

1047

66

hundred and thirty five for one thousand Marcus Phipps

1835
1836 being part of the Estate of the Testator in

the Pleadings of this Cause named Admitted by

said Defendant's Answer to be now in his hand

And Refer it to the Master to take an

Account of the Personal Estate and Effects of the

said Testator come to the hands of his Executor

the said Defendant or to the hands of any

other Person or Persons by his Order or for

his use. Order that the said Master do take

an

an account of the debts funeral expences ^{and} Legacies

of the said Testator. And it is ^{further} Ordered that

the said Minister do Cause an Advertisement to

published in the Fort Saint George Gazette and

^{News} other Public Papers as he shall think fit

the Creditors of the said Testator to Come

before him and prove their debts And

to fix a presumptive day for that purpose

in default of their coming in to prove

debts by the time so to be appointed.

are all to be included the benefit of this

^{Further} Decree. And it is ordered that the said Testator's

Personal Estate be applied in payment of his debts

and funeral expences in a ^{due} course of Administration and

then in payment of his Legacies And the Master

is to ascertain the clear residue of the Testator's

^{It is ordered that} Personal Estate. And let the Master Enquire and Report

5 The Complainants where and under whose care and protection the said
Deceased is requested to
consider whether he
chooses to take this
reference or abandon
it.

^{I write to be sh}
^{Wm.} Complainants have been since the death of Miss Elizabeth

Majoribanks in the Bill named and where and under
whose

an account of the debts funeral expences ^{and} Legacies

of the said Testator. And it is ^{further} Ordered that

the said Master do Cause an Advertisement to be

published in the Fort Saint George Gazette and such

^{News} other Public Papers as he shall think fit 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

in default of their coming in to prove their

debts by the time so to be appointed they

are

are all to be excluded the benefit of this

^{for then} Decree. And it is ordered that the said Testator's

Personal Estate be applied in payment of his debts

and funeral expences in a ^{due} Course of Administration and

then in payment of his Legacies And the Master

is to ascertain the Clear residue of the Testator's

^{It is ordered that} Personal Estate. And let the Master Enquire and Report

5
The Complainers Solicitor is requested to Consider whether he Chooses to take this reference or abandon it.
Where and under whose care and protection the Infant Complainers have been since the Death of Miss Elizabeth
I write to be in
Hasten.

Majority in the Bill named and where and under
whose

whose care and protection they now are and what

is fit and proper to be allowed for their

Maintenance and Education respectively from the period of the

death of the said Miss Elizabeth Majoribanks and whether

the said William Pitt Macdonald the Father is of

sufficient ability to maintain the said Infant Complainants and

state the same to the Court with liberty to

the said Master to state any special circumstances touching

such reference as he may think fit and there^{upon} ~~therefore~~ ⁱⁿ

further Order shall be made relating thereto as shall

be

be just. 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 ^{accounts} and Writings in their

Custody or Power relating thereto and are to be

7 ^{or viva voce}
examined upon Interrogatories ^{or viva voce} as the said Master shall direct

And this Court doth reserve the Consideration of all

further directions and Costs until after the Master shall

have made his Report and any of the Parties

are to be at liberty to apply to this Court

22
Court by Petition in this Cause as they may

be Advised.

Friday the Thirteenth day of November 1835

Paulina Varrainsawney Chitty and

another - - - - - Complainants

Copies furnished
Messrs Rowlandson
& Rice & Wicash
this 24th Nov 35

and

Parapolliam Pinachella Chitty and others - Defendants

Exception allowed and Subject thereto Report confirmed Absolute

This Cause coming also on the same day to

be heard for further directions and Costs reserved by

the said Secretal Order in the presence of Counsel

learned on both sides Whereupon and upon hearing read

the

the Decree of the First day of October one thousand
Eight hundred and Thirty the Decree upon the ^{the} hearing
hearing date the Eighth day of February One thousand
Eight hundred and thirty two And the said Secretar
Order of the Fifteenth day of November One thousand
Eight hundred and thirty three And the said Reviewed
Report whereby the Master hath Among other things found
that the said Defendant Pearapolliam Cochundaramah Chetty hath deposited
in the Treasury of Fort Saint George to the
Credit of this Cause "the Account of the Complainant
Pauliam

Santhanam Narayana Chetty" for several Government Promissory Notes No.

2

N^o. 198 of 81 of 1831/32 for Rupees three

thousand four hundred and seventy seven Anna one and

Pice four. N^o 204 of 131 of 1833/34 for

Rupees seven thousand four hundred and eighty six Annas

nine and Pice seven N^o. 435 of 172 of

1834/35 for Rupees five thousand nine hundred and thirty

Ten
~~Eleven~~

four Annas fourteen and Pice ~~Ten~~ and N^o. 429

3

of 177 of 1834/35 for Rupees One thousand

Two hundred and forty six Annas Eleven and Pice

Two

Two also the seven several sums of Money vizt
 Rupees One thousand three hundred and Twenty One Annas
 four and Pie Eight Rupees One thousand nine
 hundred and fifteen Annas three and Pie three Rupees
 One hundred and thirty nine Annas One and Pie
 four Rupees One hundred and forty one and ^{Annas} ~~Pie~~
 Two Rupees three thousand one hundred and fourteen Annas
 five and Pie Eleven Rupees Two thousand Six hundred
 and Eleven Annas five and Pie Ten Rupees five
 hundred and Eighty four Annas Eight and Pie Nine
 And

25
21
And that the said Parapollam Annachella ^{Chitty} ~~Annachella~~ hath transferred

the sum of Pagodas nine hundred Carnatic Stock into

the name of the Accountant General of this Court

to the Credit of this Cause the like Account

in payment and satisfaction of the Share of the

said Complainant Pauliam Narraimang Chitty of and in the

several specific Legacies of the Bond purchased from Cottah

Pallaba Sop the Nabob's Bond purchased from Madak Adah

5 Pallakistaw Sop the Bond in the name of Major

Salrymple the Bond in favor of Captain Butler and

the

28
the Tanyore Bond purchased from Sawney Moodelly in the
said Decree and reviewed Report particularly mentioned and whereby

the said Master found that the said Parappolliam Cudumaram

Chetty had deposited in the said Treasury to the
Credit of this Cause "the Account of Testator's Charities"

the Government Promissory Note No 432 of 172 of

1834/35 for Rupees ^{Twanteen} ~~One~~ thousand ^{Eight} ~~Seven~~ hundred and four

Annas Twelve and Pice Nine in payment and satisfaction

of the specific bequest for Charity, expenses to dig

Land, and build Choultry in good places And that

after

25
29
after charging the said Defendants with all sums received
by them and allowing them the several payments made
there was at the date of the Master's reviewed
Report in the hands of the said Defendant Paracollum
Goddardamah Chitty belonging to the Estate of the Testator
in the Pleadings of this Cause named the Sum
of Madras Rupees One hundred and Twenty Six thousand
Six hundred and fifty Eight and Annas Two independantly
of the Company Securities belonging to the Estate of
the said Testator in the said Report mentioned.

