

Revenue as such Trustees Managers and Superintendents

rooms of the said several Prisons last named

interest upon the said funds so directed to

placed to the Credit of the said last mentioned

Charities for the purpose of carrying the same into

Execution under the Regulations herein before in that behalf

mentioned But this Court having regard to the several

Places where such Charities are respectively to be performed

doth not feel itself at liberty to give any

further directions touching the particular mode of administering

same as to the Proposals of the associate

General relative thereto and it is now that all Persons

110 interested in the funds heretofore directed to be carried

to the Credit of the said account entitled "Patechaphs

"Benares Charity" may have notice thereof. It is ordered

that the Master do cause the particulars of such

McCharity and ^{the amount} ~~account~~ of the funds to which the

same is entitled to be advertised in the Government

Gazette at Calcutta and such other News Papers at

Calcutta and elsewhere within the Presidency of Bengal

as he shall think proper and that the Expenses

of such advertisement be defrayed by the Recusant in

this suit and this Court doth continue the reservation

of all further directions as to the said Charters

at Supplicants and Demands respectively and all parties interested

therein or in any of the matters aforesaid are

to be at liberty to apply to this Court

touching the same as they may be advised -

6 Nov. 1772

Friday the Fifteenth day of February 1833

Manally Sutchmana Moodelly Complainant

and

Manally Moodokistna Moodelly Manally

Kistnasawmy Moodelly Manally Tonniah Moodelly

Carpooja Ummall Davane Ummall Tanjore

Sutchmee Tunnue Rappavuttee, Cootie Gopaul

Kistna and Shunmogum - Defendants

This Cause coming on the Twelfth day of February

instant and also on this present day at the

instance

instance of the said Defendant Manally Moodookutna Moodelly to
 be heard and debated before the Honorable the Judges
 of the Supreme Court of Indication at Madras in
 the presence of Counsel on behalf of the Complainant
 and also on behalf of the Defendant Manally Moodookutna
 Moodelly. Upon opening the Original and Amended Bill of
 Complaint of the above named Complainant and the Answer
 of the said Defendant Manally Moodookutna Moodelly thereto. And
 Upon hearing read the Orders made in this Cause
 bearing date the Sixth and Thirteenth days of February

One thousand Eight hundred and Seventy two whereby the

said Bill of Complaint was dismissed as against the

said Defendants Tanjae Sutchmee Unumall and Penamall. The Order

made in this Cause bearing date the Twenty Eighth

day of June One thousand Eight hundred and Twenty

~~Five~~ ^{Eight} whereby the said Bill was dismissed as against

the said Defendants Ruparivertee and Coote also the Order

made in this Cause bearing date the Seventeenth day

of February One thousand Eight hundred and Twenty Nine

whereby the said Bill was dismissed as against the

said

said Defendants Shummoogum and Sopaul Kistia and it appearing

also by the Admission of the said Counsel that

the said Defendant Manally Kistiasawmy Modelly had departed this

life. Now upon debate of the Matter and hearing

what was alleged by the Advocates for the said

Complainant and the said Defendant Manally Modokishna Modelly and

on Mature Consideration had thereon and no Subpoena to

hear Judgment having been served upon the said Defendant

Manally Ponniah Modelly. This Court doth Order and Decree

that the said Complainants Bill in this Cause as

against

against the said Defendant Manally Mordoketia Modelly bedump

out of Court with such Costs as the said Defendant

Defendant would have been entitled to receive from the

said Complainant if the Bill had been dismissed by

Order made on a Motion to dismiss the Bill

for want of prosecution and afterwards upon the said

Complainant applying by Mr Wattee his Counsel that the

said Bill might be dismissed as against the said

Defendant Manally Panniah Modelly upon payment of Costs And

by and with the Consent of Mr. Seed of
Counsel

Counsel for the said last named Defendant. This Court

doth further Order and Decree that the Original and

Amended Bill of Complaint in this Cause be also

5 dismissed with Costs as against the said Defendant Morally

Penniah Woodelly.

Thursday the Twenty first day of February 1853

C. Stephens Executor of M. Canron Sargis deceased Compt

and

H. Carapet Surviving Administrator of H. Agamall dec'd

and J. Stephens Executor of J. Stephens dec'd - Defendants

By Bill of Review

C. Stephens Executor of M. C. Sargis dec'd - Complainant

and

M. Carapet Son Heir and personal representative of H

Carapet Deceased

Defendant

This Cause coming on this day to be heard

for further directions and Costs reserved by the Decretal

Order

Order of this Court made in the first mentioned
 Cause bearing date the Thirtieth day of September One
 Thousand Eight hundred and Twenty Six. Now upon opening
 and debate of the Matter and hearing what was
 alleged by the Counsel for the Complainant and the
 Defendant Judith Stephens no Counsel appearing for the Defendant
 Macartoon Canapiet And upon hearing read the said Decretal
 Order the Report of the Master of this Court
 made in this Cause dated the thirty first day
 of January last and the Orders confirming the same
 hearing

hearing date respectively the Seventh and Fifteenth days of

February instant and upon hearing also read a Copy

of a Notice from the Solicitor for the Complainant

to the Defendant Macartoon Carapuet of the entry of

this Cause for further directions and Costs and the

Affidavit of John Franz of Service of the Original

Notice on the said Defendant Macartoon Carapuet on the

Nineteenth day of February instant by leaving the same

at his dwelling House in the Black Town of

Madras. And upon reading also the Certificate of the

Accountant

Accountant General of this Court in the words and
figures following that is to say.

Catherino Stephens Executor of the late

Mariam Hancock Sargis deceased. ~~1775~~

Hannah Carapick Surviving Administratrix

of Cuthick Agumall deceased and Judith

Stephens Executor of the said Stephens

Deceased.

Thereby Certify that according to the books of the

Supreme Court there stands in Cash to the Credit of the
above

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above Cause the Sum of Madras Rupees Two thousand Six
hundred and Twenty One and Pice five (2021-^{as} 5)

Fort St. George Sect^r. Genl^l Office

25th February 1833

J. G. Turnbull

Sect^r Genl^l. Sup^r Court

[see below Page 69]

This Court doth declare that the said Complainant is
entitled to receive from the said Defendant Indu K. Stephens

One third part of the Sum of Pagodas Nine

hundred and forty fanams Twenty Eight and Cash Two

Four

found by the said Masters Report to be the
 amount of the rents and profits of the House
 and premises in the pleadings of this Cause framed
 purchased by the said Thequel Stephens together with interest
 thereon also to one third part of the Sum
 of Pagodas Two hundred and fifty Seven fanams Six
 and Cash forty found by the said Report to
 have been received by the said Thequel Stephens and
 Hosanna Carapict as surviving Administrators of the said Cachick
 against all the said Complainant giving Credit to the said
 Defendant

Defendant Judith Stephens for one third part of the

Sum of Pagodas Six hundred and thirty One fanams

Three and Cash Sixty found by the said Report

to be the Amount of Sums laid out by

the said Thequel Stephens and the said Judith Stephens

in Substantial repairs and quit rent of the said

House and premises and also to one third part

of the Sum of Pagodas Two hundred and Seventy

five fanams Seven and Cash fifty found by the

said Report to have been paid by the said

Thequel

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Thequel Stephens in her life time and the said
Defendant Judith Stephens since her death on account of
the said Estate of the said Cachick Agamall and
it being admitted by the Solicitor for the said
Complainant and the Solicitor for the said Defendant Judith
Stephens that the Sum to which the said Complainant
is so declared to be entitled Amounts to the
Sum of Pagodas

This Court doth accordingly Order and Decree that the
said Defendant Judith Stephens do pay the said Sum
of

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of Pagodas

to the said Complainant on or before the first

day of May next and this Court doth further

declare that the said Complainant is further entitled to

One third part of the Sum of Rupees Two

thousand Six hundred and Twenty One and five

in the said Certificate of the said Accountant General

mentioned being the Sum paid by the said Master

to the Sub-Treasurer of Fort Saint George with

the priority of the said Accountant General as in

the

the said Report mentioned and this Court doth Order
 that the said Sub-Treasurer with the privity of
 the said Accountant General do pay one third part
 of such Sum to the said Complainant or her
 Solicitor Mr. Thomas Teed and this Court doth declare
 that the said Complainant is also entitled to one
 third part or share of and in the said
 House and premises and of and in the Piece
 or Parcel of Ground Situate in Mac Lean Street
 in Madras in the said Masters Report mentioned and
 the

the rents and profits of the same respectively and
also to one third part or share of and

in any outstanding Estate and Effects of the said

Cochin Agamall and that the remaining two third parts

or shares of and in the said House and

premises and piece or parcel of Land and of

the said outstanding Estate and Effects and the said

several Sums of Pagodas Two hundred and fifty Seven

fanams Six and Cash forty and Rupees Two thousand

Six hundred and Twenty One and Pice five belong

to

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to the said Defendant Judith Stephens and the legal
personal representative of the said Rosanna Carapet in equal
proportions subject to and without prejudice nevertheless to any
rights or claims which may be existing thereon as
between the said Defendant Judith Stephens and such legal
personal representative respectively And upon the application of the
said Defendant Judith Stephens by her Counsel Mr Teed
This Court doth Order that the said Sub Treasurers
with the like privity of the said Accountant General
do pay one other third part of the said

Sum

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Sum of Rupees Two thousand & come in

One and Pice five in the said Certificate -

the said Accountant General mentioned to the said last
mentioned Defendant or her Solicitor Mr. Cyril Vireach And

This Court doth further Order that the Master do

tax the Costs of the said Complainant up to

the hearing of this Cause and that the same

when Taxed be paid by the said Defendant Judith

Stephens to the said Complainant and any of the

Parties are to be at liberty to apply to

this

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to the said

may be occasion-

1/2

of hundred and twenty

(65)

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13

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The following direction to come in
at Page 57 above.

That the said Complainant Catherine Stephens is absolutely entitled

for her own use and benefit to the Government

Security or Company's Promissory Note N^o 3298 of 1822/23

dated 30th June 1822 for the sum of Rupees

Rupees Seven thousand and four hundred in the Master's

Report mentioned to have been part of the said

Estate of the said Cachic to Agarnall and to be

now in the possession of the said Complainant but

Thurston

standing in the names of the late Thequet Stephens
and Hannah Carapuet and to all the Interest now
due and to become due thereon and to have
the said Note transferred into her own name and
to sell and dispose of the same for her
own use. And this Court doth further declare.

Tuesday the Second day of April 1833.

John De Sena.

Complainant.

and

Edward De Sena.

Defendant

This Court doth Order and Decree that

the said Complainants' Bill in this Cause do stand and

be dismissed out of Court with Costs.

Thursday the Eighteenth day of July 1833

Murgatha Velle Unnall. Complainant

and

Connoe Annasamy Moodelliar and Connoe

Syasarany Moodelliar. Defendants.

Copy furnished
to Mr. Justice

This Court doth Order and Decree that it be
referred to the Master of this Court to take

an Account of the pecuniary dealings and transactions between

the said Annasambados Collingaroy Moodelliar and Connoe Mootakimoodelliar

in the pleadings named in their respective lives time

Since

since the thirty first day of July. One thousand
 Eight hundred and Nineteen without interest on either side
 upon the footing of the Account then settled the
 Estate of the said Mootiah Moodelly to be debited
 with all sums of money received subsequently to the
 said thirty first day of July One thousand Eight
 hundred and Nineteen to or for the use of
 the said Mootiah Moodelliar whether in respect of the
 Interest of the Government Promissory Note for Sicaa Rupees
 Ten thousand in the Bill mentioned or otherwise and

to have Credit for the balance of Pagodas Three

thousand One hundred and four fanams Nine and Cash

Nineteen found due to the said Connor Mootiah Moodelly

on such Settled Account and also for the reduce of

Annuity of Pagodas Three hundred during the lifetime

of the said Connor Mootiah Moodelly from the said

thirty first day of July One thousand Eight hundred

and Nineteen. And it is further Ordered that the

said Defendants do within one month from this date

bring in and deposit in the Honorable Company's Treasury

of

of Fort Saint George with the priority of the
Accountant General of this Court to the Credit of
this Cause the Government Promissory Note N^o. 3164 for
Sicca Rupees Ten thousand in the further answer of
the said Defendants mentioned and that the Interest now
due and to grow due thereon be received by
the Sub Treasurer of Fort Saint George with the
like priority of the said Accountant General for the
purpose of Accumulation until after the said Master shall
have made his Report on the further Order of
this

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This Court the said Complainant and Defendants joining in
all necessary Acts to enable the said Accountant General
to receive such Interest as occasion shall require And
for the better taking of the Accounts and discovery
of the Matters aforesaid the Parties are to produce
to and leave with the said Master upon Oath
all Books Papers Writings and Adjoints in their Custody
or Power relating thereto and are to be examined
on Oath on Interrogatories as the said Master shall
direct And this Court doth reserve all further directions

and

and Costs until after the said Master

made his Report and all Parties are

at liberty to apply to this Court as to

shall be occasion.

