

The Court of Wards in a Princely State: Bank Robber or Babysitter?

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Introduction

Scholarship on institutional history rarely brings the academe to a heightened state of excitement. However, when institutions cross spans of time and place while intersecting with multiple cultural identities and levels of power, things can become more captivating. An ideal institution for examination of this very process is the Court of Wards.¹ Originally devised in Tudor England, the Court was later brought to India by members of the East India Company and put into wide use throughout the subcontinent. In India, its purpose was to shelter child heirs and their estates, eventually returning heir and estate to autonomy when ruling age was reached. However, while the Court in England and in India has received some critical review, we can extend its investigation one step further by examining its use in the ‘other India’, that of the princely states.² How did this administrative unit become adopted and adapted to some of India’s 560 princely states?³ To what degree were the Court and its administrators able to rectify an inherent tension within the Court’s purpose? It was largely designed to protect child heirs and their estates, and return them in due time. But, in a princely state, in some circumstances, the ultimate ‘owner’ of any land was the chief prince. Did the Court mediate

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² The ‘other India’ is taken from the conference: ‘The Indian Princely States: International Research Symposium’ University of Southampton, 8–10 July 2005.

³ On the princely states, Barbara Ramusack has shown how they demonstrate continuity with the past, while at the same time, in places, embracing the future. Barbara Ramusack, *The Indian Princes and Their States* (Cambridge: Cambridge University Press, 2004). For a review of historiographic trends in South Indian history vis-à-vis the colonial encounter, see: David Washbrook, ‘South India 1770–1840: The Colonial Transition,’ *Modern Asian Studies* 38, no. 3 (2004).

between the wishes of the ruling prince and his (or her) smaller 'little kings'?⁴ In short, to what extent was the Court of Wards at times a babysitter, and at other times a bank robber?

This essay has three sections. First, I want to briefly sketch the trajectory of the Court from its origins in England, to its arrival and implementation in India. Second, using Hyderabad, India's largest and most important princely state as a case study, I will examine how the Court treated the samasthans embedded within Hyderabad.⁵ With the introduction and growing power of the Court, the samasthan families rapidly changed the way they conducted their affairs. They began to retain lawyers to plead their cases.⁶ These men served as intermediaries between the families and their traditions, and the new legal spheres offered by court systems both in Hyderabad and in British India. While not perfect, the Court marked a dramatic shift away from the personal management of the samasthan affairs toward a legally based system. In the *long duree*, it would be a secular and responsive legal system that survived both Hyderabad and the Raj, thus forming the underpinnings of independent India. As such, the Hyderabad Court of Wards provides a lens to more closely examine the samasthans, their continuity with the past, and evolving practices in the face of new legal systems and new challenges. Finally, I will show how the Court both served the samasthans that came under its care, and also at times over-stepped its bounds as guardian of its wards and their estates.

⁴ The role of 'little kings' has been explored by a number of scholars. Bernard Cohn, 'Political Systems in Eighteenth Century India: The Banaras Region,' *Journal of the American Oriental Society* 82, no. 3 (1962); Nicholas B. Dirks, *The Hollow Crown* (Cambridge: Cambridge University Press, 1987); Pamela Price, *Kingship and Political Practice in Colonial India* (New York: Cambridge University Press, 1996).

⁵ On the samasthans of Hyderabad, see: Benjamin B. Cohen, 'Hindu Rulers in a Muslim State: Hyderabad, 1850–1949' (PhD, University of Wisconsin, 2002); Raman Raj Saksenah, *Qadim Dakani Saltanat Aur Samastan* (Hyderabad: Husami Book Depot, 1996); Acharya Tumati Donappa, *Andhra Samasthamulu Sahitya Poshammu* (Hyderabad: Pravardana Publications, 1969). Hyderabad State's history has yet to be coalesced in a single monograph, but several works exist that address specific components of the state. Karen Leonard, *Social History of an Indian Caste* (Hyderabad: Orient Longman, 1994); Margrit Pernau, *The Passing of Patrimonialism* (New Delhi: Manohar, 2000); Lucien D. Benichou, *From Autocracy to Integration* (Hyderabad: Orient Longman, 2000).

⁶ For example, a 'major portion' of the annual expense incurred by the Court of Wards for civil litigation in 1931 was caused by the Wanaparthi succession case as Sarala Devi employed counsel from British India. See *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1340 Fasli* (Hyderabad-Deccan: Government Central Press, 1932), p. 20.

England, then India

Originally devised for sixteenth century England, the Court was well suited for Indian landholding tenures. India's countless landholders ruled over areas ranging in size from garden plots to vast states. Difficulties arose when the landholder died and no heir existed to take his place, or when the heir was in some way unsuited to assume control. Many times the heir was a child, and further questions arose as to who was best suited to look after him (or her) and also properly administer the estate. The Court resolved this problem by taking young heirs into its care while at the same time managing their estates. Ideally, upon the heir's reaching majority the Court returned his estate to him, a young man (or woman) whom it had, hopefully, educated and instilled with the skills needed to manage his lands. As we shall see, at times the Court exercised degrees of benevolence or malevolence, and in cases of the latter reduced estates to penury.

The Court of Wards began in England under Henry VIII (c. 1540). The Crown granted land to tenants-in-chief who then paid dues to the royal coffer. If that tenant died, his or her land reverted back to the Crown. If an heir existed, he or she could take that property by paying a fee to the Crown. However, if the heir was under twenty-one (for boys) or under fourteen (for girls), then the land and its heir came under the Court's protection. The main function of the Court was to investigate heirs and see if the Crown could legitimately absorb their lands.⁷ Further, the Court could also sell lands to settle debts that could not be recovered. Such processes often led to the complete loss of the property and have been seen as an, 'odious practice'.⁸ At stake were the interests of the king, the heirs, and third parties interested in acquiring land. The Court served as a buffer between the king (interested in absorbing land), third parties (interested in purchasing lands from minor heirs), and the ward (interested in

⁷ This summary of the history of England's Court of Wards is taken from the excellent work by H. E. Bell. H. E. Bell, *An Introduction to the History and Records of the Court of Wards & Liveries* (Cambridge: Cambridge University Press, 1953). Also, Blackstone gives a summary of English landholdings but no real mention of the Court of Wards. William Blackstone, *The Commentaries on the Laws of England of Sir William Blackstone*, Fourth ed., vol. 2 (London: John Murray, 1876). pp. 50–65, and especially pp. 57–8. For the Court's activities in Ireland, see: H.F. Kearney, 'The Court of Wards and Liveries in Ireland, 1622–1641,' *Proceedings of the Royal Irish Academy, Sect. C* 57 (1955); Victor Treadwell, 'The Irish Court of Wards under James I,' *Irish Historical Studies* 12:45 (1960–1).

