgment; and, after so long a lapse of time, it would unavoidably require much time to enable him to go through the mass of oral and documentary evidence in the case. I had the evidence all taken down in writing with a view to an appeal, if necessary.

4. The first part of the claim consisted—as regards principal—of three items, as follows :

	Rs.
1846, January 10th, Cash deposited *prior to this date* by the claimant's mother with the Nabob's mother...	9,00,000
1847, September 1st, Cash lent *about this date* by the claimant's mother to the Nabob's mother...	1,00,000
1841, September 1st, Cash deposited by the Nabob's grand mother with the Nabob's mother, in trust for the claimant as a gift...	2,00,000
	12,00,000

and a sum of Rupees 70,475-4-6 which the Khan claimed in the part second of his claim as lent by himself to the Nabob on the 3rd March 1855—he having taken the benefit of the Insolvent Act in 1843, and having obtained his final discharge only a few months back—was alleged by him to have been part of another sum of two lakhs of Rupees which, he said, his mother gave him shortly before his death. The real source of this loan of Rupees 70,000 odd will be found explained in paragraph 25.

5. Now as regards the alleged deposit of Rupees 2,00,000 by the Nabob-Begum (the Nabob's grand-mother) with the Bhow-Begum (the Nabob's mother) on the 1st September 1841, it was difficult in the first place to account for the existence of any such sum in the old Begum's possession. Since 1825-26 when her son Prince Azeem Jah the Naib-i-Mookhtar paid her debts out of the 13½ lakhs lent by Government, the old lady, as admitted by her son in some of his letters in 1829-30, had got deeply into debt again, and she notoriously continued so till her death in 1856; secondly, it was singular that she should not have applied any part of it to the relief of Ghoolam-Moortooza-Khan in 1843, when he went to Jail as an Insolvent; thirdly, it was singular that she should not have kept it herself, instead of depositing it with her daughter-in-

law, where it was not at all more secure, but rather the reverse, as the Nabob was often assisted with money by his mother; and lastly, it was more remarkable still, that, when the Bhow Begum, the Nabob's mother, died in April 1849, the old Nabob Begum, who lived till 1856, should never have claimed the money, or made any inquiry about it, nor even once mentioned it to Ghoolam Moortooza Khan himself, who swore he never knew of it until he received a letter [marked as Exhibit N, of which I annex a copy] in April 1855, which, as Salar-ul-Mulk swore, the Nabob caused this Salar-ul-Mulk to write and send to Ghoolam Moortooza Khan on the 29th April 1855, or six years after the Bhow Begum's death, stating that the Bhow Begum had had the money, and had given it to the Nabob, and that he, the Nabob, was Ghoolam Moortooza Khan's debtor for that sum, in addition to all the other lakhs of Rupees claimed in part 1st of the particulars filed in Court. The letter was in fact a regular cognovit—I need hardly say, in my opinion, an audacious forgery. Government will remember the character of Salar-ul-Mulk as disclosed in the long trial in the early part of this year, that terminated in the rejection of the claim he set up on his own behalf.

6. As regards this letter of Salar-ul-Mulk's, the story sworn to was, that, after it had been written, the Nabob desired a copy to be made of it, and lodged among the records, expressly in order to authenticate the transaction, but nevertheless, as I elicited by cross examination, when the Nabob died shorly afterwards, on the 7th October 1855, and the Dewan then made a formal inquiry, in writing, of Salar-ul-Mulk (his own son-in-law) and others, as to all the Nabob's liabilities, Salar-ul-Mulk never shewed or mentioned this alleged copy, nor was its existence ever mentioned or known to the Dewan, or to any of the Chepauk or Government Officers, until just five years after its alleged deposit, namely, on the eve of trial, 8th June 1860, when Ghoolam Moortooza Khan served the Government Solicitor with notice to produce it from a particular Record, where it was certainly found, having just as certainly been secreted there shortly before by some Chepauk servant well bribed by Ghoolam Moortooza Khan.

7. But if the possession of 2 lakhs by the old Begum was difficult to account for, the pretended possession of 12 lakhs by Ghoolam Moortooza Khan's mother was infinitely more so, and indeed the Khan never attempted to account for it. He admitted that beyond her pension from Government of about Rupees 280 a month, he did not know of her possessing any property at all, and was wholly unable to say, or even guess, when, where, how, from whom or what source she could have got it! He himself, he admitted, inherited no property, and had nothing but his pension from Government of Rupees 10,000 a year, for himself and two nephews.

8. The main strength of the Khan's case appeared to me to lay in two rather singular documents, environed with those contradictory circumstances, open to all sorts of possible explanations, with which it seems to have been the habit, indeed the study of the Nabob, Ghoolam Moortooza Khan, Shurf-ood-Dowlah, and Salar-ul-Mulk more especially, to surround and mystify all their transactions, doubtless for the express purpose of enabling themselves to give those transactions whatever color might be found most convenient afterwards, at any particular moment.

9. The first of these two documents was marked as Exhibit B. I annex a translation of it in the Appendix. I see no reason to doubt that this was so far a genuine document, that it was not concocted expressly for this claim, but was really written and sent to the Istafa Cutcherry at the time it bears date, *viz.* 27th January 1848.

10. The second was marked as Exhibit C. Its signature was in the Nabob's handwriting, and it was dated 10th January 1846, and was a Promissory Note in favour of Mr. John Arathoon, for 7 lakhs of Rupees, for value received, payable 31st December 1846. This Note was a falsehood on the face of it. Mr. John Arathoon proved that he never had given any value for it, or to any such amount, and that he knew nothing whatever of it—but, somehow or other, it certainly appears to have got into Ghoolam Moortooza Khan's hands in or before January 1848, and it forms the second item in his Exhibit B. The Nabob being dead, the real truth about this Promissory Note will probably never be known.

11. B. shews that, on the 27th January 1848, just after the establishment of the Istafa Cutcherry, and when all persons having claims on the Nabob were directed to send in their Ilaims

to that Cutcherry, Ghoolam Moortooza Khan did, and he swore he did so by order of the Nabob, send in that paper claiming Rupees 14,58,856-11-1 as then due to him from the Nabob.

12. B. contained several large items which have since been ascertained to be true, and which have been paid, partly by the Nabob in his life-time, partly since his death by the Law Officers of Government; *viz.*, 1 lakh due by the Nabob for money raised through Ghoolam Moortooza Khan from Mr. Arathoon; 2½ lakhs due for monies raised by Ghoolam Moortooza Khan through Mr. Maclean; Rupees 45,000, raised by Ghoolam Moortooza Khan through or from Rajah Coondun Lall; Rupees 55,000, raised by Ghoolam Moortooza Khan, of which about Rupees 30,000 was also due to Rajah Coondun Lall; besides other smaller sums, included in the 1st item of part 2 of the present claim, for Rupees 13,462; which is *there* charged as "cash paid" to the Nabob, but which, on examination, proved to be made up of Rupees 25,955 as to which no particulars whatever could be given by Ghoolam Moortooza Khan (except that it was the balance of the Rupees 55,000, out of which Rajah Coondun Lall, had been paid nearly Rupees 30,000 and that, somehow or other, the rest was his (Ghoolam Moortooza Khan's) and Rupees 17,507, made up of horses, watches, crockery and alleged cash loans. Part of these items was not proved at all; part was proved to be already paid; and of what Ghoolam Moortooza Khan had paid, it was most probable he paid most if not all with the Nabob's money. At least there was only his own word to the contrary, and he was but recently out of the Insolvent Court.

13. The principal items however of B. are the two first, the 1st for

	RS.
"Former balance without vouchers."	2,00,000
The 2nd as per voucher of 10th January 1846, payable 31st December 1846...	7,00,000
	9,00,000

14. These 9 lakhs were claimed in Ghoolam Moortooza Khan's particulars, as due to himself alone, for "cash deposited by claimant's mother with the Nabob's mother prior to 10th January 1846;" and C. was said to be the voucher for 7 lakhs of this amount; the other 2 lakhs being described as "former balance without voucher."

15. In addition to these two documents, B. and C., was the fact that, about three years and a half afterwards, the Nabob actually ordered the Istafa Cutcherry to issue, and that they actually issued, Bonds for 7 lakhs of Rupees to Ghoolam Moortooza Khan's creditors, a singular letter of the Nabob's dated 26th August 1851, (Government Exhibit, No. 12) stating that 6 lakhs were his mother's debt, and must be paid for the repose of her soul. This letter however, it was *alleged*, was a mere sham, adopted in order to conceal the real nature of the transaction from the knowledge of Government. In fact, the case set up by Ghoolam Moortooza Khan involved such a chain of deceit on the part of the Nabob towards the Government, the Dewan, the Istafa Cutcherry, the general body of creditors, Ghoolam Moortooza Khan himself, and indeed, every one about him, that, if believed, I cannot understand how any Court could attach any weight to any thing that the Nabob could say, write, or do.

16. The objections, however, to this part of the claim were many and weighty; but the way in which these objections were answered, and the counter objections to these answers, will suffice to give Government a specimen of the difficulties to be encountered in resisting, before a tribunal like the Supreme Court, demands of this nature, put forward by parties who, through the Government native servants (formerly of the late Nabob's Establishment) had easy access to the Chepauk Dufters, whether to obtain copies, or to insert among the thousands of bundles of loose slips which composed the Dufters, any paper which they thought calculated to support their claims; who had exact, constant, and almost immediate information, from these same servants, of every thing that the Law Officers of Government, or the Government Agent at Chepauk, wrote, said, or did, respecting any of these claims; and who by giving notice to Government to produce papers introduced as above described, and producing the Government servants to swear to them as written by deceased Officers of the Nabob, generally managed to come forward as ingeniously and confidently resting their whole case on documents produced by Government itself from its own Records.

17. In the first place, I shewed that though Ghoolam Moortooza Khan did indeed send in that large claim (Exhibit B.) to the Istafa Cutcherry, and though the Istafa Cutcherry did, on evidence produced by other persons (such as Mr. Arathoon, the Official Assignee, Rajah Coondun Lall, Cotidiah Nundoo Lall, &c.) investigate and allow and pay instalments in part liquidation of *their* claims, yet they treated in a very different manner, Ghoolam Moortooza Khan himself, and the 9 lakhs and upwards claimed as due to himself personally. They wrote to him on the 3rd February 1848, (Appendix, Government Exhibit No. 1) informing him that "an order has been "ssued by His Highness to require a *full detail* of the accounts of the debt contracted through you" &c. &c., and I showed that Ghoolam Moortooza Khan never answered this letter, never furnished any details or vouchers, and that, in consequence, the Istafa Cutcherry just treated his demand in a similar way, *viz.*, laid it aside, and for about three years and a half took no notice whatever of it. I of course contended that the necessary inferences from this state of facts were all but conclusive against the validity of his claim at that time, and still more so at present.

18. Ghoolam Moortooza Khan's reply (resting however solely on his own swearing) to this objection was, that he had shewn the Nabob the Istafa Cutcherry's letter and asked him what he was to do, whether he should furnish the Istafa Cutcherry the details they required; that, in reply the Nabob said that the Istafa's letter was not written by his order, that it was only a sort of circular addressed to all claimants, and that Ghoolam Moortooza Khan must not send in any details to the Istafa Cutcherry respecting the 9 lakhs, as they were connected with the Nabob's mother, and His Highness did not wish the Istafa Cutcherry or any one else to know anything of the matter; but that he, the Nabob himself, would arrange about paying Ghoolam Moortooza Khan: that thus the Nabob put him off for upwards of three years, without paying him any thing.

19. In answer to this, I showed that at the very time of these alleged confidential conversations, Ghoolam Moortooza Khan was forbidden to come into the Nabob's presence; to which the ready answer was, that this was a mere sham, to throw dust in the eyes of Government; for that, as the Government Agents had often represented Ghoolam Moortooza Khan as leading the Nabob into extravagance, the latter, when his debts became urgent, and attracted the observation of Government, tried to screen himself by appointing the Istafa Cutcherry, by laying all the blame of his debts on Ghoolam Moortooza Khan, and by telling Government that he, the Nabob, was so angry with Ghoolam Moortooza Khan, that he had banished him from his presence. The Khan swore that in fact he and the Nabob were just as intimate as ever, and met just as constantly, only not in public.

20. I showed also that when other retainers of the Nabob, Thalamund Khan, Goverdhun Doss, Moohtamud Dowlah, and others, had preferred claims to the Istafa Cutcherry involving matters which the Nabob wished to keep secret, he at once sent orders to the Istafa Cutcherry to pass these claims without investigation, and they were passed accordingly; and I contended that the Nabob would have done the same with Ghoolam Moortooza Khan's claim, had he really acknowledged it, and meant to pay it. To this Ghoolam Moortooza Khan was unable to give even a plausible answer.

21. I showed also that when the Nabob's mother, the Bhow Begum, died in April 1849, the Nabob orded the Dewan to pay Ghoolam Moortooza Khan Rupees 2,000 a month which the Bhow Begum had been in the habit of paying him, under color of repaying a loan of one lakh of Rupees. To explain the real nature of this monthly payment, it will suffice to refer to the fact that the Bhow Begum's husband died in 1825; that she was then a young woman of about 22; that Ghoolam Moortooza Khan, then a remarkably handsome young man, of her own age, had constant access (as a grandson of Nabob Wallajah's, and as having been brought up by the Nabob Begum, whom he called mother) to the apartments of both Begums; and his intercourse with the young Bhow Begum was matter of public scandal to the Mussulman community, as the frequent reports of the Government Agents from 1830 to 1842, abundantly shew. I of course contended that if the Nabob had really considered, in 1849, that his mother owed Ghoolam Moortooza Khan anything more, he would naturally, when his attention was directed to the subject, have mentioned the whole amount to the Dewan, and not have confined

himself to the Rupees 2,000 a month, Ghoolam Moortooza Khan asserted, but it rested principally on his own assertion, that he replied to the Dewan that he, Ghoolam Moortooza Khan, requested the Nabob to settle his whole demand, that he did not wish to accept the part payment offered, but would wait the Nabob's convenience. He never however ventured to call the Dewan to corroborate him in this.

22. The next important feature in this case is the occurrences of August 1851, or thereabouts; Ghoolam Moortooza Khan's creditors about this time became clamorous, and obtained a Writ against him and effected an entrance into his house, and even alleged that they had seized him, and that he escaped from lawful custody, and a question was raised as to the Sheriff's right to re-take him from the Nabob's Palace, where he had taken refuge. Ghoolam Moortooza Khan thereupon, (and doubtless the old Nabob Begum too) importuned the Nabob to relieve his kinsman from his difficulties, and it was suggested that his creditors were willing to receive Istafa Cutcherry Bonds in full satisfaction of their claims.

23. The Nabob thereupon told the Istafa Cutcherry to arrange accordingly at once, as Ghoolam Moortooza Khan was in danger, and to pay his claim at once; adding "his accounts *are true and correct.*" N. B.—These accounts had then been three years and a half with the Istafa Cutcherry, and during all that time the Nabob had never once looked at them. Ghoolam Moortooza Khan's account was, "I told the Nabob of my dangerous state, he ordered to issue "6 lakhs of Bonds on account of his mother's debt, but that was his personal debt, *because* he "had given the Bond (C) for 7 lakhs of Rupees." I of course argued that if it was really the Nabob's mother's debt, it was not payable under this Act, which was for payment of the Nabob's debts, not those of his mother; but then Ghoolam Moortooza Khan swore that the Nabob had actually received that amount in cash from his mother, knowing that it was a deposit in trust for Ghoolam Moortooza Khan.

24. The Istafa Cutcherry however objected to pay, and replied to the Nabob that they had no evidence of any thing being due, and that His Highness had before told them that he doubted whether Ghoolam Moortooza Khan's claim was really due; on which the Nabob replied (Government Exhibit No. 12) on the 26th August 1851, that Ghoolam Moortooza Khan's claim "did "*not* deserve a speedy and full adjustment, owing to the absence of satisfactory vouchers, and "of the account of payments and balance due;" *but*, nevertheless, they ought to adjust at once the 6 lakhs due by the Nabob's mother out of the amount of the Bond for 7 lakhs (C) then in Ghoolam Moortooza Khan's possession.

25. The Istafa Cutcherry on this yielded, and issued Bonds for 6 lakhs, and Ghoolam Moortooza Khan's creditors signed a general release. In July 1852, the Nabob ordered the issue of Bonds for 1 lakh more: the Istafa Cutcherry again remonstrated, said they had no vouchers, and that His Highness had declared it not due, but the Nabob ordered them to issue the Bond at once, and they did so. This last Bond was never received by the Khan's creditors, and at the time of the trial, I could not trace it in any way; but after the trial was over, I learned through Major Snow, from a Mussulman who was in a position to know all these transactions, that Ghoolam Moortooza Khan took the Bond to the late Mr. R. Taylor, the Livery Stable keeper, and got him to take it in payment of a sum of Rupees 75,000, which he claimed from the Nabob; that then the Khan received Rupees 75,000 from the Treasury, as if to pay Taylor, but kept it himself, and afterwards paid the money to Shurfood Dowlah, as a loan to the Nabob, this being the sum which he swore he lent out of a sum of two lakhs given him by his mother shortly before her death:—thus, with the 10 lakhs mentioned in Ghoolam Moortooza Khan's particulars, making a total of 12 lakhs, which he asked the Court to believe his mother to have possessed in fact, though how, when, or from what source, she could have become possessed of even the twelfth part of it, he professed himself wholly unable even to conjecture.

26. Ghoolam Moortooza Khan did not produce a single scrap of paper in the shape of an account or Memorandum of any description, though he had obtained the postponement of the trial of his claim for a fortnight upon an Affidavit, stating the unexpected death of Rajah Coondun Lall, who, he said, used to help him in his accounts, and whose own, Coondum Lall's,

accounts he, Ghoolam Moortooza Khan swore were essential to proof of his case, but could not be produced till after the Curmantherum, or sixteenth day's ceremony, yet he neither produced any such accounts at the trial, nor attempted any explanation why he did not do so. He admitted moreover on cross-examination that he had kept Memoranda of some of his accounts and transactions, but he could give no other reason for the non-production of any of them, than that they were thrown into great confusion when his house was seized in August 1851, and that *some* of them were missing afterwards. I also made him admit that in September 1855, Shurfood Dowlah, and Salar-ul-Mulk had written him two letters [Government Exhibits, Nos. 2 and 3] by order of the Nabob, urgently demanding his accounts, in order to enable the Nabob to come to an arrangement with his, the Nabob's, creditors. He admitted he had received these two letters, and that he had never furnished the accounts required, but he said (as did Shurfood Dowlah and Salar-ul-Mulk) that the accounts were not wanted in reality, that indeed there were no such accounts —and that the letters were merely a sham on the Nabob's part, to deceive the Soucars and the Government.

27. The other evidence upon which Ghoolam Moortooza Khan seemed to lay most stress was that of six documents (marked as Claimant's Exhibits S. T. U. V. W. and X) which, on the very evening before trial, he ,for the *first* time gave notice to Government to produce. The notice called on Government to produce all documents found in the Bhow Begum's Kalumdan, at the time of her death, which related to the claim, or in which the names of the Bhow Begum, Nabob Begum, claimant's mother, or claimant himself were mentioned, and which the Nabob had sent shortly after her death to the Dewan.

28. I was assured that nothing was known of any documents, such as above suggested, having been found in the Begum's Kalumdan, or having been sent by the Nabob to the Dewan. Shortly after her death some persons preferred claims for money alleged to be due to them from the Bhow Begum for about Rupees 40,000, and the Nabob referred *these claims* to the Istafa Cutcherry, and afterwards sent the Dewan a pocket handkerchief full of loose papers, nearly 200 in all, in order that he might see if they would throw light on any of these claims.

29. *A* pocket handkerchief full of papers was found, and was *said* to be *the* one sent by the Nabob to the Dewan; but this, with all other papers and records of the Nabob, had remained for the 14 months next after the Nabob's death in the custody of his Native Establishment, before Government took possession; and even since the trial of these claims began, the Chepauk servants had the utmost facility of access to these bundles of loose papers. The Dewan had no recollection of any particular paper received by him at that time; he was at the time of the trial very feeble, and had just lost his son, Kismut Khan, and owing to this and his great age, he was so infirm and feeble, and his memory so far gone, that I would not expose him to the fatigue of coming into the witness-box merely to say he could recollect nothing, but considered it sufficient to rely on its being incumbent on the claimant to call him, or some other witness, in order to connect these papers with the Nabob or the Bhow Begum, before he could use them, or even compel their production ; especially as I was satisfied, that, *if* the Dewan *could* have spoken to the papers, his son and son-in-law (Shurfood Dowlah and Salar-ul-Mulk) two of Ghoolam Moortooza Khan's chief witnesses, would have informed the Khan of it, and had the Dewan summoned as a witness on his behalf.

30. I was however informed by Dr. Balfour, that, in his opinion, and in that of the three Native Officers who have chiefly assisted him in making his reports on these claims, one of these six documents, that marked S, was in the Nabob's handwriting. I therefore informed the Court that I should at once produce this one, as I had *always* in these cases produced *all* documents, that I was informed were genuine. I have since however had serious reason to doubt whether this Exhibit was really written by the Nabob, as no one had ever seen it till produced in Court; and I have, since the trial, been well assured that Ghoolam Moortooza Khan's son can write in a manner not to be distinguished from that of the Nabob, and I have already adverted to the facilities within his, Ghoolam Moortooza Khan's reach, for depositing any papers he pleased amongst those of the late Nabob. As regards this one document however, whether true or forged, there was nothing on the face of it to connect it with the claimant's case. It was simply

an acknowledgment that the Nabob had between January and July 1843, received Rupees 6,27,132 from his mother the Bhow Begum. The claimant's argument was that the Begum *must* have lent this sum from his mother's alleged deposit of 9 lakhs, described as made "prior to 10th January 1846;" but I shewed, independently of the vagueness of this assumption, and of the difference of dates, that, from the Nabob's presents to his mother, she had means of her own of lending him the sum in question, so that the claimant's argument or inference fell at once to the ground.

31. As regards the other 5 documents, T. U. V. W. and X., I refused to produce them on notice, saying that I knew of no documents answering the description, none found in the Begum's Kalumdan, none sent by the Nabob to the Dewan. The pocket handkerchief and its contents having however been incautiously produced in Court, the Judge, notwithstanding my objection, ordered the production of its contents, and amidst some hundreds of scraps, the veriest trash, were these five documents. As to T, there was a conflict of evidence whether the endorsement on it was or not in the Nabob's handwriting. Dr. Balfour and one of the Chepauk Officers saying they were of opinion it was the Nabob's, while others were decidedly of opinion it was not. My own belief is that Ghoolam Moortooza Khan's son wrote it. As to the other four, U. V. W. X. there was no evidence whatever, either of handwriting, or that any one of them had ever been seen by, or ever in the possession of, the Begum, or the Nabob, or the Dewan. Consistently with the evidence they might have all been written a week before the trial, and smuggled into this pocket handkerchief the next day. The Judge nevertheless, notwithstanding my strenuous objections, admitted them in evidence, observing that he considered my objections went rather to their *weight* than to their *admissibility*.

32. The exhibit T. purported to be an account—by whom written Ghoolam Moortooza Khan did not attempt to shew—of "the money deposited by the mother of Ghoolam Moortooza Khan with "Mahali Auliya, *viz:*

22nd September	1842	2½ lakhs.
11th January	1843	4½ „
22nd January	1844	2 „
	Total...	9 lakhs."

and the endorsement ran thus: "This account was received from the mother of Moomtaz-ul-Moolk on the 23rd January 1848."

33. Exhibit U. professed to be an account of the dates on which the Nabob had received from his mother the 2 lakhs received by her from claimant's mother on the 22nd January 1844. Exhibit V. professed to be an account of the dates on which the Nabob received from his mother sums amounting to Rupees 1,97,300, out of "the money deposited by Her Highness Nabob "Begum Sahiba with Mahali Auliya, for the use of Moomtaz-ul-Mulk, on the 4th September "1842, *viz.*, 2 lakhs in Notes and Gold mohurs." W. professed to acknowledge that the Bhow Begum on the 27th November 1846, had received one lakh from Ghoolam Moortooza Khan's mother, to be repaid at Rupees 2,000 a month; and X purported to be an account of the dates on which the Nabob had received from his mother "as per account in the handwriting of the "Nabob," various sums making up the 7 lakhs deposited with her by claimant's mother on the 22nd September 1842, and 11th January 1843.

34. These 5 documents, if proved to be genuine, would of course have been conclusive; but, as to the last 4, it was not even suggested who the writer was, nor was there any evidence to trace one of them to the possession or knowledge of the Nabob's mother, or grandmother, or the Nabob, or the Dewan. The suggestion was—but it was merely suggestion—that, as they were *now* found in the pocket handkerchief before mentioned, they *must* have been sent in by the Nabob to the Dewan in 1849, and that therefore they must have been in the possession of the Nabob's mother.

35. I contended that if the Dewan had received such remarkable documents he must have remembered them, and that as the claimant did not choose to call him, though he did call his son, and son-in-law, the necessary inference was obvious. I argued that even supposing the

Court could believe Ghoolam Moortooza Khan's mother to have become miraculously possessed of these 12 lakhs of Rupees (of which her son could give no account) and to have deposited 10 lakhs as alleged with the Bhow Begum (T, U, X and W,) and supposing also the Court to be satisfied that the Nabob Begum, notwithstanding her load of debt, had got "2 lakhs in "Notes and Gold mohurs" and deposited them with the Bhow Begum (V), yet was it not most extraordinary that the alleged depositors should leave with her not only these lakhs of Rupees, but also these documents, the only documents in the nature of receipts that were suggested ever to have existed? Was it not even more extraordinary, supposing the claimant's mother and the Nabob Begum to have left both their money and their receipts in the Bhow Begum's power, that when she died in April 1849, neither of those ladies, though they lived till 1856, should ever have claimed or enquired for either their money or their receipts, or made any demand respecting them either upon the Nabob, or at the time of his death in October 1855; and that though every scrap of the Nabob's writing had been carefully preserved no trace could be found of the "account in the handwriting of the Nabob" spoken of in X? As to T, I contended that looking at the contradictory evidence as to the handwriting of the endorsement, the absence of evidence which, if the fact were so, might easily have been given, showing that the Bhow Begum had ever had it, or that the Dewan had received it from the Nabob, it would be most dangerous for the Court to accept it as evidence of the possession by claimant's mother of so enormous a sum as 9 lakhs of Rupees, which her son confessed himself utterly unable to trace or account for; and I added that, if the Court could believe in the existence of these 9 lakhs, and their possession by the claimant's mother at that time, tallying as it did so exactly with the time of Ghoolam Moortooza Khan's disgraceful insolvency in July 1843, and the disappearance of 50 lakhs of Rupees, he keeping no accounts, and giving up to his creditors only some old stools and crockery, it must as against him (until he either did give a proper account of those 50 lakhs, or show whence his mother got the 10 lakhs he now said were hers) come to the conclusion, that, *if* she got them, she got them from the only possible source which had been shown to the Court, namely out of the 50 lakhs of which her son the claimant had defrauded his creditors, and swore he had no accounts to shew what had become of them, that it was bound to presume everything against an Insolvent setting up such a case, and that no Court would assist him in recovering money acquired by such fraud.

36. As for anything the Nabob ever said, wrote, or did, I urged that after the proofs given of his habitual dissimulation and falsehood, the Court must regard it all with grave suspicion, and as the very reverse of satisfactory proof of the truth of anything he might have asserted or admitted: that Act 30 of 1858, expressly provided that his mere acknowledgments, however full, express and complete, were to go for nothing unless so far as the Court was satisfied that he had actually received, wholly or in part, the sums therein mentioned; that his Promissory Note, C, for 7 lakhs, was open to many explanations; it might be, as in the case of his Promissory Notes given through Ghoolam Moortooza Khan to Mr. Maclean, that he wrote it merely *intending* to raise money on it but had been unable to do so, and had forgotten to demand it back from Ghoolam Moortooza Khan, or it was very possible and probable, looking to his great intimacy from childhood with Ghoolam Moortooza Khan, their near relationship, and the extent to which the Nabob, his mother and grandmother had shared in Ghoolam Moortooza Khan's profuse expenditure before his insolvency, that the Nabob wished and meant to extricate Ghoolam Moortooza Khan from the grasp of his creditors; but, not wishing to avow the truth openly, lest Government should hear of it and demand explanation, tried to effect his object under cover of a pretended debt. C, might have been given to Ghoolam Moortooza Khan's mother as a security that the Nabob would perform some promise of paying Ghoolam Moortooza Khan's debts. So long as all these explanations were possible, and the Court had no proof of the existence of the many lakhs of Rupees now claimed, beyond paper writings of this dubious character, it could not say it was proved that the Nabob had actually received the 11 lakhs put forward as the basis of the present claim, and unless the Court believed he had actually received them, in ready money, the claimant could not recover.

37. In conclusion, I proved from the Dufters and by cross examination that Ghoolam Moortooza Khan had received lakhs upon lakhs of Rupees from the Treasury by order of the Nabob; and

that, giving him credit for every Rupee that the Dufters showed him to have accounted for, there remained above 6½ lakhs of Rupees of which no account could be found, and of which he admitted, in the witness-box, he could give no account beyond saying that he had paid away every sum as he received it according to the Nabob's order; and I showed that this amount, together with the 7 lakhs for which the Nabob had issued Bonds which he and Government had since paid, far more than extinguished the debt now claimed, even if believed to have been a genuine one, for which full consideration had been given. It was urged in reply that if there had been default on the part of Ghoolam Moortooza Khan to any large extent, there would have been some complaint on the Nabob's part, some demand for an account. I admitted this, but pointed to the letters (Nos. 2 & 3) as shewing just such a complaint, and demand for an account, by the Nabob, and urged that the account now given of these letters, namely that they were a mere sham, to deceive the Soucars and the Government, was not to be believed on such slight evidence as had been adduced. I added that it was not necessary for the Court to say anything more than that it was for the claimant to prove his case—to prove either that the Nabob actually received the many lakhs of Rupees said to have been deposited by claimant's mother, or at least that claimant's mother had the means of advancing such sums, and to produce some account of the transaction in some known handwriting, and traced to the proper custody; that if the claimant failed in all these points the Court could only say that his claim had not been proved to its satisfaction.

38. I had written so far before knowing what Judgment the Court would deliver, or how far it would allow any part of the claimant's claim.

39. Judgment has been delivered this morning, the 14th December, and it affords me much gratification to be able to inform Government that the Court has upheld nearly all the objections I took to the claim of 12 lakhs in part I. of the particulars, and has disallowed the whole, and with costs. Of the second part the Court has allowed the 2nd item, and part of the 1st, altogether Rupees 81,715-4-6, with Interest and costs of proving it.

40. I now forward this report without waiting for a copy of the written Judgment, which I shall forward as soon as I obtain it.

APPENDIX.

CLAIMANT'S EXHIBIT B.

Submitted by MOOMTAZOOL MOOLK BAHADOOR.
ABDOOL WAHAB.

MEMO.

Account of balances due up to 31st December 1847.

				RS.	A.	P.
Former balance without voucher				2,00,000	0	0
As per Vouchers.						
	RS.	A.	P.			
As per one voucher dated 10th January 1846, payable on the 31st December 1846	7,00,000	0	0			
Do. dated 20th January 1847, payable on the 31st December 1847	1,00,000	0	0			
Do. dated 20th January 1847, payable on the 31st December 1847	1,00,000	0	0			
Do. dated 5th February 1847, payable two months after date	50,000	0	0			
Do. dated 6th February 1847, payable three months after date	50,000	0	0			
Do. dated 6th February 1847, payable twelve months after date	50,000	0	0			
				10,50,000	0	0

Balance due up to the end of December 1846, without vouchers.						
On one occasion on account of the item of Rajah Coondun Laul	45,000	0	0			
Paid to His Highness on different occasions	55,000	0	0			
				1,00,000	0	0
				13,50,000	0	0
Sundries.						
Interest for the above said former balance of the last year being the sum of two lacs of Rupees	24,000	0	0			
Interest for the following vouchers:						
Interest for the said voucher of 7 lacs of Rupees was 84,000 Rupees, but 42,000 Rupees being paid in part last year, the balance is	42,000	0	0			
Interest for the said voucher of 50,000 Rupees dated 5th February 1847, commencing from the 5th April up to the end of December 1847, being 8 months and 26 days at the rate of 500 Rupees per mensem	4,433	5	3¾			
Interest for the said voucher of 50,000 Rupees dated 6th April 1847, commencing from the 6th April up to the end of December 1847, being 8 months and 25 days at the rate of 500 Rupees per mensem	4,416	10	8¼			
Interest for one lac of Rupees, the balance of the last year up to the end of December 1846	12,000	0	0			
On account of Cotadia Nunel Laul, &c.,	8,150	0	0			
For the expenses of the Ramzan feast day	1,000	0	0			
For the value of horses purchased from the stable of Mr. Taylor, &c., through Nadeemood Dowlah, together with the interest and Court cost	3,625	3	1			
Rent of the College House for 5 months at the rate of 175 Rupees a month	875	0	0			
For the value of House purchased from Mr. Arathoon.	400	0	0			
For the value of 2 Horses purchased	1,000	0	0			
Two Watches together with its chains, &c.	840	0	0			
For the liquidation of the Bond connected with the Durbar Meer Sawmaney Department	1,050	0	0			
To Mr. Miller as per his account for utensils, &c. purchased	4,666	8	0			
Remitted to His Highness at the time of night to Ennore	400	0	0			
				1,08,856	11	1
				14,58,856	11	1

Received from Moomtazool Moolk Bahadoor on the 27th January 1848.

CLAIMANT'S EXHIBIT, C.

MADRAS, 10*th January* 1846.

On the 31st December next I promise to pay to John Arathoon, Esquire, or order, the sum of seven hundred thousand Rupees for value received.

MAHMUD GHOUSE.

Co.'s Rupees 7,00,000-0-0

Endorsements on C.

Payments by the Istaffa Cutcherry.

(4th Zeekhada 1267) 1st September 1851, as per "Havalas" of Soucars, &c. Rs. 6,00,000
(11th Zeekhada 1268) 27th August 1852, as per "Havalas" of Fakeer Saib ,, 1,00,000

* Claimant's Exhibit, N.

My Gracious Master,

May God prolong your sublime shadow,

As much as I your devoted servant am engaged in well-wishing and zealously employed in obeying the order of your Highness, so much your Highness also is equally disposed to forget my rights, your Highness has entirely effaced from your magnanimous heart all my services. I your devoted servant am very much surprised at your Highness' treatment, particularly in the matter of mortgaging Moortoozah Pettah. I your devoted servant had never at any time hoped of your Majesty in this manner. To address more is to transgress the bounds of respect.

The Petition of Ghoolam Moortooza, 5th Shaban of the Hijree year 1271, (23rd April 1855).

† Claimant's Exhibit, O.

GOD.

My Respected Sir,

In conformity with the order of His Illustrious Highness, I beg to inform your honor, in reply to your Petition, that out of the sum of nine lacs of Rupees which belonged to the mother of your Honor and which was at different times deposited in the presence of His Highness in charge of the respected mother of His Highness, a sum of seven lacs of Rupees was, on one occasion, applied to her use by the respected mother of His Highness, and a bond was thereupon given for it by His Highness with his signature under date the tenth day of the month of January of the year of Christ 1846. According to the consent of your creditors, bonds of the Istafa Cutcherry, payable by instalments of five Rupees per annum, were caused to be issued to them; but, after liquidating the principal money of these bonds to the creditors of your Honor, the same instalment shall be paid to your Honor until the interest thereon shall be discharged at the rate of eight Annas per cent. per mensem from the day on which the bond was drawn under the signature of His Highness. With reference to the account sent by your Honor to the Istafa Cutcherry, exhibiting the former balance of two lacs of Rupees, for which no document was issued, I beg to inform your Honor that this amount was applied by His Highness to his own use, and that His Highness will cause documents and instalments to be issued to your Honor on account of the same. Besides this, the late respected mother of His Highness had received a sum of one lac of Rupees, by way of loan from the mother of your Honor, in discharge of which a sum of thirty-eight thousand Rupees was paid to your Honor by monthly instalments of two thousand Rupees, until the life-time of the respected mother of His Highness; and afterwards Madar-ool-Oomrah Bahadoor, was directed to continue to pay the same instalments until the liquidation of the remaining sixty-two thousand Rupees. Besides this, a sum of thirty thousand Rupees was at the same time received through the means of your Honor by the respected mother of His Highness (out of the amount of the arrears of the stipend of the late Hissam Ool Moolk) from his middle son namely the late Zoolfacur Ood Dowlah. His Highness will discharge the same. Besides this, a sum of two lacs of Rupees which was, one year previous to the Coronation of His Highness, deposited with great secrecy with the respected mother of His Highness, by the respected grandmother of His Highness, namely the Nabob

* This letter was addressed by the claimant to the Nabob, and it is pretended that the next Exhibit, O, was written by order of the Nabob as an answer to this letter; but, on comparing the tenor of the two, it will appear at once that there is nothing in this letter at all calculated to elicit such a detailed statement,—especially the parts referring to transactions which, as Ghoolam Moortooza Khan is said to know them well, there could be no object in mentioning to him, except in order to use the whole letter as evidence.

† This is the pretended answer to N.

Begum Sahib, who had brought you up and who had deposited it for your use like your mother, was also at the same time applied by His Highness to his own use. Documents and instalments will be caused to be issued to your Honor for the same the omission of this item in the account sent by your Honor to the Istafa Cutcherry, was, it is believed, owing to the ignorance of your Honor respecting this matter. You have written in your Petition to His Highness that His Highness has altogether forgotten your transaction but, since a transaction of which you were not aware has been made known to you, it is manifest that His Highness has not forgotten your transactions. Besides this a sum of one lac and fifty thousand Rupees, being the debt of Mr. Maclean, which was on one occasion advanced to His Highness without any document, stands payable. Besides this, with regard to the amount of twenty-five thousand Rupees, which was also received on another occasion by His Highness without any document, His Highness recollects that this sum was procured by the said gentleman from a lady who was his relative, and paid to His Highness. His Highness had in your presence mortgaged to Pondicherry Appaswmy Pillay certain ornaments together with their list for the sum of fifty thousand Rupees, and had given to the said Pillay a bond for fifty thousand Rupees under his own signature. The said ornaments are not, up to this time, returned to His Highness, although two instalments were paid from the Istafa Cutcherry; he may perhaps return them on the payment of the full amount. How has the bond of fifty thousand Rupees which was given on account of the debt of Gridhur Doss fallen into the hands of the said Pillay? The respected mother of His Highness ordered His Highness to give up to your Honor the premises occupied by your Honor together with shops &c. situated in Moortooza Pettah. The proceeds of which had been paid only to your Honor, and so, as usual, your Honor is in possession of the said property, and the proceeds thereof. Although His Highness has of late through his necessity been obliged to mortgage them, yet immediately on the receipt of the next Punjum Hissa, His Highness will redeem it, and having caused the paper of Trust of property to be prepared, according to the rule of Court, have the same given to you. The proceeds thereof which have been up to this time paid to your Honor will be in the same way paid to your Honor without any failure.

(*11th Shaban Hijree* 1271,)
29th April 1855.

By Order.
(Signed) MOORTOOZA,
Private Secretary.

Be this honored in the presence of Moomtazool Moolk Bahadoor. May his bounty be perpetuated.

CLAIMANT'S EXHIBIT, S.

GOD.

MEMORANDUM.

Account of Moobadala, or temporary loans, received from Her Highness the Mahali Auliya (or the Nabob's mother) for conducting the affairs of the bountiful Circar.*

* *January* 1843. In the month of Zehij of the Hijree year 1258 * for the expenses of the feast called Yid-ooz-Zoha and for other purposes, Rupees three thousand..... Rs. 3,000

† *February* 1843. In the month of Sacred Mohurrum in the Hijree year 1259 † for the purpose of paying to Begum Sabiba Khoodsia (or the Nabob Begum) and it was paid to the said Begum through Mr. Batley, Rupees two thousand..... Rs. 2,000

‡ *March* 1843. In the month of Suffar-ool-Moozuffer of the Hijree year 1259 ‡ for sending to Mr. Lewis and others, Rupees four lakhs one thousand and nine-hundred..... Rs. 4,01,900

Again in the month of Suffar-ool Moo-

* These lines are said to be in the Nabob's handwriting.

* *March* 1843.	zuffer of the Hijree year 1259* for the expenses of the month of Rubbee-ul-Awul, Rupees three thousand.....	Rs. 3,000
	On account of Moobadala (or temporary debt) of Nadeem-ood-Dowlah Bahadoor which stands payable from the Circar to Begum Saheba, Rupees one thousand.....	Rs. 1,000
† 1*st April* 1843.	Again on the last† day of the said month and year of Hijree 1259 for the expenses of offerings, &c., Rupees two thousand and seven-hundred and thirty-two.	Rs. 2,732
‡ 2*nd April* 1843.	Again on the first‡ day of the month of Rubbee-ul-Awul of the Hijree year 1259 for the expenses of the said month, Rupees one thousand.....	Rs. 1,000
§ 2*nd May* 1843.	Again on the first § day of the month Rubbee-ul-Awul of the Hijree year 1259, Rupees two thousand five hundred.....	Rs. 2,500
‖ 4*th June* 1843.	On the fifth ‖ day of the month of Jamadee-ul-Awul of the Hijree year 1259 for repairing the building called Kalus Mahul &c., Rupees one thousand...	Rs. 1,000
	Again,—Rupees one thousand.....	Rs. 1,000
¶ 28*th July* 1843.	Again on the 29th ¶ day of the month of Jamadee-ul-Awul of the Hijree year 1259, Rupees two lakhs and three thousand.....	Rs. 2,03,000
	Again,—Rupees five thousand.....	Rs. 5,000

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CLAIMANT'S EXHIBIT, T.

The money deposited by the mother of Ghoolam Moortooza with Mahali Auliya** (or the Nabob's mother.)

* 22*nd September* 1842.	On the sixteenth* day of the month of Shaban of the Hijree year 1258 in notes,—Rupees two lacs and fifty thousand.
†11*th January* 1843.	On the ninth† day of the month of Zehij of the Hijree year 1258, in notes,—Rupees four lacs and fifty thousand.
‡ 22*nd January* 1844.	On the first‡ day of the month of Mohurrum of the Hijree year 1260 in notes,—Rupees two lacs.
	Total Rupees nine lacs.
	(On the back of the paper.)
‖ 23*rd January* 1846.	This account was received from the mother of Moomtaz-ul-Mulk on the 16th‖ day of the month of Suffer of the Hijree year 1264.

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CLAIMANT'S EXHIBIT, U.

* 22*nd January* 1844.	The money deposited by the mother of Moomtaz-Ool-Moolk with Mahali Auliya (or the Nabob's mother) on the first* day of the month of Mohurrum of the Hijree year 1260 in notes,—Rupees two lacs.

The account of the amount borrowed by His Highness the Nabob out of this money.

† 15*th March* 1844.	On the twenty fifth† day of the month of Suffur of the Hijree year 1260,—Rupees thirty-two thousand.

** There was conflicting evidence as to whether these lines were or were not in the Nabob's handwriting.

* *20th March* 1844. On the thirtieth* day of the month of Suffur of the Hijree year 1260,—Rupees one lac and forty-five thousand.

† *1st April* 1844. On the twelfth† day of the month of Rubbee-ul-awul of the Hijree year 1260,—Rupees twenty thousand.

‡ *4th April* 1844. On the fifteenth‡ day of the month of Rubbee-ul-awul of the Hijree year 1260,—Rupees three thousand.

CLAIMANT'S EXHIBIT V.

The money deposited by Her Highness the Nabob Begum Sahiba with Mahali Auliya (or the Nabob's mother) for the use of Moomtaz ool Moolk on the

* *4th September* 1841. seventeenth* day of the month of Rujjub of the Hijree year 1257 in Notes and Gold Mohurs,—Rupees two lacs.

Account of the amount borrowed by His Highness the Nabob out of this money.

† *14th April* 1844. On the twenty-fifth† day of the month of Rubbee-ul-awul of the Hijree year 1260,—Rupees three thousand and five hundred..... Rs. 3,500.

‡ *11th June* 1844. On the twenty-fourth‡ day of the month of Jamadee-ul-awul of the Hijree year 1260,—Rupees five thousand..... Rs. 5,000.

§ *8th July* 1844. On the twenty-first§ day of the month of Jamadee-u-sanee of the Hijree year 1260,—Rupees twenty-two thousand and seven hundred..... Rs. 22,700.

|| *7th September* 1844. On the twenty-third|| day of the month of Shaban of Hijree year 1260,—Rupees six thousand and seven hundred..... Rs. 6,700.

¶ *8th October* 1845. On the fifth¶ day of the month of Shaval of the Hijree year 1261,—Rupees three thousand... Rs. 3,000.

* *15th December* 1845. On the fifteenth* day of the month of Zehij of the Hijree year 1261,—Rupees five thousand... Rs. 5,000.

† *25th January* 1846. On the twenty-seventh† day of the month of Mohurrum of the Hijree year 1262,—Rupees three thousand..... Rs. 3,000.

‡ *11th February* 1846. On the fourteenth† day of the month of Suffur of the Hijree year 1262,—Rupees twenty-four thousand nine hundred and eighty-five..... Rs. 24,985

§ *14th February* 1846. On the seventeenth§ day of the month of Suffur of the Hijree year 1262,—Rupees eight thousand... Rs. 8,000.

|| *17th February* 1846. On the twentieth|| day of the month of Suffur of the Hijree year 1262,—Rupees two thousand... Rs. 2,000.

¶ *11th March* 1846. On the twelfth¶ day of the month of Rubbee-ul-awul of the Hijree year 1262,—Rupees two thousand..... Rs. 2,000.

* *15th March* 1846. On the sixteenth* day of the month of Rubbee-ul-awul of the Hijree year 1262,—Rupees one thousand..... Rs. 1,000.

† *25th March* 1846. On the twenty-sixth† day of the month of Rubbee-ul-awul of the Hijree year 1262.—Rupees three thousand..... Rs. 3,000.

‡ *7th April* 1846. On the tenth‡ day of the month of Rubbee-u-sanee of the Hijree year 1262,—Rupees ten thousand..... Rs. 10,000.

* *12th August* 1846.	On the nineteenth* day of the month of Shaban of the Hijree year 1262,—Rupees seven thousand..	Rs. 7,000.
† *12th September* 1846.	On the twentieth† day of the month of Ramazan of the Hijree year 1262,—Rupees two thousand and five hundred.....	Rs. 2,500.
‡ *6th October* 1846.	On the fourteenth‡ day of the month of Shawal of the Hijree year 1262,—Rupees fifteen thousand.....	Rs. 15,000.
§ *19th December* 1846.	On the twenty-ninth§ day of the month of Zehij of the Hijree year 1262,—Rupees five hundred....	Rs. 500.
|| *25th January* 1846.	On the seventh|| day of the month of Suffur of the Hijree year 1263,—Rupees forty-five thousand.	Rs. 45,000.
¶ *7th March* 1847.	On the nineteenth¶ day of the month of Rabbee-ul-awul of the Hijree year 1263,—Rupees two thousand.....	Rs. 2,000.
* *24th May* 1847.	On the eighth* day of the month of Jamadee-u-sanee of the Hijree year 1263,—Rupees two thousand.....	Rs. 2,000.
† *31st May* 1847.	On the fifteenth† day of the month of Jamadee-u-sanee of the Hijree year 1263,—Rupees three thousand and five hundred.....	Rs. 3,500.
‡ *5th June* 1847.	On the twentieth‡ day of the month of Jamadee-u-sanee of the Hijree year 1263,—Rupees two thousand.....	Rs. 2,000.
§ *15th June* 1847.	On the first§ day of the month of Rujjub of the Hijree year 1263,—Rupees one thousand.....	Rs. 1,000.
|| *24th July* 1847.	On the tenth|| day of the month of Shaban of the Hijree year 1263,—Rupees nineteen thousand and six hundred and fifteen.....	Rs. 19,615.

CLAIMANT'S EXHIBIT W.

27th November 1846. The amount received as Moobadala (or temporary debt) on the seventh day of the month Zehij of the Hijree year 1262, by Her Highness Mahali Auliya (or the Nabob's mother) from the mother of Moomtaz-ool-Moolk, to be re-paid by instalments of two thousand Rupees,—Rupees one lac.

(On the back of the paper.)

† 1848. The instalment of two thousand Rupees a month on account of this money, was issued from the Hijree year 1264.†

CLAIMANT'S EXHIBIT X.

The amount deposited by the mother of Moomtaz-ool-Moolk, with Her Highness Mahali Auliya (or the Nabob's mother.)

* *22nd September* 1842. On the sixteenth* day of the month of Shaban of the Hijree year 1258, in Notes,—Rupees two lacs and fifty-thousand.

† *11th January* 1843. On the ninth† day of the month of Zeehijja of the Hijree year 1258, in Notes,—Rupees four lacs and fifty-thousand.

Total Rupees seven lacs.

Account of the amount borrowed by His Highness the Nabob out of this money as per account in the handwriting of the Nabob,—Rupees six lacs, twenty-seven thousand, one hundred and thirty-two.

* *3rd August* 1843. On the fifth* day of the month of Rujjub of the Hijree year 1259,—Rupees twenty thousand.

† *6th September* 1842. On the tenth† day of the month of Shaban of the Hijree year 1259,—Rupees thirty thousand, two hundred and forty-eight.

‡ *13th September* 1843. On the seventeenth‡ day of the month of Shaban of the Hijree year 1259,—Rupees eight thousand.

§ *18th October* 1843. On the twenty-third§ day of the month of Ramazan of the Hijree year 1259,—Rupees nine thousand one hundred and twenty.

|| *20th October* 1843. On the twenty-fifth|| day of the month of Ramazan, Hijree year 1259,—Rupees two thousand.

¶ *7th November* 1843. On the fourteenth¶ day of the month of Shawal of the Hijree year 1259,—Rupees six thousand.

* *1st December* 1843. On the eighth* day of the month of Zekad of the Hijree year 1259,—Rupees six thousand and five hundred.

† *14th December* 1843. On the twenty-first† day of the month of Zekad of the Hijree year 1259,—Rupees one thousand.

‡ *6th January* 1844. On the fifteenth‡ day of the month of Zehij of the Hijree year 1259,—Rupees seven thousand.

On account of this money an English Note-of-hand (C) has been obtained with the signature of the Nabob.

GOVERNMENT EXHIBIT, No. 1.

MOOMTAZ-OOL-MOOLK BAHADOOR.

SIR,

Agreeably to the order of the President and other Members belonging to the Istafa Cutcherry, I beg to represent that His Illustrious Highness has made an order to call upon you for an account of debt contracted through your means (respecting which an abstract account has been furnished) in full detail, that is to say, from the year of His Highness' Installation up to the present time, so much is on account of the ready cash debt, so much on account of the purchase of goods, of which so much is paid in part, and so much is the balance; and to what kind of expenses the ready cash money was supplied; I beg therefore to represent to you that you will get the said account written down according to the above stated detail, and dispatch it. If there be anything to say about this matter please communicate it by writing.

(27th Suffer 1264,)
3rd February 1848.

(Signed) GHOLAM MAHOMED,
Moonshy of the Istafa Cutcherry.

GOVERNMENT EXHIBIT, No. 2.

GOD.

MOOMTAZ-OOL-MOOLK BAHADOOR,

MY RESPECTED SIR,

I enclose for your Honor's inspection a copy of the order of His Highness and intimate that although the accounts of the dealings of the Circar which concerned us are prepared and kept ready, yet in consequence of the accounts concerning your Honor being not known, and the Notes being not received, it is impossible to forward them to His Highness. This is the result of your Honor's negligence, I therefore request that your Honor will soon send the accounts which concerned you together with the additional Notes-of-hand, the consideration of which was not received by us, and also the Notes-of-hand; which though discharged, have not been returned, so that we may avoid and get rid of the objections of the Circar; it is certain that your Honor will never suffer us to be exposed to any indignity or affront. Dated the 21st Zehij 1271, (4th September 1855.)

(Signed) GHOLAM MAHOMED.

GOVERNMENT EXHIBIT, No. 3.

GOD.

MOOMTAZ-OOL-MOOLK BAHADOOR.

MY RESPECTED SIR,

I have not as yet received any answer to my letter, dated the twenty-first instant, neither the accounts nor Notes-of-hand have been received. As there remains only a short time for the expiration of the time allowed by His Highness, I am uneasy about this, and intimate that you will soon send the accounts and Notes-of-hand, so that we may not be put to shame on your Honor's account; it is certain your Honor will never suffer us to be put to shame. I am in a strange dilemma and unless I make myself acquainted with your accounts, I cannot forward my accounts to His Highness though they are ready prepared, because our accounts are connected with those of your Honor; it is chiefly owing to your Honor that we have been blamed.

28th Zeehjj 1271, 11th September 1855.

GHOLAM MOHUMMUD.

GOVERNMENT EXHIBIT, No. 12.

GOD.

From the Nabob to the Members of the Istifa Cutcherry.

GENTLEMEN,

In answer to your letter bearing this day's date, it is written, that, certainly, the matter of Moomtaz-ool-Bahadoor, in consequence of there being no satisfactory documents shewing the receipts and balances, &c., so as to afford entire satisfaction to you, the Members, has no right to obtain a speedy and complete settlement. Nevertheless it seems to me just and proper that, for the present, the settlement of the money that stands payable by my deceased Auliya, (or Highness) that is to say six lacs of Rupees, which is a part of the money mentioned in the Bond of seven lacs of Rupees, now remaining with the said Bahadoor, should one way or other be made in the first instance, in order that she may not be subjected to any demand or caption in the day of resurrection, which in my opinion, and according to my religion, is worst of all things. After this, respecting other matters of the said Bahadoor, any thing that is to be done will be done in accordance with the rules of those gentlemen.

What more shall I trouble you with?

The servant of people,
MOHUMMUD GHOUS,
May God pardon him.

27th Shawal 1267.
26th August 1851.

JUDGMENT.

The claim of Ghoolam Mootooza Khan (so far as relates to the 3 items of the 1st part of his particulars) is quite different from any of the previous claims which have been preferred under Act 30 of 1858. He does not represent that he himself personally advanced to or for the Nabob any portion of the several items of 9 lacs, 2 lacs or 1 lac, or that he was a party to the original transaction, whatever it was, upon which in any way those sums reached the Nabob's hands. As to all of them his case is that the money was received by the Nabob from his own mother Enoyet Oonissa, and that Enoyet Oonissa received the 2 lacs from the grandmother of the Nabob, and the 2 items of 9 lacs and 1 lac from the mother of the claimant, but he relies on the Nabob's admission that he not only received and spent the money, but that he was willing to pay the claimant.

This part of the case it must be acknowledged rests entirely on the Nabob's admission, or statements in the nature of admissions; no witness who has been examined professes to have any personal knowledge of the transactions (material to this case) between the claimant's mother and the Bhow Begum, or between the Nabob Begum and the Bhow Begum, or between the Bhow

Begum and the Nabob. But the evidence relating to those transactions is to be found in statements made by the Nabob himself, either verbally or in writing, or, if made by others, supposed to have been communicated to and acquiesced in by him.

The Advocate General seemed to consider this a fatal defect in the claimant's case, and he referred to the language of the Act, "such debts as shall be *proved* to have been fairly and justly contracted by the said Nabob," as indicating the intention of the Legislature to require some independent proof, and as equivalent to a declaration that the mere statements and admissions of the Nabob should not bind his estate. But I cannot concur in that view, for statements made by the Nabob, as they would be evidence against himself in any proceedings to which he was a party, so they are evidence against those who in these proceedings must be considered as representing his estate—and though certainly not to be regarded by any means as conclusive of the facts stated, yet seem to me entitled to be very carefully weighed and considered, with reference to the circumstances and probabilities of each case. Assuming however, that a case may be proved by admissions of the Nabob, or statements in the nature of admissions, it is necessary of course to examine the evidence by which the alleged admissions are said to be proved in the particular case; as also to consider what degree of reliance is to be placed upon the statements made; and whether the admissions if satisfactorily proved are sufficient to make out a case.

