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**‘Muskat. Regarding the unjust Division of the property of a certain Merchant
and Banker of – Vol: 44’**

Holding Institution	British Library: India Office Records and Private Papers
Reference	IOR/F/4/2302/118770
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About this record

This item consists of copies of correspondence, minutes, and consultations cited in, or enclosed with, political letters from the Government of Bombay. These political letters appear in IOR/F/4/2302/118727. The correspondents are: the Government of Bombay; Major Samuel Hennell, Political Resident in the Persian Gulf; and Khojah Hiskael [Khawājah Hizqīl bin Yūsuf], British Agent at Muskat [Muscat]. It is the forty-fourth in a series of fifty-one items on the Persian Gulf.

The item concerns complaints from British subjects at Muskat that money they are owed by a bankrupt merchant is not being repaid to them on the same basis as it is being repaid to other debtors.

The item contains a contents page and the title page of the item contains the following references: ‘Collection No 6 of No 4’, ‘Coll[ection]: 17’ and ‘Draft no 465 of 49’.

'Muskat. Regarding the unjust Division of the property of a certain Merchant and Banker of - Vol: 44' [658r] (1/12)

118.770 17
Collection No. 6 of No. 11
Vol. 44
2/24/49

Collection No. 6 of No. 11

Bombay

Political Department

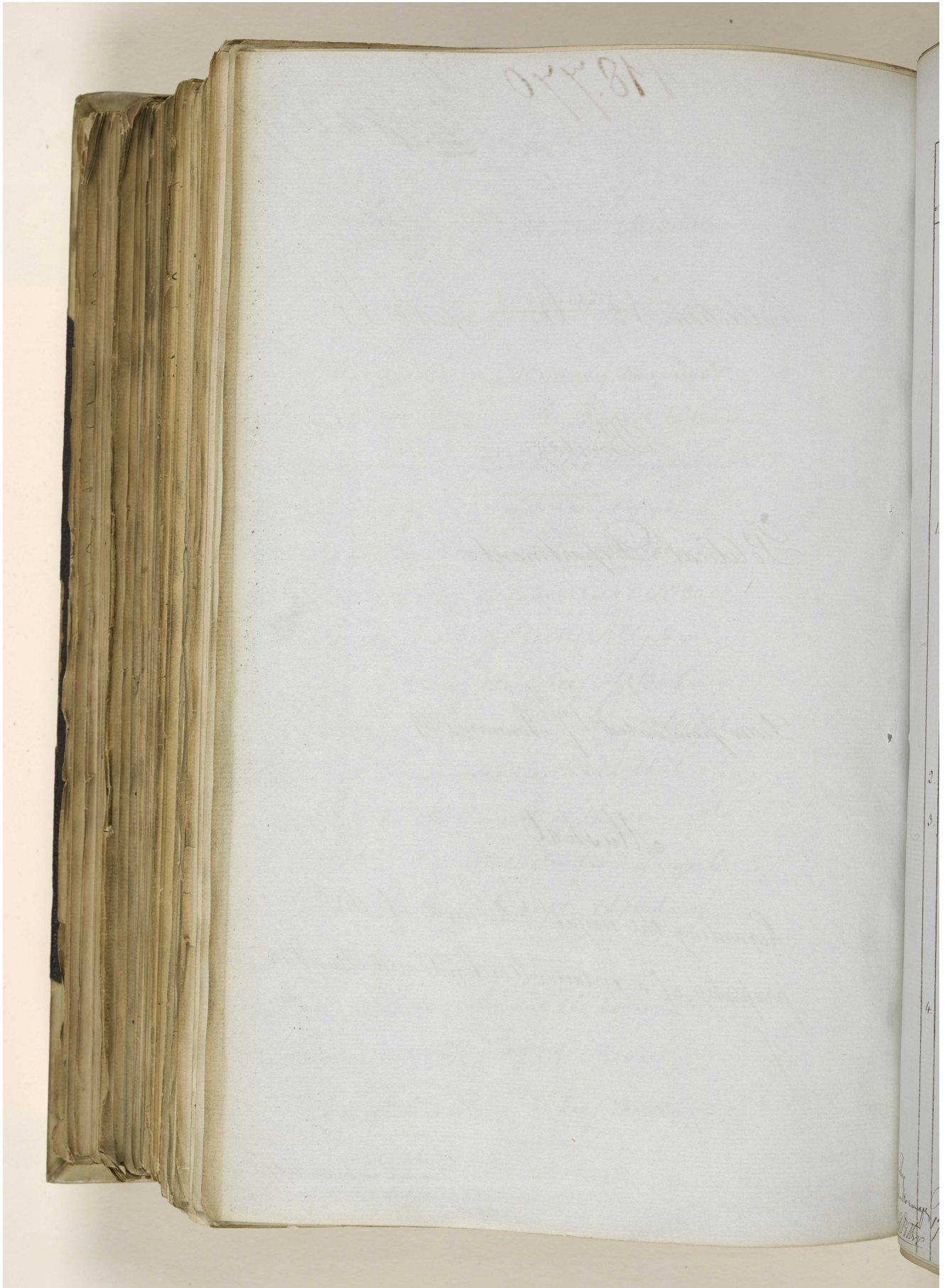
Letter from, dated 17th January 1849. -

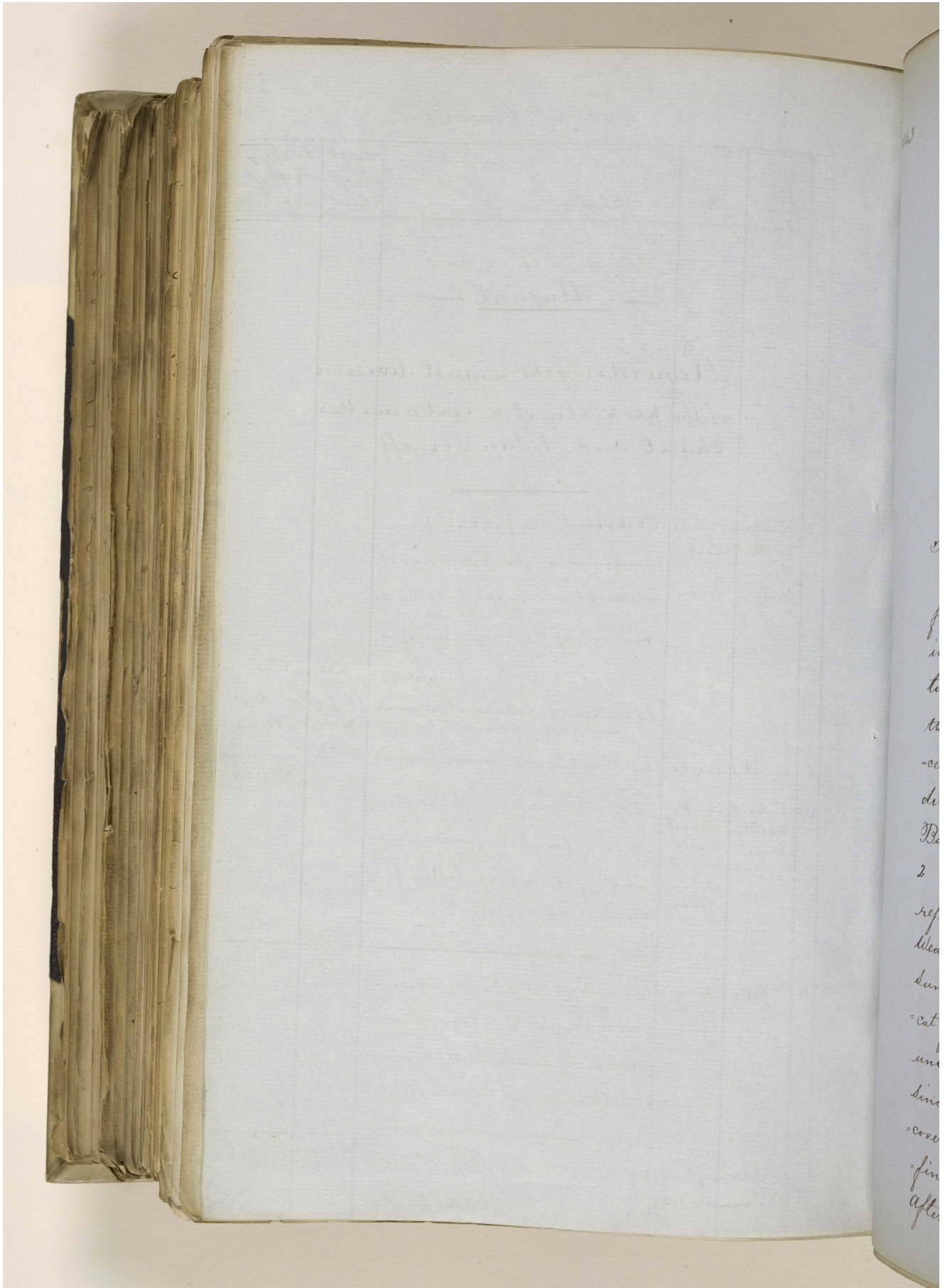
Muskat

Regarding the unjust Division of the
property of a certain Merchant and Banker
of -

Examiner's Office

(658)





'Muskat. Regarding the unjust Division of the property of a certain Merchant and Banker of - Vol: 44' [660r] (5/12)

Extract Bombay Political

№ 10/423

Consultation 13th December 1840

Office N^o. 277 of 1840

Cons. N^o. 64 of 1840

