

1607/58

M.R.O. 1-29,000-16-10-29.

# MADRAS RECORD OFFICE.

Government of Madras.

*Marine*

DEPARTMENT.

|          |       |               |
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| G.O. No. | 148   | Press<br>Mis. |
| Dated    | 25-4. | 1861.         |

Not to be folded or roughly handled

21

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

Read the following papers :—

No. 51. From ANNATHA APPASAWMY MOODELLY, the sole surviving Headman and Principal Proprietor of St. Peter's Church at Royapooram, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 15th February 1861.

I beg leave to submit the following statement for the information of Government.

1. That in the year 1800, my ancestors, the Principal Headmen of Royapooram, together with their brother Headmen, Principal Boat-owners and certain other Christian Boat-owners erected an Edifice for Christian worship for the Native Christian congregation and named it "St. Peter's Church," which Edifice and its management were under the immediate superintendence of my ancestors and their brother Headmen.

2. That arrangements were made and entered into by and between them in the year 1806, for the service and maintenance of a Priest as well for the servants' wages and incidental expenses for annual festivals, &c., and contributions were made from that year and collected from the income arising on the several Boats belonging to the respective parties at 2 Annas and 6 Pice per day, viz., from the 15 Boats owned by my ancestors, and 6, 4 and 3 each owned by the other Headmen, and 1 and 2 each owned by Christian Boat-owners, which several contributions were respectively paid into the Boat Pay Office under the control of the Marine Board, which contributions amounted to a considerable sum.

3. That in 1822, on and after the demise of the last of my ancestors, and having as his heir and only legal representative, been put into possession of his Estate, I was the Headman and Principal Proprietor, and after the respective deaths of the other Headmen, I am now the only surviving Headman and Principal Proprietor of the Church aforesaid.

4. That such Edifice being rather small for the growing Native congregation, the Headmen or Wardens in the year 1823, applied to Government to sanction the building of a larger Edifice to accommodate such growing congregation and for the purchase of some more ground of and from the Funds aforesaid, and Government was pleased to sanction the same and a sum of Rupees 40,000 and upwards were spent in the completion thereof.

5. That in 1826, certain Regulations for the management of the affairs connected with St. Peter's Church at Royapooram, and its Funds were framed by unanimous consent and signed by all parties concerned and confirmed by the then Roman Catholic Acting Bishop and still remains of record in the Marine Board Office, by virtue whereof the Headmen and Wardens drew from the collections and interests on the said Funds certain amount monthly for the pay and allowance of the Priest and Church servants and for incidental expenses attending the celebration of annual festivals.

6. That in 1828, in consequence of the misconduct of the then Officiating Priest, the Headmen or Wardens discontinued to draw such allowance aforesaid from the then Boat Pay Office in pursuance of the said Regulations, thereupon the then Officiating Priest having conspired with some of the contributors who owned a Boat each, and who afterwards in the year 1829 and up to their demise ceased contributing to the said Fund, set up a dispute, and the matters thereof being referred for arbitration and inasmuch as my ancestors and others were always and after their death I, as their only representative am the now Headman, the decision of the Umpire was in our behalf and in the year 1830, the same was confirmed by the Marine Board, and by a letter from the Secretary of the Board to the Acting Bishop, the decision of the Board as regards the Priest, were fully communicated.

7. That thereupon, correspondence on the subject having been made to Government by the said Acting Bishop, by a letter from the then Chief Secretary to Government to the said Acting Bishop, I find it stated in acknowledgment

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

of a letter, dated November 1831, that the Right Honorable the Governor in Council after due investigation was satisfied that the Proceedings of the Marine Board in the matter of which it refers, were correct.

8. That the said Acting Bishop suspended the then Officiating Priest from his Clerical functions in the said Church, which circumstance was by a letter dated June 1833, duly reported by him to the President and Members of the Marine Board.

*Vide letter, dated 3rd June 1833.*

9. That being aggrieved at the conduct of the Priest and the adverse parties, myself and the other joint Proprietors and Headmen complained to Government and the Board on our grievance, and by a letter dated October 1833, from the Board to the Boat Pay Office, the Board was pleased to determine that, from that time, collections should be suspended and no disbursements made.

10. The said suspended Priest still remaining contumacious and obstinately refusing to abstain performing service in the said Church and quitting the Rectory, myself and my Colleagues were under the painful necessity of removing him therefrom. After which we found that he made away jointly with the adverse parties, all the gold and silver articles belonging to the said Church such as Chalices, Crowns, and other articles for religious use during worship, to the value of Rupees 5,000 and left the said Church and its Altar bare of its ornaments, and which were placed in his possession as such Officiating Priest.

11. That after the arrival of the Right Reverend Dr. O'Connor, Bishop and Vicar Apostolic of Madras, and on our representation he was pleased to appoint the Reverend Mr. Michael, as the Officiating Priest of the said Church at Royapooram, and thereupon we applied to Government for a continuance of the Priest's and servants' wages, &c., but owing to the opposition made thereto by the party, who ceased contributing from 1829, and by reason of their dismissal by the Master Attendant for their bad conduct, and who were averse to the appointment of the new Priest, Government was pleased not to comply with our request and such Priest was for several years and until his death paid out of the Roman Catholic Cathedral funds and on his death, left a few Silver articles and investments for the use of the said Church, which, together with what we afterwards procured ourselves, are the only articles in use in the now destitute Church.