In this case the situation of the claimant also is peculiar. He was a relation and close friend of the young Nabob—brought up by the Nabob's grandmother, and not only on terms of personal intimacy with both, as well as with the Nabob's mother—but the confidential agent of all three in numerous pecuniary transactions. 1st, as regards the item of 9 lacs the case is—that the claimant's mother deposited that money with the Nabob's mother who lent it to her son the Nabob, and the evidence is this:—The claimant states that he received information respecting that money from his own and the Nabob's mother a short time before the establishment of the Istifa Cutcherry (i. e. in 1848), receiving at the same time from his mother the Note (marked C.) for 7 lacs, in the name of Arathoon, and dated 10th January 1846—that upon his taking that Note to the Nabob, the latter confessed that the 7 and 2 lacs were payable by him, saying that he received the money from his mother, and spent it away, that the claimant told the Nabob that he had received information from his mother that she had deposited 9 lacs, with the Bhow Begum for which the paper for 7 lacs was given, and that the Bhow Begum had told her that the Nabob had taken 2 lacs and spent it away, whereupon the Nabob said it is right, I will pay the money to you.

This was in 1848, and before the account B, in which the 7 lacs Note, and a sum of 2 lacs as "a former balance without any document" are mentioned but without giving any particulars was sent into the Istifa Cutcherry. Nothing however appears to have been done towards the settlement of that account until 1851, when the house of the claimant (who took the benefit of the Insolvent Act in 1843) was seized by the Official Assignee; and when, at the request of this claimant, the urgent letters of the Nabob to the Istifa Cutcherry of the 14th and 15th August marked I and II, were written, containing the words "his accounts are true and correct;" about that time the claimant states, that he told the Nabob "I wish you to pay these 7 lacs to my creditors and release me from this scrape;" in reply to which the Nabob said "very well" and on 26th August, a letter (marked No. 12) was written for a certain purpose, as Terazish Khan says, viz., that the Nabob might not get a bad name with Government, and in lieu of another letter, of which the Istifa Cutcherry disapproved, in which the Nabob says to the Istifa Cutcherry "in consequence of there being no satisfactory documents he (that is claimant) has no right to a "speedy and complete settlement; nevertheless, it appears to me just and proper, that, for the pre-"sent, the settlement of the money *that stands* payable by my deceased Aulya, that is to say 6 "lacs, which is a part of the money mentioned in the bond for 7 lacs now remaining with the said "Bahadur, should one way or other be made in the first instance, in order that she may not be "subject to any demand or caption on the day of resurrection." After this, respecting other "matters, anything that is to be done in accordance with the rules of those gentlemen will be "done." Accordingly 6 lacs were paid by the Istifa Cutcherry on 1st September 1851, and another lac 28th August 1852, to the claimant's creditors; and those payments were endorsed on the Note C. Further the claimant states that in 1855 on the occasion of the Nabob's mortgaging the house

in which the claimant lived, and which the Nabob's mother had given to him, he wrote (23rd April) the letter of complaint marked N and in reply received the letter O, which is signed by the Private Secretary and dated April 29th.

Both Salar Ool Moolk and Ghoolam Mahomed speak to the fact that the Nabob dictated that letter and directed the copy of it (Q) to be made and secured amongst the dufters, but they do not profess to have any personal knowledge of the matters in question to which it refers; and the claimant states that after receiving O, he had an interview with the Nabob at which the Nabob expressed himself much ashamed about the mortgage; made many apologies, and said he would pay the claimant every bit of the debt he owed him; but I do not find that to this item of 9 lacs any special reference was made by the Nabob at that interview.

The document O, however is not silent upon the subject. It contains this statement that "out of the sum of 9 lacs of Rupees, *which belonged to the mother of your Honor* and which was "at different times deposited in the presence of His Highness in charge of the respected mother "of His Highness a sum of 7 lacs was on one occasion *applied to her use* by the respected "mother of His Highness, and a bond was thereupon given for it by His Highness with his "signature under date 10th January 1846, according to the consent of your creditors Istifa "Cutcherry Bonds were caused to be issued to them. After liquidating principal to the creditors "the same instalments shall be paid to your Honor until the interest thereon shall be discharged "at the rate of 8 Annas per cent. per mensem. With reference to the account sent by your "Honor to the Istifa Cutcherry exhibiting the former balance of 2 lacs, for which no document "was issued, I beg to inform that this amount was applied by His Highness to his own use, "and His Highness will cause documents and instalments to be issued to your Honor on "account of the same"—a very specific recital assuredly of the whole matter, as it had been previously represented to the claimant and acknowledged by the Nabob in 1848.

But there are also 4 other documents to be considered with reference to this item of the claim. I mean the documents marked S, T, X, U.

Of these, S alone is shewn to be in the handwriting of the Nabob. That is a Memorandum of money borrowed by the Nabob of his mother on 12 different occasions between January and July 1843 and amounting in all to 6,27,132 Rupees.

The other 3 documents were found in a bundle of papers produced by the Government from amongst the records of the Chepauk Palace, which bundle also contained S, and the documents marked V and W, together with a very miscellaneous collection of old Memoranda, Bills and Petitions, some in Persian, some in English, some addressed to the Begum, some to the Nabob. They are introduced into this case as Begum's papers, communicated to and adopted by the Nabob, there being some evidence (that given by Terazish Khan) that a few papers of the Nabob's mother did come from the Nabob to the Dewan with a letter, and were secured amongst the Treasury dufters, but when or by whom they were written, or when sent to the Treasury, does not appear.

However, when examined and put together, those six documents do coincide in a remarkably exact manner with the account of these matters given in the document O. and with the 1st part of the claimant's particulars and they relate exclusively to the transactions in respect of which that part of the claim is founded. T. (according to the endorsement on it) purports to be an account received from the claimant's mother on the 23rd January 1848, of money deposited by her with Mahali Aulya to the amount of 9 lacs,

i. e. on 22nd September	1842	2,50,000
11th Junuary	1843	4,50,000
22nd do.	1844	2,00,000

And the whole expenditure of this 9 lacs is accounted for in the documents X and U; X. repeats the statement in T. as to the deposit of 7 lacs on the 22nd September 1842 and 11th January 1843, and then proceeds to show that the whole was expended in loans to the Nabob thus: 1st as per account in the handwriting of Nabob (referring evidently to the document S) Rupees 6,27,132; then follow 9 items commencing 3rd August 1843, and ending 6th January 1844, forming a total of 72,868 Rupees; this Memorandum is added "on account of this money an

English Note has been obtained with the signature of the Nabob"—alluding evidently to the Note C, which bears date 10th January 1846. U accounts for the remaining two lacs in a similar manner; repeating the statement in T. as to the deposit of two lacs on 22nd January 1844, and accounting for the expenditure of it by 4 loans to the Nabob of 32,000 on the 15th March 1844, 1,45,000 on the 20th March 1844, 20,000 on 1st April and 3,000 on the 4th of the same month. The documents V and W relate to the other items of the claimant's case, *viz.*, 2 lacs, and one lac. Further, so far as these documents afford evidence of the fact that the Nabob received money from his mother, they derive corroboration to some extent from the dufters of Seenevassa Row and Tej Bahn, in which are to be found some entries of receipts of money from the Nabob into the Treasury, or the Meersamany Hoozoor department, corresponding in date and amount with many of the items in it and U and V. There is also the evidence of Tej Bahn, as to the sum of 1,45,000 mentioned in U, and that of Sooradjee Lall as to 45,000 (in V) being brought by the Nabob out of his mother's palace.

But the real importance of these documents to the claimant's case, is the connection which they establish, if they can be relied on, between the loans by the Nabob's mother to her son, and the deposit of money by the claimant's mother with her; and in that respect the dufters of course do not corroborate them at all.

Nor indeed does S, the only one of 6 documents which is in the handwriting of the Nabob.

It is natural to ask what means of her own claimant's mother had to enable her to lend to the Nabob's mother such large sums as are mentioned in T; 9 lacs in 16 months, to say nothing of one lac 2 years after, and about 2 lacs given to her son some time before her death. But on this subject the evidence is a perfect blank. Even the claimant has no account to give of it, except that she concealed her property from him on account of his extravagance. All that we hear is that she was a lady with a pension of 280 Rupees a month, whilst the lady to whom she is supposed to have advanced so largely was in the receipt of a pension which increased from 3,000 to 5,000 and from 5,000 to 12,000 a month.

I believe, I have now adverted to all the evidence which exists in the case in support of this item of 9 lacs, but upon a review of the whole of it, I cannot bring my mind to such a degree of reasonable certainty that the document O, and the documents T, X, and U, contain the *real* history of these transactions, as alone would justify me in acting upon them as proof of the claimant's case. T, X, and U, are certainly not entitled to the weight which is generally due to accounts appearing to have been regularly kept, and in which entries are made of transactions as they occur. I cannot forget that in regard to these transactions we are dealing with the secrets of the palace; for it is (according to the claimant) the Nabob himself who in 1848 desires that no additional details (beyond the bare mention of amount given in B, with the name of Arathoon attached to a transaction with which he had nothing to do) should be supplied to the Istifa Cutcherry; and who, in 1855, extracts from the claimant the promise that no mention is to be made of the affairs of the grandmother's deposit. I think it tolerably certain that the claimant had knowledge of the existence of those documents (supposed to have come from the Kullandan of the Begum) before his claim came on, though the Officers of Government had not; but when or how that knowledge of their existence was acquired we know not, any more than we know when, or for what purpose, or under what circumstances, or by whom, any of them were written. Further, with reference to the document O, I confess it does not seem to me a natural or probable answer to be given at that time to the claimant's letter N.

N was, as the claimant tells us, written on the occasion of the Nabob mortgaging his house. It is a very short letter complaining that the Nabob seemed disposed to forget his rights and specifically mentioning the mortgage grievance; in reply to which, O gives a very detailed account of numerous transactions, with which Ghoolam Moortooza was perfectly well acquainted, to which no allusion was made in N; some of them, transactions in which the claimant was personally interested; some in which he was not; and gives an explanation of one other transaction, of which Ghoolam Moortooza Khan was up to that time ignorant. A very small part of O is devoted to the mortgage grievance, on account of which N was written; but it contains a very explicit statement of the claimant's case as to all the items in the first part of his particulars. But for what purpose all that detail of transactions *unconnected* with the complaint in N? was

it that Ghoolam-Moortooza Khan might forthwith go to the Istifa Cutcherry, letter in hand, and say "*now* make no more hesitation about settling with me?" not at all, any value which the letter might have as evidence at that time, was taken away from it by the strict injunction of the Nabob that the single new fact which it revealed to the claimant, and which had been dormant from July 1847, when (according to V) the last farthing of the grandmother's deposit was handed over to the Nabob by his mother, should be disclosed to no one. That it was useless to him, until after Act 30 of 1858 passed, is manifest: no attempt to make it of any use appears; and indeed the secret seems to have been religiously kept, though the Nabob with some degree of inconsistency, dictates to two persons and is said to have directed (Q) the copy, to be deposited amongst the dufters; and, at some time or other (when we know not) to have sent V to the same place of concealment. Another thing strikes me as rather singular. The claimant's mother was alive for 12 or 15 months after the Nabob's death, yet from 1848 downwards she does not seem to have taken any part in these matters, or to have been considered at all in the arrangement of them. No doubt the claimant says that his mother gave him all and every thing she had before the time of her death. But when? That he cannot tell. He says only he received from her about 1 or 2 lacs, part of which he lent to the Nabob, and that the loan to the Nabob was after the settlement with his creditors. Certainly his mother, according to his account, does not appear to have been disposed to allow any of her money to go to his creditors: for though, in 1842-3 and 4, she could lend 9 lacs to the Bhow Begum, she would not at that time assist her own son, except slightly, even for the purpose of saving him from the discredit of applying to the Insolvent Court, with a Schedule disclosing so large an amount of debts and no assets. I infer from the claimant's evidence that he means to say that the general gift of which he speaks (though no specific mention of the transfer of this debt of 9 lacs is made) took place after the settlement with his creditors. However, the interest of the claimant's mother appears to have been as little thought of in 1851, when 7 lacs of her money as is said (or rather bonds for the amount) were issued to the claimant's creditors, as in 1855, when O is sent to the claimant. There seems to me, I confess, some inconsistency between the supposed conduct of the claimant's mother in 1843, and her subsequent apparent abandonment of all interest in these large sums of money, and in the absence of any evidence that the claimant's mother really had the means of lending 9 lacs at any time, it is certainly not unimportant to observe how far her conduct and that of the other parties accords with the supposition that she had a real interest in the transaction.

The claimant himself professes to have no knowledge of these transactions except such as he derived from communications made to him by his mother, or the Nabob's mother, or the Nabob; and independently of any other considerations detracting from the weight of his testimony he confesses to an exceedingly defective state of memory.

Further, we know from the evidence in this case, that, with reference to the pecuniary affairs of the Nabob, not only were names used in connection with transactions with which they had no real concern; but also, that, to serve a purpose, statements both verbal and written were sometimes made or directed to be made by the Nabob which gave a different colour to transactions from that which really belonged to them. I cannot disregard altogether these considerations, nor am I called upon to express any opinion as to what the transactions really were, out of which this claim arises. It is enough for me to say that the evidence adduced does not satisfy me that they were as represented, and I now leave this item with the observation that having given to all the circumstances the fullest consideration, of which I am capable, my mind is not satisfied by the evidence adduced in support of this part of the claimant's case. That being so, it is not necessary for me to express an opinion upon the question whether, assuming the facts to be well proved, the case would fall within the provisions of Act 30 of 1858, under which this claim is filed. My strong impression is, that it would not; the language of the Statute appearing to me to refer to debts contracted by the Nabob himself, in transactions between himself and the person claiming as creditor; and not to such a transfer of obligation as that supposed in this case. Now as regards the 2nd item in the 1st part of the particulars, *viz.*, 1 lac less 38,000 Rupees paid by monthly instalments. The claimant's case is that his mother lent that amount to

the Nabob's mother on the 27th November 1846, and he charges it against the Nabob's Estate because the Nabob took possession of his mother's effects upon her death.

In support of this claim in addition to the documents O and W, with respect to which the observations already made apply, there is in evidence the Nabob's letter marked P, which is dated the 7th May 1849, and which is doubtless genuine enough; in that it states to the Dewan, how it was that he had not been able to pay every body that month, and what efforts he had made to do so.

Nevertheless he says "the fund was too little to pay the Meer Samany Hoozoor Department," and adds, "I then caused the payment to be made by adding to the fund the sum "of 2,000 Rupees on account of the instalment of Moomtaz Ool Moolk which my deceased mother "used to pay in discharge of his balances amounting to 58,000 Rupees and which as stated by "Ameen Ood Deen Ally Khan, he now does not like to receive, but when I insisted upon him "he said if you like please to pay me whatever I shall demand at the time of my urgency, and I "consider that the payment thereof is better in every respect." With regard to which letter I would only observe that it affords not the slightest confirmation of the statement in O and W, that the claimant's mother had any thing to do with that money, or had ever lent any money to the Nabob's mother. It does however afford, I think, satisfactory evidence that there was some outstanding balance in respect of which the mother of the Nabob used in her life-time to pay 2,000 Rupees a month to the claimant and that the Nabob was willing to continue that payment. But the Nabob's willingness to pay is not sufficient to create a debt within the meaning of Act 30 of 1858; and also, in my opinion, his liability to account to the claimant in respect of the administration of his mother's estate is something quite different from a debt fairly and justly contracted by the Nabob under that Act.

The 3rd item in the 1st part of the particulars is an item of 2 lacs with regard to which the case is a complete gift by the grandmother of the Nabob on the 4th September 1841, by depositing the amount with the Nabob's mother for the claimant's use; a loan of the same, at different dates between the 14th April 1844 and the 24th July 1847 to the Nabob by his mother; a communication of the facts to the claimant for the first time on the 29th April 1855, and an admission by the Nabob of his liability to pay the claimant.

The evidence in support of this item is to be found in the documents O and V, and the verbal admission of the Nabob. By O, the claimant is informed that a "sum of 2 lacs was (one "year previous to the coronation of His Highness) deposited with great secrecy with the mother "of His Highness by the grandmother of His Highness, who brought you up like your mother "and deposited it for your use and was also applied by His Highness to his own use. Documents "and instalments will be caused to be issued to your honor for the same."

There follows this suggestion "the omission of this item in the account sent by your Honor "to the Istifa Cutcherry was, it is believed, owing to the ignorance of your Honor respecting this "matter."

V is like the documents X and U. It begins by stating the deposit of 2 lacs on the 4th September 1841, by the Nabob Begum with Mahali Aulya (the Nabob's mother), and then gives (with dates and items) the account of the amount borrowed by the Nabob out of this money.

According to the claimant's evidence the verbal statement of the Nabob was that "he had con- "cealed the matter up to that time because this was the money given by his grandmother, and he "had spent it away; and if the same be known to persons it would be a matter of shame and he "ordered me not to give it out to any body." And accordingly Ghoolam Moortooza promised to keep it secret; so that, in 1841, the matter begins with great secrecy, and in 1855, it ended in great secrecy, nor ever came to light until after Act 30 of 1858 was passed. The Nabob did not die till the following October, but no attempt of any kind appears to have been made, according to the evidence, to fructify this confession of the Nabob; which, for all that I can see might as well not have been made. It would be small consolation in answer to the mortgage grievance to communicate to the claimant a still greater grievance without much prospect of redress Many of the observations already made on the 1st item apply to this also. But further, as to this item in particular, if these statements are all correct as to the Nabob's mother, she seems to have handed over to the Nabob without any hesitation any moneys that came into her hands, from

whatever source, probably (as appears by documents 42 and 44) getting occasionally in return for herself tolerably large sums from him; and it is difficult to suppose that either of the two ladies, who are supposed to have deposited these large sums with her, intimately connected as they were, and familiar as they must have been with the affairs of the Nabob and Bhow Begum, would have selected *her* as the best custodian and depository of money. It is also observable that the Nabob's grandmother was still alive in 1855, for she died only 2 or 3 years ago according to Ghoolum Moortooza Khan's evidence, long after the death of the Nabob's mother, and fully 7 years after the Nabob himself had received (according to V) from her the last remnant of the 2 lacs. Yet we hear nothing of any inquiry or remonstrance on her part: the confession of the Nabob does not appear to have been brought out by any urgency on her part, and if she deposited the 2 lacs for the claimant's use, "like his mother," the motherly feeling does not appear to have led her to take any active steps to secure to him the enjoyment of it. For anything that appears, she may have acquiesced in the appropriation of the money by the Nabob, and the non-communication of the deposit to the claimant at any time is at least evidence that she did not intend by the deposit a complete and irrevocable gift.

Not upon this item therefore, any more than the other, am I prepared to make an order for payment.

Now I come to the 2nd part of the particulars which claims two items 43,462 and 70,475-4-6, with respect to the latter there is the evidence furnished by the dufter marked R, and there is also the positive evidence of Ghoolam Mahomed and Salar-ool-Moolk, as well as of the claimant (this being a matter within the personal knowledge of all 3) that this money was lent by him to the Nabob and the claimant has given up three title deeds, as having been deposited with him as a security for the same.

The Advocate General did not attack this item with much force, though he suggested that probably the money was borrowed from Soucars on behalf of the Nabob, but I think if that had been so, the Soucars who so lent it, or their representatives, would by this time have been forthcoming to assert their claims against the Nabob's estate. And the Advocate General also contended with reference to the evidence furnished by the dufters numbered 4 and 23 to 33 that the claimant was shown to have received from the Treasury 10,44,500 Rupees, for which he was bound to account, and that until he did account the balance was largely against him. But all these entries are entries of money received "in the hands of His Highness through Ghoolam Moortooza Khan" and they corroborate the statement of the claimant himself that in regard to these sums he was merely the carrier of the money; that whatever he received for that purpose he immediately handed over to the Nabob. I see no reason to doubt this statement and am satisfied that the claimant is entitled to an order for the payment of the sum of 70,475-4-6.

The remaining item is 43,462 which is in fact made up of 9 separate items:

1. The largest being that of 25,955-8.

That item of the claim rests in effect upon the statement of the claimant himself and considering the very defective state of his memory and the vague and uncertain way in which he spoke respecting it, I am not prepared to make an order for the payment of that sum. The document B containing the entry of 55,000 Rupees is clearly incorrect if it is to be read as a statement that the claimant himself advanced so much money to the Nabob, and if not, it gives no information as to what, if anything, he did advance. Coondun Lall, if alive, might perhaps have enabled the claimant to prove this item; but Ishoor Doss the nephew who wrote B, is able to say no more than that his uncle claimed and received 29,000 odd, out of the 55,000, and that he has no knowledge how the balance was made up. It may be the claimant's misfortune but I think there is no satisfactory proof of the item.

2. The next item of 8,150 can only be allowed to the extent of 5,000 Rupees which Ishoor Doss and the claimant both say that the latter paid, and I think that the evidence of Ishoor Doss, taken together with the letter Y, the notes D and E, and the insertion of the claim in the account book are sufficient to show that the Jewellery was purchased by order of and for the Nabob, and paid for in part by the claimant.

3. 1,000, the next item, for the expenses of a feast is not, I think, sufficiently proved. It is inserted in B, but B (though acted upon in respect to many items) cannot be relied upon for accuracy, and there is nothing in support of B as to this item but the imperfect memory of the claimant himself.

4. Next item 400 Rupees purchasing a horse from Arathoon. Upon the evidence of Mr. Arathoon, I allow 350 Rupees in respect of this item.

5. Next 1,000 purchasing 2 horses. I think the evidence not sufficient, Mr. Arathoon speaks of the purchase of 2 horses by the claimant from Messrs. Taylor, but knows nothing about the price.

And the claimant cannot well recollect either the price, or whether they were purchased from Mr. Taylor or Mr. Arathoon.

6. Next item 840, two watches with chains. I think the evidence, taken together with the admission at the bar of the payment by the claimant of that amount to Mr. Lowe in November 1857, sufficient to support the claim.

7. Next item, 1,050 for discharging a bond, belonging to the Meer Samany Department, I think the evidence sufficient. Terazish Khan speaks to the loan of this sum by the claimant, as a matter within his own knowledge and he is corroborated by the dufter C. N.

8. As to next item Rupees 4,666 8-0, the account of Miller for the purchase of utensils, &c. I think 4,000 Rupees should be allowed. Mr. Miller having proved the payment of that amount by the claimant, because with respect to this, as with respect to the other similar items, I do not concur in the suggestion that probably it was the Nabob's own money which the claimant paid. The claimant states that he himself paid these several sums; and I think it improbable that they would have been mentioned in B, with the *particularity* with which they are mentioned if he had merely paid the Nabob's money.

9. Next item 400 Rupees for the purpose of sending the servants of His Highness to Ennore at night, seems to me not to be sufficiently proved.

The sums allowed therefore, are...

70,475	4	6
5,000	0	0
350	0	0
840	0	0
1,050	0	0
4,000	0	0
81,715	4	6

with interest as to 70,475 from date in particulars and as to rest from delivering of B to Istifa Cutcherry.

Upon the question of costs, the particulars are divided into 2 parts raising wholly different questions. As to the 1st part I consider the Government entitled to costs; and as to the 2nd part, the claimant entitled to costs of proving the items upon which he has succeeded.

No. 68. ORDER THEREON, 15th January 1861, No. 36.

The Government have perused with much interest the full report made by the Advocate General on the claim of Ghoolam Moortooza Khan Bahadur against the estate of the late Nabob, as well as the judgment delivered by the Honorable the Puisne Judge.

2. The report amply shows the great exertions of the Government Law Officers in this arduous and protracted case. The Government have learnt with much satisfaction the successful result of their labors.

(Signed) T. PYCROFT,
Chief Secretary.

No. 69. Read the following letter from W. BALMAIN, Esq., Officiating Sub-Treasurer, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 22nd December 1860, No. 878.

With reference to the Order of Government in the Political Department, No. 744, of yesterday's date, I have the honor to report the payment, this morning, of Rupees (1,200) one thousand and two hundred, to the Prince of Johanna. The Bill* of Exchange at 5 months' after date for £120 granted by the Prince on the above account, is herewith transmitted.

* *Duly endorsed over to you.*

No. 70. ORDER THEREON, 16th January 1861, No. 37.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 71. Read the following letter from W. M. CADELL, Esq., Collector of Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallum, 10th January 1861, No. 7.

I have the honor to submit for the Orders of Government the following circumstances connected with the application made by the son of a deceased Pensioner on the establishment of the late Tanjore Raj, for the payment of the arrears of pension due to his father.

2. The individual Vámadéva Rau, to whom a life pension of Rupees 17-8-0 per mensem was assigned in No. 45 of the schedule of the Dowlut Pamlók Department, applied for the payment thereof on the 28th September 1858, and also produced the requisite Rokha or chit of identity from the Serkele of the Darbar; but as there was some discrepancy between the entry as appearing in the schedule and that specified in the Rokha, as to the title attached to the office held by that individual, a reference was made to the Serkele, as was usual, in such cases, by the Manager of the Commissioner's Office, and by the reply received from that Officer, the doubt which had so arisen, was cleared. In the meantime, however, and on the 12th October following, the Pensioner died, and consequently, the formal muster and payment did not take place. Since that event, his son, one Ambajibhat has repeatedly applied for the payment of the arrears of pension due to his late father from the date of sanction* up to that of his demise, but as by the rules in force in this Office, no payment is made, unless the Pensioner had been formally mustered, the claim has not been discharged.

* *31st March* 1857.

3. In this case, however, it appears that the pension assigned him was actually accepted by the deceased, and I conceive therefore that the claim ought in justice now to be met. I therefore beg to recommend that I may be permitted to discharge the same.

No. 72. ORDER THEREON, 18th January 1861, No. 38.

Resolved that the Collector of Tanjore be authorized to disburse to Ambajibhat the arrears of pension due to his late father Vamadeva Rau.

(Signed) T. PYCROFT,
Chief Secretary.

No. 73. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th January 1861, No. 51.

I have the honor to submit to the Honorable the Governor in Council, that Carnatic Stipendiary No. 2,641, Khyre Oon Nissa, has applied for three years' leave to proceed to Mecca, and nominated Mahomed Hoossain as her Vakeel to draw her stipend of Rupees 1-8 per mensem at Madras.

2. As there seems to me no objection to grant her request, I have the honor to recommend compliance with the prayer of the petitioner on the usual security being taken.

3. I have the honor to submit whether the authority to grant long leave of these kinds might not with convenience to Government be sanctioned to this Office.

No. 74. ORDER THEREON, 18th January 1861, No. 39.

Resolved that Carnatic Stipendiary Khyre Oon Nissa be permitted to proceed to Mecca on leave for a period of three years, on the usual condition, and that the Agent be authorized to grant in future like leave to Carnatic Stipendiaries without reference to Government.

(Signed) T. PYCROFT,
Chief Secretary.

No. 75. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated London, 15th December 1860, No. 23.

With reference to my letter of the 8th November last, No. 19, I transmit herewith a printed copy of the second Supplementary Convention to the Treaty of Commerce with France of the 23rd January, published on the 1st December as a Supplement to the London Gazette of the 30th November.

No. 76. ORDER THEREON, 18th January 1861, No. 40.

Ordered that the second Supplementary Convention to the Treaty of Commerce with France, received with the above Despatch, be published in the Fort Saint George Gazette for general information.

(Signed) T. PYCROFT,
Chief Secretary.

No. 77. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 12th January 1861, No. 43.

**To Civil Auditor, 25th October* 1860, *No.* 1,373.
From ,, ,, †30*th* ,, ,, ,, 127.
To ,, ,, 20*th Dec.* ,, ,, 1,625.
From ,, ,, † 7*th January* 1861 ,, 3.

† *Originals herewith forwarded and requested to be returned.*

I have the honor with reference to the subjoined correspondence noted on the marign,* to forward the Descriptive Roll of Carnatic Stipendiary, No. 1,329, Mahomed Nucky, who was permitted to reside permanently at Mecca, but his stipend disbursed here, the Civil Auditor being of opinion that it should be transmitted to Her Majesty's Consul at Jeddah through Government.

From Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Civil Auditor, Fort Saint George, dated 25th October 1860, No. 1,373.

Under the authority granted by E. M. C. 12th March 1855, and Proceedings of Government No. 33, dated 16th January last, Carnatic Stipendiary, No. 1,329, Mahomed Nucky, styled Bukshee-ool-Moolk, Bukshee-ood-Dowlah, Meer Usker Kehan Bahadoor Salar Jung, has been permitted to reside permanently at Mecca and draw his Stipend here under security and on half yearly or annual existence certificates from Her Majesty's Consul at Jedda, I have therefore the honor to enclose his Descriptive Roll for transmission to that Officer.

(True Copy.)

(Signed) EDWARD BALFOUR,
Government Agent.

From W. BALMAIN, Esq., Officiating Civil Auditor, to Surgeon Major E. G. BALFOUR, Government Agent, Chepauk, dated Fort Saint George, 30th October 1860, No. 127.

Pension Department.

I have the honor to request that you will inform this Office under whose instructions the Carnatic Stipendiary, No. 1,329, mentioned in your letter, dated 25th instant, No. 1,373, has been permitted to reside permanently at Mecca.

From Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to W. J. RAYNOR, Esq., Civil Auditor, Fort Saint George, dated 26th December 1860, No. 1,625.

I have the honor with reference to your letter, No. 127, dated 30th October last, to mention that application for the Carnatic Stipendiary, No. 1,329, therein alluded to, was made under the instructions conveyed in Extract Minutes Consultation, No. 100, dated 12th March 1855, and Proceedings of Government, No. 33, dated 16th January; and also Accountant General's Circular, No. 2,141, dated 28th February last.

(True Copy.)

(Signed) EDWARD BALFOUR.
Government Agent.

From W. J. RAYNOR, Esq., Officiating Civil Auditor, to E. G. BALFOUR, Esq., Government Agent at Chepauk and Paymaster of Carnatic Stipends, dated 7th January 1861, No. 3.

Pension Department.

With reference to your letter, No. 1,625, dated 26th ultimo, and previous communication of 25th October last, No. 1,373, I have the honor to inform you that it appears to me that the Descriptive Roll of Mahomed Nucky, should be transmitted to Her Majesty's Consul at Jeddah, through Government, as the most proper channel of communication with that Officer.

2nd. I learn from your first letter that the party in question has been permitted to reside permanently at Mecca, but that his Stipend is to be disbursed *here*, under security and on half yearly or annual life certificates from Her Majesty's Consul at Jeddah. All that is necessary, therefore, is that his Descriptive Roll should be forwarded to the above Officer with a view to obtaining, periodically, the requisite certificate. The matter does not appear to me to come within the province either of this Office or that of the Accountant General to deal with under existing orders.

3rd. I beg to return the Descriptive Roll.

No. 78. To Her Majesty's Consul at Jeddah, dated 18th January 1861, No. 41.

I am directed by the Honorable the Governor in Council to inform you that Carnatic Stipendiary, No. 1,329, Mahomed Nucky, Styled Bukshee-ool-Moolk, Bukshee-ood-Dowlah, Meer Usker Khan Bahadoor Salar Jung, in the receipt of a monthly stipend of 400 Rupees, has been permitted to proceed to Mecca and reside there permanently, and to draw his stipend at Madras; under security and to transmit to you the accompanying Descriptive Roll of the Stipendiary with a view to enable you to grant the requisite periodical Life Certificates on his appearing and applying for them.

(Signed) T. PYCROFT,
Chief Secretary.

No. 79. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated London, 15th December 1860, No. 22.

Paragraph 1. The subjoined letters of your Excellency's Government having been considered by me in Council, are now replied to as follows:

Letter dated 7th September (No. 35) 1860.

Death of the Rajah of Travancore. Succession to the Musnud of his 2nd Nephew Ravah Vurmah. The heir to the Throne is Carela Vurmah who is an idiot; the succession of Ravah Vurmah the next heir was decided by the Madras Government and the Court of Directors in 1847. The Madras Government have now directed Mr. Maltby to recognize him.

2. Her Majesty's Government have received with regret the intelligence of the death of the late estimable Rajah of Travancore. The mental imbecility of his nearest relative, the "Elliah Rajah," pointed out the second Nephew, Ravah Vurmah, as the fit successor to the Throne. I learn with satisfaction that he is considered likely to make a good Ruler, and I approve your having directed his recognition as Rajah.

Letter dated 7th September (No. 36) 1860.

Memorial from the late Dewan of Cochin, praying for increase of pension. Mr. Maltby forwards the Memorial but says that he cannot support it, and the Madras Government have directed the Resident to acquaint your Excellency that they see no reason to question the correctness of the decision.

3. You will acquaint Vencata Row that I have received and considered his Memorial transmitted with your letter under reply, but that the amount of the pension awarded to him by His Highness the Rajah of Cochin is a matter with which I cannot interfere.

No. 80. ORDER THEREON, 18th January 1861, No. 42.

Ordered that a copy of the foregoing Despatch be furnished to the Resident of Travancore and Cochin, and that the decision conveyed in paragraph 3 be communicated to the late Dewan of Cochin, Vencata Row, who is now at Madras, in reference to his Memorial dated the 31st of July last.

(Signed) T. PYCROFT,
Chief Secretary.

No. 81. Read the following letter from CLEMENT DALE, Esquire, Receiver of the Carnatic Property, to J. D. SIM, Esquire, Acting Secretary to Government, dated Madras, 21st December 1860, No. 256.

Paragraph 1. I do myself the honor of stating for the information of the Honorable the Governor in Council, that I have lately procured from Ajee Syed Ghouse, 3 Deeds of Conveyance of properties in Ungapah Naick's Street in the Black Town, which belonged to His late Highness the Nabob of the Carnatic, but were mortgaged by his directions to Ajee Syed Ghouse.

2. Ajee Syed Ghouse preferred a claim to the Supreme Court under Act No. 30 of 1858, and to enable me to prepare conveyances of those properties to myself, Ajee Syed Ghouse's Solicitor forwarded to me copy of a Collector's Certificate, dated the 26th of July 1842, No. 2,806, in His Highness' favor; this Certificate however referred only to one of the 3 properties, which was called "the Ameer Mahal," but it was the only Muniment of Title filed by Ajee Syed Ghouse in the Supreme Court with his claim.

3. From the circumstance of no Title Deeds relating to these properties having been delivered to me by the Dewan of the Carnatic Durbar, I placed myself in communication with the then Assistant Government Agent at Chepauk, and the Collector of Madras, when I learnt.

A. That for the Ameer Mahal a Certificate, dated the 1st of May 1803, No. 1,464, had been issued by the Board of Revenue in favor of Mr. John Batley his Heirs and Assigns for ever.

B. That for a piece of ground, behind a portion of the Ameer Mahal, another Certificate, dated the 1st of September 1803, No. 1,700, had been issued by the Board in favor of John Batley his Heirs and Assigns for ever.

C. That for another piece of ground also behind the Ameer Mahal (the 3 now form one area) another Certificate, dated the 2nd of March 1808, No. 3,773, had been issued by the Collector of Madras in favor of John Batley.

D. That for the piece of ground on the west side of Ungapah Naick Street (whereon the Stables belonging to the Ameer Mahal had formerly stood) another Certificate, dated the 1st of May 1803, No. 1,463, had been issued by the Board of Revenue in favor of John Batley his Heirs and Assigns for ever.

E. That John Batley by Deed, dated the 31st of July 1813, (in addition to an endorsement on each Certificate) conveyed the whole of the premises to the Nabob Azeem Ud Dowlah in fee. And

F. That an entry of the purchase is made in the Sircar records.

4. Major Snow forwarded to me with his letter of the 8th February 1860, No. 164, copies of the documents I have referred to above, which he described as "5 copies of Title Deeds found "*to exist in the Sircar records*," whereupon I requested the Deeds might be forwarded to me; but on the 2nd of March Major Snow informed me the original Deeds could not be found amongst the Nabob's records; some further correspondence took place, but which did not afford a satisfactory result.

5. I then addressed the Solicitors for Ajee Syed Ghouse, and the Collector of Madras, to inquire if those Deeds were in their possession; by the former I was assured their client had not received the 4 Certificates and Deed of Sale mentioned in paragraph 3; but had only received the Collector's Certificate of the 26th of July 1842, No. 2,806, mentioned in paragraph 2; while from the Collector I learnt that the originals of the 5 Deeds were returned by the Collector of Madras to the Government Agent at Chepauk on the 27th of July 1842.

6. On the 22nd of March I forwarded to the Assistant Government Agent a copy of the Collector's letter, suggesting it was possible the 5 Deeds had been retained by some oversight in the Office of the Government Agent, instead of being returned to the Nabob's Officers with the Certificate granted by the Collector of Madras, dated the 26th of July 1842, No. 2,806, (referred to in paragraph 2,) and requesting that a careful search might be made amongst the Government Agent's records, with the view of ascertaining whether the Deeds were so retained, or if not, what had been done with them, and at what time.

7. To this application I have not to the present time received any satisfactory reply, the Government Agent having merely stated at different times, that up to date "the search had no been successful" and that "the Deeds had not been found," &c.

8. Ajee Syed Ghouse having become very urgent for the adjustment of his claim, and his Solicitor (Mr. Shaw) having urged that his client should not be kept out of his money, because the Government Agent did not furnish me with the required information, I forwarded to Mr. Shaw for his perusal drafts of 3 Deeds of Conveyance to myself, which had been long prepared, but were held back pending my obtaining the information sought from the Government Agent.

9. I communicated to the Government Solicitor my having forwarded the drafts to Mr. Shaw, stating I agreed with the view enunciated by that gentleman.

10. The Government Solicitor thereupon communicated with the Government Agent on the subject, and I had further correspondence with the Collector of Madras, who showed me the correspondence between his Office and the Government Agent in 1842, on the occasion of the Deeds being returned to the latter by the Collector; but still "nothing has been discovered" in the Office of the Government Agent.

11. At the request of the Government Solicitor I expedited the completion of the conveyances; and the claim of Ajee Syed Ghouse has since been settled under an Order made by the Supreme Court on the consent of Mr. Advocate General; from which I conclude that the Government Solicitor feels satisfied that the missing Deeds were not delivered to Ajee Syed Ghouse; and that in all probability they are still in the records under charge of the Government Agent.

12. I hope such may be the case, for then no mischief will, I trust, be likely to ensue; for although a purchaser has a right to the custody of all Title Deeds, yet on offering these properties for sale, I shall frame the conditions of sale so as to preclude any after objection.

13. The object of my seeking the information, was primarily to obtain possession of the Deeds, without which the Title is not satisfactory, indeed I may say not marketable; but secondly, (and which was of more importance) to ascertain that no improper use had been made of the Deeds. It may not be prudent here to refer with more particularity to the use that might have been made of them; I feel however perfectly satisfied, that if the Deeds were returned in 1842, or subsequently by the Government Agent to the Nabob's Officers, and they have not been surruptitiously abstracted from His Highness' records, an EARNEST search, made by Officers who understood the duty, would have easily discovered the Deeds, or traced any dealings with them. I cannot speak with the same confidence of the records of the Government Agency, as I have not had similar experience as to the manner in which they were accustomed to be kept.

14. I have deemed it my duty to bring the whole of the above circumstances to the notice of Government previously to His Excellency in Council forming a judgment on my application for Certificates.

15. Having done so, I now with reference to the Order of Government noted in the margin, do myself the honor of soliciting that 3 Certificates may be issued to me for the land, &c., comprised in the 3 Deeds of Conveyances before referred to; I enclose copies of the description of the premises conveyed to me, as contained in those 3 Deeds, they are marked A, B & C, and I do myself the honor of soliciting that the Certificates may be issued in similar terms so far as the forms of Certificates will admit.

Order of Government, 2nd May 1860, *No.* 704, *Revenue Department.*
Do. 28th May 1860, *No.* 863, *Revenue Department.*

16. In making this application for Certificates, I do myself the honor of submitting for the consideration of His Excellency in Council,

1*st.*—That no doubt can exist that the four Certificates and the one Deed of Sale mentioned in paragraph 3 were issued and executed.

2*ndly.*—That the premises vested in the Nabob Azeem Ud Dowlah as freehold.

3*rdly.*—That those properties became vested in His late Highness the Nabob Mahomed Ghouse.

4*thly.*—That the 4 Certificates and Deed of Sale were in the proper custody on the 27th July 1842. And

5*thly.*—That so far as I am concerned, every step that could be taken to trace any subsequent dealing with those Certificates and Deed has been adopted by me, from which it is true no information has been elicited from the Government Agent, yet I submit such failure on the Agent's part need not interfere with the granting to me the Certificates I solicit.

No. 82. ORDER THEREON, 19th January 1861, No. 43.

The Government are of opinion that good and sufficient grounds have been shown in the foregoing letter for the issue of the Certificates applied for by the Receiver of the Carnatic Property for the three properties referred to, and they resolve accordingly to direct that the necessary orders be issued in the Revenue Department for the grant of Certificates in the terms solicited in paragraph 15, so far as the forms will admit.

2. The Government Agent at Chepauk will be requested to make what further search he can for the missing documents relating to these properties.

(Signed) T. PYCROFT,
Chief Secretary.

No. 83. Read the following letter from THOMAS SYDNEY SMYTH, Esq., Advocate General, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th December 1860.

The claims filed in the Supreme Court against the Estate of His Highness the late Nabob of the Carnatic, under the provisions of Act XXX of 1858, having been disposed of all but eleven, (the amount recoverable in which may be estimated as not likely to exceed Rupees 2,00,000) I have now the honor to submit for the information and consideration of His Excellency the Governor in Council, a general report upon the result of these claims.

2. Act XXX of 1858 became law on the 24th of August 1858; the number of claims filed under its provisions was four hundred and thirteen; and the amount claimed, including interest to the day when each claim was finally disposed of (at six per cent. per annum, the rate fixed by the Act) taking the 23rd of February 1861, (or last day of next Term) as the time by which the remaining eleven will probably be disposed of, amounts to Rupees 122,08,513-6-11 or £ 1,220,851-6-10½ sterling.

3. It will, I trust, be satisfactory to Government to learn that [assuming my Estimate of Rupees 2,00,000 for the 11 remaining claims to be correct] this large sum of Rupees 122,08,513-6-11 (or £ 1,220,851-6-10½) has been satisfied [so far as the Nabob's Estate is concerned] for Rupees 32,91,610-6-7, or £ 329,161-0 9½; being less than the amount claimed by Rupees 89,16,903-0-4 or £ 891,690-6-0½.

4. I am glad also to be able to state that (exclusive of the eleven cases above mentioned, of which probably not more than four or five will be litigated) only 21 out of the 413 claims have been tried before the Supreme Court. The remainder, under the circumstances and for the reasons which I proceed to mention, were investigated and adjusted out of Court by myself and the Government Solicitor, who thus in fact settled the great bulk of these claims by acting as Commissioners, not as the Law Officers of Government contesting litigated claims. I would here beg to acknowledge, for myself and the Government Solicitor, the valuable and zealous assistance afforded us on all occasions by the Government Agent, Dr. Balfour, and his Assistant Major Snow, by furnishing us with every information that could be extracted from the Nabob's Dufters or other papers, or from any of the Nabob's former servants; as well as by their knowledge of the Persian and Hindoostanee languages, during the trials in Court.

5. Government will be able to appreciate the probable amount thus saved to them in costs, when I mention that the rule laid down by the Supreme Court with regard to costs, was, to award full costs against Government to every claimant who should not be *proved* to have *disentitled* himself to costs, either by actual fraud or dishonesty, or by inaccuracy, in matters within his own knowledge, such as was calculated to mislead the Law Officers and put Government to needless expense: and this, even in cases where the Court was satisfied that there was nothing like demerit on the part of Government, and even where the Court admitted that Government would not have been justified in allowing the claim, or making any offer in respect of it, but was bound to resist it, and require it to be strictly proved. In one case alone, I understand that the claimants costs exceeded Rupees 20,000.

6. When once this rule respecting costs was laid down, I felt how all important it was for Government, with a view to save it as far as possible from the ruinous expense of costs which this rule was calculated to entail, that we should, firstly, settle as many cases as possible out of Court; and secondly, that after taking the Court's judgment on the points involved in the two classes of claims below mentioned, we should confine our resistance of these claims to those only which we believed to be founded in fraud, and such as ought not to be even partially entertained, selecting in the first instance those of great magnitude, where the station, means, and character of the claimant rendered it probable that he would insist on his claim to the utmost—in which cases, I resolved to oppose the utmost possible resistance, so that his defeat might serve as a salutary warning to others. The two classes of cases upon which it seemed to me expedient, indeed necessary, to take the Court's judgment, were, firstly, those which depended upon a particular class of evidence, which I considered unsatisfactory, and such as Government ought not to accept or

act upon, unless the Supreme Court, after solemn argument, should decide in favor of its sufficiency; and, secondly, those which depended upon a particular construction of some clause of Act XXX of 1858, (or its successors) where it seemed to me that the true meaning of the Act was opposed to the claimants' success.

7. It was upon these grounds that I resolved to contest twenty of the twenty-one cases before mentioned. To the other claim, that of the Messrs. Richardson, my objection was the total absence of regularly kept books, or satisfactory vouchers, on which ground the then Chief Justice, Sir C. Rawlinson, refused to allow them any costs, though he allowed their claim.

8. How far the twenty-one claims thus selected for resistance were properly selected, Government will best be able to judge (bearing in mind the peculiar rule laid down by the Court for allowing costs) when I state as the result, that in only four cases were full costs allowed to the claimants; in only one more were costs partially allowed; in nine more costs were wholly refused; and in the seven other cases both claims and costs were absolutely disallowed.

9. I ought to mention, to account for the Court's not awarding costs *to* Government, that it ruled (much to my surprise, and contrary to the intention of the Legislature, as it has since declared) that under Act XXX of 1858, it had *no power* to do so.

10. The first six cases, after the Messrs. Richardson's claim, were selected to determine the value, as evidence, of the documents known as "the 19 months' dufters," or "after death accounts," and "the 12 lakh list," and of the sworn testimony of Gholam Mahomed, *alias* Shurfood Dowlah, and his brother-in-law Hajee Moortooza, *alias* Salar-ul-Mulk, in corroboration of these documents, all written by themselves, evidence which I did, (and for the most part still do) consider wholly untrustworthy, though the Court ruled otherwise until it came to try Salar-ul-Mulk's own claim, when I at last succeeded in discrediting him. In the next case, that of Sham Doss, I wished to take the Court's opinion respecting the construction of the words in the Preamble of Act XXX of 1858, "debts fairly and justly contracted on the Nabob's behalf during his "infancy;" and *this* was the claim where the Court's ruling led to the passing of Act XVI of 1859. The next claim, that of Messrs. Proudfoot and Bain, trading as "Taylor and Co.," was contested because they had never debited the Nabob in their books, nor made any application for payment to him while alive; but, on the contrary, had in their books always debited two Mussulmans, named Hakeem Ibbadoollah and Shajee-ool-Moolk, from whom they moreover obtained part payment, and securities; and both of whom, on their afterwards going through the Insolvent Court, entered Messrs. Taylor and Co. in their Schedules as *their* creditors, *not* the Nabob's, in respect of these very transactions. I therefore considered that Taylor and Co. had originally given credit to these two Mussulmans, and had no right now to claim against the Nabob's Estate. The Court however, on Mr. Proudfoot's swearing that he had always given credit to the Nabob alone, and to no one else, allowed his claim; though it refused him costs. The next claim, P. Veerapermall Pillay's, was resisted as wholly fraudulent, on the ground that though the Istafa Cutcherry Bonds which he held were genuine, he had advanced no money upon or in respect of them; the fact being that his father had lent money to Mr. Maclean, and had afterwards, when Mr. Maclean became Insolvent, secretly obtained these Bonds from Mr. Maclean as collateral securities for his claim against Mr. Maclean. By far the greater portion of his claim was disallowed, on this ground; and the portion for which he obtained a Decree, has since (upon further evidence obtained from England since his claim was heard) been taken from him under proceedings in the Insolvent Court by the same Judge who had previously allowed it. The next claim, Salar-ul-Mulk's, was resisted as a gross fraud. He claimed, including interest, Rupees 2,98,332-12-2, and after a most severe contest that lasted eight weeks, he was allowed only Rupees 17,576-6-3, which he had previously been offered, but had refused. He was likewise refused all costs, and I understand had to pay for his own costs more than the sum awarded to him. The next claim resisted was that of Nasir-ood-deen Abdul Khader, which was selected to try the right of the Nabob's Officers to recover (under Act XXX of 1858) what were styled "arrears of deferred salaries"—in other words, to recover reductions of their allowances made by the Nabob many years before his death. The Court upheld my objections, and ruled that these were not recoverable. The next four contested claims were merely resisted as untenable generally, and the

three first were dismissed wholly—the claimant in the last recovering only Rupees 10,189-11-11; the sum I had previously offered him on behalf of Government; just one-thirteenth of the amount he claimed, *viz.*, Rupees 1,34,961-10-10. The next claim, Nabob Hameed-oon-Nissa Begum's, was selected to try the legal right of the Nabob's relatives (a pretty numerous class of claimants) to recover, under this Act, the unpaid portions of voluntary allowances which had formerly been granted to them by him or his predecessors. I succeeded in having this claim wholly disallowed. The three next claims, those of Damoodra Doss, Birjee Bokun Doss, and Munmohun Doss, (upon which I lately reported to Government, and who recovered only Rupees 1,19,014-8-3 out of Rupees 7,21,658-13-0 claimed by them) were contested to try the validity, as against the Nabob's Estate, of claims founded upon Tunkhy Cutcherry Bonds, under the new Act XXXVIII of 1860 (passed in place of Act XVI of 1859, repealed) and to determine the true construction of the concluding words of Section I of that Act. I succeeded in getting six-sevenths of these claims disallowed. Such portions as have been allowed, depend on the construction I have just referred to, and the Court's Decrees allowing them are now under appeal to Her Majesty in Council. The last case (last I mean in which the Court delivered Judgment) was that of Gholam Moortooza Khan Bahadoor, Moomtazool-moolk, who, in addition to 7 lakhs already received, claimed Rupees 13,37,567-14-8, but recovered only Rupees 81,000 odd, or, including interest to date of Decree, Rupees 1,14,872-5-5.

11. When I mention that out of the mass of these claims which the Law Officers succeeded in settling out of Court, no less than forty of the claimants consented to their claims, amounting to Rupees 4,31,141-3-11 being wholly dismissed, on our agreeing to forego all claim to costs against them; while others accepted Rupees 23,59,689-14-3 in full of claims amounting, with interest, to Rupees 52,72,461-12-2, Government will realise how much time and labor must necessarily have been involved in investigations so thorough, complete, and convincing, as to induce the claimants themselves to abandon so large an amount as Rupees 33,43,913-1-10. It entailed in fact the exclusion and sacrifice, in a very great measure, of all private professional practice during two years and a half.

12. Another proof of the amount of labor involved in the settlement of these claims will be found in the fact, that though, exclusive of the eleven cases yet undisposed of, only twenty-one cases were actually tried in the Supreme Court, yet so protracted were these trials, and so strenuously were the claims contested, that they occupied a working period equal to the entire of nearly seven Terms of the Supreme Court.

13. Having shewn the final result of these claims, so far as the interests of Government are concerned, I trust Government will now permit me to bring under its consideration, the manner in which the interests of its Law Officers have been affected by the exclusive devotion of our time and labor to meeting the wishes of Government by effecting an early settlement of these claims, and to protecting its interests in a two-fold manner, *viz.*, by saving it as far as possible from the payment of costs, and by thoroughly sifting every item in these claims before admitting any of them. I am particularly glad to be able to submit the matter for the consideration of the Government as at present constituted, from the fact that His Excellency the Governor in Council, and all the present Members of Government, have been personally cognizant of these proceedings, have perused the reports that I submitted from time to time, and have on more than one occasion expressed their approbation of the exertions of their Law Officers.

14. I believe I am correct in stating that the salaries of the Law Officers of Government were fixed at their present moderate amount upon the understanding that they should and would have sufficient time to attend to private practice; and that, if fit to be the legal advisers of Government, they would have such an amount of private practice, as would insure them a competent income, and enable them to provide for their ultimate retirement. On this ground it was, I understand, that the Court of Directors in 1856-57, refused even a small pension of £500 to Mr. Le Messurier, the Advocate General of Bombay, when his health prevented his returning to India. They said "no, it will be a bad precedent, if he be a good Lawyer, an Advocate General "ought to make so much by his private practice that £500 a year would be no object to him."

15. This, I would submit, most clearly recognizes my position that Government contemplated and intended that their Law Officers should have sufficient time for private practice.

Such, however, has not been the case with myself or the Government Solicitor. On the contrary, since August 1858 (when Act 30 of 1858 was passed) our time has been so much and so continuously engrossed by our public duties that the result has most materially affected our private practice.

16. For myself this loss will probably be but temporary; but still the nearly total loss of private practice for two years and a half is a serious matter. To the Government Solicitor it may be more serious, because more lasting; many of the claimants were his clients; the discharge of his duty to Government precluded both him and his partners from acting for the claimants, and compelled him to act most hostilely against them. They had therefore no other course than to leave him, and go to other Solicitors, with whom their business may perhaps remain. Their claims were scrutinised and resisted far too effectually to admit of their now feeling much good will towards their former legal adviser.

17. I would here solicit the attention of Government to the fact that the whole of the labor, with its consequent loss, upon which I have already observed, has been *extra*, and in addition to our ordinary duties, and was expressly *created* for us by a *special* Act of the Legislature; for Government was not legally liable to pay the Nabob's debts, but *elected* so to do, and to pass a law *creating* such liability. Whether this measure was considered politically expedient, or only just to the Nabob's creditors, need not now be discussed; but I think I may fairly assume, from the known justice and liberality of the Indian Governments towards their servants, that they never intended either to give effect to political expediency, or to do justice to the Nabob's creditors, to the prejudice of their own Law Officers. As yet however they alone have suffered, while the creditors of the late Nabob and the Government have materially benefited by their exertions.

18. In former similar cases, such as the Carnatic and Tanjore debts, a Commission was appointed to investigate the claims, and such it was generally expected would have been the course taken in this instance. The Tanjore Commission at Madras (besides a Tanjore Commision in England, as to whose salaries however, I cannot speak with certainty) was composed of three Members, gentlemen of the Civil Service, who received considerable allowances—I believe about Rs. 8,000 a month. This Commission was appointed in March 1825; the amount claimed before them was Rupees 157,90,366-6-2; the amount allowed was Rupees 56,13,836-15-10 or upwards of one-third; and it was not till February 1840, (fifteen years after the date of its appointment) that this Commission held its last consultation. In the present case I have already shewn that myself and the Government Solicitor settled for Rupees 32,91,610-6-7, or just one-fourth, claims amounting to Rupees 122,08,513-6-11; and did so in two years and a half.

19. Even supposing however that it should be considered that the Law Officers are bound, as such, and for their ordinary salaries, to undertake whatever new and extra work the Government may, upon public grounds, think fit to create for them *in* the Courts—it would, I would venture to submit, be opposed to the understanding that has always hitherto existed between the East India Company and their Law Officers, to require the Advocate General and Government Solicitor to act for Government *out of Court, quasi* Commissioners, in settling claims that do *not* become the subject of adverse litigation before a Legal Tribunal, without special remuneration.

20. With these remarks I respectfully submit my case and that of the Government Solicitor for the consideration of Government with full confidence in their wish to do whatever they shall deem just.

No. 84. ORDER THEREON, 19th January 1861, No. 44.

The Advocate General reports that the claims filed in the Supreme Court against the Estate of His Highness the late Nabob of the Carnatic, under the provisions of Act XXX, 1858, have all been disposed of with the exception of eleven, and that the amount recoverable in these remaining 11 cases is not likely to exceed Rupees 2,00,000. He therefore submits to Government a general report on the result of these claims.

2. Act XXX of 1858 was passed on the 24th August 1858. The number of claims filed under its provisions was four hundred and thirteen, and the amount claimed, including interest to the day when each claim was finally disposed of (taking the 23rd proximo, or the last day of next Term, as the time by which the remaining eleven will probably be settled) is in round numbers Rupees (1,22,08,500) one crore, twenty-two lacs, eight thousand, five hundred Rupees.

Paragraph 2.