79
The

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wn

Order

Monday the Twenty Second day of July 1833

Soobah Ummall - - - - - Complainant

and

Supermadore Vadachella Moodellys S. R. Dore

and Joseph Pugh and George Norton Esquire

Advocate General Yea - -

Defendants

This Cause coming on this day to be heard

for further directions and Costs reserved by the Secretal

Order of this Court bearing date the Twenty Second

day of February One thousand Eight hundred and thirty

Now upon opening and debate of the Matter and

hearing

hearing what was alleged by the Council for the
Complainant and by the Advocate General on his own
behalf. And upon hearing read the said Secretal Order
the Order of this Court made on the Twenty
first day of June last by Consent whereby the
Report of the Master of this Court made in
this Cause dated the Twentieth day of June last
was confirmed and upon hearing read the said Report
whereby the Master has among other things certified that
a charge and state of facts had been left
with

with him by the said Solicitor on behalf of

2.

the said Complainant together with Plans for the Erection

of two Hindu Pagodas of Esvaren and Paromall at

Anracattocharee. And that he approved of the said Plans

and for the purpose of carrying the said Charity

into full operation and effect it would be necessary

that a Sum of Pagodas Two thousand Six hundred

and Twenty One fanams thirty three and Cash Sixty

be set apart for the purpose of Erecting and

building the Esvaren Pagoda and likewise the Sum of

Pagodas

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Pagodas One thousand four hundred and Twenty Seven for

Erecting and building the Parvammall Pagoda amounting together to

the Sum of Pagodas four thousand and Forty Eight

fanams Thirty three and Cash Sixty or Madras Rupees

Fourteen thousand One hundred and Seventy and Annas Ten

and that the said Sum of Pagodas Four thousand

and Forty Eight fanams Thirty three and Cash Sixty

or Madras Rupees ^{Fourteen} ~~One~~ thousand One hundred and Seventy

and Annas Ten ought to be paid into the

hands of the said Complainant the said Sheppard & Annasamy

Modellly

Moodelly and Annay Condapah Moodelly in the said Report
particularly named for the purposes last aforesaid on their
giving proper Security for the due appropriation thereof and
that after deducting the said Sum of Pagodas four
thousand and forty Eight Annas Fifty three and Cash
Sixty or Madras Rupees Fourteen thousand One hundred and
Seventy and Annas Ten together with such Costs and
Charges (if any) as this Honorable Court might deem
meet to direct from the Amount now standing to
the Credit of this Cause in the said Treasury
the

the residue ought to constitute a principal Sum to
 run at Interest and that the Interest thereof ought
 from time to time (as the same should fall
 due) to be paid to the said Complainant and
 the said Shepermadore Annasawmy Moodelly and Anay Condapan Moodelly
 for the purpose of keeping the said two Pagodas
 of Casveran and Paroomall in repair and for the
 other purposes of the said Charities of Casveran and
 Paroomall. And that the said Complainant with the aid
 and assistance of the said Shepermadore Annasawmy Moodelly and
 Anay

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Anany Condapah Moodelly (who were her nearest male family
 connections) and with the Survivor of them is the
 person entitled to perform such Charities of Casoveran and
 Sarcosmall and that the said Shepermadore Annasewmy Moodelly and
 Anany Condapah Moodelly were the Persons who in the
 event of their surviving the said Complainant would be
 entitled to perform the same during their respective life
 times with right of Survivorship between them in respect
 of such performance of the said Charities. And Upon
 hearing read the Accountant Generals Certificate
 (Set out Accountant Generals Certificate)

Now upon mature deliberation had therein this Court doth
declare that the said Scheme and Plan for the
purposes of the Charities in the Masters Report mentioned
ought forthwith to be carried into effect. And doth
herby Order and Decree the same accordingly. And it
is further Ordered that it be referred to the
Master to Tax the Complainant and the Advocate General
their Costs of this Suit Subsequently to the said
Decree of the Twenty Second day of February One
Thousand Eight hundred and Thirty as between Solicitor and
Clients

client and that the same when Taped he added:
 at the Foot of this Decree and when Signed
 by one of the Judges of this Court he
 by the Sub Treasurer with the privity of the
 said Accountant General paid out of the said Sum
 of Twenty four thousand three hundred and Sixty Annas
 Two and Pice Three in the said Accountant Generals
 said Certificate mentioned to the Parties or their Solicitors
 the Costs of the Complainant to her or her
 Solicitor Mr Thomas Teed and the Costs of the
 said

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said ^{Advocate} ~~Defendants~~ General to him or his Solicitor attⁿ

Thomas Teed. And it is further Ordered that it

be referred to the said Master to take goods

and sufficient Security from the said Complainant and also

from the said Strepermadore Annasauomy Woodelly and Annary Cundapah

Woodelly in the said Master's Report mentioned for the

due appropriation of all moneys which they shall respectively

receive or be entitled to receive for the purposes

of the said Charity pursuant to the said Scheme

and Plan so Decreed to be carried into Effect

And

And upon the said Complainant and the said Sheepmadores
 Annaswamy Moodelly and Anany Condapah Moodelly giving such Security
 respectively the said Sub Treasurer with the like privity
 of the said Accountant General do out of the
 residue of the said Sum of Rupees Twenty four
 thousand three hundred and Sixty Annas Two and Pice
 Three in the said Accountant General said Certificate mentioned
 pay to the said Complainant and to the said
 Sheepmadores Annaswamy Moodelly and Anany Condapah Moodelly or the
 Survivors or Survivor of them the Sum of Madras
 Rupees

11 Rupees Fourteen thousand One hundred and Seventy and Annas

Ten and also until any further Order of the

Court the interest as the same from time to time shall grow due and payable upon what shall

then remain of the said Sum of Rupees Twenty

four thousand three hundred and Sixty Annas Two and

Pice Three. And it is further Ordered that the

said Complainant and the said Streepmadoe Annaswamy Modelly and

the said Anay Condapah Modelly and the Survivors and

Survivor of them when and as they shall receive

such

such principal Sum of Rupees Fourteen thousand one hundred
and Seventy and Annas ~~Two~~ and such Interest as
aforesaid do apply the same respectively for the purposes
of the said Charities as in and by the
Masters said Report in that behalf particularly mentioned and
all parties interested in the said Charities or any
of them are to be at liberty to apply
to this Court touching any of the Matters aforesaid
as there shall be occasion.

Thursday the First day of August 1833.

Antonio Constante Dias and Mary Dias his Wife

Deceased ----- Complainants

and

Emmanuel Bilderbeck Joseph Bilderbeck and John Bilderbeck. Defendants

and between

Antonio Constante Dias and William Putter, Complainants

and

Emmanuel Bilderbeck Joseph Bilderbeck and John

Bilderbeck ----- Defendants

By Original and Amended Bill and by Amended Bill of Revivor

This Cause coming on the Twenty fifth day of

July last and also on this present day to

be

Copy of
the original
bill of
revivor
filed
for
recording

be heard and debated before the Honorable the Judges :

of the Supreme Court of Judicature at Madras Upon

Bill and Answer in the presence of Counsel learned

on both sides upon opening the Original and Amended

Bill of Complaint and also the Amended Bill of ^{Revivor of} _a

the above named Complainants the Answer of the said

Defendant Emanuel Bilderbeck to the said Original Bill and

Bill of Revivor and also the Answer of the

said Defendant to the Amended Bill The further Answer

of the said Defendant Emanuel Bilderbeck to the said

Amended

Amended Bill of Revivor and upon reading an Indenture

of Settlement and made upon the Marriages of the

late John De Monte and the said ^{Complainant} Mary Dias then

Mary Bilderbeck and bearing date the Fifth day of

October One thousand Seven hundred and Ninety two The

Probate of the Last Will and Testament and Codicil

of the late John De Monte The Probate of the ~~said~~

said Last Will and Testament of the said Complainant

Mary Dias. The Probate of the Last Will and

Testament of Christopher Bilderbeck in the pleadings named

also

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also three several passages in a Book marked A:
and being the passages specified in the Schedule Annexed
to the said Answer of the said Defendant Emanuel
Bilderbeck to the said Original Bill and Bill of
Revisor. And upon hearing read the Affidavits of Andrew
Thomas Harrison and Chinratomby Naicker respectively sworn and filed
this day whereby it appeared that the said Joseph
Bilderbeck and John Bilderbeck respectively were residing beyond the
Jurisdiction of this Honorable Court. Whereupon and upon debate
of the Matter and hearing what was alleged by
the

the Advocates on both Sides And on mature Consideration
had thereon. This Court doth declare that there being
no issue of the Marriage of the said John
De Monte and the said Complainant Mary Dias. The said
Complainant Mary Dias upon the death of her said
husband became absolutely entitled to the principal sum of
Pagodas Four thousand and to the Two Halves the
Subject of the said Marriage Settlement and that the
said Sum of Pagodas Four thousand and also the
Sum of Pagodas Three thousand Seven hundred and fifty
the

the proceeds of the sale of one of the
said Homes having come to the hands of the
said John De Monte the same were at the time
of his death and still are a valid and
subsisting Charge against his Estate. And that the said
Complainants Antonio Constantino Dias and William Parker as the
Representatives of the said Mary Dias are now well
entitled to receive the same thereon together with Interest
upon the said Two Sums respectively at the rate
of Six per Cent per Annum from the time
of

of the death of the said John De Monte and

also the Costs of this Suit and it is

Ordered and Decreed that it be referred to the

Master of this Court to Calculate the Amount of

such Principal and Interest and to Tax such Costs

Accordingly with liberty for the said Complainants Antonio Constantino

Dias and William Butler to apply for payment of

the said Principal Interest and Costs out of the

residue of the Estate of the said John De Monte

by Petition in the Cause wherein George Arbuthnot James

Morgan

Morgan Shuchan John Binny and William Scott four of

the Executors of the Last Will and Testament of

John De Monte Esquire Deceased are Complainants and

The Reverend Fr. Don Manuel de Are Maria the Acting Bishop

or Vicar General of Saint Thome Emmanuel Bilderbeck and

Constanco Dias and his Wife Mary Dias are Defendants.

Serving upon the said Defendants Fr. Don Manuel de

Are Maria and Emmanuel Bilderbeck respectively with Notice of

such Petition previous to the hearing thereof and this

Court doth declare that the said Defendant Emmanuel Bilderbeck

is Entitled to his Costs of this Suit as
between Solicitor and Client and is at liberty to
Charge the same in his Accounts and let the
Master tax the same accordingly. And all parties are
to be at liberty to apply to this Court
as they may be Advised.

Friday the Second day of August 1833

Nanak Row and Jagaraj Row.

Complainants

and

Rajah Ram and others -- Defendants

This Court doth declare that the said Defendants Rajah

Ram Sathoo Row Rungca Row Yaganatha Row Bawance Row

Viswanatha Row Appoo Row Venkata Row Spambuck Row Sadasurak

Row and Ranos Row were not nor was either

of them at the time of the filing of

the

the said Complainants Bill of Complaint Inhabitants or in ~~the~~

Inhabitants of Madras within the true intent and meaning

of the Charter of this Court. And this Court

doth accordingly allow the said Plea and Doth Order

and Direct that all proceedings had against the said

last named Defendants in this Suit be set aside

And this Court doth further Order that it be

referred to the Master to tax the said Defendants

their Costs of the said Plea and of this.

hearing And also their Costs of the Application and

Order

Order of the Eighteenth day of July One thousand:

Eight hundred and thirty two and that such costs

when taxed be paid by the said Complainants to

the said Defendants or to Mr Daniel Vaneash their

Solicitor and all Parties are to be at liberty

to apply to this Court touching the matters aforesaid

as they may be Advised.

Wednesday the 7th day of August 1833

By Original Bill

Shake Davaljee Maistry.

and Complainant

Pariapolliam Maury Chitty.

Defendants

By first Bill of Revivor

Shake Davaljee Maistry -

Complainant

and

Kistannah Chitty Annachella Chitty Codundor Chitty and Soory Chitty the only male representatives of the said Pariapolliam Maury Chitty deceased. - Def^{ts}

By Second Bill of Revivor

Mymembie the only child lawfully begotten by the said Shake Davaljee deceased. - Complainant

and

Kistannah Chitty Annachella Chitty Codundor Chitty and Soory Chitty the sons and personal representatives of the said Maury Chitty deceased and Cawder Moydeen and Pymed Bee the only Nephew and Niece and also next of Kin of the said Shake Davaljee deceased. - Defendants

By Subsequent Bill of Revivor

Murma Beebe the widow and personal representative of the said Shake Davaljee deceased and also the Executrix of the Last Will and Testament of the said Mymembie dec^d - Complainant

and

Annachella Chitty Codundor Parnah Chitty and Soory Chitty the sons and personal representatives of Pariapolliam Maury Chitty deceased. - Defendants

This

Copy furnished to the Court on the 22nd day of August 1833

9 104
This Cause coming on to be heard and debated
before the Honorable the Judges of the Supreme Court
of Judicature at Madras in the presence of Counsel
on all Sides on the Twenty Second day of
July last upon the matter contained in the said
Bill of Revivor wherein the said Munna Beebe is
the Complainant and the said Annachella Chetty Codundaramah Chetty
and Soory Chetty are Defendants and on the Fifth
and Sixth days of August instant and also on
this day upon Exceptions taken by the said Complainant

Munna

Munna Beebe to the Masters reviewed General Report in
 this Cause dated the Eighteenth day of February One
 thousand Eight hundred and Twenty four and for further
 directions and Costs reserved by the Original Decree made
 in this Cause bearing date the Seventh day of
 August One thousand Eight hundred and Nine. Now upon
 opening the said Bill of Revivor the Joint and
 several Answer of the said Defendants Tareapolliam Amachello Chetty
 Tareapolliam Codundaramah Chetty and Tareapolliam Soory Chetty thereto and
 also the Matter of the said Exceptions and further
 directions

directions And upon reading also the said Original Decree

of the Seventh day of August One thousand Eight

hundred and Nine the said Bill of Revivor of

Shack Davalge against Pareapolliam Kistnamah Chitty Pareapolliam Annachella Chitty

Pareapolliam Codundaramah Chitty and Pareapolliam Sany Chitty the Order

of Court dated Thirtieth July One thousand Eight hundred

and Sixteen whereby the said Suit was revived the

said Bill of Revivor of Sany Chitty against the said

Pareapolliam Kistnamah Chitty Pareapolliam Annachella Chitty Pareapolliam Codundaramah Chitty

and Pareapolliam Sany Chitty also against Cawder Maideen and

Reymed

Reymed Rec. The Order of Court dated Twenty first
 March One thousand Eight hundred and Twenty One whereby
 the said Suit was revived. The first Report of
 the Master in this Cause bearing date the Fifteenth
 day of February One thousand Eight hundred and Twenty
 two and the Exceptions taken thereto by the said
 Defendants Pareapolliam Kristnamad Chitty Pareapolliam Amachellu Chitty Pareapolliam Kristnamad
 Chitty and Pareapolliam Soory Chitty The Order of this
 Court made on such last mentioned Exceptions bearing date
 the Third April One thousand Eight hundred and Twenty three
 And

And the said reviewed Report of the said Master :
 bearing date the Eighteenth day of February One thousand
 Eight hundred and Twenty four And upon reading also
 the Last Will and Testament of the said Complainant
 My member filed of Record in this Honorable Court and
 hearing what was alleged by Mr. Advocate General and
 Mr. Teed as Counsel for the said Complainant and
 Exceptant Minna Beebe and by Mr. Bathie and Mr.
 Campbell as Counsel for the said Defendants Parapolliam Annachella
 Chetty Parapolliam Chundaramah Chetty and Parapolliam Soory Chetty and
 Mr.