12. That from the arrival of the Right Reverend Dr. Fennelly the present Bishop, he appointed from time to time and still continues paying a Priest for officiating in the said Church from and out of his own Mission funds and the servants are paid from the fees and collections of the Sacred Offices made in the said Church and all difference therein are paid up by myself up to this date.

13. That in 1835 by advice of the adverse party the suspended Priest, Reverend Martin D'Silva instituted a suit in forma pauperis in the Supreme Court at Madras against myself, my colleagues and the Honorable the East India Company for recovery of his wages and other incidental expenses falsely alleged to have been expended by him in and for the said Church to which said Bill of complaint we filed a Demurrer which said Demurrer was heard and allowed. The said Reverend M. D'Silva finding himself defeated in his ends, and in the year 1836 filed a Complaint in trespass against us, on trial and decision whereof the said Priest, being in low circumstances and unable to meet our costs, and fearing we shall prosecute him and his party for making away with the Church property, decamped from Madras to Goa and was never again heard of.

14. That being involved in law costs in the said two suits brought against us by the said Priest in 1835-36 and on our application to Government for the payment thereof, the Governor in Council was pleased to sanction the payment of both the costs, viz., Rupees 673 and Rupees 2,679 from the said Church funds on our own responsibility.

15. That in the last mentioned year (1836) the said Church having sustained considerable damages on account of a hurricane, myself and my colleagues applied to Government stating the

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

circumstance, whereupon Government was pleased to comply with our request and directed their Engineer to survey the damages sustained and make the necessary repairs, the charges whereof were duly paid from the said Church fund.

16. That after the demise of my ancestors as aforesaid and from the year 1822 I succeeded to the Headmanship and Principal Proprietor of the said Church and am still up to the present time the only Headman and Principal Proprietor of the said Church and always had possession and still am in peaceable possession of the said Church and in the management of all the affairs appertaining thereto.

17. That my three colleagues, viz., Nullaveran Anthony Moodelly, Assarapen Pareatomby Moodelly and Monte Appasawmy Moodelly respectively departed this life without any issue.

18. That the two adverse party, Nullaveran Annapillay Moodelly and Andee Pareatomby Moodelly also departed this life several years ago without any issue, and the several other contributors to the said Church fund are also dead excepting one who was the owner of a single boat only and I am now left the only sole surviving Headman and Principal Proprietor of the said Church.

19. That on account of the disputes and differences hereinbefore mentioned by the then Officiating Priest and his party against myself and my colleagues, the funds belonging to the said Church were laid and still is laid dormant in the hands of Government and from the time the new Edifice was built we were precluded from applying to Government for sufficient funds for the erection of a suitable Altar and for Globe Lamps, Wall-shades, Carpets and Mats for the Native congregation, for want of which they are obliged to sit on the bare floor and for other necessary decorations.

20. That for the past two years the present incumbent of the said Church has no place of residence, the Rectory thereof being untenable by reason of its having crumbled to pieces and three rooms being part and parcel of the said Church are now converted as a residence for the Priest and for want of funds I am unable to rebuild the Rectory.

21. That in November 1860 I applied to Government for the exemption from the Income Tax, the income derived from the property belonging to the Church of Saint Peter's at Royapooram, which is entirely devoted to public religious purposes, and by an Order of Government, No. 244, dated 30th January 1861, the Government was pleased to grant my request.

22. I beg leave to enclose copies of several documents with reference to the affairs of the Church aforesaid and also copies of documents which will bear out my respectability and the responsible situations I held under Government and for 5 years as Cajanjee or Provincial Treasurer under the Collectorate and District of North Arcot where Government revenue to the amount of ten millions or thereabouts were received and disbursed by me on my own responsibility and also of my general character.

PRAYER.—I, A. Appasawmy Moodelly as the now only surviving Headman and Principal Proprietor of the said Church beg to submit for the consideration and sanction of Government that I may be allowed the liberty to draw from and out of the interest of the funds belonging to the said Church the regulated monthly stipend\* (as per margin) for Priest's allowance, Servants' wages &c., and for the celebration of the three annual festivals of the Church† as in the 4th paragraph of the Regulations for the management of the affairs of the said Church and its funds above referred to, is mentioned, on the joint receipt of myself and the Officiating Priest for the time being of such Church on my responsibility as such principal Proprietor and only surviving Headman, as was allowed me in the years 1835-36 for the affairs of the said Church and set forth in paragraph 14 of this my letter.

Begging your kind forbearance to this my lengthened statement.

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

Referred to the Superintendent of Marine in continuation of Proceedings, 6th instant, No. 42.

FORT SAINT GEORGE,  
18th February 1861.

(Signed) T. PYCROFT,  
Chief Secretary.

No. 52. From J. J. FRANKLIN, Esq., Superintendent of Marine, to T. PYCROFT, Esq.,  
Chief Secretary to Government, Fort Saint George, dated 5th April 1861, No. 1,008.

