

MEMORIAL

TO

HIS EXCELLENCY THE RIGHT HON'BLE

THE VICEROY AND GOVERNOR GENERAL
OF INDIA IN COUNCIL,

FROM

CASSINATH DHACKJEE, ADOPTED SON OF THE LATE
DHACKJEE DADAJEE,

FORMERLY PRIME MINISTER TO HIS HIGHNESS THE
GUICKWAR AT BARODA.

CLAIMING

RESTORATION OF THE ENAM HELD BY THE DECEASED FROM HIS
HIGHNESS THE GUICKWAR, UNDER THE GUARANTEE OF THE
BRITISH GOVERNMENT.

Fiat Justitia ruat cælum. Justitia firmatur Solium.

BOMBAY:

PRINTED AT THE "EXCHANGE PRESS," FORT.

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To

HIS EXCELLENCY

THE RIGHT HON'BLE EARL CANNING, G.C.B.,

*Her Majesty's Viceroy and Governor General of India
in Council.*

MY LORD,

It is the sense of the extreme injustice, which I, a British subject, have met with, at the hands of a Prince in alliance with the British Government, and with which the executive authorities of Bombay have thought it proper not to interfere, that induces me respectfully to lay my case before your Lordship in Council, in the confident hope that ample redress will be afforded to me, and the character of the British Government for unscrupulous good faith fully maintained.

2. Dhackjee Dadajee, a Native Merchant of this Town, after faithfully serving the British Government for a number of years as native agent in the Residency of Baroda, was raised by His Highness the Guickwar to the office of Dewan or Prime Minister in the year 1819. In that capacity Dhackjee Dadajee devoted himself to the furtherance of the interests of his master with so much earnestness and zeal, that the resources of his territory were, ere long, developed to the fullest possible extent, and followed by a corresponding increase in His Highness' revenues; while the good understanding between the two states was increased and placed on a firmer basis than before: therefore, to mark his sense of the value of Dhackjee Dadajee's services, His Highness the Guickwar was pleased, in A.D. 1819

to grant him and his descendants, *in perpetual Inam*, certain villages of the annual value of Rupees (30,000) thirty thousand, under formal *Sunnuds* or deeds of gift in Murrathee, of which Appendices A and B are translations.

3. This Inam grant was made to the late Dhackjee Dadajee *under the guarantee of the East India Company*,* pledged through the British Resident at His Highness' Court; and therefore the British Government are bound to protect him and his heirs from any arbitrary proceedings which the whim and caprice of the Guickwar might at any time prompt him to adopt against them.

4. An Inam in land is defined to be a grant in perpetuity, without conditions, and is therefore an estate in fee simple, and, as such, invariably hereditary, and not, like Jaghires or Surunjams or other Feudal Estates, resumable at pleasure. An Inam in fact is subject to all the incidents to which private property is liable, and by the religious law and customs of the Hindoos descends hereditarily to the original grantee's heirs, whether by lineal descent or adoption; and it is divisible amongst them in the same way as any species of private property, real or personal.

5. The Honorable Mr. Mountstuart Elphinstone has expressed himself on the subject in the following terms :—

“ Inam lands being private property, it is desirable that the owner should be enabled to dispose of them as he pleases.”—4th March 1825.

“ As a general rule in the Deccan, Government admits that children adopted with such forms and sanctions as may have been usual, should succeed to Inam lands or whatever may be considered private property.

“ With regard to Jageers, no adoption can have any effect unless it is expressly so declared by Government.”—3rd June 1825.

6. Sir John Malcolm, the successor of Mr. Elphinstone as Governor of Bombay, has recorded his sentiments on the subject of Inams in a minute dated the 3rd November 1830, as follows :

“ Amongst the numerous claims to succession to property there are none that require more attention than those of adoption. This question came under discussion in consequence of two widows of a deceased Inamdar in

* Vide Letter from the Acting Resident at Baroda to the Secretary to the Bombay Government, dated 29th September 1819, Appendix C, and the minute of the Honorable Mountstuart Elphinstone, quoted at the foot of para. 9.

the Northern Concan having agreed about the adoption by one of them of a boy, who in consequence entered upon the enjoyment of the Inam. A question arose as to the validity of the transfer of an Inam by an adoption, to which the sanction of Government had not been previously obtained.

