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**‘Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company’s Solicitor at this Presidency.~’**

<b>Holding Institution</b>	British Library: India Office Records and Private Papers
<b>Reference</b>	IOR/F/4/2444/134207
<b>Date(s)</b>	5 Mar 1844-2 Jul 1851 (CE, Gregorian)
<b>Written in</b>	English in Latin
<b>Extent and Format</b>	1 item (25 folios)
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#### About this record

The item consists of copies and extracts of correspondence cited in, or enclosed with, an extract of a Political Letter from the Government of Bombay to the East India Company Court of Directors, 30 September 1851.

The item relates to a debate between Lieutenant-Colonel Justin Sheil, HM Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia [Iran], and William Acland, the Company's Solicitor, over the correct way of executing the will of Meerza Abul Hassan Khan Sheerazee [Mīrzā Abū al-Ḥasan Khān Shīrāzī], former Persian Minister for Foreign Affairs. Points debated include:

- Whether Acland, as power of attorney, has the right to withdraw and reinvest all capital and interest from the estate
- Whether he can charge commission to do so
- How the money owed to the executors of the will should be divided and paid.

The item includes a copy of a petition from Meerza Abul Hassan Khan Sheerazee's grandsons, Mirza Hady Khan [Mīrzā Hādī Khān] and Mirza Bankir Khan [Mīrzā Bāqir Khān] (ff 331 verso-332 recto), as well as quotes from the will (f 334) and copies of the power of attorney documents (ff 338-340 and ff 346-347).

The item also contains minutes by the Government of Bombay Council members.

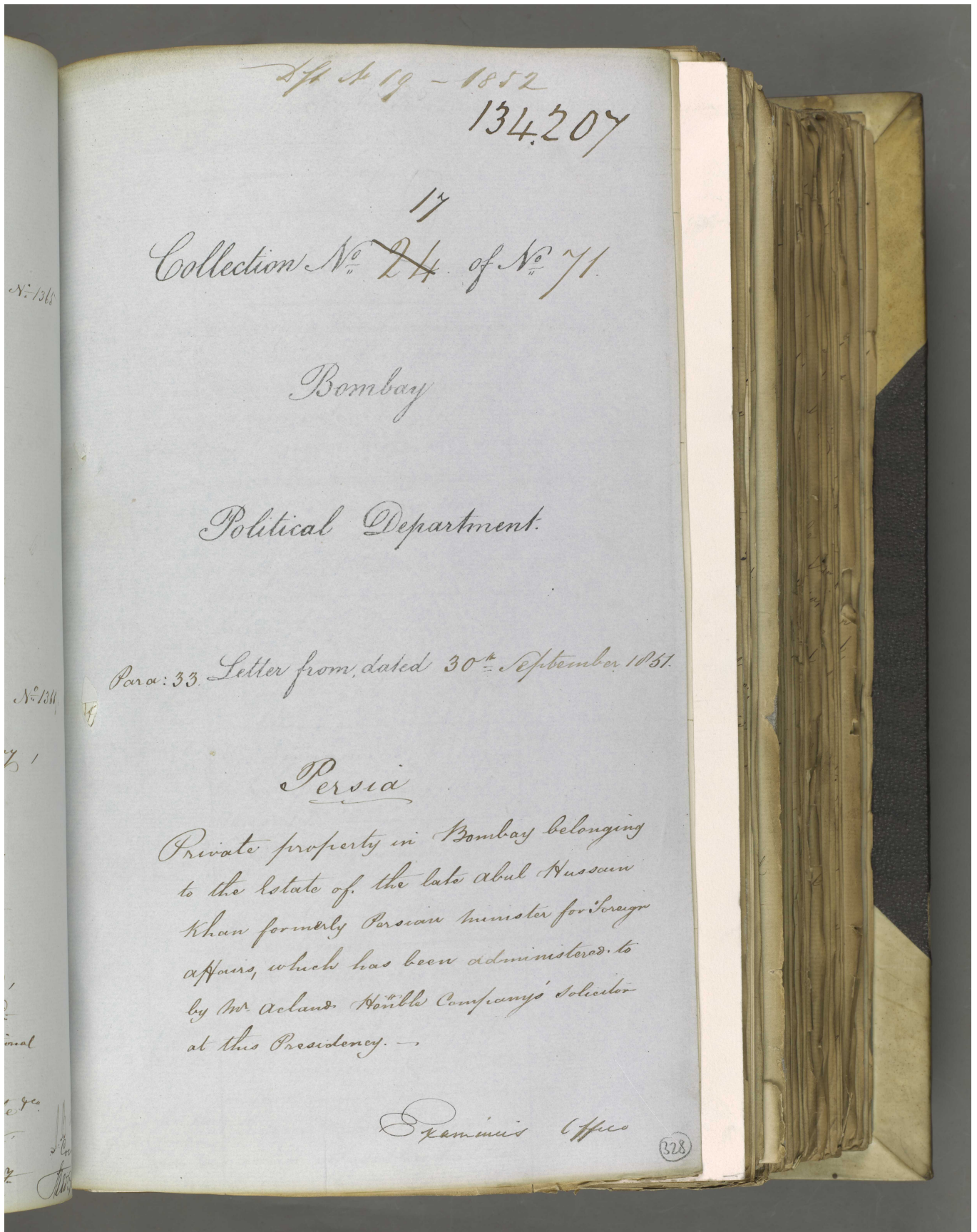
There are multiple spellings for individuals' names in the text.

Whilst the item contains copies of earlier material dating from March 1844, the majority of material dates from 1849-51.

The title page of the item contains the following references: 'Bombay Political Department', 'Draft No. 19 of 1852', 'Collection No 17 of No 71', and 'Examiner's Office'. Originally, the Collection number was given as '24' but this has been crossed out and replaced with '17'.

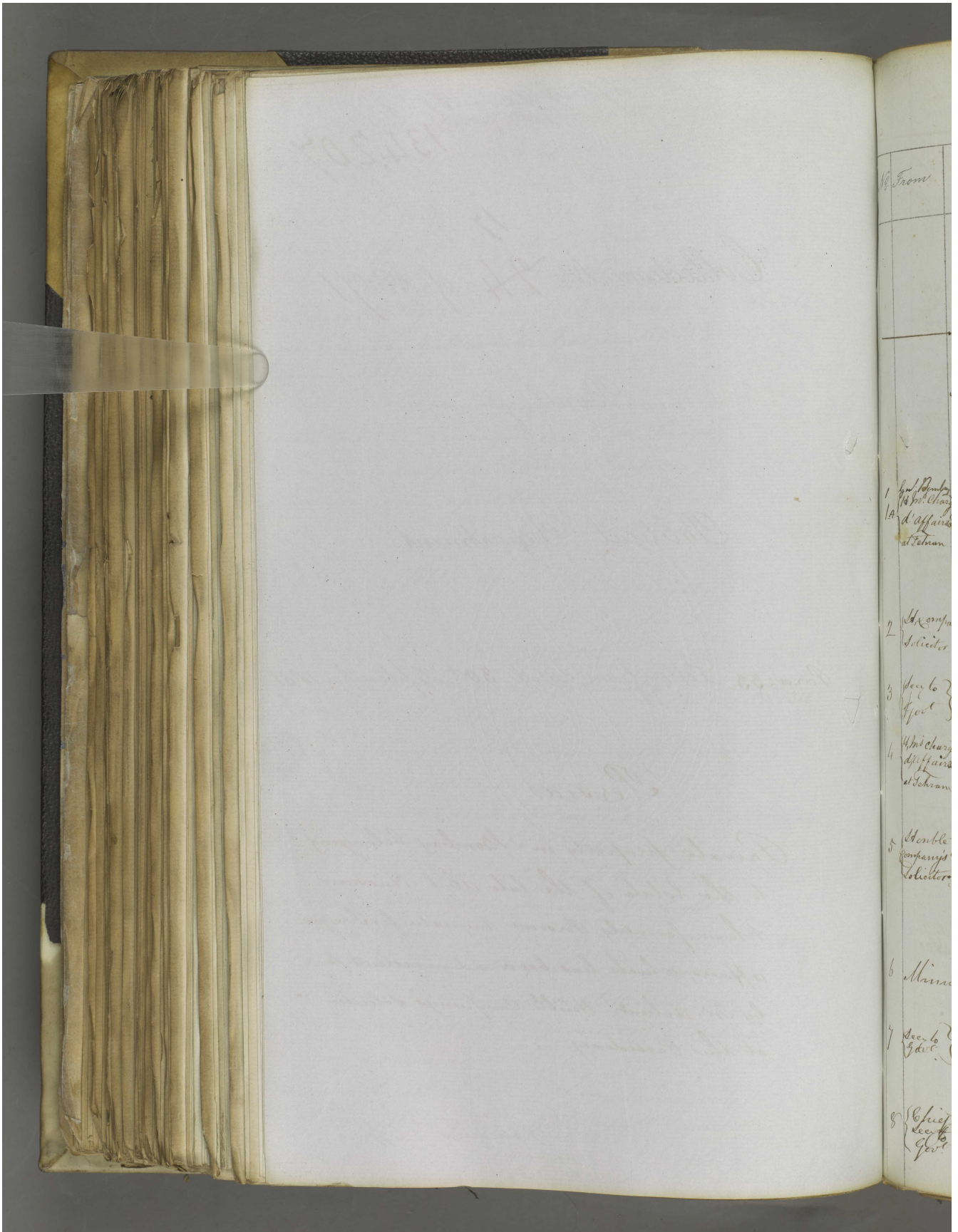


'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [328] (1/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [328] (2/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [329r] (3/50)

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No.	From	To	Subject	Date & No. of Decret.	Date & No. of Cons.
<u>Persia</u>					
Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr. Acland Hon[our]able Company's Solicitor at this Presidency					
1	Hon. Secy to Govt at Bombay	Chief Secy to Govt at Tehran	Forwards a petition from Meerza Shadec and Meerza Baucher relative to the property of the late Meerza Abul Hassan Khan	30 Sept 1850	1850
2	Hon. Secy to Govt at Bombay	Govt	Submits his report on the foregoing subject	Feb 12 1850	May 22 no 3675
3	Secy to Govt at Tehran	Hon. Secy to Govt at Tehran	Transmitting to him a copy of the above letter	Apr 17 no 149	no 3676
4	Hon. Secy to Govt at Tehran	Govt	Forwards a power of attorney from the heirs of the late Meerza Abul Hassan Khan	May 6 no 2097	no 3677
5	Hon. Secy to Govt at Bombay	Chief Secy to Govt	Requests to be furnished with copies of Col. Sheil's letter referred to in the reference to him no 1771 of 1850 and of its enclosures	May 17	Oct 9 no 3409
6	Minute by the Hon. Mr. Willoughby concurred in by the Hon. Mr. Blane			Sept 28 no 402	no 3410
7	Secy to Govt at Bombay	Hon. Secy to Govt at Bombay	Transmitting to him copies of the documents connected with Estate in question	Oct 2	Oct 9 no 3411
8	Secy to Govt at Bombay	Hon. Secy to Govt at Bombay	Informing him that the communication alluded to in his letter dated	11 8	no 3412

(329)

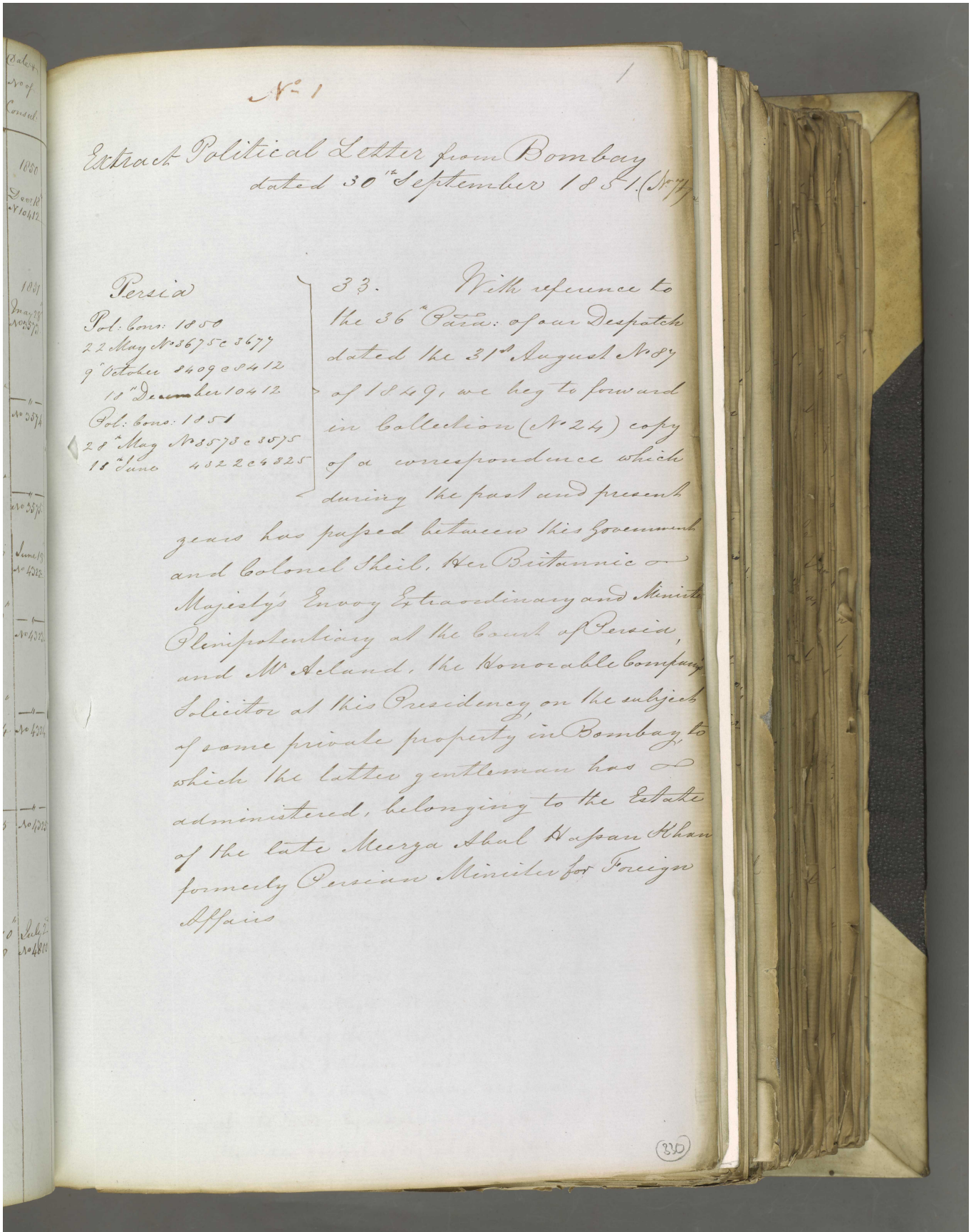


'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [329v] (4/50)