I have the honor to acknowledge receipt of the Proceedings of Government of the 6th February last No. 42, and the reference of the 18th idem on the subject of the Royapooram Church Fund, which is held in deposit by the Superintendent of Marine and Master Attendant for the time being, pending the settlement of the differences which have arisen between the subscribers to the Fund.

2. The Government are desirous of learning whether arrangements cannot be made for applying the Fund to the object for which it was raised.

3. I have had before me most of the persons who claim to be headmen of the boatmen, and I regret to report that there appears no likelihood of their differences being amicably adjusted. The Funds were raised from the Christian boatmen generally and were managed by their headmen, and although Annatha Appasawmy Moodelliar, the petitioner, is undoubtedly one of them, it appears that there are others who have an equal claim to consideration.

4. The disputes between the headmen commenced in 1829-30 and all who were then in power with the exception of the petitioner are dead. Their representatives, or at least persons claiming to be such, are however alive, and they object to any portion of the Funds being made over to Annatha Appasawmy Moodelliar. He mentions in the 17th paragraph of his letter to Government on which I am now reporting, Nullaveren Anthony Moodelliar, Assarapen Periatomby Moodelliar, and Monte Appasawmy Moodelliar as his former colleagues; and he bases his claim to be considered as the sole surviving headman on the fact of their having died without issue. But Nullaveren Murray Doss Moodelliar as nephew of the 1st, Assarapen Appasawmy Moodelliar as nephew of the 2nd, and Monte Annasawmy Moodelliar as uncle of the 3rd, come forward and object to the Funds being touched without the consent of all.

5. As before observed the differences are such that there is no likelihood of their agreeing to act in concert. I would suggest therefore that the Government Law Officers should be requested to consider whether it would not be advisable that the question of the proprietorship of the Fund should not be decided in the Supreme Court, all reasonable costs on both sides being paid out of them.

No. 53. From ANNATHA APPASAWMY Moodelly, the sole surviving Headman, Warden and Principal Proprietor of Saint Peter's Church at Royapooram, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Royapooram, 8th April 1861.

With reference to my letter of the 15th February last, in regard to Saint Peter's Church at Royapooram and the formation of its funds—which letter I am informed was forwarded to the Marine Superintendent for the purpose of being reported upon, I beg further to bring to the

- Nullaveram Maria Doss Moodelly, owner of a single boat.
- Assarapen Appasawmy Moodelly, a Peon in a Printing Office.
- Monte Annasawmy Moodelly, a Cultivator.

notice of Government that the persons (noted in the margin\*) falsely alleging themselves to be the representatives of the deceased Headmen and Church-wardens, in my letter named (my colleagues) and who with myself have had the quiet and peaceable possession of the said Church, I understand, have come forward before the Marine Superintendent last week, and object to the funds being handed to me as the sole surviving Headman, contributor and Church-warden of the said Church, without their consent.

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

PREAMBLE.—2. I beg to state that, these pretended representatives, of whom I shall hereafter mention, now arise, with no other view but to thwart me from my legal rights, as such surviving Headman, to draw and appropriate the stipend allowed by the Regulations in my letter mentioned, and to its legitimate purposes, from the funds now lying dormant for the past 28 years; and thereby inflict further injuries to the said Church and the object of the donors of the said fund. Such pretended representatives, having left the community of Saint Peter's Church and joined the Portuguese Mission Chapel at Royapooram and not being yet satisfied with the injuries their relatives Nullaveram Annapillay Moodelly and others who were rejected by the Marine Board's decision of 30th August 1830, for a period of a quarter century and upwards, have inflicted, and if possible, still would wish to prolong the wants and misery of the said Church. A revelation of their iniquitous proceedings for the above mentioned unhappy period, will constitute a subject of the deepest regret to the said Church and the peaceable Christian Inhabitants of Royapooram.

3. In continuation—to the pretensions of these pretended representatives I beg to refer, for the information of Government, to the 17th paragraph of my letter under reference in which I have mentioned that, Nullaveram Anthony Moodelly, Assarapen Pareatomby Moodelly and Monte Appasawmy Moodelly, the then Headmen, respectively died without any male issue, leaving me the only surviving Headman, &c.

1st. Nullaveram Anthony Moodelly having died without any male issue to represent him, but only a grand daughter named Chellacunnnoo Ummal, has a right, and Nullaveram Maria Doss Moodelly, the brother of Nullaveram Annapillay Moodelly deceased (who, in his life time attempted the assumption of the Headmanship but was rejected by the Marine Board in their decision dated 30th August 1830,) is not the nephew or representative as he pretends of the said Nullaveram Anthony Moodelly deceased.

HISTORICAL FACTS  
“EXTANT.”—1st. Nullaveram Anthony Moodelly died, leaving no male issue but only a grand daughter named Chellacunnnoo Ummal,

the only daughter of his only son Nullaveram Chindatry Moodelly deceased.

2nd. Assarapen Pareatomby Moodelly also having died without any male issue to represent him, his grand daughter Chellacunnnoo Ummal has a right, and Assarapen Appasawmy Moodelly his nephew, some years ago, having joined the adverse party and by the instigation of a Priest of the Portuguese Mission and in conjunction with others of the adverse party, entered the Church of Saint Peter's, and committed a riot, wherefore he was tried at the Sessions, convicted and punished by imprisonment, with the others.