it appearing by the said reviewed Report and the

Schedule Marked II Annexed that the said Complainant Pauliam

Narrainsawmy Chitty had received of the Principal of his

Legacy of Rupees Fifty thousand the sum only of

Rupees Forty Eight thousand One hundred and Seventy five

Annas Twelve & Pice Two leaving a balance still

8 due to him on Account of the said Legacy

the sum of Madras Rupees One thousand Eight hundred

and Eighty Eight Annas Three and Pice Ten in

Order to Complete the sum of Madras Rupees Fifty

thousand

thousand and fifty four in the said Original Decree

mentioned and upon reading the Probate Copy of the

said Testatory Will. This Court doth Order that the

said Defendant Parapolham, ^{Chitty} Kothandaraman do within one month from

the service on him of this Decree from and out

of the said Sum of Madras Rupees One hundred

and Twenty six thousand six hundred and Fifty Eight

And Annas Eight now in his hands pay to

the said Complainant ^{Paulinus} ~~Parapolham~~ Kothandaraman ^{Chitty} the said Sum

of Madras Rupees One thousand Eight hundred and Eight

Eight

Eighty Annas Three and Pice Ten together with interests
thereon at the rate of five per Cent per
Annum from the date of the said Original Decree
and it is further Ordered that the said Paracolliam
Kodundaramiah Chetty do likewise within one month from the
Service on him of this Decree pay to the
said Complainant ^{Paragiam} ~~Paracolliam~~ Pararama Chetty the Two several Sums
of Rupees Six hundred and fourteen Annas five and
Pice Three and Rupees Two thousand Eight hundred and
fifty three and Pice Eleven being the Total Amounts
of

25
of the further rents and of the Occupation Rent

of the several Premises to which the said Complainant

is entitled and charged against the said Defendant as

in the said reviewed Report particularly mentioned and this

Court doth declare that the said Complainant Paulian Harriman

Chitty as the only Son and Heir of the

11 said Testator is entitled to have the Conduct and

Management of the Charity by the said Will of

the said Testator directed to be defrayed for Charity

Expenses to dig Tunk and to build Chantry in

good

good places and to have paid and delivered to

him for the purposes of the said Charity the

said Government Promissory Note for Rupees Seventeen thousand

Eight hundred and four Annas Twelve and Pice Nine

deposited in the said Treasury to the Credit of

this Cause "The Account of Testator's Charities" And upon

reading the Certificate of the said Accountant General of

the words and figures following first

(Set out Certificate)

whereby it appears that there is now standing to

the

35

the Credit of this Cause "The Account of the

Complainant Pauline Barronsaw my Chitty in Securities and Cash the

Sum of Indian Rupees thirty thousand Nine hundred and

three Annas thirteen and five pice which said Sum

it is admitted by Counsel on both sides is —

Composed partly of the said Securities and Cash deposited

to the Credit of the same Account as hereinbefore

mentioned and partly of Securities purchased with part

of this said Cash and with the proceeds of

the sale of the Carnatic Stock. It is further

Ordered

Ordered that the said Sub Treasurer with the priority

of the said Accountant General do deliver and pay

to the said Complainant Paulam Karrisawmy Chitty the whole

of the said sum of Rupees thirty thousand nine

hundred and three Annas thirteen and Pie five in

the said Certificate mentioned together with all interest due

and to Accrue due thereon. And it is further

Ordered that the said Master do deliver up to

the said Complainant Paulam Karrisawmy Chitty the several

Deeds reported by the Master to be in his

Custody

37 39
Custody of the several Houses and lands to which

the said Complainant Paulinus Ravansaromy ^{chitty} was by the Decree

of ^{the} ^{day of} ~~Fifteenth~~ November One thousand Eight hundred and thirty

three declared to be entitled. And it is further

Ordered that it be referred to the said Master

to Tax the Complainant Paulinus Ravansaromy ^{chitty} his Costs subsequent

15 to the said Decree of ^{the} ^{day of} ~~Fifteenth~~ November One thousand

Eight hundred and thirty three and that the same

when Taxed be paid to him by the said

Defendants personally and all Parties are to be at

Liberty

liberty to apply to this Court as occasion may

require. -

Monday the Twenty Second day of February 1836

Paul Melittes and others - - - - - Complainants

and

Peter Cator Esquire the Registrar and George

Norton Esquire Advocate General &c - - - Defendants

Copy furnished
to the Clerk of the
Court March 1836

Order and Decree that it be referred to the

of this Court

Master to tax all Parties their Costs of this

Cause as between Solicitor and Client and that the

same when Taxed be paid by the said Defendant

Peter Cator from and out of the funds belonging

to

to the Two Several Legacies of Madras Arcot Rupees
 thirty thousand and Madras Arcot Rupees two thousand and
 the Accumulation of Interest thereon respectively in proportion to
 the Principal Amount of such Legacies respectively and that
 the Master do apportion the same Costs Accordingly. And
 this Court doth declare that the Trusts of the
 said Will so far as they regard the said
 Two Legacies of Madras Arcot Rupees thirty thousand and
 Madras Arcot Rupees two thousand ought to be established

Doth Decree
 and Carried in effect and declare the same Accordingly
 And

This Court doth
And further declare that the said Complainants as the

Governors of the Annamian Orphan Funds and officially the

Directors of the Annamian School in the Proceedings of

this Cause named are entitled to receive the Interest

of the Legacy of Madras Secret Rupees thirty thousand

bequeathed for the use of ~~the~~ some Pious Institution and

for such other purposes as in the said Testators

Will in that behalf mentioned and also the Interest

of the Accumulation in such last mentioned Legacy subject

and without prejudice to the Right of the said

Testators

42
Testatory relations in the 15th clause of the said.

4th doth.

Will in that behalf mentioned accordingly Decree that the

said Defendant Peter Lator do after deducting thereout the

proportion of the said Amount of Costs when the

same shall have been Taxed and appoitioned as hereinbefore

directed pay the residue of the Interest of such

Legacy and the Interest of the residue of the

Accumulation thereon until the further Order of this Court

unto the said Complainants Paul Melchior Betthazar Manooh Lator

and Arathoon Jacob Johannes as the Governors of the

Armenian

Armenian Capitan Funds and Officially the directors of the

said Armenian School to be by them applied in

the Support of the said School and in the

Manner and for the purposes in the said Statutes

This Court doth
Will in that behalf directed. And further declare that

the said Complainants as the wardens of the Armenian

Church in the Pleadings of this Cause named are

entitled to receive the Legacy of Mahomed Arcot Purpess

Two thousand bequeathed to the Armenian Church at Madras

Doth
together with the Accumulation of Interest thereon and Accordingly

Decree

Decree that the said Defendant Peter Kator do after

deducting thereout the proportion of the said Amount of

Costs when the same shall have been Taxed and

apportioned as hereinbefore directed pay the residue of the

Amount of such Legacy and the Accumulation of Interest

thereon to the said Complainants Paul Melitius, Belthayon Hancock

Satoos and Anathoon Jacob Schanne, as Wardens of the

Armenian Church at Madras And all Parties and other

Persons interested in any of the Matters aforesaid are

to be at liberty to apply to this Court

by

6

by Petition in this Cause touching their respective Interests

as they may be advised.