W^m Bathie as Counsel for the said Defendants admitting
the Title of the said Complainant Mamma Beebe to
revive this Suit to be well proved The Court
doth Order and Decree that this Suit and all
the proceedings therein do stand and be revived accordingly
and be in the same plight state and Condition
against the said Parapolliam Amachella Chitty Parapolliam Kochundaram Chitty
and Parapolliam Soory Chitty as the same were in
at the time of the abatement thereof by the
death of the said Complainant M^{rs} Mamma Beebe And In Regard
to

to the said Exceptions and further Directions. It is
 further Ordered that so much of the First of
 the said Exceptions as relates to the allowance by
 the said Master to the Defendants of Credit for
 the principal Sum of Pagodas Two thousand Seven hundred
 and Eighty Nine fanams Twenty Nine and Cash Twenty
 five be overruled and that the remainder of such
 Exceptions be allowed and that the said Sum of
 Pagodas Two thousand Seven hundred and Eighty Nine fanams
 Twenty Nine and Cash Twenty five be carried to
 the

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the Credit of the said Pareapolliam Marry Chittys Estate
as hereinafter directed and with respect to the matter
Submitted by the Master to the Judgment of the
Court whether the payments in his Report stated to
have been made by the said Defendant Pareapolliam Marry
Chitty (amounting to the principal Sum of Pagodas Three
thousand three hundred and twenty four panna twenty six
and Cash thirty) and the interest thereon ought to
be allowed to the said Defendants in discharge of
the Rents and profits charged against the said Pareapolliam
Marry

Manny Chitty The Court is of Opinion that under
the Circumstances stated in the said Masters Report no
part of such payments or interest ought to be
allowed And the Court doth further Order that it
be referred back to the Master to ascertain and
Report what upon the accounts as already taken between
the parties and as found by the said Report
of the Eighteenth day of February One thousand Eight
hundred and Twenty four appears to be the balance
due from the said Defendant Tarcapollham Manny Chitty to
the

the said Complainant Shait Davaljee or from the said
 Complainant to the said Defendant at the time of
 the death of the said Pareapolliam Henry Chetty except
 only that the Master in calculating such balance is
 to give Credit to the said Pareapolliam Henry Chetty
 at the time of his death for the said

Principal Sum of Pagodas Two thousand Seven hundred and
 Eighty Nine fanams Twenty Nine and Cash Twenty five
 hereinafore mentioned and to debit him with the principal
 Sum of Pagodas Four hundred and fifty four fanams
 Forty

Forty three and Cash Sixty in the said Report
 in that behalf mentioned without any interest on either
 of such principal Sums respectively And it appearing by
 the said Report that at the time of the
 date thereof there were then in the possession of
 the said Defendants Parapoltham Kistnamah Chetty Parapoltham Ramaswella Chetty
 Parapoltham Cochundaram Chetty and Parapoltham Sory Chetty Several Rodowns
 therein particularly referred to being part of the mortgaged
 property of the said Complainant Shree Davalgie It is
 further Ordered that the Master do enquire and state

to the Court the particulars of such last mentioned
 property respectively And whether the same or any and
 what part or parts thereof are still in the
 possession of the said Defendants or either of them
 or were in any and what manner disposed of
 by the said Defendant Parapolham Kestamah Chitty in his
 life time or have been so since his death
 by the said other Defendants Parapolham Annachella Chitty Parapolham
 Codundaramah Chitty and Parapolham Sory Chitty respectively or either
 of them And that the said Master do ascertain
 and

and state the full and true Value of Such
 parts thereof respectively (if any) as have or hath
 been so disposed of and in regard to the
 Supplemental Matter of the said Bill of Revivor of
 the said Munna Beehee the Court doth further Order
 in case the said Defendants Parapolliam Annachella Chitty Parapolliam
 Codundaramah Chitty and Parapolliam Soory Chitty shall not admit
 assets of the said Parapolliam Monny Chitty received by
 them and the said Parapolliam Kistnamah Chitty respectively sufficient
 to satisfy the balance (if any) which shall be
 stated

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stated by the Master to be due by the
said Defendant Pareapolliam Maury Chitty to the said Complainant
Shake Davaljee at the time of the death of
the said Pareapolliam Maury Chitty then that the Master
do take an Account of the Estate and Effects
of the said Pareapolliam Maury Chitty proper or received
by the said Pareapolliam Kristnamah Chitty in his life
time and by the said Pareapolliam Annachella Chitty Pareapolliam
Codundaramah Chitty and Pareapolliam Soory Chitty respectively or by
any person or persons by their or either of
their

their Order or for their or either of their
use or which without their or either of their
wilful default might have been received and also on
Account of the said Pareapolham Marry Chitty debts and
funeral expences and Computed interest on such of his
debts as carry interest and the Estate and Effects
of the said Pareapolham Marry Chitty are to be
applied in payment of what (if any thing) shall
be so found due and owing to the said
Shake Davajee and of his other debts in a
due

due Course of Administration And it is further Ordered

that the Master do also take an Account of

all and Singular the mortgaged Houses Botiques and premises

of the said Complainant Shaki Davaljee which now are

or at any time or times have been in

the possession of the said Defendants Parapolham Vennachella Chetty

Parapolham Codundaramah Chetty and Parapolham Seery Chetty respectively or

of the said Parapolham Kistaramah Chetty in his life

time and of all and every the Sums and

Sum of Money which were gotten in collected or

received

received on account of the rents and profits of
the said premises by the said Pareapolliam Hithammah Chetty
and the said Defendants or either of them or
by their or either of their Order or for
their or either of their use. or which but
for their or either of their wilful neglect or
default might have been received between the time of
the death of the said Pareapolliam Hithammah Chetty and
of the said Pareapolliam Hithammah Chetty respectively and that
the Master do also take a Separate Account of
all

all and every the Sums of Money received or
 collected on account of the Rents and profits of
 the same property by the said Defendant Parapolliam Amachellu
 Chetty Parapolliam Cochundaramah Chetty and Parapolliam Loory Chetty or
 any or either of them or by their or
 either of their Order or for their or either
 of their use or which but for their or
 either of their wilful neglect or default might have
 been received since the death of the said Parapolliam
 Kistramah Chetty And the Master is to state how
 and

and in what manner such Rents and Profits as
 well during the life of the said Tarcapollion Eastman
 Chitty as since his death have been applied and
 disposed of The Court reserving the question of whether
 any and what interest ought to be charged on
 such Rents and Profits or any part thereof And
 in taking the said several Accounts aforesaid The Master
 is to make unto the parties respectively all just
 allowances and all Parties are to produce to and
 leave with the said Master upon Oath all Books

writings

writings and Cadgers in their Custody or power relating
thereto and are to be Examined on oath on
Interrogatories as the Master shall direct And the Court
doth further Order that the Master do enquire and
state who according to the Mahomedan Law were at
the time of the death of the said Shake
Davaljee entitled to share in his Estate and in
what proportions respectively and who are now entitled to
such shares respectively and for that purpose He is
to Cause such Advertisements to be published as he
shall

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Shall think proper for all persons claiming so to
be entitled to come in before him and prove
their Claims and he is to fix a peremptory
day for that purpose and such of them as
shall not come in by the time so to
be limited are to be excluded from the benefit
of this Decree And the Master is to be
at liberty to state any special Circumstances touching such
Claims or any other of the matters hereinbefore directed
as he may think fit and it is further

Ordered

Ordered that it be referred to the Master to
 tax the Costs of the said Complainant Mamma Beebe
 in pursuing her title to revive this Suit and
 that the same when taxed be paid by the
 said Defendants Pareapolliam Annachella Chetty Pareapolliam Codundaram Chetty
 Pareapolliam Soory Chetty to the said Complainant Mamma Beebe
 or to her Solicitor M^{rs} Thomas Seed. But in
 regard to all the rest of the Costs of
 this Suit The Court doth reserve the consideration thereof
 and doth also continue ^{the} reservation of all further directions
 until

until after the Master shall have made his Report
on the several matters hereinbefore referred to him and
in the mean while all Parties interested in any
of the matters aforesaid are to be at liberty
to apply to this Court touching the same as
they may be advised.

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Wednesday 2nd October 1833

Manally Moodookistna Moodelly

Complainant

and

Manally Sutchmana Moodelly and Manally

Ponniak Moodelly-

Defendants

This Court doth Order and Decree

that the said Complainants Bill in this Cause be

dismissed out of Court with Costs-

Wednesday 2^d October 1833

Manally Moodookistna Moodelly and Manally Penniah Moodelly
Compl^{ts}

~~1998~~

Manally Sutchmana Moodelly and Seva Cawmy Unmall
an Infant - Defendants

and
Manally Sutchmana Moodelly - Complainant

~~1998~~
Manally Moodookistna Moodelly Manally Penniah
Moodelly and Seva Cawmy Unmall.

Defendants

Declare that the said Manally Sutchmana Moodelly Complainant in
and the said ⁱⁿ Moodookistna Moodelly & the Unmall Defendants have in
Sincerely and respectfully

the said Second of the said Causes is entitled to

one fourth part of all and Singular the Estate
 Property and Effects real and Personal of which the
 said Manally Chinniah Moodelly in the Pleadings named died
 possessed and also to one third part of the
 Estate Property and Effects of the said Manally Chinniah
 Moodelly which was possessed by the said Manally Chinniah
 Moodelly in the Pleadings named in his life time
 and which at the time of his death remained
 in his hands possession or power subject nevertheless to
 of such Estate
 a due proportion thereof being set apart for the
 support

support and maintenance of the said Infant Defendant Leena

2

Carmy Minnall the Daughter of the said Manally Kiohatawmy

and such other Charge if any as hereinafter mentioned

and Depts M Sutchmanu Moody M Kiohatawmy Moody & M Pennock
Moody are severally

And that the said Complainant is entitled to have

a Division of the said Estate and Effects of

the said Chinniah Accordingly and to hold his ^{their respective} portions

^{This Court doth} thereof in Severalty And Order and Decree that it

be referred to the Master to take an Account

of all and every the Estate Property and Effects

whether real or Personal of which the said Manally

Chinniah

Chinniah Moodelly was possessed of or entitled to or
 interested in at the time of his death and
 of the Rents Profits produce and proceeds of such
 Property which then came or at any time since
 have come to the hands possession or power of
 the Defendants Manally Moodakutnar Moodelly and Manally Penniah/
 and the said Complainant Manally Satchirana Moodelly or any
 Person or Persons by their or either of their
 Order or for their or either of their use
 or which came to the hands of the said
 Manally

also of such parts thereof as at the time of his death remained in his possession or power or

Manally Chinniah Moodelly in his life time and were

have

since been

at any time afterwards possessed by the said ^{last named} Defendant

or Complainant respectively or by any other Person or

Persons by their or either of their Order or
 and that the Master do also take an Account of the annual Value of such parts of the
 Houses Lands & premises of the said M Chinniah Moodelly as have at any time been
 occupied by the said last named Defendants & Complainant respectively or either of them since
 the death of the said M Chinniah Moodelly during the respective periods of such
 occupancy for their or either of their use and in

Case in taking the said Account the Master shall

find that any particular part or parts of the
 said Manally Chinniah Moodellys Estate has under any or

either of the Agreements bearing date respectively the Twelfth

day of October One thousand Eight hundred and Twenty

Eight

Eight the Sixth day of November One thousand Eight

hundred and Twenty Eight and Twenty Ninth day of

April One thousand Eight hundred and Twenty Nine ^{respectively}

in the Pleadings mentioned have been purchased or agreed

so to be by the said Defendants Manally Moodookrishna

Moodelly and Manally Ponnappa Moodelly or by the said

Complainant Manally Sutchimanas Moodelly at any particular price or

other valuation and that such part ^{or parts} of the said

Property have under such purchases or agreements ^{respectively} actually

been held and enjoyed by the said Defendants and
Complainant

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or which but for their wilful neglect or default might have been so held and
enjoyed.
Complainant respectively in severality then the Master in taking.

the Account aforesaid is to debit such parties respectively

with the Amount of such prices or valuations from

the period or periods at which such Portions of

the said Property were so actually possessed by the
or which but for their wilful neglect or default might have been possessed

said Parties in severality and thenceforward ^{the Master} is to Cease

taking any Account of the rents profits produce or

proceeds of such parts or part of the said
or of the annual Value thereof Save and except as to any parts or parts of the same
as may have been occupied by any or either of the said last named Deft or Compt.
other than the purchasers thereof

property respectively - And in taking the Account aforesaid the

Master is to make unto all Parties all just

allowance

allowances and ^{also to} let the Master also enquire whether any

and what part of the said Property Estate and

Effects of the said Manally Chinniah Moodelly has been

in any and what manner lost through the wilful

misconduct or default of the said Manally Moodookistna Moodelly

Manally Panniah Moodelly and Manally Sutchimanna Moodelly or

^{This Court doth further order that}
any or either of them and the Master is

^{to} take an account of the debts and funeral

expences of the said Manally Chinniah Moodelly and compute

interest on such of his debts as carrying interest

and he is to Enquire and Report what will

be a ^{maintenance of the} suitable provision for the said Dependant Secra

Cawmy Unnall having regard to her Circumstances and Situation

in life and to the share of the Property

of the said Manally Chinniah Moodelly to which her

Father the said Manally Kistmasawmy Moodelly was entitled after

the payment of the said Manally Chinniah Moodelly's debts

and funeral Expences and how and out of what

fund such maintenance ought to be secured and paid

(see below page 174)

And it is Ordered that the said Manally Chinniah

Moodelly's Estate be applied in payment and satisfaction of

his debts and funeral expences in a due course

of Law and let the Master ascertain the Clear

residue of the Estate and Property of the said

Manally Chinniah Moodelly and that the particulars of which

the same and every part thereof both real and

personal consists Declare Plaintiffs Manally Sutchinniah Moodelly and

Defendants Manally Woodokisthwa Moodelly and Manally Perinniah Moodelly

to have partition of such residue in three equal

parts and to hold each of them one third

part

part thereof in severally subject to the Provision and

Maintenance of the said Infant Defendant Seva Cawmy Annmall

and let the Master set apart out of such

residue a sufficient part thereof to secure the

payment of such maintenance as hereinbefore mentioned for

the said Infant Defendant Seva Cawmy Annmall during her

life. Order and Decree partition of what shall remain

of the Residue into three equal parts or shares

and accordingly let the Master divide the personality and

allot to each of the said Annally Eutchwana Moodally

Annally

Manally Moodoo Kistna Moodilly and Manally Ponniah Moodilly one of

such three equal parts or shares of the Personally

Order and Decree that the said one third part

or shares so allotted by the Master to the

said Complainant Manally Sutchimuna Moodilly be assigned to

him to be held in Severally and the remaining

said two thirds parts or Shares so allotted as

aforesaid be assigned and held in Severally by the

Said Defendants Manally Moodoo Kistna Moodilly and Manally Ponniah Moodilly

and this Court doth Order that the said Complainant

and

and Defendants do execute the proper assignments respectively and

if the Parties differ about the assignments and assurances

to be executed the said Master is to settle

the same. Order and Decree that a partition be

made of the Houses Lands tenements and hereditaments of

20

the said Manally Chinniah Moodelly deceased with the appurtenances

into three equal parts or shares between the said

Complainant Manally Lutchmana Moodelly and the said Defendants Manally

Moodookistna Moodelly and Manally Punniah Moodelly. And that a

Commission or Commissions do issue directed to certain Commissioners

to be therein named for that purpose and if

the parties differ about the number of Commissioners to

be issued or any other matter relating to the

issuing of such Commission or Commissions the said Master

is to settle the same between them And it

21 is Ordered that the said Commissioners do respectively make

a division of the said Houses lands tenements and

hereditaments with the appurtenances into three equal parts or

shares and make the same by metes and bounds

where they shall see occasion. And all deeds and

several third parts or Shares to each other respectively.

to be held in Severally. And if the Parties

differ about the Conveyances and assurances to be executed

for that purpose the said Master is to settle

the same. And after the Commissioners shall have made

such partition and returned the same together with the

Commission or respective Commissions and the Depositions it is

further Ordered that such of the deeds writings and

badgers in the Custody or power of any of

the parties as relate to such part of the

premises as shall by such division be allotted to

either of the parties alone be delivered to them

respectively and as to those that concern any parts

of the premises that shall be so allotted to

one of the said Parties jointly with those allotted

to the other any of the Parties are to

be at liberty to apply to the Court for

directions concerning the same - And declare that from and

after such division of the said Property Estate and

Effects and Conveyance and Assignment thereof respectively in severally

the said Complainant and Defendants respectively are to be
considered as divided in family and in interest to
all intents and purposes whatsoever and to effectuate the
purposes aforesaid. This Court doth ^{further} Order that the Sum
of Madras Rupees Fifty four thousand and Seventy One
Annas Eight and Pice two appearing by the said
Certificate of the Accountant General of this Court bearing
date the Twenty third day of September one thousand
Eight hundred and thirty three to be standing to
the Credit of the Cause of Annally Sutchumma Moodilly
by

by Catanchum Sabampathy Moodliar his next Friend. ~~1998~~ Manally

Moodookrishna Moodelly and others.