⁸ Bell, *An Introduction to the History and Records of the Court of Wards & Liveries*, p. 119.

retaining his or her lands). The greatest threat came from the third parties. Through purchase these parties alienated property so it could not be returned to its legitimate heirs. Worse yet, third party members who purchased the rights to the land also assumed control over the fate of the ward, affecting their marriage, education, and other life facets. Once the Court had assumed charge of wards, its administrators, at times, struggled to provide for them and improve their situation. They devised an educational plan – though it was not always implemented – that included training in law, military affairs, Latin and Greek, French, music and art, riding, vaulting and weapons handling. The Court also developed guidelines for handling ‘idiots’. If a ward did not know his or her age, their father and mother’s name, if he or she could not count to twenty or have children, the ward was deemed not sane and denied their estate.⁹ England’s Court of Wards thus assumed a binary function: protecting its wards from external threats and at the same time nurturing them within its auspices. Although it was abolished in 1645–46 as the Civil War swept through England, this dual role would reemerge with the Court’s establishment in India in the late eighteenth century.

Long before the Court’s arrival on Indian shores, Indian rulers practiced their own types of ward protection. For instance, when the Mughal ruler Humayun fled Delhi towards Persia, he stopped long enough to leave his infant son, Akbar, with his brother Askari.¹⁰ While these Mughal brothers had an acrimonious relationship, old Timurid rules of conduct and respect ensured the protection of the infant, and Akbar was lovingly cared for until his father’s return. With the overlay of a British Court of Wards onto Indian traditions of child rearing and protection, the institution of the Court spread not only across British India, but was also adopted within its princely states.

Early references to the establishment of the Court in India come from Philip Francis, appointed to the Bengal council in 1773. During his time in Bengal he pushed for the establishment of a Court of

⁹ Two centuries later in Hyderabad, the record shows that several wards were ‘insane’, but we are left wondering on what basis/grounds this was determined.

¹⁰ This was a practice common amongst the Mughals as well as countless other noble families. For example, a cousin of Babur stayed with him at Kabul, receiving an education under the guidance of his uncle. Much later, Shah Jahan in 1625 sent his two young sons Dara Shukoh and Aurangzeb to Jahangir as part of a lenient settlement to end the latter’s circuitous flight into the Deccan. The practice crossed religious lines in 1679 when even the upright and zealous Aurangzeb took in to his harem the child son of Jaswant Singh, a youth named Ajit Singh.

Wards in India, 'for the care of estates, of which the incumbents are minors, idiots or females; and to have the care of the education of minors, now usually committed to servants or relations, who have an obvious interest in bringing up the children in ignorance and stupidity'.¹¹ The Court of Wards formally came into existence by an act of Sir John Shore, Governor General in Council, on 28 August 1797. Early on, men like Francis and Shore recognized the danger of allowing estates to go unattended. When an estate holder became incapacitated, the Court was to oversee the conduct of heirs and the finances of the estate. At other times, Court of Wards officials might choose different heirs, dissolve successions, and exert direct influence on the estates under its charge. At its most aggressive, the Court intervened on behalf of the state to preserve land holdings and revenue. After coming into force in Bengal, it was gradually implemented in much of the rest of India. Its appearance in Madras in 1804 represents its earliest implementation in south India.¹² Later, Courts of Wards were established in the Bombay Presidency and in the Central and United Provinces, Assam, Orissa, the Punjab, Sindh and the Northwest Frontier Province. However, this institution was not only used at the Princely, Presidency, or Provincial level. For instance, Raja Rambhupal of the Gadwal samasthan in Hyderabad established his own Court of Wards to handle the many petty landholders within his samasthan.¹³ Thus, in the twentieth century, Courts of Wards, in one form or another operated across much of the sub-continent.

Due to the breadth of its coverage, the Court of Wards, like a *jhinn* (ghost) who frequents an old palace, makes fleeting appearances in scholarship spanning the subcontinent. For instance, as John McLane has shown, a short time after its establishment in the late eighteenth century, the Court assumed control of the Dinajpur zamindari in Bengal on the grounds of the ruler's 'incapacity'. Much later, the Court 'stood ready to assume control' of the Burdwan estate in

¹¹ Walter Kelly Firminger, ed., *Affairs of the East India Company (Being the Fifth Report from the Select Committee of the House of Commons 28th July, 1812)*, Reprint 1917 edition ed., 3 vols, vol. 2 (Delhi: Neeraj Publishing House, 1812), p. 75.

¹² John Herbert Harington, *An Elementary Analysis of the Laws and Regulations Enacted by the Governor General in Council*, 3 vols, vol. 3 (Calcutta: Company Press, 1817), pp. 103–23. Also: C.D. Maclean, *Manual of the Administration of the Madras Presidency*, 3 vols., vol. 1 (Madras: Government Press, 1885), pp. 173–5.

¹³ Barton to GOI, 7 December 1925, India Office Records (IOR), London, R/1/1/1469. Gadwal was Hyderabad's largest samasthan. It was located in the Raichur doab, and had an area of 817 square miles.

Bengal, which it did from 1838 to 1840 and again from 1885 to 1902.¹⁴ Partha Chatterjee has explored how the Court further became involved in sorting out mysterious circumstances surrounding the Bhawal estate. The young prince of Bhawal was thought to have died in the first decades of the twentieth century. His estate was placed under the Court's supervision for nearly a decade until, in 1921, an ash-covered sadhu appeared in Bhawal claiming to be the long-lost heir. The Court of Wards found itself adjudicating between the supposed heir, members of the royal family who did not believe him, and the peasantry who favored the new heir. Explaining the difference between the administration of Bhawal by the family and by the Court, Chatterjee says, 'The rule of the zamindars . . . was in the traditional mode. It was oppressive, often arbitrary, but at the same time personal, capable of being paternal and caring. Tenants could be fined or punished for little reason, but they could also be rewarded by grand gestures of benevolence The regime of the Court of Wards was the exact opposite. It was cold, impersonal, ruthlessly efficient. There was no escape from its clutches'.¹⁵ While the Court proved an efficient securer of revenue, it was less successful in the upbringing of its wards. For instance, far from Bengal, the Ramnad estate in the Madras Presidency also came under the supervision of the Court. The first period of this supervision occurred in the mid nineteenth century, but, as Pamela Price shows, it was the second spell that produced – or did not produce – a model zamindar. Ramnad entered the Court in 1872, and for some years its young heir, Baskara Setupati, was educated by Court officials. Baskara and his brother were sent to Madras where they studied under English tutors and pursued a largely English curriculum. This, combined with trips north and meetings with other respected princes and zamindars, all represented an effort to imbue the young Baskara with the skills needed to ably take charge of his estate. However, as Price states, 'The young Raja was not, however, a *tabula rasa* upon which the imperial government could write a code for the behaviour of the model zamindar'.¹⁶ The raja was slow to adopt change and loath to give up his royal trappings. To the north, the Court aimed to create a model Bihar zamindar

¹⁴ John McLane, *Land and Local Kingship in Eighteenth-Century Bengal* (Cambridge: Cambridge University Press, 1993). p. 226 and 315.