46
Monday the Twenty first day of March 1856

Ben Johnson. Adm^r of W^m Strange deceased.

~~vs~~

R. W. Uguhart and others.

And by Bill of Review

Ben Johnson Adm^r of W^m Strange Deceased

~~vs~~

Peter Gator Adm^r of W^m H. Uguhart deceased.

²This Court doth Order and Decree that the said

Complainants Bill of Complaint in this Cause do stand

and be dismissed out of Court with costs.

Copy furnished
Mr. Kinch this
16th April 1856

Tuesday the Twenty second day of March 1836.

Kootarasawmy Seddo Chitty

Complainant

and

Cotta Sollasinga Chitty. Defendant

This Court doth Order and Decree that the said

Complainant's Bill of Complaint in this Cause do stand

and be dismissed out of Court with Costs..

Copy furnished
to Pringle
the 30th March
1836

Friday the Eighth day of April 1836

Lewis Estares Exor of L. D. Mose deceased

Complainant

and

Anna Tyler Executrix of G. T.

Tyler Esquire & Another Defendants

This Court doth Order that it be referred to

the Master to Tax the Complainant his Costs of

this Suit as between Solicitor and Client and it

is Ordered that so much of the Government Promissory

Note

Copy furnished
to Mr. Perkins
this 23 April 1836

Copy furnished
to Mr. Jones this
25th April 1836

Note for Seven Rupees twenty thousand in the said
 Certificate of the Accountants General mentioned as will raise
 the Amount of such Costs when taxed under the
 Sum of Rupees three thousand Four hundred and fifty
 three Annas Nine and Pice Five the Amount of
 the Statutory debts and Interest mentioned in the Schedule
 to the said Report And the Sum of Rupees
 the Amount Admitted to be due to the said
 Complainant for his Commission at Five per Cent on
 the

the Sum of Rupees thirteen thousand three hundred and

thirty Eight Annas Two and Pice three making together

the Sum of Rupees

2

besides the Amount of the said Costs when Lapsed

be sold by the said Sub Treasurer with the

privy of the said Accountant General and for that

purpose that the said Sub Treasurer with the like

privy of the said Accountant General do subdivide the

said Government Promissory Note for Sixty Rupees twenty thousand

in such manner as may be necessary and out

f

of the money to arise by such sale. It is

Ordered that such costs when taxed and added

at the foot of this Decree and signed by

One of the Judges of this Court ^{together} ~~be paid~~

with the sum of Rupees

~~by the said Sub-Treasurer~~ One hundred and Forty

Two and Pice Eight and the sum of Rupees

paid by the said Sub-Treasurer with the like

priority of the said Accountant General to the said

Complainant or his Solicitor Mr John Innes and
thereout

thereout also It is Ordered that the several Sums
 reported due to the several Persons named in the
 said Schedule to the Masters Report for their debts
 and Interest be by the said Sub-treasurer with
 like privacy of the said Accountant General paid to
 such Persons respectively that is to say the Sum
 of Rupees

to Mr Edward Marguham

the Sum of Rupees

to Mr J. G. Fink the
 Sum

Sum of Rupees

to Mr. S. N. Burrell the Sum of Rupees

to Omrah Ally the Sum of Rupees

to Gung Koolah and the Sum

of Rupees

together with the said Sum of Rupees

the Amount of Commission as aforesaid to the said

Complainant or to the Constituted Attorney respectively of each
of

of them as may be absent from Madras or

to the legal Personal representatives of such of the

said several Persons as may be dead and also

the sum of Rupees

to Clear

Seth Sam and Paul Meliter in the Report mentioned.

And it is further Ordered that the said Sub

Treasurer with the like privacy of the said Accountants

General do pay the whole of the residue of

the funds in the said Certificate mentioned which may

Remain

63 2
55
remain after setting aside the sum of Rupees

and the Amount of the said Costs when Taxed

6 as hereinbefore directed to the said Defendant ~~Naumette~~ ~~Saville~~

or to her duly Constituted Attorney. And any Person

interested in any of the Matters aforesaid is to

be at liberty to apply by Petition in this

cause as they may be advised.

Wednesday the sixth day of April 1836

Copy furnished
to Heph. D. S. S.
for this
8 April 1836

Richard Taylor

Complainant

and

Peter Cator Esquire Administrator of the Estate and

Effects of Captain John Butler deceased Defendant

This Court doth declare that the Bond in the

Pleadings named bearing date the First day of December

One thousand Eight hundred and fourteen granted by Captain

John Butler deceased in the said Pleadings named to

W^m. Martha Rhodes ought not from length of time

to

to be presumed to have been paid or discharged

and doth accordingly Order and Decree that it be

referred to the Master of this Court to take

an Account of the Principal and Interest ^{due} to the

said Complainant on the said Bond And also to

take an Account of what is due to all

other the Creditors of the said John Butler deceased

and of his Funeral expences and to compute Interest

on each of the debts as carry Interest after

the rate the same respectively carry Interest, And th

sa^c

said Master is to Cause an Advertisement to be

2

published in the Fort Saint George Gazette and such

other Public Papers as he shall think fit 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

in default of their coming in to prove their

debts by the time so to be appointed they

are all to be excluded the benefit of this

Decree but the Persons so coming in to prove
their

to
id

their debts not Parties to this Suit are before

3. they are to be admitted Creditors to contribute to,

the Complainant his proportions of the expence of this

Suit to be settled by the Master. And it

is Ordered that the said Master do take an

Account of the Personal Estate of the said Testator

come to the hands of the said Defendants his

Administrator or to the hands of any other Person

by his Order or for his use. And it

is Ordered that the said Testator's Personal Estate be
applied

said Master is to Cause an Advertisement to be

published in the Fort Saint George Gazette and such

other Public Papers as he shall think fit 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

in default of their coming in to prove their

debts by the time so to be appointed they

are all to be excluded the benefit of this

Decree but the Persons so coming in to prove
their

to
id

their debts and Parties to this Suit are before

they are to be admitted Creditors to contribute to,

the Complainant his proportions of the expence of this

Suit to be settled by the Master. And it

is Ordered that the said Master do take an

Account of the Personal Estate of the said Testator

come to the hands of the said Defendants his

Administrator or to the hands of any other Person

by his Order or for his use. And it

is Ordered that the said Testator's Personal Estate be
applied

applied in payment of his debts and funeral expences

in a due course of Administration. And for the

better taking of the said Accounts and discovery of

the Matter aforesaid the Parties are to produce before

the said Master upon oath all Ledgers deeds Books

Papery and Writings in their Custody or power relating

thereto and are to be examined upon Interrogatories as

the said Master shall direct who in taking the

said Account is to make unto the Parties all

just Allowances. And it is Ordered that it be

referred

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referred to the Master to pay the said Defendant
his Costs of this Suit as between Solicitor and
Client and that the same be paid out of
the funds of the Estate of the said late
John Butler and be allowed to the said
Defendant in paying his Accounts. This Court doth reserve
the Subsequent Costs of the said Defendant and also
the Consideration of all further directions and all other
Costs of this Suit until after the Master shall
have made his Report. And any of the Parties

or

applied in payment of his debts and funeral expences

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in a due course of Administration. 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 Ledgers deeds Books