"In the instance alluded to, the adoption had not received such sanction, and the Collector therefore thought the Inam excheated to Government. Permission however had never been refused, having never been applied for; and I was of a different opinion from the Collector, in whose view of the case one of my colleagues, Mr. Warden, coincided. The result of enquiries that were instituted confirmed the conclusions I had drawn from my observations in different parts of India, which were, that though adoption was, as regarded Surunjamee and Jagheer lands, vitiated by the want of permission from the ruling authority, the same consequences did not follow in respect to Inams, which are often subject to Nuzzur; but on discharge of specific obligations stated in the Sunnud or established by long usage, are confirmed as property in inheritance, and that, when an Inam is so held, the right exists to transfer it by adoption according to the Hindoo law. Upon this principle the right of inheritance to the Inam was not disputed, and the adopted son continued in possession. It may be added that there is no right which among Hindoos is held more sacred than that of adoption. It is a sin not to adopt, and among other obligations of duty when there are no direct heirs, the adopted son lights the funeral pile of his deceased father."

7. Lord Clare's views are precisely the same as those of Mr. Elphinstone, as may be gathered from the fact of the former having issued, on the 24th October 1831, a circular to all the Collectors and other Mofussil authorities, embodying the sentiments of Mr. Elphinstone above quoted.

8. The authority of numerous other eminent and illustrious statesmen might be given to show that an Inam is a purely freehold estate, and inheritable by the descendants of the grantee like private property; but I forbear quoting it, lest I should be led into prolixity. I, however, trust that the quotations above made suffice to bear out my assertion, inasmuch as they embody opinions of men whose words have always carried the force of law with them.

9. Some time after the assignment of the Inam referred to in para. 3, a misunderstanding arose between His Highness the Guickwar and Dhackjee Dadajee; and the former therefore

removed the latter from the office of Minister, and sequestrated his Enam property. Dhackjee Dadajee strongly protested against His Highness' proceedings by an appeal to the Bombay Government, his pledged protectors, and the Honorable Mountstuart Elphinstone, then Governor of Bombay, proceeded in person to Baroda, and after a full enquiry into the dispute, passed the following decision :—

Extract from the Minute of the Honorable Mountstuart Elphinstone, Governor of Bombay. Dated Baroda, 18th April 1820:

“ Dhackjee said that the circumstance of the soldiery being so long unpaid, was entirely owing to the failure of the Government in performing its engagements, having only paid the Pothdars 27 lacks when they had advanced forty-two. When accused of undue profits and exactions, Dhackjee called for proof, and when reminded of what he owed to the Guickwar Government which had given him an estate of 30,000 Rupees for this very service of reducing the interest, he said he was very grateful for the grant, and that it might be thought his services had been overrewarded ; but still the grant was on account of the past, and was not given to make him renounce an advantage which, he submitted, was his undoubted right and not a matter of favor. He repeatedly declared he had every wish to accommodate the Guickwar, that he was ashamed to give so much trouble as he did, and that he was ready to obey any directions I might give him ; but that he stated what he conceived to be his right, and hoped it would not be taken amiss. The following therefore are the terms concluded with Dhackjee: That he is to leave Baroda and relinquish all share in the Pothdaree, receiving 175,000 Rupees in exchange, that his allowances as Minister are to cease from the date of his removal, and that he is to retain his Enam Villages.”

10. The late Honourable the Court of Directors, to whom the proceedings connected with this enquiry were submitted, entirely exculpated Dhackjee from all the charges preferred against him by the Guickwar ; and, after a lengthened correspondence, passed the following decision in their despatch to the Government of Bombay, dated the 26th August 1835 :—

“ The third claim was for the Enam Villages, and on this we said, having already expressed our opinion generally on the hardship of Dhackjee Dadajee's case, we cannot but notice on this occasion his appeal to us for a restitution of the Enam Villages, which were granted to him virtually if not formally under the guarantee of the Company through the British Resident.