2nd. Assarapen Pareatomby Moodelly died leaving no male issue, also leaving an only grand daughter named Chellacunnnoo Ummal, the only daughter of Chellampillay Ummal deceased and Assarapen Appasawmy Moodelly his nephew.

3rd. Monte Appasawmy Moodelly died, leaving no issue, but two paternal cousins viz., Monte Anthoneappen Moodelly and Monte Annapah Moodelly, and Monte Annasawmy Moodelly who pretends himself as the uncle of the said M. Appasawmy Moodelly which is not the case but his father-in-law, and which said M. Annasawmy Moodelly acted for some time as the Treasurer of the Collections belonging to the Church and since is unwilling to render any satisfactory account and in order to evade the reckoning, he has joined the adverse party and is the principal mover and ring-leader of such party from the commencement of the unjust dispute.

3rd. Monte Appasawmy Moodelly died leaving no issue, but two paternal cousins named Monte Anthoneappen Moodelly and Monte Annappah Moodelly.

FOR OPINION.—Under the above related circumstances, I humbly submit it to the consideration and judgment of the Right Honorable the Governor in Council, whether the representatives (as pretended) of the deceased Headmen (my colleagues) are the real representatives? Whereas, if they were, they would be glad of my application for the benefit of our Church, and would evince a sincere desire to join me; but they having long ago left the community of Saint Peter's Church and joined the Portuguese Mission Chapel in Royapooram and constantly creating disturbances in the said Church, and as often punished by the authorities, and therefore inimical to the interests of the said Church, they are not what they pretend, nor care if the Church Fund laid dormant for a century to come; hence they now come under the presumptive

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

plea of "Representatives" which they have only assumed in last week to try, if they cannot prevent, if possible, my application for the funds, to employ the same for its legitimate purposes viz., the benefit of Saint Peter's Church; and,

2ndly. Whether a Public Religious Edifice, raised by my ancestors, myself and other Christian Boat-owners, with good intentions, should be brought to ruin, on account of the disaffection of inimical parties? And can the contributed Church funds, in the hands of Government, left for the support of the said Church from its formation, be considered in the same light, as hereditary property, on account of the machinations of evil disposed and ignorant persons, who may set up any opposition as the parties above named now do, to lie dormant without its being laid out for the purposes for which it was intended.

PRAYER.—Humbly trusting that on account of the miserable state of the said Church and its dependencies, my application under reference, may be favorably considered by Government, as the only sole surviving and undisputed principal Proprietor, Headman and Warden in full power and possession of the property and management of the said Church of Saint Peter's at Royapooram.

No. 54. From J. J. FRANKLIN, Esq., Superintendent of Marine, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 11th April 1861, No. 1,056.

I had the honor in my letter of the 5th instant No. 1003 to report that there was no likelihood of an amicable arrangement being effected between the various claimants to the Royapooram Church property. Since this I have received the accompanying petition from 15 Boat-owners who pray that no portion of the Funds should be given over to Annathay Appasawmy Moodelliar.

From N. MARIDASOO MOODELLIAR, E. ANNASAWMY MOODELLIAR, and others, Headmen, Boat-owners, &c., of St. Peter's Church at Royapooram, to J. J. FRANKLIN, Esq., Superintendent of Marine, &c., &c., &c., dated 8th April 1861.

We the undersigned Headmen, Boat-owners, and Wardens of the Church of Saint Peter's at Royapooram, beg leave to submit for the consideration of your Honor and of His Excellency the Governor in Council, the following representation in reference to the Petition addressed to Government by Annathay Appasawmy Moodelly, dated the 15th February last, and referred by them for your report.

2. In October 1838, and with reference to a Petition addressed to Government by the said Annathay Appasawmy Moodelly, and two others, to wit Assarappen Appasawmy Moodelly and Nallaveran Chindathry Moodelly, dated the 6th September 1838, and to a letter addressed to

*Vide Order of Government, 2nd October 1838, No. 1,672.*

Government by Dr. O'Connor, Vicar Apostolic of Madras, which were referred for report, the Marine Board prepared two Lists of Boat-owners

as they stood opposed to each other, one for each party, and got them to sign the Lists respectively. These Lists must now be on the transferred Records of your Office. We are not aware whether the same were laid before Government at that time with the Marine Board's Report in

*Vide Lists, A. B. and C. D.*

reply to the above quoted Order, but we beg now to submit copies of the two Lists, which we have in our possession for your ready reference.

3. You will observe from these Lists prepared as aforesaid by the Marine Board, and attested by the respective parties, that they contain the names of all the Boat-owners at that time, and that in none of these is Annathay Appasawmy Moodelly's name to be found, but only that of his father Myley Chinnathumby Moodelly. Annathay Appasawmy Moodelly in his Petition to Government now under reference states that he was the owner of fifteen Boats but from the

*Nos. 41, 46, 63, 77, 78, 79, 80, 81 and 91.*

List No. 2 it will be seen, that his father had no more than nine Boats of the Nos. noted in the margin. Your honor from hence could easily

perceive whether there is any truth in Annathay Appasawmy Moodelly's statement of his having

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

been the possessor of fifteen Boats. If such was the case the Records of the Master Attendant should show as he collected the Boat tax, but in the List prepared in 1838, his father is shown to be the possessor of a less number than Annathay Appasawmy Moodelly claims the honor for.