No	From	To	Subject	Date of No of Docu.	Date of No of Consul.
			dated the 28 <sup>th</sup> Sept <sup>r</sup> last, was forwarded to Coll: Sheil on the 6 <sup>th</sup> May preceding	1850 Decr 11 <sup>th</sup> No 6521	1850 Decr 18 <sup>th</sup> No 10412
9	Hon <sup>r</sup> Charg <sup>e</sup> d'affaires at Tehran	Chief Secy to Govt	Forwards copy of a letter be addressed to Mr Acland relative to the Estate of the late Meeza Abul Hoossein Khan to which he has received no answer	1851 Feby 6 <sup>th</sup>	1851 May 28 <sup>th</sup> No 2570
10	Minute by the	Right Hon <sup>ble</sup>	The Govern <sup>r</sup> concurred in by the Hon <sup>ble</sup> Messrs Blane and Bell	May 10	" No 2574
11	Chief Secy to Govt	Hon <sup>ble</sup> Company's Solicitor	Transmitting for his immediate ex- planation Copy of the letter from Coll: Sheil dated the 6 <sup>th</sup> February last	May 12 <sup>th</sup> No 1999	" No 2575
12	Hon <sup>ble</sup> Company's Solicitor	Chief Secy to Govt	Submits his explanation as requested in the foregoing communication	" No 2577	June 18 <sup>th</sup> No 4222
13	Minute by the	Right Hon <sup>ble</sup>	The Gov <sup>r</sup> concurred in by the Hon <sup>ble</sup> Messrs Blane & Bell	May 30 <sup>th</sup>	" No 4323
14	Chief Secy to Govt	Hon <sup>r</sup> Charg <sup>e</sup> d'affaires at Tehran	Transmitting to him copy of the letter from the Hon <sup>ble</sup> Company's Solicitor dated the 27 <sup>th</sup> Ultimo	June 9 <sup>th</sup> No 2424	" No 4324
15	Chief Secy to Govt	Hon <sup>ble</sup> Company's Solicitor	Informing him that Copy of his letter above alluded to has been sent to H <sup>r</sup> His Charge d'affaires at Tehran	" No 2425	" No 4325
16	Hon <sup>ble</sup> Company's Solicitor	Chief Secy to Govt	Acknowledges the receipt of Gov <sup>t</sup> letter No 2425 of 1851 forwarding a power of attorney in reference to the Estate of Abul Hoossein Khan	June 10 <sup>th</sup> No 280	July 2 <sup>nd</sup> No 4800
Recorded					
Bombay Castle 30 <sup>th</sup> September 1851			W. Mearns Chief Secretary		
Copied by M. A. R.					

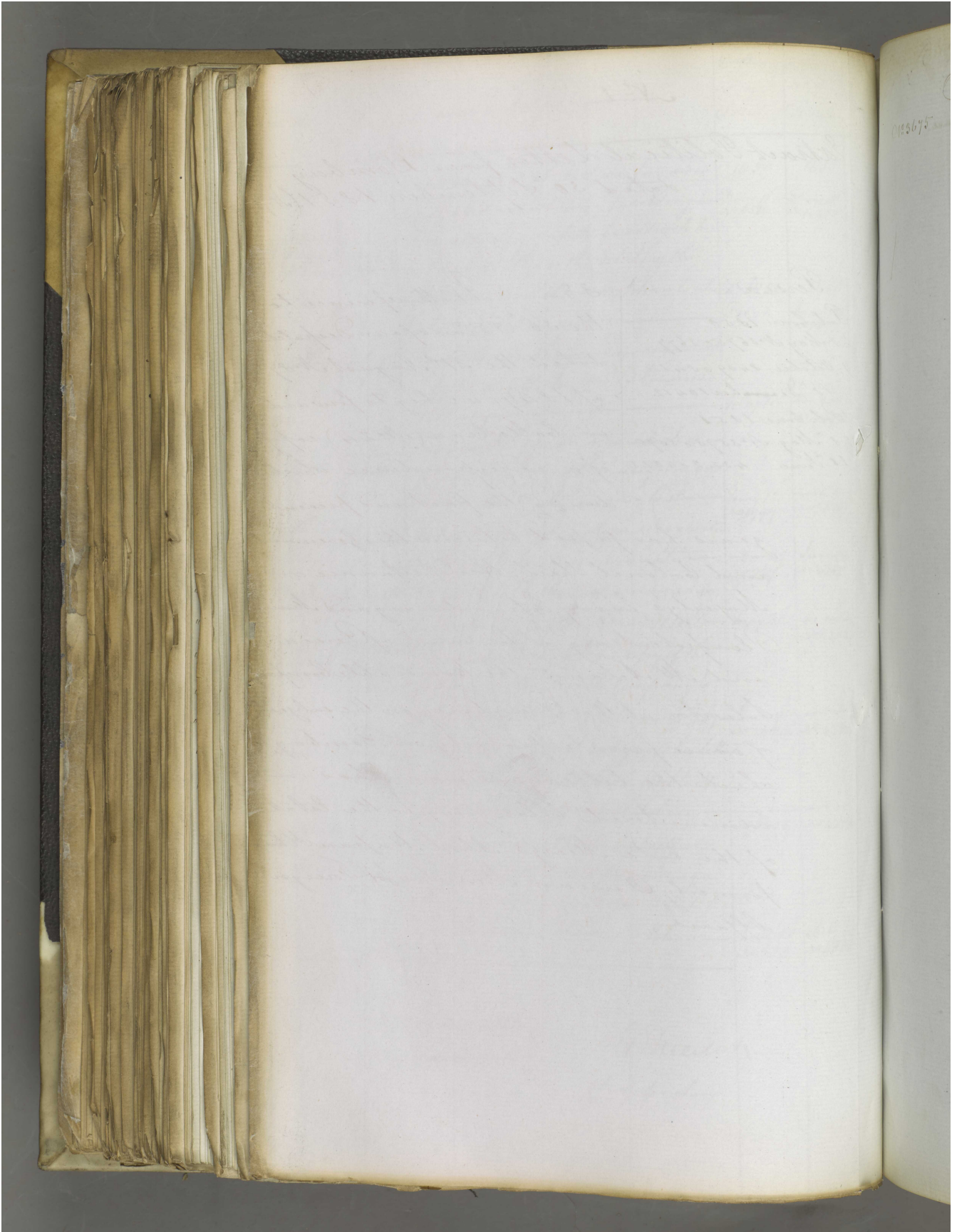


'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [330r] (5/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [330v] (6/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [331r] (7/50)

Extract Bombay Political

185675 N. 14 Consultation 22<sup>nd</sup> May 1850  
From Lieut. Colonel Justin Shiel.

To The Chief Secretary to the Government  
of Bombay  
Dated 12<sup>th</sup> February 1850

Sir I have the honor to enclose a petition addressed to His Lordship the Governor of Bombay by Meerza Ghader and Meerza Bankir, grandsons of the late Meerza Abul Hussain Khan, Persian Minister for Foreign Affairs, and part heirs of his property. -

The deceased Khan received from the British Government a pension, the greater portion of which he invested in the various loans of the Indian Government, under the superintendance of the Accountant General, in whose hands was deposited an authenticated copy of the will of Meerza Abul Hussain Khan. - One of the provisions of this testament was to the effect that the sum so deposited should remain in perpetuity in the hands of the Indian Government, the interest alone being permitted to be drawn. This interest the testator divided into three nearly equal portions, one to be appropriated to charitable and devotional purposes; another portion was bequeathed to the son of the testator, named Meerza Mehdee Khan; and the principal share of the remaining part was left to the petitioners, who are the sons of the last mentioned person, and consequently grandsons of the deceased.

By the advice of Mr. Acland the Company's solicitor in Bombay, a power of Attorney was executed here by the executors of the will to enable Mr. Acland to draw out the entire Capital from the Government funds and reinvest it in the name of Meerza Mehdee Khan. This it is alleged was done without the knowledge or consent of the petitioners. -

The petitioners complain of this transfer of the property to Meerza Mehdee Khan as a gross breach of the will, by which, not only the entire interest but the entire control of the whole Capital is placed at the disposal



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [331v] (8/50)

disposal of that gentleman, and they are thus deprived of the bequest left to them by their grand father.

They further complain that in committing this impo-  
tion of the Will Mr Acland has unjustly laid a claim of five per cent on the whole amount transferred, besides heavy law charges; none of which claims could have existed if the original irregularity of transferring the property to Mirza Mehmed Khan had not been Com-  
mitted.

As Mr Acland is the solicitor of the Government, the petitioners hope for the protection of His Lordship the Governor, both in causing the property to be placed out of the control of Mirza Mehmed Khan by being invested in the funds of the Government in its original state, and by interposing against the heavy and irregular charges, as they view them of Mr Acland.

Tehran } I have the honor to be Yrs  
February 12<sup>th</sup> - 1850 } signed/ Rustem Ahoil

Persian Department

Substance of a letter from Mirza Ghady Khan and Mirza Dautim Khan to the Right Honourable the Governor in Council, dated 15<sup>th</sup> February 1850.

Agreeably to the will of the late Hajee Mirza Ahoil Hussain Khan who was our grand father, the money which was deposited with the Honourable Company is to be kept there for ever and its interest is to be paid annually to his heirs according to the will and the Tuck-seem Namah both of which are authenticated by the Plenipotentiary at Tehran and copies of which are on the Honourable Company's records. We hear that some of the heirs and executors have drawn the money which was deposited in the name of our grand father, and have reinvested it in the name of Major Mehedy Khan who is one of the heirs. They have, contrary to the will of our grand father, made such arrangements as have placed the whole of the moneys and the interest thereof entirely at his (Mirza Mehedy Khan's) disposal. The other heirs are deprived of the money. One Mr Acland who

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'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [332r] (9/50)

who is one of the Officers of the Honourable Company and who has acted so irregularly, now demands a sum equal to 5 per cent on the original money which he has withdrawn contrary to the will of the deceased, and which he has re-invested in the name of Mirza Mehedy Khan. As this Fund was formed out of the Government pension, as it was deposited with Government, and as the present arrangement is opposed to the will of the deceased, we request your Lordship to issue instructions to the effect, that the original money be kept for ever in the Government Treasury according to the will mentioned by Colonel Skel, and that the interest thereon be paid to the heirs of the deceased according to the Fuzkoom Namah. Our shares are as follows. -

Mirza Ghady Khan's share from the interest of the original money is annually Rupees 1500

Mirza Danoo Khan's share from the interest of original money is annually Rupees 2000. -

We beg your Lordship will be pleased to order the above sums to be paid to our Agent Hojje Mahomed Husseem Sepahbanee alias Abbas Akhady in order that he may remit them to us.

Signed/ C. J. Irskine  
Deputy Secretary to Govt.

N<sup>o</sup> 1775 of 1850  
Political Department

Document to whom sent	For what purpose
Honourable Company's Solicitor	For report.

Bombay Castle  
16<sup>th</sup> April 1850.

By order of  
Signed/ H. C. Goldsmid  
Secretary to Govt.

N<sup>o</sup> 2  
15119 of 1850  
Political Department

N<sup>o</sup> 646 From William Acland Esquire  
Honourable Company's Solicitor

To



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [332v] (10/50)

To H. C. Goldsmid Esquire,  
Secretary to Government

Dated 17<sup>th</sup> April 1850

Sir I have the honor to reply to your reference

No 1475 of 1850. -

2<sup>d</sup> Colonel Shiel's letter is written under a mis-  
-apprehension of facts.

3<sup>d</sup> I lately received a letter from him to the same  
effect as that received by the Government to which I  
replied by a letter dated the 4<sup>th</sup> of March, and I should  
have thought that after writing to me he would have  
waited to receive my reply, and not in the mean time  
have addressed the Government, especially in a tone  
having the appearance of implying a complaint.

4<sup>th</sup> Copies of his letter to me and of my reply are  
annexed, and for the information of Government I may  
make the further following remarks.

5<sup>th</sup> Some time ago the original Will of the deceased  
Persian he mentions, Meerza Abul Hussain Khan,  
was sent to me from Persia with a power of Attorney  
from the Executors, to prove the Will in the Bombay  
Court and obtain administration with the Will an-  
-nexed, a course necessary to enable the Executors to  
deal with certain Government paper in Bombay belong-  
-ing to the estate.

6<sup>th</sup> The Supreme Court granted administration of the  
estate to me with the Will annexed, under the Power  
of the Executors, under which I took charge of the  
property belonging to the estate, and advertised for  
debts and claimants in the usual course of administra-  
-tion.

7<sup>th</sup> The Will, which was made in Persia, is very  
diffuse and difficult to construe and having consulted  
with Counsel here and taken the opinion of Counsel  
in England upon the course I sought to pursue in  
administering the property, I forwarded to Colonel Far-  
-rant the British Charge d'affaires in Persia, in  
the absence I believe of Colonel Shiel from Persia,  
authorities for signature by the Executors, which

Copied by [unclear]



**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [333r] (11/50)**

I had had carefully settled by Counsel in Bombay with reference to the Will under which I proposed, in accordance with what appeared to be the proper course, to transfer two thirds of the Government estates in Bombay into the name of Mirza Mehdi Khan, one of the Executors and the heir of the testator resident in Persia - and to remit the interest of the remaining third to Persia to be applied for charitable purposes, to which it appeared the testator intended to devote the interest of the remaining third.

9<sup>th</sup> I sent these authorities to Colonel Tarrant, that if the Executors concurred in that view, they might be signed by them and be returned to me, but I drew his attention - particularly to the construction of the Will and the nature of the powers - that if the Executors took a different view of the intention of the testator they might state their views.

9<sup>th</sup> Colonel Tarrant returned these authorities signed - without any suggestion that the Executors took a different view, and I should have made the transfers authorized by them, but the Persian agents of the parties here entertained a doubt respecting the correctness of this course.

10<sup>th</sup> On receiving communications from those agents I abstained from acting on the authorities (which Colonel Shiel erroneously supposes were acted on) and wrote again to Colonel Tarrant with copies of the letters I had received - and requested he would communicate with the parties and forward me further instructions.