" It is our wish not to interfere between the Guickwar and Dhackjee Dadajee on account of Dhackjee's pecuniary claims. We think as we have always thought, that the Enam Villages ought to be restored to Dhackjee Dadajee.

" We desire therefore that you will inform the Guickwar that we consider the faith of the British Government to have been so far pledged to Dhackjee Dadajee in the matter of the Enam Villages, that we feel it incumbent on us to require that they shall be immediately restored to him with the arrears since they were resumed.

" You will represent to the Guickwar that this direction is imperative, and if it be not immediately complied with on his part, the amount of the arrears and the annual accruing amount of the rent of the Enam Villages are to be deducted by you from the Kattiawar and Maheecanta tribute, which you collect on account of the Guickwar."

11. The foregoing instructions to the Government of Bombay not having been immediately carried by them into execution, the Honourable the Court of Directors were compelled to forward peremptory orders to the Government of India to the following effect :—

Extract from the Hon'ble Court's Despatch to the Governor General of India, dated 10th April 1838.

" We have had under our consideration the letters from the Bombay Government of the dates noted in the margin, in which that Government assign their reasons for suspending, on the remonstrance of the Guickwar, the execution of our orders in the case of Dhackjee Dadajee. The Bombay Government are of opinion that there are certain causes which justify them in disobeying our orders however positively conveyed. * * * We shall not re-open this case, which we have already carefully investigated and deliberately decided. * * We shall only observe that the Sunnud of the Enam Villages which stated that the guarantee of the British Government was requested to the grant having been given by the Guickwar to Dhackjee in open Durbar, is in our judgment binding on the Guickwar; and though the guarantee was withheld, and subsequently formally disavowed, yet the terms of the arrangement concluded with Dhackjee Dadajee at Baroda under the sanction of the Governor the Honorable Mr. Elphinstone, as stated in his minute of 18th April 1820, make the fulfilment of that grant binding on the British Government. We shall not address any further instructions to the Bombay Government on the subject, and we shall look to your Government to see that our orders of the 26th August 1835 are immediately and strictly carried into execution."

12. In consequence of these renewed orders from the Home authorities, a sum of rupees five lakhs was paid to the late Dhackjee Dadajee in the year 1838 from the Public Treasury in Bombay, being the amount due on account of arrears of the revenue of his Enam Villages from the date of their resumption ; and an arrangement was made to pay to him the annual revenue in future from the same Department until he should be *actually* put in possession of the villages by the Guickwar, as will appear from the subjoined correspondence :—

Extract from Mr. Chief Secretary L. R. Reid's Letter to Dhackjee Dadajee, dated 18th June 1840.

"I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter, dated the 13th ultimo, and to transmit for your information, a copy of my communication of this day's date to the Sub-Treasurer, authorizing him to pay you the equivalent of the amount of your Enam Villages, and to continue the payment of the same annually, until you are actually put in possession of your Villages by His Highness the Guickwar."

Extract from Mr. Secretary J. P. Willoughby's Letter to Dhackjee Dadajee, dated 12th February 1841.

"With reference to Mr. Chief Secretary Reid's letter to your address, dated 18th June 1840, I am directed by the Honorable the Governor in Council to inform you that the Sub-Treasurer has been instructed to continue the payment to you annually, until further orders, of the sum of Rupees 30,000 Baroda currency, on account of the revenue of your Enam Villages."

Copy of Mr. Secretary Morris' Letter to Dhackjee Dadajee, No. 1797, dated 18th August 1840.

"I am directed by the Honorable the Governor in Council to inform you that His Highness the Guickwar has expressed his readiness to restore to you the Enam Villages formerly held by you under the Baroda Government, and that His Highness is therefore desirous that you should proceed to Baroda for the purpose of adjusting all matters connected with the Villages in question.

"2. I am further desired to apprise you that, in the event of your being willing to accede to the wish of the Guickwar, the Governor in Council will have no objection to grant to you the guarantee of the British Government for your personal safety until your return to Bombay from Baroda.