3. The 402 claims already disposed of have been settled for Rupees 30,91,610-6-7 and this sum includes the award amount Rupees 1,10,664 in the case of Damoodra Doss and others now under appeal to the Privy Council. Supposing that the remaining eleven claims be, as is estimated, arranged for 2,00,000 Rupees, the entire amount for which all the claims filed under the Act will have been settled, as far as the Government are concerned, will be Rupees 32,91,610-6-7 or in round numbers 33 lacs of Rupees, being less than the aggregate amount claimed by 89 lacs of Rupees, and being also little more than one-fourth of that aggregate amount.

Paragraph 3.

4. Nor has the sum which Government have had to disburse on account of these suits been greatly enhanced by costs of Court. Only 21 of the 402 cases hitherto settled were tried in the Supreme Court. In only four of these cases were full costs allowed to the claimants, in only one more were costs partially allowed, in nine more costs were wholly refused, and in the seven other cases both claims and costs were absolutely disallowed. Of the eleven cases remaining to be settled, it is probable that not more than four or five will be litigated.

Paragraph 4.

Paragraph 8.

Paragraph 4.

5. The reasons why so small a number of claims were brought into Court are explained by the Advocate General in paras; 5 and 6 of his letter. The rule laid down by the Supreme Court in respect to costs awardable under Act XXX, 1858, was in a high degree favorable to the claimants. It was therefore deemed by the Law Officers all important, with a view to save Government as far as possible from the ruinous expense of costs which this rule was calculated to entail, that they should, firstly, settle as many cases as possible out of Court; and secondly that, after taking the Court's Judgment on the points involved in the two classes of claims below mentioned, they should confine their resistance of these claims to those only which they believed to be founded in fraud, and such as ought not to be even partially entertained; selecting in the first instance those of great magnitude, where the station, means and character of the claimant, rendered it probable that he would insist on his claim to the utmost, in which cases the Advocate General resolved to oppose the utmost possible resistance, so that his defeat might serve as a salutary warning to others. The two classes of cases upon which it seemed to the Law Officers expedient, indeed necessary, to take the Court's Judgment, were, firstly, those which depended upon a particular class of evidence, which the Advocate General considered unsatisfactory, and such as Government ought not to accept, or act upon, unless the Supreme Court, after solemn argument, should decide in favor of its sufficiency; and, secondly, those which depended upon a particular construction of some Clause of Act XXX of 1858, (or its successors) where it seemed to him that the true meaning of the Act was opposed to the claimants success.

Paragraph 6.

6. That the twenty-one claims thus selected for resistance were well chosen for the purpose has been proved by the result as shown above in paragraph 4. In paragraph 10 of his letter Mr. S. Smyth has given a brief notice of these cases, and shown the large amount of claim in them which was disallowed.

7. Although thus only twenty-one cases were actually tried in the Supreme Court, yet so protracted were the trials and so strenuously were the claims contested, that they occupied a working period equal to the entire of nearly seven Terms of the Supreme Court.

Paragraph 12.

8. Deducting from the 402 cases already settled the 21 litigated in Court, there remain 381 which were disposed of out of Court. In no less than 40 of these, the claimants consented to their claims amounting to Rupees 4,31,141-3-11 being wholly dismissed,
Paragraph 11. on the law Officers agreeing to forego all claim to costs against them. Others accepted Rupees 23,59,689-14-3 in full of claims amounting, with interest, to Rupees 52,72,461-12-2, the total amount abandoned by these two classes of claimants being Rupees 33,43,913-1-10.

9. When the Government consider the vigor with which those 21 cases which were brought into Court were contested, and the period occupied in their litigation, and when they reflect upon the searching scrutiny to which those which were settled out of Court must have been subjected ere the claimants themselves could have been induced to forego so large a porportion of their demands, and abandon claims to the extent of 33½ lacs of Rupees or one-third of a million sterling, they are more concerned than surprized to learn that the attention given by the Advocate General and Government Solicitor to the settlement of these claims entailed
Paragraph 11. "the exclusion and sacrifice in a very great measure, of all private professional "practice during two years and a half."

10. In reference to the above circumstances, the Advocate General in the concluding paragraphs of his letter submits for consideration the manner in which the
Paragraphs 13 *to* 20. interests of the Law Officers of Government have been affected by an exclusive devotion of their time and labor to accomplishing an early settlement of these Carnatic claims, and protecting Government in a two-fold manner, viz., by saving it as far as possible from the payment of costs, and by thoroughly sifting every item in these claims before admitting any of them.

11. Mr. S. Smyth submits that the salaries of the Advocate General,* and Government Solicitor,† were fixed on their present moderate scale, and those Officers were excluded from the benefit of pensions, on the supposition that they would have sufficient time to attend to private practice, thereby to supplement their official incomes, and enable them to provide for their ultimate retirement.

* *Rupees* 2,187-8-0 *per mensem.*
† „ 1,175-0-0 „

Paragraph 15. "Such however" he states "has not been the case with myself or the Govern-"ment Solicitor. On the contrary, since August 1858, (when Act 30 of 1858, "was passed) our time has been so much and so continuously engrossed by our public duties "that the result has most materially affected our private practice."

"For myself this loss will probably be but temporary; but still the nearly
Paragraph 16. "total loss of private practice for two years and a half is a serious matter. To the Government Solicitor it may be more serious and lasting: many of the "claimants were his clients; the discharge of his duty to Government, precluded both him and "his partners from acting for the claimants, and compelled him to act most hostilely against "them. They had therefore no other course than to leave him, and go to other Solicitors, "with whom their business may perhaps remain. Their claims were scrutinised and resisted "far too effectually to admit of their now feeling much good-will towards their former legal "adviser."

12. Further, Mr. S. Smyth remarks that the whole of this labor and
Paragraph 17. consequent loss has been *extra* and additional to the duties ordinarily devolving on the Government Law Officers, and has been expressly created for them by a *special* Act of the Legislature.

13. Lastly, he adverts to the time occupied and expense involved in the Commission for the settlement of the debts of the Rajah of Tanjore, and to its results, as compared with those connected with the arrangement of these Carnatic claims. For the Tanjore debts there were two sets of Commissioners, one in England, and one, consisting of three Members of the Civil Service on liberal salaries, in India. The Commission lasted 15 years; the amount claimed was Rupees 157,90,366; the amount allowed Rupees 56,13,836, or upwards of one-third. In the case of the claims upon the Estate of the late Nawaub, demands to the amount of Rupees 122,08,513

have been settled by the Government Law Officers in two years and a half, and for Rupees 32,91,610 or about one-fourth of the sums claimed.

14. The Advocate General represents that supposing the Law Officers to be bound in virtue of their office to undertake all business whether of an usual or of a special character which the Government may require to have transacted for them *in Court*—their employment out of Court, to act as quasi Commissioners in settling claims that do not become the subject of adverse litigation before a Legal Tribunal, can hardly have been contemplated, unless on special remuneration.

Paragraph 19.

15. The Government have very carefully read and considered the Report of the Advocate General upon the settlement of the claims on the Estate of the Nawaub of the Carnatic, of which a summary has been given in the preceding paras. The result of the investigation and adjudication of these claims has been highly advantageous to the State and honorable to the Law Officers. It is fully shown that those gentlemen not only had great difficulties to encounter in dealing with these claims in Court, but that in the settlement of such as were, for good reasons, kept out of Court, their time has been fully occupied, and they have thus for the last two years and a half been called upon to give up their time and labor to an extent, and in a manner, never before exacted of them by Government.

16. That the interests of Government have been protected, and the debts of the late Nawaub of the Carnatic speedily and satisfactorily adjusted, the results detailed by Mr. Smyth in his present letter fully prove. To the zeal and diligence of its Law Officers the Government are therefore largely indebted. To permit them under these circumstances to be in a pecuniary point of view sufferers, could never have been intended, and should not in the opinion of Government be allowed.

17. The Government therefore resolve in laying before the Right Honorable the Secretary of State this present report on the settlement of the Carnatic claims, to solicit his attention to the indefatigable exertions of the Advocate General and Government Solicitor, to the success that has attended them, and, at the same time, to the personal sacrifices on the part of those Officers at which they have been rendered. They resolve also on a full consideration of all the circumstances of the case strongly to recommend that the sum of Rupees 55,000 be presented to the Advocate General, and Rupees 27,000 to the Government Solicitor, in special remuneration of their services during the last two years and a half in the disposal of these claims. They regard these sums being in each case slightly in excess of two years' official salary, as no more than a fair and equitable compensation for the extra labors that they have undergone, and professional losses that they must have sustained during this long and arduous investigation.

18. The Government observe with much gratification, the honorable testimony borne by the Advocate General, in para. 4 of his letter, to the valuable and zealous assistance afforded to the Law Officers on all occasions by the Government Agent, Doctor Balfour, and his Assistant Major Snow, both in and out of Court. They will have much pleasure in bringing the conduct of these meritorious Officers to the notice of Her Majesty's Government.

19. The settlement of all the claims against the Estate of the late Nawaub, by creditors, members of the family, Officers, servants and dependants, conducted both under Act XXX, 1858 by the Law Officers of Government, and, in respect to claims not properly falling, or not desirable to be brought within the scope of that enactment, by the Government Agent at Chepauk, has now approached so near to a conclusion that the financial results of the whole arrangement may be calculated with sufficient exactness.

20. It has been already shown that the settlement of the 413 claims filed under Act XXX, 1858, will be effected for ... ... Rupees 33,00,000

The amount already disbursed, after investigation made by Doctor Balfour, for gratuities to servants, arrears of pensions and wages, as well as for sundry charges, is according to a Memo. furnished by him... ... „ 8,21,192

And the claims on account of wages and petty debts which he still has to settle and pay may amount to ... ... „ 91,618

Or in all Rupees 42,12,810

21. On the other hand the amount already realized by the Receiver of the Carnatic property from the sale of the Nawaub's property, including the Chepauk Premises purchased by Government, and from the balance of the Punjum Hissa due to the Nawab at his death, is, as appears by a Memo. furnished by Mr. Dale, Rupees 12,40,000, and he estimates that he may realize Rupees 4,00,000 for property not yet disposed of, making Rupees 16,40,000. Allowing 1,40,000 for commission and charges, and deducting the net surplus (Rupees 15,00,000) from the total amount (Rupees 42,12,810) for which the liabilities of the late Nawaub of all kinds will be satisfied, the remainder, or the net cost incurred by Government in settlement of these claims will be Rupees 27,12,810 or little more than 27 lacs of Rupees, being about 5 years purchase of the amount whereby the stipends and allowances now paid to the members of the Carnatic family, their servants and dependants fall short of the payments (*A*) which were made by Government to the Nawaub, or in other words of the sum now accruing to this Government by his death.

(*A*) *Note.*—The income derived from Government by the late Nawaub was made up of two items :

1st. The one-fifth of the Net Revenues of the Carnatic..... Rupees	11,65,824-12-10
2nd. Travancore Peshcush and Nuzzeranah.....	13,319- 8- 0
Total Rupees	11,79,144- 4-10

This amount never varied. See from Accountant General, 7th October 1856, in Government Proceedings, Political Department, 23rd December 1857. The present payments as stipends to the Members of the Carnatic family, officers and servants and miscellaneous charges amount to Rupees 6,35,561-7-0 per annum. Of this nearly all, Rupees 6,27,674, is for stipends and pensions. The pensions for officers and servants are, in all cases, life-grants. The stipends to the immediate family are in no case to last beyond two generations, and are to be reduced by at least one-half on each lapse. The largest stipendiaries are,

1. Prince Azeem Jah Bahadoor, Rupees 1,50,000 per annum; he is an aged man and has none but Nicca sons.
2. The widows of the late Nawaub.
   Her Highness Kyree-oon-Nissa Begum, Shadi widow, has Rupees 1,12,200 per annum, she has no children.
   Azeem-oon-Nissa Begum, the Nicka widow, who has no children by the Nawaub, receives Rupees 48,000 per annum.

(*B*) Punjum Hissa and Travancore Peshcush for 5¼ years at Rupees 11,79,144-4-10 per annum..	61,90,507
a. Arrears of do. at date of Nawaub's decease..	4,25,711
	66,16,218

a. The Nawaub drew a fixed allowance of 70,000 Rupees a month, and the difference between this and his full income (11,79,144-4-10—8,40,000=3,79,144-4-10) was paid to him after the close of each year on the account being made up. This balance for 1854-55 had not been paid to the Nawaub at the date of his death in October 1855.

	Rs.
(*C*) Excess of expenditure above receipts, Rupees.	3,81,542
Amount estimated for 11 cases which the Law Officers still have to settle	2,00,000
For wage claims and petty debts to be investigated and settled by the Commissioner, Dr. Balfour...	91,618
Arrears of stipend undrawn by the Prince Azeem Jah and due on the 31st October 1860.....	5,55,367
Amount decreed in the case of Damoodra Doss and others now under appeal.....	1,10,664
Total Rupees..	13,39,191
Deduct sum yet to be realized out of the Nawaub's Estate	4,00,000
Amount that will yet remain to be paid.....	9,39,191

(*D*) Income reverted to Government by death of Nawaub, Rupees	11,79,144
Stipends, pensions, &c., chargeable upon it, Rupees	6,35,561
Excess or net amount accrued to Government, Rupees	5,43,583

22. But in truth much of the above sum of Rupees 27,12,810 has been already made good out of the lapsed income of the Nawaub since his death in October 1855. From a statement made up by the Accountant General to the 31st of October last, and brought up to the end of the past year in the Government Office, it is found that the total amount that has been disbursed by Government since the decease of the Nawaub, on account of his Estate and the Carnatic family, for payment of stipends, pensions and gratuities, for arrears of stipends, pensions and wages, for the settlement of debts and for sundry expenses, is Rupees 69,97,760, while the amount for the same period of the Punjum Hissa, &c., income which has accrued to Government by the Nawaub's death, together with the balance of Punjum Hissa due to him when he died are Rupees 66,16,218, (*B*) showing an excess of expenditure above receipts of only Rupees 3,81,542. If to this be added the probable amount still required for payment of debts (inclusive of the amount Rupees 1,10,664 of the decree award under appeal to the Privy Council in the case of Damoodra Doss and others) and for the discharge of the arrears of stipend undrawn by Prince Azeem Jah Bahadoor, (*C*) and if credit be taken for the estimated sum yet to be realized by the Receiver of the Carnatic Property, the entire amount yet to be paid will be Rupees 9,39,191. This will be recovered in less than two years from the excess of the income (*D*) which has reverted to Government by the death of the Nawaub above the amount payable for stipends, pensions and other charges.

(Signed) T. PYCROFT,
Chief Secretary.

No. 85. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property, to THOMAS PYCROFT, Esq., Chief Secretary to Government, Madras, dated 9th January 1861, No. 9.

3rd January 1861, *No. 2, Political Department.*

I do myself the honor of acknowledging the receipt of the Proceedings of Government of the date and number noted in the margin, and to report for the information of the Honorable the Governor in Council, that the property in North Arcot has already been disposed of with the exception of the portions claimed by the Official Assignee.

No. 86. ORDER THEREON, 19th January 1861, No. 45.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 87. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 12th January 1861, No. 44.

I have the honor to subjoin copy of a communication from Shuff-ul-Umra Bahadoor, and to recommend the requests of the same for the favorable consideration of the Honorable the Governor in Council so far as it may be in the power or the pleasure of Government to grant.

2. Amongst the surviving nobles of Madras, of the relatives of the Nabobs of the Carnatic, no one is held in more general respect than Shurf-ul-Umrah Bahadoor. The joint family stipend in his name is Rupees 2,000 per mensem, and I think that the natural dignity of his character is a guarantee for what he states that he would not embarrass the British Resident at Hyderabad by seeking any favor.

From SHURF-OOL-OOMRAH SHICOHOON MOOLK NASUR-UD-DOWLAH GHOOLAM MAHOMED SAFEE OOLLAH KHAN BAHADOOR NOOSRAT JUNG, to E. BALFOUR, Esq., Government Agent at Chepauk.

It is my intention to proceed on a pilgrimage to the venerable Tomb of Khajah Bundu Navaz, situated in the territories of His Highness the Nizam: and to procure, if possible, a good and suitable match for my children among the noble family of Hyderabad, as a thing of that sort has become a matter of difficulty in this city, you know very well the multifarious difficulties that encompass a person who possesses a large family, I therefore request that you will be good enough to obtain for me two years' leave for the above purpose.

On the death of my father, I succeeded all the titles and honors enjoyed by him during his life time, all this will be verified by the Records of the Nawaub's Durbar and your Office.

I have also to submit that I shall be under great obligation if the Government would be pleased to ask the British Resident at Hyderabad to introduce me to His Highness the Nizam and his Oomrahs, if convenient, in order that I may maintain my position in his country as a nobleman of your Government. In making this application, I wish that the Resident will be made clearly to understand that it is not my desire to derive any favor from His Highness but simply to have a kind reception commensurate with the position I hold as a nobleman of this Government.

Under these circumstances relying upon your desire to assist me, I request that you will be pleased to submit this my wish for leave for two years to Government with favorable recommendation that the same may be responded to and Circulars issued, in consideration of my rank and dignity and the relation I bear to the Nawaubs of the Carnatic, to the several Collectors through whose Zillahs I may happen to pass en route to Hyderabad to afford me all the reasonable assistance in their power to procure necessary provisions and to facilitate my journey, similar indulgence having been frequently granted to others and to me by the Government when I visited Nagore, &c., during the Regency of His Highness the Prince Azum Jah Bahadoor.

Seal [ ] of SHURF-OOL-OOMRAH BAHADOOR.

(True Copy.)

(Signed) EDWARD BALFOUR,
Government Agent.

SAINT THOME,
9th January 1861.

No. 88. ORDER THEREON, 21st January 1861, No. 46.

The Government grant Shurf-ool-Omra Bahadoor leave of absence for two years, to proceed to Hyderabad.

2. They regret that they cannot comply with the further request that he has made. They do not doubt that he will receive from His Highness the Nizam any courtesy or consideration to which he may be entitled, but they must decline writing to the British Resident in his behalf. Neither can they issue orders respecting him to the Collectors through whose districts he may pass, and it is quite unnecessary that they should do so, inasmuch as he will find no difficulty in obtaining on payment all the provisions, carriage, &c, of which he may stand in need.

(Signed) T. PYCROFT,
Chief Secretary.

No. 89. Read the following Proceedings of Government in the Revenue Department, dated 16th January 1861, No. 117.

Communicating the Order passed on Proceedings of Government, Political Department, No. 20, dated 8th January 1861, communicating to the Revenue Department paragraph 7 of a Despatch from the Secretary of State, No. 21, dated 30th November 1860, relative to the exemption from quit-rent of the late Nabob's gardens at and near Arcot. (Vide Proceedings Revenue Department, dated 16th January 1861, Nos. 232 and 233.)

No. 90. ORDER THEREON, 21st January 1861, No. 47.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 91. Read the following Telegram from the Member of the Legislative Council for Madras, dated 19th January 1861.

"Travancore Pepper Bill passed."

No. 92. ORDER THEREON, 21st January 1861, No. 48.

Ordered that the foregoing Telegram be communicated to the Resident of Travancore.

(Signed) T. PYCROFT,
Chief Secretary.

No. 93. Read the following Proceedings of Government in the Public Works Department, dated 16th January 1861, No. 99.

Communicating a letter from the Chief Engineer stating, with reference to the aid sought by the Travancore and Cochin Governments from the Public Works Department, that at present there are several vacancies among the Upper and Lower Subordinates in the Districts named, but in May next several of the Students in the Presidency College will have qualified for the grade of Assistant Overseers and it may then be in his power to furnish the assistance required. (Vide Proceedings Public Works Department, dated 16th January 1861, Nos. 200 & 201.)

No. 94. ORDER THEREON, 21st January 1861, No. 49.

Communicated to the Resident of Travancore and Cochin with reference to his letter dated 10th December 1860, No. 83.

(Signed) T. PYCROFT,
Chief Secretary.

No. 95. Read the following letter from J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th January 1861, No. 44.

I have the honor to request that the Sub-Treasurer may be authorized to disburse to me a further sum of ten thousand Rupees towards compensation sanctioned by Government to be paid for the Houses and Huts within the compound of the Chepauk premises.

No. 96. ORDER THEREON, 21st January 1861, No. 50.

Resolved accordingly, that the Sub-Treasurer be authorized to advance to the Government Solicitor a further sum of Rupees (10,000) ten thousand, for the purpose above specified.

(Signed) T. PYCROFT,
Chief Secretary.

No. 97. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 11th January 1861, No. 36.

I have the honor to submit that in November last I received two Petitions from Syed Noor-ood-Deen Bokharee; one of which enclosed his Petition presented to Government, No. 860 of 1860. These documents I forwarded for the opinion of Her Majesty's Government Solicitor on the 19th ultimo, together with a statement of the Petitioner.

2. Mr. Boyson in his reply of the 3rd instant mentions as his opinion that, no possible advantage (pecuniary or otherwise) could result from further enquiring into vague and useless statement made by the Petitioner.

3. I have the honor to enclose the whole correspondence* for the information of Government.

* *Requested to be returned.*

No. 98. ORDER THEREON, 22nd January 1860, No. 51.

The Government Agent at Chepauk should make to the Petitioner the communication suggested by the Government Solicitor, noticed in the 2nd paragraph of his letter.

(Signed) T. PYCROFT,
Chief Secretary.

No 99. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 22nd January 1861, No. 52.

In continuation of my letter dated 3rd ultimo, No. 714, I am directed by the Honorable the Governor in Council to forward, for submission to the Supreme Government, the accompanying Proclamation (received through the Resident of Travancore and Cochin) which has been issued by His Highness the Rajah of Cochin, abolishing the Pepper Monopoly in his dominions and substituting a duty of 15 Rupees per candy of 500 lbs. English.

2. The Government have expressed themselves much gratified at the adoption of this measure, and have requested the Resident to inform His Highness of the high approval with which his enlightened conduct is viewed by them.

(Signed) T. PYCROFT,
Chief Secretary.

PROCLAMATION

By His Highness Ravee Vurmah Rajah of Cochin, under date the 30th Vrichegon 1036 M. E. corresponding with the 13th December 1860.

Whereas the Pepper Monopoly has been found to be a source of great oppression, and has tended to discourage the cultivation of this staple in my Country, its abolition and the substitution of a Duty on exportation has been resolved on, and we hereby notify to all that the said Monopoly will cease from the 18th Dhanoo 1036, corresponding with the 31st December 1860.

2. The growers of Pepper are henceforth relieved of the obligation of delivering over this produce to the Circar, and are at liberty to dispose of it in the way they may consider most advantageous to themselves in like manner as they dispose of other articles of produce.

3. After the 31st December 1860, a Duty of 15 Rupees per candy of 500 English pounds will be imposed on Pepper exported from Cochin, whether by land or sea, and the Duty will be levied at such places, and under such rules, as shall hereafter be resolved on.

4. With the view of affording every encouragement to the cultivation of the Pepper vine, We hereby notify that no Special Tax will be imposed on it, but that land hereafter devoted to the cultivation of this staple, will be taxed according to its own value, without reference to the Pepper that may be derived from it. Lest apprehension should exist in the minds of any that in consequence of the abolition of the Monopoly so good a price may not be obtained for their Pepper as heretofore, We hereby notify, that for the period of one year from this date the Circar will receive any Pepper that may voluntarily be brought to its Banksalls, paying for the same at the old Monopoly rate; but as before stated, the growers of Pepper will be at liberty to sell it where and to whomsoever they please.

(Signed) SHANGOONY MENOVES,
Dewan.

No. 100. Read the following letter from H. L. ANDERSON, Esq., Chief Secretary to Government, Bombay, to T. PYCROFT, Esq, Chief Secretary to the Government of Fort Saint George, dated 8th January 1861, No. 87.

Pol. Dept. I am directed by His Excellency the Governor in Council to acknowledge the receipt of your letter (with accompaniment) No. 741, dated the 21st ultimo, and to inform you that the necessary instructions have been issued to the Collector of Satara for the payment, from his Treasury, of the stipends alluded to.

No. 101. ORDER THEREON, 22nd January 1861, No. 53.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 102. Read the following letter from LORD H. ULICK BROWNE, Officiating Under Secretary to the Government of India, to the Secretary to the Government of Fort Saint George, dated Fort William, the 31st December 1860, No. 6,227.

Foreign Department.

I am directed to forward for information and guidance, the accompanying extract (paragraph 33) from a Despatch from Her Majesty's Secretary of State for India under date the 29th September last, No. 76.

Extract from a Despatch from Her Majesty's Secretary of State for India, to His Excellency the Right Honorable the Governor General of India in Council, in the Political Department, No. 76, dated London, the 29th September 1860.

Paragraph 68. Rewards conferred on the Zimindar of Byree for his loyalty.

Paragraph 33. I agree with the Lieutenant Governor and the Acting Magistrate of Cawnpore, that there are serious and valid objections to entertaining "after the proper time" claims to reward for service rendered during the mutinies, except in circumstances demonstrative of the claimant's inability to prefer them at an earlier period; and although, as the Lieutenant Governor justly observes, no time within which such claims are to be submitted has hitherto been fixed, I am of opinion that the preferment of claims at an unreasonable period after the alleged service was rendered should meet with discouragement from the local Officers.

(True Extract.)

(Signed) H. U. BROWNE,
Offg. Under Secy. to the Govt. of India.

No. 103. ORDER THEREON, 22nd January 1861, No. 54.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 104. Read the following letter from V. H. LEVINGE, Esq., Political Agent of Poodoocottah, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Madura, 4th December 1860, No. 109.

1. I have the honor to submit my Report on the administration of the state of Poodoocottah for Fasli 1269.

2. Subjoined is a Statement of the gross extent of land and the portion actually brought under tillage during the Fasli under report.

Ayacut.	Vailies.	Mahs.	Goolies.
Gross extent including Poremboke, &c.....	1,00,446	19	3
DEDUCT.			
Poremboke and uncultivated portion of the cultivable lands.....	32,893	4	26
Shrotriem, entire Enam, Endowments of Devastanoms, Jaghir, &c., lands.....	47,959	19	77
Balance, cultivated Sirkar lands.....	19,593	15	0

3. In Fasli 1269 there is a falling off of the revenues of the State amounting to Rupees 12,452-11-9, which is explained as under:

Items.	1,269.			1,268.			Increase.			Decrease.		
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Land Revenue...	2,68,369	14	4	2,66,755	7	7	1,614	6	9	.....	...	...
Extra sources of Revenue exclusive of interest on loan....	20,520	15	6	17,019	14	4	3,501	1	2	.....	...	...
	2,88,890	13	10	2,83,775	5	11	5,115	7	11	.....	...	...
Interest on Bengal loan.....	2,574	12	4	20,143	0	0	.....	...	...	17,568	3	8
Total.	2,91,465	10	2	3,03,918	5	11	5,115	7	11	17,568	3	8
										Deduct Increase.....	5,115	7	11
										Net Decrease.....	12,452	11	9

4. There is an increase of 5,115-7-11 in land and extra sources of revenue chiefly derived from earth salt. The decrease in interest is owing to arrears of interest up to Fasli 1267 having been collected and carried to account in Fasli 1268.

5. As required by paragraph 6 of the Extract from a Despatch from the Right Honorable the Secretary of State for India, dated 24th November 1859, I beg to forward an Abstract Statement showing the settlement of different items in the Fasli under report in comparison with the preceding year 1268.

Proceedings of the Madras Government, 6th January 1860, *No.* 12.

6. At the close of the Fasli, there was a balance of revenue amounting to Rupees 99,133-11-7, of which Rupees 78,049-2-1, is the value of the Mailwaram share of the produce, which will be collected according to the proper instalments; Rupees 5,719-13-9 is the value of earth salt remaining unsold; Rupees 15,364-11-9 forms part of the ready money collections. Measures have been adopted to effect an early realization of this balance.

7. The actual money collections of the Fasli amount to Rupees 7,44,595-9-11, as shown below:—

	Rs.	A.	P.
Land Revenue....	1,75,931	2	1
Extra Sources of Revenue...	5,450	0	9
Sundries.....	10,950	11	9
Refunds of advances.....	7,540	6	11
Devastanoms.....	2,76,981	3	10
Value of articles received on credit.....	5,495	11	8
Borrowed from Devastanoms.....	10,000	0	0
Collections of the arrears of the former Faslis....	70,889	8	6
	5,63,238	13	6
Balance in the Treasury at the end of the last Fasli.	1,81,356	12	5
Total...	7,44,595	9	11

8. The expenditure on the other hand is as follows :—

Current expenses.....				2,06,747	8 11
Extra collections repaid.....				120	15 6
Advances....				915	7 10
Devastanoms, &c.				1,50,531	12 3
Paid in liquidation of public debts.				1,01,200	0 0
Do. of Rengum Pullava Row....				388	2 0
Do. of the Raja's fresh private debts..... ...				3,809	13 3
Paid on account of articles purchased on credit...				3,879	12 0
Debts repaid to Devastanoms...				10,000	0 0
*In cash... 47,292-8-7	Balance { Ayen.....	99,658	14 3*	2,67,002	2 2
*In kind... 52,366-5-8		Amanut....	1,67,343	3 11	
99,658-14-3				7,44,595	9 11

9. From the Minister's Report, it appears that during the Fasli under report, though there was a decrease of Rupees 12,030-13-8 under certain items of expenditure, the schedule was exceeded by Rupees 39,286-4-5, a part of which, viz. Rupees 10,266-3-9 was spent on account of the dearness of articles of consumption and for the batta of convicts, &c.; whilst other items amounting to Rupees 29,020-0-8 have been incurred with the sanction of the Political Agent on account of Public Works, and the Raja's tour to Madura to visit His Excellency the Honorable the Governor, &c. I should observe here with great pleasure that the Raja has not during the year under report exceeded the fixed amount under the heads of "Hoozur expenses" and "Manoverty allowances."

10. It appears that of Rupees 63,443-11-5 which consisted of the balance of Public Works estimated at the end of Fasli 1268 and the sum estimated during the Fasli under report, Rupees 45,544-15-2 were advanced for repair of roads and sources of irrigation, and that works to the amount of Rupees 23,092-9-3 have been executed. The remaining works will be completed as early as possible.

11. I beg to annex a Statement showing the progress made in the liquidation of the old debts from the date of the last Report to the 30th September 1860.

1	2	3	4	5	6	7			8
						Liquidated.			
Description.	Principal.	Interest.	Total.	Discount.	Remainder.	Up to 30th Sept. 1859.	From 1st Oct. 1859 to 30th Sept. 1860.	Total.	Balance.
Public Debts.....	1,50,609	...	1,50,309	1,849	1,48,760	93,075	51,900	1,44,975	3785
Raja's Private Debt.....	1,02,817	30,747	1,33,564	9,908	1,23,656	1,23,206	450	1,23,656	...
R. Trimul Tondiman Sahib's do	97,122	19,838	1,16,960	27,740	89,220	89,220	...	89,220	...
Rengum Pullava Row's do.....	1,02,743	32,912	1,35,655	27,438	1,08,217	1,01,314	1,447	1,02,761	5456
Total....	4,53,291	83,497	5,36,788	66,935	4,69,853	4,06,815	53,797	4,60,612	9241

12. It appears that Rupees 51,900 have been paid in satisfaction of the public debts, that the balance of Rupees 3,785 is to be struck off the accounts, as on inquiry the Minister finds that sum not to be legally due, and that the balance of Rupees 5,456 still due on account of the debts of Rengum Pullava Royer will be settled on the appearance of the creditors.

13. With reference to the concluding part of para. 17 of the Report for Fasli 1,268, I beg to state that besides the sum of Rupees 5,000 paid last year in part liquidation of 22,000 Rupees due to Devastanom by R. Trimul Tondiman Sahib, Rupees 21,063-3-6 have been this year paid from the funds of his Jaghir in entire discharge of the debts and the interest the reon at 4 per cent.

14. The Minister reports that in satisfaction of the debts incurred by the Raja subsequent to 1854, Rupees 3,809-13-3 have been paid to two petty creditors, they having consented to a discount of 35 per cent., and that arrangements are going on in regard to the settlement of the whole of these debts.

15. He further states that Rupees 13,978-6-7 were also paid in liquidation of the debt of R. Trimul Tondiman Sahib at a discount of 50 per cent.

16. The subjoined Statement shows the state of the files and disposal of Suits by the Courts at Poodoocottah from 1st August 1859, to 30th July 1860.

Names of the Courts.	Balance on the 31st July 1859.	No. of Suits received from 1st Augt. 1859 to 31st July 1860.	Total.	Disposed of.				Balance.
				Dismissed.	By Razeenamah.	Decreed on merits.	Total.	
Civil Court { Original	117	187	304	62	26	85	173	131
Civil Court { Appeal	80	72	152	33	...	59	92	60
	197	259	456	95	26	144	265	191
Mudrita Sabhay	925	1,431	2,356	763	28	661	1,452	904
Court of Small Causes of Debts	860	1,834	2,694	1,289	122	466	1,877	817
Total of 3 Courts	1,982	3,524	5,506	2,147	176	1,271	3,594	1,912

17. The above Statement would show that the monthly average number of Suits decided on merits by the Civil Court was 12 against 10 in last year; by the Sub Court, 55 against 56; and in the Court of Small Causes, 39 against 40. From the Ministers Reports for Faslis 1268 and 1269, he seems to be of opinion that the Judges of the Civil Court should as usual dispose of cases jointly, and that the fixed number of Suits to be decided by them should be 10. I agree with the Minister that to ensure impartiality and justice, it is advisable that the Judges should sit together and jointly decide the cases that come before them; but I think that they should be obliged to decide at least 15 Suits per mensem.

18. The state of the Sub-Court or Mudritta Sabhay is by no means satisfactory. The Minister considers the delays to be caused more by the constitution of the Court than the inefficiency of the Judges, and hopes that all evils complained of will prove to have been removed by the giving effect to the advice of my predecessor to divide the Taluqs of the State between the 3 Judges of this Court and requiring them to decide cases separately, as well as by the introduction of the new Code of Procedure embodied in Act VIII of 1859. It is trusted that this modification will enable the Judges to dipose of a greater number of Suits at 20 or 30 a month by each Judge.

19. In reconciliation of paragraph 7 of the Proceedings* of Government on the Report for Fasli 1268, I beg at the request of the Minister to bring to the notice of Government that the number of Suits therein said to have been disposed of on merits by the Judges of the Courts embraces a period of only 7 months from January to July 1859, as would appear from paragraph 18 of that Report, and not for 12 months as the Government seem to have calculated.

* 20*th April* 1860, *No.* 246.

20. The following is an abstract of cases received and disposed of by the Criminal Court from August 1859 to the end of July 1860.

1	2		3		4		5	6	7		8		9	10
Crimes.	Balance on the 31st July 1859.		No. of Cases received from 1st August 1859 to the end of July 1860.		Total.		No. of persons convicted.	No. of persons released.	Total.		Remaining undecided.		Persons in Column 5 actually punished.	Balance.
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.			Cases.	Persons.	Cases.	Persons.		
Murder and Homicide...	0	0	3	12	3	12	9	3	3	12	0	0	9	0
Heinous cases	2	8	21	54	23	62	18	36	21	54	2	8	18	0
Petty cases.....	1	1	27	43	28	44	24	18	26	42	2	2	24	0
	3	9	51	109	54	118	51	57	50	108	4	10	51	0

21. The state of the Criminal Court does not appear to me to call for any particular remark. The above Statement shows that during the period alluded to, 50 cases consisting of 108 persons have been disposed of, and that there remains a balance of 4 cases undecided.

22. I beg to submit a Statement showing some account of the sentences inflicted by the Criminal Court as required by paragraph 8 of the Minutes of Consultation of Government, dated 18th May 1858.

23. The subjoined is an Abstract Statement of the Raja's Appeal file.

No. of Appeals outstanding on the 31st August 1859.	Received from 1st September 1859, to 31st August 1860.	Total.	Disposed of from Sept. 1859, to August 1860, both inclusive.	Balance.
33	50	83	50	33

24. With reference to that part of paragraph 26 of Mr. Clarke's Report for Fasli 1268 and the concluding part of paragraph 8 of the Order of Government thereon which relate to the adjudication of the Suits within 500 Rupees by the Judges of the Mudritta Sabhay and to the right of special appeals, I beg to annex the following 2* paragraphs embodied in the Minister's Report for the Fasli under review, from which it would appear that the Raja does not think it necessary to make any modifications in the present system of special appeals, and that the pecuniary jurisdiction of the Mudritta Sabhay should only be raised from 125 to 250 Rupees.

* *Paragraphs 37 and 38.*

Paragraph 37. "In regard to that portion of paragraph 8 wherein the Government approve "of the late Political Agent's suggestion as to raising the pecuniary jurisdiction of the Judges of "the Mudritta Sabhay to Rs. 500, I beg to observe that when the circumstances and condition "of the people of this country are taken into consideration, the adoption of the above proposal "will not I believe be attended with any benefit. It would but serve vastly to accumulate the "business before the Judges of the said Court so heavy as to necessitate the appointment of "additional Members, while those of the Civil Court will have to complain of its want. I also "called for the accounts of the last 5 years on record of the Civil Court and examined, but have

"scarcely been able to find a year in which the number filed of Suits above the sum of Rupees "500 went beyond 43. For these reasons, the Maharaja deems it desirable that the jurisdiction "of the Judges of the Mudritta Sabhay should only be extended from Rupees 125 to Rupees "250 as already proposed by me in the concluding part of paragraph 34 of my Report for last "Fasli; and I trust this would meet with your approbation."

Paragraph 38. "In reference to the opinion expressed by Mr. Clarke as to the restriction "within narrow limits the right of appeals, I beg to state that the system now followed cannot "but be an efficient check both on the Judges as well as the Prosecutors; for while it will be "conducive to the more careful dispensation of justice on the former, the fear of detection of "litigation and the frivolousness of their Suits in the special appeal (though they may probably "escape the first one) cannot fail to work more strongly on the minds of the latter than it could "otherwise be expected. In this point of view, the Maharaja deems it unnecessary to make "any modification in the present system. I trust you will coincide in this opinion of the "Maharaja."

25. With reference to the above observation of the Minister, I beg to state that the reasons assigned by him for maintaining the long standing system of special appeal with the only modification of raising the pecuniary jurisdiction of the Mudritta Sabhay from Rupees 125 to 250 appear to me satisfactory, especially when added to the fact that by the Raja's directly receiving all appeals from the decisions of both the Mudritta Sabhay and Nyaza Sabhay, it would tend to accumulate arrears in his Court, and cause delay in the disposal of cases to the great inconvenience of parties. I have therefore taken the liberty of submitting the same for the favorable consideration of Government.

26. I took charge of Poodoocottah Political Agency on the 7th May last, and have therefore nothing to remark on the conduct of the Raja.

Abstract of the Settlement of the Poodoocottah State for

	Settlement of Fasli 1268.										Settlement			
	Extent of Land.				Quantity of produce.			Amount value of produce, money rent, &c.			Extent of Land.			
	Vailies.	Mahs	Goolies		Coloms.	Mercals		Rs.	A.	P.	Vailies.	Mahs	Goolies	
Land Revenue.														
Warapat. Nunsey.....	1,447	10	54	13½	52,350	1	4	78,749	7	9	1,551	4	81	9
Warapat. Punsey.....	1,071	8	24	10	7,675	5	0	9,033	1	4	1,225	5	30	11½
	2,518	18	79	7½	60,025	6	4	87,782	9	1	2,776	10	12	4½
Teerwapat. Nunsey.....	1,524	12	44	15¼	...	...	..	27,105	1	2	1,541	10	35	9
Teerwapat. Punsey.....	3,823	3	74	11¾	...	...	...	29,388	2	5	4,068	14	81	1
	5,347	16	19	11	...	...	...	56,493	3	7	5,610	5	16	10
Total.....	7,866	14	99	2½	...	...	..	1,44,275	12	8	8,386	15	28	14½
Money rents.....	...	...	...	...	...	...	...	77,705	9	4	...	...	...	...
Do. to servants in lieu of salary.....	...	...	...	...	...	...	...	17,323	2	8	...	...	...	...
Shrotriem tax...	...	...	...	...	...	...	...	4,766	5	4	...	...	...	...
Sundry taxes.....	...	...	...	...	...	...	...	21,904	11	11	...	...	...	...
Quit rent on Jaghir lands...	...	...	...	...	...	...	...	779	13	8	...	...	...	..
Total including Warapat and Teerwapat..... ..	...	...	...	...	...	...	...	2,66,755	7	7	...	...	...	...
Extra Sources of Revenue.														
Earth Salt in Amani.....	...	...	...	...	...	...	...	400	8	0	...	...	...	...
Abkarry in do. ...	...	...	...	...	...	...	...	5,807	12	6	...	...	...	...
Jungle rent.....	...	...	...	...	...	...	...	440	15	8	...	...	...	...
Constable..... ...	...	...	...	...	...	...	...	216	14	11	...	...	...	...
Fee on Jeevitom lands for tank repair.....	...	...	...	...	...	...	...	700	1	8	...	...	...	...
Fines and forfeitures... ..	...	...	...	...	...	...	...	2,777	12	8	...	...	...	...
Gain by prices...	...	...	...	...	...	...	...	6,675	12	11	...	...	...	...
	...	...	...	...	...	...	...	17,019	14	4	...	...	...	...
Total Land and Extra Sources of Revenue....	...	...	...	...	...	...		2,83,775	5	11	...	...	...	...
Interest on Bengal loan....	...	...	...	...	...	...	...	20,143	0	0	...	...	...	...
Grand Total.....	...	...	...	...	...	...	...	3,03,918	5	11	...	...	...	...

Madura,

4th December 1860.

Fasli 1269 *in comparison with Fasli* 1268.

OF FASLI 1269.						COMPARISON.						
Quantity of produce.			Amount value of produce, money rent, &c.			Increase.			Decrease.			
Coloms	Mercals		RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	
61,065	10	10	75,379	3	1	...	...	...	3,370	4	8	
10,050	11	4	8,670	4	7	...	...	...	362	12	9	
71,116	9	14	84,049	7	8	...	...	...	*3,733	1	5	* The quantity of produce from these lands was larger than that of the last year, but the decrease of Revenue is owing to the fall of prices.
...	...	...	27,331	5	8	226	4	6	...	...	...	
...	...	...	31,519	11	5	2,131	9	0	...	...	...	
...	...	...	58,851	1	1	†2,357	13	6	...	...	...	† A considerable portion of waste lands was brought under cultivation and assessed. Hence the increase.
...	...	...	1,42,900	8	9	2,357	13	6	3,733	1	5	
...	...	...	80,258	4	7	2,552	11	3	...	...	...	This increase is owing to certain villages having been leased out at higher rates of rents.
..	...	...	17,297	15	4	...	...	...	25	3	4	
...	...	...	4,797	3	4	30	14	0	...	...	...	
...	...	...	22,336	0	8	431	4	9	...	...	...	
...	..	..	779	13	8	...	...	...	...	...	...	
...	...	...	2,68,369	14	4	5,372	11	6	3,758	4	9	
...	...	...	5,719	13	9	5,319	5	9	...	...	...	
...	...	...	5,795	12	11	...	...	...	11	15	7	
...	...	...	411	7	0	...	...	...	29	8	8	
...	...	...	217	14	5	0	15	6	...	...	...	
...	...	...	803	6	11	103	5	3	...	...	..	
...	...	...	2,327	13	3	...	...	...	449	15	5	
...	...	...	5,244	11	3	...	...	...	1,431	1	8	
...	...	...	20,520	15	6	5,423	10	6	1,922	9	4	
...	...	...	2,88,890	13	10	10,796	6	0	5,680	14	1	
...	..	...	2,574	12	4	...	...	...	17,568	3	8	
...	...	...	2,91,465	10	2	10,796	6	0	23,249	1	9	

(Signed) V. H. LEVINGE,
Political Agent.

Statement giving some account of the sentences inflicted by the Criminal Court at Poodoocottah, from 1st August 1859 to 31st July 1860.

Number of cases.	Names of the Prisoners.	Particulars of the charge.	Sentence.	Date of the Sentence.	Remarks.
42 of 1859	Vulleyammay ..	House-breaking and theft.	The prisoner on conviction was sentenced to imprisonment for 10 months with labor under Clause VI, Section II, Regulation VI of 1822.	7th Aug. 1859.	
45	Veeruppen a convict in the Jail.	With having escaped when he had been taken out for work.	Sentenced to an additional imprisonment of 18 months with hard labor in irons under Clause II, Section V, Regulation VI of 1822.	17th do.	
43	Coottien	House-breaking and theft.	Sentenced to imprisonment for 7 years with hard labor in irons under Section XXI, Regulation VII of 1802.	20th do.	
44	Nullan and another.	The 1st charged with house-breaking and theft, and the 2nd, with having knowingly received the said stolen property	The two prisoners were sentenced to imprisonment, the first for 2 years under Clause VI, Section II, and the 2nd for one year under Clause IV, Section IV, Regulation VI of 1822, with hard labor in irons.	22nd do.	
40	Veeran and 6 others.	Gang robbery and receiving plundered property.	The prisoners 1 to 5, who were convicted of the charge were sentenced to imprisonment for 14 years with hard labor in irons under Clause III, Section IV, Regulation XV of 1803, the 6th and 7th being released for want of proof.	23rd do.	Mitigated by the Maharaja to 8 years.
46	Rengun Calody.	House-breaking and theft attended with aggravating circumstances.	Sentenced to 3 years' imprisonment with hard labor in irons under Clause IV, Section II, Regulation VI of 1822.	24th Sept.	
47	Carooppen Semmutty.	House-breaking and theft attended with aggravating circumstances.	Convicted of simple house-breaking and theft and sentenced to one year's imprisonment with hard labor in irons under Clause VI, Section II, Regulation VI of 1822.	26th Oct.	
52	Auvady, a Taluq Peon.	Culpable neglect at the escape of a prisoner.	Sentenced to suffer imprisonment for 2 months under Clause I, Section XI, Regulation XIII of 1832.	27th do.	
53	Ramasawmy ...	Culpable neglect at the escape of a prisoner.	Sentenced to suffer imprisonment for 2 months under Clause I, Section XI, Regulation XIII of 1832.	29th do.	
49	Parecheya Pilly.	Culpable Homicide.	Released for want of proof	31st do.	
50	Mooroogun and another.	House-breaking and theft.	Sentenced the 1st prisoner to one year's and the 2nd to 7 months' imprisonment with hard labor in irons under Clause VI, Section II, Regulation VI of 1822.	Do.	
55	Annamaly	Murder	The prisoner who was only convicted of culpable Homicide was sentenced to 18 months' imprisonment with hard labor in irons under Clause II, Section XV, Regulation VII of 1802.	23d Nov.	

Statement giving some account of the sentences inflicted by the Criminal Court, &c.,—(Continued.)

Number of cases.	Names of the Prisoners.	Particulars of the charge.	Sentence.	Date of the Sentence.	Remarks.
54	Pullanachy	Gang robbery.....	Sentenced on conviction to 14 years' imprisonment with hard labor in irons under Clause III, Section IV, Regulation XV of 1803.	29th Nov.	Mitigated by the Maharaja to 8 years.
51	Sadayen	Gang robbery.....	Sentenced on conviction to 14 years' imprisonment with hard labor in irons under Clause III, Section IV, Regulation XV of 1803.	Do. ...	Mitigated by the Maharaja to 6 years.
57	Ramasawmy and another	The 1st with theft, and 2nd with having received and retained possession of the stolen property.	The prisoners were convicted only of misdemeanor in having found out property and retained possession thereof without delivering them to the proper authorities or to owner even after the proclamation to that effect, and sentenced the 1st to 6 months' and the 2nd to two months' imprisonment under Section VII, Regulation X of 1816.	Do. ...	
56	Kaloovan Tet toovanfdon.	Assault	Released for want of proof.	Do. ...	
61	Oala *alias* Pareyel.	Theft.....	Sentenced on conviction to one year's imprisonment with labor under Clause IV, Section III, Regulation VI of 1822.	30th Nov.	
71	Nullan.....	Attempt at housebreaking.	The prisoner who was convicted both in this and in the following case, No. 72, was sentenced to suffer 50 stripes with cat-o'-nine tails and imprisonment for 2 years with hard labor in irons under Clause VI, Section II, Regulation VI of 1822.	19th Dec.	
72	Nullan.....	Cattle stealing	The prisoner was convicted, but his culpability having been taken into consideration in the foregoing case, No. 71, no separate sentence was recorded in this.	Do. ...	
70	Carooppen	Theft	Sentenced on conviction to 6 months' imprisonment with hard labor in irons under Section VII, Regulation X of 1816.	21st do.	
73	Mootten and 3 others.	Theft	Three of these prisoners were convicted, the 2nd and 3rd being old offenders were sentenced to 18 months' and the 1st to 10 months' imprisonment with hard labor in irons under Clause IV, Section III, Regulation VI of 1822, the 4th being released for want of proof.	Do. ...	
41	Oaganthatchy Candavaran.	Gang robbery	Sentenced to 14 years' imprisonment with hard labor in irons under Clause III, Section IV, Regulation XV of 1803.	24th do.	Mitigated by the Maharaja to 6 years.
69	Veeran.....	House-breaking and theft.	Sentenced to one year's imprisonment with hard labor in irons under Clause VI, Section II, Regulation VI of 1822.	25th do.	
64	Malayappa Raugien and another	Arson.....	Released for want of proof.	26th do.	

Statement giving some account of the sentences inflicted by the Criminal Court, &c.,— (Continued.)

Number of cases.	Names of the Prisoners.	Particulars of the charge.	Sentence.	Date of the Sentence.	Remarks.
65	Malayappa Raugien and 7 others.	Theft.....	Released for want of proof.....	26th Dec.	
66	Teetteyappen and another.	Theft and receiving the stolen property with guilty knowledge.	On account of the strong suspicion appearing against the 1st prisoner he was sentenced to find a security in Rupees 100 for one year for good behaviour and appearance. The 2nd released unconditionally.	Do. ...	
67	Teetteyappen and another.	Theft	Released for want of proof	Do. ..	
68	Teetteyappen ...	Attempt at suicide...	Released for want of proof.....	Do. ...	
59	Moawatieria Veeran.	Gang robbery	Released for want of proof.....	27th do.	
60	Mooniathera Veeran.	Gang robbery	Sentenced on conviction to imprisonment for 14 years with hard labor in irons under Clause III, Section IV, Regulation XV of 1803.	Do. ..	Mitigated by the Maharaja to 7 years.
74	Ramasawmy, Police Peon.	Connivance at the escape of a prisoner.	Released for want of proof.....	Do. ..	
58	Sinnan and 16 others.	Gang robbery	The prisoner No. 17 was convicted, and his criminality having been taken into consideration in the following case No. 63, no specific sentence was recorded in this. The 16 others were released for want of proof.	31st do.	
63	Carooppen and 5 others.	Gang robbery	Of these prisoners, the 4th who was also convicted of robbery in the preceding case No. 58, and 1st, 2nd, 3rd and 6th, were convicted and sentenced each to 14 years' imprisonment with hard labor in irons under Clause III, Section IV, Regulation XV of 1805, the 5th being released for want of proof.	Do. ...	Mitigated by the Maharaja in favor of the 1st, 2nd, 3rd and 6th prisoners to 7 years.
48	Veerabadra, Tettoovaudan and 5 others.	Gang robbery	Released for want of proof.....	17th Jan. 1860.	
6 of 1860	Palanyandee ...	Escape from the Police Custody while under inquiry.	Sentenced to imprisonment for 6 months with had labor in irons under Clause III, Section V, Regulation VI of 1822.	25th do.	
3	Pareyan	Cattle stealing	The suspicion which attaches against the prisoner in this case having been taken into consideration in the following case No. 5, in which he stands convicted, no separate sentence was deemed necessary.	28th do.	
4	Do.	Theft.....	Acquitted of for want of proof.	Do. ...	
5	Do.	Escape from the Custody of Police while under examination.	Sentenced on conviction to 6 months' imprisonment with hard labor in irons under Clause III, Section V, Regulation VI of 1822.	Do. ...	
1	Mootten	House-breaking and theft.	Sentenced to 18 months' imprisonment with hard labor in irons under Clause VI, Section II, Regulation VI of 1822.	31st do.	

Statement giving some account of the sentences inflicted by the Criminal Court, &c.,—(Concluded.)

Number of cases.	Names of the Prisoners.	Particulars of the charge.	Sentence.	Date of the Sentence.	Remarks.
2	Caroppen	Gang robbery.....	Held to security in Rupees 150 for good behaviour and appearance when required for the term of one year on account of the strong suspicion attaching against him.	18th Feb.	
7	Soosay Odyan and another.	Arson.....	Sentenced on conviction to one year's imprisonment with hard labor in irons under Clause VII, Section II, Regulation XV of 1803.	23rd do.	
10	Kamachy and 2 others.	Wounding with intent to kill.	The 1st and 3rd prisoners were on account of suspicion appearing against them, held to find a security in Rupees 50 each for good behaviour and appearance when required, for the term of 6 months, the 2nd being released for want of proof.	28th Mar.	
9	Veerappen	Cattle stealing	Released for want of proof.....	29th do.	
8	Mooroogappen Moodely and 3 others.	Gang robbery	The prisoners against whom a strong suspicion was attached were held to find a security each in Rupees 100 for good behaviour and appearance when required for the term of one year.	31st do.	
12	Adaken and another.	Cattle stealing and receiving and retaining possession of the said stolen property with guilty knowledge.	Sentenced on conviction, the 1st prisoner for 6 months and the 2nd to 4 months' imprisonment with labor in irons under Section VII, Regulation X of 1816.	16th Apr.	
62 of 1859	Palanyandee and 9 others.	Robbery and murder.	The 1st, 2nd, 3rd, 5th, 7th, 8th, 9th and 10th prisoners were convicted and sentenced by the Maharaja to be imprisoned; the 7th and 9th, who were proved to have inflicted the fatal blow, for the period of their natural life; and 1st, 2nd, 3rd, 5th, 8th and 10th prisoners for 10 years with hard labor in irons; while the remaining 4th and 6th prisoners on whom strong suspicion attached were held to find a security in Rupees 150 each for good behaviour and appearance when required for the term of one year.	14th May	
13	Komaramalavaren.	Gang robbery	Released for want of proof.....	10th June	
14	Kora Veeran ...	House-breaking and theft.	Convicted only of a simple theft and sentenced to 5 months' imprisonment with labor in irons under Section VII, Regulation X of 1816.	13th do.	
16	Palany	Gang robbery	Released for want of proof.....	30th do.	
18	Parechynayaken	Breach of Salt rules.	The prisoner was sentenced to pay a fine of 10 Rupees commutable in default to imprisonment for 20 days under Section XVIII, Regulation I of 1805.	15th July	

(Signed) ANNASAWMIAH, *Sirkele.*

(True Copy.)

(Signed) V. H. LEVINGE, *Political Agent.*

No. 105. ORDER THEREON, 23rd January 1861, No. 55.

1. The Political Agent submits his annual report on the administration of the Pudukotta State during fusly 1269 (1859-60.)

2. The year seems to have been an average one.

Paragraph 3. 3. The settlement fell short of that for fusly 1268 by Rupees 12,452. This is accounted for by the fact that in fusly 1269, only *one* year's interest upon Government securities was drawn, while in fusly 1268, the realization, and entry in the accounts, of undrawn arrears for *several* previous years contributed to swell the amount of the year's revenue. The revenue from land and extra sources, excluding the above item, shows an increase of Rupees 5,115.

Paragraph 4.

Paragraph 3.

Paragraph 6. 4. The arrears of Revenue outstanding at the close of the fusly amounted to Rupees 99,133, being made up of the following items:

(1.)	Value of Mélwáram share of the produce, under collection by instalments.....	Rupees 78,049
(2.)	Outstanding arrears under the head 'Ready Money'.....	,, 15,364
(3.)	Value of Earth-salt remaining unsold.....	,, 5,720
		Rupees 99,133

The Government do not gather what amount of arrears for *former* years is still outstanding. This information should be given in future reports.