¹⁵ Partha Chatterjee, *A Princely Imposter?* (Princeton: Princeton University Press, 2002), p. 61.

¹⁶ Price, *Kingship and Political Practice in Colonial India*, p. 164.

in the late nineteenth century. The estates of Hathwa, Darbhanga, and Deo fell under its 'institutional shelter'. Court administration assured some individuals within these estates a privileged position in the management of the property, while others had to seek legal redress for adequate representation. As Anand Yang has described it, 'The Court of Wards enhanced their controlling position in local society'.¹⁷ In part this control meant ensuring payment of revenue, which would not be regular if landholding families were insecure or inept.¹⁸ Some Bihari estate owners willingly accepted management by the Court of Wards. For the indebted, incompetent, or those enmeshed in dispute, shelter by the Court could save the estate from endless litigation and dismantling.

The Court of Wards in Hyderabad was somewhat different from its counterparts in British India. First, Hyderabad's Court was administered entirely within a princely state where the interests of the Nizam were critical to its functioning. While estates in British India were needed to generate revenue to support the government, estates in Hyderabad bolstered the Nizam's personal position as head of state. Second, samasthan rulers paid a fixed annual payment, so their land revenue was only a concern if it affected their ability to make payment.¹⁹ Finally, Hyderabad's autocratic structure allowed the personal involvement and interference of the Nizam on grounds of patrimonial interest both in the business of the Court, and in the affairs of each samasthan. Within the dominions, the Hyderabad Court of Wards was responsible for heirs to the three groups of landholders beneath the Nizam: the samasthan rulers, the paigah nobles, and numerous jagirdars. Serving in this intermediate position, the Court also sometimes protected its wards from the advances of the Nizams.²⁰ The Nizams retained certain rights within the Court's structure but

¹⁷ Anand Yang, 'An Institutional Shelter: The Court of Wards in Late Nineteenth-Century Bihar,' *Modern Asian Studies* 13, no. 2 (1979), p. 247.

¹⁸ Stephen Henningham, 'The Raj Darbhanga and the Court of Wards, 1860–1879: Managerial Reorganization and Elite Education,' *The Indian Economic and Social History Review* 19, no. 3 and 4 (1982), p. 347.

¹⁹ Among the largest samasthans annual payments were: Gadwal, Rs. 86540; Wanaparathi, Rs. 83862; Jatprole, Rs. 71944; Paloncha, Rs. 45875.

²⁰ Before the formal establishment of the Court, estates operated at the mercy of the Nizam. For instance, when the last Gurgunta raja died in 1890, leaving behind two widows and a daughter, the estate was forcibly removed from these rightful heirs by the talukdar accompanied by sepoy. The Ranis had to resort to legal action to regain their estate. Correspondent, Hyderabad. *Hyderabad in 1890 and 1891*. Bangalore: Caxton Press, 1892, p. 74.

occasionally abused their position as sovereign. Nonetheless, the Court was guided by its own administrative ideology and could operate outside and even in opposition to these rulers' whims and demands.

The Hyderabad Court of Wards was not a static institution, it flexed and bent according to the changing needs of its wards and the necessity of reform over time. From 1882 to 1897, the Minister of Justice oversaw the Court. In 1898 the first Court of Wards Act came into effect, thus codifying the legal parameters of its jurisdiction. The Court was later transferred to the Judicial Secretariat, and in 1901–02, it was placed under the Revenue Secretariat where it remained until its demise. While under the Revenue Secretariat, the Court was first put under the supervision of the Director General of Revenue, and beneath him, the Superintendent of the Court and five divisional officers. This structure was modified so that the Court was administered by a Director General and Revenue Member, and beneath them the Court's *nazim* (chief administrator).²¹ The divisional officer system was further restructured so that talukdars in the countryside administered most of the estates under the Court, and only a few remained under direct control from Hyderabad. In 1894 the Court administered 36 estates, and the number steadily climbed to 94 by 1925. After that year, the numbers declined to 52 estates by 1940.²² The Court employed a variety of professionals for the administration of the wards and their estates. These included engineers, doctors and nurses, lawyers, and teachers. At its height, the Court of Wards employed almost 900 people, with the average closer to 600, fluctuating with the rise and fall in the number of estates under the Court's charge.²³ In 1926, the Court began publishing its own annual reports. The first report stated, 'This is a work the necessity of which was being felt for years and years together, but which for certain

²¹ Tasker and Trench served as Director General and Revenue Member, respectively, for much of the Court's existence. Much of the success of the Court (in staying off the Nizam's *nazr* demands, and returning estates to their owners) can be credited to these men. Tasker worked diligently in the background of Hyderabad's domestic affairs. Born in 1884, he served in Coorg, Hyderabad, and Dehra Dun. He was Director General of Revenue in Hyderabad 1935–42 and then a member of the Nizam's Executive Council from 1942–44. He died in 1981. Trench was born in 1876 and served as a member of the ICS in Kashmir, Baluchistan and elsewhere in the NWFP. He concluded his career engaged as Revenue Member of the Nizam's Executive Council from 1927–1935. He died in 1954.

²² This is the last year that records seem to be available.

²³ The remains of the Court now employs two people who are responsible for helping settle the endless litigation between heirs to the estates.

TABLE 1

*Samasthans in the Hyderabad Court of Wards. Bracketed release dates indicate that as of the last report, the estate was still in the Court.*²⁵

Samasthan:	Year Placed in Court:	Released from Court:	Total years in Court:
Amarchinta	1929	1933	4
Dubbak	1909	1928	19
Gadwal	1902	1912	10
Gadwal	1923	1928	5
Gopalpet	1923	1928	5
Gurgunta	1923	1933	10
Narayanpur ²⁶	1918	[1939]	+21
Paloncha	1936	[1939]	+3
Papanapet	1903	[1939]	+36
Rajapet	1914	1928	14
Wanaparathi	1922	1945	23

reasons could not be given a practical shape. It has at last begun and this report is now published after being perused by Government'.²⁴

The Court's jurisdiction covered the range of Hyderabad's estates: samasthans, paigahs and jagirs. Estates in the Court of Wards were divided into four classes based on their income: first were those over one lakh; second, over one-half lakh; third, over Rs. 10,000; and finally, those under Rs. 10,000. Paigahs and jagirs regularly fell under the Court's care as did the numerically fewer samasthans. As Table 1 shows, over the sixty-six years that the Court functioned within Hyderabad State (from 1882 to 1948), the Wanaparathi, Dubbak, Amarchinta and Gurgunta samasthans spent nearly one-third of that time under the Court's supervision. Why?

Critical to the life of a samasthan was the process of succession. If a succession failed, the samasthan would revert to the Court.²⁷ If an heir was a child, the samasthan could also revert to the Court.

²⁴ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1336 Fasli*. Hyderabad-Deccan: Government Central Press, 1928. p. 1. Prior to this, the Court's findings were submitted in an Administration Report.

²⁵ No data was available for the Domakonda or Sirnapalle samasthans.