"3. Should the present arrangement, by which you receive pay-

ment of the Revenue of your Enam Villages through the British Government be more acceptable to yourself and His Highness, the Political Commissioner for Guzerat and the Resident at Baroda have been instructed not to disturb that arrangement, but to leave the Villages in the possession of the Guickwar Government."

13. Dhackjee Dadajee being advanced in age, and in a precarious state of health, did not choose to go to Baroda to take charge of the villages, but felt satisfied with the arrangement made by the local Government, with the sanction of the Government of India, for paying him the annual rent of his villages from the Public Treasury at the Presidency.

14. Some time afterwards, Dhackjee Dadajee, having lost all his sons, wished to adopt and affiliate me; and notwithstanding the declared opinion of several illustrious and eminent British statesmen, as shown in paragraphs 5 and 6, that an Enam is private property; yet, with the view of obviating future disputes and troubles, Dhackjee Dadajee applied to the Bombay Government, in the year 1840, for permission to make an adoption, and was informed in reply that the British Government could not interfere to obtain the Guickwar's consent to the adoption; but that he himself was at full liberty to press the question on His Highness. Dhackjee Dadajee accordingly addressed a letter to His Highness the Guickwar, requesting permission to adopt me, a child of his own daughter, and therefore his own grandson.


15. In reply to this application His Highness addressed a letter to Dhackjee Dadajee, wherein he expressed his consent to my being adopted by Dhackjee, and *also* issued a fresh Sunnud continuing the Inam to me.

16. The following is a translation of the fresh Sunnud alluded to in the preceding paragraph.

(*Shree Mhálsákánt.*)

"To the respectable and exalted Cassinath Dhackjee, his friend Sayajee Row Guickwar *Sáunna Kháskhel Sumsheer Bha-door,** makes salutation, Soor Sun Ehedeñ Arbyne Myátyne Wuálif. (A.D. 1840-41.)

"Your father Dhackjee having become old, has, with the sanction of the Sirkar, adopted you as his son according to the prescribed rites. Dhackjee Dadajee had a Sunnud granted to him in the year Ushreen Myatyn, dated the 7th of the month of Zilhaj (A.D. 28th September 1819), in which certain Inam Villages are mentioned: these villages, three in number, were lately taken charge of by the Sirkar with the free consent of Dhackjee Dadajee, and the Sirkar gave in a Yadee to the Resident under date the 18th Mohurram Sun Ehede Arbyne Myatyne (A.D. 1st March 1841) for the payment to him of Rupees (300,001) thirty thousand and one, Baroda currency, every year, through the medium of the Company's Government, in lieu of those villages. This Sunnud is accordingly issued to you to certify that the sum of Rupees (30,000) thirty thousand Baroda currency fixed in lieu of the villages above alluded to, will be paid to you by the Sirkar from the collections of the tribute, and you and your descendants from generation to generation are to enjoy the same and serve the Sirkar with fidelity, trust, and devotedness. For the proper fulfilment of the above, the Company's Government is given as guarantee. Know this, dated the 1st of the month of Suffer, or the month of Chytra Sumvut 1897. (A.D. 25th March 1841.)"



The Seal
of the
Guickwar.

(Registered.)



Seal.

17. On the day following the receipt of these documents Dhackjee Dadajee performed the ceremony of adoption, whereby I became his lawful heir and successor.

18. The British Government being named in the Sunnud just quoted as guarantees for the fulfilment of its conditions, and the same appearing not to have been communicated to the British representative at His Highness' Court, Dhackjee Dadajee, with the view of preventing future misconception, expressed his desire to the Guickwar's agent in Bombay that the Sunnud might be forwarded to him through the Resident, and with this

object entrusted it to His Highness' agent, who, it is understood, conveyed it to the Guickwar; but unluckily for myself, His Highness, for reasons best known to himself, has hitherto detained it, in spite of repeated applications made to him by the late Dhackjee Dadajee.