Paragraph 7. 5. The total actual receipts from all sources, together with the balance brought forward from the previous year, amounted to Rupees 7,44,595, being nearly 2 lacs in excess of the receipts* and balance* in fusly 1268. Three-fourths of this increase appears to have been derived from the Dévastánam lands. The Government observe that the balance brought forward from fusly 1268 is Rupees 1,81,357. A portion of this was entered in the accounts for that year as being *in kind*. From the *whole amount* being now carried forward under the head 'balance in the Treasury at the end of the last fusly,' it is presumed that the produce has been since converted into cash at the valuation then made.

** Rupees 5,50,580.*

From Political Agent, dated 13th December 1859. No. 124, paragraph 12.

Paragraph 8. 6. The disbursements for the year amounted to Rupees 4,77,593, thus leaving a surplus, in excess of expenditure, of Rupees 2,67,002. This surplus is entered as follows:

'Ain.....	Rupees 99,659
Amánat.....	,, 1,67,343
	Rupees 2,67,002

the 'Ain being the Sirkar surplus, the Amánat the amount to the credit of the fund held by the Pudukotta State in trust for the Dévastánams and Chuttrums.

Paragraph 9. 7. The excess of expenditure over the fixed Schedule is satisfactorily accounted for. It is gratifying to learn that during the year under review the Raja has not exceeded the limit prescribed for Huzur expenses and Manovarti allowances.

Paras. 11 to 15. 8. The Government receive with great pleasure the announcement that the whole of the registered debts of the Raja, and of his brother Tirumal Tondiman, have been liquidated with the exception of a small item still due on account of the debts of Rangan Pallava Rayar which will be settled on the appearance of the creditors.

9. The working of the Civil Courts does not show to better advantage than in previous years. As however the Order* in the Political Department giving instructions respecting them could not have been received until near the close of the year to which this report refers, the Government will only express a hope that the substitution of the procedure laid down in Act VIII of 1859, for the antiquated and cumbrous forms hitherto observed, and the other changes alluded to in paragraph 18, will bring about an improvement in the administration of justice.

* *Proceedings of Government, 20th April 1860, No. 246.*

10. In paragraph 24, the Political Agent submits extracts from a letter in which the Minister makes observations upon the changes recommended in paragraph 26 of the report for fusly 1268 and approved in paragraph 8 of the Government Order. The Minister states that the effect of raising the jurisdiction of the Mudrita Sabhai to Rupees 500, would be to overwhelm that Court with work, and to necessitate the appointment of additional Judges, and he intimates that the Raja is opposed to the change. Under this representation, and in view of the additional fact brought to notice, that the higher Court would be left with comparatively little business, the Government will not object to the limit of jurisdiction for the lower Court being fixed at Rs. 250, instead of Rupees 125, as at present. This extension, however, of the Court's powers will effect little improvement in the transaction of business and the prevention of delay, if the restrictive rules in respect to special appeals, as approved in the Government Order above referred to, be not adopted. The late Agent, Mr. Clarke, observes on this point—"The only part of this Code (Act 8 of "1859) that appears to me to be wholly unsuited to "Pudukotta are the rules concerning special appeals. On general grounds it seems desirable to "restrict within narrow limits the right of appeal: litigation and frivolous prosecution of suits "being prevalent faults in the country. The capacity of the Judges of the Supreme Tribunal "of Pudukotta as Jurists or Lawyers to correct errors in point of law or procedure is more than "questionable." He then proposes to divide the *original* jurisdiction between the two Courts, and adds "there would then be only one appeal to the Raja's Court, and no room for a special appeal." This view has been approved by the Secretary of State for India, and the Government do not feel disposed to revert to the old system unless it should be found by actual experience that the Raja is unable to undertake all the cases that come up in appeal before him. The Agent will state in future reports how the arrangement appears to answer.

Report for Fusly 1268, *paragraph* 26.

Despatch, dated 7th July 1860, *No.* 24, *para.* 6.

(Signed) T. PYCROFT,
Chief Secretary.

No. 106. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th January 1861, No. 81.

I have the honor to report with reference to Proceedings of Government, No. 739, dated 20th December last, paragraph 7, and the Order therein from the Right Honorable the Secretary of State dated 8th November 1860, No. 18, paragraph 9, requesting explanation might be furnished as to whether the Dewan of the Durbar had acted "*bonâ fide*" in submitting the name of the Memorialist Usmut Oon Nissa Begum as a pensioner.

2. As the servants and dependants of the Nabob for whom pensions and gratuities were to be awarded were 3,800 in number, some errors of opinion and fact could not but occur in the lists enumerating them and I have full belief that in returning Memorialist as a pensioner Mudar ul Umrah Bahadoor did so in good faith.

No. 107. ORDER THEREON, 23rd January 1861, No. 56.

Ordered to be brought to the notice of the Secretary of State for India with reference to paragraph 9 of his Despatch, dated 8th November last, No. 18.

(Signed) T. PYCROFT,
Chief Secretary.

No. 108. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to Colonel R. CREWE, Private Secretary to the Honorable the Governor, dated 8th January 1861, No. 25.

I have the honor to request the favor of your submitting to the Honorable the Governor the enclosed letter from Rushid-ud-Dowlah Bahadoor, uncle of His Highness the late Nabob, and half brother of His Highness Azim Jah Bahadoor. In this he requests permission to reside permanently at Mecca, and draw his stipend here (of Rupees 2,000 per mensem as No. 1,308) through an authorized Vakil on periodical existence Certificates, who will arrange for the payment of his debts.

Full name and titles.
Gholam Mahomed Hussain Khan Bahadur, Iyalut Jung, Rushid-ud-Dowla.

* *Requested to be returned.*

2. In a Persian letter* to my address also enclosed, this nobleman mentions that he will also make suitable arrangement for the servants to whom he has to attend.

† 1. *Extract Minutes of Consultation, dated 12th March* 1855.
1. *Proceedings of Government, No. 33, dated 16th January* 1859.
1. *Accountant General's Circular, No.* 2,141, *dated 28th February* 1859.

3. Under the Orders of Government as per margin,† it would have been competent for the Agency to have arranged with the Offices of Account and Audit for this leave, but I have thought that the Honorable the Governor, in consideration of the rank, and respectability of Rushid-ud-Dowlah Bahadoor, might, if the leave of absence be granted, deem it advisable to address a letter under the seal of Government, granting the leave which he asks which could serve as a passport for any little attentions to him that European authorities might be able to give.

4. I have the honor to recommend compliance with the request of Rushid-ud-Dowlah Bahadoor and recommend that, if granted, I be authorized to express the wish of Government that he will only avail himself of its sanction on arranging satisfactorily for his debts and dependants.

To the Honorable W. A. MOREHEAD, Esq., &c., &c., &c.

Governor of Fort Saint George,

HONORABLE SIR,

I beg most respectfully to bring to your notice that I intend proceeding to Mecca with my family and to make that place my permanent abode, therefore solicit your Honor's sanction to grant me permission to do so and to order my monthly stipend of Rupees 2,000 to be paid to my Vakeel who will be deputed as a trustee for the payment of my debts with a portion of my allowance and to remit the residue to me; further beg to request that I may be allowed to furnish every quarterly my existence Certificate from the authorities there, for which act of kindness, I shall ever remember with gratitude.

MADRAS,
7th January 1861.

(Signed) RUSSEED DOWLAH BAHADOOR.

Transferred to the Chief Secretary to Government, with 2 enclosures.

By Order,

(Signed) R. CREWE,
Private Secretary.

GOVT. HOUSE, GUINDY PARK,
9th January 1861.

No. 109. ORDER THEREON 23rd January 1861, No. 57.

The Honorable the Governor in Council is pleased, agreeably to the recommendation of the Government Agent at Chepauk, to permit Rushid-ud-Dowlah Bahadur,* Uncle by half blood to the late Nawab of the Carnatic, to proceed to Mecca and reside there permanently, his stipend of 2,000 Rupees a month being drawn at Madras through an authorized Vakeel on the production of periodical life Certificates.

* *Named and styled, Gholam Mahomed Hussain Khan Bahadoor, Iyalut Jung, Rushid-ud-Dowlah.*

2. Dr. Balfour will intimate to Rushid-ud-Dowlah Bahadur that the Government expect he will make satisfactory arrangements for the payment of his debts and the support of his dependants before his departure for Mecca under the leave now granted.

(Signed) T. PYCROFT,
Chief Secretary.

No. 110. Read the following letter from Messrs. RITCHIE and SHAW, Solicitors, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 16th January 1861.

We have the honor to forward herewith, a Memorial of Mahomed Sally Ebramjee of Madras, Merchant, to His Excellency the Governor in Council, and will be much obliged by your placing same before His Excellency in Council, at your earliest convenience.

To His Excellency the Governor in Council of Fort Saint George.

The humble Memorial of MAHOMED SALLY EBRAMJEE of Madras, Merchant, residing in Moor Street in Madras aforesaid.

Respectfully Sheweth,

That Gholam Mohummed Hoossain styled Rusheed ood Dowlah Gholam Mohummed Khan Bahadoor Iyalut Jung was in the year 1853 indebted to your Memorialist and his son, Ibraheem Jee, who is now residing at Singapore, in the sum of Rupees 1,434, for which sum, your Memorialist and the said Ibraheem Jee, on the thirtieth day of April 1853 obtained a judgment in the Meehakamah Court of his late Highness the Nabob of the Carnatic against the said Rusheed ood Dowlah Bahadoor.

That the said Rusheed ood Dowlah Bahadoor has since the date of the said judgment paid on account of the said debt several small sums amounting to the sum of Rupees seven hundred, leaving a balance of Rupees 734 still due on the said judgment.

That for the last three years such payments have been very small and very irregularly made and your Memorialist has been informed and believes it to be true that the said Rusheed ood Dowlah Bahadoor is now about proceeding to Mecca, with his family, with the intention of remaining there for some years, whereby your Memorialist will be debarred from receiving any further payments on account of the balance now remaining due.

That the said Rusheed ood Dowlah Bahadoor is one of the members of the family of the late Nabob of the Carnatic who were protected from the process of the Civil and Criminal Courts by Act 1 of 1844 and his name is entered in Schedule B. annexed to Act 37 of 1858, so that no action can be commenced or prosecuted and no writ or process sued forth against his person, goods or property on account of any cause of action which has accrued at a time preceding the commencement of the last mentioned Act, unless such action shall be commenced or such writ or process sued forth with the consent of the Governor in Council of Fort Saint George first had and obtained, such consent to be certified by one of the Secretaries to Government.

Your Memorialist therefore respectfully prays that your Excellency in Council will be pleased to grant your consent and permission under the said Act 37 of 1858, to an action being commenced and prosecuted and such writs and process as may be necessary or advisable being sued forth against the person, goods or property of the said Gholam Mohummed Hoossain styled Rusheed ood Dowlah Gholam Mohummed Khan Bahadoor Iyalut Jung, by your Memorialist and his son Ibraheem Jee or either of them as your Memorialist may be advised for the recovery of the amount remaining due by the said Rusheed ood Dowlah as aforesaid and the costs of such action and that such consent may be certified by the signature of one of the Secretaries to Government or that your Excellency in Council will make such other order in the premises as may secure the payment of the said debt by reasonable and punctually paid instalments or otherwise as to your Excellency in Council may seem fit.

And your Memorialist will ever pray, &c.

Madras, (Signed) MAHOMED SALLY EBRAMJEE.
18*th January* 1861.

No. 111. ORDER THEREON, 23rd January 1861, No. 58.

Referred to the Government Agent at Chepauk, who is requested to state what arrangements Rushid-ud-Dowlah proposes to make for the payment of his debts before his departure for Mecca under the leave lately granted to him.

(Signed) T. PYCROFT,
Chief Secretary.

No. 112. Read the following letter from JAMES SWAN, Esq., Colonial Secretary at Colombo, to the Chief Secretary to Government, Fort Saint George, dated 8th January 1861, No. 2.

Having laid before the Governor and the Executive Council your letters No. 496 of the 20th August, and No. 534 of the 6th September last, I am directed to transmit to you copies of letters received from the Auditor General here, and to acquaint you, for the information of the Honorable the Governor in Council, that His Excellency and the Executive Council have approved of the revised List of Kandyan Pensioners submitted by the Auditor General, for whose obsequies it is proposed to grant an allowance, and to request that the necessary instructions may be given by the Madras Government for the adoption of the same.

I am also to acquaint you that it has been decided by His Excellency and the Council that grants in-aid of marriage ceremonies should be given only to the persons named in the list, as recommended by the Auditor General.

From T. SKINNER, Esq., Acting Auditor General, to the Honorable the Colonial Secretary, Colombo, dated 21st November 1860, No. 624.

In compliance with the instructions contained in your letter, No. 706 of the 25th September last, I beg leave to submit for the consideration of His Excellency the Governor and the Executive Council, a revised list of the Kandian Pensioners, for whose obsequies it is proposed to grant an allowance.

In this list, I have omitted from the 2nd class the name of Soobah Nairaindrasawmy Naik, (late adopted son of the 2nd Ex-Queen) deceased, and have inserted in the 3rd class, the name of Vajayaraja-devi his widow.

I have transferred from the 2nd to the 3rd class, the name of Vencatasawmy Rajah, whose position in the 2nd class was objected to by the 1st and 4th Queens.

No. 288 of August 9, 1860. From the letter of the Government Agent of Tanjore, to the Chief Secretary to Government, Fort Saint George, and the Memorial of the Ex-Queens, there would appear to be doubts as to the legitimacy of the claim of Rungasawmy Naik to the distinction of being included in the list of Kandian Pensioners, for the expenses of whose obsequies provision is to be made by this Government, I have therefore withdrawn his name altogether until he shall have proved his relationship to the Royal family.

I have added to the 3rd class of the list, the name of Kristnasawmy Naik, brother of the 4th Ex-Queen, and also those of the other six persons recommended by Mr. Cadell, Government Agent of Tanjore, for the same indulgence.

The list will now contain,

1st class allowance	of	£150,	the third Ex-Queens.
2nd ,,	,,	£50,	three persons.
3rd ,,	,,	£20,	nineteen persons.

I should have complied with your letter, No. 706 of the 25th September last, at an earlier date, but that having framed the former list in conjunction with the Government Agent for the Central Province, I was anxious to secure his assistance in revising it, we are agreed on the list now submitted.

The enclosures of your letter are returned.

Revised Nominal List of Kandian Pensioners in the Madras Presidency, for the expenses of whose obsequies an allowance should be granted by the Ceylon Government.

No.	Class.	Amount of allowance.	Relationship to the Ex-King.	Name.	Age in 1860.	Amount of present monthly allowance.			Remarks.
						RS.	A.	P.	
1			1st Ex-Queen	Runga Naik Ummal...	83	99	8	0	
2	1st	£ 150...	3rd do.	Moodoo Cummevienummah	59	80	0	0	
3			4th do.	Chinnoosamalvo Ammah	55	85	0	0	
1			Daughter of 4th Queen	Nancha Kummah	42	50	0	0	
2	2nd	£ 50...	5th Brother of the late Ex-King	Iyasawmy Rajah...	×	43	12	0	Not named in the Descriptive Return.
3			6th do. do.	Ramasawmy Rajah	×	44	7	0	Do. do. do.
1			Adopted son of Lechimy Davy Ammal, widow of Gilibilisami Rajah, Uncle of late Prince Mathisawmy Rajah.	Vencatasawmy Rajah...	×	58	5	4	This man was placed in 2nd class, but their position was objected to by 1st and 4th Queens.
2			Sister of 3rd and 4th Queens	Chokary Ummal...	×	7	0	0	Not named in the Descriptive Return
3			Do. of Ex-King's Queen	Letchemy Davy Ummal	47	7	0	0	Not named in Descriptive Return.
4			Nephew of 3rd Ex-Queen...	Coomarasawmy Naik	66	34	12	6	
5			Do. do.	Coomarasawmy Naik...	60	29	1	6	
6			Do. do.	Soobarayloo Rajah	×	43	12	0	
7			Do. do.	Dorasawmy Rajah	×	21	14	0	
8			Do. do.	Coomarasawmy Rajah	×	43	12	0	Not named in Descriptive Return.
9	3rd	£ 20...	2nd son of the late Comarasamy Naik, brother-in-law of the late Ex-King of Kandy.	Vencata Soobbasawmy	42	13	10	2	
10			Nephew of the Ex-King	Dorasawmy Rajah	42	105	0	0	
11			Niece	Coomara Ammal...	53	15	7	4	
12			Do.	Ummathullee Ammal	56	11	0	0	
13			Brother of the 3rd Ex-Queen	Kistnasawmy Naik	63	29	1	6	
14			Daughter-in-law of do.	Saviki Davi	25	63	5	4	
15			Widow of Subbanarayenendra Rajah....	Vajayaraja Davi...	×	44	3	6	Not named in Descriptive Return.
16			Son-in-law of the 4th Ex-Queen	Alagerisawmy Naik	52	25	0	0	
17			Brother-in-law of the 3rd Ex-Queen....	Cumara Subbasawmy Naik	54	37	10	0	
18			Do. do.	Vencatsawmy Naik	42	19	12	0	
19			Do. do. 4th Ex-Queen....	Chinnasawmy Naik	37	18	14	0	

COLOMBO, 21*st November* 1860.

(Signed) T. SKINNER.

From T. SKINNER, Esq., Acting Auditor General, to the Honorable the Colonial Secretary at Colombo, dated 23rd November 1860, No. 627.

Having conferred with the Government Agent of the Central (formerly Kandian) Provinces on the subject of the enclosure of your letter, No. 711, of the 26th September last, I have the honor to report, that we are agreed in opinion, that grants in-aid of marriage ceremonies should be confined to the families of the persons named in the revised list which I had the honor of submitting with my letter, No. 624 of the 21st instant, and that the whole amount to be drawn by any one family for such ceremonies, should not, in the aggregate, exceed the amount proposed to be granted for funeral expenses, but that it should be optional with the heads of the respective families, to expend the sum on the marriage of one child, or to divide it between two or more.

(True Copies.)

(Signed) JAMES SWAN.

No. 113. ORDER THEREON, 23rd January 1861, No. 59.

Ordered to be communicated to the Government Agent at Tanjore with reference to his letter dated 9th August last, No. 288, also to the Accountant General and Civil Auditor with reference to the Proceedings noted in the margin and to the letter of the latter Officer of the 29th August 1860, No. 594.

Proceedings 1*st August* 1859, *No.* 464.
„ 17*th April* 1860, „ 232.

2. Copies of the revised Nominal List will be furnished by the Civil Auditor to the several Officers disbursing Kandian Pensions, with instructions that grants-in-aid of marriage ceremonies should be given *only* to the persons named in the List, as recommended by the Auditor General, but that, as proposed by him, whilst the whole amount to be drawn for such ceremonies is not in the aggregate to exceed the amount granted for funeral expenses, it will be optional with the heads of the respective families to expend this sum on the marriage of one child, or to divide it between two or more.

(Signed) T. PYCROFT,
Chief Secretary.

No. 114. Read the following letter from W. J. RAYNOR, Esq., Officiating Civil Auditor, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th January 1861, No. 6.

With reference to the Order of Government, dated 24th ultimo, No. 753, relative to the pension of Parry Begum, a member of the family of Meer Mahomed Ally Khan, late a Pensioner on the Mysore 2 lac fund, I have the honor to state that the note recorded by this Office returning unaudited the abstract of pension paid to her in arrears from 4th May 1858, to July 1860, does not express fully the requirements of the case.

2. The question as to whether or not Parry Begum's pension can be admitted without higher authority than that of the Commissioner of Mysore, rests upon the nature of the power exercised by that Officer in respect of the distribution of the allowance of Rs. 505 per month sanctioned for the family of the late Meer Mahomed Ally Khan, by Orders of the Government of India, dated 9th April 1851. There is nothing in this Office to shew whether the distribution of that allowance among the different members of the family of the deceased was left to be made upon the authority of the Commissioner, or whether such distribution was required to be sanctioned by the Government of India. If the former, the sanction of that Government to the allowance under reference is not requisite, and all that is necessary is that the payment of *the arrears*, the period of which exceeds 2 years, be sanctioned—and for this, the authority of the Madras Government will suffice. In the latter case, however, the sanction of the Government of India will be requisite for the admission of the allowance.

3. The abstract should properly have been returned to the Commissioner for explanation on the points noticed, which would have obviated the present unnecessary reference to Government.

4. I beg to return the enclosures.

No. 115. To the Commissioner of the Government for the Territories of His Highness the Maharajah of Mysore, dated Fort Saint George, 25th January 1861, No. 61.

I have the honor to acknowledge the receipt of your letter, dated 16th November last, No. 26, requesting that the arrears of pension disbursed to Parry Begum, a pensioner on the Two Lac Fund, may be sanctioned to enable the Civil Auditor to pass the charge.

2. In reply I have to inform you that your letter was referred to the Civil Auditor and he was requested to state on what grounds he considered the sanction of this Government to be necessary for the payment made to Parry Begum, and whether under the circumstance of the pension having been sanctioned by the Supreme Government upon your *direct* application, the authority of this Government would be regarded as sufficient for the admission of the charge on the above account.

3. I am now directed to forward to you a copy of the Civil Auditor's reply, from which you will perceive that the point to be determined is whether the distribution of the allowance sanctioned for the family of the late Meer Mahomed Ally Khan was left to be made upon your authority, or whether such distribution was required to be sanctioned by the Government of India. In the former case all that is required is the sanction of this Government for the payment of the arrears, which will at once be given on your further application to them. In the latter case you should apply to the Supreme Government for the sanction of the payment made to Parry Begum.

Dated 14*th January* 1861, *No.* 6.

(Signed) T. PYCROFT,
Chief Secretary.

No. 116. Read the following letter from G. N. TAYLOR, Esq., Inám Commissioner, to J. D. SIM, Esq., Acting Secretary to Government, Revenue Department, Fort Saint George, dated 12th January 1861, No. 2.

I have the honor to forward for the perusal of Government copy of a letter addressed to me by T. Dharmarayen Mudaliar, a Deputy Collector in this Commission, soliciting instructions as to the disposal of a Shawl, valued at between 50 and 60 Rupees, presented to him by Prince Azim Jah the Uncle of the late Nabob of the Carnatic, on the occasion of Dharmarayen's recent visit to that personage for the purpose of demanding the arrears of a debt due by the Durbár to his father.

2. The return of the Shawl would perhaps be considered a greater breach of Durbár etiquette than the refusal to accept it in the first instance. The gift seems to have been simply a customary one; but the Deputy Collector has very properly reported the matter. I see no objection to permission being granted to the Deputy Collector to dispose of the Shawl in the manner he thinks best, and I beg to be favored with the Orders of Government on the subject.

———

From T. DARMARAYA MOODELLIAR, Deputy Collector, Inám Commission, to G. N. TAYLOR, Esq., Inám Commissioner, Palmanér, dated 27th December 1860, No. 126.

I beg to inform you that on a recent visit to the Prince Aji Jah, Uncle of the late His Highness the Nabob of the Carnatic, for the purpose of making a demand for arrears of pay due by that Durbar to my father, who had been a servant of the Nabob, a presentation of a Nazzar and a Shawl, in accordance with the Eastern practice and usage, took place, entirely unexpected by me. Whether this presentation was intended as a return for the debt, or simply an honor of the Durbar I know not, perhaps it might probably be the latter. I was not however allowed to make mention of the debt, because it was said, it would not please the Prince to speak about it on the very first visit and might not effect eventual success.

2. But however the object of this my present communication is that, as I am a servant of Government, I consider that I cannot appropriate the present to my own use, and having been told, it would be thought derogatory to that high personage to refuse it at the time or return it afterwards, I submit that its value be carried to the credit of Government. According to some

the estimated value varies from 50 to 60, Rupees, perhaps it might attain a higher value in a year and a locality more favorable than this. I shall be most happy at once to forward it for your inspection if permitted.

3. While I am of an opinion that such property should be credited to Government, I would beg to suggest as I have already said to you, that the value be, on the approval of Government, expended towards educational purposes, in granting a prize for the best Essay written on an important subject to be hereafter proposed, in such neglected but self-supporting Institutions as the Rajahmandri village schools, where it will prove a remarkable stimulus and an encouragement for education. This little fund, in my humble opinion, could actually add as much to the present financial condition of the State as a drop of water does to the sea.

4. Should you see grounds to concur with me, I would thank you to support my suggestion with your recommendation.

No. 117. ORDER THEREON, 25th January 1861, No. 62.

The Government agree with the Inám Commissioner that under the circumstances explained, there is no objection to the Deputy Collector T. Darmarayen disposing of the Shawl presented to him by His Highness Prince Azím Jah Bahadoor, in any manner which he may think best.

(Signed) T. PYCROFT,
Chief Secretary.

No. 118. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 24th January 1861, No. 85.

I have the honor to transmit an original letter* from the Dewan of the Durbar, requesting that Government will place at his disposal Rupees (152-2-6) one hundred and fifty-two, Annas two and Pice six, for the payment of the Sircar servants, &c. for the current month.

**Requested to be returned.*

No. 119. ORDER THEREON, 26th January 1861, No. 63.

Resolved that the Sub-Treasurer be authorized to place at the disposal of the Dewan the sum of Rupees (152-2-6) one hundred and fifty-two, Annas two and Pice six, required on the above account

2. The Government Agent will report what is the establishment now entertained by the Dewan.

(Signed) T. PYCROFT,
Chief Secretary.

No. 120. Read the following letter from MIR ZULFAKAR ALLY KHAN, and MIR AKBER ALLY KHAN, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 21st January 1861.

We beg respectfully to solicit you, and state we received the Order of Government, dated 8th January 1861, No. 21, in the Political Department. We beg you will kindly let us have a copy of the printed Proceedings of Government and the original documents which is in your Office, regarding our claim, by so doing we shall feel very thankful to you, we are awaiting here in hopes of returning to Arcot.

No. 121. ORDER THEREON, 28th January 1861, No. 64.

The Government decline to comply with the application of the Petitioners for a copy of the Proceedings and documents in their case.

(Signed) T. PYCROFT,
Chief Secretary.

No. 122. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th January 1861, No. 60.

I have the honor to report to the Honorable the Governor in Council with reference to the Order of Government as per margin* that Her Highness in the letter of this date, copy of which is subjoined, has intimated that she has instituted a prosecution for perjury against Manik Chund and that Her Highness will allot about Rupees 1,500 per mensem, (Rupees 1,800—Rupees 300), for the liquidation of the debts against her.

**Proceedings of Government, dated 14th November 1860, No. 674.*

2. I have the honor to submit that the sum proposed, *viz.*, $\frac{1}{6}$th of her allowance seems to me as large as could be allotted by Her Highness, and if approved of by the Honorable the Governor in Council, I will ask Her Highness to oblige me with a monthly list not later than the 25th of each month of all wage and debt claims paid off in the month preceding, in order to be able to reply to Petitioners.

From Her Highness NABOB KHYRE-OON-NISSA BEGUM, to the Government Agent at Chepauk and Paymaster of Carnatic Stipends, dated 14th January 1861, No. 2.

After presenting my compliment, I have the honor to acknowledge the receipt of your communication of the 9th instant, No. 26. I will hereafter in replying to the Orders of Government pursue the course you have kindly suggested in your said letter. In order to liquidate the due claims of the arrears of wages, as well as of debts, I have with all the possible means tried to afford (or to separate, from my income, by retaining the more needful expenses of my household establishments) a sum of one thousand eight hundred and odd Rupees : out of which you will be pleased to deduct monthly a sum of three hundred and odd Rupees for discharging my Income Tax ; as to the remaining sum, I am ready to distribute it, as you will be good enough to arrange the settlement of the said claims, and I assure you that there seems no possibility to afford or to appropriate any more sum than what is mentioned above ; therefore you will, by taking into consideration the diminutiveness of my income and the greatness of the needful expenditures, kindly satisfy the Government that the sum I have appropriated to liquidate the said claims of arrears, and of debts, is admissible; and I beg to inform you that I have caused a prosecution to be made against Manic Chund, for his obtaining the Decree through perjury, wherefore you will be good enough not to take for the present any measure with respect to his debts ; but after the decision you will be pleased to take it into your consideration.

Let your favor be increasing.

Seal [ ] of Her Highness Nabob KHYRE OON NISSA BEGUM.

(True Copy.)

(Signed) EDWARD G. BALFOUR,
Government Agent:

No. 123. ORDER THEREON, 28th January 1861, No. 66.

The Order of Government dated the 14th November last, No. 674, directed the Agent to ascertain from Her Highness Khair-Oon-Nissa Begum in what manner she proposed to discharge the amount which had been decreed against her by the Supreme Court on Manick Chund's action. In her letter to the Agent which is now submitted, Her Highness states that she has instituted a prosecution for perjury against Manick Chund in the matter of the Decree obtained by him. The Government Solicitor will be requested to report whether such is the case.

2. The Government are glad to learn that Her Highness has proposed to allot a sum of 1,500 Rupees per mensem out of her allowance for the payment of the debts due by her. There is no objection to the Agent receiving from Her Highness a list by the 25th of each month of all

claims settled in the preceding month, but it must be distinctly understood that the Government will not in any way mix themselves up with Her Highness' debts.

(Signed) T. PYCROFT,
Chief Secretary.

No. 124. Read the following letter from W. M. CADELL, Esq., Government Agent at Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallam, 11th January 1861, No. 11.

With reference to the Proceedings of Government marginally noted,* I have the honor to solicit instructions regarding the disposal of some of the awards made by the late Commissioner in respect of the claims on the Estate of the late Raj.

* 14th August 1860, No. 485.
15th September ,, ,, 552.
16th August ,, ,, 487.
21st September ,, ,, 569.

2. In item 10 of the Memoranda appended to his Report† on the deposit fund, Mr. Phillips has recommended, that the amount of Rupees 3,712-3-1, appearing under the head of "Saraswati Bhandar" or hall of learning, minus Rupees 858-9-9, which cannot be distributed, should be disbursed to the individuals specified in the original list therein mentioned. Among the entries in that list, there are 9 entries of a general and indefinite nature, as "Ashrits" or dependants of the priestly class on M. Avu Sahib, Saidambayi Sahib, &c, and forming a total of Rupees 1,271-2-11. Such entries, the Government will observe from the description given of the item in question in Mr. Phillips' Memoranda, represent the sums intended to be given to various Bramins as gifts on particular occasions, but not actually distributed at the time; and such intended recipients would seem to have been the dependants of the several members of the Raja's family, whose names are specified. And again, in the list referred to in item No. 11 of the aforesaid Memoranda, there is an entry of Rupees 2-9-3, in the name of a Pagoda called Sri-Konkaneswaraswami.

† *Vide Proceedings of Government, 14th August 1860, No. 485.*

3. In like manner in the list of claims on the Estate of the late Raj generally, there are three entries under the head of the "Serkele's list" of the aggregate amount of Rupees 70-14-9, in the names of three different Pagodas. A list shewing the 15 entries in question with the amounts as they stand, is herewith enclosed for the information of Government.

4. In the case of the entries of the description first mentioned, the different members of the Raja's family and whose names are specified in the manner above indicated, and where such members have deceased, their heirs and representatives, have desired the amount of the entry in each case, to be distributed to the several parties named by themselves as heirs and representatives of their dependants, and for whom the gifts were originally intended. In the case of the entries of the 2nd description, *viz.*, those appearing in the names of Pagodas, the Agents of such Institutions have applied for the payment thereof.

5. In this latter case, I conceive that payment may be made to the Agents on behalf of such Institutions. As regards, however, the indefinite entries in favor of "Ashrits" generally, I feel some doubt as to the expediency of making payment in the absence of clear evidence as to who may be entitled thereto, and I beg therefore to solicit the instructions of Government in the matter.

6. I beg also to add that besides the entries above specified, there are 6 others forming a total of Rupees 400-4-2, under the head of "Saraswati Bhandar" referred to in paragraph 2 above, which from their vague description, and from their having reference to Institutions now not existing and to individuals now not to be traced, are evidently incapable of being distributed. These are similar to the 17 entries of the aggregate amount of Rupees 858-9-9, alluded‡ to by Mr. Phillips, but have apparently been inadvertently omitted to be classed among them. I therefore presume that the amount of these 6 entries should also be dealt with in the same manner as that of the 17, and I will accordingly hold it in deposit for the present, in view to the same being likewise eventually carried to the public credit.

‡ *Paragraph 2, item 10 of the Memoranda appended to the Commissioner's Report.*

List of indefinite entries found in the Maratta lists of Claimants on the Estate of the late Tanjore Raj.

No. in the Supplemental Gazette.	Names.	Amount of award.
	SARASWATI BHANDAR OR HALL OF LEARNING.	RS. A. P.
168	Dependants of M. Avu Saheb...	458 8 ½
169	,, of M. Saidambaye Saheb...	83 7 4¼
170	,, of M. Kamakshiambabayi Saheb...	248 13 2½
171	,, of S. Chiranjivi Rajasabayi Amni Raje the elder daughter of the Raja deceased Saheb	78 11 1
172	,, of Sulakshanambabayi Amni Raje Saheb	211 4 4½
174	,, of Sakhavarabayi Amni Raje Saheb	114 11 4
175	,, of Ry Sakharam Row Narayana Row	12 0 3
176	,, of Ry Mesji Mohite...	5 14 ¼
177	,, of Ry Manappa Mohite...	15 2 ¼
178	,, of Ry Ramachendra Row Surve	21 15 8¼
179	,, of Ry Ingle Row	20 11 5½
	Total...	1,271 2 11
	IMARAT DEPARTMENT.	
362	Sri-Konkaneswaraswami Pagoda...	2 9 3
	SERKELE'S LIST.	
4	Sri-Vittobaswami Pagoda...	15 2 10
30	Sri-Virasimha Sivendraswami Pagoda...	19 0 0
89	Sri-Brahadiswaraswami Pagoda...	36 11 11
		70 14 9
	Grand Total...	1,344 10 11

TANJORE,
11th *January* 1861.

(Signed) W. M. CADELL,
Collector.

No. 125. ORDER THEREON, 30th January 1861, No. 68.

Under the circumstances of the case, the Government are of opinion that the sums awarded by the late Commissioner to the dependants of certain members of the Raja's family in respect to their claims on the estate of the Tanjore Raj, under the head of "Saraswati Bhandar," amounting to Rupees 1,271-2-11, should be distributed in the manner desired by them as stated in paragraph 4 of the Agent's letter; and they direct that this be accordingly done.

Imarat Department.....*Rupees* 2- 9-3.
Serkele's list.....70-14-9.
Rupees...73- 8-0.

2. With respect to the entries under the heads noted in the margin, being those appertaining to four Pagodas, the Government desire that the sums aggregating Rupees 73-8-0, be disbursed to the Agents of such Institutions, who have applied for the payment.

3. The other six entries referred to in paragraph 6, forming a total of Rupees 400-4-2, under the head of "Saraswati Bhandar," should be retained in deposit for the present and eventually carried to the credit of Government as proposed.

(Signed) T. PYCROFT,
Chief Secretary.

No. 126. Read the following letter from W. BALMAIN, Esq., Officiating Sub-Treasurer, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 28th January 1861, No. 976.

In accordance with the Orders of Government, No. 7 of January 5th, Rupees (11,330) eleven thousand three hundred and thirty, have been paid to Mr. Richardson, but the Civil Auditor objects to pass the amount. I have the honor to solicit instructions as to how the charge is to be adjusted in the accounts.

No. 127. ORDER THEREON, 30th January 1861, No. 69.

Ordered that a copy of the Order referred to be furnished to the Civil Auditor to enable him to pass the payment, and that the amount be debited to public expenditure.

(Signed) T. PYCROFT,
Chief Secretary.

No. 128. Read the following letter from W. J. RAYNOR, Esq., Officiating Civil Auditor, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 25th January 1861, No. 36.

With reference to Extract Minutes of Consultation, dated 17th December 1857, No. 1,056, authorizing, as a temporary measure ("for the present"), the employment of 2 Peons and 2 Gardeners for the Roshun Baug, I have the honor to bring to the notice of Government, that the wages of this Establishment at 3½ Rupees per man, or Rupees 14 monthly, still continue to be drawn in the Revenue Contingent Bills of the Collector of Madras; and to solicit instructions on the subject, as the admission in Contingent Bills of charges on account of Establishments is objectionable.

No. 129. ORDER THEREON, 31st January 1861, No. 74.

Forwarded to the Revenue Department, where it will be considered whether or not the services of the Peons and Gardeners are still required for the care of the Roshun Baug.

(Signed) T. PYCROFT,
Chief Secretary.

POLITICAL DEPARTMENT.

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POLITICAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT,

For the month of February 1861.

No. 1. Read the following Proceedings of Government in the Revenue Department, dated 28th January 1861, No. 213.

Communicating the Order passed on Proceedings of Government, Political Department, No. 43, dated 19th January 1861, directing that the necessary orders be issued in the Revenue Department for the grant of Certificates for certain properties in Ungapah Naick's Street in the Black Town, which belonged to the late Nabob of the Carnatic.

(Vide Proceedings Revenue Department, dated 28th January 1861, Nos. 423 & 424.)

No. 2. ORDER THEREON, 1st February 1861, No. 75.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 3. Read the following letter from F. N. MALTBY, Esq., Resident of Travancore and Cochin, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Cotyam, 19th January 1861, No. 6.

I have the honor to request the favor of your laying before His Excellency the Governor in Council the following letter from General Budd, Commanding the Southern Division of the Army, who has been so good as to review the Nair Brigade of His Highness the Rajah of Travancore. The opinion of General Budd that the result of the review was "highly creditable to Colonel Faunce and all under his Command" and that he "considers the Nair Brigade to be capable of taking its place with the Troops of the Line for all ordinary purposes," will, I am sure, be received with satisfaction by His Excellency in Council.

Dated 15th instant.

From Major General R. BUDD, Commanding Southern Division, to F. N. MALTBY, Esq., British Resident, Travancore, dated Trevandrum, 15th January 1861.

At the request of Colonel Faunce, I this morning reviewed the portion of his Brigade at Head Quarters, and I think it will be agreeable to you to be made acquainted with the result of my brief Inspection. The number was only sufficient to form a weak Battalion which, after the usual salute, marched past in slow and quick time very steadily and then was put through a variety of Field Movements, according to Her Majesty's Revised Regulations, which were performed in a manner highly creditable to Colonel Faunce and all under his Command. The Native Officers

give their words of Command very correctly and in surprising good English. I consider the Nair Brigade to be capable of taking its place with the Troops of the Line for all ordinary purposes. The men are of inferior stature to our Sepoys, and I regret to say have every appearance of being under-fed and over-worked.

(True Copy.)

(Signed) F. N. MALTBY,
Resident.

No. 4. ORDER THEREON, 4th February 1861, No. 76.

The Government are gratified to receive so favorable a report of the result of General Budd's review of the Nair Brigade.

(Signed) T. PYCROFT,
Chief Secretary.

No. 5. Proceedings of the Madras Government, dated 4th February 1861, No. 77.

* *Dated 31st January* 1861.

† *To be returned.*

From the Receiver of the Carnatic Property, 16th April 1860, *No.* 78.
Order thereon, 23rd April 1860, *No.* 257.

Resolved, in reference to the Order of Government, dated the 3rd ultimo, No. 2, that the Memorandum* submitted by the Record-keeper and the papers† entered in the list appended thereto, relating to the Gardens in North Arcot and Trichinopoly belonging to the Nawabs of the Carnatic, be furnished to the Receiver of the Carnatic Property. Mr. Dale, it is observed, has already been furnished with a copy of the correspondence which passed on the subject in 1855 and 1857.

(Signed) T. PYCROFT,
Chief Secretary.

No. 6. Read the following letter from W. M. CADELL, Esq., Government Agent of Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 24th January 1861, No. 40.

Paragraph 1. With reference to the Proceedings of Government under date the 4th instant, No. 5, I have the honor to submit as therein directed, a revised statement of the applications for the commutation of pensions. The number of pensions contained in this statement, is 338, and the aggregate amount of the commuted value thereof Rupees 49,996-14-0. The present statement is thus made up.

	No.	Amount. Rs.	A.	P.
All the pensions up to Rupees 1-7 per mensem, contained in the former statement	220	27,817	14	0
All the pensions of Jetties or Wrestlers therein contained.	21	4,315	0	0
Taken out of the pensions at Rupees 1-8 per mensem	94	17,082	0	0
Taken out of those at Rupees 2 per mensem	2	576	0	0
A new pension of Rupees 1-8 added	1	216	0	0
	338	49,996	14	0

2. Of the different descriptions of pensions thus selected, the last two only require some explanation. The two pensions at the rate of Rupees 2, belong to two individuals serving as

Privates in the 45th Regiment Native Infantry at Quilon. These men with the permission of the Officer Commanding the Regiment, came down to Tanjore, in September last, for the purpose of applying in person for the commutation of their pensions and returned to their station, with the distinct assurance that the commutation amount would be remitted to them by a transfer Bill. The pension of Rupees 1-8 newly added to the statement, is held by a Private serving in the 2nd Regiment Native Infantry at Tonghoo, and upon the application made by him through the Officer Commanding that Regiment, he has received a distinct promise that his pension would also be commuted, and the commutation amount remitted to him in like manner.

3. With this explanation I beg to request the sanction of Government for the disbursement of the sums specified in the accompanying List.

———

No. 7. ORDER THEREON, 4th February 1861, No. 79.

The Government authorize the sums entered in the statement submitted by the Agent, amounting to Rupees (49,996-14-0) forty-nine thousand nine hundred and ninety-six and Annas fourteen, being disbursed to the Pensioners therein named in commutation of their respective stipends.

2. The Agent is requested to furnish an abstract statement, showing the number of Tanjore Pensioners admitted to pensions since the death of the Rajah, remaining after the deduction of those whose pensions have been sanctioned for commutation, with the aggregate amount of their pensions. The Pensioners should be classified and the No. of, and total amount drawn by, Pensioners receiving above Rupees 50 per mensem—between 50 and 10 Rupees—between 10 Rupees and 2 Rupees—and below 2 Rupees—shown separately.

(Signed) T. PYCROFT,
Chief Secretary.

No. 8. Read the following letter from Messrs. RITCHIE and SHAW, Solicitors, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 1st February 1861.

We have the honor to forward herewith a Memorial of Soojun Mull Lallah, to His Excellency the Governor in Council, and will be much obliged by your placing it before His Excellency in Council at your earliest convenience.

TO HIS EXCELLENCY THE GOVERNOR IN COUNCIL OF FORT SAINT GEORGE.

The humble Memorial of SOOJUN MULL LALLAH, Soucar, residing in Sallay Street, in the Black Town of Madras.

RESPECTFULLY SHEWETH,

That your Memorialist preferred a petition to your Excellency in Council, dated the 3rd October 1860, against Ghoolam Mohumud Hoossain, styled Rusheed-ood-Dowlah Ghoolam Mohumud Khan Bahadoor Iyalut Jung, praying your Excellency in Council's consent to your Memorialist commencing an action in the Supreme Court of Judicature at Madras against the said Rusheed-ood-Dowlah Bahadoor and issuing such Writs and process against his person, goods and property as should be requisite or necessary for the recovery of the amount remaining due on the decree of the Mahakamah Court of His late Highness the Nabob of the Carnatic for Rupees 1,484-1-9, and also for the recovery of the sum of Rupees 500 and interest thereon due as the balance of Rupees 1,000 borrowed by the said Rusheed-ood-Dowlah Bahadoor through his son-in-law Gholam Mohedeen from your Memorialist, or that your Excellency in Council would be pleased to make such other order in the premises as your Excellency in Council should seem fit: to which petition your Memorialist has received no reply or order thereon.

That since the preferment of the said petition the said Rusheed-ood-Dowlah Bahadoor, paid, on the 1st day of November 1860, to your Memorialist on account the sum of Rupees 200, and that since the said 1st day of November 1860, your Memorialist has not received any further sums or payments on account of the said debt.

That the said Rusheed-ood-Dowlah Bahadoor is now indebted to your Memorialist in the sum of Rupees 500-1-9, being the balance due on the said decree of the said Mahakamah Court, and in the further sum of Rupees 500 with interest, being the balance of the said sum of Rupees 1,000 so borrowed and received by the said Rusheed-ood-Dowlah Bahadoor through his said son-in-law Gholam Mohedeen from your Memorialist.

That the said Rusheed-ood-Dowlah Bahadoor is exempted from the jurisdiction of the Civil Courts of Judicature unless the consent of your Excellency in Council to proceedings being instituted against him be first obtained under the provisions of Act XXXVII of 1858.

That your Memorialist has been informed and believes it to be true that the said Rusheed-ood-Dowlah Bahadoor is about proceeding to Mecca to reside there for a number of years and that he has obtained the sanction of your Excellency in Council to reside where he pleases whereby as your Memorialist conceives he will be debarred from receiving or being paid any further part of the amount remaining due to your Memorialist.

Your Memorialist therefore humbly prays your Excellency in Council that an answer to this and the petition of your Memorialist preferred on the 3rd October 1860, may be granted to him and that the consent in the form prescribed by Act 37 of 1858 may be given by your Excellency in Council to proceedings being commenced and Writs and processes issuing out of the Supreme Court of Judicature at Madras for the recovery of the amounts hereinbefore mentioned or that your Excellency in Council may make such other order in the premises as to your Excellency in Council may seem fit.

And your Memorialist will ever pray, &c.

MADRAS,
31*st January* 1861.

(Signed) SOOJUN MULL LALLAH.

No. 9. ORDER THEREON, 5th February 1861, No. 81.

Order of Government, 15th Oct. 1860, *No.* 613.
From Government Agent at Chepauk, 5th November 1860, *No.* 1,417.

Referred to the Government Agent at Chepauk for report, with reference to the correspondence noted in the margin.

(Signed) T. PYCROFT,
Chief Secretary.

No. 10. Read the following letter from J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 5th February 1861, No. 87.

Letter from Salar-ool-Moolk Bahadoor, to Government, dated 28th January 1861, *with* 10 *enclosures.*
Order of Government thereon, dated 30th January 1861.

1. I have the honor to acknowledge the papers noted in the margin.

2. I have since communicated (verbally) with the Receiver of the Carnatic Property, who is in possession of the village of Mahfooz Pettah and the Title Deeds relating to it and has already considered the subject.

3. Thinking it desirable to send the papers to the Receiver for an expression of his views before submitting them to the Advocate General, I have adopted this course and will report further to Government, as soon as I am in a position to do so.

No. 11. ORDER THEREON, 6th February 1861, No. 83.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 12. Read the following letter from A. PURVIS, Esq., Magistrate of the Godavery District, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Dowlaishwarum, 1861, No. 28.

With reference to the Order of Government under date the 6th ultimo, No. 722, I have the honor to report that the offence charged against the 6 British Subjects therein referred to, does not, from a communication I have received from the Chief of Yanam in reply to a reference made to him, appear to fall under any of the 3 descriptions specified in the 8th and 9th paragraphs of the Advocate General's letter of the 28th November 1860. The individuals in question are accused of having purchased in the English Territory, at low prices, property which they knew had been stolen in the French Territory, but this is, according to the opinion of the Advocate General, not a punishable offence. The accused deny the charge and the Yanam authorities have sent no evidence to establish it. The principal in the case of the robbery, who would appear to have criminated the above parties and on whose information their extradition was demanded, subsequently died of Cholera in the Jail of Yanam.

2. I venture to remark with reference to paragraph 13 of the Advocate General's letter of the 28th November, that I did so far act under Section XIX of Act VII of 1854, as to apprehend the accused, or as many of them as could then be found, but as the Yanam authorities adduced no evidence, I was unable to proceed further in the matter.

No. 13. ORDER THEREON, 7th February 1861, No. 84.

From Magistrate of Godavery District, 5th November 1860.
Government Order, 22nd Nov. 1860, *No.* 685.
From Advocate General, 28th November 1860, *omitting paragraph* 12, *and the list subjoined.*
Government Order, 6th Dec. 1860, *No.* 722.

Resolved, that a copy of the above report, and of the papers noted in the margin be furnished to His Excellency the Governor of the French Establishments in India, in reference to his communication under date 17th October last, and that the following letter be despatched.

(Here enter 7th February 1861, No. 85)

2. It is presumed that the individuals referred to by the Magistrate are not under detention—but if they are, they should at once be released.

(Signed) T. PYCROFT,
Chief Secretary.

No. 14. To His Excellency M. D'UBRAYE, Governor of the French Establishments in India, &c., &c., &c., dated Fort Saint George, 7th February 1861, No. 85.

I have had the honor of receiving your Excellency's letter of the 17th October last, representing that a difference of opinion had arisen between Mr. Purvis, Magistrate of the Godavery District, and M. le Chef de Service at Yanam, in respect of certain parties, inhabitants of Ingerain, charged with having been accomplices by concealment in a robbery committed in French territory, whose extradition had been demanded by M. le Chef, but declined by Mr. Purvis.

From Magistrate of Godavery District, 5th November 1860.
Government Order, 22nd Novr. 1860, *No.* 685.
From Advocate General, 28th November 1860.
Government Order, 6th Decr. 1860, *No.* 722.
From Magistrate of Godavery District, 23rd January 1861, *No.* 28.

2. In reply I beg to forward for your information a copy of the correspondence, as per margin, which has passed upon the subject between the Government, Mr. Purvis, and the Advocate General.

3. From this it will be seen that on receipt of your Excellency's letter, the Magistrate of the Godavery District was at once called on for a report upon the circumstances of the

case, and that, on his explanation being received, it was submitted to the Advocate General, who was requested to state his opinion whether the Magistrate would be legally warranted in delivering up the parties claimed, this Government at the same time remarking that it was clearly to the interest of both nations, that the extradition of criminals should be carried out to the fullest extent that the law would allow.

4. Your Excellency will perceive from the Advocate General's reply and the further report from the Magistrate, that the act charged against the accused parties does not fall within any of the classes of offences for which they could be delivered up.

(Signed) W. MOREHEAD.

No. 15. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated London, 31st December 1860, No. 24.

1. I have considered in Council your letter of the 7th of September, No. 34, and the facts stated in its accompaniments, in support of the recommendation which it contains for the appointment of a British Consul at the Port of Alleppy in Travancore.

2. Neither the traffic of Alleppy, as shewn in the statement furnished by Mr. Maltby, nor the frequency of cases requiring the exercise of Consular authority appear from the papers before me to be so considerable as to justify the establishment of a Consul at Alleppy: and such an appointment to a Port of India, under the Government of a protected Native Rajah, would form an inconvenient precedent.

3. In cases of kidnapping, it is admitted by the Advocate General, that the Commercial Agent, Mr. Crawford, would, if vested with authority by the Rajah, be at liberty to hand over the offenders to the tribunals of Travancore.

4. The case of the pilgrim passengers on board the British Ship "Sagoff" is not of great importance, but, if really aggrieved, they could obtain redress on the Ship's return to Calcutta.

5. Under these circumstances, I cannot sanction the appointment of a Consul at Alleppy.

No. 16. ORDER THEREON, 8th February 1861, No. 86.

Resolved, that a copy of the foregoing Despatch be furnished to the Resident of Travancore and Cochin, with reference to the Proceedings of Government, dated 27th August last, No. 509.

(Signed) T. PYCROFT,
Chief Secretary.

No. 17. Read the following Proceedings of Government in the Revenue Department, dated 5th February 1861, No. 280.

Authorizing Mr. Pelly to circulate an erratum correcting the error in the Order of Government, No. 1,905, *dated* 18*th October* 1860, *in which a sum of Rupees* 25 *is set down for the English Accountant instead of Rupees* 20. (Vide Proceedings Revenue Department, dated 5th February 1861, Nos. 47 & 48.)

No. 18. ORDER THEREON, 9th February 1861, No. 88.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 19. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 30th January 1861, No. 104.

I have the honor to enclose a communication from Carnatic Stipendiary, Nos. 1,319, and 3,238, Mukhtar-un-Nissa Begum, widow of Nabob Azam Jah Bahadoor.

2. The point of this lady's letter is her asking a guarantee that after her demise, Government will continue to her daughter, Nabob Kadriah Begum, the same amount of house rent (Rupees 140) which Mukhtar-un-Nissa Begum is now drawing.

Ext. Min. of Consultation, No. 243 *of* 1858.
" " " 262, "

3. The original Order of Government from which Mukhtar-un-Nissa Begum ultimately was allowed to draw a house rent, has seemed to me to bear the interpretation that the grant thereof would be reconsidered after the settlement of her claim in Court, (see paragraph 2 of No. 124 of 1858.)

4. In paragraph 13 of my communication, No. 1,214 of 1858, this house rent was briefly alluded to, when noticing the position of the daughter, Nabob Kadriah Begum, in whose behalf the enclosed letter is now written.

5. The Order of Government thereon, No. 47 of 1859, did not notice that paragraph, and Nabob Kadriah Begum has not any separate house rent, but as mentioned in this enclosure, still lives with her mother.

6. In paragraph 14 of Order No. 47 of 1859, the Honorable the Governor in Council authorized Rupees 100 per mensem, to Nabob Ghousiah Begum, another daughter of Mukhtar-un-Nissa Begum, who was living and still lives apart from her mother.

7. In paragraph 13 of my letter, No. 1,214 of 1858, when alluding to Nabob Kadriah Begum's case, in whose behalf Mukhtar-un-Nissa Begum is now writing, I observed that "Government may or not consider it necessary to regard her case separately."

8. I have the honor to submit that the decision of Government on the point, now submitted by Mukhtar-un-Nissa Begum, will depend on whether it be resolved to continue a house rent to Mukhtar-un-Nissa Begum for her own life; and whether it be considered that after demise of Mukhtar-un-Nissa Begum, if Nabob Kadriah Begum be the survivor, her claims could then be considered as equal to those of her sister Nabob Ghousiah Begum who is now drawing Rupees 100 per mensem, as an allowance in lieu of Home's Gardens.

9. I would submit that the views of Government on this subject might be forwarded to their legal Officers.

To His Excellency the Governor in Council, Fort Saint George.

Excellent Sir,

1. I had been residing in a house given to me by my late husband, Nabob Auzum Jah, in Chepauk Palace garden, but in the year 1262 Hizry, my step-son the late Nabob Goolam Mahomed Ghouse Khan, having been in need of houses for the Offices of his Circar, desired me to vacate the said house and to lodge myself in one of the Circar gardens called Oomdah Bog, assuring me that the value attached to my dwelling place is Rupees 30,000, and until that amount be paid, I should remain in Oomdah Bog. I have accordingly removed to the Bog in question. The Nabob has afterwards paid me Rupees 7,000 out of Rupees 30,000 (deposited with him by his mother just before her death for being delivered to me as value of my said house in the Chepauk garden), and promised me the payment of the remainder Rupees 23,000 at an early date, but he died without fulfilling his promise.

2. I had on the occasion of Oomdah Bog being bought by Messrs. Richardson & Co., and on their trying to quit me out of it, addressed a letter to Government on the 3rd February 1858, setting forth several grounds in support of my claim for Rupees 23,000 due to me by the Circar

of the late Nabob on account of my dwelling place, and requesting them to adopt such measures as would relieve me from the disgrace of being ejected from the Bog, and being left without lodging suited to my dignity. But the Government in their Order of No. 105, dated 9th February 1858, returned the letter and its enclosures stating that it should be submitted through the Chepauk Agent.

3. As required in the said Order, I had forwarded the letter to the Government Agent for submission to Government, who has done so, and in the receipt of the Order, No. 124, dated 19th February, communicated to me on the 20th February, the inquiry of the Government as to what amount I may be advanced to procure a house, and that the said advance to be recoverable on my claim upon the Circar being adjusted. The above my letter with enclosures is herewith appended with mark A. I have whereupon replied that Rupees 20,000 would be required.

4. I beg here to say that the Government in issuing the above Order, was fully satisfied as to the propriety of my claim, when they had resolved to make an advance out of Rupees 23,000

5. It is regretting to state that the Government, who had at first prepared themselves to advance me the amount required for the purchase of a suitable dwelling place, and recover the advance on the adjustment of my claim upon the Circar, have subsequently changed their minds, and passed an Order in Extract Minutes Consultation, dated 16th March 1858, for the purchase of a building to accommodate me or in the event of no one could not be provided to me by purchase, monthly rent should be allowed to me.

6. Some correspondence has taken place between me and the Government Agent after this Order, and that functionary at last on the 19th April 1858, communicated to me the Order of Government, No. 262, dated 16th April 1858, sanctioning my renting the house near Mackay's garden and the rent will be forthcoming from Government.