Papers and Writings in their Custody or power relating

thereto and are to be examined upon Interrogatories as

the said Master shall direct who in taking the

said Account is to make unto the Parties all

just Allowances. And it is Ordered that if he

referred

5
referred to the Master to pay the said Defendant
his costs of this suit as between Solicitor and
Client and that the same be paid out of
the funds of the Estate of the said late
John Butler and be allowed to the said
Defendant in paying his accounts. This Court doth reserve
the subsequent costs of the said Defendant and also
the consideration of all further directions and all other
costs of this suit until after the Master shall
have made his Report. And any of the Parties

46
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6 or others interested in this suit are to be

at liberty to apply by Petition in this Cause

as Occasion shall require.

Monday the Eleventh day of April 1836

Vendalore Paravadumall and Vendalore

Vencoo Pillay an Infant &c - - - Complainants

and

Vendalore Vencatanarraim Pillay - - - Defendant

This Court doth Declare that the said Defendant hereto
together with Vendalore Vencatarunga deceased in the Readings of
this Cause named became upon the death of Vendalore
Vencatanarsoo also in the Readings of this Cause named
severally and respectively entitled each to One half part

or share of all and singular the Estate Property

and Effects whether real or Personal of or to

^{whichever} the said Vandaloe Vincatamara as the surviving member

of the Undivided family of himself and his Brothers

^{& Vandaloe Vengoo died}
Vandaloe Vincatamara ~~possessed or entitled~~ And that upon the

Death of the said Vandaloe Vincatamara the One half

part or share of and in the said Estate

Property and Effects to which he so became entitled

together with the profit and proceeds thereof not legally

disposed of by him and subject to the payment
of

183.

otherwise to dispose of such of the Securities in

the said Accountant General's Certificate mentioned as may be

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necessary Provided nevertheless that the said Singular Value shall

be at liberty to insist that the Amount of

the said Costs of the said Defendant are to

be taken as part of his Share of the

Clear residue of the said Testator's Estate. And For
taking of the said accounts & discovery of the matters aforesaid the Parties
are to produce before the said Master upon oath all Books Papers
Ciphers accounts & writings within Country of
the better discovery the Production of Papers &c. and Examination

or power relating

and it is

Sheweth that the

examined upon

interrogatories or

vice versa as the

said Master shall

direct who is taking

the said account is

to make unto the

Parties all just

allowances

~~on oath &c. by the Master.~~ Further Order that

the said Sub Treasurer with the like privacy of

the

W. H. R.

And that the above was of record to the court in the presence of

the court and the parties present to the said Master to under

the said Master's report and the said parties to under the

court's order in the said case and the said parties to under the

the said Master's report and the said parties to under the

the said parties to under the said Master's report and the said parties to under the

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the said parties to under the said Master's report and the said parties to under the

the said parties to under the said Master's report and the said parties to under the

the said parties to under the said Master's report and the said parties to under the

the said Accountant General do continue from time to time Until the further Order of this Court to

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pay to the said Defendant for the purpose in

the said Decree mentioned the Interest now due and

* all further
Directions &
Subsequent
Csts until
after the
Master shall
have made his
final Report

hereafter to Accrue due upon all and every the
Government Securities in the said Decree mentioned except

which are hereby appropriated or which may be required

for Sale for the purpose of Carrying this Decree
into execution. Further directions and Subsequent Orders
shall be made by the Court in the premises as they shall see fit

all persons interested in any of the matters aforesaid
be at liberty to apply to the Court in this Cause
as they shall be advised
advised

W. H. R.

Under the provisions of the Act of Congress of the 2nd of March 1877

the Commission of the said Act is hereby authorized to use a

the said Commission and the said Act is hereby authorized to use a

and to pay the said Commission and the said Act is hereby authorized to use a

the said Commission and the said Act is hereby authorized to use a

the said Commission and the said Act is hereby authorized to use a

the said Commission and the said Act is hereby authorized to use a

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the said Commission and the said Act is hereby authorized to use a

the said Commission and the said Act is hereby authorized to use a

the said Commission and the said Act is hereby authorized to use a

or
W.R.R.

and pay into the Treasury the the purity of the said Accountant

to be placed to the Credit of this Cause the the said by the said

State all the said and the said Money in the said may be

and the said in the said of the said of the said and the

said Sub Treasury with the the purity of the said Accountant

to be placed to the Credit of this Cause the the said by the said

and the said in the said of the said of the said and the

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and the said in the said of the said of the said and the

the said in the said of the said of the said and the

W.R.R.

any and all the Title Deeds relating thereto and in witness

whereof such Title Deeds are And further Ordered
it is

At
KPR

that the Master do calculate Interest on the said Legacy of

Said Papers Seven thousand to Val the said and

the Child of her body from the said 24 day of Sept 1886

to the day from which Interest shall be accruing due

in the Government Savings Bank or Notes for Seven

Papers 7000 which shall be in pursuance of the direction

herein before in that behalf contained be carried to

The Court of Chancery to the said Account

OK
MWR

audit is

said

Further Order that the Master do enquire and report in which

what part of the Government Securities belong to the said

Testator's Estate ought to be set apart and appropriated to

Answer and satisfy the claim of 2,000 Rupees which the

Master has by ^{his} said Report bearing date the 9 day of 2nd Dec

1854 found to be necessary to secure the maintenance

of the said Ponguarnee Annal (see page 108 & 109)

OK
MAR

At least appearing to have been a very good and successful business.

much better of a business than I have ever seen before.

when it has been a business for many years and has been a success.

it is a

ed

h

h

more of a success in addition to the success of the business in 1870.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

and it is a very good business for the future.

OK
MAR

other

personal Estate and what part of the said Testator's

and it is

Estate ought to be set apart to secure the same

h

ED

said

h

h

Order that the Master do also ascertain and report whether

St.
KMS

annual or other sum or sums of Money will be sufficient

said

to be allowed the Defendant as Decree in the General

h

purposes of the said Testator's Estate not herein before provided

for any effect of which the same are not hereby intended

said

And that the Master do specify what these purposes are

h

and what part of the said Testator's Estate ought to be set apart to

secure the same

(See page 109 L)

W.

RCH

to the Credit of this Cause to an Account to be entitled

"The Separate Account of Suzanne Unmoll" during the

Life or until the further Order of this Court And that the

said Sub Treasurer with the like purity of the said

Accountant General do carry from and out of the

funds on the ^{and} Certificate of the Accountant General

mentioned the Sum of Rupees 1212-6-6 being the

amount of the Interest due on the last mentioned

Legacy to the 24 day of September 1886 to the credit

of the last mentioned account "The Separate Account
of .