19. Let me here, my Lord, prominently, though respectfully, repeat that I am not only an adopted son of the late Dhackjee Dadajee, but one of his real grandsons, and that therefore I possess a twofold title to the Inam Villages, as well as to the support and protection of the British Government, whose faith has been pledged to the deceased and his family with regard to the Inam Villages.

20. I shall here endeavour, as concisely as possible, to recapitulate the facts; which, as your Lordship in Council will perceive, establish my title beyond the shadow of a doubt to the indulgent interference of the British Government for procuring justice for me from His Highness the Guickwar.

First.—The Guickwar's two Sunnuds to Dhackjee Dadajee, dated respectively the 28th September and 24th October 1819 (Appendices A and B), distinctly declare that the Inam Villages shall descend to Dhackjee's family *from generation to generation*, and that the fulfilment of the terms thereof is *guaranteed by the British Government*. The first Sunnud from His Highness Anundrao Guickwar was delivered to Dhackjee Dadajee in an open Durbar, attended by the Resident, and the proceedings thereof were reported by that officer to the Government of Bombay in a letter dated the 29th of September 1819.—(Vide Appendix C.)

Secondly.—Despatch from the late Honorable the Court of Directors to the Government of Bombay, dated the 19th December 1832, referring to the Inam villages, in which they declare that the villages in question were granted virtually, if not formally, *under the guarantee of the Company through the British Resident*.

Thirdly.—Another despatch from the same authority, dated the 26th August 1835, conveys their views in still stronger terms, thus: "We cannot but notice on this occasion his (Dhackjee's) appeal to us for a restitution of the Enam Vil-

lages which were granted to him virtually if not formally *under the guarantee of the Company* through the British Resident.

* * * We think as we have always thought that the Enam Villages ought to have been restored to Dhackjee Dadajee. We desire therefore that you will inform the Guickwar that we consider the faith of the British Government to have been so far pledged to Dhackjee Dadajee in the matter of the Enam Villages, that we feel it incumbent on us to require *that they shall be immediately restored to him with the arrears since they were resumed.*"

Fourthly.—A despatch from the same authority to the Government of India, dated the 10th April 1838, contains the following expressions:—

"The terms of the agreement concluded with Dhackjee Dadajee at Baroda under the sanction of the Governor the Honorable Mountstuart Elphinstone, as stated in his minute of 16th April 1820, *make the fulfilment of that grant binding on the British Government.*"

Fifthly.—Mr. Reid, Chief Secretary to the Government of Bombay, in a letter to Dhackjee Dadajee himself, dated the 14th July 1838, observes thus:—"In the event of His Highness the Guickwar failing to comply with the demand now to be made on him, the Political Commissioner has been authorized *under the faith pledged to you by the British Government,* to pay to you the amount of the arrears and the annual accruing amount of the rent of the Inam Villages from the Kattiawar and Maheecanta tribute collected by the British Government on account of His Highness."

Sixthly.—The Sunnud issued to me by His Highness Sayajeerow Guickwar, under date the 25th March 1841, referred to in paragraph 17 of this Memorial, also states that the British Government is *guarantee* for the fulfilment of the conditions of the grant.

Seventhly.—An adoption once formally made and recognized by His Highness' Sunnud cannot possibly be set aside or repudiated.

Eighthly.—An adopted son, according to the Hindoo law, is a legitimate son of the body to all intents and

entitled to succeed to all the rights, and be answerable for all the liabilities, of the adoptive father.

21. The arrangement made by the Bombay Government for paying the late Dhackjee Dadajee the proceeds of his Inam Villages from the Presidency Treasury, for the sake of consulting his "convenience," continued in force until the year 1843; when, in consequence of the local Government having through its Police officers committed a trespass on his house in an attempt to seize and examine his papers and accounts, with a view to support a charge preferred against him by some of his enemies accusing him of having received ten lakhs of rupees from the Guickwar for the purpose of bribing Sir James Carnac, then Governor of Bombay, and the members of his Council, Dhackjee Dadajee was obliged to bring an action against the "East India Company," with a view to give the Bombay Government an opportunity either of substantiating the charge in open court, or paying damages for their arbitrary and outrageous proceedings. This step, taken by the deceased to vindicate his own character, so greatly annoyed and exasperated the Bombay Government, that they at once not only cancelled the arrangement made for paying him the proceeds of his Inam Villages from the Public Treasury in Bombay; but also removed his name from the Commission of Her Majesty's Justices of the Peace!