7. I am accordingly in the occupation of the house alluded to, and the Government Agent is paying the rent to the owner of the house.

8. It affords me an opportunity to state that at the disposal of the question of the dwelling place by Government, *my* claim alone was taken into consideration, and not of my *eldest daughter*, Nabob Kadriah Begum, as there having been no occasion for it since she lives with me, and had it been otherwise, no doubt the Government would have made a provision for her dwelling house, in the same way as they have done to my younger daughter, Nabob Ghousiah Begum, who was living in the Auzum Bog belonging to the Circar of the late Nabob, and which was sold by auction like Oomdah Bog.

9. Under these circumstances, I have every reason to trust that the rent allowed by Government for my present lodging place, will be continued after me to my eldest daughter who lives at present with me, during her life-time, and I request your Excellency in Council to favor me with your kind assurance on that head.

10. I have further to state that I have according to the Act No. XXX of 1858, filed on the 17th November 1858, particulars of my claim for the above Rupees 23,000, with 3 other items amounting in all to Rupees 47,392-12-0 (a copy of which is herewith appended with mark B), and it will come on for hearing in next month.

11. In the meanwhile, I have to state that Mr. Boyson, Government Solicitor, has on the 29th November 1860, written to my Solicitor advising me to abandon the claim on items Nos. 2, 3 and 4, as they are on account of arrears of allowances, and to confine myself to the claim on the item No. 1. My Solicitor has in reply stated on the 6th December 1860, that I would abandon the claims on the items Nos. 2 and 3, on condition that if Government would at any time recognize such claims and pay them, the Government will also pay mine. With regard to the item No. 4, Mr. Boyson is informed that Government have already paid several claimants as I am in respect to this item, and re-consideration of this item is requested, besides mentioning that I am quite prepared to prove the item No. 1.

12. The letters to and from the Government Solicitor are herewith appended with marks C. and D. The Government Solicitor whereupon wrote again on the 22nd December, to say that hewould not recognize any *conditional* abandonment of the claim of the items Nos. 2 and 3, which letter also herewith appended with mark E.

13. In reference to the intimation of the Government Solicitor in the letter E, I have to state that it seems to me very strange—why, in the event of Government hereafter recognizing such claims as Nos. 2 and 3 and paying them, my claim should not be paid. I do not insist that I should be paid in preference to others. I only say that when the payments of such claim ever being brought under the consideration of Government, mine also should come in for a share with them.

14. As for the item No. 4, the Government have recognized such claims and paid several parties, instances for which are marginally* noted.

* *To the family of the late Azeezool lah Ushraf Jung and others.*

15. With regard to the item No. 1, although I have through my Solicitor acquainted Mr. Boyson that I am prepared to prove it yet, as I feel it to be an unpleasant and unsafe thing to dispute with the Government about it, I convey to your Excellency in Council my willingness to abandon my claim for this item (the just merit of which would be obvious on perusal of the appendices to A) on my being favored with your kind assurance that you would, after my death, make a provision for my eldest daughter for a suitable accommodation by continuing to her the same rent which is at present allowed to me during her life-time, or a house purchased by Government and delivered to her for her life enjoyment. This indulgence my eldest daughter is entitled to, under the circumstance set forth in the 8th paragraph whether or not the present claim abandoned. But since, I wish, in order to obviate the displeasure of Government, abandon the claim, I am rest assured that there will be no hesitation on the part of Government in acceding to my request at once.

16. I beg to say that of the family of the late Nabob, I and my two daughters are *only* at present surviving, and consequently we are entitled to every indulgence from Government.

28th January 1861. (Signed) MOOKTHAR-OON-NISSA BEGUM.

No. 20. ORDER THEREON, 9th February 1861, No. 89.

Resolved that Mukhtar-un-Nissa Begum be informed, through the Government Agent at Chepauk, that the Government cannot enter upon the subject of her Memorial of the 28th ultimo, nor can they give her any guarantee as to the course that they may think proper to pursue on her death in regard to the continuance of the allowance now drawn by her for house rent.

(Signed) T. PYCROFT,
Chief Secretary.

No. 21. Read the following letter from Major P. T. SNOW, Assistant Government Agent at Chepauk, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 17th September 1859, No. 1,450.

I have the honor to forward, to His Excellency the Governor in Council, an original letter,* to my address, from Madar-Ool-Oomrah Bahadoor, Dewan of the Durbar of His late Highness the Nabob of the Carnatic.

* *Requested to be returned.*

From MADAR-OOL-OOMRAH, Dewan of the Durbar, to Major P. T. SNOW, Assistant Government Agent at Chepauk, dated Madras, 15th September 1859.

It is a fact too familiar to many in this city that from the moment I received orders for carrying out the several arrangements consequent on the abolition of the Carnatic Musnud, the inhabitants of the place and more particularly those in Triplicane cherished an inveterate ran-

cour against me and sought divers means of revenging themselves for an imaginary wrong which, judging from my close connection with the Honorable Government, they thought that I had done. They used indecent languages towards me, continually treated me in a very uncivil manner, pelted me with stones and in fact rendered my position in life so uncomfortable that it was with difficulty that I could have moved about in the discharge of those duties which the Government expected I should faithfully perform. To prove these assertions I need not bring forward a long list of witnesses; the name of Government Agent E. G. Balfour, who will bear in mind the several indignities to which I was exposed, will convince Government of the truth here enumerated. The hatred and enmity the people entertained towards me not having as yet been removed, place the members of my family, who lived so long in honor and respectability, in a sad condition and they are consequently deprived of the means of procuring livelihood by trade, &c.

Secondly, I may remark that it is about 2½ years since I was pensioned and during all this time strictly confined myself in conducting the affairs of the Durbar and of the Honorable Government. I have discharged these duties as faithfully as ever without being led at any moment to claim a separate allowance for the performance of those duties. You are aware that there are several servants of the Circar who while they are left in the undisturbed enjoyment of the pensions due to their merits receive in addition separate salaries for transacting the business relating to the affairs of the Durbar. These men who are under my control are doubly remunerated for their work while the same privilege has not been extended to me.

I must also draw your attention to the fact that the members of my family were once employed under the Circar in high ranks and drew handsome allowances respectively, but unfortunately save Moostoufee-ood-Dowlah all of them are left unprovided for in consequence of the period of their services being short, though most of them did not deserve to be discharged on account of their allowances not being similar to those of the newly employed servants. His late Highness deducted 400 Rupees out of my allowance of 1,000 Rupees and continued the ormer sum in their names favoring me with Rupees 600 only per month.

Sir, my object in bringing these matters to your recollection at the present time is to enable you in consideration of the several disadvantages I now labour for the future distresses of my family, to submit the request I now propose making for the favorable decision of Government. The Honorable Government has only conferred on me a full pension a favor which has also been granted to the other servants of the Circar whose duties were not so responsible and difficult as mine are, and these are the very parties that were serving under me in the same Office. Unfortunately for me the Government have overlooked the fact of my holding the superior appointment of the Dewan of the Durbar and of my ancestors and myself have and are passing the days in honor and in good will towards the Circar of His late Highness and the Honorable Government. But now that I came forward with a statement of my case I trust that His Excellency the Governor in Council will see the justice of bestowing upon me some peculiar mark of distinction by being so kind as to take the foregoing particulars into His favorable consideration and order the continuance of the pension now granted to me for three lives like other Carnatic Jaghardars. I fully trust that Government will not consider this my solicitation as unreasonable, and in the event of their being precluded of granting the favor I now ask, I beg that my representation may be submitted with due recommendation for the Orders of Her Majesty's Principal Secretary of State for India in Council, and in doing so, I beg that the Government in England may be assured that I am and will ever be the well-wisher of the Honorable Government, that I was the confidential and favorite Dewan of His late Highness the Nabob of the Carnatic, that there has been no appointment equal to that of mine in connection with the Carnatic Musnud, and that even the Honorable Government during the administration of the Right Honorable Sir H. Pottinger, has honored me with salutes due to my position both on my embarking for Mecca and on my returning from the Fort Saint George.

Finally I beg that you will be so kind as to forward this application with your recommendation to the notice of the Honorable Government and obtain for me a favorable endorsement as early as praticable.

No. 22. ORDER THEREON, 11th February 1861, No. 90.

Resolved that the Dewan Madar Ool Oomrah Bahadoor be informed, through the Government Agent at Chepauk, in reply to his memorial of the 15th September 1859, that the Honorable the Court of Directors* have expressly ordered that the salaries of the principal officers of His Highness the late Nawaub be continued for *their lives*. Under these circumstances the Government regret that they cannot entertain his application that his pension may be continued for three generations.

* *Despatch to Government of India*, 19*th March* 1856, *Political Department, No.* 15, *P.* 10.

(Signed) T. PYCROFT,
Chief Secretary.

No. 23. Read the following letter from WILLIAM C. GIBSON, Esq., Colonial Secretary at Colombo, to the Chief Secretary to Government, Fort Saint George, dated 2nd February 1861, No. 14.

An individual styling himself the Prince of Johanna having come here, and shown a Passport from the Madras Government, I am directed by His Excellency the Governor to request that the Honorable the Governor of Madras in Council will be good enough to give any information they can afford about him, especially as he has made a further application for money, after having so recently received an advance from the Madras Government.

No. 24. To the Colonial Secretary at Colombo, dated Fort Saint George, 11th February 1861, No. 91.

* *No.* 14. In reply to your letter* of the 2nd instant, I am directed by the Honorable the Governor in Council to state that the individual therein alluded to arrived at Madras, rom Johanna in the month of December last, by the Merchant Ship "Agincourt" on a mission to this Government from his Uncle the Sultan of the Comooroo Islands in the Mozambique channel. He brought credentials from the Sultan attested by the Captain and first Officer of the "Agincourt," and there seems no reason to doubt that he is the person whom he represents himself to be. The matter on account of which he was sent by the Sultan was one of which the Madras Government were not competent to dispose of on their own authority, and could only refer for the instructions of the Home Government and Government of India. The Prince was informed of this and advised to return to his own country. Sixteen hundred Rupees were given him by the Government to defray his charges here and the expenses of his voyage home. He left Madras by the last P. and O. Steamer for Ceylon, where, as he stated, he hoped to find opportunities of proceeding to Mozambique and thence to Johanna. It is believed that partly from his having somewhat needlessly protracted his stay at Madras and perhaps from some improvidence on his part, the money given him by this Government was nearly exhausted before he left this place. It seems desirable that he should be sent to Mozambique or Johanna by the first opportunity that may present itself.

(Signed) T. PYCROFT,
Chief Secretary.

No. 25. Read the following letter from His Excellency M. D'UBRAYE, Commissary General, Governor of the French Establishments in India, to His Excellency the Right Honorable the Governor of the Presidency of Fort Saint George, dated Pondicherry, 4th Februay 1861.

GOUVERNEMENT DES ETABLISSEMENTS FRANCAIS DANS L'INDE.

Cabinet du Gouverneur.

No. 23.

MONSIEUR LE GOUVERNEUR,

J'ai eu l'honneur, par dépêche en date du 17 Octobre 1860, d'informer Votre Excellence d'un conflit qui s'était élevé entre Mr. Parvis, Collecteur du district du Godavery, et M. le Chef de service de Yanaon, au sujet de l'extradition de malfaiteurs accusés de recelé.

Je vous prie d'adresser à Mr. le Collecteur du Godavery des instructions relativement à cette affaire et d'avoir la bonté de m'informer de la solution que vous aurez donnée, afin que je puisse la faire connaître á M. le Chef de service de Yanaon.

(Signed) D'UBRAYE.

(TRANSLATION.)

From His Excellency M. D'UBRAYE, Commissary General, Governor of the French Establishments in India, to His Excellency the Honorable the Governor of the Presidency of Fort Saint George, Madras, dated Pondicherry, 4th February 1861.

I have had the honor, by despatch under date 17th October 1860, to inform your Excellency of a difference of opinion that had arisen between Mr. Purvis, Collector of the Godavery District and the Chef de Service of Yanam, on the subject of the extradition of offenders charged with concealment of stolen goods.

I beg that you will address to the Collector of Godavery, instructions in respect of this affair, and to have the goodness to inform me of the resolution at which you may have arrived, in order that I may communicate the same to the Chef de Service of Yanam.

(True translation.)

(Signed) W. KOMARECK.

No. 26. ORDER THEREON, 12th February 1861, No. 92.

Ordered to be recorded in reference to the Proceedings of Government, 7th instant, No. 84.

(Signed) T. PYCORFT,
Chief Secretary.

No. 27. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property, to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 31st January 1861, No. 27.

Paragraph 1. In continuation of the letter I addressed to you under the date and number noted in the margin, I now do myself the honor of enclosing for the information of the Honorable the Governor in Council, a copy of a letter from the Dewan of the Carnatic Durbar, to the address of the Government Agent at Chepauk, dated so far back as the 1st of October 1860, but forwarded to me by the Government Agent in his letter, dated the 29th January 1861, No. 101.

21st December 1860, *No.* 255.

2. It will be observed, that in his letter the Dewan affords much of the information which I have been so long seeking to obtain, and if that Gentleman's letter had been forwarded to me on its receipt, and had not been detained nearly 4 months on the table of the Government Agent, much trouble might have been spared to myself and Government, to say nothing of the annoyance and delay which its detention has caused; for with that information before me I need not have asked the Government to make the search to the extent I was compelled to do in my letter noted above, and I entertain little doubt, but that I should have been enabled 'ere this to have settled the question raised by the Official Assignee.

3. From the Dewan's letter it will be observed that the enquiries embodied in the 3rd, 4th, and 5th paragraphs of my letter to the Government Agent of the 17th of September 1860, No. 163, are answered; to that extent therefore, further search amongst the records of the Government Office need not be prosecuted; if however any information on that point has been elicited by the search made to the present time, I should wish to have it laid before me.

4. I have requested the Government Agent to have all the Dufters which relate to the properties in question looked out and arranged in chronological order, with marks placed in the different pages that contain the entries relating to those properties; and so soon as I hear that this has been done, I purpose attending at the Government Agent's Office and making the search myself, which I apprehend need not occupy more than a very short time, that is if efficient and zealous Officers are placed under my orders.

5. Referring to the 6th, 7th, and 8th paragraphs of my letter to the Government Agent of the 17th September 1860, and the 10th paragraph of my letter to your address noted above, and looking at the 2nd paragraph of the Dewan's letter, it will be observed the Dewan states that in February 1802, the Honorable Company restored to the Nabob Azeem-ud-Dowlah, the Gardens at Trichinopoly, and in June 1802, the gardens at Arcot; while in the 7th paragraph the Dewan refers to a letter from Lord Clive, dated the 12th June 1802, as the authority under which the Officers of the Honorable Company restored those gardens; you will observe the Dewan's argument on the subject. It is however quite evident, that if the Palace and Gardens at Trichinopoly were really restored in February 1802, such restoration could not have taken place under the authority of a letter, dated in June of that year; I entertain little doubt however that among the records of Government will be found orders for the restoration of all the gardens referred to.

From MADAR-OOL-OOMRAH, Dewan of the Durbar, to E. G. BALFOUR, Esq., Government Agent at Chepauk, dated 1st October 1860.

1. I have the honor to acknowledge the receipt of your letter dated 20th September 1860, giving cover to a copy of letter from the Receiver of the Carnatic Property.

2. With reference to the letter of the Receiver of the Carnatic Property, I have to inform you for the information of that Officer, that after the year 1785 and before 1801 the Honorable Company had no District in their possession, but their own Jagir, and in 1801 when the whole Carnatic came, according to the terms of Treaty, under the possession of the Honorable Company, they restored to Nabob Azeem-ud-Dowlah Bahadoor, the gardens situated at Trichinopoly in February, and the gardens lying at Arcot in June 1802, which have been in the possession of the Sirkar up to the death of Nabob Gholam Mahomed Ghouse Khan Bahadoor. His late Highness had granted to Gholam Mahomed as an Inam a garden called Ameer Bagh, situated at Trichinopoly and a garden named Ali Bagh situated at Arcot together with a piece of land lying without the hedge of Anvar Bagh, and although a Purwanah was granted to him making over the same, yet the said gardens were never put in his possession, nor they were separated by Order of His Highness from the count current of the Sirkar; moreover, the revenue thereof was according to the Order received annually on my own receipt, and paid to the said Gholam Mahomed up to 1854, which payment I afterwards discontinued by Order of Government. The two true copies of the two last receipts given by the said Gholam Mahomed, are herewith enclosed with their translations, as requested by the Receiver.

3. The revenue that was subsequently collected was, in consequence of the insufficiency of the produce of the gardens applied towards paying the wages of the Sircar servants attached to the gardens, and was not carried to the account of the Sircar.

4. I recollect that, previous to the grant of the said gardens, to Gholam Mahomed, the late Nabob ascertained from the then Government Agent, whether he could make such grant of the Sircar property to any one? which letter with its reply may be found in the records of Government Agent, and the English Department of the Sircar.

5. The gardens in question were restored by Government to Nabob, and granted by him as Inam to Gholam Mahomed, but they were never put in possession of the said party, while it is so, the English Regulation and Rules applicable to such property, may be applied in this case also.

6. Nazim ud Dowlah was actually invested with power referred to in the letter of the Receiver, by His late Highness, a reference to the records of the Persian Department now in your charge, will prove this point.

7. Almost all the gardens situated at Arcot were restored to His Highness the Nabob Azim ud Dowlah, as per a letter from Lord Clive, dated 12th June 1802, and if the letter were for the restoration of only Nowlakha Garden, the Collector of that District would not have delivered over the possession of the other gardens to the Nabob, this fact can be proved to the satisfaction of the Receiver of the Carnatic Property, if a true copy of the said letter now on the records of the Government, together with a true copy of the orders issued in connection with the gardens at Trichinopoly be obtained and perused.

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No. 28. ORDER THEREON, 12th February 1861, No. 93.

Resolved that a copy of the above letter and its enclosure be furnished to the Government Agent, and that he be desired to explain the cause of the delay that occurred in his forwarding to the Receiver of the Carnatic Property the letter of the Dewan under date the 1st October last.

2. Doctor Balfour will afford the Receiver the assistance specified in paragraph 4 of his letter.

3. It is observed that the further papers required by the Receiver of the Carnatic Property have been furnished to him with the Order of Government dated 4th Instant.

(Signed) T. PYCROFT,
Chief Secretary.

No. 29. Read the following letter from R. P. HARRISON, Esq., Accountant General, to the Chief Secretary to Government, Fort Saint George, dated 7th February 1861, No. 392.

With reference to the letter of the Secretary to Government in the Foreign Department, dated 19th September 1837, and to the Extract from Minutes of Consultation, under date 6th March 1838, I have the honor to transmit the accompanying Statement of Foreign Pensioners supported by the British Government, as they stood on the 1st January 1861; from which it will be seen that the aggregate amount of disbursements on this account is Rupees 421-1-4 per mensem.

No casualties among the Pensioners during the year 1860 have been reported to this Office.

List of Foreign Pensioners supported by the British Government, as they stood on the 1st January 1861.

Districts in which the Pensioners reside, and draw their Stipends.	Number in each District.	Names of the Pensioners.	Age. Years.	Months.	Days.	Of what Nation.	Amount of monthly pension. Rs.	A.	P.	Date of Government sanction.	Present employment or occupation.	Remarks as extracted from the Returns forwarded from the Provincial Treasuries.
Tanjúr.....	1	Anna Potigitor	72	0	0	Dutch ...	7	0	0	25th Oct. 1825		
Tinnevelly ...	1	P. J. Smith, Junior	57	0	0	Do. ...	17	8	0	18th Nov. „	Inspecting Goomastah	This pensioner has no other means of support, except his pension and monthly pay as Inspecting Goomastah, and has a large family to maintain.
	1	Mr. William Vanspall	65	0	0	Do. ...	18	10	8	31st May 1819	None	Son of the former Governor of Cochin, possesses no property except a small house, which is mortgaged, has a family dependent upon him.
	2	Miss F. E. C. Lunel	75	0	0	Do. ...	20	0	0	5th Aug. 1825	None	Daughter of the former Chief Secretary of Cochin, possesses no property whatever.
	3	Miss Johana H. Lunel	60	0	0	Do. ...	20	0	0	Do. do. ...	None	Do. do. do.
	4	Susana F. Schœman	78	0	0	Do. ...	8	0	0	7th Jan. 1814	None	In great distress and consequently fully deserving of this small pension.
Malabar ...	5	Miss G. C. Grombart.....	59	0	0	Do. ...	20	0	0	14th Oct. 1834	None	Possesses no property. The daughter of an old and deserving servant of Government, the former Fiscal of Cochin, and fully entitled to this bounty.
	6	Mrs. Anna Smith	82	0	0	Do. ...	5	4	0	8th Sep. 1846	None	Represented to be in a very destitute condition.
	7	Miss F. D. Albedyhll	75	0	0	Do. ...	50	0	0	29th Oct. 1853	None	Pension granted in consequence of the death of her mother as well as in consideration of her reduced circumstances and advanced age.
	8	Mrs. Johana Fredric Correya ...	53	0	0	Do. ...	11	10	8	24th Oct. 1859	None	Represented to be in a very destitute condition.
	1	Miss G. D. Henricos	63	0	0	Unknown	3	8	0	5th Apr. 1853	None	This pensioner has no relations of any kind, neither has she any other means of subsistence besides the pension allowed her.
Madras ...	2	Mr. J. D. Dormieux.....	83	0	0	Dutch ...	17	8	0	3rd July 1827	None	This pensioner has a wife, and has no other means of livelihood but the pension granted to him, *viz.*, British pension Rupees 17-8-0, Netherland pension Rupees 17-12-4 per mensem.

Madras ...	3	Miss A. F. Dirkiz	55	0	0	Dutch ...	35	0	0	24th Oct. 1845	None ...	No change has taken place in the circumstances of these pensioners since the date of last report, and they have no resources independent of the pensions allowed them by Government.
	4	Miss A. C. Saalfelt	41	0	0	Do. ...	7	0	0	22nd Feb. 1848	None ...	
South Arcot	1	Mr. A. Vieith	77	0	0	French...	100	0	0	19th Mar. 1832	None ..	The three individuals named in this Return, *viz.*, Mr. Vieith, Mr. P. Dayot and Mr. T. Haig are living, and no improvement or alteration in their condition has taken place during the year 1860.
	2	Mr. P. Dayot.....	70	0	0	Do. ...	70	0	0	23rd Jan. 1827		
	3	Mr. T. Haig	33	0	0	Do. ...	10	0	0	24th July 1850		
		Total Company's Rupees...	421	1	4							

(Signed) R. P. HARRISON,

Accountant General.

FORT SAINT GEORGE,

ACCOUNTANT GENERAL'S OFFICE,

7th February 1861.

No. 30. To the Under Secretary of State for India, dated Fort Saint George, 14th February 1861, No. 94.

Dated 7th February 1861, No. 392.

In continuation of the Statement forwarded with a letter in this Department, dated 20th February 1860, No. 87, I am directed by the Governor in Council to transmit to you, to be laid before the Right Honorable the Secretary of State for India, a list of the Foreign Pensioners supported by the British Government as they stood on the 1st January 1861, together with a copy of a letter from the Accountant General.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following Endorsement from the Under Secretary to the Government of India, dated 25th January 1861, No. 190.

No. 31. Read letter from LORD H. ULICK BROWNE, Under Secretary to the Government of India, to Captain A. C. McNEILL, Agent, Governor General, Hill Tracts of Orissa, dated Fort William, the 25th January 1861, No. 189.

Home Department.

With reference to your letter, No. 196, dated 9th October, soliciting permission to adopt special measures for bringing certain robbers to justice, I am directed by the President in Council to forward the accompanying copy of a letter* from the Government of Fort Saint George, and to request that you will act in conformity with the views therein set forth, and abstain from interfering with matters beyond the strict line of your duties.

*No 18, *dated 8th instant.*

No. 190.

Copy forwarded for information to the Government of Fort Saint George.

(Signed) H. ULICK BROWNE,
Under Secy. to the Govt. of India.

No. 32. ORDER THEREON, 14th February 1861, No. 95.

Communicated to the Collector and Agent at Ganjam with reference to the Proceedings of Government, dated 8th ultimo, No. 17.

(Signed) T. PYCROFT,
Chief Secretary.

No. 33. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 6th February 1861, No. 126.

I have the honor, with reference to the Order of Government conveyed in the 2nd paragraph of their Proceedings, No. 63, dated 26th ultimo, to forward the accompanying letter* received in reply from the Dewan of the Durbar, together with the list of his establishment therewith received.

* *Requested to be returned.*

2. I beg to mention that this subject has been receiving my attention; and in correspondence with the Dewan of the Durbar I begged him to reduce his establishment to the very utmost, consistent with the possible necessity of being required to continue to give assistance to the legal Officers of Government, and the Dewan's attention to my remarks will be seen as the 2nd paragraph of his letter transmitted to Government with my letter, No. 85, dated 24th ultimo.

From MADAR-OOL-OOMRAH, Dewan of the Durbar, to E. G. BALFOUR, Esq., Government Agent at Chepauk, dated 2nd February 1861.

With reference to your letter of the 28th ultimo, and paragraph 2 of the Order of Government, dated 26th idem, and therein received, I have the honor to enclose a list of the establishment now entertained by me for the Sircar affairs.

List of the Sircar Establishment now remained under the Dewan of the Durbar.

		Monthly Salary.		
		RS.	A.	P.
1	Accountant...	32	0	0
1	Moonshi...	11	8	0
1	Translator...	40	0	0
1	Assistant to do...	15	0	0
1	Clerk...	15	0	0
2	Chobdars.	12	0	0
2	Orderlies...	5	8	0
2	Lascars...	6	0	0
	Stationery, &c...	7	0	0
	Rent of the Office house...	6	0	0
	Total...	150	0	0

(Signed) MADAR-OOL-OOMRAH,
Dewan of the Durbar.

2nd February 1861.

No. 34. ORDER THEREON, 15th February 1861, No. 96.

Ordered that the foregoing letter be recorded.

2. It is observed that the docket of the enclosure to that letter is not on the enclosure itself but on a detached piece of paper, or rather that there are two dockets, one on the letter and one on a separate paper. The Government Agent will in future observe the course laid down in the Notification of the 11th ultimo, on the subject, published in the Official Gazette of the same date, page 38.

(Signed) T. PYCROFT,
Chief Secretary.

No. 35. Read the following letter from J. VASSUNDOR, Esq., Secretary of the Government of Netherlandish India, to the Chief Secretary to the Government of Madras, dated Batavia, 11th January 1861, No. 95.

D'après les ordres de Son Excellence le Gouverneur Général des *Indes Néerlandaises*, j'ai l'honneur de vous prier de me faire parvenir quelques renseignements sur les Sieurs *Jean Marie Armand Montclar* et *Francis Hudson Lowe*, qui, il y a quelques mais, sont arrivés á *Batavia* de *Sincapour* sans passeports et déclarent avoir été établis récemment à *Madras*.

Depuis quelques jours il court sur ces messieurs, qui professent l'intention d'introduire ā *Java* un nouveau procédé pour la fabrication de sucre, des bruits si peu favorables, qu'il est urgent d'éclaircir leur passé.

Il paroît que *Mr. John Vans Agnew* de la maison de Commerce *Arbuthnot & Co.* à *Madras* est l'auteur principal de ces bruits.

Je vous prie donc, Monsieur le Secrétaire, de vouloir bien me faire part confidentiellement de ce qui est connu á *Madras* de la conduite et des antécédents de ces messieurs, tant là qu'ailleurs.

(TRANSLATION.)

From J. VASSUNDOR, Esq., Secretary of the Government of Netherlandish India, to the Chief Secretary to the Government of Madras, dated Batavia, 11th January 1861, No. 95.

Agreeably to the instructions of His Excellency the Governor General of Netherlandish India, I have the honor to request that you will favor me with information respecting the Messieurs John Marie Armand Montclar and Francis Hudson Lowe, who arrived some months ago at Batavia from Singapore without Passports, and are said to have been recently established at Madras.

For some days back reports respecting these gentlemen, who profess the intention of introducing into Java a new process for the manufacture of sugar, are in circulation of so unfavorable a kind that it is indispensably necessary to know something of their past career.

It would appear that Mr. John Vans Agnew of the Firm of Arbuthnot & Co., at Madras, is the principal author of these reports.

I therefore beg, Sir, that you will be pleased to communicate to me confidentially what is known at Madras of the conduct and antecedents of these gentlemen, both there and elsewhere.

(True translation.)

(Signed) W. KOMARECK.

No. 36. ORDER THEREON, 15th February 1861, No. 97.

Resolved, that the foregoing letter be communicated to Mr. Vans Agnew, and that he be requested to favor Government with any information that he may be able to afford regarding the parties alluded to.

(Signed) T. PYCROFT,
Chief Secretary.

No. 37. Read the following letter from J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th February 1861, No. 118.

I have the honor to request that the Sub-Treasurer may be authorized to disburse to me a further sum of 7,500 Rupees towards compensation sanctioned by Government to be paid for the Houses and Huts within the compound of the Chepauk premises.

No. 38. ORDER THEREON, 15th February 1861, No. 99.

The Sub-Treasurer is authorized to advance to the Government Solicitor the sum of (Rupees 7,500) seven thousand five hundred Rupees for the purpose indicated in the above letter.

(Signed) T. PYCROFT,
Chief Secretary.

No. 39. Read the following letter from J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th February 1861, No. 119.

Jay Gopaul Doss,
versus
Doveton Rama Row and B. Brooks, Official Assignee of the Court for the Relief of Insolvent Debtors at Madras, and as such the Assignee of Doveton Baboo Row an Insolvent Debtor.

1. I have the honor to bring to the official notice of Government that, on the 21st of November last, a mortgage held by Jay Gopaul Doss on certain premises at the Adyar, commonly known as "Pugh's Gardens" became the subject of sale by the Master of the Supreme Court under a Decree made by the Supreme Court in the suit noted in the margin.

2. Subject to this mortgage the Receiver of the Carnatic Property was entitled to the premises as parcel of the property of the late Nabob of the Carnatic.

3. I satisfied myself that the premises were worth, and would probably realize several thousands of Rupees in excess of the amount due to Jay Gopaul Doss as mortgagee if they (*the premises* not merely the mortgage upon them) were put up for sale by Auction and it seemed to me very desirable with a view to such a sale and of preventing all difficulty arising from conflicting interests or opinions or disputed possession, &c., that the mortgage should be purchased either by Government or by some party who would concur with the Receiver of the Carnatic Property in such measures as might be thought best calculated to promote an advantageous sale of the premises themselves.

4. I therefore bid for the mortgage at the Master's sale and became the purchaser at 9,100 Rupees, I have since been in communication with the Receiver of the Carnatic Property regarding the sale of the premises, and will co-operate with him in doing what may seem best for realising their full value.

5. I have now to solicit the decision of Government as to whether they will adopt my purchase on behalf of Government and sanction the payment to me of the sum of 9,100 Rupees, or whether I shall be left to realize this amount out of the proceeds of the sale by the Receiver of the Carnatic Property.

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No. 40. ORDER THEREON, 15th February 1861, No. 100.

The Government would prefer the latter of the two alternatives submitted at the conclusion of the above letter, *viz.*, that the Government Solicitor should realize the sum, Rupees 9,100, paid for the mortgage on Pugh's Gardens from the proceeds of the sale of the property by the Carnatic Receiver. It is desirable that the premises should be sold at an early date.

(Signed) T. PYCROFT,
Chief Secretary.

No. 41. Read the following letter from Lord H. ULICK BROWNE, Under Secretary to the Government of India, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Fort William, the 24th January 1861, No. 182.

Home Department.

I am directed by the President in Council to forward for the consideration of the Governor in Council the accompanying extract, paragraphs 4 and 5, of a letter No. 264, dated 31st ultimo, from the Agent to the Governor General in the Hill Tracts of Orissa, on the subject of the appointment of 3 Vaccinators in certain Khond Districts.

2. The President in Council understands Lieutenant McNeill to allude to Districts comprised in the Ganjam Agency.

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Extract, paragraphs 4 and 5, of a letter No. 264, *dated 31st December* 1860, *from the Agent to the Governor General in the Hill Tracts of Orissa.*

4. The Khonds of Kottimaha and Pennymaha of Pamgondah, whose quarrel I last year amicably adjusted, are also thoroughly reconciled. They as well as the whole of the Khonds of Guddapoor were very urgent in their request that I should send a "Sircar Vaccinator" to visit them, and thereby avert the dreadful scourge from which they suffer so severely every year. I was credibly informed by the "Thaut Rajah" and Oriah Chiefs that the Khonds on hearing that there were persons in the low country, who by inoculation could prevent the ravages of small pox, sent a deputation to the low country, who returned with 3 or 4 individuals, these traversed various Mootahs and vaccinated many hundred Khonds, but the persons thus brought from the low country turned out to be adventurers and imposters, possessing no genuine lymph, and who reaped an abundant harvest from the mistaken confidence of the Khonds, several of these were pointed out to me who had been reduced to poverty owing to the demands of these impostors, and it was also brought to my notice, that several cases occurred in which Khonds had even pledged their own children to others, with the view of obtaining money to pay for having themselves and family vaccinated.

5. Three Vaccinators on 10 Rupees a month, which with the sum of 40 Rupees for any contingent expenses, would only cost Government 400 Rupees per annum, would be an inestimable boon to the unfortunate Khonds, who, free from all prejudices of caste, would only too willingly avail themselves of the generosity of Government if extended to them as now proposed.

(True Extract.)

(Signed) H. U. BROWNE,
Under Secretary to the Government of India.

No. 42. ORDER THEREON, 16th February 1861, No 101

Ordered to be communicated to the Principal Inspector General Medical Department, who will take any means as may be in his power for locating three Vaccinators in the Districts referred to.

(Signed) T. PYCORFT,
Chief Secretary.

No. 43. Read the following letter from J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 2nd February 1861, No. 82.

Dated 28th January 1861, No. 66, Political Department.

1. With reference to the Proceedings of Government noted in the margin, I have the honor to report that a charge of perjury was preferred at the instance of Kyr-oon-Nissa Begum against Manick Chund before the sitting Magistrate at the Town Police Court on the 22nd of December last, that a Summons was thereupon issued and that no further Proceedings have since been had in consequence of the Magistrate having been fully occupied with emergent public business, but that the matter will be proceeded with at a very early date.

No. 44. ORDER THEREON, 16th February 1861, No. 102.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 45. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property, to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Madras, 12th February 1861, No. 43.

Paragraph 1. I have the honor to report for the information of the Honorable the Governor in Council, that I have been served with a copy of an Order issued by the Supreme Court, whereby I am directed within 10 days to pay the sum of Rupees 25,000, in full discharge of what is due to the claimant there named, and I have not sufficient funds realised from the Estate of the late Nabob of the Carnatic to pay the amount.

2. I therefore do myself the honor of requesting that His Excellency in Council will be pleased to issue the necessary orders for payment to me out of the Treasury of the sum of Rupees (20,000) twenty thousand, to enable me to comply with the terms of that Order.

No. 46. ORDER THEREON, 16th February 1861, No. 103.

Resolved that the Sub-Treasurer be authorized to disburse to the Receiver of the Carnatic Property, the sum of Rupees (20,000) twenty thousand, applied for on the above account.

(Signed) T. PYCROFT,
Chief Secretary.

Read again the following papers:—

From the Resident of Travancore, dated 22nd September 1860, No. 65.

Proceedings of Government, 12th October 1860, No. 607.

Read also the following letters:—

No. 47. From F. N. MALTBY, Esq., Resident of Travancore and Cochin, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Trichoor, 4th January 1861, No. 1.

No. 607.

No. 2,222, *dated* 24*th December* 1860.

I have the honor with reference to the Order of Government of the 12th October 1860, to forward for submission to His Excellency the Governor in Council, the remarks of the Dewan of Travancore on the claim of Mr. Oughterson.

No. 65.

2. I beg to state that a careful perusal of this statement does not lead me to alter the opinion expressed in my letter of the 22nd September.

3. I think that there are two points upon which the reasoning of the Sircar has been weak throughout. The first is the going back to the circumstances attending the negociation in May 1852, whereas all that Mr. Oughterson was interested in was the official letter of the Dewan of August 31st, 1852. The second is, the dwelling upon the misunderstandings between Mr. Crawford and the Dewan, with which Mr. Oughterson was in no way concerned. The question is was the timber ever delivered to Mr. Oughterson, or tendered to him and declined.

4. It is here necessary I think to remember, that the bargain was one at first pressed upon Mr. Oughterson and to which he assented, and he had reason to believe that the Sircar was desirous of procuring the timber to deliver to him for a price of their own proposing: he had no reason to solicit the delivery. Afterwards as teak rose in value steadily and continuously it would be difficult to believe that Mr. Oughterson intended to allow a bargain to drop which was constantly rising in value to him.

5. The only portion of the Dewan's letter which is new to me is the letter of the late Dewan to Mr. Crawford, quoted in paragraph 29, and Mr. Crawford's reply. These I had not seen before.

6. I cannot understand why Mr. Crawford was not more explicit in his answer to the Dewan's question. He stated that the full quantity of timber agreed to be delivered to that firm had not as yet been completed in consequence of the absence of crooks in the Depôt. Most certainly the Dewan on learning that the quantity undelivered was the large amount of 5,000 candies had just cause to complain, that the Commercial Agent had not given the information he sought. But Mr. Oughterson's case must be judged by Mr. Oughterson's letter, not by Mr. Crawford's.

7. Mr. Oughterson's letter was quoted by me in my previous report, as a proof that he considered the bargain still current, but required that a certain proportion of crooked timber should be given as had been promised. If the Sircar could show that this was done, that crooks in proportion to previous deliveries were given, and the bargain thus closed, Mr. Oughterson asking nothing more, I should think their case a strong one. As it is, I cannot see any point at which it can be said that Mr. Oughterson was offered as much of the promised timber as he wanted, and declined the rest.

8. I am of opinion still that 7,000 candies of timber fit for ship building should have been delivered.

From T. MADAVA ROW, Dewan of Travancore, to F. N. MALTBY, Esq., British Resident of Travancore, &c. &c. &c., dated Trevandrum, 24th December 1860, No. 2,222.

With reference to my letter to you, No. 2,045 of the 5th instant, I now do myself the honor to reply to your communications, Nos. 1,791 and 1,934, dated respectively the 27th October last, and 21st November ultimo, on the subject of an alleged claim on the part of Mr. James Oughterson of Cochin on this Sircar touching Teak Timber.

2. The Sircar would in the first place express its earnest hope that the Madras Government, on a consideration of the present state of the case under reference, would not urge its being re-opened and re-agitated.

3. Mr. Oughterson has not, it is presumed, brought forward new grounds sufficient for disturbing the settlement arrived at already; and it is a widely published rule laid down by the Government itself that the Government having passed one Order on any appeal made to it, will not notice a second petition on the same subject unless new and important matter be introduced.

4. On the case of Mr. Oughterson it was not one Order that was passed, but repeated orders on the part of the British Government.

5. Mr. Oughterson appealed to the British Resident against the Sircar under date the 4th of October 1854. The British Resident decided in favor of the Sircar and against Mr. Oughterson. Next, Mr. Oughterson preferred an appeal to the Madras Government under date the 24th of May 1855, the result of which was an Order from that Government, dated the 24th of July of the same year, communicated by Mr. Chief Secretary Pycroft, informing Mr. Oughterson that the Government "find the matter to be one in which there are not grounds for their interference." Mr. Oughterson subsequently, *i.e.* under date the 20th of August 1855, moved the Madras Government to reconsider the case forwarding all his papers. Thereupon too, the Madras Government declined interference (Extract from Minutes of Consultation, No. 108, dated 7th April 1856.) The case then came under the notice of the Honorable the Court of Directors, who also decided against Mr. Oughterson. Mr. Oughterson did not desist but addressed the Madras Government another time urging that the Honorable Court could not have been in possession of his statement of the case; and the Order of Government communicated by the then Chief Secretary, E. Maltby, Esquire, in No. 383, and dated 15th May 1857, ran as follows: "It is to be observed that all the papers on the subject of the timber transaction were forwarded to the Honorable the Court of Directors, and as the Orders conveyed in paragraph 8 of their Despatch of the 2nd January, No. 1 of 1857, were passed upon a consideration of all the circumstances of the case, the Government cannot pursue the matter further." In Extract from Minutes of Consultation, No. 891, dated 16th October 1857, Government inquired, at the instance of Mr. Oughterson, if the Travancore Government would agree to an arbitration. This was declined by the Sircar under circumstances adverted to in my demi-official letter to your predecessor, dated 24th December of that year; and in Extract from Minutes of Consultation, No. 248, dated 14th April 1858, Government communicated such Resolution of the Sircar to Mr. Oughterson. The proposal for arbitration having since been submitted to the Honorable the Court of Directors, the Court intimated in paragraph 12 of their Despatch, dated 1st September, No. 10 of 1858, that they could not enforce the adoption of that proposal. The Court also observed in paragraph 13 of the same Despatch: "We believe that we are already in possession of all papers material to a consideration of the question, but if there be any which have not been transmitted, we direct that they be forthwith sent, not to Mr. Oughterson, but to us." And on this the Madras Government remarked in Extract Minutes Consultation, No. 702 of the 26th October 1858, "It is observed that copies of all the papers connected with this case have been laid before the Honorable Court with the Despatches reporting the proceedings on the subject." A still further reference was made and thereupon the Resident, General Cullen, sent to Government what they termed a "final report" under date the 5th of August 1859, No. 69, and Sir C. Wood, Her Majesty's Secretary of State for India stated in paragraph 3 of his Despatch, No. 17 of the 24th November 1859 as follows: "Considering these circumstances as set forth in your third paragraph and in the enclosures to the letter under reply, I decline to direct the interference of your Government to obtain from the Government of Travancore, recognition of Mr. Oughterson's claim." There are probably

Resident to Dewan, No. 2,269, dated 1st December 1854.

No. 302.

Despatch No. 1, dated 2nd January 1857, *Para.* 8.

30th April 1857.

other Orders also to the same effect not communicated to the Sircar. And it is said that when subsequent reference was made, Sir C. Trevelyan's Government decidedly refused to enter upon the case on the ground of the above decision come to by Her Majesty's Government.

6. Now it is to be observed that all these successive Orders were communicated to the Sircar, and were passed on a consideration of all the papers connected with the case. The Sircar hence naturally concluded that the question was thus finally set at rest.

7. If notwithstanding the concurrent decisions of successive authorities up to Her Majesty's Government, after six years of discussions, a difficult and complicated question arising out of a transaction which took place about nine years ago, is to be revived and treated just as if it has come up afresh,—a wide door, it may justly be feared, will be opened to endless litigation, and the interests of the Sircar constantly exposed to uncertainty and danger.

8. Assuming however for the present that the Madras Government leaves the Sircar no alternative but to enter upon the case again, I shall proceed to make a few observations on its merits.

9. Mr. Oughterson's complaint against the Sircar is, that a breach of contract was committed by the late Dewan in refusing in 1854 to give him 5,000 candies of Teak Timber which he (Mr. Oughterson) considered due to him at prices agreed to in May 1852.

10. The Sircar considered that this demand on the part of Mr. Oughterson of 5,000 candies out of the stock of the years subsequent to 1027 at the rates agreed to in 1852, was not warranted by the nature of the agreement concluded in the month of May of that year between Mr. Crawford, the Sircar's Agent, and Mr. Oughterson. It is to be regretted that there is no formal written agreement to appeal to and to decide the case. According to the usage of the Commercial Department of the Sircar, such a formal instrument *is* drawn up between the contracting parties recording beyond doubt the conditions and nature of the contract. Such an instrument is of course paramount to whatever may have previously passed between the contracting parties. In the present instance, as observed already, no such instrument exists.

11. The facts of the case and the intentions of the parties have therefore to be collated from correspondence which passed about the time.

12. We must look at the state of things before May 1852 when the transaction with Mr. Oughterson took place. A large stock of timber had accumulated in the Depôt at Alleppy, and it is to be borne in mind that that stock comprised old timber, that is to say timber which had arrived at Alleppy in past years. It is also to be borne in mind that this old timber in the Depôt at Alleppy would command a comparatively low value in the market for which two reasons may be shown here, viz., the timber itself had been originally bad, and it was the residue left after previous selections. It was desired to get rid of this large accumulated stock in the Depôt. Mr. Crawford, the Commercial Agent of the Sircar at Alleppy in charge of the Depôt there, was accordingly very actively engaged in making inquiries in all directions to find purchasers. He in his letter to the Dewan, No. 97, dated 13th May 1852, strongly pointed out to the Sircar the impolicy of expending more money on cutting new timber "until they (the Sircar) have *some* return for the very *large* stock now in this Depôt."

13. In May 1852, (Malabar year 1027) there lay in the Depôt at Alleppy about 7,000 candies of Teak Timber of the stocks of the years from (1017) 1841-42 to (1025) 1849-50, which Mr. Crawford termed "the very old timber" and of the stocks of the years (1026) 1850-51 and (1027) 1851-52. Mr. Crawford went to Cochin, saw Mr. James Oughterson and concluded a bargain with him for the purchase of 7,000 candies to the effect that any portion of the very old timber, *i.e.* from (1017) 1841-42 to (1025) 1849-50, which he may take, would be disposed of to him at Company's Rupees 7¾, and the rest at 8¾ to 9 Rupees per candy. The rate of 8¾ Rupees was applied to the stock of 1026 and that of 9 Rupees to the timber of 1027. These proceedings of Mr. Crawford were privately communicated by him to the late

Statement of Sircar property under Mr. Crawford's signature for the month of May 1852, *dated* 10*th September of the same year.*

Mr. Crawford to Dewan, No. 179, *dated* 21*st August* 1852.

Account under Mr. Crawford's signature of receipts and issues of Teak Timber from 1852 *to* 1854, *dated* 23*rd July* 1860.

Dewan. Mr. Crawford returned to Alleppy believing all to be arranged. The next day, Mr. Oughterson wrote to Mr. Crawford to say that as he understood notwithstanding Mr. Crawford's explanation to the contrary that the timber was useless, he therefore considered the agreement null. After taking much pains and entering into further explanation with Mr. Oughterson, Mr. Crawford succeeded in holding the first agreement good.

Messrs. Armitage Scott and Co., to Mr. Crawford, Colombo, 26th April and 9th August 1852, enclosed in Mr. Crawford's letter to Dewan, No. 178 *of 21st August* 1852.

14. At the time of this agreement, teak was selling at 18 to 21 Rupees per candy in Ceylon. The Cochin Sircar were asking Mr. Oughterson 45 Rupees per candy for their 2 or 3 years' stock. The price agreed upon between Mr. Crawford and Mr. Oughterson was, however, only 7¾ to 9 Rupees per candy, very low, the former being actually the prime cost. Mr. Oughterson hesitated to abide even by these rates, low as they were, himself assigning the reason that the timber in the Depôt was so inferior. I believe these circumstances are not denied. I think also that they establish the fact that the sale agreed upon between Mr. Crawford and Mr. Oughterson at the rate of 7¾ to 9 Rupees per candy was not of 7,000 candies of Teak Timber generally and indefinitely so as to warrant Mr. Oughterson claiming to be supplied at the same rate from the stock of the years *subsequent* to (1027) 1851-52, in which year the agreement was made, especially when the stock of subsequent years was more valuable, not only on account of improved demand but also on account of the timber being of better quality. Such an agreement as that above described having been concluded in May 1852, action was immediately taken upon it.

Dewan to Mr. Crawford, No. 1,433, *31st August* 1852.

Statement of Sircar property for August 1852, *under Mr. Crawford's signature, dated 28th October of same year.*

Mr. Crawford to Dewan, No. 239, *4th October* 1852.

Account of receipts and issues of timber under Mr. Crawford's signature from 1852 *to* 1854, *dated 23rd July* 1860.

15. This agreement the Dewan officially ratified four months afterwards. Mr. Oughterson took only about 1,800 candies out of the stock of the years from 1017 to 1027 above alluded to. Mr. Crawford strongly recommended to the Dewan that the residue should be sold without reserve by Public Auction. This was done in October of the same year. Mr. Oughterson himself, be it observed, purchased to the extent of about 1,500 candies at prices lower than those at which he had purchased the first 1,800 candies, other parties also purchasing very largely. Month after month passed for about 20 months reckoning from the date of the original agreement with Mr. Oughterson. Thousands of candies of timber arrived at the Depôt at Allepey and were sold to other parties by the Dewan and Mr. Crawford without a word of demand addressed to the Dewan on the part of Mr. Oughterson for 5,000 candies.

No. 1,887, *dated 17th November* 1853.

Mr. Crawford to Dewan, No. 285, *dated 6th December* 1853.

Mr. Oughterson to Mr. Crawford, 1*st December* 1853.

16. In November 1853, the Dewan wrote to Mr. Crawford inquiring pointedly what quantity of timber, if any, was still due to Mr. Oughterson. Both Mr. Crawford and Mr. Oughterson answered in December that a proportion of crooks was due. Mr. Oughterson in the same letter pressed to have the crooks. Here again not a word about 5,000 candies due.

17. The first written application sent to the Dewan, of Mr. Oughterson for what he, Mr. Oughterson, termed "the balance of our contract of timber with the Sircar," was dated 24th August 1854. There is nothing in this letter of Mr. Oughterson to show that he referred to any, but the proportion of crooked timber which he had been requesting to have. Mr. Crawford however appears to have understood Mr. Oughterson to claim the 5,000 candies and gave the Dewan to understand in his transmitting letter that Mr. Oughterson should be called on to pay

No. 217, *28th August* 1854.

something considerably more, than the price agreed upon in May 1852. The Dewan in reply refused to accede to the demand of Mr. Oughterson, and some further correspondence passed between Mr. Crawford and the Dewan, the one contending that 5,000 candies were due to Mr. Oughterson, and the other that they were not. Mr. Crawford furnished Mr. Oughterson with attested copies of, or extracts from, this correspondence. Mr. Oughterson then distinctly and strongly urged that he was entitled to receive 5,000 candies. The Dewan persisted in his refusal. This difference of views between the Commercial Agent Mr. Crawford, and the late Dewan (indeed no friendly feelings prevailed between them) as regards the obligations of the contract, of course, very greatly added to the complexity of the whole question with Mr. Oughterson.

No. 1,513, 1*st April* 1854.

18. If the contract was such as to warrant Mr. Oughterson claiming under it to select from timber of future years at almost cost price, it was as advantageous to Mr. Oughterson, as it was disadvantageous to the Sircar and therefore there was the greater inducement on the part of Mr. Oughterson to secure beyond the reach of future doubts the manifest preponderance of advantages on his side. Mr. Oughterson cannot plead that he was ignorant of the usage of entering into formal contracts. But no such instrument was executed.

19. It has been already shown that the agreement of May 1852 was not for 7,000 candies of teak *generally* and *indifinitely*, but related to particular timber to which alone the stipulated rates would apply.

20. On this very important point, the ground of discussion is very much narrowed by and admission made by Mr. Oughterson himself that according to the contract, he was to be allowed to select from timber, the produce of the years up to the year 1027. But Mr. Oughterson contends that whether the timber was left up the river or brought to the Depôt at Alleppey, it was the produce of the years up to 1027. As it is by no means improbable that this is one of the causes of Mr. Oughterson taking a view so different from that of the Sircar on the subject of this contract, some explanation here is very desirable. When the Sircar speaks of timber of a particular year, it is no other than the timber which arrives in the course of that year in the Depôt at Alleppey. It excludes timber which may have been cut or put into the river in that year or previous years, if it does not reach the Alleppey Depôt in that year. Such is the general understanding and such the usage, and it is upon this understanding and in conformity with this usage, that the timber sold at different times is identified and distinguished. Mr. Crawford himself writes as follows, "Timber arriving up to 32d Audy" (last day of the year) 1036, would be called timber of that year, that arriving the day after, would be timber of the year 1037. Just so as regards the timber of the years up to 1027. Hence the inference on the part of the Sircar is that it was an error on the part of Mr. Oughterson to suppose that when the timber of the years up to 1027 was mentioned, as that from which he was to select, it included timber that was cut or put on the river in the years up to 1027, but which arrived at Alleppey in subsequent years.

Mr. Oughterson's Notes in reply to Dewan's letters to Mr. Crawford, No. 2,239 *and* 2,362 *of* 9*th and* 29*th December* 1854.
Enclosures of Government Order, No. 369, *dated* 7*th September* 1855.

Mr. Crawford to Dewan, No. 461, 29*th November* 1860. *Answers to questions addressed to him by the Dewan,* 21*st November* 1860.

21. A few further observations touching some points which have been urged in favor of Mr. Oughterson, appear called for.

22. That there were about 7,000 candies of timber in the Depôt when Mr. Crawford made the agreement for that quantity with Mr. Oughterson, *i.e.*, in May 1852, is beyond doubt, as it is proved by accounts under Mr. Crawford's signature. It is in my opinion less important to inquire if a large stock was in hand at the time the Commercial Agent officially explained to the Dewan the nature of the agreement he had made with Mr. Oughterson, *i.e.*, in August 1852. Still, it may be stated here that at that time too, there were about 4,500 candies in the Depôt, about 1,800 candies having already been taken by Mr. Oughterson up to the 6th of the preceding month, July.

Statement of Sircar property under Mr. Crawford's signature for August 1852, *dated* 28*th October of same year.*

23. Timber was, it is true, often ordered from the jungles, but it is to be remembered that it was required for other purposes than to meet Mr. Oughterson's demand, and if amid the distractions of innumerable calls on his attention, the Dewan lost sight of the precise nature of the agreement with Mr. Oughterson which had to be gathered at some pains from past correspondence, and by mistake named Mr. Oughterson's supply together with that for Ceylon, &c, especially when he was addressed by Mr. Crawford, not unfrequently, as it happened, on the same day on several supplies,—such a mistake, though repeated as long as it was not discovered, should not, it may be argued, be made the means of upsetting the original agreement and substituting in its place a different one.

24. The fact of Mr. Crawford having been sent to the jungles, does not, it seems to me, conduce to establish Mr. Oughterson's present claim. Mr. Crawford had for some time past been complaining of some mismanagement on the part of the Establishment of the then Conservator of Forests, and had led the Sircar to expect that great benefit would accrue to it if he Mr. Crawford were to be put in charge for a time. It would appear that it was chiefly on this account that he was sent to the Forests. He was of course to work the Forests efficiently and to send down large quantities of good timber to Alleppey.

25. Mr. Crawford's explanatory letter to your address, No. 237, dated 19th July last, upon which Mr. Oughterson's case is made largely to rest, appears to call for some remarks. The questions you were pleased to address him were very natural and important. But the replies cannot, I think, be considered as conclusive against the Sircar. The questions in paragraphs 3 and 4 are the following:

Resident to Mr Crawford, No. 1,185, *17th July* 1860.