From

Major Hennell

Resident in the Persian Gulf

To

A. Malet Esq^{re}

Chief Secy. to Gov^{ty}

Bombay

Camp near Dushire

4th September 1840

Sir

Herewith I have the honor to transmit for the information of the Right Honourable the Governor in Council, the accompanying translated Extracts of two letters from the Native Agent at Muskat, dated the 2^d and 31st July, on the subject of the partial proceedings of His Highness, Syed Sooweny, in respect to the division of the property of a certain Merchant and Banker of that place named Deremisee.

It appears, that the Individual above referred to, till lately bore so high a Character for Wealth and Probity, that he was entrusted with large Sums of Money by all Clases of the Inhabitants of Muscat from the Chief authorities downwards. For some unexplained reason however, Deremisee not long since attempted to abscond, but his plan being discovered, he was apprehended and placed in Confinement by order of His Highness, Syed Sooweny. After remaining some short time in prison, he

was (660)

was liberated, on the condition, that he should repay in full all the Monies owed by him to the Governor and his family, and also to two Mahomedan, and three Hindos Merchants of Muscat. The remainder of his Creditors were to put up with a dividend of 25 per Cent, payable in five Months.

3. Among the Creditors of Durmice are several persons who claim to be British Subjects, and who naturally enough, demur to their claims against their debtor being settled at a loss of 75 Per Cent, while other influential parties receive the amount of their demands in full at their expense. The Complaints of these individuals Khojah Hiskael refers to, in the Extract of his letter dated the 31st July.