22.. The Supreme Court, though declaring the proceedings of the Bombay Government as most illegal and unjustifiable, yet nonsuited Dhackjee, not on the merits of the case, but simply on account of a law technicality, namely, that the East India Company was not responsible for the acts of the Governor in Council of Bombay, because they were unlawful and unauthorized acts.—(Vide Perry's Oriental Cases—Dhackjee Dadajee vs. The East India Company.)

23. It is however worthy of remark that, though the arrangement made for paying Dhackjee at the Presidency a pecuniary commutation in lieu of the proceeds of his Inam Villages with a view to consult his convenience, was cancelled, yet the Government so far preserved their pledged faith, that they caused His Highness the Guickwar to pay up the whole of the money due

on account of the Inam Villages, up to the date of my adoptive father's death.

24. Dhackjee Dadajee died in January 1846. Shortly before his death he earnestly solicited the British Government to extend its protection to me, his adopted son. I was at that time a minor; and the gross mismanagement of the estate by the deceased's executors involved them in lengthened and expensive law suits, which ultimately absorbed all its wealth, and reduced it to insolvency. On my arriving at the age of discretion, I found it too late to apply any remedy to the evils and miseries brought on me and the deceased's family by the conduct of the executors.

25. When comparatively extricated from the difficulties and embarrassments into which the executors had thrown me, I turned my attention to the Inam property, and applied to the Bombay Government to obtain for me the restoration of it. The Government, however, apparently influenced by the feelings which had for some years past swayed their conduct towards Dhackjee Dadajee and his family, informed me in reply, that no adoption, in so far as property held from the State was concerned, had the least validity without the sanction of the sovereign.

26. This doctrine of Lord Falkland's Government is not only diametrically opposed in principle to the views of the Honorable Mountstuart Elphinstone and Sir John Malcolm, (the two most distinguished administrators that the Indian service has ever produced,) as well as to your Lordship's expressed opinion;* but is also *ipso facto* incorrect, inasmuch as my adoption was actually sanctioned by His Highness Sayajeerow Guickwar, the donor of the Inam property.

27. I have repeatedly represented to the Bombay Government that, not only was my adoption made with the express sanction of the sovereign (His Highness Sayajeerow Guickwar), but that a Sunnud was also issued by His Highness in my favor, conferring the Inam on me as heir and successor of Dhackjee Dadajee, at the same time furnishing them with a copy thereof,

* Vide para. 19 of Lord Canning's Despatch to Sir Charles Wood, No. 48A, dated Simla, 30th April 1860.

(a translation of it is embodied in para. 16 of this memorial). I am however grieved to state that I have hitherto failed to excite the sympathy of the local Government, or to induce them to exercise on my behalf that interference to which, by virtue of my being the adopted son of the late Dhackjee Dadajee and the guarantee of the British Government, I am entitled at their hands.

28. An Inam, as I have already shown on the best authority, is a grant of an hereditary tenure; and, in the present case, this tenure is not merely implied, but *specifically set forth in the Guickwar's sunnuds*. If the British Government felt themselves bound in good faith, to cause the Inam to be restored, and its proceeds paid to the original grantee, the late Dhackjee Dadajee, I respectfully submit that, on the principles of justice and equity, they are equally bound to exercise their interference on my behalf, with a view to procure for me either the restoration of the Inam Villages or a commutation in specie in lieu of their proceeds. Your Lordship in Council will have observed from the foregoing paragraph 14, that it was the Bombay Government, that referred my adoptive father to the Guickwar for sanction to adopt me, that he applied accordingly, and that having obtained His Highness' sanction, he adopted me formally and according to the religious rites enjoined by the Hindoo law. Should your Lordship in Council still entertain any doubt as to the truth of my statement in regard to the adoption, I have earnestly to solicit that your Lordship in Council will direct the following references to be made through the British Representative at His Highness' Court at Baroda.