"Dewanee Ummaul" and do invest the same together

with the interest hereinbefore directed to be carried

to the same Account and do receive and invest

for the purpose of accumulation for the benefit of the

said Dewanee Ummaul during her Minority or

until the further Order of this Court all the interest

as the same accrues due on all the Securities

which shall ^{thence} at any time hereafter be standing to the

credit of the said last mentioned Account "The Separate

Account of Dewanee Ummaul"

W.
M. R.

W.

1708

to the Credit of this Cause to an Account to be entitled

"The Separate Account of Lawrence Umshall" during his

life or until the further Order of this Court And that the

said Sub Treasurer with the like privity of the said

Accountant General do carry from and out of the

funds in the ^{and} Certificate of the Accountant General

mentioned the Sum of Pounds 1212. 6. 6 being the

amount of the Interest due on the last mentioned

Legacy to the 24 day of September 1856 & the credit

of the last mentioned account "The Separate Account
of

"Dewanee Ummaul" and do invest the same together

with the interest hereinbefore directed to be carried

to the same Account and do receive and invest

for the purpose of accumulation for the benefit of the

said Dewanee Ummaul during her Minority or

until the further Order of this Court all the interest

as the same accrues due on all the Securities

which shall ^{there} at any time hereafter be standing to the

credit of the said last mentioned Account "The Separate

Account of Dewanee Ummaul"

W.

W. R.

Friday the Tenth day of February 1837.

Connatoo Soobaroy Moodelly and others. Complainants

and

Mangadoo Survanah Moodelly and Peter Cator

Esquire Cator of M. Ponniah Moodelly deceased Defendants.

This Court doth Order and Decree that the Complainants

Bill of Complaint in this Cause as against the

said Defendant Mangadoo Survanah Moodelly do stand and he

dismissed out of Court with costs and Declare that

the said Complainants are entitled in respect of the

Pranipoy

Copy furnished
to the
Honble Mr. Justice
of the Peace
at the
Court of Sessions
1837

Promissory Note granted by the said Manally Ponniah Moodellian

the Testator in the said Pleadings named and the

said Defendant Mungudoos Surumanah Moodelly to be considered as

Judgment Creditors of the said Manally Ponniah Moodellian and

to be paid in the Administration of the Assets

of the said Manally Ponniah Moodellian rateably and in

proportion with all other Judgment Creditors / if any / of

the said Testator in preference to all his other

Creditors of inferior degree and that the said Complainants

are entitled to Interest thereon after the rate of

Twelve

Friday the Tenth day of February 1837.

Connatoor Soobaroy Moodelly and others. Complainants

and

Mangadoo Survanah Moodelly and Peter Cator

Esquire Cator of St. John's Moodelly deceased Defendants.

This Court doth Order and Decree that the Complainants

Bill of Complaint in this Cause as against the

said Defendant Mangadoo Survanah Moodelly do stand and be

dismissed out of Court with Costs and Declare that

the said Complainants are entitled in respect of the

Pranipoy

Copy furnished
Sup. Court
of the Court
of the Court
1837

Promissory Note granted by the said Manally Punniah Moodellian

the Testator in the said Pleadings named and the

said Defendant Mangudoo Surwanah Moodelly to be considered as

Judgment Creditors of the said Manally Punniah Moodellian and

to be paid in the Administration of the Assets

of the said Manally Punniah Moodellian rateably and in

proportion with all other Judgment Creditors / if any / of

the said Testator in preference to all his other

Creditors of inferior degree And that the said Complainants

are entitled to Interest thereon after the rate of

Twelve

Twelve per Cent from the date of the Judgment
 in the Pleadings of this Cause mentioned and to
 be paid the same as a Simple Contract Debt
 rateably and in proportion with all other Simple Contract
 Creditors of the said Testator. And doth accordingly Order
 and Decree that it be referred to the Master
 of this Court to take an Account of the
 Principal and Interest due to the said Complainant on
 the said Promissory Note and also to take an
 Account of what is still due to all other
 the

the Creditors of the said Annally Purniah Moodellia deceased

And of his funeral Expences and to Compute Interest

on such of the debts as carry Interest after

the rate the same respectively carry And the said

Master is to Cause an Advertisement to be published

in the Fort Saint George Gazette and such other

Public Papers as he shall think fit 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 in

default

130
default of their coming in to prove their debts

by the time so to be appointed they are

all to be excluded the benefit of this Decree

but the Persons so coming in to prove their

debts not Parties to this Suit are before they

are to be Admitted Creditors to contribute to the

Complainants their proportion of the Expence of this Suit

to be settled by the Master. And it is

Ordered that the said Master do take an Account

of the Personal Estate of the said Testator come

for

to the hands of the said Defendant Peter Cator

his Executors or to the hands of any other

Person by his Order or for his use. And

it is Ordered that the said Testator's ^{Real and} Personal Estate

be applied in payment of his debts and funeral

Expences in a due Course of Administration. 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 Cadsair's Deeds

Books Papers and Writings in their Custody or power
relating

default of their coming in to prove their debts

by the time so to be appointed they are

all to be excluded the benefit of this Decree

but the Persons so coming in to prove their

debts not Parties to this Suit are before they

are to be Admitted Creditors to contribute to the

Complainants their proportion of the Expence of this Suit

to be settled by the Masters. And it is

Ordered that the said Masters do take an Account

of the Personal Estate of the said Testator come

to the hands of the said Defendant Peter Cator

his Executors or to the hands of any other

Person by his Order or for his use. And

it is Ordered that the said Testator's ^{Real and} Personal Estate

be applied in payment of his debts and funeral

Expences in a due Course of Administration. 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 Cudjins, Deeds

Books Papers and Writings in their Custody or power
relating

6

relating thereto and are to be examined upon 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 ^{all} ~~the~~

further directions in this Cause ~~Case~~ and also the

Costs of this Suit until after the Master shall

have made his Report And all Parties interested in

this Suit are to be at liberty to apply

by Petition in this Cause as Occasion shall require.

Tuesday the Twenty first day of March 1837

Sarendavy Ummall - - - - - Complainant

and

Nairos Nairainsawmy Pillay & others - - - Defendants

By Bill of Review

Sarendavy Ummall - - - - - Complainant

and

Nairos Varda Pillay Advers^{us} of N. Nairainsawmy - Defendants

This Court doth Order and Decree that the said

Complainants Bill in this Cause as against the said

Defendants Nairos Appasawmy Pillay and Nairos Varda Pillay do

stand and be dismissed out of Court with Costs

And this Court doth further Order that the said

Bill

Bill of Complaint be taken I confess as against

the said Defendants Vadamall and Nagagummal But this Court

doth not think fit to make any Order in

regard thereto.

1837
said Defendant Peter Cator as such Administrator as aforesaid

of the Estate of the said Testator John Butler.

Friday the Fourth day of August 1857.

Philip Webb the Surviving Son of Vincamah deceased

and others -

Complainants

and

Peter Cator Esquire. Admior of the Estate and Effects of

Vincamah deceased.