4. On making a reference to the Commercial Treaty concluded between the British Government and the Imam of Muscat on the 31st May 1839, I find that although by the 7th Article, the fair division among his Creditors of the property of an English Subject becoming bankrupt in the Imam's territories, has been provided for, no mention is made touching the case of one of His Highness' Subjects in a similar position. The 8th Article merely stipulates, that assistance is to be afforded by the local authorities to British Subjects for the recovery of their debts.

5. Under these circumstances I have hesitated to address His Highness Syed Sweeney on this subject, until I shall be favored with the opinion of the Right Honble the Governor in Council,

as

as to whether the present case is one calling for our
interference.

Camp near Dushire
4th September 1848.

I have the honor to be
Signed S. Hennell
Resident in the Persian Gulf

Translated Extract of a letter from Khojah
Hiskael, Agent at Muscat. To Major Hennell,
Resident in the Persian Gulf, dated 2nd July 1848.

On the 24th June His Highness Syed
Soweynee released the fugitive Bankrupt, Derenda
Banyan, from the Confinement on which he
was placed in the Eastern fort as reported in a
former letter, on Condition that he should not
press his Claim upon his Highness amounting
to upwards of 1000 Reals, that his Vessel the Shatel
Frat should be left in his hands, that His High-
ness should not Coerce him, for example, if his
Creditors preferred their Claims and lodged a Com-
plaint against him with His Highness, His
Highness should not Countenance or support
them; and that he should liquidate in full the
Claim of Seyt Mijree Gopal upon him of 2
000 Reals, as also those of Hojze Hassen Goolome
of 800 Reals, and through the latter, of the daughters
of Sulyman Mitaw-ashce of 1100 Reals; but with
reference to the rest of the Creditors, it was dis-
cussed and agreed that after four or five months,
he should give 25 Reals per Cent of their Claims
at the rate of 5 Reals per Month.