"The year 1852 closed with a stock of 1,288 logs; why did not Messrs. Oughterson & Co. receive these in fulfilment of the Sircar's agreement?" and "why was a large number of these logs (786) sold to private individuals during the course of 1853 while Mr. Oughterson was unsupplied?" Mr. Crawford answers as follows: "Paragraph 2. In reply to the 3rd paragraph of your letter, Mr. Oughterson received of the stock of 1852 from June to 1st January 1853, 732 logs, and during 1853 and 1854, 192 logs, making in all 924 logs; the remainder were disposed of from time to time as per list" (annexed to that letter) "by order of the Dewan and were unfit for Mr. Oughterson's purpose." Mr. Crawford says that the logs were disposed of by order of the Dewan, meaning thereby that therefore was he unable to give them to Mr. Oughterson. But frequently the Dewan's orders for sale were based on tenders to Mr. Crawford's address and which he sent on to the Dewan without a word of allusion to timber for Mr. Oughterson. The orders were given to Mr. Crawford himself, and it was perfectly open to him and it was his bounden duty to seize the opportunity to say, if he then thought so, that the timber should not be sold to others but should be given to Mr. Oughterson. Mr. Crawford says that the logs "were unfit for Mr. Oughterson's purposes." From May 1852, the date of the agreement, to December 1853, when Mr. Oughterson paid up the price of what timber he had received, there arrived at the Depôt at Alleppey altogether about 6,000 candies of teak which together with the stock in hand in May 1852, would amount to about 13,000 candies. Could it be said that all this timber minus what Mr. Oughterson selected was unfit for his purposes? Could it have been intended on the part of the Sircar that Mr. Oughterson should select but one log out of every 6 or 7, rejecting the rest, and yet pay for timber so selected, nothing more than the price which he had agreed to pay for old stock timber, itself the residue left on selections previously made? Mr. Crawford proceeds to say, "paragraph 3, in reply to query as to whether Mr. Oughterson could have had the 789 logs on hand at the end of 1853 had he desired it, I beg to state that he could not, because the Dewan sold these logs (less 125 logs rejected) at 10¼ Rupees to Hadjee Abdool Sattar with 15 per cent. discount in the face of my remonstrances." Now it is to be observed that this timber was not sold but was on hand at the end of 1853, and it was perfectly open to Mr. Crawford to have given it to Mr. Oughterson if

Account of receipts and issues of Teak Timber from 1852 *to* 1854, *under Mr. Crawford's signature dated 23rd July* 1860.

thought due. Mr. Crawford's reply to your query should therefore have been, I think, in the affirmative. Mr Crawford himself states in a subsequent part of the letter under discussion that the date of sale to Hadjee Abdool Sattar was the 22nd February 1854. And Mr. Crawford says that the sale was made by the Dewan 'in the face of his remonstrances.' Now what was the nature of his remonstrances? Not that the timbers should not be sold to Hadjee Abdool Sattar while he thought it was due to Mr. Oughterson, but that it should be given to Hadjee Jacob to whom he had promised it as a more advantageous transaction.

Mr. Crawford to Dewan, No. 38, 4th February 1854.

26. Mr. Crawford observes, "paragraph 4, Mr. Oughterson made several applications to me personally at Alleppey for the delivery of the timber and I beg to hand you copies of letters dated 1st December 1853 and 24th August, 13th September and 4th October 1854, bearing on this subject." The alleged personal applications might have been for the proportion of crooks alluded to in Mr. Oughterson's letter of 1st December 1853. If those applications were for 5,000 candies afterwards claimed, such a fact has yet to be satisfactorily reconciled to the facts; 1st, that though there was timber which could be given to Mr. Oughterson, it was not given him by Mr. Crawford which he was free to do; 2nd, that successive tenders from other parties to purchase the timber were sent by Mr. Crawford to the Dewan and by the latter to the former, and Mr. Crawford received the Dewan's orders to sell the timber to others and carried out those orders without his reminding the Dewan of the agreement with Mr. Oughterson or conveying the alleged repeated personal applications; and if he did hesitate to carry out any of those orders, it was because he wished to sell the timber to Jacob and not to Sattar, the man to whom the Dewan wished to sell it; 3rd, that when the Dewan asked him directly to state what quantity, if any, of timber was due to Mr. Oughterson, both he (Mr. Crawford) and Mr. Oughterson, answered that a proportion of crooks was due, not mentioning 5,000 candies; and 4th, that when in August 1854, Mr. Oughterson made his first written demand for the balance of the contract with him, Mr. Crawford in sending a copy of Mr. Oughterson's letter recommended that he, Mr. Oughterson, "should be required to pay something considerably more than the agreement."

27. As for the letters quoted, only the first one is of 1853 and it will presently be shown in which scale in the view of the Sircar this letter should weigh; the other letters being of 1854, will not of course be evidentiary of the assertion that applications were made in 1853. Mr. Crawford then says in the 5th paragraph, "The Sircar were under contract to supply these parties" (Hadjee Abdool Sattar and Hadjee Jacob) "and therefore these logs could not have been given to Mr. Oughterson." This, it strikes me is not a full reply to your question, "Was the Sircar under any engagement to supply these parties, or why were not these logs given to Mr. Oughterson?" These logs could very well have been given to Mr. Oughterson; for they were sold to the above-named Native merchants only on the 22nd of February and 28th August 1854.

28. In reply to the last paragraph of your letter to Mr. Crawford he says, "I beg to state that the timber of 1854 was not superior in quality and it was not on account of the enhanced market price at the time that I recommended that Mr. Oughterson should be required to pay more for the timber. It was an error on my part committed without due consideration. Mr. Oughterson, I presume, was entitled to demand delivery of the timber at the rate contracted for by him in 1852." The timber of the period subsequent to 1027 must have been superior—first, because great efforts were made at the suggestion of Mr. Crawford himself to get better timber, and secondly, because it had not been selected from, as that of the years up to 1027 had been, which is a very important point.

29. Now we come to the letter addressed by Mr. Oughterson to Mr. Crawford in December 1853, paying up the balance due. This letter used as it is against the Sircar, the Sircar thinks only furnishes evidence in its favor. To understand this letter fully, the following letters have to be considered: Dewan's letter to Mr. Crawford, No. 1,887, dated 17th November 1853. "In the statement of Sircar property in store which accompanied your letter, No. 231, dated the 29th

ultimo, I observe that 836 logs of timber were sold to Messrs. Oughterson & Co., of Cochin as per agreement. I shall feel obliged by your informing me whether any further quantity is due to that Firm and if so, how much, and whether they have paid the whole of the amount due by them on account of their purchase, and if not, what amount is still due by them—also, if any, and what amount is due by any other parties, who may have purchased timber, and in such event, why such dues have not been recovered."

Mr. Crawford's reply, No. 285, dated 6th December 1853. "I have the honor to acknowledge your letter, No. 1,887 of the 17th ultimo, regarding the timber disposed of to Messrs. Oughterson & Co., and in reply beg to inform you that the full quantity of timber agreed to be delivered to that Firm has not as yet been completed with in consequence of their being no crooks in this Depôt. I addressed a letter to Messrs. Oughterson & Co. on the subject and beg to forward you their reply for your information. I beg to enclose a draft on Madras for the balance due by them for the quantity received. There are no other sums."

Mr. Oughterson's letter which formed the enclosure of the above letter is as follows: "As requested, I now have the pleasure of remitting herewith the balance due upon my purchase of Teak Timber from the Travancore Sircar. This amount would have been paid long since, but I beg leave to remind you that you have not yet fulfilled your part of the contract which was to deliver me such proportion of crooked timber as was requisite for the frames of the Ship I intended building. This was never done, so I was forced for the sake of crooked pieces *alone* to buy all the Cochin Sircar's timber which is still laying on my hands. Upwards of 3,000 candies, and cannot be converted till I procure crooks. All of which I repeat were used to work up the straight logs got from you. Under these circumstances, I do not think the delay in settling your accounts unreasonable, and I trust you will endeavour to deliver 50 logs at least, curved enough to make second foot-hooks. Otherwise, I must yet delay building another vessel, all my timber on hand being straight."

30. The Dewan plainly and pointedly inquired what quantity of timber, if any, was due to Mr. Oughterson. The reply was that a proportion of crooked timber was due, Mr. Crawford adding that it was not given because then not in the Depôt.

31. There was no inducement whatever for the Sircar to make such a contract as Mr. Oughterson takes the transaction of 1852 to be. Why should a party having a large stock of goods in hand and desiring to get rid of them and lowering the prices to prime cost, put it in the power of another party to claim whenever he liked and even to the full extent of the large stock in hand, and at the same ruinously low price, goods which the first-mentioned party was expecting to have at subsequent periods, goods which were likely to be superior in quality (if it were only for the great exertions then being made) and which were likely to fetch higher price not only on account of their better quality, but also on account of improved demand? It has been said in answer that the Sircar was in want of money. The want of money would induce a party to sell goods in hand at disadvantageous prices, but not induce him to sell future goods at similar low prices unless it can be shown that payment in advance was stipulated, which was clearly not done in the case under discussion.

32. Before concluding, I feel it my duty respectfully to observe that the case of this claim of Mr. Oughterson, having been carefully considered by me, my opinion continues adverse to Mr. Oughterson. It must be admitted that Mr. Crawford's proceedings were not as precise as they ought to have been, and the late Dewan was very much off his guard. The advantages, however, which Mr. Oughterson wishes to secure appear to my mind to be quite unfair.

33. In conclusion I beg again to repeat the earnest hope of this Sircar that the Madras Government would not disturb the settlement of this case, arrived at after years of harassing discussions and expressly on a consideration of all the papers bearing on it and confirmed by successive authorities up to the Court of Directors and Her Majesty's Government as stated at the outset of this report. Should however the present Government still deem it proper to re-open the question,

the Sirkar earnestly requests that the Government will do so only after a perusal of the whole of the correspondence which has passed on this difficult question, and which can be easily made available, inclusive of all the original papers in the possession of Mr. Oughterson.

(A true Copy.)

(Signed) F. N. MALTBY,
Resident.

No. 48. From Mr. JAMES OUGHTERSON, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 6th February 1861.

I have the honor to acknowledge receipt of the Dewan of Travancore's remarks upon the case pending between that Circar and myself which being repetitions of disproved assertions, embodied in previous reports, and already pronounced upon by the Resident in his despatch to the Madras Government dated 22nd September 1860, perhaps requires no comment, for the question having been fully considered in Council, the Honorable Members are quite in a position to judge which of the statements to believe, but as the Dewan has ingeniously introduced matter irrelevant to the main point, besides mis-statements, I pray that the liberty of making a few observations thereon may not be denied me.

In reply to paras. 2nd, 3rd, 4th, 5th, 6th and 7th, I beg to say that neither the Honorable Court of Directors nor the Secretary of State Sir Charles Wood, were in possession of the facts elucidated by the present Resident, when they refused to interfere, but Lord Stanley whilst Secretary of State for India after a careful consideration of the evidence was so satisfied with the justice of my claim that he ordered it to be settled in an equitable manner furnishing himself by letters bearing upon other subjects collateral proof of one of the principal points in dispute, which facts the Dewan carefully suppresses whilst arguing against the propriety of Government entertaining my appeal which it has very properly done upon good grounds.

Paras. 8 and 9 require no notice.

Para. 10 is refuted by the accounts, where a considerable portion of the timber first delivered *is described as of the year* 1028, and the absence of a formal contract in this instance like a dozen others as I have already remarked frequently was an omission of the Circar, of no importance however, as the correspondence and formal confirmation of the sale by the Dewan proves the contract, further evidence of which is to be found in the same official's formal order to cancel it two years afterwards.

Para. 11 requires no answer.

Para. 12 touches upon the internal economy of the Timber and Forest Departments with which I have no concern, but is proof positive in my favor declaring as it does the timber then in the Alleppey depôt to be *refuse*, and of course of no use to me, as I required timber of the best quality.

Para. 13 is so far true that I had liberty to take as much from what was then at Alleppey as I required at a less price, which proves that this was none of the 7,000 candies named in the contract and as it was sold as refuse at auction for what it would bring, conclusive proof is given that it formed none of the timber I bought. Further when I wished to be off the bargain upon hearing that what was on its way from the Forests was inferior to what was represented the Commercial Agents writes: "*You condemn the timber without seeing it.*" Now as I had seen the Alleppey stock of refuse over and over again, other than it must have here been meant.

Para. 14 quotes the value of timber in Ceylon, which has no more to do with the question than the prices then ruling in London or New York, but I may remark that in that Island timber is always sawn into squares before imported, whereas Travancore timber is sold in the log, and Rupees 15 was *not* the rate I paid the Cochin Circar for their timber as *falsely* asserted, but Rupees 3 less and the quality was Rupees 3 better than the Travancore batch.

If timber of the year 1028 was not sold to me, why was it delivered?

Para. 15 confesses the ratification of the bargain and the fact of my buying along with others 1,500 candies at auction for very low prices part of the Alleppey refuse, proves that it could not be any of what was contracted for, and I am obliged for the Dewan again assisting me to prove my case.

I know not how much timber arrived at Alleppey during 20 months, but I am prepared to *swear I could not get my contract delivered which prevented my work going on at full time which would not likely be the case if I could help it,* and as to addressing the Dewan it would have been irregular, the Commercial Agent alone being the person buyers have to do with, not one word or line of writing ever passed between the Dewan and myself upon the subject. I never saw him but once in my life.

Para. 16—I urgently wrote for crooks, as my business was all but stopped and would have been if I had not prudently secured the Cochin Circar's timber, for there were neither crooks nor straight timber then available for me at Alleppey, contracts with Ceylon and elsewhere being in hand, hence my not mentioning particularly the balance due me, nor was I called upon by the Commercial Agent on the circumstances of the case to do so.

Para. 17—When I saw my timber being delivered to others I wrote a formal letter, 24th August 1854, followed by a protest, 4th October 1854, holding the Circar responsible for all losses sustained from non-delivery on their part; till this time I was not alarmed thinking faith would be kept, and my not pressing too hard when other contracts were behind was a favor done instead of being cause for reproach. The last part of this para. refers to an arrangement between the Dewan and Commercial Agent, and lets the cat out of the bag, that these two officials were on bad terms which may be accounted for a good deal of all the trouble.

Para. 18—I repeat again, I never was asked to sign a formal bond or would have done so, and did not propose of drawing one up, as I was quite satisfied and secure with the documents I had in my possession regarding the transaction which neither law nor equity, honesty nor common sense can gainsay.

Para. 19—I have *already proved, and so has the Dewan in para. 15, that the* timber agreed on was not the refuse at Alleppey which I had inspected often and found worthless, but timber the Commercial Agent declared I never had seen, meaning what was expected from up country, where 8,000 logs upwards of 20,000 candies were ready to be brought down to the depôt (See Resident's report 22nd September 1860) with no purchasers in prospect except myself, whilst the Circar was much in want of money, hence General Cullen's reasons for catching Mr. O., and sticking him at what was then a favorable rate, although but at a small advance upon cost price, with 7,000 candies or more if possible.—See Resident's report 22nd September 1860.

Para. 20—There was no year named to me for the timber in forest, but I knew that 7,000 to 8,000 logs were at the different Elloas and Shampanies ready to be brought down in 1027 and and were expected, hence my naming that year and had they not been kept back to suit the convenience of the Circar would have come into Alleppey and been sold as 1027 timber.

Para. 21 requires no remark.

Para. 22 is obscure and not to the point.

Para. 23 is all in my favor for the Dewan confesses that timber was *ordered from forest but for other purposes besides mine,* which I know for I only got part of it, but how does he reconcile this statement with his previous labored argument that it was from timber in the depôt and not the forest's I was to select, this is *a palpable contradiction* and what follows is candid if not honest for he excuses his predecessor losing sight of his obligations by pleading *distraction of mind* which led to the grand mistake of betraying himself and being found out, and further adds that as long as he was not discovered should not suffer. Be it so Mr. Madava Row, but as he *was* found out, discovered and exposed, I claim the accident as strong evidence and a good reason for a verdict in my favor; however, the para. in question will speak for itself, I think it a bare-faced support of vice.

Para. 24 needs no remark.

Para. 25 is an attack upon the Commercial Agent which concerns me not. All I know is I was refused *timber all through* 1852 *and* 1853 *as other contracts had to be discharged.*

Paras. 26, 27 & 28 are reflections upon the management of the Commercial Agent.

Para. 29 is a repetition in extenso of para. 16 which is answered already.

Para. 30 is the end of 29.

Para. 31 is a little speculative essay upon what motives prompt men to trade, which I shall not criticize.

Para. 32 reproves Mr. Crawford and the late Dewan for getting the worst of the argument and considers I am unfair for getting the best of it. The present Resident considers I am right.

Para. 33 begs Government not to protect the interests of a British subject when it interferes with the convenience of Madava Row or the Circar and requests a reperusal of all the papers which must result in a verdict upon all points in my favor, if carefully considered.

Having answered each para. of the Dewan's paper, I have no further remark to make, than that I earnestly beg Government will pass an order to have the case settled without delay, as further postponement will entail further pecuniary loss and personal inconvenience to me.

From T. MADAVA ROW, Dewan, to T. PYCROFT, Esq., Chief Secretary to Government, dated Trevandrum, 3rd February 1861.

Mr. Maltby has sent me your telegram to his address on the subject of the papers relating to Mr. Oughterson's timber claim, and has added a request that I should, with a view to save time, submit direct to you, copy of my reply to Mr. Maltby. Accordingly I beg to submit such copy herewith.

No. 49. From T. MADAVA ROW, Dewan, to F. N. MALTBY, Esq., British Resident of Travancore, &c., &c., &c., dated Trevandrum, 3rd February 1861, No. 214.

I have the honor to acknowledge the receipt of your letter, No. 135 of the 28th ultimo, transmitting a telegram from the Government of Madras (herewith returned) on the subject of Mr. Oughterson's claim.

2. I believe that nearly the whole of the correspondence to which I referred in my report, No. 2,222, dated 24th December last, is already before the Government in different shapes. But should the Government require any particular documents alluded to in that report, but which may not be in their records, I shall be glad to furnish them.

3. A copy of this letter is, as requested by you, forwarded this day to the address of the Chief Secretary to the Government.

(True Copy.)

(Signed) T. MADAVA ROW,
Dewan.

No. 50. MINUTE by the Honorable the PRESIDENT, dated 12th February 1861.

As the Dewan has now in his letter dated the 3rd instant, explicitly stated that he has no further letters or documents to transmit to Government for its consideration, and nothing more to urge in refutation of the report made by the present Resident in the matter of the claim preferred by Mr. Oughterson against the Travancore Government, it now rests with this Government, in accordance with their Proceedings, (5th paragraph) dated the 12th of October last, to pass such orders as the merits of the case may appear to call for.

I attach no weight to the objections raised by the Dewan to the case being re-opened by Government. The former Orders of Government and of the Home Authorities were passed on a consideration of the opinions recorded by the then Dewan and Resident, both of whom, as pointed out by Mr. Maltby in his report, appear to him to have been "too much parties to the

"case to view it judicially," and it was not until Mr. Oughterson had shown to Government that this state of matters did exist, or at all events that the possibility of its existence was to be guarded against, that the Government felt justified in acceding to Mr. Oughterson's repeated applications for a further investigation into the merits of his claim.

The facts of the case as now established appear to me to be the following:—

1st. That the contract with Mr. Oughterson to deliver to him 7,000 candies of timber was *made* and *confirmed* by the late Dewan and Resident.

2nd. That there still remains to be delivered to Mr. Oughterson under that contract some 5,000 candies of timber.

3rd. That there has been on the part of Mr. Oughterson no delay in the fulfilment of his part of the contract.

4th. That Mr. Oughterson's demands for the due fulfilment by the Travancore Government of the terms of contract were urgent and frequent, and that the whole responsibility of the non-fulfilment of the contract rests with the Travancore Government.

5th. That Mr. Oughterson is therefore entitled in justness to compensation.

6th. That as stated by Mr. Maltby in the 34th paragraph of his report, the sum to be paid to Mr. Oughterson by the Travancore Government "should be the difference between the value "of the timber when the delivery was refused, and the price Mr. Oughterson was to pay for it, "with interest from the date on which the engagement was cancelled to the present time." The interest should be compound interest.

I would therefore instruct the Resident to inform the Dewan that such is the conclusion, which, after a full and careful consideration of the whole question, the Madras Government has arrived at. The Resident should also be requested to inform the Dewan that the Government feel assured that he will use his best endeavors to obtain from His Highness the Rajah his assent to the immediate adjustment, on the above terms, of this long-pending dispute.

(Signed) W. MOREHEAD.

No. 51. MINUTE by the Honorable E. MALTBY, dated 13th February 1861.

I concur in the President's view.

(Signed) E. MALTBY.

No. 52. MINUTE by His Excellency the COMMANDER-IN-CHIEF, dated 13th February 1861.

I also quite concur.

(Signed) P. GRANT.

No. 53. ORDER THEREON, 16th February 1861, No. 105.

As in his letter of the 3rd instant above recorded the Dewan of Travancore has explicitly stated, that he has no further letters or documents to transmit to Government for its consideration, and nothing more to urge against the view taken by the present Resident in his report of 22nd September last, relative to the claim preferred by Mr. Oughterson against the Travancore Government, it rests with this Government, in accordance with their Proceedings, (5th paragraph) dated the 12th of October last, to pass such orders as the merits of the case may now appear to call for.

2. The Government attach no weight to the objections raised by the Dewan to the case being re-opened by them. The former Orders of Government and of the Home Authorities were passed on a consideration of the opinions recorded by the then Dewan and Resident, both of whom, as pointed out by Mr. Maltby in his report, appear to have been "too much parties to the case to "view it judicially," and it was not until Mr. Oughterson had shown to Government that this state of matters did exist, or at all events that the possibility of its existence was to be guarded against, that the Government felt justified in acceding to Mr. Oughterson's repeated applications for a further investigation into the merits of his claim.

3. It seems unnecessary to recapitulate in detail the circumstances of the case—a full history of it, and clear resumé of the correspondence connected with it are given by the Resident in his able report. The facts as now established appear to Government to be the following:

1st. That the contract with Mr. Oughterson to deliver to him 7,000 candies of Teak Timber, made with him by Mr. Crawford, the Commercial Agent, was confirmed in writing by the late Dewan, whose proceedings were known to, and approved by, the late Resident.

2nd. That there still remains to be delivered to Mr. Oughterson under that contract some 5,000 candies of Timber.

3rd. That there has been on the side of Mr. Oughterson no delay in the fulfilment of his part of the contract.

4th. That Mr. Oughterson's demands for the due fulfilment by the Travancore Government of the terms of contract, were, as proved by the express testimony of the Sircar Commercial Agent, urgent, and frequent, and that the whole responsibility of the non-fulfilment of the contract rests with the Travancore Government.

5th. That Mr. Oughterson is therefore entitled in justice to compensation.

6th. That, as stated by Mr. Maltby in the 34th paragraph of his report, the sum to be paid to Mr. Oughterson by the Travancore Government as such compensation "should be the differ-"ence between the value of the Timber when the delivery was refused, and the price Mr. Ough-"terson was to pay for it, with interest from the date on which the engagement was cancelled to "the present time"—that is, to the time of actual payment. The interest should be compound interest.

4. Under these circumstances the Government resolve to instruct the Resident, in reference to paragraph 36 of his letter of 22nd September 1860, to inform the Dewan that this is the conclusion at which, after a full and careful consideration of the whole question, the Madras Government has arrived. The Resident will also be requested to inform the Dewan that the Government feel assured that he will use his best endeavors to obtain from His Highness the Rajah his assent to the immediate adjustment, on the above terms, of this long pending dispute.

(Signed) T. PYCROFT,
Chief Secretary.

No. 54. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 16th February 1861, No. 179.

I have the honor to acknowledge the receipt of Order of Government, No. 93 of 12th instant.

2. The letter of the Receiver of Carnatic Property seems to bear the interpretation that the only document required was a letter from the Dewan and that this alone was sent to him.

3. I enclose the Receiver's letter* to show that the information asked for was very extensive, and I enclose also the Office copy* of our reply to show that the documents which were sent to him were numerous.

* *Requested to be returned.*

4. On receipt of such varied communications, the practice of the Office has been to refer to the several Sirkar Departments likely to afford the required information. My penciled orders on the Receiver's letter will show that immediately on its receipt, its matter was put in train, but it was not till about the 10th ultimo that the documents thought to bear on the subject were reported to have been collected or traced.

5. The letter for sending them on was then drafted and dated the 16th ultimo; but was detained until the 26th idem, by my orders; for I was at that time fully engaged in reporting on the extensive Regency debts in the Tankih Cutcherry, and I wished to examine the documents it enclosed. It was then transmitted through Her Majesty's Government Solicitor, of which Mr. Dale was informed in a separate letter, and in which it was mentioned that they had been for some time lying ready to be sent.

6. The Honorable the Governor in Council will recognise that it would have been easy to have despatched each document as it was found or could be traced; but it is in general very unsatisfactory to present an incomplete case or forward documents by detachments, and the Dewan's letter was but one of many relating to the subject.

7. I submit this brief explanation in order not to occupy the time of Government, but if required, I could write at greater length.

8. I may only add that, on the 24th ultimo, Mr. Dale proposed to search the Records himself, and accordingly called on the 6th instant. I personally waited on him at his Office, to explain the character of the records; I made arrangements to expedite his work when he should come; he seemed pleased with the information which he derived when here, and I have had copied out for him, a Minute of mine of 19 pages, which he read when at the Office and expressed a desire to have a copy of.

No. 55. ORDER THEREON, 18th February 1861, No. 107.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 56. Read the following letter from JAMES INNES MINCHIN, Esq., Acting Collector of Kurnool, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 7th February 1861, No. 7.

I have the honor to report the death on the 5th January last of Akbar Khan Meeah, the elder brother of the late Nawab of Kurnool.

2. The deceased was in the receipt of a yearly allowance of Rupees 4,000, or Rupees 333-5-4 monthly, and has left the following members of his family, who were entirely dependant on him for support.

1.	Rammast Khán Bahádoor,	Sons.
2.	Ghoolám Hoossain Khán Bahádoor,	
3.	Ghoolám Ghous Khán Bahádoor,	
4.	Zeenuth Khátoon, mother of No. 1,	Nika wives.
5.	Khyrán Khátoon, mother of No. 2,	
6.	Ameer Khátoon,	
7.	Vazeer Khátoon,	

3. The case is precisely similar to that of the deceased Khandan, Ghoolam Khádar Khan Bahádoor, on whose death the Government were pleased to continue two-thirds of his pension to the various members of his family in certain proportions, as laid down in your letter to the Supreme Government, No. 281 of the 4th May 1859.

4. Following the precedent furnished on that occasion, I beg to recommend that monthly pensions of Rupees 55 be allowed to each of the three sons, and of Rupees 14 to each of the four Nika wives of the deceased Akbar Khan Meeah, making a total of Rupees 221, as granted in the case of the late Ghoolam Khádar Khan Bahádoor.

No. 57. To the Secretary to the Government of India, dated Fort Saint George, 19th February 1861, No. 109.

I am directed by the Honorable the Governor in Council to submit for the consideration and Orders of the Government of India a copy of a letter from the Acting Collector of Kurnool, reporting the demise of Akbar Khan Meeah, the elder brother of the late Nawab of Kurnool, and proposing that two-thirds of the stipend assigned to him should be continued for the support of the family which he has left.

Dated 7th February 1861, *No.* 7.

2. The case of this Stipendiary is similar to that of Goolam Khadur Khan Bahadur, who was a brother of the late Nawab and was in receipt of a similar amount of allowance, *viz.*, Rupees 4,000 per annum, for whose family the Supreme Government sanctioned, under date 22nd June 1859, No. 3,760, the grant of life pensions to the amount of Rupees 222 per mensem.

3. The deceased Akbar Khan Meeah has left a family consisting of four Nickah widows and three sons. As these persons were wholly maintained out of the lapsed stipend and have no other means of support, the Governor in Council recommends their case to the favorable consideration of the Government of India and solicits sanction for continuing to them from the 5th January last, the date of lapse, two-thirds of the allowance or Rupees 221 per mensem, to be apportioned to the members of the family, as proposed by the Acting Collector of Kurnool, *viz.*, Rupees 55 to each of the three sons and Rupees 14 to each of the four Nickah widows, the respective shares falling in absolutely on the deaths of the parties to whom they are granted.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following letters:—

No. 58. From Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 9th February 1861, No. 148.

I have the honor to acknowledge receipt of Order of Government, No. 81 of 5th instant.

2. Rushid-ood-Dowlah Bahadoor is a Noble of single mind and of upright character.

3. Amongst the Mahomedans generally, partly from their ways of thinking, but chiefly from their religious tenets, repudiation of debt-obligations is very rare. But I have implicit confidence that he will never even dream of leaving Madras until he have made satisfactory arrangements with respect to all his debts.

4. This is the sole point of the Memorial on which the Order No. 81 of 1861 is issued, and I have the honor to submit that, in my opinion, it is not necessary, and would be premature to grant the asked for sanction to sue in Her Majesty's Supreme Court of Judicature.

5. I have the honor to submit that the character of this Nobleman does not, in my opinion, require that the prayer of this Memorial be complied with.

6. Under any circumstances, as the season for the voyage to Arabia will only recur at the close of the present calendar year, there would be ample time for arrangements; and as the stipend is to be drawn here, it is at all times in the power of Government to control its issue.

7. I further beg to state that a copy of the Proceedings, No. 58 of 23rd January 1861, has been forwarded to Rushid-ood-Dowlah Bahadoor on the 24th idem, from whom no reply has as yet been received. A copy of the Order, No. 81, under acknowledgment, will also be sent to him.

No. 59. From Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 12th February 1861, No. 160.

I have the honor, in continuation of my letter, No. 148, dated 9th instant, to subjoin the accompanying letter from Rushid-ood-Dowlah Bahadoor, of yesterday's date.

From RUSHID-OOD-DOWLAH BAHADOOR, to E. G. BALFOUR, Esq., Government Agent at Chepauk, dated Madras, 11th February 1861.

With reference to your letter of the 24th January 1861, No. 87, with an enclosed petition of Mahomed Salay Ibramjee, and Order thereon passed by Government on the 23rd January last, No. 58, I have the honor to inform you in reply, that in pursuance to the Order of Mahakumah Court, I have liquidated a portion of his debt, and the remaining also gradually shall be paid to him as usual. I will adopt some arrangements for settlement of all my creditors before my departure to Mecca with the consent and sanction of Government.

No. 60. ORDER THEREON, 19th February 1861, No. 111.

As it seems from paragraph 6 of the letter from the Government Agent, 9th instant, that Rusheed-ood-Dowlah Bahadoor will not proceed on his voyage to Arabia until the close of the current calendar year, the Honorable the Governor in Council does not at present see occasion to authorize his being sued by Mahomed Sally Ebramjee and Soojun Mull Lallah for his debts due to them. Rusheed-ood-Dowlah Bahadoor should however be made clearly to understand that he will not be permitted to avail himself of the leave lately granted him unless he make satisfactory arrangements for the settlements of his debts.

(Signed) T. PYCROFT,
Chief Secretary.

No. 61. Read the following letter from Lord H. ULICK BROWNE, Officiating Under Secretary to the Government of India, to the Chief Secretary to the Government of Fort Saint George, dated Fort William, 5th February 1861, No. 489.

Foreign Department.

In reply to your Despatch, dated 22nd ultimo, No. 52, reporting the abolition of the Pepper Monopoly by the Raja of Cochin, I am directed to state that the President in Council concurs with the Government of Fort Saint George, in highly approving the liberal and enlightened policy of the Raja, and desires that the sentiments of this Government may be made known to His Highness.

No. 62. ORDER THEREON, 19th February 1861, No. 112.

Copy furnished to the Resident, in reference to the Proceedings of Government, dated 7th ultimo, No. 14, and for communication to His Highness the Raja of Cochin.

(Signed) T. PYCROFT,
Chief Secretary.

No. 63. Read abstract Translation of Petition from SIVAJI APPA, KISTNASAMI APPA and GOVINDASAMI APPA, Grandsons of the late DATTAJI APPA, residing within the Fort of Tanjore, dated 6th August 1860.

Petitioners set forth their claim to certain allowances granted them by the grandfather of the late Rajah, which were reduced in amount by the father of the late Rajah, and have been lately entirely discontinued. They enclose endorsement from the Commissioner and the Agent and pray for redress.

No. 2,440 of 1860.
Referred to the Collector for report.

By order,
(Signed) L. FORBES,
Deputy Secy. to Government.

FORT SAINT GEORGE,
25th September 1860.

No. 64. Read also letter from W. M. CADELL, Esq., Government Agent at Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th December 1860, No. 583.

Paragraph 1. As directed by Government in their endorsement on Petition No. 2,440 of 1860, I have the honor to submit the following report on the subject therein contained.

2. Petitioners are grandsons of the late Dattaji Appa, Serkele or Minister to His late Highness the Rajah Serbhoje, and the statements contained in their Petition are as follow:

* *Vadamattain* 1 } *Mayaveram Taluq.*
Pungudi 2 }
Manaválam pettai 3—*Combaconum do.*

3. The 3 Shrotriem villages noted in the margin* and which were originally granted by the Government of Madras in the year 1805 to their grandfather, were sold to His late Highness the Rajah Sivaji, by their deceased paternal uncle, Malharje Appa; but as the right of ownership to one of the villages, viz., Manaválam pettai, was at the time under litigation between Petitioners' father and their uncle, the said Malharji Appa, and the matter was then pending in appeal before the Sadr Adalat; the late Rajah, and with a view to establish the validity of the sale, prevailed upon the Petitioners' father in consideration of the sum of Rupees 10,000 paid to him by Malharje Appa, to give up all his right and title to the said village, promising at the same time that Petitioners' father should, in addition to the above, receive a further sum of Rupees 2,000 from the Palace for clearing the debts which he had then incurred, and also an increase of Rupees 35 to the monthly salary which he (Petitioners' father) had on the Palace Establishment, thus raising it from Rupees 65 to Rupees 100. These promises, however, not having been acted up to by the late Rajah, Petitioners pray that the same should now be carried out by the Government, or should the Government decline to do so, that the sale of the Shrotriem villages above mentioned should be annulled.

4. This latter request is further based on the plea that the villages were granted by Government to their grandfather, Dattaji Appa, as a reward for services rendered by the family to the State, and being therefore specially intended and designed for the support of the family, the Petitioners urge that they are inalienable under the provisions of Regulation IV of 1831. They further argue that their deceased uncle was incompetent to dispose of them to the Rajah. In the event, however, of the promises above adverted to being fulfilled, Petitioners express their willingness to waive these legal objections and to allow the sale to hold good.

5. It seems unnecessary now to enter on the question as to what claim the Petitioners may now have on the bounty of Government for pecuniary assistance for the purpose of liquidating their debts and for a monthly allowance for the support of their family; such claims, had they any basis to rest on, would doubtless have been preferred long ere this, but as the case now stands they are unsupported by anything but the Petitioners' own assertion. It is, however, to be observed that a moiety of the salary, *viz.*, Rupees 45 which Petitioners' father had on the Establishment of His late Highness the Rajah, was granted to him by Government as a life pension during the arrangements made for the allotment of Pensionary allowances to the servants and dependants of the late Raj with separate pensions also of Rupees 5 each, to two of these Petitioners, *viz.*, Sivaji Appa and Krishnaji Appa. None of these have, however, up to this date been accepted.

6. As regards the sale of the villages; it does not appear to me that the case comes within the pale of Regulation IV of 1831. These were granted to Petitioners' grandfather on Shrotriem tenure by Lord William Bentinck, Governor in Council of Fort Saint George on behalf of the British Government, under a grant dated 8th November 1805, in lieu of certain other villages held by him on the same tenure and which were ceded by him to the Government. The grant purports to have been made to him (Dattaji Appa) and his heirs, but there is nothing in it to show that it was granted as a reward for services rendered to the State, or that it was specially intended for the support of the family. If therefore any defect is attached to its title by reason of the Inam not being declared in the grant to be alienable, such defect can, I conceive, only affect the right to hold the land on Shrotriem tenure, and it will therefore be for the Government to determine whether the same should be continued to be enjoyed as "Inam," or whether they should be assessed to the Public Revenue; at all events it appears to me that the sale must stand good.

7. It thus appears to me that there is no occasion for the interference of Government on the Petitioners' behalf and that, should Petitioners have any ground for disputing the validity of the sale of the villages to the late Prince on the plea of the concurrence of their father having been obtained thereto by the exercise of undue influence as alleged in the Petition, it is open to them to seek redress by means of Civil action.

8. Further, the Petitioners claim the arrears due to their father up to the date of his demise on account of the pension assigned to him on the death of His late Highness the Rajah, but which was neither accepted or drawn by him. Petitioners now state that, had not the pension been suspended by special Orders, the same would have been drawn by their father, and as all other pensions stopped in like manner have since been directed to be paid, they (Petitioners) request that the amount of pension due to their father may also be now paid to them.

9. Petitioners' father had, as stated above, a life pension of Rupees 22-8 per mensem granted him by Government in No. 24 of the Schedule of the Dowlat Pamloke Department, which, however, as above stated, he did not lay claim to. Petitioners' statement that he was prepared to receive it and that it was stopped by special Orders, is contrary to fact. Such being the case, the rules observed as regards the payment of pensions, do not admit, as stated in the Commissioner's endorsement enclosed with the petition, of the arrears due to a deceased Pensioner being discharged, unless the pension had been accepted by the party entitled to it, and the necessary muster taken of him.

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No. 65. ORDER THEREON, 20th February 1861, No. 113.

1. Two claims are put forward by the Petitioners.

2. The first has reference to three Srótriyam villages in the Mayaveram and Combaconum Taluqs, which were granted to Petitioners' grandfather in 1805, by the Government, and were subsequently sold to the Raja of Tanjore by the Petitioners' paternal uncle. The ownership of one of the villages was, at the time of the sale, the subject of litigation between the uncle aforesaid and his brother (Petitioners' father), and Petitioners state that the Raja prevailed upon their father to accept a sum of Rupees 10,000, a promise of Rupees 2,000 more, and an increase of Rupees 35 per mensem to his salary, and in consideration thereof to agree to the sale of the village. Petitioners add that these promises have never been fulfilled, and they therefore pray either that the sale may be cancelled, as being in contravention of the Inám Regulations, and as being invalidated by the incompetency of their uncle to make the alienation, or that the terms of the Raja's agreement be fulfilled by the Government.

3. The plea of the Petitioners based on the alleged illegality of the sale is obviously of no weight. The villages may not, under the terms of the original grant, have been alienable *upon Inám tenure*, but their sale appears to have been a *bonâ fide* transaction, and if any defect be attached to the title of present or future holders, such defect, as the Collector properly observes, will affect not the *ownership* of the villages, but the *tenure* upon which they are to be held. As regards the second objection, it is only necessary to remark that Petitioners admit that their father consented to the sale, and there is nothing to show that undue or improper influence was employed for securing his concurrence.

4. It is not stated in whose possession the villages are at present. If, as seems likely, they are in the hands of Government, they will be assessed to the public revenue, and if they are held by private parties under other than ordinary tenure, the matter will be decided by the Inám Commissioner under the rules.

5. Petitioners pray that, if their first request be not acceded to, and it be held that the sale is valid, the sums which they assert the Raja promised to their father may be paid to them by Government. This claim which seems now newly brought forward, and is stated by the Agent to be unsupported by any thing beyond Petitioners' own assertion, is altogether inadmissible.

6. The second demand is for payment of arrears of pension due to their father at the time of his decease. This has been properly disallowed. Their father, it appears, was pensioned on Rupees 22½ per mensem, being a moiety of his salary, but he died without accepting it, and as he never mustered as a pensioner, the arrears cannot now be drawn.

7. Two of the Petitioners, it is observed, Sivaji Appa, and Krishnaji Appa, have had pensions assigned them, but they have not seen fit to accept them.

(Signed) T. PYCROFT,
Chief Secretary.

No. 66. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property, to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th February 1861, No. 46.

Paragraph 1. I have the honor to report for the information of the Honorable the Governor in Council that I have been served with a copy of an Order issued by the Supreme Court, whereby I am directed within 10 days to pay the sum of Rupees 20,000, in full discharge of what is due to the claimant there named, and I have not sufficient funds realized from the Estate of the late Nabob of the Carnatic to pay the amount.

2. I therefore do myself the honor of requesting that His Excellency in Council will be pleased to issue the necessary orders for payment to me out of the Treasury of the sum of Rupees 20,000 (twenty thousand,) to enable me to comply with the terms of that Order.

No. 67. ORDER THEREON, 21st February 1861, No. 115.

The Sub-Treasurer is authorized to disburse to the Receiver of the Carnatic Property the sum of (Rupees 20,000) twenty thousand Rupees, applied for on the above account.

(Signed) T. PYCROFT,
Chief Secretary.

No. 68. Read the following letter from EMAMAN JAN, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Madras, 12th February 1861.

Adverting to the Orders of Government of 2nd December 1859, on my Petition No. 4,287, I submissively beg leave to observe that in every case Law admits a claim either upon the evidence from the entries made in the records or statements taken by witnesses.

2. I presume the reason of the Commissioner for refusing to recognise me as a real servant was owing to the non-production of my Pay Receipts, by the servants at the time to him for 1852 and 1853, which were furnished by me as well as for my name being omitted in the list forwarded by the Dewan, the cause of the omission, if the Dewan is called upon will fully explain; therefore the Commissioner declined to sanction the arrears of my wages, whereas similar servants of my class were paid although their Esmaynaveesee or Deeds of Enrolment were not taken because it was not customary at that time to enrol servants of my class.

Pay Receipts for 1852 *and* 1853.
Chittahs of Dusti Khoss for 1852-53.
Original letter from Dewan Saib to Government Agent, dated 6th October 1856, *showing the amount of arrears of wages due.*
Original letter of the Nabob's, written with pencil in his own hand-writing.

	Monthly pension.
1. *Madar-ol-Omrah Bahadoor Dewan.*	600
2. *Therazish Khan Bahadoor*.....	70
3. *Shajee-ol-Moolk Bahadoor*.....	625
4. *Salar-ol-Moolk Bahadoor*...	600
5. *Surfrazood Dowlah Bahadoor*.....	140
6. *Moolthazum Jung Bahadoor*..	90
7. *Rajah Taj Khan Bahadoor*.....	35
8. *Sooree Laul*.....	5
9. *Thalamund Khan*.....	50
10. *Appiah Naidoo*.....	7
11. *Enthazam Khan Bahadoor*.....	
12. *Rajah Girdharee Laul*.....	

3. I humbly solicit that you will be pleased to call for the documents noted in the margin, now in the possession of the Commissioner, as well as for the statements to be taken from the parties named marginally (principal servants of the house-hold of His Highness the Nabob), they are respectable pensioners, consequently would not voluntarily offer false evidence on account of a poor woman, knowing fully the disgrace and forfeiture of pensions attending them.

4. From the foregoing explanations and also by the documents above quoted, the Government will observe whether I was a real servant of His Highness the Nabob or not, more particularly by the term or word Wajee Thalab which (signifies salary) word was invariably inserted in every month's Pay Receipts of the Circar servants.

5. Under the circumstances of the case, I respectfully request that you will be pleased to lay my whole case before Government for a re-consideration thereof upon the documentary and personal evidences above referred to, and to procure their sanction for the payment of arrears due to me, otherwise, I solicit that the accompanying Memorial in triplicate with the other documents connected with my case, may be submitted for the impartial consideration and final Orders of the Right Honorable the Secretary of State for India.

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To

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR THE AFFAIRS OF INDIA.

The humble Memorial of Emaman Jan.

RESPECTFULLY SHEWETH,

That your Memorialist most humbly begs permission to bring to your Honor's notice that, from the documents noted in the margin, it will be observed that she was a real servant of His Highness the late Nabob of the Carnatic and as such her claims to arrears of salary due to her have not been granted; therefore, she most respectfully solicits your Honor's favorable consideration in her case and to sanction the disbursement of the arrears alluded to above as was done to other servants in the service of His Higness the Nabob of the Carnatic, for which act of impartial justice your Memorialist as in duty bound, shall ever pray.

1. *Petition to Madras Government, 5th November* 1859.
2. *Translation of Dewan's Report, 18th August* 1859.
3. *Translation of Memorialist's Declaration bearing severable respectable gentlemen's and Stipendiaries' Seals, proving her employment and salary.*
4. *Order of Government, 2nd December* 1859, *No.* 4,287, *on her Petition, 5th November* 1859.
5. *Letter to Chief Secretary to Madras Government, January* 1861.

MADRAS,
12*th February* 1861.

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No. 69. ORDER THEREON, 22nd February 1861, No. 116.

Ordered that the Memorial submitted with the foregoing address be forwarded to the Right Honorable the Secretary of State for India, together with the Commissioner's Report on the Petitioner's claim dated 18th November 1859, No. 586, and the decision of Government thereon dated 2nd December 1859, Petition Department. The Government see nothing in the present Memorial to induce them to alter the decision then passed.

(Signed) T. PYCROFT,
Chief Secretary.

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No. 70. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th February 1861, No. 190.

I have the honor to submit to the Honorable the Governor in Council that the Stipendiary described under the two names of Tuckey Hoossain and Mahomed Tucky Hoossain Khan in the Orders as per margin,* had prior thereto, viz., on the 3rd February 1820, obtained from Nabob Azam Jah Bahadoor the titles of "Abdool Khader Khan Bahadoor, Amir Jang Amir-ud-Dowlah:" but, following the first quoted Order, his name is borne in our book of issue as Carnatic Stipendiary No. 550, Tucky Hoossain.

Extract Minutes Consultation, 20th January 1829.
Extract Minutes Consultation, 23rd August 1842, *No.* 384.

2. In a letter of date the 17th instant he requested that issue might be made by his title instead of his name, and I have the honor to recommend compliance with his request and to ask the permission of the Honorable the Governor in Council to intimate to the Civil Auditor, Sub-Treasurer and Accountant General, that the highest of the titles, viz., Amir-ud-Dowlah Bahadoor will for the future replace the name.

No. 71. ORDER THEREON, 22nd February 1861, No. 117.

The proposed change is sanctioned and ordered to be communicated to the Offices of Pay, Audit and Account.

(Signed) T. PYCROFT,
Chief Secretary.

No. 72. Read the following Proceedings of Government in the Revenue Department, dated 12th February 1861, No. 333.

Communicating, with reference to Government Order, Political Department, No. 743, dated 21st December 1860, Proceedings of the Board of Revenue, relative to certain arrangements proposed by the Collector of Malabar for adoption in view to exempting from duty at British Cochin all Pepper covered by the Certificates of the Travancore State.

(Vide Proceedings Revenue Department, dated 12th February 1861, Nos. 149 and 150.)

No. 73. ORDER THEREON, 23rd February 1861, No. 118.

Ordered to be communicated to the Resident of Travancore and Cochin in reference to the Proceedings of Government dated 21st December last, No. 743. The Government approve of the arrangement proposed, and direct that it be adopted.

(Signed) T. PYCROFT,
Chief Secretary.

No. 74. Read the following letter from FRANCIS N. MALTBY, Esq., Resident of Travancore and Cochin, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Cotyam, 7th February 1861, No. 8.

I have the honor to report, for the information and Orders of Government, that the Reverend Royston, the Secretary to the Church Missionary Society, Madras, has applied to me for permission, for the Reverend John Martindale Speechly, B. A., to reside in Travancore.

2. There is no objection on the part of the Travancore Government.

No. 75 ORDER THEREON, 25th February 1861, No. 119.

The Government have no objection to the Reverend Mr. Speechly residing in Travancore with the permission of His Highness the Rajah.

(Signed) T. PYCROFT,
Chief Secretary.

No. 76. Read the following letter from W. M. CADELL, Esq., Government Agent, Tanjúr, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallum, 16th February 1861, No. 84.

I have the honor to report, for the orders of Government, that the 3 Stipendiaries of the late Tanjore Raj, specified in the annexed Descriptive statement, have applied for permission to proceed to their respective native places in the Deckan therein mentioned. I see no objection to their requests being complied with, and beg to solicit the sanction of Government for the same:—

No. in the list appended to the Proceedings of Government.	Names.	Present age.	How related to the Raja.	Amount of stipend per mensem.	Date of Government sanction.	The place where the Stipendiary wishes to reside in.
53 Class B.	Nágóji Tukáram Ghantgay.....	37	A distant relation.	15	5th Dec. 1859, No. 705.	Village called Pushagava in Dahivadi Taluq in the District of Satara in the Bombay Presidency. N. B.—The name of the Stipendiary No. 136 B, is incorrectly entered in the printed copy of the Proceedings of Government as "Rangammabáyi." The correct name is "Gangammabáyi."
136 do.	Gangamma Bahi, wife of do.....	32	do.	10	do.	
57 do.	Senker Rau Doulat Rau Kauvalkar.....	40	do.	20		

(Signed) W. M. CADELL,
Government Agent.

No. 77. ORDER THEREON, 25th February 1861, No. 120.

The Honorable the Governor in Council is pleased to permit the parties named in the Statement appended to the foregoing letter to return to their native place in the Bombay Presidency and to reside and draw their stipends there. The Government of Bombay will be requested to arrange for the future disbursement of the stipends from the District Treasury, and to debit the amount to this Government.

(Signed) T. PYCROFT,
Chief Secretary.

No. 78. To the Secretary to the Government of Bombay, dated Fort Saint George, 25th February 1861, No. 121.

Dated 16th February 1861, No. 84.

I am directed by the Honorable the Governor in Council to transmit a copy of a letter from the Government Agent at Tanjore, communicating the desire of the parties named in the enclosed Descriptive Statement to be permitted to return to their native place in the Bombay Presidency and to reside and draw their Stipends there, and to request that the Government of Bombay will issue the necessary instructions for the future disbursement of the Stipends of the parties from the District Treasury, debiting the amount to this Government.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following papers:—

No. 79. From RAHAMUTH FATHEMAH BEIGUM, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th February 1861.

I, Rahamuth Fathemah Beigum the daughter of Hamdy Beigum a Carnatic Stipendiary and the daughter of His Highness the Nabob Auzeem-ud Dawlah and aunt of His Highness the last Nabob of the Carnatic, beg to represent for the submission to the Right Honorable the Governor in Council, that as my husband is about to proceed to Hyderabad, I am also going with him. I therefore respectfully beg to be permitted to make use of the Public Bungalows on my route from Madras to the Territories of His Highness the Nizam.

The similar indulgence was shewn to Mustogeem Jung Bahadoor who is a distant relation to the Nabob of the Carnatic on his going to Hyderabad by Order of Government dated 15th July 1858, and also to his wife who went to the said place to join her husband by Order of Government dated 29th June 1859, No. 2,281.

This indulgence was even shewn to the Servants of the Carnatic Circar and their relatives as would appear from Exctract Minutes of Consultation dated 6th January 1854, and as long as I am the nearest relative of the late Nabob in as much as my mother and his father being the brother and sister born to His Highness the Nabob Auzeem-ud Dowlah, I have every hope that there will be no objection in granting my request.

On my above request being complied with, I solicit that as in the case of Mustogeem Jung Bahadoor, not only oblige a copy of the Order being furnished to me, copies of the same may be sent to the Collectors of Nellore and Guntoor that they may issue Thakeeds to those in charge of the Bungalows to permit me to use them.

As it is arranged for my starting off to Hyderabad very soon, I shall be greatly favored by my request being brought under your disposal at your earliest convenience.

P. S.—Please, if the answer is directed to the care of Yethecbar Dowlah Bahadoor my uncle, will be handed over to me.

Referred to the Government Agent at Chepauk, who will report on the position of the applicant and whether the same indulgence may be allowed her as to the wife of Mustakeem Jung.

FORT SAINT GEORGE,
16th February 1861.

(Signed) T. PYCORFT,
Chief Secretary.

No. 80. From Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 16th February, 1861, No. 180.

I have the honor to re-enclose the petition of Rahat Fatimah Begum.

2. Mustakim Jung and his wife are both great-great grand children of Wallajah of the Shadi descent.

3. Rahat Fatimah Begum is also a great-great grandchild of Wallajah of Nickah descent; she is the grandchild of Nabob Azeem-ud Dowlah who ascended the throne in 1801.

4. This applicant is not a Carnatic Stipendiary, nor, is her husband Mir Zufar Yar Khan Bahadur. Her husband's ancestor came from Hydrabad in Wallajah's time.

5. I have the honor to submit that this lady is not of the same social rank as Mustakim, Jung and his wife; but the same indulgence may be allowed to her and her husband.

No. 81. ORDER THEREON, 25th February 1861, No. 122.

His Excellency the Governor in Council is pleased to permit Rahat Fatimah Begum and her husband Mir Zufar Yar Khan Bahadur to make use of the Public Bungalows on their journey from Madras to His Highness the Nizam's territories, provided that they do not interfere with the occupation of the Bungalows by European travellers. The Collectors of Madras, North Arcot, Nellore and Kistna will be instructed to issue the necessary orders to the Bungalow Peons.

(Signed) T. PYCROFT,
Chief Secretary,

No. 82. Read the following letter from Lieutenant General Sir M. CUBBON, Commissioner for the Government of the Territories of His Highness the Maha Rajah of Mysore, to the Chief Secretary to Government, Fort Saint George, dated Nundydroog, 21st February 1861, No. 8.

I have the honor to transmit herewith copies of certain communications which have passed between His Highness the Maharajah of Mysore, the Governor General and myself, regarding the despatch of certain presents which it is the Maharajah's wish should be presented to Her Majesty the Queen in his name, by J. C. Campbell, Esq., Durbar Surgeon to His Highness.

2. I shall forward to your Government a copy of His Excellency the Governor General's reply, regarding the grant of six months' leave, as on duty, to Surgeon J. C. Campbell, as soon as it is received, to prevent any delay in the issue of the usual orders on the subject, as the time for this Officer's departure is drawing very near, and he is anxious to see himself in Orders, in time to admit of his obtaining all the necessary documents and certificates from the different Offices and Departments.

No. 83. ORDER THEREON, 26th February 1861, No. 123.

Communicated to the Military Department.

(Signed) T. PYCROFT,
Chief Secretary.

No. 84. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th February 1861, No. 217.

I have the honor to enclose a letter from Carnatic Stipendiary, No. 374, Shurf-Oon-Nissa Begum, in receipt of Rupees 416-10-7 per mensem, who wishes to proceed to Hyderabad and permanently to reside there.

2. Under ordinary circumstances the Office could have made this transfer. But the Begum Sahiba is a daughter of Nabob Mahomed Ally Wallajah; her recorded age in our books is 78 years, and the Hamamni servant of the Office, who has seen the lady, mentions that she seems to be about ninety years old, and is so feeble that she leans on an attendant in moving about the house.

3. After receipt of her letter, I asked of her who was to care for her on the journey; and she named two grandsons. I sent for these two grandsons and they seem confident as to her strength and fitness to undertake the journey.

4. I am desirous not to refuse leave of the kind asked for in this lady's letter, but have not succeeded in ascertaining whether it be a whim of old age or a settled purpose, and being in doubt beg the intimation of the wishes of Government.

5. I asked the favor of His Highness Azim Jah Bahadur, allowing a member of his family to ascertain if this lady (his father's cousin) be acting of her own free-will, and whether her strength is such as would justify my recommending permission to proceed on so long a journey.

6. His Highness has replied that he "thinks that she has been persuaded by her grandsons "to perform the journey with a view that they may use her as the instrument for the purpose of "procuring some pecuniary advantage there:" and His Highness brings to my notice that she is now 80 years old and her body consequently infirm.

7. Under all the circumstances, I have the honor to submit that it seems advisable for me to confine myself to suggesting to this aged lady that it is not advisable at her time of life to undertake so long a journey; and if this course be approved of, as she will doubtless go, I beg for issue of orders on the three requests in the last two paragraphs of the Begum's letter in which she (1) asks that the Resident of Hyderabad be informed of her dignity; (2) that a guard may

accompany her, and (3) that the privilege of halting at the Travellers' Bungalows may be allowed, and I only recommend for the favorable consideration of Government, a Guard of Soldiers of a Havildar's party, or of twelve of the Police; and that permission to occupy the Bungalows en route be granted.

To

THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL,

&c., &c., &c.

HONORED SIR,

With due respect I beg to bring to your Honor's notice, that I am the daughter of His Highness the late Nabob Wallajah, and having lived for upwards of 70 years under the kind protection of your benevolent Government, I am now on account of my very old age desirous of proceeding to Hyderabad to visit the Tomb of my grand-father at that place, where I intend to spend the remainder of my days, and be buried by the side of the said Tomb; I therefore beg your Honor will kindly grant me the permanent leave of residing at Hyderabad, and to draw my Stipend there from the day I quit Madras.

I shall also esteem it as a particular favour, if your Honor will kindly write to the Resident of Hyderabad on this subject, with a view to inform that gentleman of my dignity.

I further beg your Honor will be good enough to order a Guard as an escort, and to allow me the privilege of halting in the Travellers' Bungalows.

MADRAS;
ROYAPETTAH,
7th February 1861.

No. 85. ORDER THEREON, 26th February 1861, No. 124.

The Government would be glad if Shurf-Oon-Nissa Begum could be induced to forego her intention of proceeding to Hyderabad. If however she persists in her resolution to take up her residence there, she may be allowed the use of the public Bungalows on her journey, provided that she does not occupy them to the prejudice of European travellers. The Government will also report her position and the object of her visit to the Resident, but they cannot allow her a Guard either of Sepoys or Police.