²⁶ Narayanpur is also sometimes referred to as a jagir estate. The classification within the Court of Wards records varied somewhat, and it is likely that Narayanpur was in fact a samasthan. This is supported by its mention in: Mirza Mehdy Khan, *Imperial Gazetteer of India Provincial Series Hyderabad State*, Reprint 1991 Atlantic Publishers, New Delhi ed. (Calcutta: Superintendent of Government Printing, 1909), p. 52.

²⁷ John McLeod has highlighted the critical process of succession. 'Succession signifies a critical junction in any political system, but particularly one in which (as in the Indian states) the ruler is a personal, autocratic monarch'. John McLeod,

Producing a son who lived to be 21 (while his father still ruled) was not as easy or as common as the samasthan holders might have wished. Richard Trench referred to this situation as the ‘singular fatality’ that plagued the samasthans.²⁸ Other samasthans that were poorly managed or so encumbered by debt were also taken into the Court’s supervision. However, not all of the samasthans found themselves within the Court; it was possible to prepare for a succession even if an heir was not yet present or of age. Absent from the list of wards is the Jatprole samasthan. Then Raja Lakshma Rao, having seen the difficulties experienced elsewhere, prepared adequately for his own succession: he arranged to have his wife made Regent of the samasthan on his death, thus avoiding Jatprole’s entrance into the Court of Wards.²⁹

Two leading officers of the Court were British (Trench and Theodore J. Tasker), and it is no surprise that the Court’s direction leaned towards English norms. While the Court’s highest officials were British, the remainder of the staff were Indian, both Hindu and Muslim. The Court frequently assigned a Muslim administrator to the samasthans. This occurred at Wanaparathi and Gadwal, where unlike the growing communal tensions in the rest of India, a civility existed between nobles in Hyderabad where Muslim Court of Wards administrators worked hand in hand with young Hindu child heirs and frequently with their mothers as well. This synergy, while it saw the successful return of Gadwal and Wanaparathi to their rightful heirs, did not always yield administrative success in Hyderabad itself.

Among the Court’s failures was the construction and maintenance of a Boarding House for its male wards.³⁰ This building, if successful,

Sovereignty, Power, Control: Politics in the States of Western India, 1916–1947 (Leiden: Brill, 1999). p. 189.

²⁸ ‘Opinion of Richard Trench,’ 28 July 1930, Andhra Pradesh State Archive, Revenue Department.

²⁹ The rulers of Jatprole were from the Velama caste, and were related to samasthans in the Madras Presidency. On the life of Lakshma Rao, see: Vajapeya Yajula Ramasubbaravu, *Sri Surabhi Venkatalakshmaraya Nijam Navajyant Bahaddaravari Jivitamu* (Hyderabad: Kovvuru, 1929). On the history of the Jatprole samasthan, V. Sadasiva Sastrulu, *Sri Surabhivari Vamsa Charitramu* (Madras: Saradamba Vilasa Press, 1913). The Madras Presidency members of this caste network included Bobbili and Venkatagiri. Venkata Swetachalapati Ranga Rao, *A Revised and Enlarged Account of the Bobbili Zemindari*, Second ed. (Madras: Addison and Co., 1907). Alladi Jagannatha Sastri, *A Family History of Venkatagiri Rajas* (Madras: Addison Press, 1922).

³⁰ The earliest attempt and failure to maintain a physical home for the wards comes from 1894, the Court’s first year in Hyderabad, when a ‘Wards Institute’ was opened, only to fail for lack of funds three years later. *Report on the Administration of*

would have been the physical center of the Court's endeavors: a place where wards could be looked after as well as steeped in the Court's ideology. The earliest mention of a Boarding House comes from 1914 in an almost parenthetical note stating that in that year a boarding house was established, 'for the better supervision of the wards'.³¹ In the first few years the boarding house seems to have functioned quite well, and it was only after sometime that it faltered and failed. In the following year the Court produced a somewhat glowing account of the improvements occurring under the Boarding House roof: 'A remarkable change for the better in the physique, morals, health, education and manners of the boys has resulted from the institution of a Boarding House managed on the best English lines . . . it includes the provision of riding horses, Motor-cars, board and lodging, physical training by a European Instructor, medical attendance and house-masters for home-work'.³² The Court clearly intended itself to be more than an administrative wet-nurse, expanding to be mother, father, and teacher for the boys under its charge. Further, their upbringing was to be along 'English lines', thus fulfilling Macaulay's infamous wish from almost a century earlier. But, the Boarding House did not survive into the next decade. In 1921, without explanation, it was abolished. The expense of keeping the wards in one physical location most likely overwhelmed the Court's finances. From this point on, wards were cared for in a less physical sense, but as we will see, they were still closely monitored.

The scope of the Court's function expanded over time from primarily reclaiming indebted estates to a more direct involvement in estate affairs. The estate, its holder, the family, and revenue all came under the purview of the Court. By 1940 we find a clear articulation of how the Court's functions had grown: 'Originally intended as a security for the payment of revenue, the duties of the Court now extend to the management of estates in the interests of both proprietors and tenants, the support of the family of the proprietor, the education of young wards, paying off of debts, and spending the surplus in the

His Highness the Nizam's Dominions for the four years 1304-1307 Fasli. Vol. I. Madras: Lawrence Asylum Press, 1899. p. 88.

³¹ *Report on the Administration of His Highness the Nizam's Dominions for the year 1324 Fasli*. Hyderabad: A.V. Pillai and Sons, Gladstone Press, 1916. p. 11.

³² *H.E.H. the Nizam's Government. Report on the Working of the Departments under the Director General of Revenue*. Hyderabad: Central Jail Press, 1915-1916. p. 6.

improvement of property in the best attainable way'.³³ Further, the Court reported that, 'Government desires it to be regarded as one of the most important duties of the Court of Wards to maintain the closest personal contact with the progress of the wards in education, training and other matters'.³⁴ In that year the state's administrative report listed a total of 51 estates under the Court's supervision, including two samasthans. While the Court made improvements in the governance of local estates, such actions also benefited Hyderabad's larger political system. A financially healthy estate would likely ensure regular payment of tribute. Yet, heirs were reluctant to see their income spent by the Court on public services. 'Some of the estates are privileged by ancient Sanads to maintain their own law courts, police, jails and militia as adjuncts to their prestige and dignity. The estates jealously guard those ancient privileges and are not willing to incur large expenditure for the purpose of retaining them'.³⁵ Resistance to the Court's mandates will be examined below, but in most cases, the Court prevailed. An examination of the Court's ideology, as established by its governing Act, provides considerable insight on the direction and possible fate of its wards.

The Court of Wards adhered to an Act that outlined its operating parameters. This document was largely copied from those being used in British India, with some important differences. Most notable was that in Hyderabad, the Nizam retained ultimate power. By his order estates could be put into the Court or removed from it, thus superseding official Court practice. As the twentieth century unfolded, Osman Ali Khan made changes to improve the Court's operation.³⁶ In 1927 he decided that the Hyderabad Court of Wards Act should be changed and that of Uttar Pradesh adopted, 'with necessary

³³ *Report on the Administration of H.E.H. the Nizam's Government for the year 1347 Fasli*. Hyderabad-Deccan: Government Central Press, 1940. p. 13.