Defendant

Declare that the Complainants are entitled to the funds
standing to the Credit of the Estate of Vincamah
in the Proceedings of this Cause named and that
the Defendant is a Trustee for their benefit but
that under the Circumstances he be entitled to his
Commission

Copy furnished
Messrs. Boulton &
Pence Thos. J. Esq.
Aug. 5th 1857.
Copy furnished
Messrs. Boulton &
Pence Thos. J. Esq.
18th Aug. 1857.

Commission and to be allowed all usual charges and
expenses in proving his Account before the Master according
to the Rules of Court in regard to Estates
the Administration of which is committed to the Registrar
in pursuance of the Act of Parliament and
Charter in that behalf provided and in as much
as the Complainants by their Counsel waive the taking
of the Accounts as by their Bill of Complaint
is prayed This Court doth Order and Decree that
it be referred to the Masters of this Court
to

to Tax both Parties their Costs of this Suit
as between Solicitor and Client and that the same
when Taxed be paid by the said Defendant out
of the Funds now standing to the Credit of
the said Estate of the said Veniamah And by
and with the Consent of the Counsel for the
said Complainant It is Ordered that the residue of
the said Funds after payment of the said Costs
be by the said Defendant paid to the said
Complainants per Stipes that is to say One half
part.

1423.
part thereof to the Complainant Philip Webb or his

legal Personal representative and the other half part thereof

to the Complainants Nathaniel Webb Junior Mary Webb Charlotte

Webb Richard Marmaduke Webb and John William Webb or to

their legal Personal representatives respectively in equal shares and

proportions and all Parties are to be at liberty

to apply by Petition in this Cause as Occasion

shall require.

Friday the Eleventh day of August 1857.

In the Matter of the Last Will and Testament of Anne
Cecilia Rothmyer deceased.

wherein

Parseemoorthe Alvar Chetty is Plaintiff
and
George Rothmyer is Respondent

This Court doth pronounce and Declare that the Paper

Writing in the Pleadings in this Suit named marked

A purporting to be the Last Will and Testament
of the said Anne Cecilia Rothmyer deceased is null
and

accordingly:
and void And this Court doth ^{Order and Decree}
that the Probate of the said Paper Writing granted
in favor of the said Proponent on the Sixth
day of January One thousand Eight hundred and thirty
Six which it appears has been delivered up by
the said Proponent to the Register of this Court
in pursuance of the said Citation in that behalf
be by the said Register forthwith cancelled And this
Court doth further Order and Decree that the said
Libel Exhibited by the above named Proponent be dismissed
out

out of Court with Costs to be paid by

the said Proponent to the said Respondent And this

Court doth decree Sentence of the same Accordingly.

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In the Matter of the Last Will and Testament of

Anne Cecilia Rothmeyer Deceased.

wherein

Parseemoorthie Alvar Chitty is - - - - - Proponent

and

George Rothmeyer is - - - - - Opponent.

In the Name of God Amen.

We Sir Robert Buckley Comyn Knight Chief Justice and

Sir Edward John Gambier Knight One of His

Majesty's Justices of the Supreme Court of Judicature at

Nachras lawfully Appointed rightly and duly proceeding having heard

seen understood and fully and maturely discussed the Merits -

and

and Circumstances of a Certain Testamentary business or proving
by Witnesses the Paper Writing purporting to be the
Testament or Last Will in Writing of Anne Cecilia
Rothmeyer late of Madras deceased having whilst living and
and at the time of her death Goods Chattels
and Credits in Madras aforesaid which is now Controverted
and remains Undetermined before us in Judgment between Parsonson
Shan Chitty the alleged Executor the Party promoting the
said business of the one part and George Rothmeyer
the Party against whom the said business is promoted

on

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on the other part and the Parties aforesaid lawfully

appearing before Us in Judgment by their Proctors respectively

and the Proctor of the said Parsonmoorthe Alvar Whitty

praying Sentence to be given and Justice to be

done to his Party and the Proctor of the

said George Rothmeyer also earnestly praying that the said

Paper Writing purporting to be a Will might be

pronounced and declared to be null and void to

all intents and purposes of Law whatsoever And We

having first Carefully and diligently searched into and Considered

of

of the whole proceedings had and done before us
 in this business and having observed all and singular
 the Matters and things that by Law in this
 behalf ought to be observed We have thought
 and do thus think fit to proceed to the
 giving of our definitive Sentence or Final Decree in
 this business in Manner and form following to wit

Forasmuch as by the Acts enacted & deduced alleged Exhibited
 propounded proved and Confessed in this business We have
 found and it doth evidently appear unto us that
 the

the Proctor of the said Tarsenmoathes Alwa Chitty hath
 not sufficiently and fully founded and proved his intention
 deduced in a certain Allegation and alleged Last Will
 and Testament of the said Anne Cecelia Rothmeyer Deceased
 and other Pleadings given in Exhibited and Admitted on
 his behalf in this business and now remaining in
 the Registry of the Court which said Allegation and
 Last Will and Testament of the said Deceased and
 other matters propounded Exhibited and Admitted in this business
 He take and will have taken as if here

read

read and inserted for us to pronounce as hereinafter
mentioned Therefore We Sir Robert Buckley Comyn Knight Chief
Justice and Sir Edward John Gambier Knight One of
His Majesty's Justices as aforesaid having first called upon
the name of Christ and having God alone before
Our Eyes and having heard the Advocates on both
Sides in this behalf do pronounce Decree and Declare
that the Paper Writing marked A purporting to be
the Last Will and Testament of the said Anne
Cecilia Rothmeyer deceased bearing date the Twelfth day of
June

Sume One thousand Eight hundred and Thirty five is —

null and Void to all intents and purposes and

to have no force or Validity in Law whatsoever

And we do Order that the Probate of the

said Paper Writing heretofore granted be forthwith Cancelled by

this Our definitive Sentence and Final Decree which We

read and promulge by these Writings..

Friday the Fourth day of August 1837.

By Original Bill

C. W. H. Dowden an Infant by G. Vansomerem his next Friend
Complainant

and

Edward Gordon Surviving Exor of W. D. Brodie deceased
Defendant.

By Bill of Review.

C. W. H. Dowden an Infant by G. Vansomerem his next Friend
Complainant

and

James Ouchterlony Adm'r with Will annexed of

W. D. Brodie Deceased . . . Defendant.

Declare that the Complainant is exclusively entitled to all

Summs that have been or may hereafter be recovered

in respect of the Two Bonds for Pagodas Twelve

thousand and eight thousand in the Readings of this
Cause.

cause respectively mentioned and that the Complainant is a

Creditor upon the Estate of the late William Douglas

Brodie Esquire the Testator in the Pleadings of this

cause mentioned for the difference between what may be

recovered and what may be due upon the said

Two Bonds respectively and entitled to stand as such

Creditor next after the Specially Creditors of the said

Testator William Douglas Brodie. And the Complainant having by

his Counsel waived taking the Account of the said

Testator William Douglas Brodie's Estate which by his Bill.

he.

Friday the Fourth day of August 1837.