11<sup>th</sup> No answer was received by me from Colonel Tarrant, but a short time ago I received the above mentioned letter from Colonel Shiel - stating his view to the same effect as stated in the letter Government has received as to the disposition of the estate. -

12<sup>th</sup> I answered his letter as I have stated, on the 14<sup>th</sup> March, expressing doubt respecting the correctness of his views, and informing him that the impression he was under (and which from his letter to Government he still seems to be under, not having yet received my letter of the 14<sup>th</sup> March) that any part of the estate has been transferred to Mirza Mehdi Khan the testator's heir is altogether incorrect, the authorities sent me thro' Colonel Tarrant by the Executors not  
(333) having



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [333v] (12/50)

having been acted on by me for the reasons above stated.~

16<sup>th</sup> So however great responsibility attaches to the due administration of the estate, I suggested to him, as Government will perceive, that if the Executors pleased they might authorize me to transfer the whole fund into the joint names of the three Executors (after which the Executors might authorize any agent they pleased to receive & remit the interest according to their instructions, and on their own responsibility administer the estate as they thought right.)

13<sup>th</sup> With this letter as Government will perceive I have sent a form of authority by which, if the Executors think fit, they may authorize this, in succession of the former authorities sent me.

14<sup>th</sup> The two Persians whose petition is attached to Colonel Shiel's letter and who claim to be interested in the estate, appear to be under the same misapprehension as Colonel Shiel in supposing that two thirds of the estate have been transferred to the testator's heir.

15<sup>th</sup> Caution with reference to the claims of these parties is more especially required from me, because they are not the Executors of the will (under whose authority and as whose agent I am acting) and because, as appears from Colonel Shiel's letter to me, they claim under a separate paper which has not been sent to me, and which has not been proved here as part of the Will.~

16<sup>th</sup> The paragraph of Colonel Shiel's letter to me, also which purports to quote from the Will, is not in perfect accordance with the language of the Will, as it appears in the official translation made by the Court interpreter.

17<sup>th</sup> The Government may be assured that I shall endeavour to act strictly in the way the law requires for the due administration of the estate, and not without my view of my duties as administrator being fortified by the opinion of Counsel.

18<sup>th</sup> Upon the subject of Commission adverted to in Colonel Shiel's letter no other Commission than the legal Commission of 5 per Cent has been charged, which the law allows to Indian administrators acting under such letters



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letters of administration as do not come within the operation of the act lately passed, which this administration does not, the act having been passed subsequently to the date of this administration.

19<sup>th</sup> I am awaiting an answer to my letter of the 14<sup>th</sup> March from balant Seel, which when he receives it, will remove the erroneous impression he is under respecting the transfer of the property belonging to the estate, which still remains in the testator's name, accumulating interest, which I have reinvested for the benefit of the estate.

Bombay 17<sup>th</sup> April 1850. I have the honor to be Dear Sir,  
Signed William Acland  
Honble Company's Solicitor

I return the original papers. Signed W. Acland  
Teheran January 15<sup>th</sup> 1850

Sir With reference to your letter, dated January 1849 to the address of Sieut balant Sarrant it appears that you understand by the Will of the late Meerza Abul Hussain Khan, two thirds of his property to belong to his son Meerza Mehdee Khan; and from what his agent in Bombay has written it would appear that you have transferred that amount to the name of Meerza Mehdee Khan, which as far as I am able to judge gives him the sole control of the said two thirds of his father's property.

As far as I understand the Will it appears that Meerza Mehdee Khan is not entitled to touch any portion of the principal but merely one third of the interest; as you will observe from the following Memorandum of the Will.

In the body of the Will it is written - after (my) death the whole of this money (in Government securities) to remain with them according to the custom of the Company; the interest to be received yearly according to custom; one third of that interest to be appropriated to expenses on my account, the remaining interest to be paid to Meerza Mehdee Khan, his children and other relations according to the detail in a separate paper



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [334v] (14/50)

paper.

The separate paper alluded to runs thus - from the interest of my money, to be spent on my account - annually Tomans 500. 0. 0.

To be paid annually to Meerza Mehdee Khan 500. 0. 0.

To a Wife (since deceased) " 150. 0. 0.

" Meerza Hadi, Grandson " 150. 0. 0.

" Meerza Bankier do " 100. 0. 0.

" Mariam Begum Granddaughter " 100. 0. 0.

" Dilbarum Yehanne Wife " 50. 0. 0.

To be spent on the vault of a Meerza Fekhee Khan deceased Grandson } " 50. 0. 0.

To Relations in Shiraz " 150. 0. 0.

To Agha Nazary, Grandson " 150. 0. 0.

Total Tomans 2500. 0. 0.

which some Meerza Abul Hassan Khan supposed would be the annual amount of interest on his money in Government securities.

Meerza Mehdee Khan's Agent in Bombay has also written that you make a claim of 5 per Cent on the whole amount of Meerza Abul Hassan Khan's money - as this appears to me to be a very heavy charge I shall be obliged by your informing me whether it is the customary per Centage authorized by the Law Court of Bombay. - But if what I have presumed above be correct it would seem that Meerza Abul Hassan Khan's money should not have been invested in his son's name.

I have the honor to be Very  
Signed/ Justin Sheel

P. S. I observe by the 7<sup>th</sup> Paragraph of your letter that you have obtained from the Executors here a Power of Attorney authorizing you to transfer two thirds of Meerza Abul Hassan Khan's money to the name of his son Meerza Mehdee Khan, which appears to me to be an entire breach of the Will both as regards transferring the two thirds and also with respect to paying him two thirds of the interest.

Copied by Am...  
To



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [335r] (15/50)

To His Excellency  
Sir Justin Smith

Sir I have the honor to acknowledge your letter of the 17<sup>th</sup> of January 1860.

Your impression that any portion of the property of the late Mirza Akbar Hussain Khan has been transferred by me to the name of Mirza Mehdee Khan is incorrect - I have waited before making any transfer to hear in answer to my letter of the 8<sup>th</sup> September 1859 to Colonel Farrant and have therefore not yet acted on the authorities referred to in the postscript to your letter under a acknowledgment -

Presuming that your letter expresses the views of the Executors it would appear that they do not now consider that any portion of the principal sum belonging to the estate should be placed in the name of Mirza Mehdee Khan alone, which was not stated to me when they sent the powers above alluded to altho Solicitor Colonel Farrants attention to the question of the correctness of the powers in my letter forwarding the forms.

The construction of the Will is not free from doubt and it is not clear to me that the mode of carrying out the Will by the Executors, as I read it and as explained by Mohammedan law as we understand it here is not to transfer two thirds of the estate to Mirza Mehdee Khan, leaving him to perform any trusts which may attach upon such two thirds.

That however is a question for the Executors, and for their decision in Persia - and if they now desire that none of the funds should be placed in the sole name of Mirza Mehdee Khan, I would suggest, as a convenient course for them to adopt, to authorize me to transfer the whole fund into the joint names of these three Executors - and to place the securities so transferred in the hands of the Accountant General and sub treasurer for safe custody -

If this is done they may then by their joint power authorize any agent they please to receive and remit



**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [335v] (16/50)**

remit the Interest according to their instructions and they will be able to apply the Interest as they consider the Will requires.

Assuming that they may feel disposed to adopt this course I transmit a form of power of attorney to authorize me to do this.

In the schedule to the power is contained a list of the securities. To avoid loss of Interest I have made purchases of new Securities with the accruing Interest.

I should they however rather that the principal fund should remain in its present state of investment and the Interest be received and paid over or remitted by me you will perhaps be so kind as to alter the power, but in such case it must distinctly state to whom I am to pay the Interest or how and to whom I am to remit it.

With reference to the 5<sup>th</sup> para of your letter the commission which has been always allowed by the Courts in England and India to English Executors and Administrators in India has been 5 per Cent on all assets principal and Interest which come to their hands.

I am  
Dear Sir  
Signed William Acland  
Bombay 3  
14<sup>th</sup> March 1850.  
P. S. I hope that Mahomed Kooloo Khan will be able to sign for himself, but if Aga Mahomed signs for him let him sign in this way.

Signed Mahomed Kooloo Khan

by  
Aga Mahomed  
his attorney

The power should bear the parties seals as well as signatures and you will perhaps have the kindness to attest the signature the parties should also sign the schedule.

Signed William Acland

N<sup>o</sup> 3  
From H. E. Goldsmid Esquire  
Secretary to the Government of Bombay  
Political Depart<sup>ment</sup>

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**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.-' [336r] (17/50)**

To His Ex: Lieut Colonel Justice Shih b. D.  
His H. M's Envoy Extraordinary and Minister  
Plenipotentiary at the Court of Persia Tehran  
Dated 6<sup>th</sup> May 1860.

Sir I am directed by the Right Honourable the  
Governor in Council to acknowledge the receipt of your letter  
dated the 12<sup>th</sup> February last, forwarding a Petition from  
Meerza Hodee and Meerza Dauter, relative to the  
property of the late Meerza Abul Hassan Khan, and  
in reply to transmit to you copy of a letter from Mr  
Acland the Honourable Company's Solicitor, dated  
the 17<sup>th</sup> Ultimo, explanatory of his proceedings complained  
of by the petitioner.

I have the honor to be Sir,  
Signed H. C. Haldenid  
Secretary to Govt.  
Bombay Castle  
6<sup>th</sup> May 1860

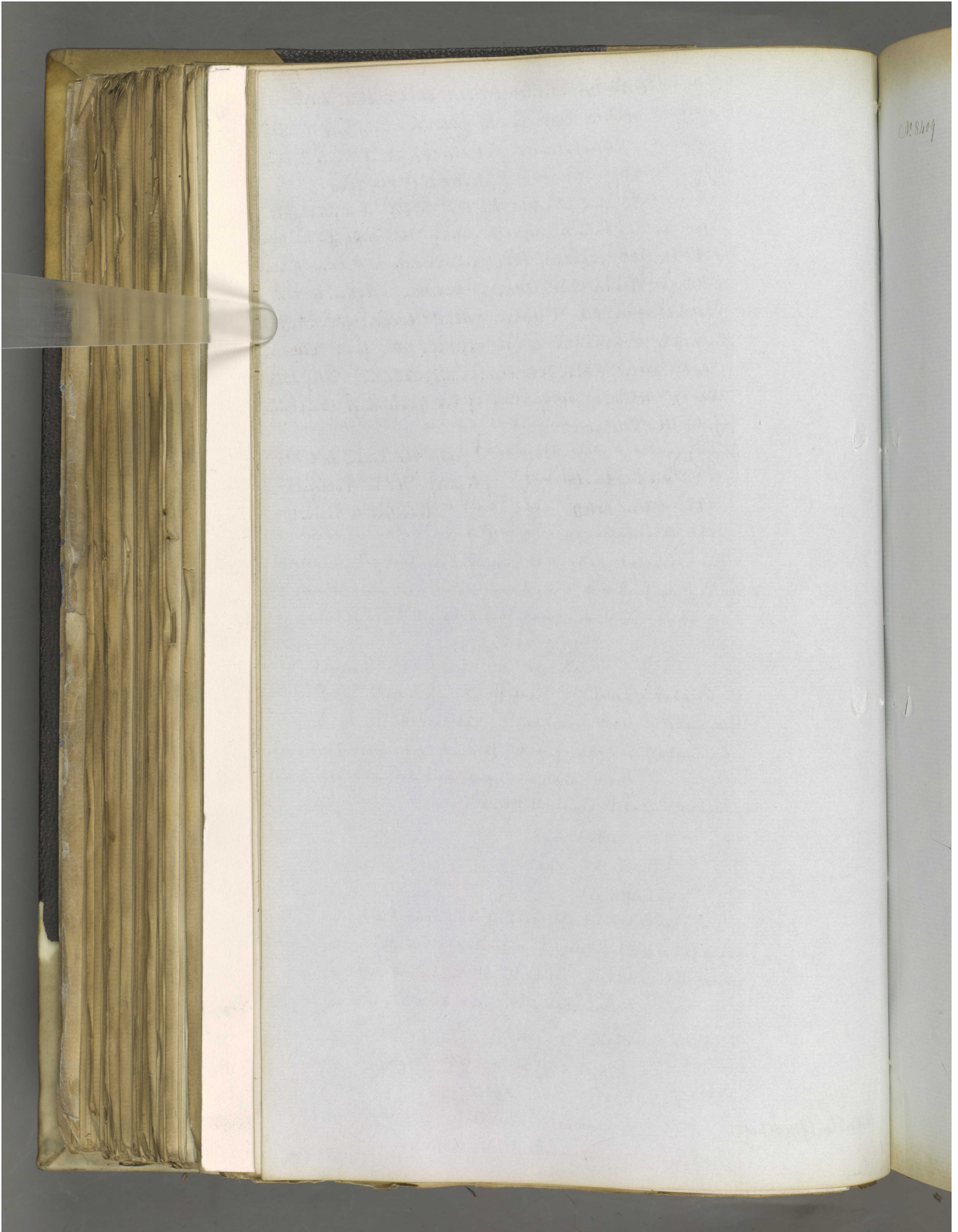
Believed by (Mudamaza)

Ch  
Mann

(336)