(Here Copy the Accountant General's Certificate)

together with all subsequent interest due thereon and also

all the bonds Notes Securities and other Property appearing

by the said Certificate of the Accountant General bearing

date the Tenth day of June One thousand Eight

hundred and Twenty Nine to be standing to the

Credit of the same Cause be with the privity

of the said Accountant General transferred to the Credit

J

of these causes and this Court doth further Order

that it be referred to the said Master to

^{Collect} approve of and appoint a proper Person to receive
all and singular the Monies due upon the said Bonds Notes & other Securities
and also to receive from ^{the Debtors} in the pleadings named the several

and Collect as well the Bonds Notes Securities and

It is to have been deposited with him on account of the said Mr
Chennoch Moody's Estate & to get in & collect the Monies due upon
other property mentioned in the said Certificate of the
the same together with all such other Estates and Effects of the said
Mr Chennoch Moody as may be now outstanding and not in the

said Accountant General as the bonds Securities and other
possession of the said Compt and Depts Mr Litchmann Moody Mr
Moorcroft's true Moody & Mr Pennock's Moody in either of them
property in the hands of Mr John DeBar and
and for that purpose the said Receiver

the Pleadings of these Causes mentioned and such Receiver

is to proceed with all due diligence in the recovery

of the same. And such Receiver is to be

at liberty to carry in ^{further} a claim before the
 said Commissioners for ^{Investigating} ~~Investigating~~ the debts of the late
 30 Rajah of Tanjore on behalf and on account of
 31 the said Estate of the said Manally Chinniah Moodelly
 in respect to the Sum of Pagodas thirty thousand
 & awarded conditionally to the said Complainant Manally Sutchmana
 Moodelly as in the Pleadings of the Second of
 these Causes mentioned the Sum of Pagodas fifteen thousand
 & awarded conditionally to the said Defendant Manally Ponniah
 Moodelly as in the said Pleadings mentioned and the

Sum of Pagodas Twenty three thousand four hundred and
fifty Seem fanams Seventeen and Cash forty five so

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awarded to the said Manally Ponniah Moodelly as Executor

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^{the said}
of Manally Kristnasawmy Moodelly the Intestate in the Pleadings

of these Causes named and is to do all

necessary Acts for the purpose of realizing the same

in case the said Commissioners shall see fit to

receive such Claim ^{and} ~~awarded and~~ for any of the

purposes aforesaid such receiver is ^{also} to be at liberty

to use the names of the Complainants Manally Sitchinam

Modelly and of the Defendants Manally Woodcockston Modelly and
 respectively for any of the purposes aforesaid

Manally Ponniah Modelly ~~or any of them~~ And the

and the said Parties
 Said Parties are to ^{join} give in all necessary Acts

when required so to do by the said Receiver

they being by him first indemnified against all costs

and expences to be incurred thereby And it is

further Ordered that the Master do allow such Receiver

a reasonable Commission for his care and pains in

regard to the several matters to be by him

performed such Person so to be appointed Receiver first

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giving Security to be approved of and taken by

the said Master ^{to account for his receipts} duly ~~and Annually~~ or oftener if

need be to account for which he shall so

collect get in and receive as aforesaid as this

Court shall direct And it is Ordered that the

said Receiver do from time to time pass his

^{annually or often if required so to do and when and}

Accounts before the Master ^{when and as often as}

he shall have in his hands any Sum exceeding

^{summed}

Three ~~thousand~~ ^{thousand} he do pay the same into

^{first deducting his Commission thereout to be}

the Treasury and that the Sub-Treasurer of Fort

Saint

~~Saint George do with the like priority of the~~

~~said Accountant General place the same to the Credit~~

~~of the said two Causes And it is further~~

~~Ordered that the said Receiver be at liberty to~~

~~deduct his Commission out of the funds or monies~~

~~so to be recovered by him as aforesaid and~~

~~for the better taking the said Accounts and discovery~~

~~of the matters aforesaid the Parties are to produce~~

~~before the said Master upon Oath and leave with the~~

~~him all Deeds Books Papers Ledgers and Writings in~~

their Custody or ^{Power} ~~Power~~ relating thereto and are to

be examined on Oath upon Interrogatories as the said

Master shall direct. And this Court doth reserve the
 consideration of all further directions and of the Costs

of these Suits until after the said Master shall

have made his Report and any of the Parties

are to be at liberty to apply to this

Court as occasion shall require.

Friday the Fifteenth day of November 1833

Pauliam
~~Pauliam~~ Narrainsamy Chetty and Another
 Complainants

and

Pareapolliam Annachella Chetty and others
 Defendants.

As to the 1st 2nd so much of the

4th as relates to the several Sums of Rupees.

One thousand. One thousand. One thousand and Three hundred

and Fifty the 5th so much of the 13th

as relates to the several Sums of Rupees Two

thousand Three hundred and Fifteen Annas Ten and Pice

Nine. Six hundred. Two hundred and Sixty Annas Eight

and

1 and Pice Four Seven hundred and Eighty five Annas.

Nine and Pice Nine and Six thousand the 18th

19th 21st so much of the 22nd as relates

to the Sum of Rupees One thousand and Four

hundred. the 24th 25th and 26th over-ruled but as...

respects so much of the said 4th Exception as

aforesaid without Costs. And as to the 3rd the

remainder of the 4th the 6th 7th 8th 9th

2 10th 11th 12th the remainder of the 13th the

14th 15th 16th 17th 20th the remainder of the

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22nd and the 23rd allow the same - and refer

it back to Master to review his Report accordingly to

touching the said last mentioned Exceptions and in so

doing. It is further Ordered that the Master do

make to the said Defendants all such allowances in

regard to the Sums with which they are debited

in the 4th Schedule to his said Report as

received by them on account of the Estate of

the said Testator as they are justly entitled to

by reason of their not being allowed to have

Credit

Credit against the said Estate for the Several Sums
 of Money in the said 3rd and 7th Exceptions
 heretofore mentioned. And the Master is to state the
 particulars of such Sums which he shall so allow
 to the Defendants for the reasons aforesaid and to
 deduct the Amount thereof from the Total Amount now
 charged ~~against~~ against the said Defendants, in and by the
 said 4th Schedule. And further Ordered that the Master
 do in his reviewed Report distinguish and state to
 the Court what parts of the personal Estate and
 Effects

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Effects of the said Testator proposed by the said

Defendants and remaining in their hands respectively are applicable

to his specific bequests and what parts of such

Estate are applicable to the general charges thereon And

further Ordered that the Master do also inquire and

state whether all or any or either and which

of the several Sums of Money Reported by him

to be still outstanding and in the said 22nd

Exception particularly mentioned could or might at any time

and when since the Testator's Decease have been gotten

by the said Defendant Parapolliam Codundaramah Chetty but
 for his wilful default. And this Court doth declare
 that the said Complainant Parliam Narraissammy Chetty as the
 only son and heir of the said Parapolliam Kistnamah
 Chetty became upon the death of the said Testator
 well entitled subject to any charges therein to the
 several Houses and Lands which belonged to the said
 Parapolliam Kistnamah Chetty at the time of his death
 and are in the Eleventh Schedule to the said
 Report in that behalf particularly set forth and to the

Rents and Profits which have accrued or might have
accrued upon the same respectively since the said Testator's

death except as regards the two Houses and Grounds

specifically bequeathed to the said Testator's daughter Cammachee and

the Rents of the same as to which this

Court gives no opinion the said Cammachee not being

a Party to this Suit and this Court doth

accordingly Order that the said Defendants respectively do forth

deliver or Cause to be delivered up to the

said Complainant Pauline Narrausamy Chetty the possession of the

said

said several Sands and Houses which are stated by

the Master's said Report to be now in their

If the Widow is not satisfied with the House as now allotted this part of the decree cannot be carried into execution till the House for her is determined upon. If her Solicitor chooses she may have a separate Report but this will be at her own expense.

possession except the House allotted or to be allotted

to the Widow of Kistnamah for her maintenance. And

that the said Defendant Parappolliam Codundaramah Chetty do also

pay to the said Complainants the Sum of Rupees

Four hundred and Eighty nine six and by the

said Report found to have been received by the

Defendants as and for the Rents of the said

Houses and Sands and carried to the Credit of

the

the Testator's General Estate without prejudice nevertheless to any

demand to which the said Premises may be declared

liable by reason of the outstanding Claims against the

Testator's Estate on behalf of the representatives of Shaick

Davaljee in the said Petition of the said Defendants

in that behalf set forth. and ordered that it be

referred to the Master to inquire and state whether

any and what further Rents and Profits could or

might have been received by the said Defendant Paraphotian

Codindaramah Chitty but his wilful default since the said

Testator's

Testators Decease on account of such of the said

Houses and Lands respectively to which the said Complainant

~~of Paupearn~~ ^{of Paupearn} ~~has a right~~ ^{Naramsawmy Chitty} so became entitled as aforesaid. And

that the Master do also set a fair occupation

Rent upon such part and parts of the said

premises as have been occupied by the said Defendants

respectively or either of them since the period last

aforesaid for such time or times as they or

either of them have occupied the same making to

the said Defendants all just allowances in respect of

any necessary charges or disbursements paid or laid out

by them in or upon the same or in

relation to such premises respectively. And further Ordered that

the said Defendant Parappillam Codundaram Chetty do out of

the balance of Sixty three thousand Rupees in and

by the said Reports stated to be in his

hands pay into the Treasury of Fort Saint George

with the privy of the Accountant General of this

Court to be placed to the Credit of this

Cause "The Account of the said Complainant Pauliam Narayanasamy

Chetty"

Chitty the Sum of

already received by the said Defendants on account of

the said Complainant's share of and in the several

Tanjore or Carnatic Bonds respectively specifically bequeathed by the

said Testator to the said Complainant jointly with the

said Defendants Parappilliam Codundarama Chetty and Parappilliam Soro Chetty

And that the said Defendant Parappilliam Codundarama Chetty do

also in like manner pay into Court all such

further Sums as he may hereafter receive in respect

of the Complainant's share in any of such Bonds

to be carried to the like account without prejudice

nevertheless as to all such and every sums so

paid into Court being liable to satisfy any such

claim against the said Testator's Estate on behalf of

the Representatives of the said Shaike Dauljee as aforesaid

or to any demands which the Defendant Parapoltham Cochundaram

Chitty may have against the said Complainants by reason

of any over payment to him on account of

his pecuniary Legacy of Fifty thousand Rupees under the

said Testator's said Will and further Order that the

said

said Defendant Parapolliam Codundaramah Chetty do also out of

the said Sum of Sixty three thousand Rupees pay

into the said Treasury with the privity of the

said Accountant General to be placed to the Credit

of this Cause "The Account of the said Complainant

"Rungamall" the Sum of Ten thousand Rupees to be

secured for her future maintenance and for that purpose

that the Accountant General do lay out and invest

the said Sum when so paid in some or

one of the Government Securities and do pay the

interest

interest thereon as it shall accrue due to the
 said Complainant during her life or until the further
 Order of the Court. And further Order refer it.

to Master to Enquire and state whether the House
 in and by his Report allotted as a Residence

for the said Complainant Rungamall is a fit and
 proper House for that purpose and if not that

15 he allot another for her residence during her life

And the Master is also to be at liberty

at the instance of Rungamall to Enquire and state

whether any and what further Sum of Money ought

now to be paid to the said Complainant Rungamall

for Arrears of Maintenance since the said Testator's Death

The Master in making such enquiry to have regard

to the fact of the said Complainant Rungamall having

already received the Sum of Five thousand Rupees as

in and by his Report in that behalf is

stated out of the said Testator's Estate and for

which the said Complainant Rungamall is liable to account

in the prosecution of such Enquiry. And in regard

to the Costs of this Suit which have been
 incurred subsequent to the last Decree and up to
 the present period the Court doth declare and accordingly
 Decree as to the Costs subsequent to the Decree
 of the day of that the
 Costs of all the proceedings and Accounts relative to
 the Houses and Lands of the said Testator be
 Taxed by the Master and paid by the said
 Defendants personally to the said Complainant Pauline Narrainsamy
 that the said Complainant Pauline Narrainsamy Chetty and the
 said

said Defendants do pay their own costs respectively of
all the proceedings and Accounts relating to the said
Testator's Personal Estate and Effects and of the Petition
filed on the Eighth day of November instant that
the Costs of all Parties up to the present
time relating to the maintenance of the said Complainant
Rungamall be Taxed as between Solicitor and Client and
be paid out of the Estate of the said
Testator but such Costs are not to extend to
any of the proceedings in relation to taking the

Accounts.