(Signed) T. PYCROFT,
Chief Secretary.

No. 86. Read the following letter from F. N. MALTBY, Esq., Resident of Travancore and Cochin, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Cotayam, 13th February 1861, No. 10.

I had the honor of addressing you by Telegraph on the subject of the enclosed copy of a letter from the Dewan of Travancore, soliciting the Madras Government to suspend for a farther period of six months the levy of duty on the land frontier of Travancore.

2. I regret to say that the sufferings of the people are increasing in intensity, and I fear will do so until the next harvest, and I therefore trust that His Excellency the Governor in Council will be pleased to grant the request of the Travancore Government.

From T. MADAVA ROW, Dewan, to F. N. MALTBY, Esq., British Resident of Travancore, &c. &c. &c., dated Trevandrum, 8th February 1861, No. 250.

You are aware of the great distress prevailing in South Travancore in consequence of the unprecedented failure of the periodical rains.

2. The suspension of British duty on exports of rice and paddy to Travancore from British Ports on this coast for a period of one year, was conceded by the Government of India, as per Extract from the Proceedings of the Madras Government under date 14th September last.

3. A similar suspension of duty on rice and paddy exported to Travancore from the neighboring British territories by the land frontier also, for a period of six months, was ordered by the Madras Government as intimated in your letter No. 1,367, of the 11th August last.

4. The effect of this temporary withdrawal of duty on grain conveyed into Travancore both by sea and land has been very beneficial.

5. But the six months to which the Madras Government was pleased to limit the suspension of duty on the land frontier have just expired, and the duty has been I hear resumed.

6. The unprecedented intensity which the sufferings of the people have now attained will, I trust, induce the Madras Government to order the free export of grain to Travancore by land for a further period of at least six months. I consider such a measure exceedingly desirable at this moment, and it is of such urgent importance that I venture to request the favor of your using the Electric Telegraph in communicating with the Government on this subject.

(True copy.)

(Signed) F. N. MALTBY.
Resident.

No. 87. ORDER THEREON, 26th February 1861, No. 125.

To be recorded. It is observed that a Notification, suspending for a further period of six months the levy of frontier duty on the transport of grain by land into Travancore, was published in the Fort Saint George Gazette of the 15th instant.

(Signed) T. PYCROFT,
Chief Secretary.

No. 88. Read the following letter from W. M. CADELL, Esq., Government Agent at Tanjúr, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallam, 13th February 1861, No. 74.

26th December 1860. *28th* „ „

With reference to the Proceedings of Government, marginally noted, I have the honor to report that, as directed by the latter Order, I issued instructions to the Government Vakeel to watch the proceedings before the Court in the appeal suit therein referred to, and communicate to me what transpired, and at the same time intimated to the Respondent (the Sirkele) that it was optional with him to defend or not to defend the suit. The Sirkele, however, at once withdrew, and this was communicated to the Court on the 3rd ultimo when the case was set down for hearing.

2. The Court on the 15th idem delivered Judgment reversing the Decree of the late Raja's Court, with costs in both original and appeal suits. A copy of the Decree is herewith enclosed for the information of Government.

3. From the Judgment now pronounced it will be seen, that while, by reason of the halves of the two Bank Notes which formed the subject of the suit, having been now and for some time past impounded in the Supreme Court, it would seem questionable whether any claim could lie against the appellant for the recovery thereof, an action for damages caused by the previous detention by him of the said half Notes, can fairly be sustained. That these Notes are the property of His late Highness the Raja of Tanjore; that they were delivered to Kistnaji Kesava Pandit in his capacity as Sirkele or Minister to that Prince in the year 1836, and that they were unlawfully retained by him in his possession till the year 1849, when they were brought forward with a view to obtain payment thereon; are facts, which, as the Government are aware from the correspondence which has passed on the subject, have been fully established. Had the appellant not so detained these Notes but made them over to the Raja's Treasury (as he unquestionably ought to have done) it is only reasonable to suppose, that the full value of the Notes could have been recovered on behalf of the Raja, on production of the half Notes at the Bank of Madras, together with the prescribed Bond of Indemnity in respect of the missing halves. Such being the case, it would seem, I submit, that Kistnaji Kesava Pandit is clearly and personally responsible for the loss sustained by his late Highness in consequence of his having so detained these Notes.

4. Under these circumstances, and should the view of the matter I have taken be considered correct, I beg to request that I may be furnished with instructions as to taking further proceedings for the recovery of the damages on behalf of Government who have now in due course succeeded to the Estates of the late Raj. The amount of interest, which with reference to the period during which the half Notes in question were detained can be charged according to the Law,* equals the amount of the principal, *viz.*, Rupees 4,000, and the suit will thus have to be instituted in the Subordinate Court of the Zilla.

* *Sections II & IV, Regulation XXXIV of* 1802.

5. I would take this opportunity also of recommending that the Government Solicitor may be instructed to take measures for recovering on behalf of Government (in whom the Estates of the late Raja are now vested) the half Notes which are now "impounded† in the Supreme "Court for the party or parties rightfully entitled to them."

† *Vide letter from the Acting Honorable Company's Solicitor to Government, dated 25th October* 1856, *No.* 471.

6. I would take leave also to solicit the sanction of Government for disbursing the amount of costs, *viz.*, Rupees 519-6-0 awarded to the appellant by the Decree of the Civil Court as specified in the subjoined Memorandum, and also the sum of Rupees 8-6-0 advanced by the Sirkele under my orders in connection with the appeal. The original suit in this case, having, as I have already stated, been instituted under the orders of the then Resident, I conceive that the Sirkele cannot justly be held personally responsible therefor. The last mentioned charge was incurred in giving the prescribed Vakalatnama to a Vakil of the Civil Court in the name of the Sirkele for applying for an extension of time, as also for obtaining copies of the pleadings. This measure was unavoidably necessary, when the state of the proceedings was not even known, and the course to be definitely adopted on the part of Government, could not be determined on.

MEMORANDUM OF COSTS.

Amount adjudged to be paid to the Appellant by the Plaintiff in the original suit.

	Rs.	A.	P.	Rs.	A.	P.
Value of stamped paper on which the appeal petition was drawn, &c.	206	15	0			
Vakil's Fee	310	0	0			
Peon's Batta	2	7	0			
				519	6	0

Charge incurred by the Sirkele in connection with the appeal.

Value of stamp paper for Vakalatnama given to his Vakil	1	0	0			
Copyist's hire for making copies of the Proceedings	7	6	0			
				8	6	0
Total				527	12	0

(Signed) W. M. CADELL,
Government Agent.

APPEAL SUIT, No. 668 OF 1858.

Judgment.

This suit arose out of the following circumstances:

2. The halves of 16 Notes of the Madras Government Bank, were remitted by His Highness the late Raja of Tanjore to a party at Jaulna by post on the 29th July 1834, and reached their destination. The other halves were posted on the following day, but on the cover being opened at Jaulna, the halves of 2 Notes for 3,000 and 1,000 Rupees respectively, were missing. On the 9th July 1836, the halves of the two Notes which had been first posted and had reached Jaulna, were returned and lodged with the defendant, who then held the office of Sirkele, and were by him, in fraud it is alleged of His Highness the late Raja, transferred to a 3rd party,

whose representatives filed a Bill against the East India Company to recover the amount of the said Notes in the Supreme Court. This Bill was dismissed with costs on the 22nd October 1856, and on the 20th November 1856, the present suit was filed to recover 8,000 Rupees, the principal, and equal interest of the said Notes.

3. The Tanjore Court gave judgment for the plaintiff.

4. At the hearing, the respondent's Vakeel stated that he had been instructed to withdraw from the suit.

5. I consider that, though an action might have been maintained for the recovery of the halves of the Notes (if such a step were necessary, which as they were before the Supreme Court and, there is reason to suppose, were there impounded, is more than doubtful) or for damages caused by the retention of them or for both; the claim in its present form is not sustainable and consequently reverse the Decree of the Mudrasabai with costs in both Courts.

15*th January* 1861.

Special appeal time expires on the 14th April 1861.

(Signed) G. T. BEAUCHAMP,
Civil Judge.

(True Copy.)

(Signed) W. M. CADELL,
Government Agent.

No. 89. ORDER THEREON, 26th February 1861, No. 126.

As solicited by the Agent in paragraph 6 of his letter, the Government sanction the payment of Rupees (519-6-0) five hundred and nineteen, and Annas six, being the amount of costs awarded to the appellant by the Decree of the Civil Court, as also the sum of Rupees (8-6-0) eight and Annas six, advanced by the Sirkele in connection with the appeal.

2. The Agent is informed that Government do not deem it expedient to take any proceedings in the matter of the half Notes which formed the subject of the suit.

(Signed) T. PYCROFT,
Chief Secretary.

No. 90. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property, to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Madras, 15th February 1861, No. 45.

Para. 1. In continuation of my letter dated the 31st ultimo, No. 27, and with reference to the Proceedings of Government, under the date and number noted in the margin, I have the honor to report for the information of the Honorable the Governor in Council, that on the 6th instant I attended at the Government Agent's Office, and inspected the several Dufters of the Dewany Mahl, relating to the properties at Arcot and Trichinopoly, to which the Official Assignee has laid claim, and although the Mootsadie had not previously looked out the entries for me, as requested, and considerable delay was caused, five hours sufficed to glean all (as I believe) the information which the Dufters could afford on the subject.

Letter from the Receiver, to Chief Secretary, 31st January 1861, *No.* 27, *para.* 4.
Proceedings of Government, 12*th February* 1861, *No.* 93, *Political Department, para.* 2.

2. I regret that my having omitted to report this circumstance, should have rendered necessary directions to the Government Agent as contained in the 2nd para. of the Order noted above.

No. 91. ORDER THEREON, 28th February 1861, No. 127.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 92. Read the following letter from V. H. LEVINGE, Esq., Political Agent of Poodoocottah, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Madura, 13th February 1861, No. 11.

I have the honor to request that you will be pleased to furnish me with a copy of the Despatch from the Right Honorable the Secretary of State for India, dated 7th July 1860, No. 24, referred to in the concluding part of paragraph 10, of the Proceedings of Government, dated 23rd January 1861, No. 55.

Read also paras: 5 to 8 of the Despatch from the Right Honorable the Secretary of State for India, dated 8th November 1860, No. 18.

No. 93. ORDER THEREON, 28th February 1861, No. 128.

The Despatch referred to at the end of paragraph 10 of the Proceedings of Government, of the 23rd January last, No. 55, is that dated the 8th November 1860, No. 18, and paragraphs 5 at 8, which relate to the Administration of the Poodoocottah State for 1858-59, will accordingly be furnished to the Political Agent. The date quoted in the Proceedings, (7th July* 1860, No. 24) is that of the Government Despatch to which that now forwarded to the Agent is a reply.

* *Note.—Should be June.*

8th November 1860.

(Signed) T. PYCROFT,
Chief Secretary.

No. 94. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated London, 24th January 1861, No. 1.

I transmit herewith for your Excellency's information a printed copy:—

1st. Of the Treaty of Peace, Friendship, and Commerce, concluded between Her Majesty and the Emperor of China on the 26th of June 1858, the Ratifications of which were exchanged at Pekin on the 24th of October last.

2nd. Of the Agreement and Tariff made by the British and Chinese Plenipotentiaries on the 8th of November 1858 in completion of the Treaty: and,

3rd. Of a Convention between Her Majesty and the Emperor of China, signed by the British and Chinese Plenipotentiaries on the 24th of October last, which, according to the 7th Article, was to come into effect without Ratification as soon as the Ratifications of the Treaty of 1858 should be exchanged: published in the London Gazette of the 28th December last.

No. 95. ORDER THEREON, 28th February 1861, No. 129.

Ordered that such portions of the London Gazette, dated 28th December 1860, as have been published in the Calcutta Gazette, be re-published in the Fort Saint George Gazette for general information.

(Signed) T. PYCROFT,
Chief Secretary.

No. 96. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 21st February 1861, No. 227.

I have the honor to submit to the Honorable the Governor in Council that in List No. 9, Rupees 480 were sanctioned as a gratuity to Khismut Khan Bahadur Etisab Jung, for his 13 years' service, but which he never drew.

2. Subsequently, by the orders as per margin,* a stipend of Rupees 40 per mensem was granted to him as a diseased man, but issue of which was at first deferred and thereafter commanded, and he died on the 16th August last, without ever having appeared to draw his stipend, or sent any intimation of his desire to draw. The amount left undrawn from grant till demise was Rupees 198-11-4.

* *Proceedings of Govt.* 17*th March* 1860, *No.* 152.
„ *2nd June* „ „ 344.

3. He was the eldest son of the Dewan, in whose house he resided, and he could have had his stipend issued if he had chosen; but he was naturally of independent ways, and this, with the rapid increase of his illness, may explain his non-application.

4. Since his demise, members of his family have applied,* at first, for his gratuity of Rupees 480, and now for the amount of his undrawn stipend, *viz.*, Rupees 198-11-4, which as seems to me, as he had become a stipendiary, is the amount that is payable.

* *Mahomed Habeeb Ollah, son-in-law, for gratuity.*
Do. do. for undrawn arrears for Dewan.
Madar-ool-Oomrah Bahadur, father, for his undrawn stipend.

5. Under the circumstances, however, I beg of you to obtain for me the instructions of Government, as to issue of gratuity or pension arrears.

No. 97. ORDER THEREON, 28th February 1861, No. 130.

The Government direct that the arrears of stipend Rupees (198-11-4) one hundred and ninety-eight, Annas eleven, and Pice four, due to the deceased be issued.

(Signed) T. PYCROFT,
Chief Secretary.

No. 98. Read the following letter from W. T. BLAIR, Esq., Sub-Collector of North Arcot, in charge of Stipend Pay Office, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vellore, 19th February 1861, No. 35.

Paragraph 1. In accordance with the instructions conveyed in Extract from the Minutes of Consultation, dated 9th July 1856, No. 199, I have the honor to report that Moonavur Beigum, to whose charge the land and allowances assigned for the performance of the annual Fateahs and the maintenance of the Tomb of Bukshee Beigum, were made over agreeably to Extract from the Minutes of Consultation, dated 10th July 1855, No. 275, died on the 21st December last, and to submit to Government the question of the resumption of the said allowances. The allowances consist of Rupees 6 and 2 Rhatibs per month and Rupees 61 annual clothing money, and their payment has been discontinued from the date of Moonavur Beigum's decease.

2. With regard to the land, the extent of which is 11 cawnies, I may state that I am informed by the Deputy Collector Inam Commission that he has recommended that it should be continued on half assessment

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No. 99. ORDER THEREON, 28th February 1861, No. 131.

It appears from the letter of the Officer Commanding Vellore, dated 3rd July 1855, No. 100, that the Fatiahs of Buckshee Begum have always been performed out of the rent collected from the lands allotted for the Tombs by Moonavur Begum, whose death is now reported by the Sub-

Collector in charge of the Stipend Pay Office at Vellore. No separate money allowance seems to have been granted for that purpose.

2. It will be for the Inam Commissioner to deal with the land referred to in the 2nd paragraph under the general instructions laid down for his guidance.

3. With respect to Moonavur Begum's own allowances, as specified at the end of the 1st paragraph, they will, under the Orders of the Honorable the Court of Directors, 30th April 1856, No. 3, Political Department, paragraph 75, cease from the date of her demise, 21st December 1860.

(Signed) T. PYCROFT,
Chief Secretary.

A.

POLITICAL DEPARTMENT.

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77 & 78	*Carnatic Durbar.*—Advance of Rupees 150 to the Dewan authorized for the payment of Sirkar Servants, &c., for March.	28th March	.....	.....	202

POLITICAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT,

For the month of March 1861.

No. 1. Read the following letter from W. M. CADELL, Esq., Government Agent, Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallam, 16th February 1861, No. 83.

At the request of M. Avu Sáhibá and M. Kámákshi Ambá Báye Sáhibá, I have the honor herewith to submit the accompanying communication addressed by them to the Right Honorable the Governor in Council.

2. In this communication, the ladies take exception to the arrangement under which, with reference to the Orders conveyed in the Proceedings of Government, marginally noted, one of the two gardens therein referred to, *viz.*, the Huzur Mahal garden, has been left in the occupation of the young Princess and her husband, Ry Sakkaram Sahib, and request that the same should also be made over to them. The circumstances, however, under which both the gardens in question had been originally made over by the late Commissioner Mr. Phillips to the members last mentioned, as well as the grounds on which I recommended the one above mentioned to be transferred to the occupation of these ladies, being fully stated in my letter to which the Order above quoted is a reply, I do not consider it necessary now to offer any further observations regarding the representations contained in this address.

Dated 22nd September 1860, *No.* 571.

3. I would, however, take leave to state, that the present arrangement is in accordance with the Order of Government; neither of the two gardens having (so far as I have been able to ascertain,) ever been reserved for the *exclusive* use of the applicants as alleged by them, but on the contrary it is generally admitted that Sakkárám Sáhib and his first wife had the privilege of access to both gardens equally with the Ránís themselves. Such being the case, and as the Huzur Mahal garden directly overlooks the apartments occupied by the young Princess, and is, further, so far removed from those of the ladies as altogether to preclude *their* making any personal use thereof, I beg to submit that the present arrangement should not be disturbed.

From Her Highness AVOO SAHIBA, and Her Highness KAMACHEE AMBA BHOYEE-SAIBA, to the Right Honorable W. A. MOREHEAD, Governor in Council, Fort Saint George, dated 25th January 1861.

OUR LORD,

We beg to state that we have under date the 25th August last, addressed a letter to your Lordship through the Government Agent of Tanjore, praying for the restoration of Dastan Mahal and Hoozoor Mahal gardens to us, of which we regret that the Government had not taken into their full consideration.

2. The Government Agent had written to our address a letter dated the 17th November last, stating that one of the two gardens named Dastan Mahal garden, has been directed to be made over to us for our occupation, of which a copy is herewith annexed for inspection.

3. The Government Agent had held an interview with us on the 20th November last, and when he declared in his conversation that the Hoozoor Mahal garden is desired by the young Princess and Suckaram Sahib, and that it is in their possession; and that our request for the Hoozoor Mahal garden is in vain; because it situates far from your apartments. We have much surprized at this, and addressed another letter on the 24th November last in respect of the Hoozoor Mahal garden, for there is no reason whatever to be assigned in making the Hoozoor Mahal garden over to any other person besides us: a copy of the said letter together with a copy of his reply dated the 5th December is herewith annexed.

4. The late Rajah Seevajee had during his life-time, given to us, to the other Bohee Sahibas, and to the ladies of Mangalaveelasam, respective apartments; so the Rajah had given to the late elder Princess two separate apartments within the Palace for the occupation of herself and her husband, and a commodious house in the eastern street of the Fort, in both of which they have established their respective departments suitably to their rank and condition, and retained therein their property, &c., &c.

5. While, on the day in which the elder Princess had deceased, Mr. Cherry the then Resident had, as he was persuaded by some wicked persons, taken the young Princess from the apartments of the elder Princess and placed her separately in an apartment which had been erected by the late Rajah in the Hoozoor Mahal garden, with secret intention of marrying her to Suckaram Sahib contrary to our consent and proposal: whereupon, we have objected about the matter with Mr. Cherry, who had promised us that he will evacuate it in a few days, and we have ever since disputed about it with the Resident, and who had also promised us to comply with our desires, but it was produced no effect to our great suprize; as the young Princess was then under the protection of the Government, we were unable to resist with it too much.

6. As the young Princess had been married with Suckaram Sahib, by the Government, she has been estranged from our family; she has no concern whatever with our property according to the general principles of Hindoo law.

7. We have neither obstacle nor objection to the apartments and to the house which were given to the late elder Princess by the late Rajah for her occupation in which she had occupied until her death: and now the young Princess is with her husband occupied in the same.

8. As the Dastan Mahal garden is too small and which is not sufficient for our habits and for our occasional walks suitably to our rank and dignity, and which is devoted to celebrate all our ceremonial performances according to the principles of our religion, we earnestly beg, if your Lordship will be pleased to take this important matter into consideration, we believe that the Government may think that our request for the Hoozoor Mahal garden is proper and just; and issue such instructions as to restore it also to us for our free access into the gardens without any obstruction.

9. In consequence of the said Dastan Mahal garden having been found insufficient for our habits and occupation, the late Rajah had about ten years ago, broken up a few of the old buildings situated in the Hoozoor Mahal and erected some new buildings therein, formed it as garden in communication with the Dastan Mahal garden and appropriated the both gardens for our free use and occupation; formed a private gateway through which we were accustomed to go into the gardens from our apartments, from that time and until the demise of the late Rajah we had occupied in both gardens with more freedom for a few months in a year, and performed now and then all our religious ceremonies.

10. Though the Government had performed the marriage of the young Princess with Suckaram Sahib, yet his conduct and that of the young Princess is similar to the distinction of a Rajah, while we the principal members of our family are within the Palace under full confidence to obtain due justice on all our claims from the British Government.

11. We beg to say that the late Sirfojee Maharajah had five daughters and five son-in-laws, all of whom the Rajah had treated suitably to their rank and condition, but now Suckaram Sahib considers himself like a Rajah and conducts in high rank and distinction which is quite repugnant to the rules, manners and customs existed among the son-in-laws of the late Sirfojee Maharajah. Will this appear to Government as just and proper?

12. As we have unfortunately lost our Rajah, the Government had unjustly taken possession of our Raj property; in regard of which our appeal is now pending before the higher authorities in England; while it is so, we are unfortunately suffering much distress in a state of confinement without having any convenient place or gardens for taking air and walk besides the Dastan Mahal and Hoozoor Mahal gardens, so that our lively by grievances cannot be finished by writing.

13. We beg that the Government will be highly pleased to take our grievances into consideration, that Suckaram Sahib or the young Princess has no right whatever to our private gardens and property, and that the young Princess should occupy in their respective apartments without any pomp of royal distinction.

14. As we are on account of distress obliged to trouble the Government with our humble request for the restoration of the Hoozoor Mahal garden under firm belief that the Government will issue orders so strictly to the Government Agent at Tanjore, that he may make over the Hoozoor Mahal garden to us without making any excuse, and check Suckaram Sahib for his free conduct similar to the royal distinction in every respect.

What can we say more?

From W. M. CADELL Esq., Government Agent, Tanjore, to M. AVU SAHIBA, and KAMAKSHI BOYE SAHIB, dated Vallam, 17th November 1860, No. 489.

Adverting to your Petition to Government, dated the 25th August last, I have the honor, under instructions from Government, to inform you that one of the two gardens therein referred to, *viz.*, the Vijayavelas or the Dastan Mahal garden, has been directed to be made over to you for your occupation.

From Her Highness M. AVOO SAHIBA, and Her Highness KAMAKSHI AMBA BHAYEE SAHIBA, to W. M. CADELL, Esq., Government Agent at Tanjore, dated 24th November 1860.

We have the honor to state that in your letter dated 17th November 1860, you therein mention only about the making over of one of the two gardens, viz., the Dastan Mahal and not the other one, viz., the Hoozoor Mahal garden also, though we wrote to Government for both the gardens.

2. On your visit to us on Tuesday the 20th instant, we then asked you about the making over of the abovementioned second garden, viz., the Hoozoor Mahal also, when you promised us that you will think about it and let us know.

3. Should you enquire from our old servants regarding our free occupation of it and the greater claim we have to it than the person who now occupies it, you will then know the extreme justice of our claims to it, as we informed you also on the day we last met.

What can we say more?

From W. M. CADELL, Esq., Government Agent at Tanjore, to M. AVU SAHIBA and KAMAKSHI BAYI SAHIBA, dated Vallam, 5th December 1860, No. 539.

In reply to your letter of the 24th ultimo, I have the honor to state that the subject of both the Huzur Mahal and the Dastan Mahall gardens having already been disposed of under the Orders of Government, I must decline again to re-open the same.

No. 2. ORDER THEREON, 1st March 1861, No. 133.

Under the circumstances represented by the Agent at Tanjore, the Government see no reason for disturbing the arrangement for the occupation of the Hoozoor Mahal garden which has been carried out by the Agent under the Orders of Government, dated 22nd September last, No. 571.

(Signed) T. PYCROFT,
Chief Secretary.

No. 3. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 25th February 1861, No. 240.

I have the honor to transmit an original letter* from the Dewan of the Durbar, requesting that Government will place at his disposal, Rupees (150) one hundred and fifty, for the payment of the Sircar servants, &c., for the current month.

* *Requested to be returned.*

No. 4. ORDER THEREON, 2nd March 1861, No. 134.

Resolved that the Sub-Treasurer be authorized to place at the disposal of the Dewan the sum of Rupees (150) one hundred and fifty, required on the above account.

(Signed) T. PYCROFT,
Chief Secretary.

No. 5. Read the following letter from C. H. LUSHINGTON, Esq., Secretary to the Government of India, Financial Department, to the Chief Secretary to the Government of Fort Saint George, dated Fort William, 31st January 1861, No. 1,452.

I am directed to acknowledge the receipt of your letter, No. 16, dated 8th instant, proposing that the pensions at present drawn by Said Alla Ud Din and Said Saif Ud Din of Kurnool may be continued to them for their lives.

2. In reply, I am desired to state that, on the recommendation of the Madras Government, the President in Council is pleased to allow them to continue a small compassionate allowance in either of the two cases mentioned above, where they think the party cannot fairly be expected to earn an independent livelihood, but in no instance to exceed the present allowances (which are based on the recommendation of 2/3rds of the father's stipend), and on no account to go beyond the life of the present holder.

No. 6. ORDER THEREON, 4th March 1861, No. 135.

Under the authority conveyed in the foregoing letter, resolved that the pensions* at present drawn by Said Alla Ud Din and Said Saif Ud Din of Kurnool be continued to them, as a compassionate allowance, for their lives—their respective shares lapsing absolutely at their death.

* *Rupees* 28-12-8 *each per mensem, as sanctioned by the Government of India, under date* 17*th June* 1859, *and communicated in the Order of the* 9*th July* 1859, *No.* 411.

(Signed) T. PYCROFT,
Chief Secretary.

No. 7. Read the following letter from JAMES INNES MINCHIN, Esq., Acting Collector of Kurnool, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 26th January 1861, No. 3.

With reference to an Endorsement, No. 3,743, of 4th January 1861, from the Deputy Secretary to Government on the Petition of Inayut Khatoon, the grand-daughter of the late Nawab Goolam Russool Khan of Kurnool, I have the honor to report as follows :—

2. The Petitioner's mother Yacoob Khatoon was a daughter of the late Nawab Goolam Russool Khan, and drew a stipend from the Government of Rupees 150 monthly as per Order of 17th November 1840.

3. Yacoob Khatoon married Hussan Ally Khan, the son of the late Goolam Khader Khan, brother of the late Nawab, and who was in receipt of a pension of Rupees 4,000 per annum.

4. Yacoob Khatoon died on the 1st December 1853, and the then Agent recommended the continuation of two-thirds of her pension, Rupees 100 per mensem, to her husband Hussan Ally Khan, for the support of himself and daughter, the present Petitioner.

5. The Government rejected the application, on the ground that Hussan Ally Khan should look properly for support to his father Goolam Khader Khan, who was in receipt of a handsome allowance.

No. 278 of the 18th July 1854.

6. Gholam Khader Khan himself died on the 3rd February 1859, and amongst other members of his family, provision was made for Hussan Ally Khan by continuing to him a pension of Rupees 60 per mensem. His daughter, the Petitioner, was supposed to be under his protection, and no separate allowance was made for her out of Goolam Khader Khan's pension which then lapsed to Government.

7. Hussan Ally Khan has since remarried, and his daughter the Petitioner prays for a personal allowance to assure herself from want, out of the pension which lapsed to Government on the death of her own mother Yacoob Khatoon in 1853.

8. The Government having called for a report on the Petitioner's claim, I would take the opportunity of bringing it to their favorable notice, and trust that on a liberal view of the case they may deem fit to sanction a fifth portion of the late Yacoob Khatoon's pension, or Rupees 30 per mensem, to be continued to the Petitioner for life.

No. 8. ORDER THEREON, 4th March 1861, No. 136.

1. The Government observe that the stipend of Yakúb Khatún, Petitioner's mother, was granted *for life* only, and that it lapsed on that lady's death in 1853. Hussain Ali Khan, Petitioner's father, enjoys a stipend of Rupees 60 per mensem, but as he has married again, and no separate provision has been made for her, Petitioner solicits the grant of a special allowance to be drawn on her separate receipt.

2. The Honorable the Governor in Council does not consider that the circumstances are such as would justify the Government in recommending the grant of a pension. Her father is bound to maintain her, and to him she must look for support.

3. The Acting Collector will communicate the above decision to the Petitioner.

(Signed) T. PYCROFT,
Chief Secretary.

No. 9. Read the following letter from Mr. T. BRASS, to the Chief Secretary to Government, Fort Saint George, dated 28th February 1861.

I have the honor to forward the accompanying Petition to His Excellency the Governor in Council of Fort Saint George, and to request you will be pleased to submit the same to His Excellency the Governor in Council for directions thereon.

To HIS EXCELLENCY THE GOVERNOR IN COUNCIL OF FORT SAINT GEORGE.

The humble Petition of THOMAS BRASS, residing at Saint Thomé.

SHEWETH,

1. That in the month of January 1860, your Petitioner advanced to His Highness Prince Azeem Jah Bahadoor, the sum of Rupees seven thousand and five hundred on His Highness' Promissory Note for the said sum of Rupees seven thousand and five hundred, payable twelve months after date, a copy of which is hereunto annexed marked C.

2. That His Highness' said Promissory Note for the said sum of Rupees seven thousand and five hundred fell due and became payable on the 24th day of January last.

3. That your Petitioner Memorialized His Highness on the 18th instant and forwarded such Petition through the Government Agent at Chepauk and Paymaster of Carnatic Stipends, as per copies also hereunto annexed marked A and B.

4. That your Petitioner hath in reply to the aforesaid Petition to His Highness received an Official Memorandum dated 25th instant from the Agent at Chepauk forwarding a copy of the reply of His Highness Prince Azeem Jah Bahadoor, dated 23rd instant, to such Petition as aforesaid, as per copies also hereunto annexed marked D and E.

Your Petitioner therefore humbly prays His Excellency the Governor in Council of Fort Saint George will be pleased to direct His Highness Prince Azeem Jah Bahadoor to arrange with your Petitioner as to the payment of the principal and interest thereon from the date it became due to the date of adjustment at six per cent. per annum, or that His Highness' consent may be obtained and the amount deducted from His Highness' allowance and paid to your Petitioner by your Excellency, or that your Petitioner be allowed the liberty of suing His Highness in the Supreme Court of Judicature at Madras and the exemption of His Highness to the process of the Honorable Court be removed and render His Highness subject to such jurisdiction in consequence of the failure of the fulfilment of his engagement with your Petitioner, and your Petitioner shall ever pray.

(Signed) T. BRASS.

A.

To E. G. BALFOUR, Esq., Government Agent, Chepauk, dated 18th February 1861.

I have the honor to forward the accompanying Petition and to solicit of you the favor of submitting the same to His Highness Prince Azeem Jah Bahadur for to enable me to realize the amount due by His Highness, or that His Highness will be pleased to favor me with His Highness' endorsement according to the prayer of the Petition.

(Signed) T. BRASS.

B.

To His Highness Prince Azeem Jah Bahadur, dated 18th February 1861.

The humble Petition of THOMAS BRASS, of Saint Thome.

Sheweth,

1. That in the month of January 1860, your Petitioner advanced to your Highness the sum of Rupees 7,500 on your Highness' Promissory Note for the said sum of Rupees 7,500, payable twelve months after date, a copy of which is hereunto annexed.

2. That your Highness' said Promissory Note for the said sum of Rupees 7,500, so advanced to your Highness by your Petitioner as aforesaid, may be repaid to your Petitioner.

Your Petitioner therefore most humbly prays your Highness, that your Highness will be pleased to repay to your Petitioner the said sum of Rupees 7,500, or that your Highness will be pleased to request the Government of Fort Saint George to pay or consent to the said Government paying to your Petitioner the said sum of Rupees 7,500 out of your Highness' monies in the hands of the said Government, and that your Highness will be pleased to signify such your Highness' consent by endorsing it on this your Petitioner's Petition, and your Petitioner will ever pray, &c.

(Signed) T. BRASS.

C.

Madras, 24th January 1860.

Twelve months after date I promise to pay to Mr. Thomas Brass, or his order, the sum of Rupees seven thousand and five hundred, for value received.

(Signed) عظيم جاه

Rupees 7,500

D.

No. 241 of 1861.

GOVERNMENT AGENT'S OFFICE,
25th February 1861.

The Government Agent at Chepauk and Paymaster of Carnatic Stipends has the honor to enclose for information of Mr. Brass copy of the reply which His Highness Prince Azim Jah Bahadur has given to Mr. Brass' letter of 18th instant.

(Signed) EDWARD BALFOUR,
Government Agent at Chepauk and Paymaster Carnatic Stipends.

To Mr. Brass.

E.

His Highness Azeem Jah Bahadur presents his compliments to Surgeon Major E. G. Balfour, Government Agent at Chepauk and Paymaster of Carnatic Stipends, and in acknowledging the receipt of his letter of the 19th instant with its enclosure begs to inform him in reply that the amount claimed by the Petitioner T. Brass is correct and true, but His Highness is unable at present to meet such demands and regrets very much that he was not able to discharge the same on its becoming due. The enclosures are herewith returned as requested.

(Signed) عظيم جاه
AZIM JAH.

(True Copy.)

(Signed) EDWARD BALFOUR,
Government Agent.

SHADY MAHEL,
23rd February 1861.

No. 10. ORDER THEREON, 4th March 1861, No. 137.

The Government decline to comply with either of the requests preferred in the foregoing Petition.

(Signed) T. PYCROFT,
Chief Secretary.

No. 11. Read the following Proceedings of Government in the Revenue Department, dated 28th February 1861, No. 465.

Referring for orders, Proceedings of the Board of Revenue, recommending in consideration of the great difference between the old and new Tariff valuations at the Port of Cochin, that the Resident of Travancore and Cochin be requested to report the rates of valuation and duty in those States and to suggest some arrangement with those Governments for the equitable settlement of the matter.

(Vide Proceedings Revenue Department, dated 28th February 1861, Nos. 414 and 415.)

No. 12. ORDER THEREON, 5th March 1861, No. 138.

Resolved, that the foregoing Proceedings be communicated to the Resident of Travancore and Cochin and that, as recommended by the Board of Revenue, he be requested to report the rates of valuation and duty fixed on the chief articles of export in those States, and to suggest some arrangement with those Governments, for an equitable settlement of the matter, now that the special Tariff for Cochin sanctioned in 1842 has been abrogated by the revised one lately issued and declared applicable to all British Indian Ports.

(Signed) T. PYCROFT,
Chief Secretary.

No. 13. Proceedings of the Madras Government, dated 7th March 1861, No. 139.

The Government Agent at Tanjore is directed to report what progress he has made in carrying out the Orders of Government, dated 19th May and 7th September 1860; as also to state what further debts and awards have been paid by him subsequently to those entered in his Report of the 10th January last, No. 6.

(Signed) T. PYCROFT,
Chief Secretary.

No. 14. Read the following letter from G. S. FORBES, Esq., Agent to the Governor of Fort Saint George in Ganjam, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Chetterpore, 13th February 1861.

An Order of Government, No. 259, dated 1st February, which has this day reached me through the Board of Revenue, obliges me to request the Governor in Council will be pleased to furnish for my guidance some definite indication of the species of authority I should exercise as their Agent in the affairs of the Zemindars of this District.

I enclose a spare copy of the Order in question for reference—it communicates, as Government will observe, their disapprobation of the course I pursued in reference to one Chudamani Nippako, Patro, or Dewan of Jarada, an Estate then under wardship. The minor of Jarada having left Chetterpore to visit his Estate was reported too ill to return, which was actually the case. Subsequently a report became general that the Dewan, a man of no good reputation, was tampering with his health, and that symptoms of mental imbecility, (the result of drugs used to stimulate the passions prematurely,) had shewn themselves. I removed the Dewan from the vicinity of the minor, (then the ward of Government) and placed him under a surveillance of the lightest description. The Government consider that a want of forbearance was shewn by me, but I respectfully put it to His Honor in Council to say what other course was open to me. The practices attributed to Chudamani Nippako are notoriously common among the attendants of Zemindars in this District, and circumstances gave colour to the charge. That I could trace no symptoms in the young Zemindar to prove it, and that his illness seemed to me to bear a different character would not I submit have exonerated me from the precautions I used, and I bring this matter again before the Government, because I really feel much embarrassed as to any future exercise of discretionary authority, if my conduct in this matter merits censure.

In paragraph 2 of their Order the Government refer me to the censure conveyed to me on the 7th May 1860. If it were worth while to trouble the Government with further explanations in that matter, and I were permitted to do so, I believe I could justify my proceedings to their satisfaction.

As this letter has direct reference to my functions as Agent, I address the Government through the Chief Secretary.

No. 15. ORDER THEREON, 9th March 1861, No. 141.

The Government Agent at Ganjam requests that Government will be pleased to furnish for his guidance some definite indication of the species of authority which he should exercise as their Agent in the affairs of the Zemindars of the District.

2. This request is made in reference to the Order of Government, No. 259 of 1861, passed in the Revenue Department under date 1st instant. It appeared that the Agent had removed from the Jaradah Zemindary now under the Court of Wards, the Dewan of the Estate and had detained him under surveillance at Chutterpore and elsewhere, for what period Mr. Forbes did not explain, but which the man himself stated to have been five months.

3. Subsequently it was found that the charges on which the Dewan had been removed were for the most part without foundation, and that his general management had benefitted the Estate. The surveillance over him was consequently withdrawn.

4. In noticing these circumstances the Government cautioned the Agent to be more forbearing in the exercise of his summary powers under the Agency Act XXIV, 1839. They see no reason to modify this caution, and they do not consider that Mr. Forbes was justified in making the present application. As to furnishing Mr. Forbes with "some definite indication of the species of authority which he is to exercise," the Government must remark that the nature and extent of his authority as Agent were not called in question, but simply whether, on the occasion referred to, he had exerted that authority with all due forethought and circumspection.

(Signed) T. PYCROFT,
Chief Secretary.

No. 16. Read the following letter from H. L. ANDERSON, Esq., Chief Secretary to the Government of Bombay, to the Chief Secretary to the Government of Fort Saint George, Madras, dated 2nd March 1861, No. 892.

I have the honor by direction of the Honorable the Governor in Council to forward for submission to the Government of Madras, the accompanying copy of a letter from Lieutenant Colonel C. P. Rigby, Her Majesty's Consul and British Agent at Zanzibar, dated the 26th November last, No. 77, relative to a native of Johanna calling himself "Prince Abodon."

2. In forwarding this communication I am desired to intimate that the statement made by Lieutenant Colonel Rigby is perfectly correct.

From Lieutenant Colonel C. P. RIGBY, Her Majesty's Consul, to the Secretary to Government, Political Department, dated Zanzibar, 26th November 1860, No. 77.

A few days ago I received intelligence from Johanna that a native of that Island, who calls himself "Prince Abodon," but whose real name is "Abdallabin Allawee," and who is a complete swindler, has recently left Johanna and proceeded to Madras.

2. As he will in all probability endeavor to obtain pecuniary assistance from the Madras Government, I beg to inform you of what I know regarding him.

3. Abdallabin Allawee, *alias* "Prince Abodon," is a young man who speaks English remarkably well, he has a very plausible manner, and usually dresses in richly embroidered cloth jackets. Some years ago he got into trouble from being concerned in the slave trade at Johanna. He then went to La-Kinmon, and afterwards to Mauritius. He there applied to the Government for pecuniary assistance, a reference regarding his position and character was made to Her Majesty's Consul for the Comoro Isles, and the reply being unsatisfactory, he left the Island, having before his departure swindled a merchant, a friend of the Consul, out of a sum of one hundred and ninety-six Dollars.

4. He next appeared at Bombay, where by his false representations he induced the Government to allow him five Rupees a day, and he also imposed on the Missionaries by pretending to be converted to Christianity. He remained at Bombay for several months and then was forwarded to Kurrachee en-route to Johanna; he remained at Kurrachee for about a year receiving five Rupees a day, and then was sent to Muscat—on his arrival there he induced the British Agent to give him money and returned to Kurrachee; he was again sent to Muscat and provided with a passage to this Port. I made him an allowance whilst here and paid his passage to Johanna, and a few days after he left, I discovered that he had swindled a British subject here out of one hundred and fifty Dollars, under the pretence of procuring the release from prison of the man's brother, who had been convicted of selling five females into slavery.

(True Copy.)

(Signed) H. L. ANDERSON,
Chief Secretary.

No. 17. ORDER THEREON, 11th March 1861, No. 142.

Ordered that a copy of the foregoing letter and its enclosure be forwarded by the next Steamer to the Right Honorable the Secretary of State, the Government of India, and the Government of Ceylon, in reference to past correspondence regarding the mission of the party alluded to.

(Signed) T. PYCROFT,
Chief Secretary.

No. 18. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 11th March 1861, No. 143.

With reference to my letter dated the 17th December last, No 4, Secret Department, I am directed by His Excellency the Governor in Council to transmit for the information of the Government of India a copy of one and its enclosure from the Chief Secretary to the Government of Bombay regarding the position and character of the person styling himself Colonel Abodon, Prince of Johanna, who recently visited Madras on an alleged mission from the Sultan of that Island.

Dated 2nd March 1861, No. 892, with one from Lieut.-Colonel Rigby, dated 26th November 1860, No. 77.

(Signed) T. PYCROFT,
Chief Secretary.

No. 19. To the Colonial Secretary at Colombo, dated Fort Saint George, 11th March 1861, No. 144.

From the Colonial Secy. at Colombo, 2nd Feb. 1861, No. 14.
To do. 11th „ „ „ 91.

With reference to the correspondence noted in the margin, I am directed by His Excellency the Governor in Council to transmit for the information of the Government of Ceylon a copy of a letter and its enclosure from the Chief Secretary to the Government of Bombay, regarding the position and character of the person styling himself Colonel Abodon, Prince of Johanna, who recently visited Madras on an alleged mission from the Sultan of that Island.

(Signed) T. PYCROFT,
Chief Secretary.

No. 20. Read the following Proceedings of Government, in the Revenue Department, dated 28th February 1861, No. 470.

Communicating the Proceedings of the Board of Revenue, submitting with the Board's observations copy of a letter from the Collector of Tinnevelly, relative to the Pepper imported into that District from Travancore being taxed with a duty.

(Vide Proceedings Revenue Department, dated 28th February 1861, Nos. 423 & 424.)

No. 21. ORDER THEREON, 12th March 1861, No. 145.

The Government consider that the view taken by the Board of Revenue in the above Extract from their Proceedings is correct; they therefore direct that no Frontier duty be levied on Travancore Pepper on its import into the Tinnevelly District.

2. Ordered that these papers be communicated to the Resident for the information of the Travancore Authorities.

(Signed) T. PYCROFT,
Chief Secretary.

No. 22. Read the following letter from F. N. MALTBY, Esq., Resident of Travancore and Cochin, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 11th February 1861, No. 9.

I have the honor to forward for the instructions of Government a letter from Colonel Faunce, Commanding the Nair Brigade, submitting for decision two questions affecting the rank of Officers in the Brigade which he Commands.

2. The first question is whether Lieutenant Hay who first joined the Brigade, or Captain Young, his senior in Her Majesty's Indian Army, holds the senior rank in the Nair Brigade.

3. On Captain Young's joining the Brigade it was thought that he was the senior and (Colonel Faunce being absent and Lieutenant Hay in temporary Command of the Brigade) Captain Young assumed the Command from (local) Captain Hay.

4. The papers which Colonel Faunce has laid before me have satisfied me that this was a mistake, and that Officers in the Brigade should rank according to the date of the Commission received from His Highness the Rajah, and Lieutenant Hay's Commission as Captain in the Brigade of His Highness dates before Captain Young's. This, I think, is distinctly ruled by the Order of the Governor General of India.

5. Captain Playfair, now absent on leave, and who has been for some time permanently appointed to the Brigade would, I think, unquestionably not be superseded by Captain Young; and the only question is whether the fact of Captain Hay holding only a temporary appointment to the Brigade, while Captain Young has been gazetted as permanently appointed, makes any difference. Colonel Faunce is of opinion that it does not, and I concur with Colonel Faunce, because I think that if any other rule is followed in the Brigade than that of the date of His Highness' Commission, much inconvenience will result.

6. I have the honor to request that I may be favored with the instructions of Government on this subject, because I am under the impression that the Government in appointing Captain Young supposed that he would take precedence of Captain Hay.

7. The second question has reference to the relative rank of Dr. Waring, Physician to His Highness the Rajah, and Captain Young who is Dr. Waring's senior in Army rank.

8. The rank of the Durbar Physician has formed the subject of previous correspondence. On a former occasion the Physician (Dr. Paterson) was allotted a rank next to the Officer Commandig the Brigade. But on a remonstrance from Captain Daly, a local Officer of very long service, the question was referred to Madras when my predecessor General Cullen was instructed to ascertain what was the practice at other Durbars and to assign the rank of the Officers at the Durbar as appeared to be right. Afterwards, in consideration of Captain Daly's long service, it was ruled that the Durbar Physician should rank next to Captain Daly, second in Command of the Nair Brigade.

9. I have carefully considered the subject in all its bearings, and I believe that the following course is open to as little inconvenience as any that can be proposed.

10. In deference to his position as Physician to His Highness the Rajah, and head of his Department, I propose that the Durbar Physician should, at Durbars, rank and sit next to the Officer Commanding the Brigade and before the second in Command, and that the Officers of the Brigade take rank according to their Commissions in the Rajah's service.

11. But as, by the Governor General's Order, "when acting with the forces of the British "Government the relative rank and Command of such British Officers shall be regulated by the "date and tenor of their actual or effective Commissions in the British Service respectively." So, I think that with reference to Officers not in the Rajah's service and in general society, rank should be determined by the standing of the Officers in the British Service.

12. This will obviate some anomalies. For instance it is not right that a junior Officer serving in the Brigade should, on the ground of his local rank, supersede a senior Officer Commanding the Resident's Escort. One might be a young Ensign just appointed to the Brigade, the other a Lieutenant of long service.

13. I believe that the rule I propose is analogous to that followed in the British Army. A Captain transferred to a Regiment will Regimentally be the last of the Captains, but I believe that in society he takes rank according to his standing as a Captain in the Army.

14. I have the honor to request that I may be favored with the instructions of Government on these subjects.

From Colonel R. N. FAUNCE, Commanding Nair Brigade, to F. N. MALTBY, Esq., British Resident of Travancore and Cochin, dated Trevandrum, 19th January 1861, No. 7.

I have the honor at the request of Captain Young to refer to you the question "as to whether Dr. Waring or Captain Young takes precedence in society."

2. I have also the honor to forward copy of a letter to my address from Captain Hay, on the subject of his relative rank in the Brigade with that of Captain Young.

As each Officer on joining the Brigade is appointed a Captain therein and draws pay in that rank, it would appear that Captain Hay who joined the Brigade some months prior to Captain Young, should take precedence accordingly and that Captain Young must rank as the junior Officer in the Brigade agreeably to the decision of the Governor General dated 19th September 1836, No. 182, and this appears to me to be in strict conformity with Her Majestey's Regulations, in which an Officer removed (as Captain, &c.,) from one Corps to another invariably enters his new Regiment as junior of his grade, without reference to his Army rank.

Vide copy of letters and G. O. G. G. annexed.

It may be remaked that Captain Hay's appointment to this Brigade is temporary, but an Officer appointed temporarily to do duty with another Regiment has all the privileges of his rank and position.

Captain Hay therefore I conceive, must take rank in the Brigade senior to Captain Young.

3. The relative position in society of Doctor Waring, Physician to His Highness, and that of Captain Young, it appears to me, is beyond my province to remark upon; but there being some records in the Brigade relating to this subject, I have embodied the two questions in one letter as the position of His Highness' Physician appears also to have been assigned with reference to the rank of an Officer of the Brigade.

From the Resident, to the Officer Commanding, No. 1,174, 14*th August* 1851.
From the Resident, to Doctor Paterson, No. 1,173, 14*th August* 1851.

i. e. After six years service, agreeably to the new Warrant.

From letters as per margin between the British Resident and Officer Commanding the Brigade, it appears that Assistant Surgeon Paterson, Physician to His Highness the Rajah, was finally assigned a position next to Captain Daly and above that of Captain Staig, and Assistant Surgeon Waring (who ranks as Captain from the 9th November 1855,) after his appointment as Physician to the Rajah, took the place assigned to the Physician, next to Captain Daly, and above Captains Staig and Playfair, both these Officers being Captain Young's senior.

From Captain J. C. HAY, Commanding 1st Battalion, to Colonel R. N. FAUNCE, Commanding Nair Brigade, dated Trevandrum, 12th January 1861.

I have the honor to call your attention to the records of letters in the Brigade Office, dated as per margin, and the Orders of the Government of India of the 19th September 1836, No. 182, therein referred to, by which I am led to infer that I rank above Captain Young both in point of precedence and the duties in the Brigade, for I rank as Captain in the Brigade from the 30th June 1860, whereas he, Captain Young, ranks as Captain in the Brigade from the 21st September 1860.

From the Ag. Resdt. to the Officer Comdg., No. 260, 4*th March* 1839.
From ,, *to* ,, ,, 357, 25*th* ,, ,,
From the Officer Comdg. to the Ag. Resdt., ,, 21, 28*th* ,, ,,
Memo. from the Ag. Resdt. to Officer Comdg., ,, 447, 12*th April* ,,
Memorial of Capt. Daly, to the Madras Govt., ,, 21*st March* ,,

Should you entertain any contrary opinion, I beg leave to request that if necessary, you will refer the question to superior authority, and thus settle the point, as it is of the utmost importance to me so long as I may remain attached to the Nair Brigade.

(True Copy.)

(Signed) R. N. FAUNCE,
Commanding Nair Brigade.

From A. DOUGLAS, Esq., Acting Resident, to the Officer Commanding Nair Brigade, dated Trevandrum, 25th March 1839, No. 357.

I have the honor to forward copy of a reply, from the Chief Secretary to Government, to my reference on the subject of the relative seniority of Captains Daly and Logan in the Nair Brigade, and to request you will have the goodness to issue the necessary orders accordingly.

From ROBERT CLERK, Esq., Secretary to Government, to the Acting Resident in Travancore and Cochin, dated Fort Saint George, 19th March 1839, No. 81.

I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter of the 6th instant, with a copy of the instructions which you had issued providing for the Command of the Nair Brigade during the absence of Major Campbell, and in reference to the annexed copy of an Order by the Governor General of India in Council, to observe that the temporary Command, would appear to devolve on Captain H. W. Daly.

G. O.

No. 182 of 1836.

The Governor General of India in Council is pleased to direct, that British Officers serving on Military Establishments of Native Powers, shall as regards such Native service and when doing duty with one another, take rank and command according to the priority of their respective appointments in the rank which they hold in that service; but when acting with the forces of the British Government, the relative rank and command of such British Officers, shall be regulated by the date and tenor of their actual or effective Commissions in the British service respectively.

(A true Copy.)

(Signed) ROBERT CLERK,
Secretary to Government.

(True Copies.)

(Signed) F. N. MALTBY,
Resident.

No. 23. ORDER THEREON, 14th March 1861, No. 146.

The Government approve of the course proposed by the Resident in paragraphs 9 @ 11 of his letter for regulating the rank of the Durbar Physician and the Officers of the Nair Brigade, and direct that it be accordingly followed.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following :—

No. 24. Abstract translation of Petition, from Ayisha, a Hamamni.

Sets forth the circumstances connected with her removal from the situation of Hamamni. Pleads her innocence of the charge of fraud imputed to her—submits the Agent's Endorsements. Prays that she may be restored to her situation, or that she may be pensioned in consideration of her long services. (Dated 1st February 1861.)

No. 385 of 1861.

Forwarded to the Chepauk Agent for report by endorsement.

By Order,

FORT SAINT GEORGE,
21st *February* 1861.

(Signed) L. FORBES,
Deputy Secretary to Govt.

No. 385 of 1861.

No. 25. Extract from the Proceedings of the Government Agent at Chepauk, dated 26th April 1860, in the case of Khader Hoossain claiming undrawn gratuity of Siddi Noor Mahomed.

"This woman's name has been repeatedly mentioned unfavorably. She was petitioned against anonymously about 30th June 1858, and was then warned as to her conduct: and again on the 26th July 1858, No. 2,919, she was a second time warned by me as to her conduct, and ordered to reside within the Chepauk grounds near the dwelling of Hamamni Shereffa Bee. This she seems to have done for about 2 months only.

Major Snow on 4th January 1860, recorded his opinion of her by stating that she must have known of the fraud and by suspending her from employ until the fraud case was settled and in his note received 24th April 1860, he repeated his belief of the knowledge she must have had of this fraud.

The position of a Hamamni is one of gravity and of integrity: it would be impossible to place any reliance on a person in the position of a Hamamni regarding whose uprightness any doubts existed: the usefulness of a Hamamni also greatly depends on her being regarded as an honest upright person by the Carnatic Stipendiary and the repeated occurrences connected with Ayesha precludes the possibility of the existence of such feeling among the stipendiaries.

Also, when settling wage arrears, the frequency with which she appeared to give evidence in behalf of Gosha women, created grave doubts as to her integrity.

Under these circumstances there will be given to her a copy of the following:

ORDER.—The services of Ayesha as a Hamamni are dispensed with from the 4th January 1860, the date on which she was suspended from employ.

(True Extract.)

GOVT. AGENT'S OFFICE,
23*rd February* 1861.

(Signed) E. BALFOUR,
Government Agent.

No. 26. ORDER THEREON, 14th March 1861, No. 147.

The Government do not gather from the Agent's memorandum what fraud he alludes to, or what connection Petitioner had with it. In supplying this information he should state the length of Petitioner's service and whether she has a separate stipend or is otherwise provided for.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following Petitions :—

No. 27. To His Excellency the Honorable the Governor in Council of Fort Saint George.

The humble Petition of ZALAI KHAN, a Merchant residing at Jaun Bazaar, Triplicane.

Sheweth,

That on the 2nd day of February 1861, your Petitioner obtained and recovered a Verdict on the Plea side of Her Majesty's Supreme Court of Judicature at Madras, against His Highness Prince Azeem Jah Bahadoor for Rupees 1,032-8-0 together with costs of suit, which costs have since been taxed at Rupees 283-14-0.

That on the 23rd February 1861, your Petitioner's Solicitor, Mr. James Thompson, addressed and sent to John Robert Boyson, Esq., the Solicitor to the Government of Fort Saint George, a letter of which the following is a copy, namely :

"3 *Enclosures.* Madras, *23rd February* 1861.

To. J. R. BOYSON, Esq., *Solicitor to Government.*

Futtah Khan and another,
Versus
Prince Azeem Jah Bahadoor.

Sir,

I have the honor to inform you that the Plaintiffs obtained a Verdict on the 2nd instant, against the Defendant for Rupees 2,116-6-2, and my costs in the action are taxed at Rupees 268-14-0.

Moollah Mahomed Khan.
Versus
Prince Azeem Jah Bahadoor and his son.

The Plaintiff obtained a Verdict on the 2nd instant, against the Defendants for Rupees 1,252-10-0 and my costs in this action are taxed at Rupees 291-14-0.

Zalai Khan,
Versus
Prince Azeem Jah Bahadoor.

This Plaintiff obtained a Verdict on the 2nd instant, in this action against the Defendant for Rupees 1,032-8-0 and my costs in the action are taxed at Rupees 283-14-0.

I enclose you all the Bills of costs for your perusal, from each of which the usual deductions will have to be made for charges not incurred, as I have not done any thing since taxation.

I shall feel obliged if you will communicate with the Government and ascertain if any arrangement has been made as to the liquidation of the above Verdicts and costs.

(Signed) JAMES THOMPSON."

That on the 28th day of February last, Mr. Boyson returned to your Petitioner's Solicitor the taxed Bill of costs for the above sum of Rupees 283-14-0, but Mr. Boyson did not state to your Petitioner's Solicitor, that any arrangement had been made for the liquidation of the above Verdict and costs which are yet wholly unpaid.