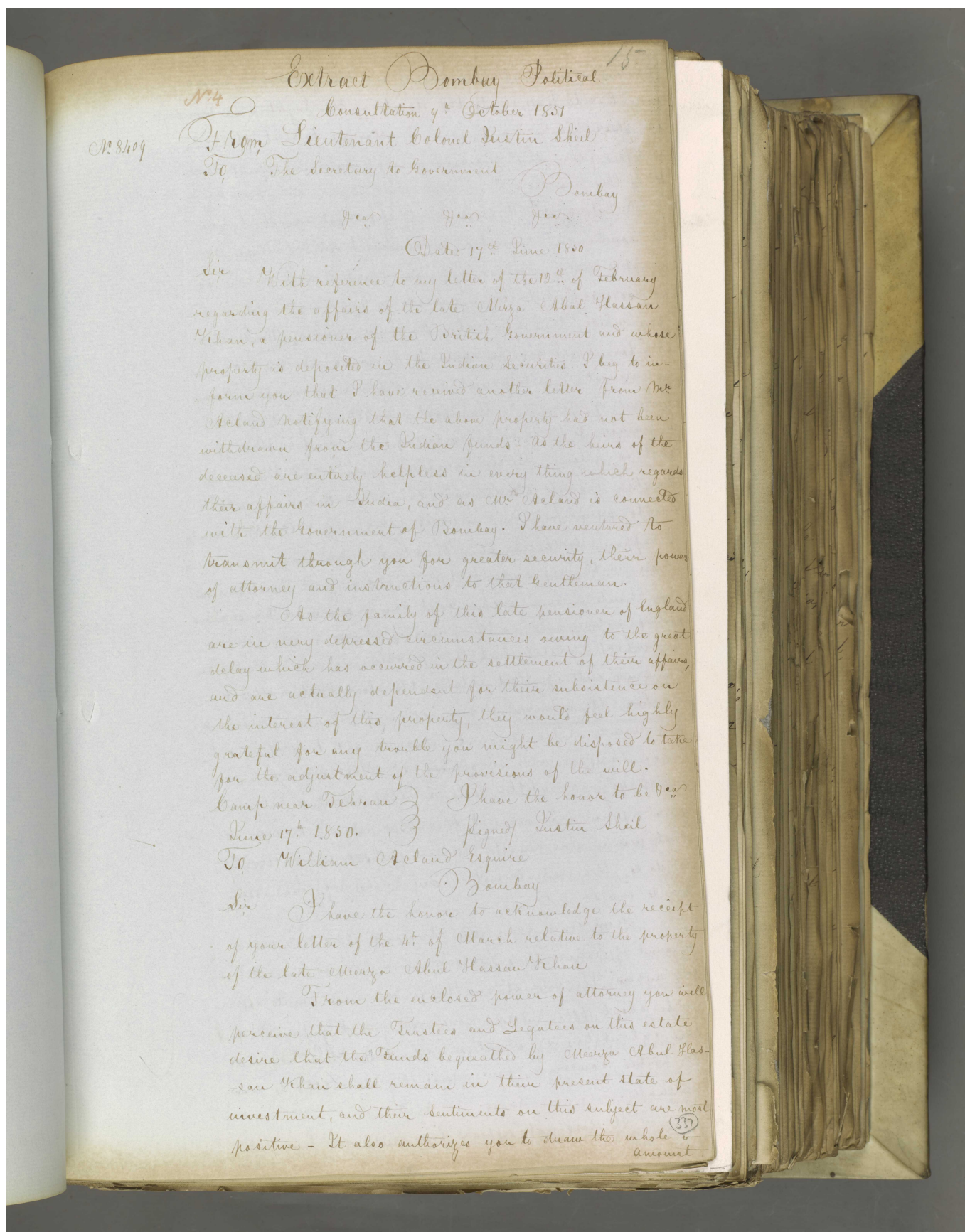


**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [336v] (18/50)**





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [337r] (19/50)



Extract Bombay Political  
Consultation 9<sup>th</sup> October 1851  
From Lieutenant Colonel Justice Shail  
To The Secretary to Government Bombay  
Year Year Year

Dated 17<sup>th</sup> June 1850

Sir With reference to my letter of the 12<sup>th</sup> of February regarding the affairs of the late Mirza Abul Hussain Khan, a pensioner of the British Government and whose property is deposited in the Indian Securities I beg to inform you that I have received another letter from Mr Acland notifying that the above property had not been withdrawn from the Indian funds. As the heirs of the deceased are entirely helpless in every thing which regards their affairs in India, and as Mr Acland is connected with the Government of Bombay. I have ventured to transmit through you for greater security, their power of attorney and instructions to that gentleman.

As the family of this late pensioner of England are in very depressed circumstances owing to the great delay which has occurred in the settlement of their affairs, and are actually dependent for their subsistence on the interest of this property, they would feel highly grateful for any trouble you might be disposed to take for the adjustment of the provisions of the will.

Camp near Dehraun } I have the honor to be Dear  
June 17<sup>th</sup> 1850. } Signed Justice Shail  
To William Acland Esquire

Bombay  
Sir I have the honor to acknowledge the receipt of your letter of the 4<sup>th</sup> of March relative to the property of the late Mirza Abul Hussain Khan

From the enclosed power of attorney you will perceive that the Trustees and Legatees on this estate desire that the Funds bequeathed by Mirza Abul Hussain Khan shall remain in their present state of investment, and their sentiments on this subject are most positive - It also authorizes you to draw the whole amount



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [337v] (20/50)

Amount of interest accruing from the principal sums invested to pay it to the Agents of the Segates in Bombay on their producing powers of attorney to that effect, & certified from this Mission and of a date subsequent to the 10<sup>th</sup> of this month.

With regard to the amount of interest invested by you in Government securities amounting to 50,500 Rupees; the Segates are of opinion that, you should not have done so, as this yearly interest is necessary for their livelihood and for which they have already given Bills - You will therefore be so good as again to draw out the 50,500 rupees you invested and to pay it over to the persons appointed by Powers of attorney by the Segates as their Agents. With reference to the Commission of 5 per cent which you state is allowed by the Courts of England and India and English Executors & Administrators in India, on all assets principal and interest which come to their hands, It appears to the Segates that this is too large a remuneration with reference to the 50,500 rupees Bankers and Merchants charge one per cent Commission on transactions of this nature, and as this sum of 50,500 rupees is not a part of the estate but the private property of the Segates arising out of that estate, it is clear that in this transaction the ordinary Commission of Bankers, Merchants and Agents is the amount which ought to be charged to them. They are also of opinion that the Commission to which you are entitled will be that arising only from your again drawing out the 50,500 rupees, because as that money was invested by you without the authority to do so, there should not be any charge of Commission for its investment.

From your Schedule it would appear that the amount of principal is 544,100 rupees besides a residue of 529 rupees. The interest on the former sum would appear to be about 16,000 rupees a year, I beg to be informed if this calculation is correct, in order that I may acquaint the parties concerned, how much they are entitled to draw annually.

It does not appear how much you have been paid



**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [338r] (21/50)**

paid for Commission how much the Testamentary expenses amounted to, and from what money they were drawn - I beg you will be so good as to give me the necessary information on this subject that I may acquit the parties concerned.

I hope that no further delay will occur in the settlement of this affair, that the Legates may be enabled to draw regularly the sums to which they are entitled and thereby relieve themselves from the difficulties into which they have hitherto been thrown.

From an account current furnished by the Accountant General and Sub Treasurer of Bombay to the late Mirza Abul Hassan Khan dated the 15<sup>th</sup> of Nov<sup>r</sup> 1847, the following list is added showing an aggregate sum of 465,600 Sicca and Company's rupees as the total amount of Government securities belonging to the estate.

List of the Public Securities belonging to the estate of Mirza Abul Hassan Khan deposited here

5	per	Cent of 1825/26-17	Notes aggregating	Rs	122,500	
11	"	do " 1832/33-73	"	"	82,400	
11	"	do " 1835/36-46	"	"	48,600	
5	"	do " 1841/42-44	"	"	12,800	
4	"	do " 1842/43-45	"	"	97,800	
				125	Notes aggregating	Rs 365,600

I shall be obliged by your informing me how the great difference between this amount and that detailed in your schedule viz 544,100 Rupees has occurred.  
Camp near Tehran June 17<sup>th</sup> 1851.  
I have the honor to be Dear Sir  
Yours faithfully  
J. P. Acland

To all to whom these presents shall come Makhdoon Khan Khan Khan Shirkh Abdul Ali and Mirza Mehdi Khan, all Mahomedan Nations of Persia send greeting whereas Mirza Abul Hassan Khan, former late Minister for Foreign Affairs at the Court of Persia, departed this life at a village near Tehran in Persia on or about the fourth day of August in the Christian year one thousand eight hundred and forty

(338) six



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [338v] (22/50)

leaving a will dated the 5<sup>th</sup> day of March one thousand eight hundred and forty four duly made according to the Laws of Persia, and whereas the said Mahomed Kooloo Khan, Mirza Shiekh Esbedal Ali, and Mirza Mehdee Khan were appointed executors and whereas the said Testator at his decease left property in Bombay consisting of Monies invested in Government papers of various loans of the East India Company and the Interest accruing in respect thereof. And whereas by a Power of Attorney dated the fifteenth of June one thousand eight hundred and forty eight and signed and sealed by the said Shiekh Abdul Ali and Mirza Mehdee Khan, and by one Agha Mahomed the attorney on behalf of the said Mahomed Kooloo Khan who had been appointed to act for the said Mahomed Kooloo Khan in his absence from Tehran, William Acland of Bombay Esquire was appointed attorney, to take all necessary steps for establishing the said <sup>will</sup> in Bombay and for obtaining Probate of the same from the Supreme Court of Judicature at Bombay or letters of administration with the same annexed and whereas on the eighteenth day of December one thousand eight hundred and forty eight, letters of administration of the goods Chattels rights and credits of the said testator with the said will annexed were granted by the said Court to the said William Acland. And whereas the property belonging to the estate of the said testator in Bombay consisted on the first day of March in the year of Christ one thousand eight hundred and fifty of the several Government securities enumerated in the Schedule hereto and Rupees five hundred and twenty nine annas seven and pies eight being the residue of the estate after payment of testamentary expenses, administrators commission and a sum of eight hundred and seventy rupees, fifteen annas and eight pies paid by the said administrator to the Bombay Government on account of an over payment of the said testators provision, and interest on

Copied by M. Acland



**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [339r] (23/50)**

in the said securities is according. Now these presents witness that the said Mahomed Yusoff Khan Yezar Sheikh Abdul Ah, and Meerza Mahdoe Khan, desire that the said securities detailed in the Schedule shall remain in their present state of investment and they hereby authorize empower and request the said William Acland Esquire to draw the interest according in the same, and pay it over to their Agent, and the Agents of the Legation who have been authorized by Powers of attorney to receive their respective shares.

In witness whereof the said Mahomed Yusoff Khan Yezar Sheikh Abdul Ah, and Meerza Mahdoe Khan have hereunto set and subscribed their hands and seals this 16<sup>th</sup> day of June in the Christian year one thousand eight hundred and fifty.

Signed sealed and delivered  
by the above named in the  
presence of  
Signed Wm Taylor Thomson  
1<sup>st</sup> Attaché to Her Majesty's

Legation in Persia  
Signed Joseph Reed  
Clerk to Her Majesty's  
Legation in Persia

The seals attached below are the seals of the Legation which are necessary according to Persian Law.

Schedule  
339



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [339v] (24/50)

*Schedule referred to  
in the foregoing Power*

<i>Note 182264 of 1534 for Licaa Rupes</i>			
13891 of 6666		9000	" "
9312		2800	" "
10592		16,000	" "
11590		5,000	" "
11938		14,200	" "
11939		5,000	" "
11942		5,000	" "
11995		5,000	" "
11995		15,000	" "
11996		6,500	" "
11996		5,000	" "
12011		10,000	" "
12012		19,000	" "
12914		5,000	" "
14336		7,000	" "
14747		3,000	" "
14750		7,000	" "
7497 of 2223		600	" "
2275		4,600	" "
2276		4,600	" "
2277		20,000	" "
2278		22,000	" "
2613		7,000	" "
6576		500	" "
6577		700	" "
6765		7,000	" "
7514		12,000	" "
9153		17,000	" "
9427		16,000	" "
10694		1,000	" "
8753 of 10862		2800	" "
11006		17,000	" "
12491		1,600	" "
13054		15,000	" "
1568 of 10261		1,000	" "
13533		1,000	" "
13965		1,600	" "
14827		1,600	" "
16916		2,000	" "
17268		1,600	" "
221	<i>for Company's Rupes</i>	1,700	" "
752		1,700	" "
1031		1,700	" "
1982 of 1714		1,700	" "
3790 of 1910		1,700	" "
1951		1,700	" "
1954		500	" "
2561		1,000	" "
2262		500	" "
2902		1,500	" "

*57-67 Jan. of 1525/26*

*57-67 Jan. of 1525/26*



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.' [340r] (25/50)

Schedule (Continued) 21

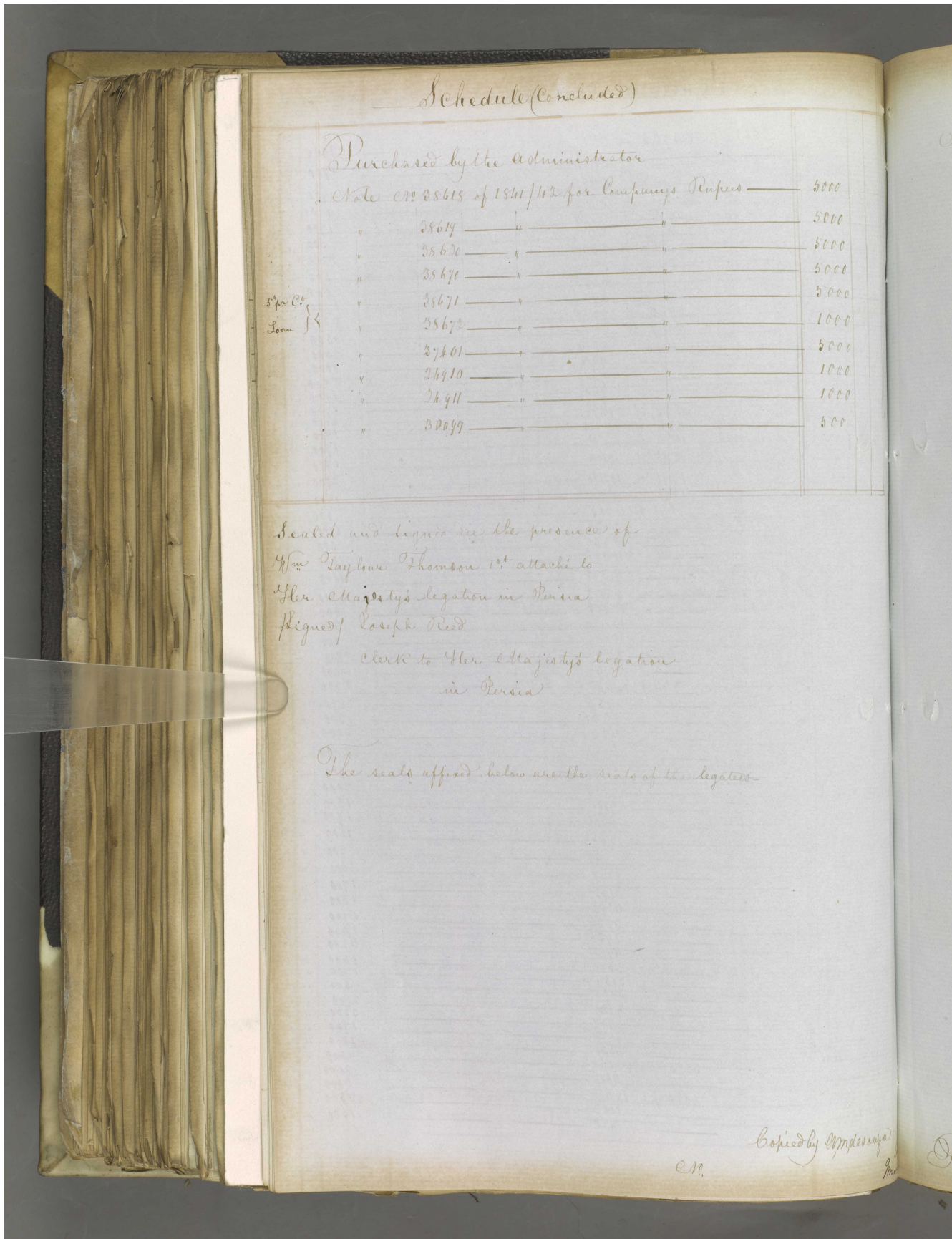
Note 124755 of 3315 for Company's Dupes

	3883	2000	"
	2735	1700	"
811 of	2767	1700	"
	2879	4000	"
	4386	1700	"
	5595	500	"
	5553	3800	"
	6625	500	"
	6962	2000	"
3728 of	7788	1700	"
4667 of	8000	1300	"
	8414	2000	"
	9414	1000	"
	9619	2200	"
	9937	1000	"
	9986	1700	"
1595 of	16712	2600	"
1601 of	10112	1700	"
1602 of	20	1700	"
1596 of	10112	1700	"
1591 of	10111	2700	"
1592 of	20	1700	"
2016 of	10315	500	"
	10370	1700	"
	10967	500	"
	10987	1800	"
	11091	1000	"
	11575	3900	"
	12002	1800	"
	12189	1800	"
	13058	500	"
1089 of	13645	1800	"
	13692	4000	"
5744 of	15052	2500	"
	11502	1800	"
	23225	1300	"
	42411	2000	"
	5276	2000	"
	5980	1700	"
	7055	2000	"
	7118	1200	"
	8201	1700	"
	9658	1100	"
	247	700	"
	1889	2600	"
	3195	1700	"
	3292	1300	"
	3635	1700	"
	3956	2400	"
	4963	5200	"
	5012	1000	"
	5054	1700	"
	6166	600	"
	7246	2700	"
	7787	3500	"
	7878	1700	"
	6611	1000	"
	2060	2000	"
3575 of	1605	3000	"
4020 of	18154	1500	"
	1889	1500	"
	1620	1500	"