³⁴ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government*. Hyderabad-Deccan: Government Central Press, 1940. p. 1.

³⁵ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1340 Fasli*. Hyderabad-Deccan: Government Central Press, 1932. p. 8.

³⁶ On the life and times of Osman Ali Khan, see: Vasant Kumar Bawa, *The Last Nizam* (New Delhi: Viking, 1992). More recently, Syed Dawood Ashraf, *The Seventh Nizam of Hyderabad an Archival Appraisal* (Hyderabad: Moazam Hussain Foundation, 2002).

alterations'.³⁷ Among the changes, estates once controlled by the central office were to be transferred to the control of district taluqdars nearest to them. For instance, of 47 estates under the Court's control that year, all but 8 were handed over to district officers.³⁸ The annual report of 1929 opens by stating that the year was 'important' for the administrative machinery of the Court itself as the reorganization had occurred. Allowing district officers of the Court to manage estates meant a more responsive and local administration.

Critical to the Court's administrative reach were several conditions under which an estate and a presumptive heir could be brought under its supervision. The first was by firman issued directly from the Nizam. Acting on solid grounds or sometimes on a whim, the Nizam could exercise autocratic power. Abuse of this power both undermined and damaged the position of Osman Ali Khan when, for instance, he wrongfully placed Gadwal into the Court of Wards.³⁹ The second condition under which an estate might be placed into the Court was when the heir was a minor under the age of twenty-one and not able to manage his or her affairs. Rarely, a Regent from within the family was appointed to both raise the heir and manage the estate, as was the case with Jatprole. More often than not, the Nizam preferred to have estates put under the Court for administrative consistency although this occasionally resulted in the abuse of their funds. Third, if the heir was judged to be of 'unsound mind and incapable of managing his property', or if the Government decided that the ward suffered from physical or mental defect or was infirm, the estate and ward could be placed under the Court's supervision. Fourth, in many cases the sole legitimate heir to an estate was female, and if she was 'declared by the Government to be incapable of managing her property', the estate might go to the Court. The Act did not forbid women from management, but instead suggested vague concepts of 'capability' to be tested and applied to female heirs.⁴⁰ Finally, if the heir was convicted of a non-bailable offense or was found to have indulged in

³⁷ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1337 Fasli*. Hyderabad-Deccan: Government Central Press, 1929. p. 24.

³⁸ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1339 Fasli*. Hyderabad-Deccan: Government Central Press, 1931. p. 1.

³⁹ Gadwal Succession, IOR, R/1/1/1469.

⁴⁰ An earlier version of the Court of Wards Act is reprinted in: 'The Hyderabad Court of Wards Act.' In *Hyderabad Code*, II. Hyderabad: Avon Printing, 1956. p. 419.

extravagance and incurred insurmountable debt, the estate could be put into the Court.⁴¹ Less common, an estate holder could apply to be placed in the Court. This occurred only if the estate and its holder would benefit from the Court's supervision. Not all applications were accepted, and the determining factor had to do with whether the Court could in fact provide better management.⁴²

While the Court managed some estates from its central office in Hyderabad, it also employed local District taluqdars to handle more sensitive matters. The Court of Wards Act gave these men broad power to intervene when an estate's leadership came into question or crisis. At times, the life of an heir might be in jeopardy given the violent nature of some succession disputes. The officer was in such cases invested with the power to protect the heir. 'The Taluqdar may make suitable orders for the temporary custody and protection of such minor, and if the minor be a female, such direction shall be given with due regard to the custom and usage of the country'.⁴³ Not only could he provide for female heirs, he could also search and confiscate any papers or documents that might be relevant to the estate. He had the authority to break into any house, room, box, or receptacle to collect information relating to the ward and the estate. In short, he was both the police and the administration. While the talukdar commanded these powers, there is little evidence that they were frequently exercised.⁴⁴ The Court of Wards Act further allowed for extensive involvement in the life of the ward. The Court could make decisions regarding custody, residence, education, and even marriage. For instance, the Court oversaw the marriage of Varalakshmi, elder daughter to the late Maharaja of Gadwal (Sita Rambhupal) in 1926 at a cost of Rs. 150,000.

Estates were not to be kept permanently under the Court's supervision. An estate could be turned back to the heir when he or she attained majority. Further, if there was some question as to the heir's mental stability, the estate could be returned when a Civil Court had declared, 'that he is no more insane'.⁴⁵ A firman from the Nizam could also

⁴¹ 'The Hyderabad Court of Wards Act.' In *Hyderabad Code*, II. Hyderabad: Avon Printing, 1956. p. 420.

⁴² *Ibid.*, p. 428.

⁴³ *Ibid.*, p. 423.

⁴⁴ *Ibid.*, p. 432.

⁴⁵ Unlike in the English Court of Wards, the Hyderabad Act does not lay down any guidelines to determine mental competence such as counting, knowing one's parents etc.

release an estate from the Court, but this rarely occurred.⁴⁶ Finally, if the Court felt that the owner of the estate had somehow redeemed himself (financially or otherwise), it could return the estate.⁴⁷

Benevolence

What did the Hyderabad Court of Wards actually *do* for its wards and their estates? Specifically, what transpired for the samasthans under its charge? An examination of three areas of the Court's jurisdiction will provide some account of its activities. First, the Court provided an education for its wards, and the numbers of children attending school as well as the curriculum they followed allow us a glimpse into the Court's administration. Second, the Court managed the estates' finances. Were estates returned to their heirs in sound financial condition? Or were they ruined by the Court's handling? Finally, the Court participated in public works projects, from which we can get a sense of what the Court constructed for its wards and their estates. Physical improvements (building schools, paving roads, sinking wells) were part of the positive outcome of the Court's role in the samasthans, adding to the well-being of the samasthan citizens and the overall positive health of the estate.

Among the earliest references to the Court of Wards' active intervention in the welfare of a samasthan ward comes from Gadwal in 1904. At this time, the Raja of Gadwal was a minor under the Court's supervision. The Court was itself administered by A.J. Dunlop, a colonial official on loan to Hyderabad's government. Events began with Dunlop approaching G. Tate, another European living in Hyderabad, to serve as the raja's tutor. Tate was Headmaster of the Madrassai-Aizza of Hyderabad. He accepted Dunlop's offer, but under Government of India policy, a European to be employed by a princely state had to be confirmed by the Residency and the Foreign Department. Thus, Kishen Pershad was called upon to seek permission of the Resident for Tate's employment as tutor.⁴⁸ But a problem arose when Tate did not

⁴⁶ Under Osman Ali Khan, estates within the Court were a prime source of income in the form of *nazr*, and he seemed reluctant to release estates when it could be avoided.