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Monday the Tenth day of November 1834

Richard Brunton and others - Compell^d

Wt

Peter Cator Esqr Administrator of Randall. Deft

Declare that the Complainants Anna Brunton and Jane Mary

Wiltshire are entitled in respect of the said two

Legacies of One thousand Pagodas and One thousand Pagodas

bequeathed to the said Complainant Anna Brunton and Elizabeth

Wiltshire decensed by the Testator James Gordon Brunton to

be considered as judgment Creditors of the said Charles

Randall

Randall and to be paid in the Administration of
 the assets of the said Charles Randall ratably and
 proportion with all other judgment Creditors (if any) of
 the said last named Testator in preference to all
 his other Creditors of inferior degree. And refer it
 to the Master accordingly to compute the principal and
 Interest now due upon such Legacies respectively. Such interest
 from the time of the death of the said
 Charles Randall to be calculated at the rate of
 Six per Cent per Annum. And the said Complainants
 waiving

waiving the taking any account before the Master of

2

the Estate of the said Charles Randall Order that

the costs of all the parties in this cause

be taxed up to the present time as between

Solicitor and Client and that the Defendant Peter Cator

do pay the same out of the assets of

the said Charles Randall now in his hands - And

that after payment of such costs Defendant Peter Cator

~~do pay the same out of the assets of~~

~~the said Charles Randall now in his hands - And~~

~~that~~

~~that after payment of such costs Defendant Peter Cator~~

do apply the residue of such assets and such

further part of the said Estate and Effects of

the said Charles Rundall (if any) as he may

hereafter collect or receive or a sufficient portion thereof

in payment and Satisfaction of what shall be so

found due in respect of the Principal and Interest

upon such two Securities as aforesaid and of all

other Creditors of the said Charles Rundall (if any) of

equal degree pari passu or so far as such

assets

assets already received or hereafter to be received shall

extend. And further Ordered that what shall be payable

for Interest on the said Legacy of one thousand

4

Pagodas bequeathed to the said Anna Bruntton be paid

to the said Complainant Richard Bruntton and Anna Bruntton

upon their joint receipt and that the principal of

such Legacy or so much thereof as the assets

of the said Charles Rundles' Estate shall extend to

satisfy be paid to Sub Treasurer with privy of

Accountant General of this Court and be by him

laid

laid out in the purchase of a Government Security —
or Securities bearing interest at four per Cent. And

carried to the Credit of this Cause to an

Account to be entitled "Legacy bequeathed to Anna Brunton

and her Children by the Will of James Gordon

Brunton." and that the Interest to accrue due upon

Such Security or Securities so to be purchased be

paid to the said Complainants Richard Brunton and Anna

Brunton upon their joint receipt during the life of

Anna Brunton or until the further order of Court

with

with liberty after her death for all parties interested —

in such Legacy to apply to this Court by —

Petition in this Cause as they may be advised —

6

And further Ordered that what shall be payable for

interest on the said Legacy of the one thousand

Pounds bequeathed to Elizabeth Wiltshire be paid to the

said Richard Buntow as Guardian of Jane Mary Wiltshire

and that the Principal of such Legacy or so

much thereof as the assets of the said Charles

Rundall's Estate shall extend to satisfy be paid to

the

the said Sub Treasurer with the privity of the

Said Accountant General and he by him laid out

in the purchase of a Government Security or Securities

bearing interest at four per Cent and carried to

the Credit of this Cause to an account to

be entitled "The account of Jane Mary Wiltshire" and

that the Interest to accrue due upon such Security

or Securities so to be purchased be paid to

the said Complainants Richard Brunton as Guardian of Jane

Mary Wiltshire during the minority of the said Jane

Mary

Mary Wiltshire or until the further order of Court

And it is Ordered that it be referred to

the Master to enquire and report whether Mary Kirkpatrick

Burton in the Answer of the said Defendant named

is or is not entitled to be considered as

a Judgment Creditor against the said Estate of the

said late Charles Randall in respect of the debt

in the said Answer alleged to be due from

him in his life time to the said Mary

Kirkpatrick Burton in any and what Sum of Money

And

and in the event of the said Mary Hickpatrick
 Branton being found so entitled that the Master do
 Compute Principal and Interest now due upon such sum
 at the rate of Six per Cent per Annum
 from the time of the death of the said
 Charles Randall the Master to be at liberty to
 state any special Circumstances in such Report which he
 may judge proper and for the purpose aforesaid the
 Master is to cause a Notice to be served
 on the said Mary Hickpatrick Branton or any person

doily

10 duly constituted by her as her Attorney to come
in and prove the said alleged debt on or
before a certain day to be fixed by him
for that purpose and in default of which the
said Mary Kirkpatrick Bunton is to be excluded the
benefit of this Decree And this Court doth reserve
the consideration of the costs of the said enquiry
until after the said Master shall have made his Report
And the said Mary Kirkpatrick Bunton and all parties
in this cause are to be at liberty to
apply

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apply to this Court touching the matters aforesaid as
they may be advised

Thursday the Twentieth day of February 1834

Margatha Vuttee Ummall Complainant
~~vs~~

Connore Annasawmy Moodelliar and Connore Syasawmy Moodelliar - Def^{ts}

By Bill of Revivor

Connore Annasawmy Moodelliar and Connore Syasawmy Moodelliar - Compl^{ts}

~~vs~~
 Lutchmee Ummall and Neelathatchee Ummall - Defendants

This Court doth Order and Decree that the said

Sub Treasurer with the privy of the said Accountant

General do pay and deliver to the said Connore

Annasawmy Moodelly and Connore Syasawmy Moodelly the Complainants in the

~~he~~

the said Received Suit the Several Securities together with

the Cash in the said Accountant General's Certificate mentioned
and deposit the proceeds of such sales together with the Cash in the said
Accountant General's Certificate mentioned

together with all Subsequent Interest and that the said

^{into}
Securities be by the said Komore Annasawmy Moodelly and

^{the Comptroller of the Treasury}
Komore Syasawmy Moodelly sold and that the proceeds of

such sale together with all Cash which may be

<sup>the said Komore Annasawmy Moodelly and Komore
Syasawmy Moodelly</sup>
received from the Sub Treasuries in pursuance of this

Decree be applied so far as the same shall

extend in or towards Satisfaction of the said Debt

of Rupees Seventeen thousand One hundred and Six and

186 190
Annas Three due to the said Commore Mootiah Moodelly.

2
and that the residue if any of such proceeds
and Cash be by them subject to the payment
of their Costs as hereafter mentioned paid to the

10
said Defendants Lutchmee Mummall and Neelathatchee Mummall and in
Case such proceeds and Cash shall not be sufficient

to satisfy the whole of such Debt then that
the residue thereof be paid by the said Defendants

in the Revised Suit Lutchmee Mummall and Neelathatchee Mummall

respectively. And it is further Ordered that it be

referred

3

referred to the Master to Tax the costs of
the said Comore Annasawmy Moodelly and Comore Yasawmy Moodelly
in this suit and that the same when Taxed
be paid by the said Lutchmee Annall and Neela Thatchee
Annall respectively to the said Comore Annasawmy Moodelly and
Comore Yasawmy Moodelly or their Solicitor W^r. Orin Vireach
the said Comore Annasawmy Moodelly and Comore Yasawmy Moodelly
being also at liberty to apply in or towards
satisfaction of such Taxed costs any residue of the
proceeds of the said Securities and Cash so directed
to

to be paid to them as aforesaid in case
there shall be any residue thereof in their hands
after payment of the said debt of Rupees Seventeen
thousand One hundred and Six and Annas Three as
aforesaid.

Friday the Twenty first day of March 1834

Vellore Soobaray Moodelly and Vellore

Annachella Moodelly - - - - - Complainants

and

Anava Mootiah Moodelly and others - Defendants

Declare that the said Complainants Vellore Soobaray Moodelly and

Vellore Annachella Moodelly had an Equitable Lien on the

Tanjore Bond in the pleadings mentioned at the time

of the purchase thereof by the said Defendant Mammakalum

Uncontestedly due from the Defendants Anava Mootiah Moodelly and

Anava

Copy furnished to
Mr. J. J. Harris
21st day of March
1834

Copy furnished to
Mr. J. J. Harris
10 April 1834

Anang Rungasawmy Modelly to the extent of the Sum
 of Rupees Ten thousand Six hundred and Thirty Annas

Eight and Pice Four and a quarter and Rupees

^{one hundred}
 One thousand and Eighty three Annas Ten and Pice

Two and Seven Eighths together with Interest at Six

per Cent ~~thereon~~ ^{thereon} respectively from the First day of

September One thousand Eight hundred and Twenty seven

are now entitled to have the Amount of such

Principal and Interest paid to them out of the

Monies awarded to the said Defendant Mumbahm Vinsatammy

upon

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and this Court doth order & decree that it be referred to the
Upon the said Bond ~~presented to the Master of this Court to~~
Master of this Court to

2
compute the Amount of Principal and Interest of such
Two Sums accordingly And it appearing by the Accountant.

Generals Certificate that a Four per Cent Promissory Note
of the Government of Fort Saint George of ^{Tangier Debt for} Maritime Purposes

Fifteen thousand (being part of the Monies received under
such Award) has been paid into Court to the

Credit of this Cause under an Order made in

this Cause and bearing date the First day of

August One thousand Eight hundred and Thirty three Ordering
that

that such sum should be placed to the Credit

3

of this Cause subject to the further Order of

and this Court do it

this Court Order and Decree that the Sub Treasurer

of Fort Saint George with the privity of the

said Accountant General do sell and dispose of the

said Security in the said Accountant General's Certificate mentioned.

And do pay the proceeds of such sale together with

the Cash in the said Accountant General's Certificate mentioned

together with all subsequent Interest unto the said Complainants

Vellou Soobaroy Moodelly and Vellou Amachella Moodelly and that

the

4

the proceeds of such sale together with all Cash

which may be received from the Sub Treasurer by

the said Vellore Soobaroy Moodelly and Vellore Annachella Moodelly

and

in pursuance of this Decree be applied so far

as the same shall extend in or towards satisfaction

of the said Amount of Principal Monies and Interest

So due to them as aforesaid And that the

residue if any of such proceeds and Cash be

by them subject to the payment of their Costs

as hereafter mentioned paid to the said Defendants

Vencataram

Vencataswamy Naick Maumbalum Veraswamy Naick and Maumbalum Ramaswamy Naick

and in case such proceeds and cash shall not

be sufficient to satisfy the whole of such

amount when computed as aforesaid then that the ^{residue} ~~balance~~

thereof be paid by the said Maumbalum Vencataswamy Naick

Maumbalum Veraswamy Naick and Maumbalum Ramaswamy Naick respectively from

and out of the residue of the Monies awarded

to the said Maumbalum Vencataswamy Naick on the said

Tanjore Pond and in case the said Defendant Maumbalum

Vencataswamy Naick shall not admit to have received sufficient

6

to pay and satisfy such residue ~~then~~ ^{the Master} ~~refers it~~

^{is to}
~~to the said Master to~~ take an Account of

what has come to the hands of the said

Mammabalum Vencatawamy Naick or to the hands of any

other Person or Persons ~~has~~ by his Order or

for his use by virtue of the ~~it~~ award

^{in the Pleading of this Cause mentioned}
 upon the said Tanjore Bond and of what by

^{and this Court do the}
 virtue of such Award remains to be received. Further

Order upon payment to the said Complainant Vellou Soobaray

Modelly and Vellou Amachella Modelly of the whole of
 what

7

Let shall be found to be due to them,

as aforesaid that the said Complainants Vellore Soobaray Modelly

and Vellore Annachella Modelly do deliver up to the

said Defendant Anura Mootiah Modelly the said Bond bearing

10

date the First day of September One thousand Eight

hundred and Twenty Seven and the said Malabar Instrument

in writing bearing date the Third day of January

One thousand Eight hundred and Twenty Eight and that

the said Malabar writing or Agreement by way of

Mortgage bearing date the said First day of September

One

One thousand Eight hundred and twenty seven be delivered

up to the said Defendant Maumbalum Vincatatummy Naich ^{and it is} further

order that it be referred to the Master to

Take the Costs of the said Complainants Vellou Soharoy

Modelly and Vellou Amachello Modelly in this Suit and

that the same when Taken be paid by the

said Defendants respectively to the said Complainants or their

Solicitor W^m. William Harris the said Complainants being at

liberty to apply in or towards satisfaction of such

Taken Costs any residue of the proceeds of the

said

9

said Security and Cash so directed to be paid
to them as aforesaid in Case there shall be
any residue thereof in their hands after payment of
the Amount of such Principal Money and Interest so
due to them aforesaid. For better taking of the
Accounts and discovery of the Matters aforesaid all Parties
are to produce before the said Master upon Oath
all Books Papers Writings and Vouchers in their Custody
or Power relating thereto and are to be examined
upon Interrogatories as the said Master shall direct who

10 in taking the said Accounts is to make unto
~~and this Court doth~~
 the Parties all just allowances. Reserve the Consideration of

the Subsequent Acts of the said Inquiry and of

all further directions until after the said Matter shall

have made his Report And all Parties in this

Cause are to be at liberty to apply to

this Court touching the Matters aforesaid as they may

be advised.

Wednesday the Second day of April 1834

By Original Bill

Cooty Ummall - - - - - Complainant

and

Carpooaga Ummall and others - - - Defendants

By Bill of Revivor

Cooty Ummall - - - - - Complainant

and

Carpooaga Ummall and others - - - Defendants

By another Bill of Revivor

Cooty Ummall - - - - - Complainant

and

Carpooaga Ummall and others - - - Defendants

By Another Bill of Revivor

Paranaigum Ummall - - - - - Complainant

and

Carpooaga Ummall and others - - - Defendants

By another Bill of Revivor

The

The said Paranaigum Ummall - - - Complainant

and

Karpooga Ummall and others - - - Defendants

By another Bill of Review

The said Paranaigum Ummall - - - Complainant

and

Moodookistna Moodelly and others - - Defendants

This Cause coming on this present day to be

heard and debated before the Honorable the Judges of

the Supreme Court of Judicature at Madras in the

presence of Counsel learned on behalf of the Complainant

Paranaigum Ummall and the Defendants Munnally Moodookistna Moodelly and

Munnally Ponniah Moodelly. Before the case was opened Mr.