4. The List No. 1 of one side shows twenty-one Boat-owners, and thirty-one Boats, and the one No. 2, in Annathay Appasawmy Moodelly's side shows only 14 Boat-owners, and thirty Boats. When there were so lately as in 1838, Boat-owners thirty-five in number on both sides, how can Annathay Appasawmy Moodelly claim the whole fund of Saint Peter's Church as the sole surviving proprietor of it? Is it possible that all the Boat-owners could be dead without leaving a single descendant? In paragraph 18 of his Petition to Government, Annathay Appasawmy Moodelly mentions one Boat-owner to be surviving whose name and the part that he had in the Church's concern he sets aside, while he mentions of all others, whereby your honor will easily perceive the object and the motive that led him to it.

5. We beg herewith to submit two Lists of Boat-owners, showing the survivors, and successors of those mentioned in the List prepared by the Marine Board in 1838, both on our side as well as on that of Annathay Appasawmy Moodelly, and from which your honor will observe that the 35 Boat-owners are at this time perfectly represented. Having therefore so many Boat-owners and representatives, now we leave it to your honor to judge how far Annathay Appasawmy Moodelly's claim and pretension to be the sole surviving Boat-owner, and Proprietor of the fund of Saint Peter's Church at Royapooram is correct or admissible.

6. The Petitions presented to Government, dated the 6th September 1838, as well as the one dated the 7th October 1842 were signed not only by Annathay Appasawmy Moodelly but also by two others styled Headmen, viz., Assarapen Appasawmy Moodelly, and Nallaveran Chindathry Moodelly. The last named person is dead, but Assarapen Appasawmy Moodelly is still alive and how could Annathay Appasawmy Moodelly say that all are dead and that he alone is alive?

7. On the 21st of May 1828 the Marine Board to obviate the difficulty and inconvenience to the said Church, from the disagreement and division of Boat-owners, caused the nomination of two persons on each side and they appointed those that were so nominated as Wardens of the Church and entrusted to them the keys of the Church and the administration of its affairs, until the dispute regarding the Headmanship should be brought to a settlement, and these four Church Wardens are:

|                                                         |                                                                 |
|---------------------------------------------------------|-----------------------------------------------------------------|
| <i>On one side</i>                                      | <i>On the other side.</i>                                       |
| howry Iyasawmy Moodelly and Thundal Appacooty Moodelly. | Chinapillay Chowrymootoo Moodelly and Monte Marrydoss Moodelly. |

Of these Thandal Appacooty Moodelly of the one side, and Chinapillay Chowrymootoo Moodelly on the other side died, but the other two are still alive, and such being the case, and they being also Boat-owners, how can Annathay Appasawmy Moodelly assert that there is no Church Warden, Boat-owner or Headman alive?

8. In paras. 6th and 7th of Annathay Appasawmy Moodelly's Petition to Government under reference, he states that the disputes regarding Headmanship were decided by arbitration in 1831, that he nowhere refers you to the opposite decision of two of the arbitrators and confirmed by the shop of Saint Thome, and registered in the Supreme Court on the 7th August 1830 nor to the proceedings had by the Marine Board and by the Government in 1833, when Government put stop to the collection of Tax on Boats, and the disbursement of any money out of the Church fund in order to bring these disputes to a settlement. He nowhere also alludes to the Marine Board's proceedings in 1838 and subsequent years on account of these disputes remaining unattended. If the disputes on that matter had been settled in 1831, why did the Marine Board prepare in 1838 two Lists of divided Boat-owners and contributors to the Church Fund, and in his circumstance Annathay Appasawmy Moodelly's intention to mislead your honor will be evident. From your own knowledge of the matter and from the Records of your Office you can perceive how Annathay Appasawmy Moodelly attempts in his Petition to canvass the case in order to serve his own ends to get the possession of the Church Funds.

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

9. Annathay Appasawmy Moodelly lays the greatest stress upon his being an Headman and the only surviving one at present; but he does not state who appointed him or who recognized his right of being an Headman. Even if he was an Headman and the only surviving one at present it must be remembered that the Fund is not of the Headmen but of the Boat-owners, and no Headman can certainly have a right to that Fund in prejudice to the rightful parties. This is proved by a reference to the Marine Board's letter dated the 7th August 1810. If in the Regulation made in 1826, and approved of by the Acting Bishop of Saint Thome the four Headmen were joined to the 10 Directors and the Vicar of the Church in the administration of the Church affairs, it was done out of complacency to their rank and position, and they have no right to the Church Fund unless they were also Boat-owners and contributors to that Fund.

10. In paragraph 10th of Annathay Appasawmy Moodelly's Petition he falsely states that the Vicar of the Church, &c. made away with sacred utensils and other articles belonging to the Church of the value of about 5,000 Rupees, but he omitted to mention that these articles though deposited in the house of the Vicar were in charge, and under the keys of the four Wardens appointed by the Marine Board as mentioned in para. 7th of this address, and who up to that time had the administration of the Church affairs, or the charge of its property. He also omitted to mention that Dr. O'Connor then took clandestine possession of the Church from the said Vicar the Reverend M. A. M. D'Silva, and that the Reverend Mr. Moriarty during the absence of the Reverend D'Silva broke open the door of the Rectory and took possession of all the Church properties that were therein secured by the Wardens. If two of the Church Wardens on the other side did not join Dr. O'Connor, all the four Wardens should have prosecuted Mr. Moriarty for these properties, but divided as they were, the result was doubtful.