⁴⁷ 'The Hyderabad Court of Wards Act.' In *Hyderabad Code*, II. Hyderabad: Avon Printing, 1956. p. 467.

⁴⁸ Kishen Pershad to First Assistant Resident, 17 February 1904, NAI, Foreign Department.

appear on the Foreign Department's list of Europeans employed in Hyderabad. David Barr, Resident, explained that Tate had previously been on the appropriate list, but since the school he worked for was not officially part of the Nizam's school network, his name had been removed. For Barr it was an embarrassing error. 'As a matter of fact, however, it would now appear that Mr. Tate is an European and ought not to have been employed in any capacity at Hyderabad without the sanction of the Government of India'.⁴⁹ Two months passed and final approval arrived from Calcutta for Tate to assume his duties as the raja's tutor. Europeans were frequently employed in Hyderabad as tutors, thus the choice to employ Tate was not surprising. However, being employed through the Court of Wards added a layer of both bureaucracy and concern for the raja's upbringing. Dunlop, as head of the Court, was responsible for the raja and sought the best qualified teacher possible. The Court of Wards, barely a decade old in Hyderabad, provided for the raja but found itself enmeshed in the politics and hierarchies of Hyderabad and the Raj. Laid bare is the Court's integrative role between the samasthans and the Hyderabad government.

The Court increasingly took young girls under its charge, while at the same time, seeking to improve the education of its boys. In 1915, 89 wards received education under the Court. Of these, three wards were listed as 'insane', and only four of the total were girls. In 1926 there were 139 wards, 104 males and 35 females. Of these, 12 of the males attended the Jagirdar's College, while 25 attended other educational institutions. Twenty-seven males and 15 females attended private or religious educational institutions. Thirty-nine males and 20 females were in some way unfit to receive any education at all, 28 percent of the entire group. For the year, a total of 923,209 rupees was spent on the education and maintenance of these wards.⁵⁰ This was 22 percent of the Court's total income, which came from the revenue collected from the estates. The following year 145 wards came under the supervision of the Court. Of the boys attending high school in Hyderabad, several read for the Cambridge examination. Under instruction from the Nizam, the Court sent wealthier male heirs for further education in Europe. As its wards were educated either along 'English lines', or

⁴⁹ Barr to Secretary to the Government of India, Foreign Department, 29 March 1904, National Archives of India, Foreign Department.

⁵⁰ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1336 Fasli*. Hyderabad-Deccan: Government Central Press, 1928. p. 14.

at local Indian schools and colleges, the Court attempted to equip them with certain practical skills. For instance, the Court gave Raja Rameshwar Rao III of Wanaparathi extensive administrative training pertinent to his becoming raja: he worked as a Patwari, Tehsildar, Divisional Officer, and then Collector in the Revenue Department within the Madras Presidency. He also trained in the Home, Finance, and Judicial Departments.⁵¹ That Rameshwar Rao was sent to the Madras Presidency for his training is indicative of the flow of ideas and information between the Presidency and the samasthans. This was aided by Tasker and Trench who both saw extensive service in the Presidencies. Thus, a preliminary judgment of the Court's endeavor to educate its wards is positive. Most wards seemed to have in fact received some education under the Court's guidance.

In addition to the education of heirs, the Court attempted to improve the samasthans' finances. This was perhaps the foremost mandate of the Court. '[I]t is the policy of the Court of Wards to reduce the cash balances as much as possible by investing the amounts in profitable concerns or spending them on public works'.⁵² Two options were available for investment. First, it could deposit any cash balances in financial accounts that would be available to the heir upon his or her taking charge. While this would immediately benefit the heir and their family, it could also invite abuses and lapses into lavishness that the Court had all along tried to curtail. The second option was to invest in public works projects. Here, Hyderabad's Court of Wards excelled. In Gadwal and Wanaparathi as well as in other samasthan capitals, numerous schools, rest houses, markets, roads, and bridges were constructed while their estates were under the Court. These projects benefited the samasthan families, the citizens of the samasthans, and as a byproduct, the Nizam and Hyderabad as well. A healthier, fiscally sound samasthan was less likely to default on peshkush, and be less of a burden on the state's police, courts, and other administrative offices. When the Court released the Gadwal samasthan in 1928, its annual income had increased from 679,972 to 751,926 rupees.⁵³ At the time

⁵¹ 'Transcript of the interview with Shri J. Rameshwar Rao for Oral History Division, Nehru Memorial Museum and Library,' Nehru Memorial Library. New Delhi, 8 August, 1991. pp. 30–31.

⁵² *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1340 Fasli*. Hyderabad-Deccan: Government Central Press, 1932. p. 5.

⁵³ Barton to GOI, 7 December 1925, IOR, R/1/1/1469. Later, the young raja objected when the Court began the process of assessing the samasthan. The raja

of its release, the samasthan had a cash balance of 101,284 rupees. Moreover, its debt from four years prior was gone. The excess funds were likely used by the family for its own needs.

Court administrators periodically assessed all the estates under its charge to see which of them might be ready for release. The largest single group of releases came in 1928. The year before, then Revenue Secretary Nawab Fasih Jang suggested that a committee be formed to examine and ultimately release those estates that no longer required the Court's supervision.⁵⁴ This was duly recommended and commanded by a firman of the Nizam dated 5 May 1927. Among other questions, the firman queried, 'Does every such proprietor, besides being capable and a major, possess such educational, moral and practical qualifications as would justify entrusting the management of his estate to him?'⁵⁵ The committee was headed by Tasker, Hashim Yar Jang, High Court Justice, and Samad Yar Jang, Military Secretary. It convened and found that thirteen estates could be released, and sent this recommendation to the Nizam for approval.⁵⁶ Dubbak, Rajapet, and Gopalpet were three samasthans among thirteen. Gadwal was also among them, and arguably its release was most important. While under the Court, each estate had made progress. Dubbak had entered the Court of Wards in 1907 when its holder, Uma Reddy, and his son had both died. 'Grave differences' between the widows of these men had brought the estate under the Court. The Court having surveyed and settled the villages of Dubbak, arranged the marriages of four minor wards, and resolved the succession differences, released the samasthan to the new heir, also named Uma Reddy. On entering the Court, Dubbak had been encumbered with a debt of 131,181 rupees. By the time of its release, it had a cash balance of 49,382 rupees.

The Raja of Rajapet, Rajeshar Rao, had died on 16 February 1914, leaving behind his widow, two daughters, Nainabai and Aitrabai, and a minor son, Jaswant Rao. The Court, having surveyed and settled

objected, arguing that he would have the samasthan assessed when he attained majority. The government ignored his request, but this was the only assessment it performed of the samasthan, this task in the future was indeed left to the raja.

⁵⁴ As early as 1925, the Court of Wards was one of the 'problems' foremost in the Resident's mind. Barton listed, 'Abuses of the Court of Wards administration and confiscation of private estates, chiefly through two Revenue officials (Fasih Jung and Rahim Yar Jung), who pandered to the greed of the Nizam.' Hyderabad Affairs, Resident to Glancy, 2 November 1933, summary of Barton's letter of 11 December 1925, IOR, R/1/1/2425.