340

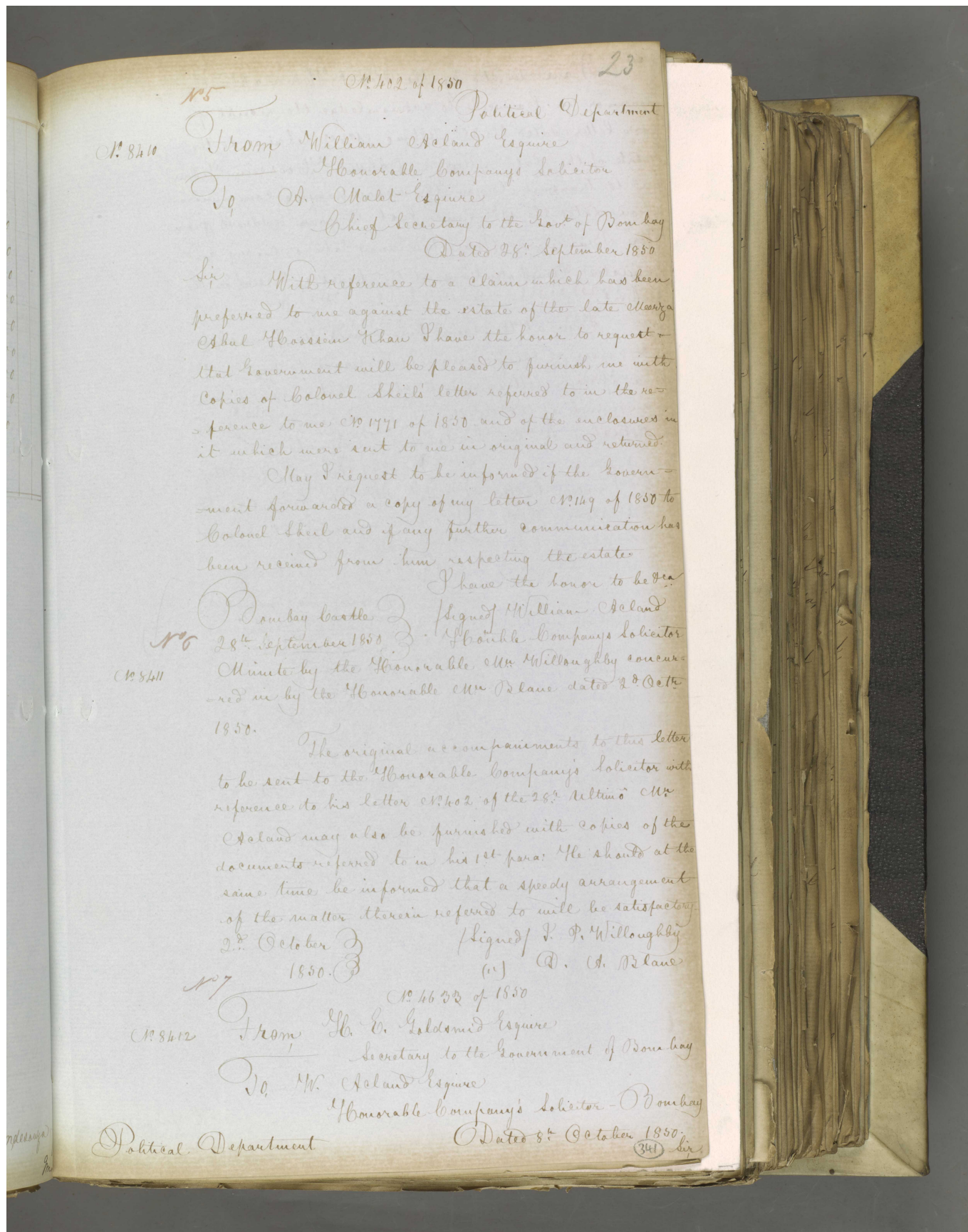


'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [340v] (26/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.' [341r] (27/50)



23

No 402 of 1850

Political Department

No 8410 From William Acland Esquire  
Honorable Company's Solicitor  
To A. Malet Esquire  
Chief Secretary to the Govt of Bombay  
Dated 28<sup>th</sup> September 1850

Sir With reference to a claim which has been preferred to me against the estate of the late Muzza Ashul Hussain Khan I have the honor to request that Government will be pleased to furnish me with copies of Colonel Shiel's letter referred to in the reference to me, No 1771 of 1850 and of the enclosures in it which were sent to me in original and returned.

May I request to be informed if the Government forwarded a copy of my letter No 149 of 1850 to Colonel Shiel and if any further communication has been received from him respecting the estate.

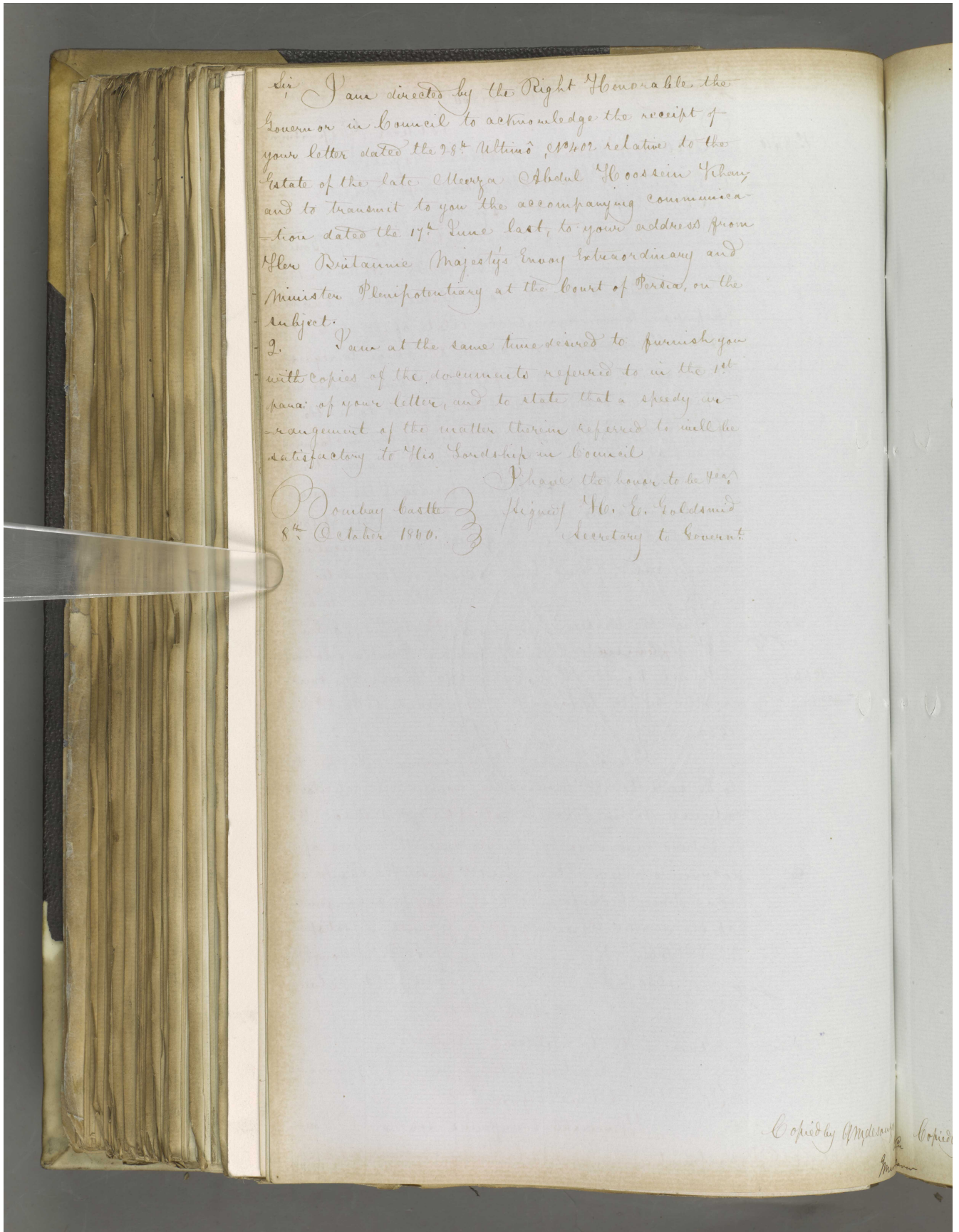
No 8411  
Bombay Castle, 28<sup>th</sup> September 1850. I have the honor to be pleased signed by William Acland Esquire  
Honorable Company's Solicitor  
Minutes by the Honorable Mr Willoughby concurred in by the Honorable Mr Deane dated 28<sup>th</sup> Oct 1850.

The original accompaniments to this letter to be sent to the Honorable Company's Solicitor with reference to his letter No 402 of the 25<sup>th</sup> Ultimo Mr Acland may also be furnished with copies of the documents referred to in his 1<sup>st</sup> para. He should at the same time be informed that a speedy arrangement of the matter therein referred to will be satisfactory.  
2<sup>nd</sup> October 1850. Signed J. P. Willoughby  
(1) A. A. Deane

No 8412  
From H. V. Goldsmid Esquire  
Secretary to the Government of Bombay  
To Mr Acland Esquire  
Honorable Company's Solicitor - Bombay  
Dated 5<sup>th</sup> October 1850.  
Political Department



**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [341v] (28/50)**



Sir I am directed by the Right Honorable the  
Governor in Council to acknowledge the receipt of  
your letter dated the 28<sup>th</sup> Ultimo, 1840, relative to the  
estate of the late Meerza Abul Hossain Khan  
and to transmit to you the accompanying communi-  
cation dated the 17<sup>th</sup> June last, to your address from  
Her Britannic Majesty's Envoy Extraordinary and  
Minister Plenipotentiary at the Court of Persia, on the  
subject.

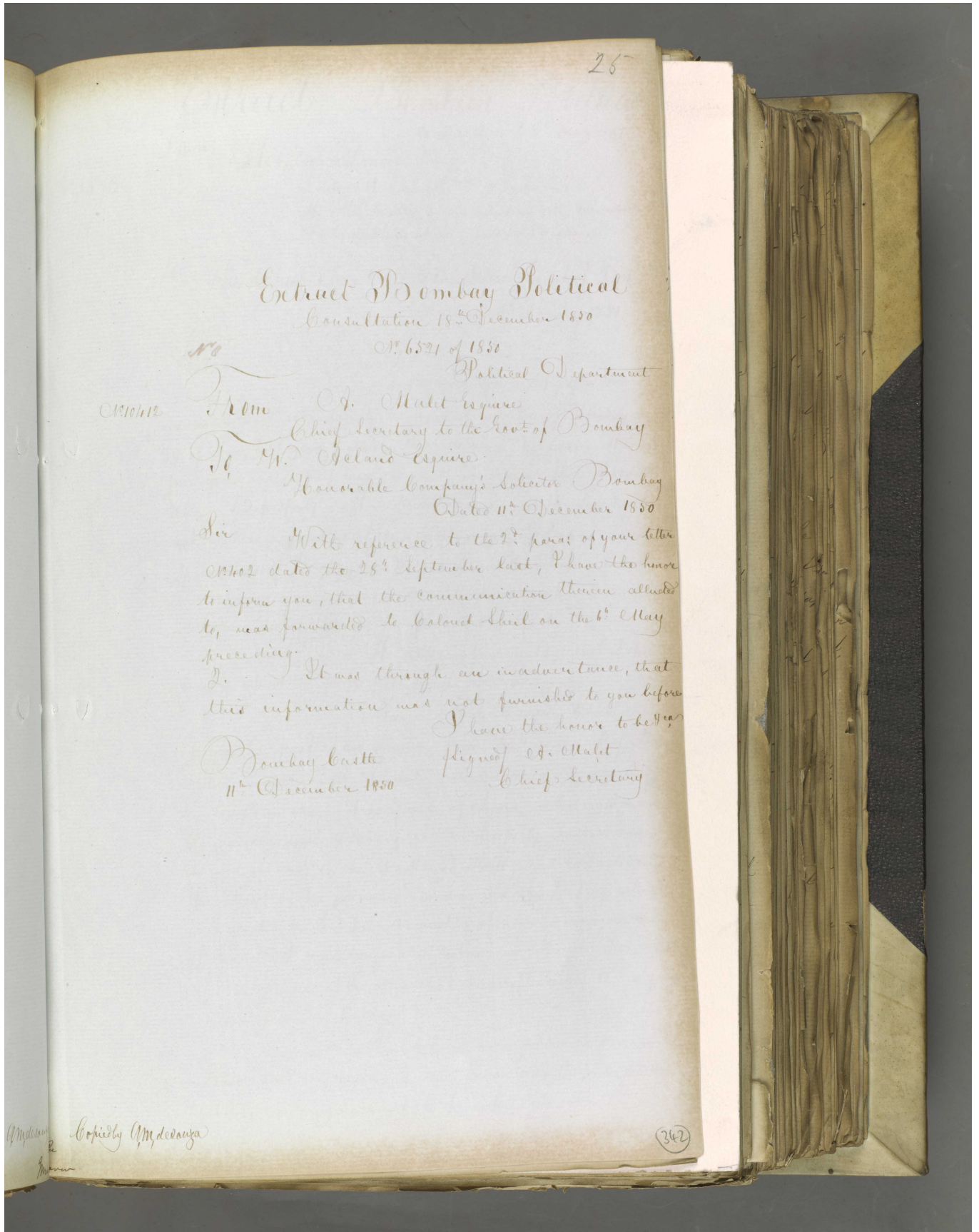
I am at the same time desired to furnish you  
with copies of the documents referred to in the 1<sup>st</sup>  
para of your letter, and to state that a speedy ar-  
rangement of the matter therein referred to will be  
satisfactory to His Lordship in Council.