11. The Reverend D'Silva however prosecuted Mr. Moriarty, and as it is perfectly known in Madras recovered a fine of one Rupee. It is for the Court costs arising from this suit that Annathay Appasawmy Moodelly and others combined with Dr. O'Connor applied to Government for the disbursement of it, and the Government without a reference to the Marine Board, as it is usual in such cases, and without knowing whether those who signed the application, and the Bill were the recognized Headmen and Church Wardens or not, ordered payment, but on a reference to the Proceedings of the Marine Board and the Government, of dates subsequent to 13th September 1836, it will be seen that they have drawn the money by deceit, for the order for payment was recalled, when it was too late.

12. Annathay Appasawmy Moodelly states in para. 13th that in consequence of the decision of the Supreme Court in 1836 and afraid of being prosecuted for the Court costs, and for making away with the Church property, the Reverend Mr. D'Silva left the country and was never heard of ever since, but it will be seen by the accompanying copy of an Order of Government dated the 18th January 1845 the Reverend Mr. D'Silva was still in the country even nine years after, and did not run away, and the statement of Annathay Appasawmy Moodelly is therefore untrue and malicious.

13. Annathay Appasawmy Moodelly states in para. 16th of his Petition that he was the principal Proprietor of the said Church, and always had possession, and he is still in peaceable possession of the said Church, and in the management of all the affairs appertaining thereto. But when Dr. Fennelly is ejected therefrom which we hope will not be ere long, Annathay Appasawmy Moodelly will then find that he was mistaken in boasting of his peaceable possession and management.

14. There are many points which Annathay Appasawmy Moodelly has brought forward, and which if we were to take notice will only unnecessarily occupy your honor's valuable time and attention, but we shall be prepared to afford further explanation on such points as your honor may desire, and we need only refer you to our Petition dated November 1842, and its several enclosures, as they contain much information on the subject.

15. We therefore humbly pray under these circumstances that as Annathay Appasawmy Moodelly is not the right party, and the only Proprietor of Saint Peter's Church at Royapooram, the Fund of that Church should not be delivered to him, or entrusted to his administration, and that his Petition should be rejected and receive no notice from Government.

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

*List of Boat owners who are opposed to the prayers of the said Petition.  
1838.*

| No. of Boats.                      | Boat Owners' Names.          | Signatures.             | Former Owners.         |
|------------------------------------|------------------------------|-------------------------|------------------------|
| 1, 2, 3                            | N. Annapillay Moodelly...    | ந. அண்ணப்பிள்ளைமுதலி    |                        |
| 4                                  | T. Souremootoo Moodelly...   | த. சுவரிமுத்துமுதலி     |                        |
| 5                                  | S. Arokium Moodelly .....    | ச. ஆரோகியமுதலி          |                        |
| 8                                  | P. Arokium Moodelly ... ..   | பி. ஆரோகியமுதலி         |                        |
| 10                                 | M. Mariapa Moodelly....      | மோ. மரியப்பமுதலி        |                        |
| 11                                 | A. Pariathumby Moodelly ..   | ஆ. பெரியத்தம்பிமுதலி    |                        |
| 13, 14, 15, 16                     | Y. Appasawmy Moodelly....    | ஏ. அப்பாசாமிமுதலி       |                        |
| 17, 18, 19                         | M. T. Thumbappa Moodelly...  | மொ. த. தம்பியப்பமுதலி   | தகப்பன் அப்பாசாமிமுதலி |
| 29                                 | M. Moottooswamy Moodelly...  | ம. முத்துசாமிமுதலி      | தகப்பன் தேவமுதலி       |
| 30, 47                             | N. Mareadoss Moodelly... ..  | ந. மரியதாசுமுதலி        |                        |
| 32, 40, 65                         | M. Appasawmy Moodelly....    | மோ. அப்பாசாமிமுதலி      |                        |
| 55                                 | M. Annasawmy Moodelly....    | மோ. அண்ணாசாமிமுதலி      |                        |
| 71                                 | P. Ch. Sourimootoo Moodelly  | ப. சி. சுவரிமுத்துமுதலி |                        |
| 84                                 | C. Iyasawmy Moodelly....     | ச. அய்யாசாமிமுதலி       |                        |
| 50                                 | K. Soureacooty Moodelly ...  | கொ. சுவரியாக்குடிமுதலி  | ப. அண்ணப்பமுதலி        |
| 54                                 | T. C. Manacooty Moodelly...  | தொ. ச. மனக்குடிமுதலி    |                        |
| 24                                 | M. Aurokium Moodelly....     | ம. ஆரோகியமுதலி          | தகப்பன் முத்துமுதலி    |
| 12                                 | K. M. Appavoo Moodelly ...   | கண. ம. அப்பாவுமுதலி     |                        |
| 20                                 | M. Caroonasalem Moodelly ... | மொ. கருணாசலமுதலி        |                        |
| 38                                 | M. Chinthathry Moodelly....  | ம. சிந்தாத்ரிமுதலி      |                        |
| 92                                 | K. Tharisana Moodelly... ..  | க. தெரிசனமுதலி          |                        |
| Total Boats 31 and Boat Owners 21. |                              |                         |                        |