First.—To Gopallrao Myrall, the *de facto* Minister of His Highness, as to whether or not Dhackjee Dadajee obtained the consent of His Highness Sayajeerao Guickwar and a Sunnud for adopting me?

Second.—To His Highness' records, to ascertain whether the Sunnud issued to me is not registered therein?

29. These enquiries will satisfy your Lordship in Council of the correctness of my statement, and your Lordship will at once see the great hardship of my case. Once the son of an Inamdar, possessing an estate yielding an annual revenue of

Rupees 30,000, I am at present reduced to the utmost distress and misery.

30. The uniform and even-handed administration of justice which has ever characterized your Lordship's administration, and the inspiriting and gracious assurances held out in Her Majesty's Indian Magna Charta of November 1858, have emboldened me to lay my unfortunate case before your Lordship, with a confident hope of meeting with due redress ; and I most earnestly conjure and entreat that your Lordship in Council will be graciously pleased to make the necessary reference to the Resident at Baroda, and in consideration of the solemn faith pledged by the British Government to my adoptive father, direct the exercise of the British influence for the restoration of my Inam property by His Highness the Guickwar, with payment of the arrears due from the time of Dhackjee Dadajee's death.

31. I submit the present appeal to your Lordship with the greater confidence, from the knowledge that the justice of my claim to succeed to the Inam Villages held by my adoptive father has been indirectly recognized by no less an authority than the Chief Justice of Her Majesty's Supreme Court of Judicature at Bombay (Sir Erskine Perry), before whom all the circumstances connected with my case were laid, in consequence of the legal proceedings instituted by the creditors of the late Dhackjee Dadajee, whose estate was so grossly mismanaged that his property (Inam Villages excepted,) was quite insufficient to meet their claims. His Lordship, however, stated that it was not in the power of the Court to interfere for the recovery of the villages, since they are situated beyond its jurisdiction; but it was a matter for the consideration of the local Government, it being of a political nature.

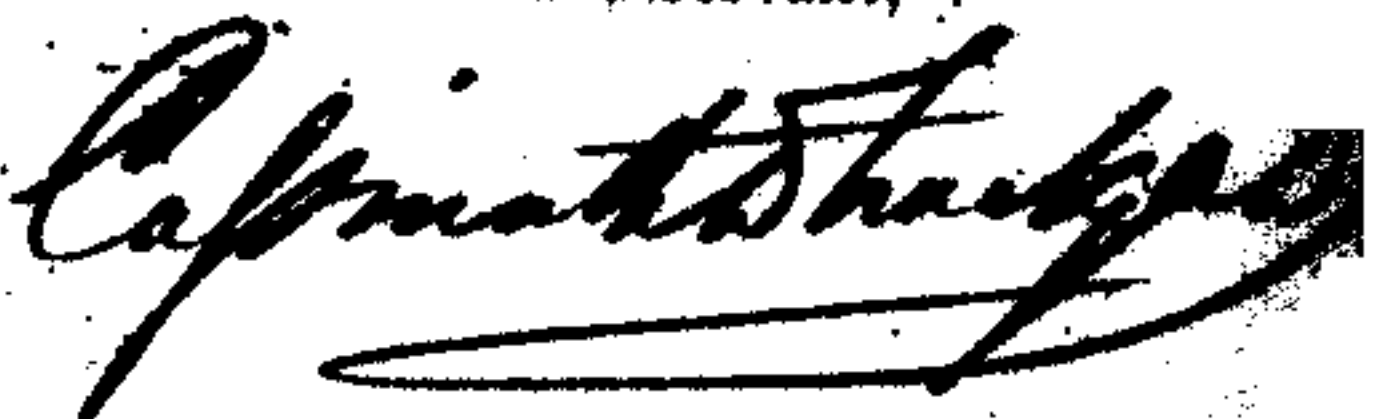
32. Confiding in your Lordship's dispensation of impartial justice to me, and trusting that I shall stand pardoned for my thus trespassing upon your Lordship's precious moments,

I subscribe myself,

My LORD,

Your Lordship's most obedient and humble Servant,

Bombay, 1st January 1861.