By Original Bill

C. W. H. Dowden an Infant by G. Vansomer in his next friend
Complainant

and

Edward Gordon Surviving Exor of W. D. Brodie deceased
Defendant.

By Bill of Revivor.

C. W. H. Dowden an Infant by G. Vansomer in his next friend
Complainant

and

James Ouchterlony Adm'r with Will Annexed of
W. D. Brodie Deceased

Defendant.

Declare that the Complainant is exclusively entitled to all

Sums that have been or may hereafter be recovered

in respect of the Two Bonds for Pagodas Twelve

thousand and eight thousand in the Readings of this

Cause.

Copy furnished to

the Registrar

this 31st day of

August 1837

cause respectively mentioned and that the Complainant is a
Creditor upon the Estate of the late William Douglas
Brodie Esquire the Testator in the Pleadings of this
cause mentioned for the difference between what may be
recovered and what may be due upon the said
Two Bonds respectively and entitled to stand as such
Creditor next after the Specialty Creditors of the said
Testator William Douglas Brodie. And the Complainant having by
his Counsel waived taking the Account of the said
Testator William Douglas Brodie's Estate which by his Bill -
he.

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he prayed. ~~This~~ Court gives no order in regard
thereto. And this Court doth Order and Decree that
the said Defendant James Auchterlony do Continue to get
in and receive all that may be recoverable from
Moyen Ul Omiah Mootastee ally Khan according to the
proposal in the said Report of the Master mentioned
And that he Continue to pay all that he
may get in and receive into the said Treasury
with the privy of the said Accountant General to
the Credit of this Cause. And it is Ordered
that

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that it be ^{referred} to the Master of this Court
to Tax the Complainant's Costs as between Solicitor and
Client and that the same when Taxed and Certified
at the foot of this Decree under the Signature
of One of the Judges of this Court be
by the Sub Treasurer of Fort Saint George with
the privy of the said Accountant General paid from
and out of the Funds which shall then be
standing at the Credit of this Cause to Mr
Nathaniel Brindley Acworth the Complainant's Solicitor and to that

End

156
he prayed. This Court gives no Order in regard
thereto. and this Court doth Order and Decree that
the said Defendant James Auchterlony do Continue to get
in and receive all that may be recoverable from
Moyen Ul Omiah Mootastee Ally Khan according to the
proposal in the said Report of the Master mentioned
And that he Continue to pay all that he
may get in and receive into the said Treasury
with the privy of the said Accountant General to
the Credit of this Cause. And it is Ordered
that

157
that it be ^{referred} to the Master of this Court
to Tax the Complainant's Costs as between Solicitor and
Client and that the same when Taxed and Certified
at the foot of this Decree under the Signature
of One of the Judges of this Court be
by the Sub Treasurer of Fort Saint George with
the privy of the said Accountant General paid from
and out of the Funds which shall then be
standing at the Credit of this Cause to Mr
Nathaniel Brindley Acworth the Complainant's Solicitor and to that
End

158
3/4
and the said Sub Treasurer with the like priority
of the said Accountant General is to be at
liberty to subdivide and sell such of the Government
Securities then remaining at the Credit of this Cause
as may be necessary and this Court doth Declare
that the Costs of this Cause as between Party
and Party are to be paid by the said
Defendant James Auchterlony out of the Estate in his
hands of the said Testator William Douglas Brodie in
a due Course of Administration And it is Accordingly
Ordered.

837
Ordered that he do pay the same into the

said Treasury with the privy of the said Accountant

General to the Credit of this House and both

Parties are to be at liberty to apply to

this Court by Petition in this House as they

may be Advised.

Saturday the Thirtieth day of September 1837

Adolphus Luxa and Johanna Alicia

Luxa his Wife - - - - - Complainants

and

John Lee and James Johnson - Defendants

Declare that the trusts of the said Will of
the Testatrix in the Pleadings of this Cause named
ought to be carried into execution And Order and
Decree the same accordingly And in as much as
the Complainants by their Counsel waive the taking of
the

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the Accounts as by their Bill is prayed Further

Order that the said Defendants do within one week

from the Service of this Decree upon them deposit

in the Treasury of Fort Saint George with the

privy of the Accountant General of this Court to

the Credit of this Cause all Cash which may

be in their hands belonging to the said Testatrix

Estate and the Eleven Government Promissory Notes following that

is to say Rs. 285 for Sica Rupees Three

thousand and Five hundred. Rs. 500 for Sica Rupees

Seven

Seven hundred. N^o 2135 for Sicca Rupees Six hundred
all of the Five per Cent Loan of 1829/30.

N^o 950 for Sicca Rupees Four thousand and Seven

hundred. N^o 1916 for Sicca Rupees Seven hundred N^o.

6761 for Sicca Rupees Five hundred. N^o 9664 for

Sicca Rupees One thousand and One hundred. N^o 11,879

for Sicca Rupees One thousand. N^o 12,716 for Sicca

Rupees One thousand. N^o 2,227 for Sicca Rupees One

thousand and Two hundred. N^o 17,404 for Sicca Rupees

One thousand and Five hundred. all of the Four

per

1837

per Cent Loan of 1832/33. being the Eleven Government

Promissory Notes mentioned in the said Account of the

said Defendants as Executors of the said Testatrix filed

on the Ecclesiastical Side of this Honorable Court on

the First day of August One thousand Eight hundred

Further Order that the said Defendants upon filing in the Registry of this Court a Certificate of the said Accountant General that they have deposited in the said Treasury with his privy, the said Cash which may be in their hands belonging to the said Testatrix Estate and the said Eleven Government Promissory Notes herein before

and thirty Six. Refer it to the Master to

particularly mentioned and described, be discharged from the further execution of the said Testatrix will and from the administration thereof.
Now

Tax the Costs of both the Parties Complainant and

Defendants in this Cause as between Solicitor and Client.

And Order that the same when Taxed be added

at the foot of this Decree and when signed

by

by one of the Judges of this Court be
paid by the Sub Treasurer of Fort Saint George
with the privity of the said Accountant General out
of the said Government Treasury notes when the same
shall have been deposited in the said Treasury as
heretofore ordered that is to say the Costs of
the Complainants to their Solicitor Gen^l John Henry Wilkins
and the Costs of the Defendants to Mr William
Henry Rose. And for the purpose of making such
payments the said Sub Treasurer is to be at
liberty

liberty with the privity of the said Accountant General
 to sell and dispose of such of the same
 Government Treasury Notes as may be necessary and in
 regard to the residue which shall remain after payment
 of such costs Order that the said Sub Treasurer
 with the privity of the said Accountant General do
 receive the interest thereof as the same from time
 to time becomes due and pay one half thereof
 to the said Complainant and his Wife until she
 attain her Age of Twenty five Years or until
 the

the further Order of this Court And Carry Until
 the further Order of this Court the other half
 of the said Interest to the Credit of this
 Cause to an Account to be entitled "The Account
 of the Legacy of Anne Eliza Stringer" And the
 Parties in this Cause and the said Anne Eliza
 Stringer are respectively to be at liberty to apply
 to this Court by Petition in this Cause as
 they may be advised.