⁵⁵ Firman, 5 May 1927, in IOR, R/1/1/1675.

⁵⁶ Crump to Thompson, 19 May 1927, IOR, R/1/1/1639.

the samasthan and lowered its tax rates, lifted it from a debt of 209,708 rupees to one of only 5,400 rupees. Still, Rajapet continued to be plagued by avoidable financial difficulties. The Court of Wards report states, 'Repayment of debts, marriage of the ward, purchase of a motor car for him and many other extraordinary expenses of this kind prevented investments... or works of permanent improvement to be carried out in the estate'.⁵⁷ The two daughters studied in the Wesleyan Mission Girls School.⁵⁸ To help with female heirs as a group, in 1915 the Court appointed the Principal of Mahabubia Girls School, Miss Grace Mary Linnell to be 'Lady Adviser'. Perhaps the best-known Lady Adviser in the Court of Wards system was Cornelia Sorabji who served in that position in Bengal.⁵⁹ Linnell was responsible for visiting female wards and reporting to the Court on their education and health. She also appointed governesses and nurses to several of the estates, including Wanaparathi and Narayanpur.

At Gopalpet, after Raja Jagpal Rao's death on 9 March 1912, the Rani and her adopted son had quarreled over the succession. As investigations into their claims were carried out, the samasthan had been placed into the Court of Wards. The investigative report concluded that the Rani was the rightful heir to the samasthan, but it would be released to her only under certain conditions: namely, she was to have a government official help administer it, and she was to have it surveyed and settled. Upon release, the samasthan's income had risen from 130,613 to 157,632 rupees, leaving it with a cash balance of 364,823 rupees and an invested balance of 25,000 rupees.⁶⁰ In its report of 1928, the Court boasted, 'The estate was thus in a very flourishing condition at the time of release. The Rani has been made free from all her worries and the committee has also decided that the estate which has been confirmed on her name, and

⁵⁷ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1338 Fasli*. Hyderabad-Deccan: Government Central Press, 1930. p. 3.

⁵⁸ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1337 Fasli*. Hyderabad-Deccan: Government Central Press, 1929. pp. 21–2. Rajapet was in the Court of Wards as of 1926, and recommended for release.

⁵⁹ Antoinette Burton, *At the Heart of Empire* (Berkeley: University of California Press, 1998). pp. 110–51.

⁶⁰ *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1338 Fasli*. Hyderabad-Deccan: Government Central Press, 1930. p. 5.

will remain under her charge till her death, while the claim of her adopted son will commence only after her demise'.⁶¹

In later years, two other samasthans benefited from the Court's maintenance. In 1933 the circumstances of the Amarchinta and Gurgunta samasthans had improved to the point where they became eligible for release. After inquiries, the Court had given Amarchinta to Rani Bhaggia Laxamma. She had been given two officers to assist her in the samasthan's management, and together, several public works projects were completed, including the construction of a police station, a school, a rest house, and road improvements. At Gurgunta, Rani Gauramma Sherza had administered the samasthan until her death on 5 February 1914. She had left behind a widowed daughter and an adopted son, Jadi Somappa Naik. Somappa Naik, being a minor, was taken into the Court of Wards. The samasthan thus remained under the Court's supervision for two decades. Finally, it was handed over to Naik with all its debts cleared.⁶² In April of 1930, Tasker visited the samasthan and in consultation with Naik, the decision was made to build a traveler's bungalow and a dispensary for public use.⁶³ Thus, when viewed broadly, the Court of Wards seems to have adequately provided for its wards. Both the wards and their estates had been looked after, and upon release, many emerged in sound financial health.

A final glimpse of the Court's doings comes from a report by Muhammad Farooq, Hyderabad State's Deputy Director of Public Health. In April of 1941 Farooq toured the Wanaparathi samasthan and provides a first-hand account of projects undertaken by the Court and carried out by the Public Works Department. Arriving on the morning of April 17, Farooq noted that in the last decade under Court supervision, a number of new buildings had been constructed including a slaughterhouse, and a meat and vegetable market.⁶⁴ While these buildings were relatively new, he adds that 'the town itself is still in a somewhat neglected condition'. Though perhaps run-down, Wanaparathi town seems to have maintained a relatively healthy environment – Farooq notes that no epidemics had been reported in the

⁶¹ *Ibid.*, p. 6.

⁶² *Report of the Administration of the Court of Wards Department of H.E.H. the Nizam's Government for the year 1343 Fasli*. Hyderabad-Deccan: Government Central Press, 1935, p. 2.

⁶³ Tasker collection, 16 April 1930, IOR, D/7982.

⁶⁴ This and the following data come from: 'Wanaparthy 13 Khurdad '50F' M. Farooq, Court of Wards office, Hyderabad.

last year. He suggested improvements to the water supply, drainage, latrines, and trenching grounds. The population of Wanaparathi town at this time was expanding. It included 6,800 residents with 1,574 houses. With population pressure rising, some residents petitioned to fill-in the palace moat and use that land for new construction. 'The idea of closing the moat is excellent but I do not recommend any town extension in that locality'. This was due to its low-lying elevation and problems with contaminated water. Farooq also toured the nearby temple and village of Rajanagar. Here, an annual *jatra* (fair) was held, and Farooq reprimanded the samasthan administrators responsible for the upkeep and sanitation of the grounds. 'At the time of my inspection I found the temple area and its surroundings as filthy as could be imagined . . . Under such conditions it will not be surprising if cholera breaks out every year during the *jatra*'. He then suggests a series of improvements to be implemented. This glimpse of the samasthan presents a somewhat mixed picture. On the one hand, the Court of Wards had successfully constructed new public buildings and facilities for the residents of Wanaparathi town, and Farooq, in reporting to the Court of Wards, lent his opinion and expertise to further improvements that could be made. Yet, on the other hand, conditions in the town and fair grounds indicate a lapse of responsibility. Some redemption can be found in the very fact that Farooq and the Public Health Department, as part of the Court of Wards administrative cohort, involved themselves in the samasthan's upkeep and improvement. Inspection and intervention here, while not always generous, seems to have been done in a benevolent light, with the health and vibrancy of Wanaparathi foremost in the minds of Farooq and the Court of Wards.

Malevolence

At the local and personal level, one can see how the Court sometimes over-stepped its bounds, and how its operations easily took on more malevolent tones. In one instance, in its desire to appoint a nurse for the child raja of Wanaparathi, Rameshwar Rao III, the Court simply exacerbated disagreements over the care of Rao. Further, the Court reprimanded Rameshwar Rao's mother, Rani Sarala Devi, for taking independent initiative in securing her son's education. While Sarala Devi remained 'grateful' for the Court's interest in her son, she and her family had much reason to resent the Court's interference.