APPENDIX A.

(*Shri Mhalsakant.*)

To the respectable and exalted Mr. Dhackjee Dadajee, adorned with perpetual wealth and worthy of being respected by Kings. From his affectionate friend Anundrow Guickwar, *Sena Khaskhel Sumsher Bahadoor*,* Soor Sun 1220 (A. D. 1819-20). Greeting.

You have greatly promoted the interests and welfare of the State by rendering your assistance in all its affairs, and you have been of great service in preserving friendly relations between this State and the Honorable Company's Government : therefore, the *Khasgeet*† administration of the State over which the respected *Cheerunjew*‡ Sayajeerow Guickwar has been vested with full authority, is hereby entrusted to you, and you are to conduct your duties according to the directions of the *Cheerunjew*.

A separate memorandum of the Inam Villages and other incomes which the State has been graciously pleased to grant to you has been prepared and delivered (to you), agreeably to which you and your descendants shall enjoy them from generation to generation, and render service to the State with integrity, loyalty, and singleness of purpose.

For the fulfilment of the above, the guarantee of the Honorable Company's Government has been given.

Let this be known.

Dated the 7th day of the month of Zeilbuz (28th September 1819)

Seal.

(Entered.)

APPENDIX B.

(*Shri Mhalsakant.*)

To the respected Mr. Dhackjee Dadajee, adorned with perpetual wealth and worthy of being respected by Kings. From his affectionate friend Sayajeerow Guickwar *Sena Khaskhel Sumsher Bahadoor*, Soor Sun 1220 (A. D. 1819-20.) Greeting.

In lieu of a fixed money allowance which the State was graciously pleased to assign to you for your expenses, villages in the Purgunna of

* Titles of the Guickwar.

† Personal, Private, or Principal.

‡ "Long lived," a title of respect applied by an elder to a younger member of a family.

Baroda have been allotted to you in Inam from the current year.

They are as follows :—

| | |
|----------------------------|------------|
| The Village of Mohol | Rs. 9,501 |
| The Village of Bhoj | „ 13,000 |
| The Village of Por | „ 7,500 |
| | <hr/> |
| | Rs. 30,001 |

In all three villages yielding a revenue of 30,001 Rupees, together with the waters, trees, pastures, wood, stones and hidden treasure, with the exception of the (prior existing) rights of the Huckdars and Inamdars, have been agreed to be, and been wholly conferred on you agreeably to

The Seal
of the
Guickwar.

their proper boundaries : wherefore, you and your descendants, from generation to generation, shall enjoy the said Villages every year, and render service to the State with integrity, loyalty, and singleness of purpose.

On this subject separate letters have been addressed to the present and future Kamavisdars and Zumindars of the said Purgunna.

Let this be known.

Dated this 4th day of the month of Mohurum (24th October 1819.)

Seal.

(Entered.)

APPENDIX C.

To

WILLIAM NEWNHAM, Esq.,

Acting Chief Secretary to Government,

Bombay.

SIR,

My letter of the 24th July last and 20th of this month will have apprized you of the intention of His Highness Sayajeerow Bhow to appoint Dhackjee Dadajee to a situation in his Government, and as a preparatory step to which, of the resignation of the latter of his late situation as native agent at the Durbar, I have now the honor to acquaint you for the information of the Right Honorable the Governor in Council, that His High-

ness last night presented Dhackjee Dadajee with the Sunnuds and clothes of investiture, and has requested me to solicit that the *Bhanderry** of the Honorable Company may be granted to him.

His Highness' letter together with Captain Carnac's report preclude the necessity of my offering any further remarks upon the great benefit which may be anticipated as likely to accrue to both Governments from the introduction of Dhackjee Dadajee into an active share of the Council of this State.

I have the honor to be, &c.,

(Signed) J. WILLIAMS,

Acting Resident,

Baroda, 20th September 1819.

* Guaratee.