True Copy
Signed A. B. Kemball
Agent Resident in the
Persian Gulf.

True translated Extract
Signed A. B. Kemball
Agent Resident in
Persian Gulf
Translated

Translated Extract of a letter from Khojah
His Kahl Agent at Muscat to Major Hennell
Resident in the Persian Gulf. dated 31st July 1848.

I before reported to you the affair
of Deremsee Banyan Teet Suddah Shroff after
concluding the agreement with His Highness Syed
Soweynee and quitting his Confinement in the fort
Sullalee, he appeared to have formed the design
of absconding, as the Authorities understood from
his shop being always locked, and its being reported
to them that he had written a letter to one of the
Banyans intimating his intention to run away.
When His Highness Syed Mahomed bin Salim
ascertained the fact, he reported it privately to
His Highness Syed Soweynee at Seeb, who in reply,
desired him to imprison him in the forts, and on
the 25th June at Midday they confined him in the
Custom House, and conveyed him in a boat to the
Western Fort. A number of Banyans, Mooltances,
and Loutyans, then came to me who had formerly
deposited money in the hands of the said
Deremsee, and up to the Present time they have
applied to me, morning and evening. They are
not satisfied with the arrangement previously made
when he quitted the Fort, that he should give
25 per Cent after the lapse of 5 months. They say
the Authorities Hajee Hoossein Goolloom, the
daughter of Mutawashsee Syet Nijree Gopal, Nijree
Pit Lijjour, and Dameh of Musnaa realize all
their Claims; How can we take 5 per Cent, and we,
too, dependents of the British Government; I have
replied to them "If you are not satisfied with his,
wait

1144

18 Decem

'Muskat. Regarding the unjust Division of the property of a certain Merchant and Banker of - Vol: 44' [662r] (9/12)

wait till I write to Bushire, when I will act as
agreeable to the orders I receive thence to which
they assented.

True translated Extract
Signed A. B. Kemball
Agent Resident &
True Copy

Signed A. B. Kemball
N^o 2 Agent Resident Persian Gulf.
Minute by the Right Honble the Governor concurred
in by the Board dated 2^d December 1848.

N^o 10144

I am of opinion that Captain
Hamerton should be desired to bring this affair
to the notice of His Highness the Imam, point-
ing out to him the injustice that will be done
by such an unequal distribution of the in-
solvent's assets among his Creditors and request-
ing justice for such of them as may be entit-
led to British protection.

It appears to me that the Course
pursued by His Highness Syed Sowseny may be
considered in Contravention of the VIIIth Article
of the Treaty with the Imam of the 31st of May
1839 - For by the Course apparently taken by Syed
Sowseny, he does not afford to British Subjects, every
aid and facility in recovering the amount
"due."