I have the honor to be Dear Sir,  
Bombay Castle } H. E. Goldsmid  
8<sup>th</sup> October 1840. } Secretary to Government

Copied by [unclear] Copied by [unclear]



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [342r] (29/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [342v] (30/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.-' [343r] (31/50)

27  
No. 3573 Extract Bombay Political

Consultation 28<sup>th</sup> May 1851

From, His Excellency  
Lieutenant Colonel F. Heil  
H. M.'s Envoy Extraordinary and Minister  
Plenipotentiary at the Court of Persia.-

To The Chief Secretary to the Government of Bombay  
Dated the 6<sup>th</sup> February 1851

Sir,

I beg to send you a copy of a letter I addressed to Mr. Acland, the Government solicitor of Bombay on the 17<sup>th</sup> of June last year to which I have received no answer. It is now four years and a half since the death of Meerza Abul Hassan Khan; his property is not in litigation, and yet the Legates have not received a fraction of their rights, and unless His Lordship the Governor of Bombay has the benevolence to interpose his authority it is not easy to assign a period when they are likely to be put in possession of their income from this property.

It may be of advantage that I should briefly repeat the principal points of this affair.-

Meerza Abul Hassan Khan allowed the greater part of his pension from the Government of India to accumulate in that Country, and caused the proceeds to be lodged in the debt or funds of India in his own name. He made a will declaring that this property should remain "to the end of time" in the Company's Stock; and he partitioned the interest in the following manner. One third of the interest was devoted to charitable bequests; of the remainder one third of the interest was bequeathed to his son Meerza Moshir Khan and the interest of the other third was left chiefly to his grandchildren (sons of the above).

Mr. Acland having been made administrator took into his hands the "funds and property of the estate", meaning no doubt the principal and interest.-

This (34)







'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [344r] (33/50)

29  
names of the three Executors; but he candidly left open the only legitimate course, as I view the matter, of leaving the property in its present state of investment, that is in the name of the deceased, the interest to be drawn by Mr Acland and paid over to the Agents of the Legates.~

On the 17<sup>th</sup> of June 1850 I wrote to Mr Acland enclosing a Power of attorney from the Executors and Legates enjoining him to allow the property to remain in its present state of investment; that is in the name of the deceased. To that letter I have received no answer, and I therefore have the honor to enclose another Power in the hope that the Right Honorable the Governor of Bombay may be induced to cause it to be carried into effect, as well as to obtain the restitution of the Securities to the custody of the Accountant General and Sub-Treasurer.~

I hope His Lordship will concur in the opinion that no right exists on the part of Mr Acland to claim five per cent on the entire property. He removed the Securities from the custody of the Government Agents contrary to the intention of the testator, and ought not, I conceive to benefit by an irregularity.~ As the amount of the Property is considerable, upwards of three and a half Lacs, the interest is of consequence to the Legates, who for four and a half years have been deprived of their Property.~

A considerable sum in interest, 55,500 Rupees reached the hands of Mr Acland, which without any authority he<sup>n</sup> invested in Government Securities, forgetting that the Legates required it for their subsistence.~

I have interfered in this matter because the Legates are perfectly helpless, and because I indulge a hope that His Lordship the Governor will protect the family of a man who received a pension for his services to Government.~

The Legates now subsist by borrowing

money  
344



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [344v] (34/50)

money at the enormous interest customary in this Country.

Tehran  
6<sup>th</sup> February 1851

Have the honor to be  
Signed Justin Sheil

already given

William Acland Esquire

of  
of

Bombay

Sir,

I have the honor to acknowledge the receipt of your letter of the 4<sup>th</sup> of March relative to the property of the late Meerza Abul Hussain Khan.

From the enclosed Power of attorney you will perceive that the trustees and Legates on this estate desire that the funds bequeathed by Meerza Abul Hussain Khan shall remain in the present state of investment, and their sentiments on this subject are most positive. It also authorizes you to draw the whole amount of interest accruing from the principal sums invested and to pay it to the Agents of the Legates in Bombay on their producing powers of attorney to that effect certified from this mission of a date subsequent to the 10<sup>th</sup> of this month.

With regard to the amount of interest invested by you in Government securities amounting to 33,500 Rupees, the Legates are of opinion you should not have done so as the yearly interest is necessary for their livelihood, and for which they have already given bills. You will therefore be so good as to again draw out the 33,500 Rupees you invested and pay it over to the persons appointed by Powers of attorney by the Legates as their agents.

With reference to the Commission of five per Cent which you state is allowed by the Courts of England and India on all assets Principal and interest which come into their hands, it appears to the Legates that this is too large a remuneration. Bankers and merchants charge one per Cent commission on transactions of this nature, and as this sum of 33,500 Rupees is not a part of the Estate but the private property

As per  
Pugh's  
L. B. Jm



**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [345r] (35/50)**

71  
property of the Legates arising out of that Estate, it is clear that in this transaction the ordinary commission of Bankers, Merchants and Agents is the amount which ought to be charged to them. The Legates are also of opinion that the Commission to which you are entitled will be that arising only from your again drawing out the 33,500 Rupees; because as that money was invested by you without the authority to do so there should not be a charge of Commission for its investment.

From your Schedule it would appear that the amount of principal is 344,100 Rupees, besides a residue of 529 Rupees. The interest on the former sum would appear to be about 11,000 Rupees a year; I beg to be informed if this calculation is correct, in order that I may acquaint the parties concerned how much they are entitled to draw annually.

It does not appear how much you have been paid for Commission; how much the testamentary expenses amounted to and from what money they were drawn. If you will be so good as to give me the necessary information on this subject, that I may acquaint the parties concerned.

I hope that no further delay will occur in the settlement of this affair and that the Legates may be enabled to draw regularly the sums to which they are entitled and thereby relieve themselves from the difficulties into which they have been thrown.

In an account current furnished by the accountant General and Sub-treasurer of Bombay to the late Meerza Abul Hassan Khan dated the 15<sup>th</sup> of November 1847, the following list is added showing an aggregate sum of 3,63,600. Sicca and Company's Rupees as the total amount of Government Securities belonging to the Estate

"List of the Public Securities belonging to the Estate of Meerza Abul Hassan Khan deposited here"



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [345v] (36/50)

5 per Cent 1825/26	—	17	Notes aggregating Sicca	Rs	132,500
4 per Cent 1832/33	—	23	do	do	82,400
4 do 1835/36	—	46	do	do	98,600
5 do 1841/42	—	24	do	do	42,300
4 do 1842/43	—	15	do	do	27,800
		<u>125</u>	Notes aggregating	Rs	<u>363,600</u>

I shall be obliged by your informing me how the great difference between this amount and that detailed in your Schedule viz 344,100 Rupees has occurred.

Camp near Tehran  
June 14<sup>th</sup> 1850

I have the honor to be  
Signed  
J. Thiel

Refusing  
Signature of B.  
J. Thiel



**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [346r] (37/50)**

To all to whom these presents shall come, Mahomed Koolce Khan, Rajjar, Sheik Abdul Ally, and Meerza Mehdee Khan, all Mahomedan natives of Persia, send Greeting. Whereas Meerza Abdul Hassan Khan Sheerazee, late Minister for Foreign Affairs at the Court of Persia, departed this life at a village near Tehrum Persia, on or about the fourth day of August, in the Christian year one thousand eight hundred and forty six leaving a Will dated the fifth day of March, one thousand eight Hundred and forty four, duly made according to the laws of Persia, and whereof the said Mahomed Koolce Khan, Rajjar, Sheik Abdul Ally and Meerza Mehdee Khan were appointed Executors; and Whereas the said testator at his decease left property in Bombay, consisting of monies invested in Government Paper of various loans of the East India Company, and the interest accruing in respect thereof. And Whereas by a power of attorney dated the fifteenth of June one thousand eight hundred and forty eight, and signed and sealed by the said Sheik Abdul Ally, Meerza Mehdee Khan, and by one Aga Mahomed, the attorney or agent of the said Mahomed Koolce Khan, who had been appointed to act for the said Mahomed Koolce Khan in his absence from Tehrum, William Acland of Bombay, Esquire, was appointed attorney, to take all necessary steps for establishing the said Will in Bombay, and for obtaining Probate of the same from the Supreme Court of Judicature at Bombay, or Letters of Administration with the same annexed; and Whereas on the eighteenth day of December one thousand eight hundred and forty eight, Letters of Administration of the goods Chattels, rights, and Credits of the said testator, with the said Will annexed, were granted by the said Court to the said William Acland, And Whereas the property belonging to the Estate of the said testator in Bombay, consisted on the first day of March

in.  
(346)



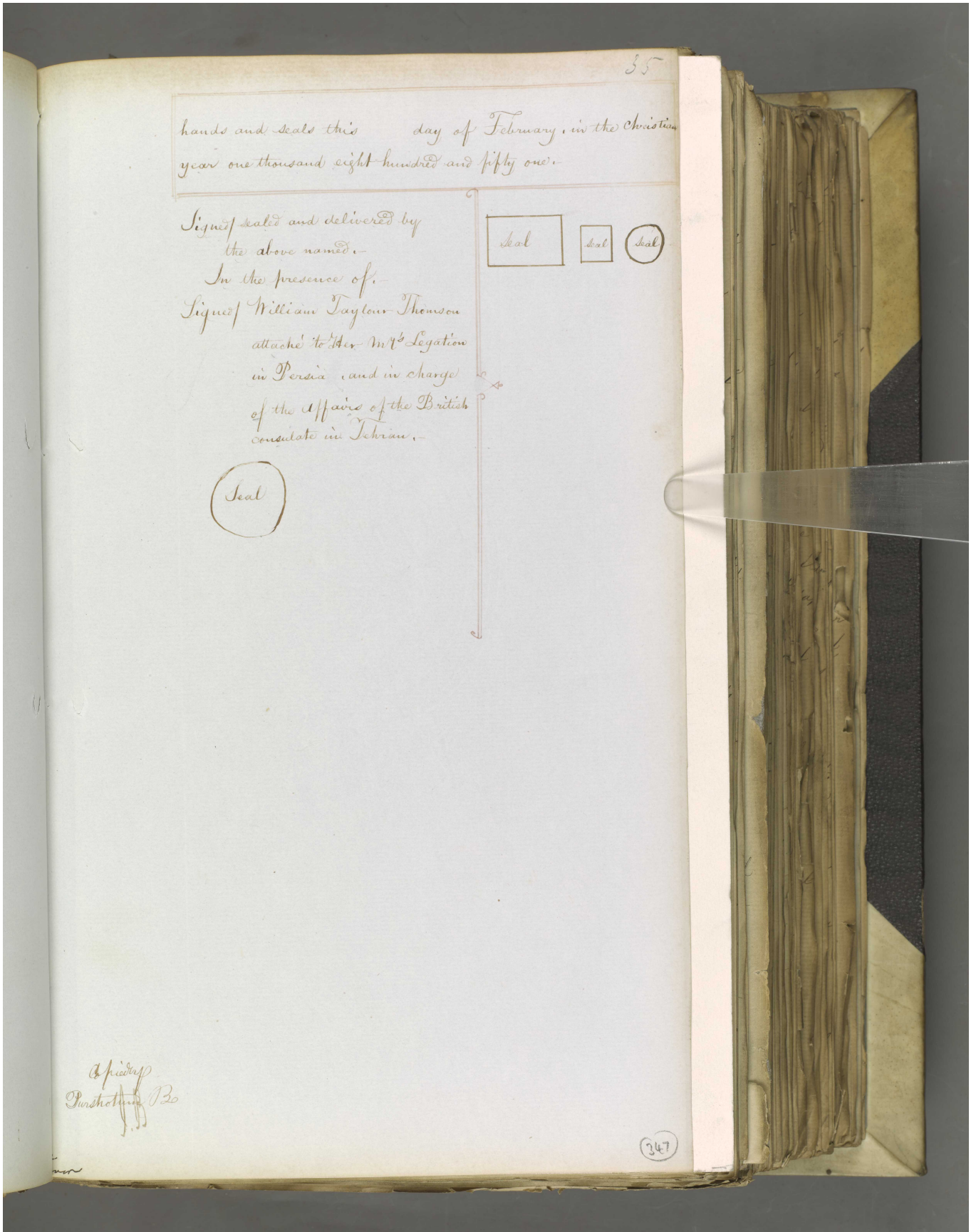
'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [346v] (38/50)

in the year of christ one thousand eight hundred and fifty of the several Government securities enumerated in the Schedule hereto, and Rupees five hundred and twenty nine, Annas seven, and pies eight being the residue of the Estate after payment of testamentary expenses, administrators' commission, and a sum of eight hundred and seventy Rupees-fifteen Annas, and eight pies paid by the said Administrator to the Bombay Government on account of an over payment of the said testator's pension, and interest on the said securities is accruing. Now these presents witness that the said Mahomed Kooler Khan, Kajjar, Sheikh Abdul Ally, and Meerza Mehdee Khan, desire that the said securities detailed in the Schedule, shall remain in their present state of investment, and they hereby authorize, empower, and request, the said William Acland Esquire to place the same for safe custody in the hands of the Accountant General and Sub Treasurer at Bombay, and to pay such balance as shall remain in his hands, subject to such future charges, if any, as may be incurred in respect of the administration of the said estate to the Accountant General and Sub Treasurer at Bombay.

In Witness whereof, the said, Mahomed Kooler Khan, Kajjar, Sheikh Abdul Ally, and Meerza Mehdee Khan, have hereunto set and subscribed their  
hands



**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [347r] (39/50)**



35  
hands and seals this day of February, in the Christian  
year one thousand eight hundred and fifty one.

Signed sealed and delivered by  
the above named.

In the presence of.