That on the 1st day of March instant, your Petitioner signed final Judgment against the Prince for Rupees 1,316-6-0, being the total amount of the above Verdict and costs.

That your Petitioner believes that the Prince will not pay any part of the said sum of Rupees 1,316-6-0 unless he is compelled by legal process to do so.

Your Petitioner therefore humbly prays your Excellency in Council that your Petitioner with the consent of your Excellency in Council first obtained, such consent to be certified by the

signature of one of the Secretaries to Government, may issue such Process and Writs of Execution against the Body, Estates and Goods of the Prince as your Petitioner may be advised for enforcing and recovering the said sum of Rupees 1,316-6-0, and your Petitioner will ever pray, &c.

MADRAS, (Signed) ZALAI KHAN by JAMES THOMPSON.
2nd March 1861.

No. 28. To HIS EXCELLENCY THE HONORABLE THE GOVERNOR IN COUNCIL OF FORT SAINT GEORGE.

The humble Petition of MOOLLAH MAHOMED KHAN, a Merchant residing at Jaun Bazaar, Triplicane.

SHEWETH,

That on the 2nd day of February 1861, your Petitioner obtained and recovered a Verdict on the Plea side of Her Majesty's Supreme Court of Judicature at Madras, against the Defendants namely, His Highness Prince Azeem Jah Bahadoor and Ghoolam Mahomed Badee Oollah otherwise called Zaheer-Ood-Dowlah for Rupees 1,252-10, together with costs of suit, which costs have since been taxed at Rupees 291-14.

That on the 23rd February 1861, your Petitioner's Solicitor, Mr. James Thompson, addressed and sent to John Robert Boyson, Esq., the Solicitor to the Government of Fort Saint George, a letter of which the following is a copy, namely:

"3 *Enclosures.* *Madras, 23rd February* 1861.

To J. R. BOYSON Esq., *Solicitor to Government.*

Futtah Khan and another,
Versus
Prince Azeem Jah Bahadoor.

SIR,

I have the honor to inform you that the Plaintiffs obtained a Verdict on the 2nd instant, against the Defendant for Rupees 2,116-6-2 and my costs in the action are taxed at Rupees 268-14.

Moollah Mahomed Khan,
Versus
Prince Azeem Jah Bahadoor and his son.

The Plaintiff obtained a Verdict on the 2nd instant, against the Defendants for Rupees 1,252-10 and my costs in this action are taxed at Rupees 291-14.

Zalai Khan,
Versus
Prince Azeem Jah Bahadoor.

This Plaintiff obtained a Verdict on the 2nd instant in this action against the Defendant for Rupees 1,032-8 and my costs in the action are taxed at Rupees 283-14.

I enclose you all the Bills of costs for your perusal, from each of which the usual deductions will have to be made for charges not incurred, as I have not done anything since taxation.

I shall feel obliged if you will communicate with the Government and ascertain if any arrangement has been made as to the liquidation of the above Verdicts and costs.

(Signed) JAMES THOMPSON."

That on the 28th day of February last, Mr. Boyson returned to your Petitioner's Solicitor the taxed Bill of costs for the above sum of Rupees 291-14, but Mr. Boyson did not state to your Petitioner's Solicitor that any arrangement had been made for the liquidation of the above Verdict and costs which are yet wholly unpaid.

That on the 1st day of March instant, your Petitioner signed final Judgment against the Defendants for Rupees 1,544-8, being the total amount of the above Verdict and costs.

That your Petitioner believes that the Defendants will not pay any part of the said sum of Rupees 1,544-8-0 unless they are compelled by legal process to do so.

Your Petitioner therefore humbly prays your Excellency in Council that your Petitioner with the consent of your Excellency in Council first obtained, such consent to be certified by the signature of one of the Secretaries to Government, may issue such Process and Writs of Execution against the Body, Estates and Goods of the Defendants as your Petitioner may be advised for enforcing and recovering the said sum of Rupees 1,544-8-0, and your Petitioner will ever pray, &c.

(Signed) MOOLLAH MAHOMED KHAN,
by JAMES THOMPSON.

MADRAS,
2nd March 1861.

No. 29. To His Excellency the Honorable the Governor in Council of Fort Saint George.

The humble Petition of FUTTAH KHAN and JAHANGHERE KHAN, respectively without employ, residing at Jaun Bazaar, Triplicane.

SHEWETH,

That on the second day of February one thousand eight hundred and sixty-one, your Petitioners obtained and recovered a Verdict on the Plea side of Her Majesty's Supreme Court of Judicature at Madras, against His Highness Prince Azeem Jah Bahadoor for Rupees 2,116-6-2 together with costs of suit, which costs have since been taxed at Rupees 268-14-0.

That on the 23rd February 1861, your Petitioner's Solicitor, Mr. James Thompson, addressed and sent to John Robert Boyson, Esq., the Solicitor to the Government of Fort Saint George, a letter of which the following is a copy, namely:

"*3 Enclosures.* *Madras, 23rd February* 1861.

To J. R. BOYSON, Esq., *Solicitor to Government.*

Futtah Khan and another,
Versus
Prince Azeem Jah Bahadoor.

SIR,

I have the honor to inform you that the Plaintiffs obtained a Verdict on the 2nd instant, against the Defendant for Rupees 2,116-6-2, and my costs in the action are taxed at Rupees 268-14-0.

Moolah Mahomed Khan,
Versus
Prince Azeem Jah Bahadoor and his son.

The Plaintiff obtained a Verdict on the 2nd instant, against the Defendants for Rupees 1,252-10-0 and my costs in this action are taxed at Rupees 291-14-0.

Zalai Khan,
Versus
Prince Azeem Jah Bahadoor.

This Plaintiff obtained a Verdict on the 2nd instant, in this action against the Defendant for Rupees 1,032-8-0 and my costs in the action are taxed at Rupees 283-14-0.

I enclose you all the Bills of costs for your perusal, from each of which the usual deductions will have to be made for charges not incurred, as I have not done any thing since taxation.

I shall feel obliged if you will communicate with the Government and ascertain if any arrangement has been made as to the liquidation of the above Verdicts and costs.

(Signed) JAMES THOMPSON."

That on the 28th day of February last, Mr. Boyson returned to your Petitioner's Solicitor the taxed Bill of costs for the above sum of Rupees 268-14-0, but Mr. Boyson did not state to your Petitioner's Solicitor that any arrangement had been made for the liquidation of the above Verdict and costs which are yet wholly unpaid.

That on the 1st day of March instant, your Petitioners signed final Judgment against the Prince for Rupees 2,385-4-2 being the total amount of the above Verdict and costs.

That your Petitioners believe that the Prince will not pay any part of the said sum of Rupees 2,385-4-2 unless he is compelled by legal process to do so.

Your Petitioners therefore humbly pray your Excellency in Council that your Petitioners with the consent of your Excellency in Council first obtained, such consent to be certified by the signature of one of the Secretaries to Government, may issue such Process and Writs of Execution against the Body, Estates and Goods of the Prince as your Petitioners may be advised for enforcing and recovering the said sum of Rupees 2,385-4-2, and your Petitioners will ever pray, &c.

The mark × of FUTTAH KHAN.

MADRAS,
2nd March 1861.

No. 30. ORDER THEREON, 15th March 1861, No. 148.

Resolved that the foregoing Petitions be referred to the Government Solicitor in advertence to the Order of the 18th September last, No. 559, and that he be requested to state whether the Petitioners have obtained final Judgment, and if so, for what sums, in view to orders being issued for the recovery of the amount from the arrears of stipend standing to the credit of His Highness Prince Azim Jah Bahadur in the General Treasury.

(Signed) T. PYCROFT,
Chief Secretary.

No. 31. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property, to THOMAS PYCROFT, Esq., Chief Secretary to Government, dated Madras, 11th March 1861, No. 52.

Para. 1. I have the honor to report for the information of the Honorable the Governor in Council that I have been served with a copy of an order issued by the Supreme Court, whereby I am directed within 10 days to pay the sum of *Rupees* 90,000 in full discharge of what is due to the claimants Auzeezoonissa Begum, Vazeenoonissa Begum, Suckena Bee, Syed Cawder Moideen, Seyed Mahomed Hamed Doolah Khan Bahadoor, Moothamud Khan Bahadoor, Syed Mahomed Jaker, and Ramatoonissa Begum, or any one of them on being clothed with letters of Administration to the Estate of the Nazeem Ool Moolk otherwise called Azum Ool Omrah deceased, and I have not sufficient funds realised from the Estate of the late Nabob to pay the amount.

2. I therefore do myself the honor of requesting that His Excellency in Council will be pleased to issue the necessary orders for payment to me out of the Treasury of the sum of *Rupees* (90,000) ninety thousand, to enable me to comply with the terms of that order.

No. 32. ORDER THEREON, 16th March 1861, No. 149.

Resolved that the Sub-Treasurer be authorized to disburse to the Receiver of the Carnatic Property the sum of Rupees (90,000) ninety thousand, applied for on the above account.

(Signed) T. PYCROFT,
Chief Secretary.

No. 33. Read the following letter from W. M. CADELL, Esq., Government Agent of Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallam, 8th March 1861, No. 113.

The Princess and her husband, Sakkárám Sahib, have voluntarily come forward and offered me the sum of Rupees 4,000 for cleaning and restoring the Aiyan Kolam Tank in the Fort at Tanjore and which was constructed by the ancestors of the Princess.

2. The water procurable in the wells at Tanjore is generally of so brackish a nature as to be unfit for drinking purposes, and the importance of having good Tanks or reservoirs of fresh water, cannot therefore be over-estimated. The late Rajas were fully sensible of this, and the construction of the large Sivaganga Tank in the little Fort and also of the Jámandám and Aiyan Kolam Tanks in the large Fort, which both derive their supply from the former, are proofs of their wisdom and liberality.

3. The Jámandam Tank has been fully repaired, and the clearing and re-excavating of the Aiyan Kolam Tank is a work the necessity for which has long existed and has only been delayed from the want of funds. I trust therefore the Government will see no objection to my undertaking the work on behalf of the Princess and receiving the money now offered.

4. It would, I am sure, also be gratifying to the Princess and her husband to know that this act of their's met with the approval and concurrence of Government.

No. 34. ORDER THEREON, 18th March 1861, No. 150.

The Government quite approve of the proposed work for cleansing and restoring the Aiyan Kolam Tank in the Fort at Tanjore, and have no objection to the Agent undertaking it and receiving the funds for that purpose from the Princess.

(Signed) T. PYCROFT,
Chief Secretary.

No. 35. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 5th March 1861, No. 277.

I have the honor to report that Carnatic Stipendiary, No. 374, Shurf-oon-Nissa Begum has intimated her resolution to proceed to Hyderabad. The usual arrangements will be made by me for her transfer, and I beg issue of orders regarding the Bungalows.

2. This lady has asked to be provided with a Dastak, and the customary Passport. I do not consider either to be necessary for such a journey; but in Extract Minutes of Consultation, No. 80 of 19th February 1851, the Agency was commanded to furnish for the future all that might be required.

3. I therefore submit two such, one A in the form that the Persian Office was accustomed to supply, and one B similar to that which the Agency forwarded on the 13th March 1851. If either be required, that of the Agency marked (in pencil) B, seems sufficient for all purposes, as the day has, I think, gone bye for the use of the stringent injunctions of a Dastak. The customary passports were supplied by the Town Major's Office, but this too seems to be unnecessary.

No. 36. ORDER THEREON, 18th March 1861, No. 151.

Resolved that the Collectors of the Districts named below be informed that Shurf-oon-Nissa Begum has been permitted to proceed to Hyderabad and to make use of the public Bungalows on her journey, provided that she does not occupy them to the prejudice of European travellers, and that they be requested to issue the necessary orders to the Bungalow Peons.

2. The Agent will inform Shurf-oon-Nissa Begum that the Dastak and Passport applied for are quite unnecessary, and that no one will interfere with her or her people if they conduct themselves properly and pay for their supplies. Doctor Balfour will report the departure of Shurf-oon-Nissa Begum when she has left Madras.

3. Ordered that the following letter be despatched,

(Signed) T. PYCROFT,
Chief Secretary.

No. 37. To the Resident at Hyderabad, dated Fort Saint George, 18th March 1861, No. 152.

I am directed by His Excellency the Governor in Council to state for your information that Shurf-oon-Nissa Begum, a daughter of Nawab Mahomed Alley Wallajah, has been permitted to proceed to Hyderabad to visit the Tomb of her grand father at that place and to reside there permanently.

(Signed) T. PYCROFT,
Chief Secretary.

No. 38. Read the following Notification, dated Fort William, Foreign Department, the 28th February 1861, No. 887.

Dr. George Smith, Residency Surgeon, Hyderabad, has obtained leave of absence for 15 months to proceed to Europe on Medical Certificate.

Dr. J. B. Fleming, Superintendent of Jails in the Hyderabad Assigned Districts, is appointed to Officiate as Residency Surgeon, during the absence of Dr. Smith.

(Signed) C. U. AITCHISON,
Under Secretary to the Govt. of India.

No. 889.

Copy also forwarded for the information of the Government of Fort Saint George.

(Signed) C. U. AITCHISON,
Under Secretary to the Govt. of India.

No. 39. ORDER THEREON, 18th March 1861, No. 153.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 40. Read the following letter from J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 11th March 1861, No. 195.

1. Referring to my letter of the 2nd ultimo, No. 82, I have now the honor to report that Manick Chund has been committed by Mr. T. G. Clarke, the Magistrate of the Town Police Court, to take his trial at the next Sessions for Perjury, but admitted to Bail himself in Rupees 2,000 with two sureties in Rupees 1,000 each.

2. I will communicate the result of the trial to Government.

No. 41. ORDER THEREON, 20th March 1861, No. 156.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 42. Read the following letter from H. L. ANDERSON, Esq., Chief Secretary to Government, Bombay, to T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George, dated 11th March 1861, No. 1,019.

I am directed by His Excellency the Governor in Council to acknowledge the receipt of your letter (with enclosure) No. 121, dated the 25th ultimo, and to state, for the information of the Government of Madras, that instructions have been issued to the Collector of Satara for the payment, from his Treasury, of the stipends of the persons alluded to.

No. 43. ORDER THEREON, 20th March 1861, No. 157.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following papers:—

No. 44. To HIS EXCELLENCY W. A. MOREHEAD, Esq.,
Governor in Council, Fort Saint George,
&c., &c., &c.

The humble Petition of SYED GHOLAM HOOSSAIN, and SYED GHOLAM KADER, &c., Sons of the deceased AUESHA BEGUM.

MOST HUMBLY SHEWETH,

Petitioners respectfully beg leave to represent their distress and the injustice they suffer, to the just and favorable consideration of your Excellency in Council, will give it a patient perusal, and do them justice.

That Petitioners' mother, the above said Auesha Begum, grand daughter of the deceased Kajah Ausim Khan Bahadoor, Dewan of the late Nabob Wallajah Bahadoor, departed this life on the 3rd April 1859, and Petitioners reported her death to the Government Agent, as per regulation and Order of Government which they knew and every one knows it long ago, on the 18th April idem, and thereby requested for the continuance of the deceased's pension in their names, and the Government Agent notwithstanding that there are parties of Petitioners' class or number enjoying with pensions disadmitted their claim. Soon after this, Petitioners submitted their claim, on the 7th June 1859, to the Honorable Government, and not having unfortunately met with justice merely owing to the want of recommendation from the Agency, Petitioners referred their claim for pension to Her Majesty the Queen Victoria. This struggle for pension occupied a period of more than a year, after which Petitioners requested the Government Agent to grant the arrears of their said deceased mother due for one month and odd days that they may be able to liquidate the debt they borrowed for her obsequies. The enclosed is the reply from the Government Agent, by perusing which Petitioners trust that your Honorable Government will be acquainted with the justice rendered by him towards your Petitioners.

In answer to the said reply of the Government Agent, Petitioners beg to say that they have fulfilled their duty of reporting the demise of their mother according to the Rule the Government Agent alludes to in it, with which Petitioners are not acquainted at all, neither knew its publication from the Agency, nor ever heard it said by any individual. Had they been aware of it, it is clear that they would not have neglected to claim for it immediately after the death of their mother.

As the Government Agent was aware of that Rule and as Petitioners were ignorant thereof, it was incumbent on him (if he was fair in his justice) to inform or acquaint Petitioners with the said Rule at the time when Petitioners reported the death of their mother, or to discharge the arrears by sufficing on the report they made regarding the demise of their mother.

Now Petitioners respectfully beseech your Excellency in Council will be pleased to order the arrears to be granted to your Petitioners that they may discharge the debt incurred for the funeral expenses of their deceased mother, for which act of indulgence and justice Petitioners as in duty bound, shall ever pray.

P. S.—The Government Agent lately published the said Rule after Petitioners forwarding their last address to him on the 15th ultimo. This advertisement clearly proves that the Rule in question was not published before. Under such circumstances, Petitioners are not guilty as the Government Agent has stated in his reply.

8th February 1861. سید غلام قادر سید غلام حسین

No. 444 of 1861.

Forwarded to the Chepauk Agent for report by Endorsement. If these persons are entitled to the arrears, it is not clear upon what grounds their claim is disallowed.

By Order,

FORT SAINT GEORGE,
28th February 1861.

(Signed) L. FORBES,
Deputy Secy. to Govt.

No. 45. From Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 7th March 1861, No. 285.

* *Re-enclosed.* I have the honor to report on Petition No. 444 of 1861.*

2. In my letter No. 84 of 24th August 1853, mentioning the prolonged periods occurring before the heirs of deceased Stipendiaries applied for the undrawn portions of the deceased's stipends, I suggested eight months, but Government restricted it to six months.† This Rule was again prominently given in paragraph 4 of my letter No. 872 of 13th July last; and in paragraph 3 of Order of Government No. 486 of 1860, it was retained by Government with the modification of permitting application to be made, where special grounds for relaxation might seem advisable. And subsequently in paragraph 5 of Order of Government No. 649 of 2nd November last, the six months Rule was again retained, though ordered to be excluded from the leave Rules and to be otherwise communicated widely to the Stipendiaries. It is doubtless to the renewed publicity then ordered, to which Petitioners allude, when they mention that they only then became acquainted with the Rule.

† *Extract Minutes of Consultation, 7th September* 1853, *No.* 320.

3. Petitioners also consider that intimation of this Rule should have been given to them by this Office. We are of course not aware whether Petitioners were indeed ignorant of the 1853 six months Rule. They of course quite well knew that as she died on the 3rd of April 1859, 1 month and 3 days' pension of their deceased mother was at the disposal of the person who performed her funeral ceremonies‡ and could have applied for same.

‡ *Extract Minutes of Consultation, 16th November* 1846, *No.* 409.

4. A Petition signed by 6 persons dated 18th April 1859, addressed to the Honorable the Governor, merely asked a re-grant of their mother's entire stipend, and the Endorsement as per Appendix A, was given in reply.

5. On the 15th November last, 19 months after their mother's demise, Petitioners asked issue of her undrawn arrears, and Appendix B was given in reply.

6. Again, on 17th December last, another Petition was received and Appendix C was communicated to them. And subsequently my letter No. 78 of 19th January 1861, which they have enclosed in their Petition, was sent in reply to their letter of the 15th idem.

7. Having in these Endorsements recorded my opinion, I leave the appeal for the decision of the Honorable the Governor in Council, merely observing that Petitioners' resident in Madras, cannot in my opinion, offer any valid excuse for deferring for 19 months making application for their deceased mother's arrears.

8. I have the honor to add that they have never, so far as it is known, even once appeared at the Agency.

APPENDIX A.

No. 1,974 of 1859.

The Government Agent at Chepauk declines to be the medium of transmitting a Memorial to Government from the children of Carnatic Stipendiary, No. 1,272, Auesha Begum, whose stipend of Rupees 100 per mensem lapses from the date of her demise; for the following reasons:—

Deceased was a Nickah or illegitimate daughter of a person to whom (by No. 120 of 4th February 1831,) Government granted a "*life pension.*" On his demise, however, Government bounteously (by 15th November, No. 1,614 of 1837) granted Rupees 721 to his dependants, and (by Extract Minutes Consultation, 31st October 1850) the Stipendiary Auesha Begum, now deceased, was allowed to draw Rupees 100, of that Rupees 721, in her own name.

Government having thus bounteously re-continued what was originally only for life, it should now lapse; but it lapses also under the 1846 and 1850 Orders of the Honorable Court, deceased being not a representative of the family.

GOVERNMENT AGENT'S OFFICE,
18th April 1859.

(Signed) EDWARD BALFOUR,
Government Agent.

APPENDIX B.

No. 4,510 of 1860.

Carnatic Stipendiary, No. 1,272, Auesha Begum died 3rd April 1859, and the first application received from heirs for her arrears was on 15th November 1860, an interval of upwards of 1 year and 7 months.

Under the Order of Government, No. 320 of 7th September 1853, all such applications should reach within six months.

GOVERNMENT AGENT'S OFFICE,
29th November 1860.

(Signed) EDWARD BALFOUR,
Government Agent.

APPENDIX C.

No. 4,901 of 1860.

Referred to former Endorsement, the books of the Agency must be kept clear. The 1853 Order was passed by Government for the very purpose of rendering unnecessary the carrying on of dead names, for years, from one book to another. If the names be retained the labor of writing and the liability to errors occurring is very great. Petitioners were in Madras, since demise of mother, and ought not to have allowed 17 months to elapse before applying.

GOVERNMENT AGENT'S OFFICE,
21st December 1860.

(Signed) EDWARD BALFOUR,
Government Agent.

(True Copies.)

(Signed) EDWARD BALFOUR,
Government Agent.

No. 46. ORDER THEREON, 21st March 1861, No. 158.

1. The Chepauk Agent's explanation is satisfactory.

2. Petitioners will be informed that the notification they refer to as having been made last year contained no new order, but was merely a republication of orders already existing. So far back as 1853, Government ruled that parties entitled to arrears of pension due to deceased relatives should apply within 6 months, and that in default they should forfeit their claim. This rule was in force previously to, and at the time of, the death of Petitioners' mother, and as they allowed their claim to lie over for more than a year and a half, the Agent was only enforcing the Order of Government in withholding the arrears. The Government see no grounds for relaxing this rule, and they desire that Petitioners be informed accordingly.

(Signed) T. PYCROFT,
Chief Secretary.

No. 47. Read the following letter from W. M. CADELL, Esq., Government Agent, Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallam, 6th March 1861, No. 109.

I have the honor to acknowledge the receipt of the Proceedings of Government under date the 20th ultimo, No. 113, and with reference to paragraph 4, beg to state, that the three Shrotriam villages therein referred to, are those reported on by the late Commissioner, Mr. Phillips, in his letter* to Government, dated 26th March 1860, No. 930, and that, in accordance with the Orders thereon passed by Government in their Proceedings of the 14th April following, No. 220, they are at present under my management as Collector in trust for the members of the Mangalavás, or the Seraglio of His late Highness the Rájá.

*Paragraphs 5, 7, 8, 9, 10.

2. The purchase of these villages made by His Highness, as reported in my *No.* 113. letter of the 19th December last, was for the benefit of the Mangalavilás and as they are now held only in trust for that institution, it is, I conceive, not the wish of Government that they should now be assessed to the public revenue.

3. I would take this opportunity also of reporting for the information of Government that the purchase of the fourth village called Kondakai, referred to in paragraphs 15 to 19 of Mr. Phillips' letter above quoted, has been completed, and the village is also now under my management together with the other three.

No. 48. ORDER THEREON, 21st March 1861, No. 159.

Resolved that the Agent be informed that under the circumstances explained, the villages referred to should not be assessed to the public revenue, but remain as now under the management of the Collector in trust for the members of the Mangalavás.

(Signed) T. PYCROFT,
Chief Secretary.

No. 49. Read the following letter from JAMES INNES MINCHIN, Esq., Acting Collector of Kurnool, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 13th March 1861, No. 9.

I have the honor to forward an application for payment of arrears of pension due to Said Alla Ud Din and Said Saif Ud Din of this District, whose pensions were sanctioned on the 9th July 1859.

Statement shewing the amount of arrears due to the undermentioned Political Pensioners in the District of Kurnool.

No. of Certificate.	Names of the Pensioners.	Amount of pension, &c., per annum.	Date of Government authority.	Nature of the grant.	Period for which arrears are due.	Total amount of arrears.	Explanation of the cause of suspension of payment.	Remarks of the Board of Revenue.	Orders of Govt.
	Said Alla Ud Din Saib. Said Saif Ud Din Saib.	691	9th July 1859, No. 411.	For five years.	From 4th January 1859 to end of Feb. 1861, being two years one month and 27 days.	RS. A. P. 1,489-11-9	The pensioners did not draw their allowance in the hope that the limit of 5 years for which it was sanctioned would be removed, and the pension allowed for life.		

(Signed) JAMES INNES MINCHIN,
Acting Collector.

KURNOOL, COLLECTOR'S OFFICE,
13th March 1861.

No. 50. ORDER THEREON, 21st March 1861, No. 160.

Payment sanctioned.

(Signed) T. PYCROFT,
Chief Secretary.

No. 51. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property, to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 20th March 1861, No. 56.

Para: 1. I have the honor to report for the information of the Honorable the Governor in Council, that I have been served with a copy of an Order issued by the Supreme Court whereby I am directed within 10 days to pay the sum of *Rupees* 15,561-12-9, in full discharge of what is due to the claimant there named, and I have not sufficient funds realised from the Estate of the late Nabob to pay the amount.

2. I therefore do myself the honor of requesting that His Excellency in Council will be pleased to issue the necessary Orders for payment to me out of the Treasury of the sum of *Rupees* (15,500) fifteen thousand five hundred to enable me to comply with the terms of that Order.

No. 52. ORDER THEREON, 23rd March 1861, No. 162.

Resolved that the Sub-Treasurer be authorized to disburse to the Receiver of the Carnatic Property the sum of Rupees (15,500) fifteen thousand and five hundred, applied for on the above account.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following papers :—

No. 53. To the Right Honorable the Governor in Council,

Fort Saint George, *&c., &c., &c.*

May it please your Excellency,

1. I had previous to this submitted an application to your Excellency in Council soliciting the commutation of my stipend amounting to Rupees 12, Annas 8 under the Rules now in force, and after receiving an answer thereto, addressed again on the same subject stating that my pension was too small to enable me to maintain my position and rank in the society, and that if I be favored with a bonus in lieu thereof I would invest it in such landed property as shall yield an income more than my pension.

2. It is to my great sorrow that your Excellency in Council deemed it inexpedient to sanction the commutation of my stipend which I beg to represent is so small that even the amount which I pay every month on account of the wages of my servants far exceeds it, and by the grace of God I enjoy for the present a greater affluence than the amount of the bonus could afford.

3. I feel greatly ashamed to trouble the Honorable Government repeatedly for such a trifling sum of money, I therefore respectfully beg to submit that as the Government generally decline to admit the application from the persons of peachable conduct and abandoned career, it will highly reflect on my character should my application be denied by Government.

4. It is supposed that your Excellency in Council have observed why my husband did not apply himself in person for the bonus of my pension having been an Attorney or Vakeel in my behalf; it is very curious to represent that the pension which I enjoy is belonging to me not to my husband, and that the trifling amount of the sum of my stipend is monthly granted to me under my seal, and for the bonus the deputation of my husband is specially required; and that what was incumbent to the Government Agent to ask for the Vakeel to enquire the matter which may be ascertained by a Hummamny. If it is the rule of the Honorable Government that the applicant for bonus should appoint her Vakeel, I can make Vakeel my uncle or my full brother who are stipendiaries of the Honorable Government, because there is no Gosha between me and them.

5. I further beg leave to represent that I do not solicit the Government to give the sum of the bonus of my pension in my hand, but the Government will permit me to show the property to the Government Agent which yields a handsomest income than my pension, that he may purchase himself and deliver it in my possession.

6. Now I am sure that the Government will never think about to disgrace me, but will be pleased to reconsider my application or to increase my pension in lieu of the loss which will be sustained by rejecting this application.

For which act of goodness I shall feel highly obliged and thankful.

(Signed) KHADIJA BEGUM,

the great grand-daughter of Oomdatoon Nissa Begum the daughter of Nabob Wallajah.

Madras, *3rd May* 1860.

No. 1,592 of 1860.

Forwarded to the Government Agent at Chepauk, who will be so good as to reconsider Khadija Begum's application in reference to what she has stated in the last paragraph but one of her Petition.

By order,

Fort Saint George,
25th August 1860.

(Signed) L. FORBES,
Deputy Secy. to Government.

To the Honorable the Governor in Council of Fort Saint George.

Honorable Sir,

I respectfully beg to bring to the kind notice of the Honorable the Governor in Council, that I addressed a letter to the Government on the 3rd May last, regarding the bonus of my pension and upon which some correspondence took place between the Government Agent and myself on the subject, and that now I beg to enclose herewith the correspondence and also copy of the translation of a report of Hajee Mahomed Raheem Oollah Khan Bahadoor for the favorabl econsideration and orders of the Government.

Shady Mahel,
29th January 1861.

(Signed) KHADIJA BEGUM.

Transferred to the Chief Secretary to Government.

By order,

Guindy,
29th January 1861.

(Signed) R. CREW,
Private Secretary.

No. 54. From Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th March 1861, No. 342.

* *Herewith returned.* I have the honor to report as ordered on Petition* No. 1,592 of 1860.

2. Since that time I have corresponded with Carnatic Stipendiary, No. 152, Khadija Begum Sahiba in receipt of Rupees 12-8 per mensem.

3. This lady appointed as her Vakil a gentleman who had no knowledge of the value of houses, and when he first appeared at the Agency had not seen the property on the purchase of which this lady had set her heart. But I asked him to see it and I also asked the same favor of Haji Rahim Ullah Khan Bahadur an intelligent shrewd relative of this lady.

4. The result of this inquiry was to show that the investment which this lady desires to make consists of four small tenements in Saint Thomé at present with a rental of Rupees 4 + 5 + 6 + 3, and in October last, I wrote and told her that "consisting as it does of four "small houses producing a rental of (Rupees 4 + 5 + 6 + 3) Rupees 18 per mensem, it would "not be an advantageous investment for a Gosha lady in the Begum Sahiba's position."

5. This opinion of mine did not meet the lady's approval, and in the letters in English and Persian which have been received bearing her seal the contents indicate a resolution to buy those tenements and them only, and she has appealed to Government. On the 19th ultimo, I begged the favor of her mentioning whether she had been able to obtain tidings of any more likely investment, but she replied on 22nd ultimo that she had no other, and re-asserted her resolution to purchase the dwellings which she had indicated in her former letter.

6. Under the circumstances, I leave the appeal with the Honorable the Governor in Council. I will only observe that if His Highness Prince Azim Jah Bahadur were regularly drawing his allowance and giving that support to his family (this lady is his son's wife) which is their due and by which only they could be free from incumbrances, I would with very great pleasure recommend commutation of this lady's stipend.

7. My reasons for this opinion are (besides that four small tenements with their varied trouble and expense are not suitable for investment) that at present, every member of that family must be in distress and if this stipend, which, however small it be, is still the sole regular income of this lady, be commuted, the proceeds though invested in houses may be at once swallowed up in meeting some pressing demand.

No. 55. Order thereon, 23rd March 1861, No. 163.

Looking to the respectability of the applicant, the Government are unwilling to deny her request and therefore authorize the commutation of her stipend of Rupees 12-8 per mensem. The amount payable to Khadija Begum Sahiba on the above account will be drawn and disbursed to her without further reference to Government.

(Signed) T. PYCROFT,
Chief Secretary.

No. 56. Read the following letter from J. R. BOYSON, Esq., Government Solicitor, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th March 1861, No. 238.

Dated 15th March 1861, No. 148, Political Department.

With reference to the Proceedings of Government noted in the margin, I have the honor to report that Futtah Khan and Jahanghere Khan, Moollah Mahomed Khan, and Zalai Khan have respectively obtained final Judgments in their actions in the Supreme Court against Prince Azeem Jah Bahadoor, for the respective amounts noted in the Memo. at foot. Each of these amounts includes the costs of a Writ of Execution. Such costs in each case being Rupees 25-4-0. If therefore Government authorizes the payment of these Judgments from the arrears of stipend standing to the credit of Prince Azeem Jah, the sums to be disbursed to Mr. Thompson will be as follows, in respect of the Judgment of Futtah Khan and Jahanghere Khan, Rupees 2,362-4-2, in respect of the Judgment of Moollah Mahomed Khan, Rupees 1,519-4-0, and in respect of the Judgment of Zalai Khan Rupees 1,291-2-0.

MEMORANDUM.

Futtah Khan and Jahanghere Khan.....	Rupees 2,385-4-2
Moollah Mahomed Khan.....	„ 1,544-8-0
Zalai Khan.....	„ 1,316-6-0

No. 57. ORDER THEREON, 23rd March 1861, No. 164.

The Government sanction the sums awarded by the Decree of the Supreme Court on the cases of the parties referred to in the foregoing letter amounting in the aggregate to Rupees (5,172-10-2) five thousand one hundred and seventy-two, Annas ten and Pice two. This amount will be deducted from the undrawn arrears of His Highness the Prince Azeem Jah's stipend and paid to the parties through their Attorney in the proportion noted in the margin.

	Rs. A. P.
Futtah Khan and Jahanghere Khan	2,362-4-2
Moollah Mahomed Khan.....	1,519-4-0
Zalai Khan.....	1,291-2-0

(Signed) T. PYCROFT,
Chief Secretary.

No. 58. Read the following letter from C. U. AITCHISON, Esq., Under Secretary to the Government of India, to the Secretary to Government, Fort Saint George, dated Fort William, the 5th March 1861, No. 965.

Foreign Department,

I am directed by the Governor General in Council to forward, for communication to Mr. Maltby, of the Civil Service, the accompanying copy of a Despatch, No. 9, dated the 24th January last, from the Secretary of State for India, relating to Mr. Maltby's removal from the Commissionership of the Hyderabad Assigned Districts.

From the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Right Honorable the Governor General of India in Council, dated London, 24th January 1861, N. 9.

1. I have had under my consideration in Council your Excellency's letter of the 22nd of October (No. 145) relating to the removal of Mr. Maltby of the Madras Civil Service from the Commissionership of the Assigned Districts of Hyderabad, together with all former papers bearing upon the same subject.

2. Mr. Maltby having been appointed to the Honorable and responsible Office of Resident at Travancore, an appointment abundantly testifying the confidence reposed in his zeal, ability and integrity, by the Government of Madras, I had hoped that it would not be necessary for Her Majesty's Government to express any opinion respecting the unfortunate conflicts of authority in past years, which rendered it expedient, in your Excellency's opinion, that he should not resume the duties of Commissioner in the Assigned Districts on his return to India.

3. As Mr. Maltby, however, subsequently to his appointment to the Travancore Residency has again pressed for the decision of Her Majesty's Government on his case, and as I am now in possession of your Excellency's final remarks on the subject; I have to inform you that upon a full consideration of all the circumstances of Mr. Maltby's official conduct as Commissioner of the Assigned Districts of Hyderabad, whilst I fully recognize his zeal and ability, and do not doubt that he honestly interpreted, according to his convictions, the original instructions received from your Government, (which in some parts appear to have been not very distinctly worded) I am of opinion that after the discussions which had taken place, there was no prospect of the restoration of that harmony which ought, at all times, to exist between the Resident and the Officer in Civil charge of the Assigned Districts and I am satisfied therefore that the interests of the Public Service required that the Administration of these Districts should be placed in other hands.

(True Copy.)

(Signed) C. U. AITCHISON,
Under Secretary to the Govt. of India.

No. 59. ORDER THEREON, 25th March 1861, No. 165.

Ordered accordingly to be communicated to Mr. F. N. Maltby.

(Signed) T. PYCROFT,
Chief Secretary.

No. 60. Read the following Proceedings of Government in the Revenue Department, dated 21st March 1861, No. 665.

Communicating for information copy of the Order passed on a letter from the Receiver of Carnatic Property, stating that he has forwarded to the Collector of Madras, translations of certain Documents constituting the title of Abdul Alli to the village of Muhfazpettah and submits that no inquiry in the locality can ever afford satisfactory evidence of title.

(Vide Proceedings Revenue Department, dated 21st March 1861, Nos. 394 and 395.)

No. 61. ORDER THEREON, 26th March 1861, No. 166.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following papers:—

No. 62. TO HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

The humble Petition of M. SAWMY NAIDOO, the Son of MALEGA GOBALOO NAIDOO, a Merchant of Tanjore and residing in the South Rampart Street, within the Fort of Tanjore.

RESPECTFULLY SHEWETH,

That in reference to my Petition, No. 3,686 of 1860, and your Endorsement* thereon, I have to bring to your Honor's kind notice, that the decision referred to was never granted by the Commissioner Mr. Phillips, but verbally communicated to me by him as will be seen by the Petition, No. 4. On my applying for the same he granted the Endorsement

* *The whole enclosed herein.*

referred to wherein it is stated that the said decision is "liable to the approval or otherwise of the Government." Relying on this, I travelled down to Madras and presented my Appeal Petition. As Government now require the said decision, I respectfully beg your Government will be pleased to send for the same and the other documents enumerated in my said Petition, No. 3,686 of 1860 as well as peruse the enclosures and see justice done to me by ordering my claim to be disbursed to me; otherwise I beg your Government will be pleased to grant an Endorsement directing the Collector and Acting Commissioner to grant me a copy of the said *decision* and for which act of benevolence and charity your Petitioner as in duty bound shall ever pray.

MADRAS,
16*th January* 1861.

மளிகை கோபாலநாயிக்கன் மகன் சாமிநாயிக்கன்.

No. 231 of 1861.

The Government Agent is requested to forward copy of the Commissioner's decision. If there be none on the record he should report on the claim.

FORT SAINT GEORGE,
11*th February* 1861.

By order,
(Signed) L. FORBES,
Deputy Secretary to Government.

No. 63. From W. M. CADELL, Esq., Government Agent of Tanjore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Vallam, 8th March 1861, No. 114.

With reference to the Endorsement of Government Petition No. 231* of 1861, I have the honor to state that the decision passed by the late Commissioner on the claim of the Petitioner's father Gopal Naik, appears in No. 24 of the Memoranda appended to that Officer's report of the 25th June 1860, No. 1,228, and recorded in the Proceedings of Government under date the 14th July following, No. 425.

* *With 9 enclosures herewith returned.*

No. 64. ORDER THEREON, 27th March 1861, No. 167.

There is one point upon which, before passing final orders, the Government desire to have further information. In his report dated 25th June 1860, No. 1,228, (claim No. 24) the Special Commissioner admitted the liability of the Palace for the second item of the Petitioner's claim, viz., for Rupees 349-11-9, but as Petitioner in an account given in by himself entered himself as being merely one of 33 creditors to whom the aggregate amount was due, and his individual share was put down as Rupees 28-9-9, this latter sum only was allowed. It appears however to the Government that further enquiry is necessary. Petitioner states that the 32 persons who are entered in the account are his Sub-Contractors, that they look to him only for payment, and that he in turn looks to the Government. The Government Agent should call before him the persons referred to, or as many of them as may be at hand, and enquire of them whether they admit the correctness of Petitioner's statement, and whether they agree to relinquish in his favor any claim they may possess in respect to this amount. If they assent to this, it is only fair that, *to such extent*, Petitioner should be recognized as the rightful creditor, and payment be made to him accordingly. The Agent will report the result of his enquiry. The Government see no ground to interfere with that part of the Commissioner's decision which refers to the amount of advance paid to Petitioner by the Palace, and they direct that this decision be communicated to him.

(Signed) T. PYCROFT,
Chief Secretary.

No. 67. Read the following letter from Surgeon Major EDWARD G. BALFOUR, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th March 1861, No. 346.

I have the honor to report further on the case of Ayesha as commanded in Order* No. 147 of 14th instant.

* *Enclosures returned.*

2. Under the Orders of the Government of India granting certain rates of gratuities to Carnatic Servants, whose services were less than 25 years, a gratuity of Rupees 42 was allotted to Siddi Noor Mahomed. He died on the 4th March 1859; and after his demise, issue of the gratuity was made on 22nd October 1859, to an alleged widow Kadr Bí through a Vakil named Syed Umar.

3. It was however shortly thereafter reported that the deceased had not left any widow, and Major Snow recorded a Memorandum as per margin† on the share that this Petitioner Ayesha had in the fraud.

† *Four persons having given evidence as to the fact of Ayesha Bee Hamamnee being acquainted with the late Noor Mahomed, it is naturally to be inferred that she must have known whether he was married to Chand Bee or not.*

ORDER.

Ayesha Bee Hamamnee will be suspended until the decision of the Magistrate is known regarding the case of fraud in which Syed Omer Vakil is concerned.

Chepauk, 4th January 1860. *(Signed) P. T. SNOW, Assist. Govt. Agent.*

4. Immediately after my resuming charge of the Agency, in March last year, this subject came before me in Petitions and personal representations from Ayesha and from a person named Kadir Hoossain, the latter claiming to be the heir of the deceased Siddi Noor Mahomed.

5. At the same time, however, the case of the false personation of the alleged widow was taken before Her Majesty's Supreme Court where a conviction was obtained, and under the Order as per margin,‡ the Stipends were lapsed of two pensioners who had aided in the fraud.

‡ *Government Agent to Government, No.* 457 *of* 26*th April* 1860. *Government Order, No.* 280 *of* 1*st May* 1860.

6. After the trial and conviction, as Kadir Hoossain re-appeared at the Agency demanding re-issue of the gratuity to himself, I addressed a note on the subject to Major Snow, who had been in attendance in the Courts, in whose reply, (copies subjoined) are the following words:—

"The plot was got up between the Vakeel and the Hamamnee who escaped, and the others "who received 2 Rupees each for affixing their seals, got 18 months' hard labor."

7. During my investigation of the claim put forward by Kadir Hoossain, as Ayesha was also petitioning to be restored and as she was mixed up with the fraud, an investigation of her character and conduct likewise was necessary, and the result thereof was the order for her dismissal from the date on which Major Snow has commanded her suspension. The information as to her character and habits then obtained was such as to leave no doubt as to the propriety of dispensing with her services; but also to cause regret that she had ever been entertained, or, that she was not dismissed when she was first unfavourably mentioned.

8. It will be observed from this history that the case of Ayesha is not that of a stipendiary; that she was not deprived by Major Snow or myself of any pension which she had earned for Sirkar Services; but that she was a servant in the Agency on the very high salary, for an uneducated woman, of Rupees 10 per mensem, and was first suspended by Major Snow, and afterwards, by myself, dismissed from her situation for misconduct, not of a trivial character but for aiding in the commission of a fraud of a character the prevention of which was the very principle of her Office as a Hamamnee.

9. On the other subject on which report is also commanded, viz., "her length of service "and whether she has a separate stipend or is otherwise provided for," I have the honor to submit that Petitioner was entertained in the Nabob's service on the 1st February 1854, viz., twenty months before the Nabob died. Reckoning, like that of other servants, her service up to 4th October 1856, she had a personal service of 2 years and 8 months. Her father Shaik

Hameed was also in Sirkar employ, having been entertained on the 1st of February 1824, and died on the 4th of August 1848. Reckoning her father's and her own services of 24 years and 6 months + 2 years and 8 months, the total joint services of father and daughter was 27 years and 2 months which, under the usual rules, would suffice to entitle her to a $\frac{1}{3}$rd rate of pension.

10. Her husband, Sheik Dawud, had also been a Sirkar servant from 31st May 1845 to 28th November 1852; and after his demise her infant son Jafar Hoossain was entertained by the Nabob as a peon * on Rupees 5 per mensem—and is now, as a youth, in receipt of the same amount of Rupees 5, as a Pensioner, until his entry on his eighteenth year.

* *On condition of keeping a substitute.*

11. I have the honor to submit, as my opinion, that her misconduct in the Agency, while in a highly paid situation of trust and responsibility justified her suspension by Major Snow, and her ultimate dismissal by myself, from the date of that suspension: that by such dismissal from the employ of Government she forfeited any claim to reckon hereditary services in the Nabob's times: and that she gets all that she merits in the issue to her son till 18th year, of the pension of Rupees 5 per mensem, which he now draws.

My Dear Snow,

21*st April* 1860.

Kader Hoossain, a stout dark Mahomedan, called at the office and asked me to pay him the monies for which the Court had sentenced the people, adding that you had kept monies for him.

Did you keep any money, or did you discover who the proper person was?

Was this dark man Kader Hoossain the proper person?

Yours, &c.,

(Signed) E. G. BALFOUR.

My Dear Balfour,

I have to apologize for not having replied to your note sooner; but it came as I was going out and I forgot it, until the bearer shewed himself this morning. I came to no decision regarding his claim to the gratuity of Noor Mahomed, but imagine, his wife is the person entitled. The money he alluded to as being in deposit must be the pension of the 2 men now incarcerated. The plot was got up between the Vakeel and Hamamnee who escaped and the others who received 2 Rupees each for affixing their seals, got 18 months' hard labor.

Yours, &c.,

(Signed) P. T. SNOW.

I send a letter left at my house.

(True Copies.)

(Signed) E. G. BALFOUR,
Government Agent.

No. 68. Order thereon, 28th March 1861, No. 170.

The Government are satisfied with this explanation. They think, with the Chepauk Agent, that there can be no doubt whatever that Petitioner was cognizant of, if not a direct accomplice in, the fraud connected with the issue of Siddi Nur Muhammad's gratuity. They approve her having been dismissed the service as unworthy of trust, and desire that she be informed that she has by her misconduct forfeited all claim to pension.

(Signed) T. PYCROFT,
Chief Secretary.

No. 69. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart. Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated London, 23rd February 1861, No. 2.

* *6th November No. 41 of* 1860.
11th December No. 43 of „

Paragraph 1. In acknowledging your letters* noted in the margin, relative to Travancore, I have to express the approval of Her Majesty's Government of the arrangements made by you, consequent on the succession to the Musnud of the new Rajah: these are in accordance with the precedent followed on a former occasion, when as now, the Elliah Rajah, or Heir Apparent, was incapacitated by mental imbecility from attending to affairs of State.

2. The abolition by the Rajah of the vexatious and oppressive Pepper Monopoly, and the substitution of an export duty, and the extension of Public Works, especially the "Victoria Marlanda Vermah Canal" may be regarded as an auspicious commencement of His Highness' reign.

No. 70. ORDER THEREON, 28th March 1861, No. 171.

Ordered that a copy of the foregoing Despatch be furnished to the Resident of Travancore and Cochin for his information.

(Signed) T. PYCROFT,
Chief Secretary.

Read the following papers:—

No. 71. From P. GRANT, Esq., Magistrate of Malabar, to T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated 7th March 1861, No. 27.

I have the honor to submit for the decision of Government the following case.

2. A French gentleman, Mr. A. DeBellemare, has been established at British Cochin as Consular Agent for France.

3. On the 4th instant, the Joint Magistrate, Mr. Cullen, had an interview with him in reference to a refractory Sailor belonging to a French Ship now in the Cochin river.

4. Mr. Bellemare contended that he had authority, as Consular Agent for France, to take cognizance and dispose of all cases of a petty character on board French Ships, in which French Sailors were concerned—that it was only necessary for him to write to the British Magistrate to furnish Police Officers to him to make arrests, when necessary, of French Sailors—that such cases should be investigated and decided by him, and the punishment awarded in them carried out under his own orders.

5. Mr. Cullen suggested to him that according to English law, depositions on oath were necessary preliminaries to the issue of a warrant by a Magistrate for the arrest of an offender, and that he, Mr. Cullen, could not detain a Frenchman in Jail merely on the Consular Agent's letter without knowing the merits of the case.

6. Mr. Bellemare maintained that a letter from him to Mr. Cullen, intimating his wishes, was all that was required, and that it was not necessary for him to go through the formality of issuing a warrant under his seal and signature.

7. Mr. Cullen, under such circumstances, asks me to obtain for him information respecting Mr. Bellemare's position as Consular Agent at Cochin.

8. The points on which he particularly wishes for information are:

1st. Whether he, as a Magistrate, is bound to attend to requisitions from Mr. Bellemare, in his capacity as Consular Agent for France, for the service of Police Constables to make arrests.

2ndly. In what form such requisitions should be made to him.

3rdly. Whether he is bound to receive into the Jail or Prison House at Cochin, and detain there, for an indefinite period, any person sent to him by Mr. Bellemare, and in what manner the latter should address him in order to effect the object.

4thly. Whether Mr. Bellemare, as French Consular Agent, is at liberty to exercise Magisterial powers in French Ships within British waters, and punish irregularities of conduct among the Sailors by keeping them in irons, and otherwise, as he may judge proper.

9. The importance of these questions, in a political light, induces me to lay them before Government, and nothing can be more expedient, in view to preserve proper relations between the Joint Magistrate and the French Consular Agent, than to have their respective duties clearly defined.

10. That Mr. Bellemare actually holds the appointment of such an Agent at Cochin, I have no doubt, as he lately sent me copy of a letter* from Lord H. U. Browne, Officiating Under Secretary to the Government of India, in proof of his appointment having been confirmed by Her Majesty's Government.

* *To Monsieur Lombard, Consul for France at Calcutta, dated 29th November* 1860.

Referred for the report of the Advocate General.

(Signed) T. PYCROFT,
Chief Secretary.

FORT SAINT GEORGE,
20th March 1861.

No. 72. From J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Madras, dated 23rd March 1861, No. 255.

Dated 20th March 1861, *and endorsed on letter from the Magistrate of Malabar to Government of the 7th idem, No.* 27.

1. I have the honor to acknowledge the Order of Government, noted in the margin.

2. I submitted the matter for the consideration of the Advocate General, and I now forward a copy of his opinion.

3. I also return the original Order and letter above alluded to.

COPY—OPINION.

If Mr. Bellemare, as Consular Agent at British Cochin, has any such criminal jurisdiction as he seems to claim over French Sailors in that Port, and, as accessory thereto, a right to command the services of British Police Constables to execute arrests, and of British Magistrates to act as Jailers under his orders, it can only be, so far as I know, by virtue of some Commission from his own Government in conformity with some Treaty with Her Majesty's Government. If so, Mr. Bellemare can probably produce them, and should be asked to do so; or if not, to point out whereon he grounds his claim.

Browne's Civil and Admiralty Law, Chapter XIV, says, "The institution is a kind of Court-"Merchant, to determine affairs relative to *commerce* in a summary way. Their authority depends "very much on their Commission, and on the words of the *Treaty*, or the extent of the *permission* "on which it is founded."

"To sum up the points most material to be known as to Consuls, they are, that their "powers may be founded in treaty or in permission; and that the powers of the *former* are gene-"rally greater and always less disputable; and to know with precision what powers are claimed "by any particular Consul, *his Commission must in the first instance be referred to.* A Consul is

"*not* a public Minister but in general a person conversant and employed in trade, and liable to "the *lex loci* both civil and criminal. Their proper business is to protect and assist the persons "and trade of their own countrymen abroad; settle, if possible, disputes and controversies "between them; and if necessary convey their complaints to the Government of the place."

Unless Mr. Bellemare can produce a Commission, *and show it to be authorized by some Treaty*, giving him such powers, I apprehend that any Constable arresting, or Mr. Cullen if he imprisoned any French Seaman, by order of Mr. Bellemare, would be liable to an action for false imprisonment, and that the person so arrested or confined would be at once discharged by Habeas Corpus on a proper application being made.

(Signed) THOMAS SYDNEY SMYTH,
Advocate General.

21*st March* 1861.

(True Copy.)

(Signed) J. R. BOYSON,
Government Solicitor.

No. 73. ORDER THEREON, 28th March 1861, No. 172.

Resolved that the Magistrate of Malabar be directed, in reference to his letter of the 7th instant, to inform Mr. Bellemare that the Government cannot admit his claim as Consular Agent of France to the exercise of Magisterial powers over any persons, French or others, in the British Settlement and Port of Cochin, such claim being wholly opposed to the common law of England. No arrests can be made in the town and waters of Cochin nor punishments awarded except by the duly constituted British authorities of the place acting under the provisions of the English law or of the local Regulations and Acts of the Indian Legislature.

2. It is observed that the Government have received no intimation of the appointment of Mr. Bellemare as French Consular Agent. They resolve to forward copies of these papers to the Government of India and to request information on the subject.

(Signed) T. PYCROFT,
Chief Secretary.

No. 73. A. To the Secretary to the Government of India, dated Fort Saint George, 28th March 1861, No. 172. A.

I am directed by His Excellency the Governor in Council to forward, for submission to the Government of India, a copy of a letter from the Magistrate of Malabar, relative to the claim of Mr. A. DeBellemare, as Consular Agent for France, to the exercise of Magisterial powers over French Sailors in the British Settlement and Port of Cochin. I forward also a copy of the opinion of the Advocate General whom the Government consulted on the subject.

2. This Government, I am to state, have directed the Magistrate of Malabar to inform Mr. Bellemare that they cannot admit his claim as Consular Agent of France to the exercise of Magisterial powers over any persons, French or others, in the British Settlement and Port of Cochin, such claim being wholly opposed to the common law of England. No arrests can be made in the town and waters of Cochin nor punishments awarded except by the duly constituted British authorities of the place acting under the provisions of the English law or of the local regulations, or Acts of the Indian Legislature.

3. It will be remarked from the concluding paragraph of Mr. Grant's letter, that Mr. Bellemare holds a letter from Lord Ulick Browne, Officiating Under Secretary to the Government of

India, in proof of his appointment having been confirmed by Her Majesty's Government. This Government have however received no communication on the subject from the Government of India or from the Secretary of State. I have therefore been directed to request that the Supreme Government will favor the Government of Madras with any information of which they may be in possession relative to Mr. Bellemare's appointment.

(Signed) T. PYCROFT,
Chief Secretary.

No. 74. Read the following letter from C. U. AITCHISON, Esq., Under Secretary to the Government of India, to the Commissioner for the Government of the Territories of His Highness the Rajah of Mysore, dated Fort William, the 13th March 1861, No. 1,120.

I have the honor to acknowledge the receipt of your letter, dated 21st ultimo, No. 43, reporting the arrangements made for the transmission of presents from the Maharajah of Mysore to Her Majesty the Queen.

2. In reply I am directed to inform you that the Governor General in Council sanctions these arrangements and authorizes Dr. Campbell to proceed to England in charge of the presents. But Dr. Campbell must apply to the Madras Government in usual form for leave to England for six months. Whether the leave can be allowed to count as service must depend on the Secretary of State to whom the whole matter will be reported by the next Mail.

No. 1,120 A.

Copy forwarded to the Government of Madras.

(Signed) C. U. AITCHISON,
Under Secy. to the Govt. of India.

No. 75. ORDER THEREON, 28th March 1861, No. 173.

Communicated to the Military Department.

(Signed) T. PYCROFT,
Chief Secretary.

No. 76. Proceedings of the Madras Government, dated 28th March 1861, No. 174.

The Government consider that looking to the progress made in the settlement of Carnatic affairs, it will not be necessary to continue the Office of Commissioner for the adjustment of petty claims beyond the end of next month.* It is observed that no provision has been made in the Budget of 1861-62 for the salary of the Commissioner or for the pay of his establishment.

* *April.*

2. Resolved, that Doctor Balfour be directed to submit at an early date, his report on the petty debts and claims still unsettled, and to take such further measures as may be necessary for winding up the affairs of his Commission on the 30th proximo.

3. He will also state in what manner the Carnatic Records are now kept, and what arrangements he would recommend for their future due custody.

(Signed) T. PYCROFT,
Chief Secretary.

No. 77. Read the following letter from Surgeon Major EDWARD G. BALFOUR Government Agent at Chepauk, and Paymaster of Carnatic Stipends, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 23rd March 1861, No. 369.

I have the honor to transmit an original letter* from the Dewan of the Durbar requesting that Government will place at his disposal Rupees (150) one hundred and fifty, for the payment of the Sirkar servants, &c., for the current month.

* *Requested to be returned.*

No. 78. ORDER THEREON, 28th March 1861, No. 175.

Resolved, that the Sub-Treasurer be authorized to place at the disposal of the Dewan the sum of Rupees (150) one hundred and fifty, required on the above account.

(Signed) T. PYCROFT,
Chief Secretary.