*List of Boat owners who concur in the prayer put forth in the Petition to the Right Honorable  
the Governor in Council in that a monthly sum should be paid from the Royapooram Church.  
1838.*

| No. of Boats.                            | Owners' Names.                | Signature.                | Former Owners.    |
|------------------------------------------|-------------------------------|---------------------------|-------------------|
| 6, 7, 74                                 | Iyavoo Moodelly .....         | ம. அய்யாவுமுதலி           |                   |
| 23                                       | M. Mariadoss Moodelly ....    | மோ. மரியதாசுமுதலி         |                   |
| 33, 58                                   | Gnanaprakasum Moodelly ...    | ஞானப்பிரகாசமுதலி          | பாப்பம்மாள்       |
| 39                                       | M. Mariadoss Moodelly ...     | ம. மரியதாசுமுதலி          |                   |
| 41, 46, 63, 77, 78 }<br>79, 80, 81, 91 } | M. Chinnathumby Moodelly...   | ம. சின்னத்தம்பிமுதலி      | அ. அப்பாசாமிமுதலி |
| 45, 61                                   | N. Chinthathry Moodelly ..    | நல. சிந்தாத்ரிமுதலி       |                   |
| 48                                       | K. Gnanappen Moodelly... ..   | க. ஞானப்பமுதலி            |                   |
| 49, 68, 70, 89, 90                       | A. Arroolappa Moodelly....    | கொ. அருளப்பமுதலி          | ஆ. அப்பாசாமிமுதலி |
| 51                                       | R. Rajanthrum Moodelly....    | மோ. ராஜேந்திரமுதலி        |                   |
| 59                                       | M. Coolappa Moodelly....      | மோ. குள்ளப்பமுதலி         |                   |
| 99                                       | M. Annappa Moodelly....       | ம. அண்ணப்பமுதலி           |                   |
| 96                                       | M. T. Soureacooty Moodelly... | மோ. த. சுவரியாக்குடிமுதலி |                   |
| 9                                        | K. Thomyappa Moodelly ....    | க. தொம்மையப்பமுதலி        |                   |
| 83                                       | C. Arroolappa Moodelly ....   | கொ. அருளப்பமுதலி          |                   |
| Total Boats 30, and 14 Boat Owners.      |                               |                           |                   |

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

No. 1.

List showing the Boat-owners in the Marine Board's List of 1838 No. 1, those of them who are alive and the representatives of others.

| Existing in 1838. |                            | Alive. | Deceased | Heir and representative of the deceased Boat-owners. |
|-------------------|----------------------------|--------|----------|------------------------------------------------------|
| No. of Boats.     | Names of Boat owners.      |        |          |                                                      |
| 1, 2, 3           | N. Annapillay Mudali.....  | .....  | Deceased | N. Mariadoss Mudali, brother of the deceased.        |
| 4                 | T. Souramoottoo Mudali...  | .....  | Do.      | Do. Do. heir.                                        |
| 5                 | S. Arokium Mudali.....     | .....  | Do.      | S. Jacob Mudali, brother.                            |
| 8                 | P. Arokium Mudali.....     | .....  | Do.      | P. Vathagherry Mudali, son.                          |
| 10                | M. Mariappa Mudali.....    | .....  | Do.      | M. Appapillay Mudali, cousin.                        |
| 11                | A. Pariathumby Mudali....  | .....  | Do.      | A. Rajanthrum Mudali, grandson.                      |
| 13, 14, 15, 16    | Y. Appaswamy Mudali.....   | Alive. |          |                                                      |
| 17, 18, 19        | M. T. Thumbappa Mudali.    | .....  | Do.      | M. T. Ruthnasawmy, Mudali, son.                      |
| 29                | M. Mootoswamy Mudali...    | Alive. |          |                                                      |
| 30, 47            | N. Mariadoss Mudali.....   | Alive. |          |                                                      |
| 32, 40, 65        | M. Appaswamy Mudali.....   | .....  | Do.      | M. Annappa Mudali, cousin.                           |
| 55                | M. Annaswamy Mudali.....   | Alive. |          |                                                      |
| 71                | P. Ch. Sourimootoo Mudali  | .....  | Do.      | P. Kitharimoottoo, nephew.                           |
| 84                | C. Iyaswamy Mudali .....   | Alive. |          |                                                      |
| 50                | K. Souricootty Mudali..... | .....  | Do.      | K. Dhersanum Mudali, nephew.                         |
| 54                | T. C. Manacootty Mudali.   | Alive. |          |                                                      |
| 24                | M. Arokium Mudali.....     | Alive. |          |                                                      |
| 12                | M. K. Appavoo Mudali.....  | Alive. |          |                                                      |
| 20                | M. Karoonachellum Mudali.  | Alive. |          |                                                      |
| 38                | M. Chinthathri Mudali..... | .....  | Do.      | M. Mariappen Mudali, son.                            |
| 92                | K. Tharisana Mudali.....   | Alive. |          |                                                      |

No. 2.