Boothie

Butler on behalf of the Complainant ³Paranaigum Humall Moves

that she may be at liberty to withdraw from

the Record the Two last Bills of Review filed

by her on the Twenty Eighth day of February

One thousand Eight hundred and Thirty One and Tenth

day of April One thousand Eight hundred and Thirty

Two and to proceed again de Novo as to

the Matters therein contained upon the ground that certain

irregularities had taken place in not having duly reviewed

the Original Bill as against seven of the Defendants

Right

Viz Manally Lutchman Modelly Nuthambars Ramaswamy Modelly Nuthambars Timbappa

Modelly Nuthambars Sobaray Modelly Nuthambars Puthnasubapathy Modelly Manepankun

Annachella Chitty and Manepankun Moorogappa Chitty and that the

Complainant was not accordingly in a Condition to obtain

a Decree upon the merits the Complainant offering to

pay such Costs as the Court may direct and

also to Consent that the Defendant Manally Ponniah Modelly

who had been let in to make a new

defence to the Original Bill and had entered into

Evidence to substantiate the same should have the benefit

f

of his answer filed on the Twenty Second day
 of February One thousand Eight hundred and Thirty three
 and of the Depositions already taken by him to
 substantiate the same in any new proceedings which the
 said Complainant might hereafter adopt in this cause - But
 the Court refuse the Application and the more especially
 as upon a Motion made on the Twenty Second
 day of March last upon Notice on behalf of
 the Defendant Manally Panniah Modelly to dismiss this suit
 for want of prosecution the Complainant had peremptorily Undertaken

to set down the Cause for hearing this Term
 and the Cause being now accordingly opened by Mr
 Butler of Counsel for the Complainant And upon hearing
 read the Subpoenas to hear Judgment against the Defendants
 Nuthambadoo Ramaswamy Nuthambadoo Tombeapine Nuthambadoo Soobaroy Nuthambadoo Puthia Chetty
 Manepanthum Annachella Manepanthum Morogapah Moodootina Moodelly Ponniah Moodelly and
 Sutchumana Moodelly And the Affidavit of Alexander De Rozario of
 personal service thereof on the Defendants Nuthambadoo Ramaswamy Moodelly
 Nuthambadoo Soobaroy Moodelly Nuthambadoo Tombeapine Moodelly Manepanthum Annachella Chetty
 Manepanthum Morogapah Chetty W Thomas Esq Solicitor for Manually
 Moodootina

Moodookristna Moodelly and Manally Ponniah Moodelly and Manally
 Lutchmanna Moodelly. And an Order bearing date the Twenty
 Second day of March last to take the Bill
 of Revivor filed in this Cause on the Tenth
 day of April One thousand Eight hundred and thirty.
 Two per Confes against the Defendants Nuthambarr Sobary Moodelly
 and Nuthambarr Pathma Subaupathy Moodelly and Mr Advocate General
 and Mr Teed appearing for the Defendant Manally Ponniah
 Moodelly and Mr Teed also appearing for the Defendant
 Manally Moodookristna Moodelly a preliminary objection to the Complainant
 further

further proceeding upon the General Merits of the Case

is taken by the Counsel for the Defendants Manally

Ponniah Moodelly and Manally Moodookristna Moodelly for that the

said Complainant has not given any Evidence to prove

that she is the Daughter of the Original Complainant

Coote Whinnall under which title she seeks to revive

this Suit. that fact not being admitted by the

Defendants. And upon hearing Counsel on behalf of the

said Complainant and the Defendants Manally Moodookristna Moodelly and

Manally Ponniah Moodelly upon this point the Court are
of

of opinion that the objection is good - The Only

Evidence offered of this fact being the Depositions taken

in the Original Cause wherein such fact was not

in issue ^{although} and in Ordinary Cases. The Complainant in

a Bill of Revivor might be allowed to prove

such fact either viva voce or to Exhibit an

Interrogatory for that purpose. Yet in this particular Case

after what the Complainant's Counsel had admitted regarding the

^{irregularities}
~~Interrogatories~~ which had taken place in the proceedings. It

would be of no use to give the Complainant

an opportunity to supply the omission by further Evidence

Whereupon and upon Considering all the Circumstances of the

Case The Court think proper to dismiss this Cause

out of Court and the same is dismissed accordingly

with Costs as against the Defendants Manally Ponniah Modelly

and Manally Hoodookstna Modelly from the time of the

filing of the first Bill of Review by the

said Complainant Pannaijamm Unniall and without Costs as against

the other Defendants.

Friday the Fourth day of April 1834

In the Matter of the Last Will and

Testament and Codicil of Pam Pauza deceased
wherein

George Brasher and Another are Proponents

And

Anunta Pam Pauza is Respondent.

This Court doth Order and Decree that the said

Proponent George Brasher do give in his personal Answers

to such Interrogatories as this Court shall direct to

be administered to him and that a Special Commission

do issue to the Registrar of this Honorable Court

for the purpose of examining the said George Brasher

thereon. And it is further Ordered that the said

Registrar do certify such examinations to the Court on

the first day of next Term until which day

any further directions or
the Court postpones its final Sentence.

Wednesday the Ninth day of April 1834

In the Matter of the Last Will and Testament of

C. Ponnambala Moodelliar Deceased.

wherein

A. Kalapah Moodelliar is - - - Proposant

and

Soobaroy Moodelliar and others are Respondents.

The Court doth think fit to pronounce and Declare
for the force and Validity of the Testamentary Paper
Writing marked A as and for the Last Will
and Testament of the said Chatoopulloo Ponnambala Moodelliar Deceased
and doth Decree that the Probate thereof granted in

common form on the Twenty second day of May

One thousand Eight hundred and Thirty Two to the

said Proprietor Agnainbaku Walapah Modelle confirmed And doth

also Decree Sentence of the same accordingly And this

Court doth further Order that the Costs herein of

the said Proprietor be Taxed by the Master of

this Court and paid by the said Respondents So barry

Modelly Appache Modelly Nerrawmy Modelly and Nerrawmy Modelly to

the said Proprietor or to Mr Leonard Cooper his

Proctor

Thursday the 10th day of April 1834

The Rev^d W. Songbottom and Another Exors

of W^m C. E. Seimbruggen dec^d - Compl^{ts}

and

Belthazar Manook Sator and others. Def^s

Doth declare that the Trusts of the Will and

Codicils of the said Testatrix Cornsemer Elazer Seimbruggen ought

to be carried into execution and doth Order and

decree the same accordingly And this Court doth Order

that it be referred to the Master of this

Court to take an Account of the personal Estate

and

Copies furnished

to the said

25 April 1834

1. and Effects of the said Testatrix come to the

hands of the said Complainants or either of them

or to the hands of any other person or

persons ^{by} for them or either of them ~~use and that~~ order or

for them or either of them use and that

he do ascertain and report what part or parts

thereof has or have been specifically bequeathed also an

account of the debts funeral expenses and legacies of

the said Testatrix and Compute interest on such of

her debts as carry interest after the rate they

respectively

respectively carry And it is Ordered that the said

Master do cause Advertisements to be published in the

Port Saint George Gazette and Such other news papers

as he may think proper for the Creditors of

the said Testator to come in before him and

prove their debts. and he is to fix a

peremptory day for that purpose and Such of them

as shall not come in by the time so

to be limited are to be excluded from the

benefit of this decree and the Master is to —

enquire

enquire and report whether any and which of the

debts and legacies of the said Testator remain unpaid

and whether any and which part or parts of

the Estate and Effects of the said Testator is —

or are yet outstanding or due by the said

Complainants The Reverend William Longbottom and Edward Molin or

either of them And it is Ordered that the

said Testator's Estate not specifically bequeathed be applied in

payment of his debts and funeral expenses in a

due course of Administration and then in payment of

his

his legacies and after such payment the said Master
is to ascertain and state the clear residue of
the said Testator's Estate and of what the same
consists And it is Ordered that the said Complainants
do deposit in the Treasury of Fort Saint George
to be placed to the Credit of this Cause
to an account to be entitled "The Account of
" the Estate of the said Testator" all the Government
Securities and Cash now in their hands or which
may hereafter come to their hands belonging to the
Estate

Estate of the said Testatrix and do also deposit &

all other Securities Deeds Evidences and writings in their

possession or power respectively belonging to the said Estate

with the Master of this Court for the benefit —

of all parties interested therein and this Court doth

further Order that it be referred to the Master

to enquire and state what Collegiate body or other

Society was meant by the said Testatrix in the

Second Codicil to her said Will under the description

of "The Greek College for the Education of Youths —

" in

"in Arts and Sciences" and of what persons the
Same consists and whether the Same existed at the
time of the death of the said Testatrix and
still does exist and where situate and in case
any Such Collegiate body or Society shall be found
still to exist then let the Master enquire and
state who are according to the laws usages and
Customs of Such body entitled to receive any charitable
Legacy bequeathed for the benefit thereof and how and
in what manner and by whom a legal and
effectual

effectual receipt and discharge for the same can be

given with liberty to the Master to state any

special circumstances as he may think proper And it

is further Ordered that the said Master do also

enquire and state to the Court what person or

persons by name are now the Governors of the

Madras Armenians Orphan's funds and whether they are entitled

to receive any Charitable Legacy bequeathed to them and

how and in what manner and by whom a

legal and effectual discharge for the same can be

given

given with liberty to the Master to state any

Special circumstances as he may think proper And this

Court doth further Order that it be referred to

the said Master to approve of and to appoint

Some proper person or persons to collect and get

in the outstanding Estates and Effects of the said

Testatrix with liberty to the said Defendants Belthazar Manoth

Sator and Anthon ^{Jacob} Johannes and Paul Melitus in the

Answer named to propose themselves as Such Receivers they

undertaking before the Master in case they shall be

so appointed that they will collect and get in

Such outstanding Estate and Effects free and clear of

any Charge for Commission And it is Ordered that

Such Receivers when so appointed upon giving Security to

be approved of by the Master duly and annually

to account for what they shall so receive as

the Court Shall direct are to be at liberty

to take all necessary Measures for the purpose of

getting in the said outstanding Estate and are to

be at liberty to use the names of the

Said

Said Complainants as such Executors as aforesaid who are

to join in all necessary acts for the purpose

aforesaid when required so to do the said Complainants

being first indemnified against all costs and expenses to

be incurred thereby And it is Ordered that the

said Receivers do from time to time pass their

accounts before the Master and pay any balances which

shall be reported due from them into the said Treasury

with the like privacy of the said Accountant General

to be there placed to the Credit of this —

Cause

Cause to the said Account of the Estate of

the Said Testatrix Subject to the further order of

this Court and for the better taking the Said

accounts and discovery of the matters aforesaid the said

Parties are to deposit and leave with the said

Master upon Oath all Deeds Books papers writings and

Cargans in their Custody or power relating thereto and

are to be examined upon Oath on Interrogatories as

the said Master shall direct who in taking the

Said Accounts is to make unto the Parties all

just

just allowances And this Court doth reserve the consideration
 of all further directions and the costs of this
 Suit until after the said Master shall have made
 his report and all persons interested in the Trusts
 of the said Will and Codicils of the said
 Testatrix as well as the Parties hereto are to
 be at liberty to apply to this Court by Petition
 in this Cause as occasion shall require

Wednesday the 2 day of April 1834

Pankum Narrainsamy Moodelliar

and

Conore Annachellum Moodelliar

Doth declare that the Trusts of the Will of

the said Testator Conore Morogapah Moodelly ought to be

carried into execution and doth decree the Same accordingly

And this Court doth Order that it be referred

to the Master of this Court to take an

account of the personal Estate and Effects of the

Said Testator come to the hands of the complainant

and

Copy furnished
Mr. T. S. S. S.
25th April
1834

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and Defendant respectively or either of them or to

the hands of any other person or persons by

them or either of their Order or for their

or either of their use or which but for

them or either of their wilful neglect or default

might have been so received and that he do

ascertain and report what part or parts thereof has

or have been Specifically bequeathed And that the said

Master do also take an Account of the debts —

funeral Expenses and legacies of the said Testator and

Compute

2 Compute interest on Such of his debts as carry —

interest after the rates they respectively carry. And it

is Ordered that the said Master do cause advertisements

to be published in the Fort Saint George Gazette —

and such other news papers as he thinks proper

for the Creditors of the said Testator to come

in before him and prove their debts and he

is to fix a peremptory day for that purpose

and Such of them as shall not come in

by the times so to be limited are to

be

be excluded from the benefit of this Decree and
the Master is to enquire and report whether any
and which of the said Testator's debts and legacies
remain unpaid and whether any and what part or
parts of the said Testator's Estate and Effects is
or are yet outstanding or due by the Said
Complainant and Defendant or either of them And it
is Ordered that the said Testator's Estate not specifically
bequeathed be applied in payment of his debts and
funeral expences in or due Course of Administration and
then

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then in payment of his Legacies and after Such

payment the said Master is to ascertain and state

the clear residue of the said Testator's Estate and

it being admitted that there are now in the

possession of the Defendant the Government Securities following that

is to say.

Thirteen Government Promissory Notes of the Four per Cent

Loan for the Sum of Three hundred and twenty

Six thousand Sicea Rupees. (26000)

Three Government Promissory Notes of the Five per Cent

Loan

3 Loan for Six Rupees Twelve thousand and one hundred ⁽¹²¹⁰⁰⁾

5 In the name of the late Mungappa Muddelly the

Testator in the pleadings named.

A Promissory Note of the Madras Government for Madras

⁽⁷⁰⁰⁰⁾ Rupees Seven thousand bearing interest at Six per Cent

per Annum -

and Five Promissory Notes of the Madras Government on

account of Carnatic Petty Claims for Madras Rupees Three

thousand and Seven hundred - ⁽³⁷⁰⁰⁾

This Court doth Order that He do forthwith deposit -

the

the same in the Treasury of Fort Saint George

with the privy of the Accountant General of this

Court to be there placed to the Credit of

this Cause to an Account to be entitled "The

"Account of the Testators Estate" And it is further

Ordered that the said Complainant and Defendant do also

bring the Chest together with the two Keys in

the pleadings of this Cause mentioned and now admitted

to be in their possession to be forthwith brought

into the Masters' office and that the same be

there.

there in the presence of the said Master and
of the Complainant and Defendant or their Solicitors opened

and a true and perfect list taken in duplicate of

7 the contents of the same and be signed by

the said Complainant and Defendant respectively before the said

Master And it is Ordered that all and every

the Title Deeds Evidences and writings found in the

said Chest be deposited with the Master in trust

in this Cause for the benefit of the Parties

interested therein and that the Several Toys and Jewels and

ornaments

contents found in the said Chest be replaced therein.

together with one of the said Lists and that

the said Chest be thereupon locked by the said

8 Complainant and Defendant respectively and sealed by the Master

and forthwith be by the said Complainant and Defendant

together with any Government Securities which may be found

in the said Chest deposited in the said Treasury

with the like priority of the said Accountant General

to be placed to the Credit of this Cause

to the said Account of the said Testator's Estate

and

and that the other of the said Lists be
 filed in the Registry of this Court for the

9.

benefit of the parties interested therein. And it is
 further Ordered (the Complainant by his Counsel the Advocate

General and Mr. Rowlandson not opposing the same) that:—

the said Sub-Treasurer with the privity of the

said Accountant General do from time to time until

the further Order of this Court pay the Interest

now due and hereafter to accrue due upon all

and every the Government Securities hereinbefore and hereafter directed

to

to be placed to the Credit of this Cause —

to such account as aforesaid unto the said Defendant

10 Connore Annachellum Mordelly for the purpose of defraying the —

annual expences of the said Testator's family and Estate

and carrying into execution the other Trusts of his —

Will and the said Complainant by his said Counsel

in like manner not opposing the same) that the

Said Defendant Connore Annachellum Mordelly be also at liberty

until the further Order of this Court and for —

such purposes as aforesaid to collect and get in

the

the outstanding effects and debts if any belonging to -

the said Testator's Estate and the rents profits and

|| produce of the Bazaar and other property and in

so doing the said Defendant Comore Amachellum hoodelly is

to be at liberty to use the name of

the said Complainant Pandum Narainsawmy hoodelly who is to

join in all necessary acts for that purpose when

required being first indemnified by the said Defendant against

all costs and expences to be incurred thereby and

It is Ordered in case the said Interest rents

profits

profits and produce so directed to be received by

the said Defendant as aforesaid shall in any one

year be more than sufficient to defray the annual

Expences of the said Testator's family and Estate and

the carrying of the said other Trusts of his

Will into execution that the said Defendant do lay

out and invest any such surplus Government Securities in

the joint names of himself and the said Complainant

and deposit the same in the said Treasury with

the like privity of the said Accountant General to

be

be there placed to the credit of this cause

the said Account of the said Testator's Estate Subject

to the further Order of this Court and that —

when and as often as it may become necessary

to renew any one or more of the said

Government Securities so directed to be deposited in the

Said Treasury as aforesaid the said Complainant and Defendant

respectively do join in all necessary acts for that —

purpose and for the better taking of the said

accounts and discovery of the matters aforesaid the Parties

are to produce before the said Master upon oath

all Deeds Books papers writings and Ladings in their

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Custody or power relating thereto and are to be

examined upon oath on Interrogatories as the said Master

shall direct who in taking the said account is

to make unto the parties all just allowances And

this Court doth reserve the consideration of all further

directions and of the costs of this Suit until

after the said Master shall have made his report

and all Parties interested in the Trusts of the

said

Said Testator's Will as well as the Parties hereto
are to be at liberty to apply to this Court

by Petition in this Cause touching the same or

any of the matters aforesaid as occasion shall
require -

Wednesday the Twenty third day of July 1834

In the Matter of the Last Will and Testament

and Codicil of Ram Ranza deceased.

wherein

George Prasher and another are Proponents

and

Anunta Ram Ranza is Respondent

This Court doth think fit to pronounce and declare

for the force and Validity of the Testamentary Papers

Writings marked respectively A. B. C. and D as

and for the Last Will and Testament ^{and Codicil} of the

said Ram Ranza deceased And doth Decree that the

Probate

Probate of the ^{said} two several Testamentary Paper writings purporting
 to be the Last Will and Testament and Codicil
 of the said Ram Ranga deceased being the said
 Exhibits C and D granted in Common form on
 the Third day of May One thousand Eight hundred
 and Thirty three to the said Proponents George Brasher
 and Charles Maithand be confirmed And doth also decree
 Sentence of the same accordingly And this Court doth
 further Order that the Costs herein of the said
 Proponents be Taxed by the Master of this Court
 and

and paid by the said Respondent Ananta Ram Ranga

to the said Proponents or to W^m. Joshua Thomas

Exemptors their Proctor.