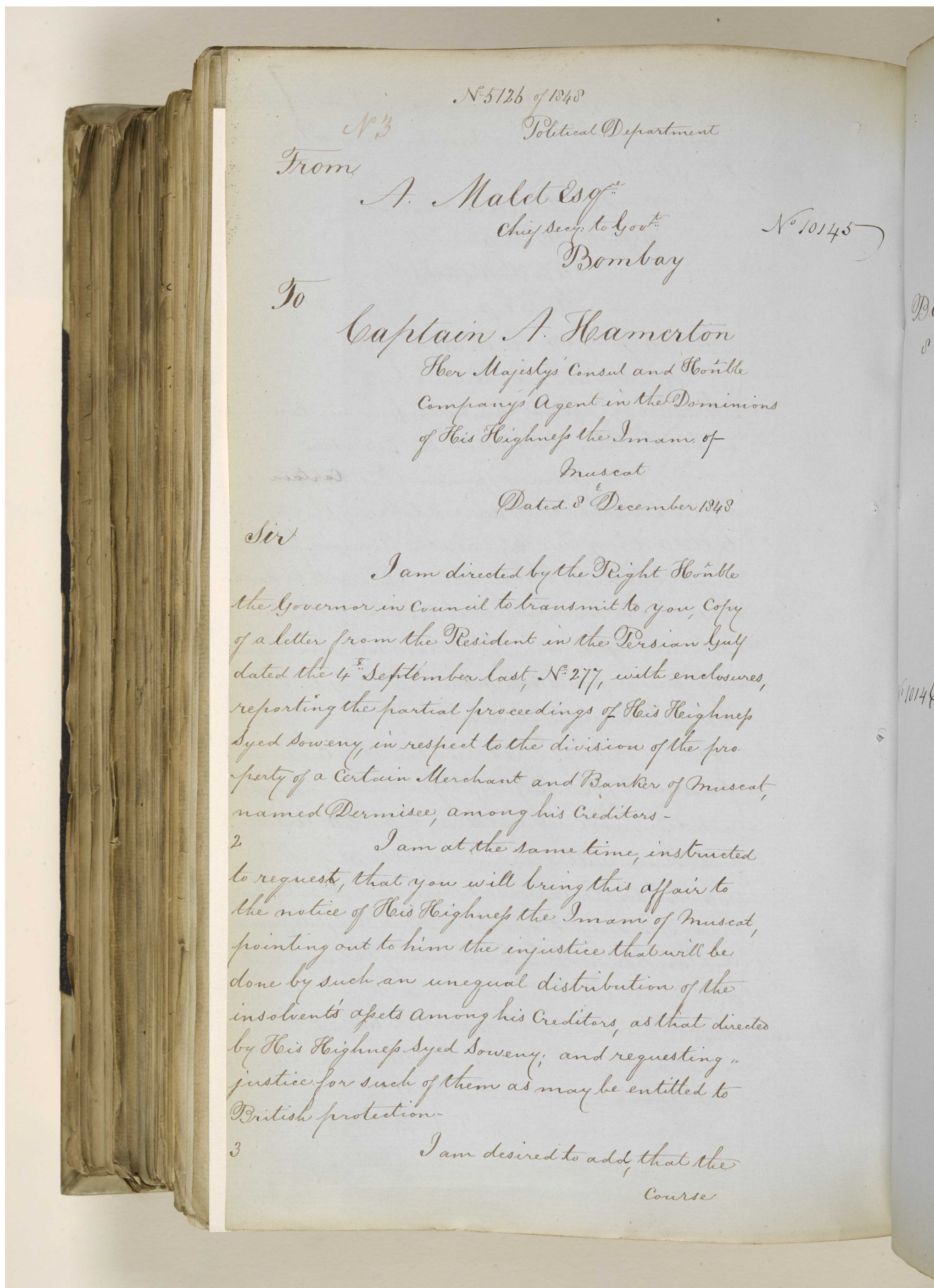
2^d December 1848.

Signed Falkland
" W. Cotton
" I. R. Reid
" J. T. Willoughby

N^o

662

'Muskat. Regarding the unjust Division of the property of a certain Merchant and Banker of - Vol: 44' [662v] (10/12)



'Muskat. Regarding the unjust Division of the property of a certain Merchant and Banker of - Vol: 44' [663r] (11/12)

Course pursued by His Highness Syed Soweny is
in contravention of the VIII Article of the Treaty
with the Imam of the 31st of May 1839. for by the
course apparently taken by Syed Soweny, he does not
"afford to British Subjects every aid and facility
"in recovering the amount due"

45
Bombay Castle
8th December 1848

I have the honor to be &
Signed A. Malet
Chief Secy.

N^o 5127 of 1848.

Political Department

From

A. Malet Esq^{re}
Chief Secy. to Government
Bombay

To

Major S. Hennell
Resident in the Persian Gulf
Dated 8th December 1848

N^o 10146

Sir

I am directed by the Right Honble the
Governor in Council to acknowledge the receipt of
your letter dated the 4th September last, N^o 277,
with enclosures, bringing to notice the partial
proceedings of His Highness Syed Soweny in res-
pect to the division of the property of a certain
Merchant and Banker of Muscat, named
Deirmisee, amongst his Creditors; and to transmit
for your information, copy of my letter of this
date to Captain Hamerton, Her Majesty's Consul
and Honble Company's Agent in the Dominions
of His Highness the Imam of Muscat, on
the

(663)