List showing the Boat-owners in the Marine Board's List, No. 2 of 1838, those of them who are alive and the representatives of others who are deceased.

| Existing in 1838.                  |                            | Alive. | Deceased | Heirs and representatives of the deceased Boat-owners. |
|------------------------------------|----------------------------|--------|----------|--------------------------------------------------------|
| No. of Boats.                      | Names of Boat-owners.      |        |          |                                                        |
| 6, 7, 74                           | Iyavoo Mudali ... ..       | .....  | Deceased | Thorasawmy Mudali, son.                                |
| 23                                 | M. Mariadoss Mudali ...    | Alive  |          |                                                        |
| 33, 58                             | Gnanapragasum Mudali ...   | .....  | Do.      | Nellaveram Maradoss Mudali, owner.                     |
| 39                                 | M. Mariadoss Mudali ...    | .....  | Do.      | Appapillay, nephew.                                    |
| 41, 46, 63, 77, 78, 79, 80, 81, 91 | M. Chinnathumby Mudali...  | .....  | Do.      | Annatha Appasawmy Mudali, son.                         |
| 45, 61                             | N. Chinthathry Mudali ...  | .....  | Do.      | N. Mariadoss Mudali, cousin.                           |
| 48                                 | K. Gnanapan Mudali ...     | .....  | Do.      | K. Jacilaraya Mudali, son.                             |
| 49, 68, 70, 99, 90                 | A. Aroolappa Mudali ...    | .....  | Do.      | Asarappen Appasawmy Mudali, Aroolappa's employer.      |
| 51                                 | M. Rajanthrum Mudali ...   | Alive  |          |                                                        |
| 59                                 | M. Coolappa Mudali ...     | .....  | Do.      | M. Mariappa Mudali, son.                               |
| 99                                 | M. Annappa Mudali ...      | Alive  |          |                                                        |
| 96                                 | M. T. Soureacootty Mudali. | .....  | Do.      | M. T. Appapillay Mudali, son.                          |
| 9                                  | K. Thomiyappa Mudali ...   | .....  | Do.      | K. Arokium Mudali, nephew.                             |
| 83                                 | C. Aroolappa Mudali...     | .....  | Do.      |                                                        |

*Proceedings of the Madras Government, Marine Department,  
25th April 1861.*

ECCLESIASTICAL DEPARTMENT.

No. 19.

Extract from the Minutes of Consultation, dated 18th January 1845.

Read the following letter from the Reverend MANUEL ANTHONY MARTINHO D'SILVA.  
(Here enter 23rd December 1844.)

Resolved that the Reverend M. A. M. D'Silva be informed that a copy of his letter of the 29th October last has been forwarded to the Marine Board.

(A true Copy.)

(Signed) J. F. THOMAS,  
Acting Chief Secretary.

No. 55. ORDER THEREON, 25th April 1861, No. 148.

Resolved that the Superintendent of Marine be requested to communicate with the Government Solicitor in view to the opinion of the Advocate General being had whether means can be taken through the Supreme Court for determining the Proprietorship of the Royapooram Church Fund, or for its due appropriation to the objects for which it was intended, and for relieving Government from all further concern with it.

2. It is believed that all the previous correspondence on the subject will be on record in the Office of the Superintendent of Marine or in that of the Advocate General, to whom the Government have on more than one occasion made references on the matter of the Fund.

(Signed) T. PYCROFT,  
Chief Secretary.

Exd. F. Cartledge.

3/21  
Marine Department.

Proceedings of the Madras Government.

Read the following Papers.

From A. Appasawmy Moodally. (Here enter 15<sup>th</sup> Feby. 1861.)  
From — do — do — " — 8<sup>th</sup> April — "  
From the Supdt. of Marine — " — 5 — " — " 1003/  
From the — do — do — " — 11 — " — " 1056/

Order thereon 25<sup>th</sup> April 1861, No. 1118.

Resolved that the  
Superintendent of Marine  
be requested to commu-  
nicate with the Govt.  
Solicitor in view to the  
opinion of the Advocate  
General being had whether  
means can be taken  
through the Supreme  
Court for determining  
the proprietorship of  
the Royapuram  
Church

MA

W. W.

W. W.

Church Fund. or for  
its due appropriation  
to the objects for which  
it was intended, and  
for relieving Govt. from  
all further concern  
with it.

2. It is believed  
that all the previous  
correspondence on the  
subject will be on  
record in the office  
of the Superintendent  
of Marine or in that  
of the Advocate Ge-  
neral, to whom the  
Govt. have on more  
than one occasion  
made reference on  
the matter of the  
Fund.

JP

To the Government Solicitor  
" Superintendent of Marine  
12/1/61  
Drs 26 4 61

16/10/61

Marine Department 1861.

No. 148

Proceedings of the Madras

Government.

Dated, 25 April 1861.

Further Dec: 10th May 1861 No. 163.

Against the objection  
that of having to answer  
with the Govt.  
advice is given to the  
opinion of the Advocate  
General being that  
whether means can be  
taken the the reform  
court for determining  
the

the propriety of  
the Raja's name should  
stand. —

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