Wednesday 23^d July 1834

Vencata Sutchmee Ummall

~~vers~~

Gocala Vencata Narrain Naick and Another

This Court doth Order and Decree that the said

Complainant's Bill do stand and be dismissed out of

Court with costs except the costs of obtaining the

Decree Nisi in this Cause bearing date the Nineteenth

day of February last.

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Wednesday 30th July 1834

Yagattamall Complainant

and

Nanny Valayda alias Valapah Chetty

and Nanny Vardapah Chetty

Defendants

This Cause coming on this day to be heard

and debated before the Honorable the Judges of the

Supreme Court of Judicature at Madras in the presence

of Counsel learned on both sides Upon opening the
Bill

Bill of Complaint of the above named Complainant and

the joint and several answer of the said Defendants

Hunts

Wednesday 30th July 1894

Yagattamall Complainant

and

Kanny Valayda alias Valapah Chetty and

Kanny Vardapah Chetty Defendants

This Court doth Order and Decree that the said

Complainant's Bill do stand and be dismissed out of

Court and let it be referred to the Master

to tax the Costs of the Defendants in this

Suit up to the time of the said Complainant
being

being admitted to prosecute the same in forma Pauperis

and that such Costs when taxed be paid by

the said Complainant to the said Defendants or their solicitor

Thomas
 O. Thomas, Solicitor, Crampton.

Monday the Twenty Eighth day of July 1834

Richard Brunton and Ann Brunton

and another - - - - - Complainants

and

Peter Cator Esquire Administrator of

Charles Randall Deceased - - - Defendant.

This Court doth Order that it be referred to

the Master of this Court to Tax the Costs

of the Complainants and Defendant subsequent to the said

Decree of the Tenth day of February last as

between

between Solicitor and Client and that the same be
 paid by the said Defendant Peter Cator out of
 the Assets of the said late Charles Randall now
 in his hands. And it appearing upon the face
 of the said Report that the said Master has
 calculated Interest at Six per Cent on the Sum
 of Interest due to the Complainants Anna Brumton and
 Jane Mary Kilkshire and Mary Kirkpatrick Brumton at the
 time of the death of the said Charles Randall.
 deceased which is erroneous and it being admitted by
 W. Williams

W^m William Henry Rose Solicitor for the said Complainants

and by W^m Orrel Winch Solicitor for the said

Defendant and by W^m James Thoy Bailie Solicitor for

the said Mary Kirkpatrick Buntow that the sums which

the Master ought to have reported as due are

as follows on Account of the Legacy bequeathed to

Anna Buntow and her Children the Sum of Pounds

Three thousand Six hundred and thirty Annas Twelve and

Five Seven (3630 - 12 - 7) Vint for Principal Pounds

Three thousand and Five hundred (3500) and for Interest

Pounds

Ppees One hundred and Thirty Annas Twelve and Pice

Seven (130 - 12 - 7.) on account of the Legacy

bequeathed to Elizabeth Willshire the Sum of Ppees Three

thousand Six hundred and Twenty Six Annas Five and

Pice Nine (3626 - 5 - 9.) Vist for Principal Ppees

Three thousand and Five hundred (3500.) and for Interest

Ppees One hundred and Twenty Six Annas Five and

Pice Nine (126 - 5 - 9.) And on account of

the Claim of the said Mary Kirkpatrick Branton the

Sum of Ppees Thirty two thousand One hundred and

forty

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for by four Annas fourteen and Pice One (32144 - 14 - 1-)

Vizt for Principal Rupees Twenty Six thousand three hundred

and Ninety two and Annas Two (26392 - 2 - -) And

for Interest Rupees Five thousand Seven hundred and fifty

two Annas Twelve and Pice One (5752 - 12 - 1-)

This Court doth further Order that after payment of

such Costs as aforesaid the said Defendant Peter Cator

do apply the Residue of the Assets now in

his hands possession or power in payment of the

said Three several Sums of Rupees Three thousand Six
hundred

260
hundred and thirty Annas Twelve and Pice Seven (3630-12-7)

Ppees Three thousand Six hundred and Twenty Six Annas

3 Five and Pice Nine (3626-5-9-) and Ppees

Thirty two thousand One hundred and forty four Annas

Fourteen and Pice One (32144-14-1) rateably and

in proportion the principal and Interest of the said

Two Several Sums due on Account of the Legacies

to the said Complainants Anna Branton and Jane King

6 Wiltshire respectively to be applied by the said Defendant

Peter Cator in the manner by the said Decree
of

of the Tenth day of February last in that

behalf particularly directed. And all Parties are to be

at liberty to apply to this Court as they

may be advised.

Friday the 12th day of September 1834

In the Goods &c of Shaick Mahomed Subadar deceased
wherein

Jemaul Sahiba is Proponent

and

Salabuth Khan is Respondent

This Court doth Order that it be referred to

the Master of this Court to approve of and

take the usual Securities for the due Administration of

the Estate and Effects of the said Shaick Mahomed

Subidar deceased who died in or about the year

1810 by the Proponent Jemaul Sahiba as the only

Sister

Sister and next of kin of the said deceased

and that thereupon Letters of Administration do pass the

Seal of this Honorable Court in favor of the

said Demand Sahiba - and it is further Ordered that

the Costs herein of the said Proponent and Respondent

be taxed by the Master of this Court and

each party do pay their own Costs.

Saturday the Twentieth day of September 1834

Abdul Aze Khan Bahader and Another

his Wife

Complainants

and

Ramasawmy Moodelly and Another Executors of

Chinnatomby Moodelly deceased - Defendants

This Cause coming on this present day to be

heard before the Honorable the Judges of the Supreme

Court of Judicature at Madras in the presence of

Counsel learned for the Defendants no one appearing

for

for the Complainants altho' they were duly served with
Subpoenas to hear Judgment in this Cause as by
Affidavit now produced and read appears And also upon
hearing read the Order made in this Cause on
the part of the said Defendants hearing date the
11th day of July last whereby it was by
the Consent of the Counsel for the said Complainants
Ordered that Publication should pass without further Order on
the twenty fifth day of August last and that
this Cause should be set down for hearing within
the

26 266
the first Ten days of the Fourth Term One
thousand Eight hundred and thirty four whereupon and upon
hearing Mr Advocate General of Council for the said
Defendants. This Court doth Order and Decree that the
Complainants Bill in this Cause do stand and be
dismissed out of Court with Costs.

Friday the Seventh day of November 1834

Lutchmy Ummall and Neetathachy Ummall
Complainants

and

Conmore Tyasawmy Moodelly
Defendant

By fairness
of the Court
11th Nov 1834.

And upon the said Complainants by their Counsel Submitting

to Account for such parts of the Property of

the said late Amarambadoc Lingaroy Moodelly as may have

come into the possession of the late Murgatha Vuttee

Ummall in her life time or of the said

Complainants since her Death. Order that it be referred

to

26 262 208
to the Master of this Court to take an
Account of all and singular the Estate and Effects
both real and personal of or to which the
said Testator Sivarambadoo Chingaray Moodelly was possessed or
otherwise entitled at the time of his Death and
of the Rents profits produce and proceeds thereof respectively
possessed or received by the said Defendant or the
said late Murgatha Velle Mummall in her life time
or by the said Complainants respectively since her death
or by any other Person or Persons by their

on either of their Order or for their or

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either of their use or which without the wilful

neglect or default of the said Defendant or the

said Murgatha Pullee Unmalk might have been received and

that the Master do also take an Account of

the Debts funeral expences and Legacies of the said

Testator Amarambadoo Colingarry Incedelly and compute Interest on such

of his Debts as carry interest and Cause all

necessary Advertisements to be made for the Creditors of

the said Testator Amarambadoo Colingarry Incedelly to come in
before

before him and prove their debts and he is
 to fix a peremptory day for that purpose and
 in default of their coming to prove their Debts
 by the time so to be appointed they are
 to be excluded the benefit of this Decree. And
 it is further Ordered that the said Testator Amarambadoo
 Collingaroy Moodell's Estate be applied in payment and satisfaction
 of his debts funeral expences and Legacies in a
 due Course of Administration and after satisfying the same
 the Master is to ascertain the clear residue (if
 any)

any of the said Personal Estate and of the
 Rents and Profits of his real Estate accrued in
 the life of ^{time} the said late Murgatha Viller Ummall and
 the particulars of the same respectively. And whether any
 and what part or parts thereof is or are
 now outstanding. And this Court doth Declare that such
 clear Residue if any of the said Personal Estate
 and Effects and of such Rents and profits of
 the said real Estate proposed by the ^{will of the} said late
 Murgatha Viller Ummall and now belong to the said
 Complainants

Complainants as the Heirs, Legatees and devisees thereof and
for the better taking of the said Accounts and
discovery of the matters aforesaid the Parties are to
produce before the said Master upon Oath and leave
with him if required all Deeds Books Papers Cogsains
and writings in their Custody or Power relating to
the several matters aforesaid or any of them and
are to be examined on Oath upon Interrogatories as
the said Master shall direct who in taking the
said Account is to make unto the Parties all
just

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just allowances. And Reserve the Consideration of all further

directions and Costs until after the said Master shall

have made his Report and any of the Parties.

are to be at liberty to apply to this

Court as Occasion shall require.

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Friday the Twenty Eighth day of November 1834
Shake Davaljee Maistry - - - - - Complainant
By Original Bill.

and
Tarcapolliam Maury Chitty - - - - - Defendant

By first Bill of Revisor
Shake Davaljee Maistry - - - - - Complainant

and
Kistnamah Chitty Arnachella Chitty and others - Defendants
By Second Bill of Revisor.

Nymmebe the only Child lawfully begotten by the said Shake Davaljee deceased Complt.

and
Kistnamah Chitty Arnachella Chitty and others - Defendants
By Subsequent Bill of Revisor

Mumma Beebe the Widow and personal representative of the said Shake
Davaljee deceased and also the Executor of the Last Will and Testament
of the said Nymmebe deceased - - - - - Complainant

and
Amachella Chitty Colunda Ramah Chitty and Jerry Chitty the sons and
personal representatives of Tarcapolliam Maury Chitty deceased. Defendants.

This Cause coming on the Twenty Second day of
and also on the Fifth Sixth and Seventh days of August One thousand Eight hundred & Thirty three
July One thousand Eight hundred and Thirty three to

be heard and debated before the Honorable the Judges

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of this Court in the presence of Counsel learned

on all sides upon opening and debate of the

Matter and hearing read what is therein recited and

what was alleged by the Counsel on all sides

Their Lordships made their Decree bearing date the Seventh

day of August One thousand Eight hundred and thirty

three and thereby Among other things Ordered that in

case the Defendants should not admit a pet of the

said Paraphrasing Mary Chitty received by them and the

said Pauline Kistmann Chitty respectively sufficient to satisfy the

balance

balance if any which should be stated by the

3

Master to be due by the said Defendant Parapollam

Mary Chitty to the said Complainant Shute Daralgi at
the time of the death of the said Parapollam.

Mary Chitty that the Master should take an account

of the Estate and Effects of the said Mary

Chitty possessed or received by the said Parapollam Prothonotary

Chitty in his life time and by the said

Defendants respectively or by any Person or Persons by

their or either of their Order or for their

or either of their use or which without their

4 or either of their default might have been received

And in pursuance of the said Decree the Master

on the Twenty Sixth day of July one thousand

Eight hundred and thirty four made his Report and

thereby reported among other things that the said Defendants

not having admitted Assets of the said Parapollian Money

Chitty received by them and the said Parham Hickman

Chitty respectively sufficient to satisfy the said balance the

said Master had taken an account of the Estate

and

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and Seventh days of August last before this Honorable

Court by Counsel learned in the Law on both Sides

and the Exceptions being opened and the Fifth of

such Exceptions being For That the Master had not

in and by his said Report reported that the

said Defendants had obtained possession of the following immovable

Property thereby alleged to belong to the Estate of

the said Mary Chitty deceased that is to say.

A Garden situated at Singveroyen Pethah containing Estimated Value

21 Grounds 2392 1/2 Square Feet Subject to a Quit Rent

of 15 Rupees and 6 Annas Rupees: 20000

8

A House Situate in Lingy Chetty Street in the Black

Town of Madras - - - - - 1750 - - -

Another House in the same Street - - - - - 1400 - - -

A House Situate in Angapah Naich Street

in the Black Town of Madras now

in the possession of a Person named

Mauch as Tenant - - - - - 2800 - - -

A Garden Situate at Serimbore containing

about sixteen Cawmies - - - - - 17500 - - -

And mentioned in the Charge carried in before the

9 said Master on the Twenty first day of March

One thousand Eight hundred and Thirty four and alleged

to have been proved before the said Master to

have belonged to the said Maury Chetty deceased. And

thereupon

thereupon and upon reading the said Report and the
 proofs and Exhibits adduced before the Master their Lordships
 were pleased by an Order of this Honorable Court
 bearing date the said Seventh day of August last.