Signed William Taylor Thomson  
attache to Her M<sup>ty</sup> Legation  
in Persia and in charge  
of the Affairs of the British  
consulate in Tehran.

Seal Seal Seal

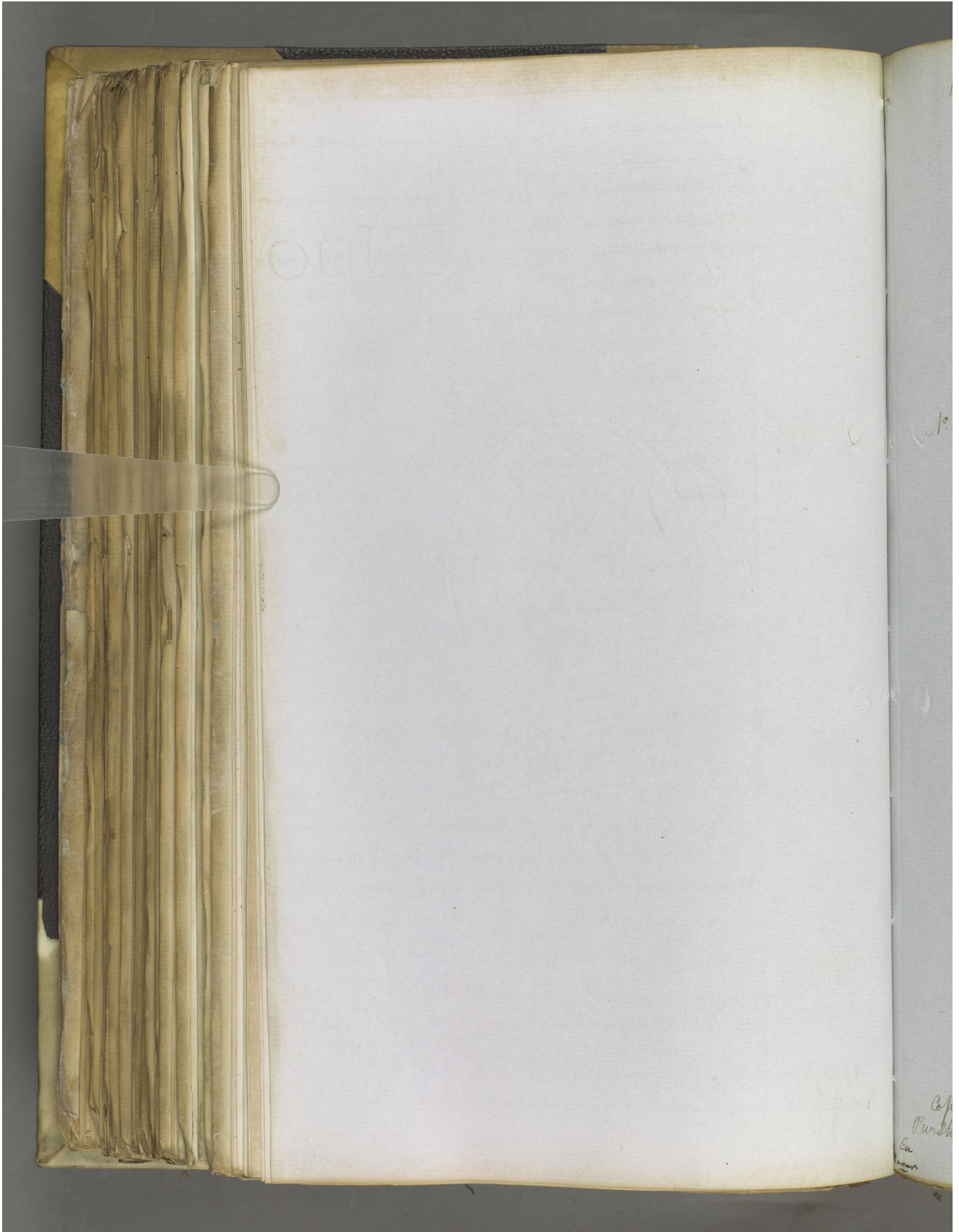
Seal

Apud  
Purshapur 1851

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'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [347v] (40/50)

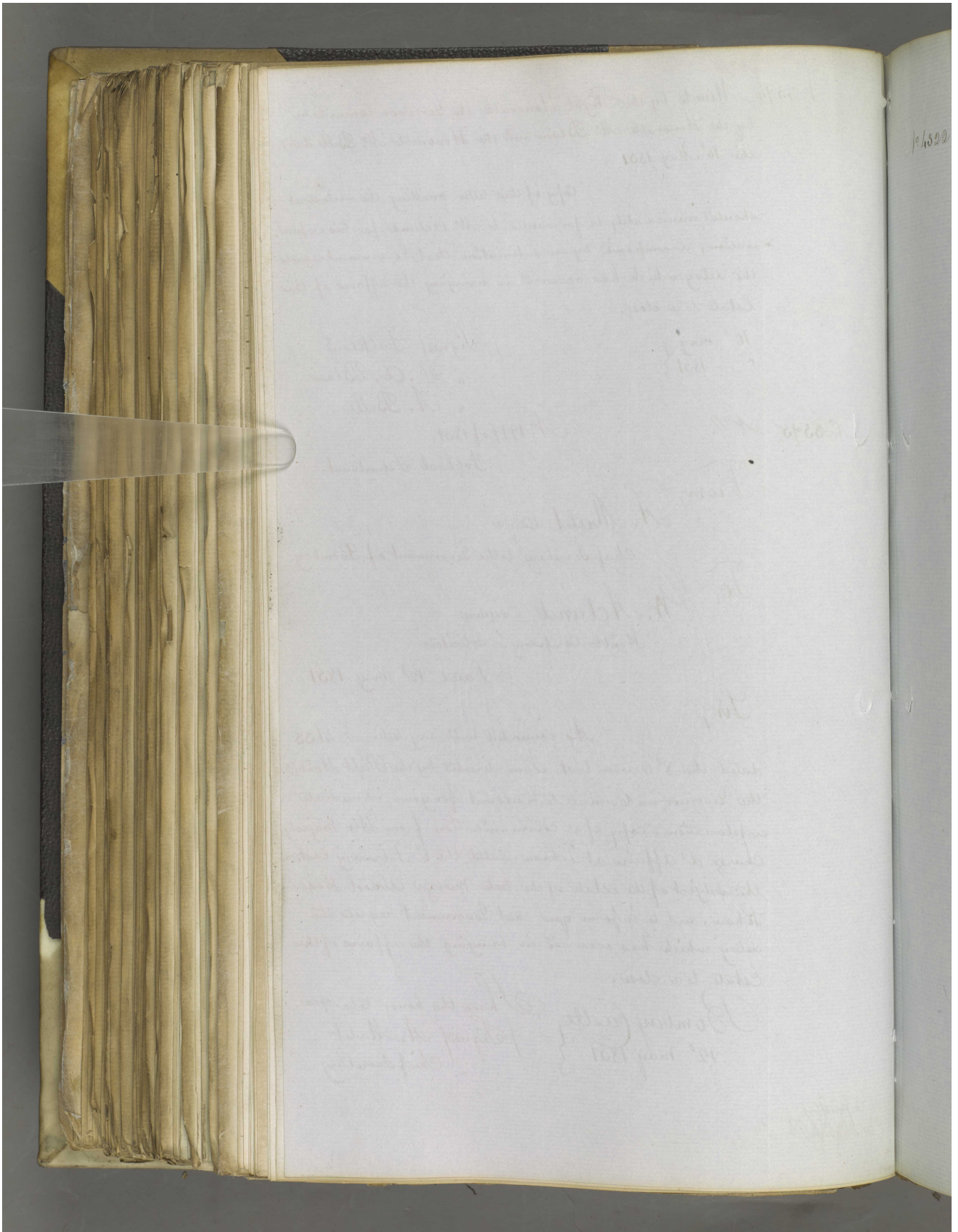








**'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [348v] (42/50)**





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [349r] (43/50)

Extract Bombay Political

Consultation 18<sup>th</sup> June 1851

No 257 of 1851.

No 1322

From, W. Acland Esquire  
Honble Company's Solicitor

To, A. Malet Esquire  
Chief Secretary to Government

Dated 24<sup>th</sup> May 1851

Sir,

I have the honor to acknowledge your letter of the 12<sup>th</sup> May instant No 1999, with copy of a letter from Colonel Sheil dated 6<sup>th</sup> February 1851.

I share the regret of Government as to the delay relative to the estate Colonel Sheil writes of, and since administration was granted to me I have been endeavouring to obtain proper authorities from Persia, which I should be furnished with before paying or remitting money on account of the estate, the parties interested residing in Persia.

In my letter No 149 of 1850 I informed Government of having forwarded to Persia a form of authority suggesting the transfer of the securities to the joint names of the Executors, which seemed and still seems to me a proper course. This power was returned by Col. Sheil with his letter of the 14<sup>th</sup> June signed by the Executors and altered so as to desire me to pay over the Interest to their agent and the agents of the legacies who have been authorized by powers of attorney to receive their respective shares, and Col. Sheil's letter which accompanied it requested me to honour powers certified by his mission and of a date subsequent to the 10<sup>th</sup> June 1850 and the only powers which was produced was dated on the 10<sup>th</sup> of June, and was from parties whose Interest under the Willas proved was not clear.

My (249)



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [349v] (44/50)

4. My reply to Colonel Shiel's letter was sent thro' the Secretary's Office - but he could not have received it before writing his letter of the 6<sup>th</sup> February now sent me. I pointed out the above and other inaccuracies, stating how embarrassing they were, and urging the Executors sending more specific instructions, and added a blank form of authority for them to fill up.

5. Not having heard again in reply, I recently at the request of the Agent here of some of the parties furnished some more forms, to be forwarded to Persia, one authorizing the transfer of the securities to the Executors, and another applicable to payment of the Interest - that the parties might sign which ever they thought fit.

6. Probably the reply to these communications when it arrives may enable me to act.

7. The views of Colonel Shiel as stated in his letter of the 6<sup>th</sup> February are in great measure incorrect, and tho' it is unnecessary for me to discuss them with him, I will make the following remarks.

8. The securities were not removed from the Accountant General's Office for any such reason as he suggests, but because I expected to be able at once to administer the estate, but so much delay occurring in sending me the requisite authorities I again lodged the securities (except such as had been required for the expenses of the estate) with the Government Agents where they now are, with instructions to the Government Agents to invest the accumulations of Interest so as to avoid loss of Interest upon large balances.

9. This course did not in any way affect the right to commission, and had no reference to the question, and Colonel Shiel seems to be under a misapprehension on the subject.

10. The usual Commission allowed on estates, administration of which was granted before the late act



'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [350r] (45/50)

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act I certainly claim to retain, and I have no intention of relinquishing the claim - It is part of the necessary charges allowed by law in the administration of estates as to European administrators. -

11. With respect to transferring the securities to the Executors it would be a proper and I think a convenient course to transfer the securities into their joint names of the Executors, when they might then authorize an agent to draw and remit the Interest to persia to be applied for the purposes for which the Interest is applicable in persia but as Colonel Sheld is aware, if the Executors do not desire this, I will receive and remit the Interest for the Executors or pay it to any one properly authorized here on receiving clear and specific instructions. -

12. It is an error to find fault with the investment of the Interest in the mean time It is duty of an administrator not to suffer large balances to be idle. -

13. As I have above observed the answer which I expect from persia to my last communication may probably enable me to act. -

Bombay

24<sup>th</sup> May 1851

I have the honor to be  
Signed W Acland  
Honorable Company's Solicitor

N<sup>o</sup> 43 23

Minute by the Right Honorable the Governor concurred in by the Honble Mr. Blane and the Honble Mr. Bell dated 30<sup>th</sup> May 1851.

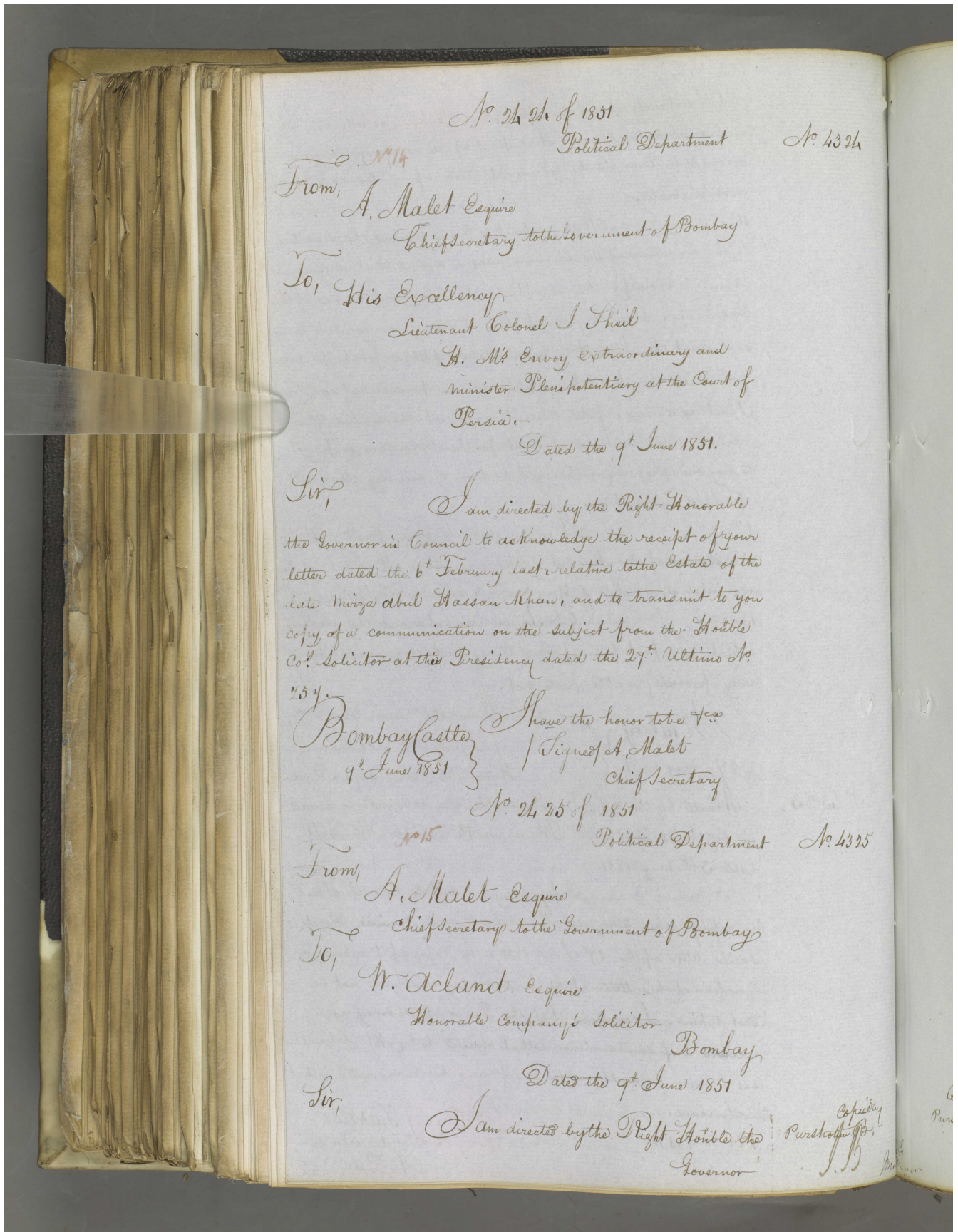
Copy may be sent to Colonel Sheld in reply to his letter, as Mr. Acland duly received Colonel Sheld's letter of the 17<sup>th</sup> June 1850. the copy of it which accompanied his letter of the 6<sup>th</sup> February last need not be sent to him. I conclude that the Power of attorney now received is of similar tenor to that objected to by Mr. Acland - best however it should not be so - it may be transmitted to that Gentleman. -