Sarala Devi and Rameshwar Rao visited Madras in February of 1931, a time when Hyderabad was suffering from an outbreak of plague. Fearing for her health, she wrote to the nazim of the Court (Syed Badruddin) requesting permission to remain in Madras. Sarala Devi added that a nurse assigned to her by the Court, Miss Brawley, was also with them. The nazim granted her request.⁶⁵ Wards and their guardians were required to obtain permission from the Court to leave or to reside outside Hyderabad, understandable paternalism given the Court's responsibility for the health of both the ward and the estate. Thus, in a time of plague, the whereabouts and safety of each ward took on even greater importance.

By mid-March Sarala Devi again wrote to the nazim. This time her letter expressed considerable displeasure at the work of Brawley, whose attitude had become 'markedly peculiar'. Acrimony seems to have arisen from concerns about Rameshwar Rao's health. He had developed a fever, and Sarala Devi had called Dr. Narayana Rao, the family physician. Upon the doctor's arrival Brawley refused to allow him to examine the child. At the request of Court officials she called a European doctor, Colonel Hingston. Defiant, Sarala Devi told Brawley that she would put the child under the care of Dr. Rao, at which Brawley became upset. The following day she told Sarala Devi, 'Don't interfere in my work... I have nothing to do with you'. She made a scene and left the house.⁶⁶ Dr. Rao added that Miss Brawley, while 'professing to be a nurse, does not seem to know the elementary rules of treatment'.⁶⁷ Miss Brawley was dismissed by early April. The Court, in appointing Brawley and seeking Hingston's opinion, relied on the medical opinions of colonial officials. This is not surprising since the head of the Court, Tasker, was himself an officer of the British Government. Rameshwar Rao recovered from his fever, and Brawley's 'peculiar' behavior cost her the job. No other nurse was appointed to watch over the young raja.

Correspondence concerning Rameshwar Rao continued through the spring of 1931. First, a letter from the Court compelled him and his mother to return to Hyderabad on grounds that their allotted time in Madras had expired. Second, the Court inquired about the his education. Sarala Devi responded that she did not want her son

⁶⁵ Sarala Devi to Nazim, 1 February 1931, and Nazim to Sarala Devi, 9 March 1931, Wanaparathi Family Papers, Hyderabad (WFP).

⁶⁶ Sarala Devi to Nazim, 16 March 1931, WFP.

⁶⁷ Dr. Rao to Sarala Devi, 12 March 1931, WFP.

(nine years old at the time) put into a boarding school. Rather, she wanted to enroll him at a local school. She also wanted someone to teach him 'colloquial Urdu and court manners'. Diplomatically, she added, 'I am very grateful to the Court of Wards in taking very keen interest in the welfare of my son'.⁶⁸ A short time passed and the family secured a tutor, Gadepalli Suryaprakasa Rao, to teach Rameshwar Rao at home. However, upon hearing this, Tasker interfered. In a polite but firm letter, he informed Sarala Devi, 'You seem to be under a misapprehension. I have never agreed that you should appoint particular persons to a post... particular appointments are subject to the approval of the Court of Wards, and nothing must be done in anticipation of that approval'.⁶⁹ Tasker upheld Court policy, even though it meant going against family wishes. But Sarala Devi was a gifted diplomat. She responded, 'I have merely selected the gentleman and settled terms with him and have intimated the matter to Nazim Sahib that he might, in consultation with you, approve my proposal'.⁷⁰ With that, the matter ended. Suryaprakasa Rao was hired, and Rameshwar Rao went on to become one of Wanaparathi's finest rulers.

While the Court of Wards marked a significant step towards a legally based system of administration, older autocratic practices still periodically manifested themselves. Not surprisingly, under the rule of Osman Ali Khan, the practice of demanding *nazr* returned with vengeance. When the thirteen estates were released in 1928, the Revenue Secretary had suggested that in return for being released their wards should offer *nazr* totaling five lakhs. This suggestion was somewhat unusual, and the Resident, William Barton, felt it was more than likely the idea of the Nizam himself – crafted in an attempt to extract *nazr* from the estates before they left the Court. Barton added that the Nizam frequently 'abused' the Court by dipping into its funds for *nazr*.⁷¹ At this time, the Nizam would send a cart of mangoes (likely given to him as a *nazr*) to the Court along with a note demanding payment for the fruit.⁷² Officers of the Court sold fruit from their desks, and on similar occasions frequently deducted the expense from the

⁶⁸ Sarala Devi to Nazim, 16 April 1931, WFP.

⁶⁹ Tasker to Sarala Devi, 31 July 1931, WFP.

⁷⁰ Sarala Devi to Tasker, 2 August 1931, WFP.

⁷¹ Barton to GOI, 15 October 1925, IOR, R/1/1/1462.

⁷² Benjamin B. Cohen, 'Gifts or Greed? *Nazr* in the Reign of Hyderabad's Osman Ali Khan,' in *Paradigms in Indian History*, ed. V. Sadanandam *et. al.* (Hyderabad: Itihasa Prabhasa Publishers, 2004).

TABLE 2
*Contributions by the Samasthans to
 the Nizam's Delhi palace.*⁷⁵

Samasthan:	Rs.
Gadwal	10,000
Gopalpet	10,000
Narayanpet	5,000
Papanapet	7,000
Rajapet	1,000
Gurgunta	7,000
Wanaparathi	10,000

samasthan accounts to cover the Nizam's requests.⁷³ At the same time, the Nizam sent a list of estates that were to help furnish his newly constructed palace in Delhi, 'Hyderabad House'. Many of these estates – some of them still in debt – were asked to make sizable contributions to the Nizam's various projects and satisfy his monetary whims.⁷⁴ As Table 2 indicates, contributions by the samasthan holders made the Nizam's 'Hyderabad House' very much a gift of the samasthans.

The Court of Wards served as a temporary guardian for many of Hyderabad's samasthan holders and their estates, as well as other landholders. The Court, largely benevolent towards its wards and their estates, did its best to provide a sound upbringing for their heirs and at the same time to make physical improvements in their capitals and villages. Yet, functioning as it did under an autocrat, the Court could not always shelter its wards from the rapacity of the Nizam. Moreover, in some cases the wishes of a ward's family were ignored as the Court flexed its administrative muscle. Thus, when a suitable heir could not be found, putting an estate under the Court's supervision was not terminal to the family or their estate, yet also not always an easy path for those involved.

⁷³ Tasker collection, 16 January 1972, IOR, D7985 [probably from 1927–1928].

⁷⁴ It was not only the samasthans that paid nazar while under the Court; the paigahs also were subject to exaction. In 1929 at the investigation and recommendation of the Paigah Committee, it was found that the Kurshid Jah Paigah owed nearly 84,000 rupees in nazar and peshkush that it had not paid while under the Court. The amount was paid to the Nizam when the estate was released from the Court. See: Mirza Yar Jung, *Paigah Committee Report of 1347 H – 1929* (Hyderabad: 1929). p. 31.

⁷⁵ Barton to GOI, 7 March 1927, IOR, R/1/1/1675.

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