Amongst other things in regard to the said Fifth

Exception so far as relates to the Two Horses

in Lingy Chitty's Sheet to allow the same save

as to the alleged value thereof of which there

was no Evidence and the said Defendants being defeated

with the said last mentioned Order presented to the

Court

Grant their Petition for a rehearing which was filed

on the seventh day of November Instant and thereby

among other things stated that they considered themselves aggrieved

by the said last mentioned Order in as much

as the Evidence on which their Lordships came to

the said last mentioned decision was defective and did

not disclose the Numbers or other particulars of the

Two Houses in Lingy Achilly Street to enable the

said Defendants before the Master made his said Report

to adduce Evidence before him that those Houses did

not

not belong to the Estate of the said Henry

Chitty as they were advised they could have done

if the identity of the Houses had been disclosed

and inasmuch as the Master by the Third and

Sixth Schedules to his said Report found that a

12

piece of Ground situate in Mullya Sepura Pagoda Street

on which the said Rishnamah erected a House and

buildings and which was purchased by the said Henry Chitty

for Five hundred and Eighty Pagodas belonging to the

said Estate of the said Henry Chitty and inasmuch

as Mullya Sopera Pagoda Street and Lingy Chitty Street

are one and the same Street And inasmuch as

the said Defendants submit it ought to have been

referred back to the Master to ascertain the numbers

and particulars of the Two Houses in Lingy Chitty

Street mentioned in the said Exception with liberty for

the said Defendants to adduce evidence to rebut the

assumption that the same were the Property of the

said Lingy Chitty the said Defendants by their said

Petition showing that the said Krishnamah Chetty was proprietor

f

280
of Two Houses in Lingy Chitty Street viz^t the
House built by him on the ground so purchased
as aforesaid by the said Henry Chitty and the
House adjoining it and inasmuch as no other Houses.

in Lingy Chitty Street ever came to the said

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Defendants's property belonging either to the said Henry Chitty

or the said Histrumah Chitty. And thereby prayed that

their Lordships might rehear so much of the said

Fifth Acceptance as was allowed by the said Order

of the Seventh day of August last and related

to

to the said Two Houses in Longy Chitty Street

and to appoint some short day for that purpose.

And thereupon by an Order made on the said

Petition bearing date the said Seventh day of November

instant it was Ordered that so much of the said

Fifth Reception as was allowed by the said Order

of the said Seventh day of August last and

relates to the said Two Houses in Longy Chitty

Street should be reheard on Friday the Twenty Eighth

day of November instant. And the Matter upon so

much

or either of them then the Master is to

ascertain the value of such House when possession thereof

was parted with after the death of the said

³⁸ Paracollam Mary Chitty and in case the Master shall

find that neither of the said Houses in Lingy

Chitty's Street is comprised in the said Premises under

the description of Mullya Sperm Pagoda Street in the

said Third and Sixth Schedules then the Master is

in like manner as aforesaid to Inquire as to

the possession or value of both of the said Houses.

Thursday the Nineteenth day of February 1835

Annara Hootiah Woodelly and

Another - - - - - Complainants

vs

Jamcrankum Soobaroya Woodelly - - Defendants

This Court doth Order and Decree that the said

Complainants Bill in this Cause be dismissed out of

Court with Costs.

Friday the Thirtieth day of March 1835

Manally Moodookistna Moodelly - - Complainant

and

Manally Toorbeapah Moodelly and others Defendants

And by Bill of Revivor

Manally Moodookistna Moodelly - Complainant

and

Manally Appuraw Moodelly and Manally

Rajah Gopaul Moodelly & Another - - Defendants

Refer it to the Master to Enquire and Report

who is the proper person or persons from time

to

Cy. L. M. S.
16 March 85

Manally Moodookistna Moodelly
To the Master of the Court
His Honor the Master

to time to have the management of the Two
 several Pagodas in the Pleadings mentioned (called the Chinnamallavara

and Chennacasava Primal Pagodas) and to have the direction

and Superintendence of the ~~right~~ rites Ceremonies and Festivals Connected

therewith and to Collect and receive the Property and

Effects belonging to the said Pagodas respectively due regard

being had to the fact of such Pagodas having

been founded by the said Annally Shrolokistha Shrodelly the

Grandfather of the said Complainant out of his own

private Money. And it is further Ordered that without

prejudice

prejudice to such inquiry as aforesaid the said Complainant

Mannally Moodookistwa Inpodelly as the Eldest Son of the

2

Eldest branch of the family of Mannally Moodookistwa Inpodelly

deceased be at liberty in the mean time and

until the Master shall have made his report to

exercise the functions of Dharma Carta or warden of

the said Two Pagodas respectively and to take upon

himself the Management thereof and to Collect get in

and receive the rents revenues and effects of and

belonging to the same subject Nevertheless to his Accounting
for

for the due appropriation of such his Receipts as

the Court may hereafter direct: And that the said

Defendants Manally Apparo Muddelly do Accordingly forthwith deliver over

to the said Complainant as such Acting Thamma Cartor

or warden: all deeds documents and Effects belonging to

the said Pagodas or either of them in his

possession Custody or power: And so long as the

said Complainant shall continue to act as such Thamma

Cartor or Warden as aforesaid that the said Defendant

Manally Apparo Muddelly do not in any manner interfere

in

in the Management of the said Pagodas or either
of them or in any of the Affairs of

4 the same. And it is further Ordered that it

be referred to the Master to take an Account

of all and every the Sum and Sums of

2 Money Estate and Effects belonging to or forming part

of the Property or revenues of the said Two

Pagodas or either of them which have or hath

been at any time or times since the First

day of September 1827 been gotten in possession or

received

received by the said Defendant Manully Appanoodully or

by the said Manully Sombapahoodully deceased or either

5 of them or by any other Person or Persons

by them or either of them Order or for it

them or either of them use. And let the

Master enquire and report whether the ^{wholly} of such

receipts respectively have been appropriated to the uses or

for the purposes of the said Pagodas or either

of them. And in case the Master shall find

that the whole of such receipts have not been

so appropriated Let him ascertain the total Amount and
value of the said Monies and Effects which have

been misapplied and Charge the Estate of the said

Manally Tombcapah Modelly with so much and such parts

thereof as were received as aforesaid during his life.

time. And the said Defendant Manally Apponow Modelly personally

with what has been proposed by him either during

the last mentioned period or since the decease of

the said Manally Tombcapah Modelly and after making to

the Parties all just allowances let the Master Report

what

299 309
what is now due to the said Two Pagodas

from the Estate of the said Deceased and the

said Defendant or either of them in respect of

the Issues aforesaid. And this Court doth further Order

that in case the said Defendant Manally Apporow Moodelly

shall not admit Apeto of the said Manally Tombenpud

Moodelly received by him sufficient to Satisfy the balance

(if any) which shall be reported by the Master

to be due by the said Defendant Manally Apporow

Moodelly to the said Two Pagodas or either of

them

300
8
them. Than that the Master do take an Account

of the Estate and Effects of the said Mawally

Tombchap Mawally proposed or received by the said Mawally

Apparow Mawally or by any Person or Persons by

his Order or for his use or which without

his wilful default might have been received and also

an Account of the said Mawally Tombchap Mawally's debts

And Funeral expences and Computed interest on such of

his debts as carry Interest. And for the better

taking of the said Accounts and discovery of the

Matters

801 309
Matters aforesaid the Parties are to produce before the

said Master upon Oath all Accounts Books Papers Writings

and Vouchers in their Custody or power relating thereto.

and are to be examined upon Oath on Interrogatories

as the said Master shall direct who in taking

the said Accounts is to make unto the Parties

all just allowances. And this Court doth reserve the

Consideration of all further directions and of the Costs

of this Suit as against the said Defendant Manally

Apparow Manally until after the said Master shall have

made

300 302
made his Report And all Parties in this Cause

8 10
are to be at liberty to apply to this

Court touching the matters aforesaid as they may be

Advised. And this Court doth further Order and Decree

that the said Complainants Kilwin this Cause is

against the said Defendants Manally Rajah Sopaul Moodelly and

Manally Pungasawmy Moodelly do stand and be dismissed out

of Court without Costs.

Tauper.

Monday the Thirtieth day of March 1835.

Manna Beebe

P. Arnachella and others.

Read

1809. August 7th.

Verdict of -

1822. February 15th.

The Report of -

The Exceptions of J. Kistnamah and others filed 1822. March 12th.

The Order of -

1823. April 3rd.

The Reviewed Report of -

1824 February 18th.

The Last Will and Testament of all members of 1824 February 2nd.

Verdict of -

1833 August 7th and the several Records therein recited.

The Report of -

1834. July 26th.

The Exceptions by Compt. Manna Beebe filed -

1834. July 30th.

The Order of Court of -

1834. November 28th.

The Report of Master -

1834 September 23rd.

The Exception by Manna Bee -

1834. October 27th.

The Order of -

1834. November 28.

The Report of -

1835. January 30th.

2 Declare that the Sum of Pagodas Eight thousand Four

hundred and Eight fanams Twenty One and Cash Nine

found by the Master's Report bearing date the Twenty

Sixth day of July One thousand Eight hundred and

Thirty four to have been due from Paracopollian's Harry

Chitty at the time of his death to Shake

Davaljee is still due and owing to the Estate

of the said Shake Davaljee. And that the same

together with Interest at Eight per Cent per Annum

from the time of Harry Chitty's death to the

date

Eight per Cent per Annum from the day

of the day of the death of the

said Parapollicin Kistmann Chitty to the date of this

Decree be paid into Court to the same Credit

and to be placed to the same Account as

aforesaid by the said Defendants Parapollicin Amachella Chitty Parapollicin

Kodundaram Chetty and Popollicin Lory Chitty. And that the

said Defendants do also pay into Court to the

same Credit to be placed to the same Account

and from and out of their own proper Monies

the

life time on Account of the said Henry Chitty's
 Estate. Order and direct with the Exceptions of the
 Sum of One thousand and five hundred Pagodas in
 the first part of the Third Schedule to the
 said Report specified is One half of the value
 of a Garden situate at Attapettram the Account of
 the several other Sums of money in the said
 first part of such Schedule mentioned and found to
 have been received by the said Panchapillai Ramanath Chitty
 on Account of the said Henry Chitty's Estate. be
 after

after first deducting therefrom the sum of seven hundred
and forty Pagodas thirty seven paimms and seventy Cash

allowed for disbursements made by the said Parappolliam Kistammal

Chetty on account of the said Estate paid within

One month into Court by the said Defendants Parappolliam

Annachella Chetty Parappolliam Goundaramah Chetty and Parappolliam Sory Chetty

to the Credit of this Cause to be placed

to an account to be entitled 'Mavay Chetty's Estate'

And with respect to the said Garden situate at

Attapathuram. It is Ordered that the same to be

forthwith

3/4
forthwith sold with the approbation of the said Master

to the best purchaser or purchasers that can be

got for the same to be allowed of by

the said Master wherein all Parties are to join

as the Master shall direct: And in Order to

such Sale the Parties are to produce before the

said Master upon Oath all deeds and Writings in

their Custody or power relating to the said Estates

as the said Master shall direct And that one

half of the net proceeds thereof be likewise paid

into

into the said Treasury to the Credit of the

Cause and be placed to the like account as

last aforesaid 'Munny Chetty's Estate' And ^{that} the remaining half

of the said Net proceeds be paid to the

said Defendants as representatives of the said ~~Christman Chetty~~

deceased. And further Order that the said Defendants do

also within One Month in like manner pay into

the said Treasury to be carried to the same

account as last aforesaid 'Munny Chetty's Estate' the Sum

of Pagodas Four hundred and fifty two and annas Twenty

14

Two and Cash Forty being the value of the
House belonging to the said Mary Chitty's Estate
And found by the Report of the said Master
bearing date the Thirtieth day of January last to
have been in the possession of ³⁰ ~~James~~ Pollhouse Karamunby
and his Mother Ruzamall. But this Court doth not
think proper to allow any Interest upon the said
several Sums so found by the Master as aforesaid
to have been received by the said Rishnammah or
the said Defendants on Account of the said Mary
Chitty

Chitty's Estate. And it is Ordered that all and
every the said sums so directed as aforesaid to

be carried to the Account of Marmy Chitty's Estate

be when paid into Court or a sufficient part

thereof may be applied in satisfaction of what shall

be so Ascertained to be due from the said

Marmy Chitty's Estate to the said Shake Savalgie's Estate

16 as aforesaid and in regard to the question of

Costs the same only being claimed as against the

present Defendants from the period when this Cause was

last

last revived against them. This Court is of Opinion
that the said Complainant is not Intitled to any
further or other Costs than those which were decreed
to be paid to her by the Decree of
the Seventh day of August One thousand eight hundred
and Thirty three. And all Parties in this Cause
And the several other Persons found by the Master
said Report of the Twenty third day of September
One thousand Eight hundred and Thirty four to be
Intitled to shares in the Estate of the said
Shake

3/4
That the said deceased are to be at liberty to
apply to this Court by Petition in this Cause
touching the same or any of the matters aforesaid
as they may be advised.

Master to take an Account of all and every
the Estate and Effects of the said Gopaul Doss

Pishurid Chund and Gopaul Doss Manahur Doss or either

of them which have been possessed by or come

to the hands or for the use of the

said Defendant ^{Ganusa} ~~by name~~ Prasada either in his own

right or as the personal representative of Jase Sookor

Davy and Jayarum Doss or either of them

and particularly of any Sum or Sums of Money

which have been so possessed or received for or

on account of any Bond or Bonds granted by
 the Rajah of Tanjore to the said Jayaram Doss
 for or on the behalf of the said Cottee —
 or Banking House carried on in the name of
 the said Gopaul Doss Bishund Doss or to Jee
 Sooka Dany Rajah Ram in the pleadings named on
 the behalf of the said Cottee or Banking House
 carried on in the name of Gopaul Doss Manohur
 Doss respectively or for or in respect of any
 Awards or Award made upon such Bonds or any
 of

4
of them by the Commissioners for investigating the debts

of the late Rajah of Tanjore and in taking

the said Several Accounts aforesaid the Master is to

make unto the parties respectively all just allowances and

all parties are to produce to and leave with

the said Master upon Oath all Books Writings and

Adjans in their Custody or power relating thereto and

are to be examined on Oath on Interrogatories as

the Master shall direct. and it is further Ordered

that the Writ of Injunction which issued in this

Lanes

Causes on the Twenty third day of January last
restraining the said Defendant from applying for or receiving
from the Commissioners for investigating the debts of the
Rajahs of Tanjore or from their Registrar or from
the Government of Fort Saint George or from any
of its Officers the Award to be made on
the Claim N^o 56 preferred on a Bond executed
by the Rajah of Tanjore bearing date the 3^d
April One thousand Seven hundred and Eighty four in
favor of the said Jayaram Doss for the principal
Sum

Cause are to be at liberty to apply to —

this Court touching the Matters aforesaid as they may

be advised —