30<sup>th</sup> May 1851

Signed Falkland  
P. A. Blane  
+ A. Bell (350)

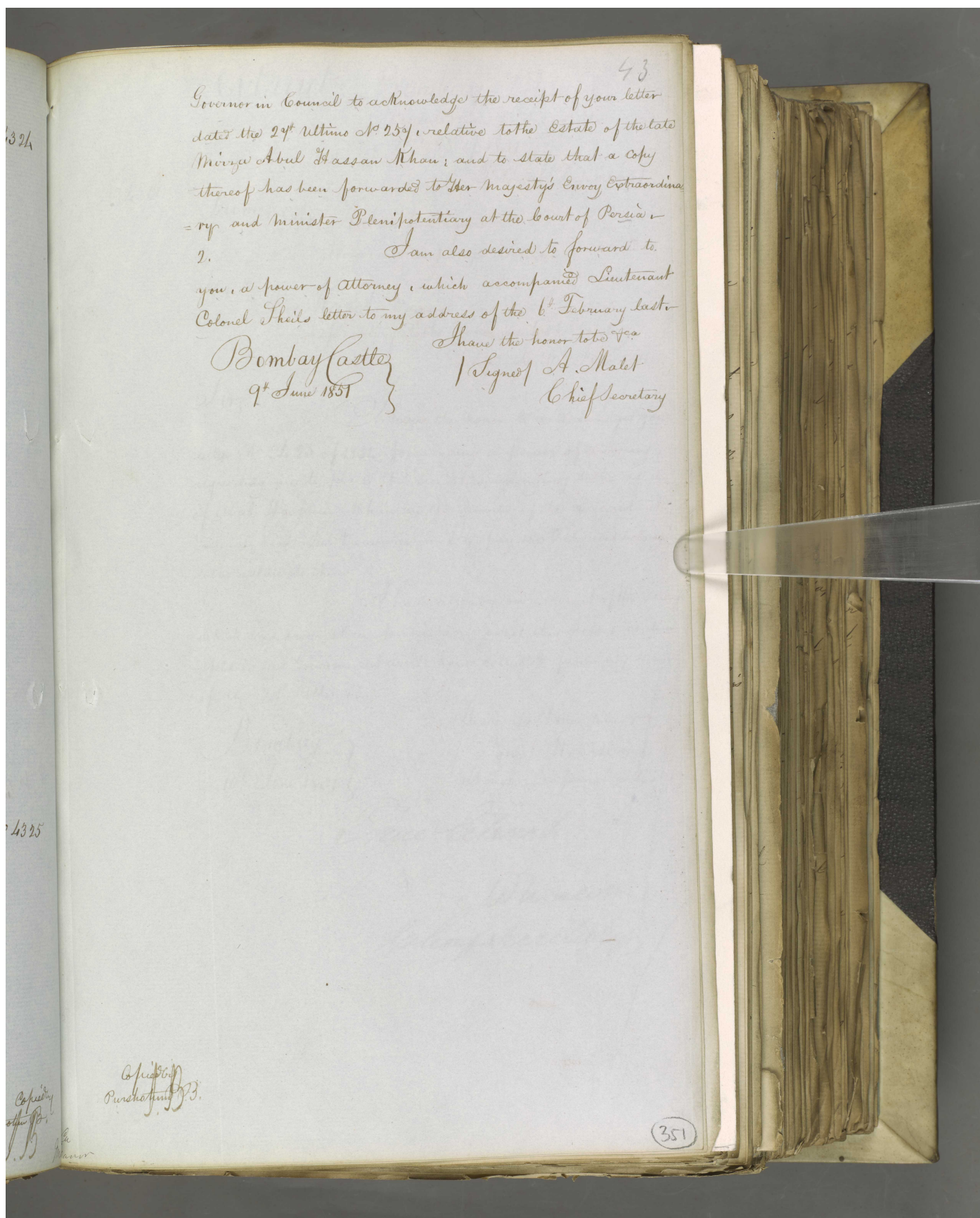


'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [350v] (46/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[ourable] Company's Solicitor at this Presidency.~' [351r] (47/50)

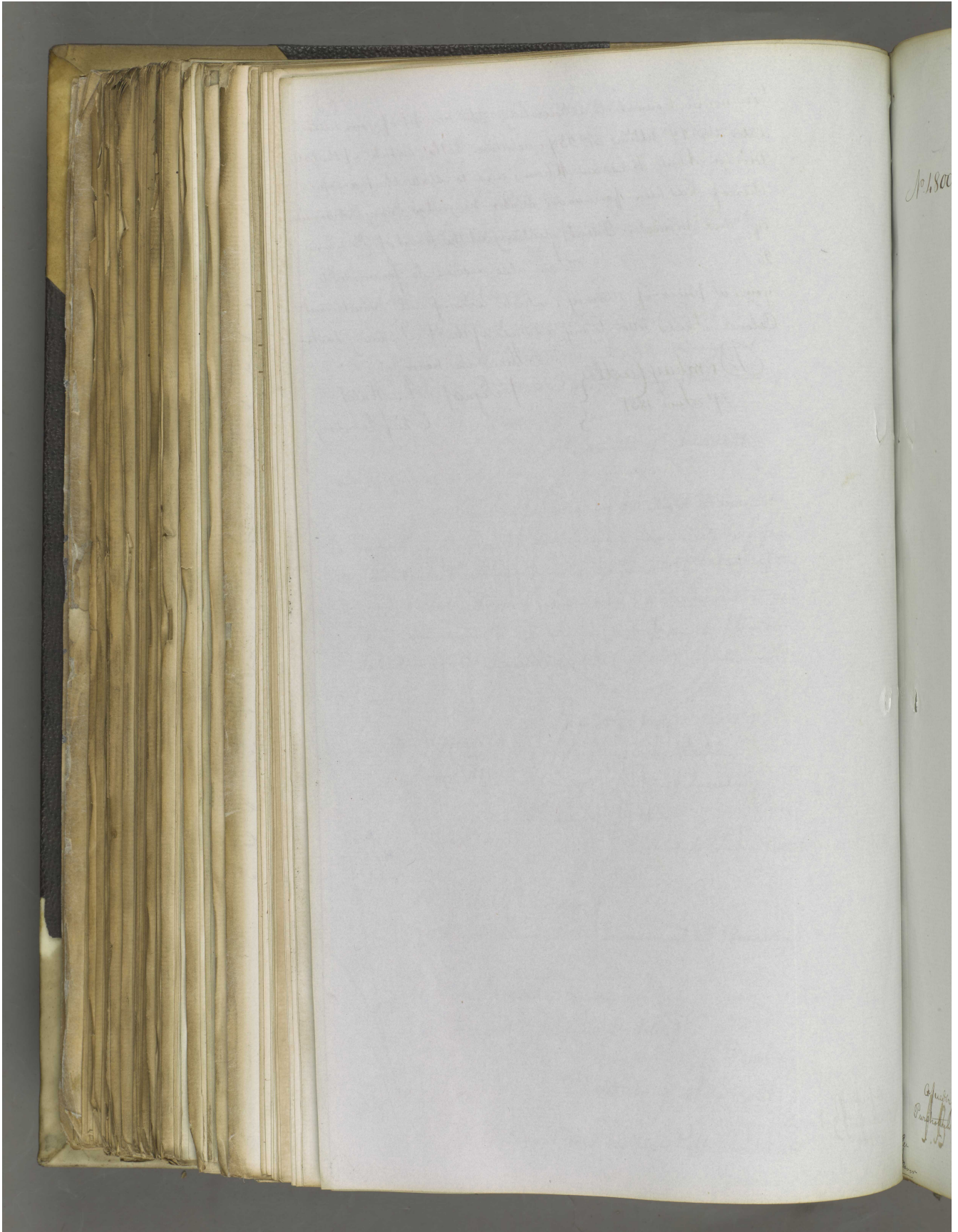


43  
Governor in Council to acknowledge the receipt of your letter  
dated the 24<sup>th</sup> ultimo N<sup>o</sup> 254, relative to the Estate of the late  
Mirza Abul Hassaw Khan; and to state that a copy  
thereof has been forwarded to Her Majesty's Envoy Extraordina-  
-ry and Minister Plenipotentiary at the Court of Persia -  
2. I am also desired to forward to  
you, a power of attorney, which accompanied Lieutenant  
Colonel Shields letter to my address of the 6<sup>th</sup> February last -  
I have the honor to be  
Bombay Castle }  
9<sup>th</sup> June 1851 } | Signed | A. Malet  
Chief Secretary

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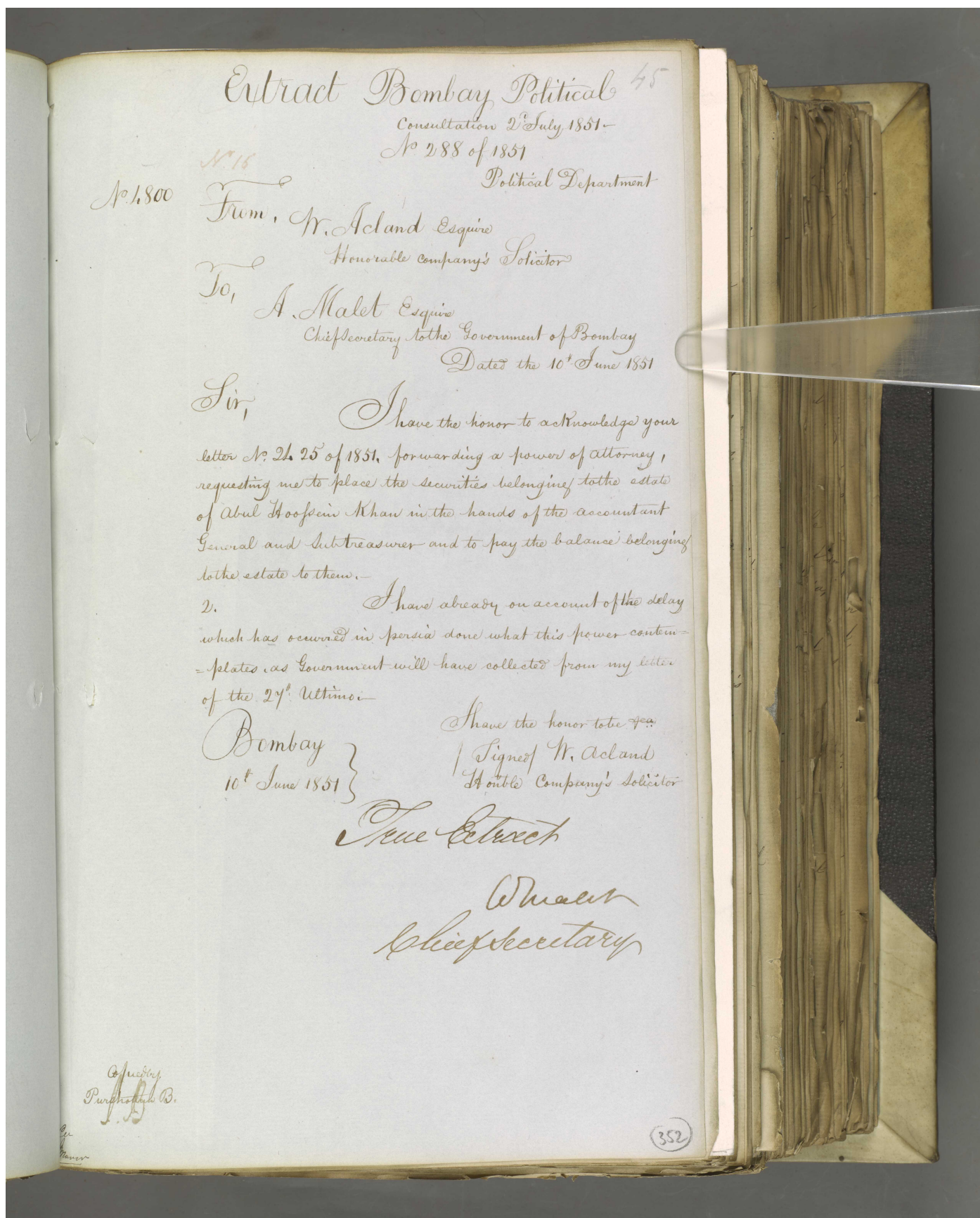


'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [351v] (48/50)





'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.-' [352r] (49/50)



Extract Bombay Political 45

Consultation 2<sup>d</sup> July 1851 -  
No 288 of 1851

Political Department

No 1800

From, W. Acland Esquire  
Honorable Company's Solicitor

To, A. Malet Esquire  
Chief Secretary to the Government of Bombay  
Dated the 10<sup>th</sup> June 1851

Sir, I have the honor to acknowledge your letter No 26 25 of 1851, forwarding a power of attorney, requesting me to place the securities belonging to the estate of Abul Hoossein Khan in the hands of the accountant General and Subtreasurer and to pay the balance belonging to the estate to them.

I have already on account of the delay which has occurred in Persia done what this power contemplates as Government will have collected from my letter of the 27<sup>th</sup> ultimo.

Bombay }  
10<sup>th</sup> June 1851 }

I have the honor to be  
Signed W. Acland  
Hon[our]able Company's Solicitor

True Extract

W. Malet  
Chief Secretary

Original  
Preserved in B.

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'Persia. Private property in Bombay belonging to the estate of the late Abul Hussain Khan formerly Persian Minister for Foreign Affairs, which has been administered to by Mr Acland Hon[our]able Company's Solicitor at this Presidency.~' [352v] (50/50)