Wednesday the Twenty Seventh day of September 1837

J. Casara Moodelly an Infant &c. - - - Complainant
and

J. Soobarey a Moodelly and others - - - Defendants

By Bill of Review

J. Casara Moodelly an Infant &c. - - - Complainant
and

J. Vadammall and others - - - Defendants

It is Ordered ^{by and} with the Consent of W^{ts} Judd

of Counsel for all the Defendants except the Defendant

Vadammall who is in Contempt for want of her

Answer that the Receiver appointed in this Cause be

directed to deliver to the said Sutchance Minnall the

Guardian

Guardian of Totticatty Basava Moodelly the Infant-Complainant to

the Defendants Totticatty Baba Soobarry Moodelly Totticatty Davanankamony

Moodelly and Totticatty Saranyanada Moodelly and Tonnapanthum Soobarry Moodelly

the Guardian of the Infant Defendant Totticatty Chengleroy Moodelly

the said Government Promissory Note for Tanjore Debt No. 148

of 1833 dated 24th of September 1833 for Rupees

Six thousand and Sixty Seven Annas Ten and Pice

Eleven And the Sum of Rupees Four thousand Eight

hundred and Eighty Nine Annas Five and Pice Eight

in Cash found by the Master to be in

the

the possession of the said Joshua Thomas Crampton as

such ^{Receiver} ~~Commissioner~~ as aforesaid also all Securities Documents Vouchers

^{in his possession}
Papers and Caddies belonging to the Estate of the
and that thereupon the said Joshua Thomas Crampton be discharged from his
said Receivership and that the recognizance entered into by him and
his Sureties be vacated by the said ^{Master} ~~Master~~ ^{with the like priority}
said Jothacatty Kadava Moodelly deceased ^{as aforesaid} And that the Original

Wm

Mr. Waltham personally
perused the Bill
of Decree this 3^d
Nov 1837.

Bill of Complaint the Bill of Revivor filed herein

and all subsequent proceedings be dismissed ^{out of Court} without Costs.

Guardian of Totticatty Basava Moodelly the Infant Complainant to
the Defendants Totticatty Basava Subbaroy Moodelly Totticatty Narayana

Moodelly and Totticatty Sarayamunda Moodelly and Totticatty Narayana Subbaroy Moodelly

the Guardian of the Infant Defendant Totticatty Chengleroy Moodelly

the said Government Promissory Note for Tanjore Debt No 148

of 1833 dated 24th of September 1833 for Rupees

Six thousand and Sixty Seven Annas Ten and Pice

Eleven And the sum of Rupees Four thousand Eight

hundred and Eighty Nine Annas Five and Pice Eight

in Cash found by the Master to be in

the

169
the possession of the said Joshua Thomas Crampton as

such ~~Receiver~~^{Receiver} as aforesaid also all Securities Documents touching

in his possession
Papers and Cadjans belonging to the Estate of the
and that thereupon the said Joshua Thomas Crampton be discharged from his
said Receivership and that the recognizance entered into by him and
his Sureties be vacated by the said Master ^(by and with the like privacy as aforesaid)
said Jothecally Cadava Moodelly deceased And that the Original

Bill of Complaint the Bill of Revivor filed herein

and all subsequent proceedings be dismissed ^{out of Court} without Costs-

Mr. Watkins personally
presented the Remonstrance
of James this 3^d
Nov 1837.

Wednesday the Twenty Seventh day of September 1837.

Chunaid Beebe otherwise called Sandoo Beebe.

Ummall and ^{an} others - - - - - Complainants.

and

Khader Saib, Meemum Beebe & others - - Defendants.

This Court doth Order and Decree that the said

Complainants Bill of Complaint in this Cause do stand

and be dismissed out of Court without Costs.

Notice given to
the atties this
10th Nov 1837

Panper.

Saturday the Thirtieth day of September 1837.

Aradana Rungiah Braminy an Infant by Tanjore

Shama Row his Guardian and next friend - Complainant

and

Aradana Codunda Ramasawmy

Braminy - - - - - Defendant.

This Court doth Order and Decree that it be

referred to the Master of this Court to take

an Account of all and singular the undivided Family

Estate Property and Effects whether real or personal of

or

Copy furnished
J. P. Rowland
at 10 o'clock this 15th
day of Nov 1837

or to which the said Avadana Tanquah Brammy Deceased
 was possessed of or otherwise entitled at the time
 of his death and of the Rents Profits Produce
 and Proceeds of such Property which have come to
 the hands possession or Power of the said Defendant
 or any Person or Persons by his Order or
 for his use and that the Master do also
 take an Account of the debts and Funeral Expenses
 of the said Avadana Tanquah Brammy Deceased and Computed
 Interest on such of his debts as carry Interest
 and

and Cause all necessary advertisements to be made for

the Creditors of the said Swadana Jangiah Brammy to

come in before him and prove their debts and

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 Swadana Jangiah Brammy's Estate be applied in payment

and Satisfaction of his debts and funeral expences in

or to which the said Avadana Tanyah Braming Deceased
 was possessed of or otherwise entitled at the time
 of his death And of the Rents Profits Produce
 and Proceeds of such Property which have come to
 the hands possession or Power of the said Defendant
 or any Person or Persons by his Order or
 for his use And that the Master do also
 take an Account of the debts and Funeral Expenses
 of the said Avadana Tanyah Braming Deceased and Compute
 Interest on such of his debts as carry Interest
 and

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and Cause all necessary advertisements to be made for

the Creditors of the said Swadana Jangiah Brammy to

come in before him and prove their debts and

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 Swadana Jangiah Brammy's Estate be applied in payment

and Satisfaction of his debts and funeral expenses in

174
a due Course of Administration and after satisfying the
same the Master is to ascertain the Clear residue

/if any/ of the said Estate both real and

personal and the particulars of the same respectively. And

whether any and what part or parts thereof is

(and if so for what reason)
or are now outstanding ^{Court} And this doth declare that

One Clear Moiety of such Clear residue if any

of the said Estate of the said Avadana Tanpiak

Branning belong to the said Complainant as one of

the Sons of the said Avadana Tanpiak Branning. And

for

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 Cadjans
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 Defendant all
just allowances. And it is further Ordered that the

Injunction

Injunction issued under and by virtue of the order
of the Eighth day of April One thousand Eight
hundred and Thirty Seven restraining the said Defendant from
further wasting masking or making away with any part
of the said Undivided family Property he in the
mean time ~~be~~ Continued. And this Court doth reserve
the Consideration of all further directions and Costs until
after the said Master shall have made his Report
and the Party Complainant is to her at liberty
to apply to this Court by Petition as occasion
shall

shall require:-

Injunction issued under and by virtue of the order
of the Eighth day of April One thousand Eight
hundred and Thirty Seven restraining the said Defendant from
further wasting masking or making away with any part
of the said Undivided family Property he in the
mean time ~~be~~ continued. And this Court doth reserve
the Consideration of all further directions and Costs until
after the said Master shall have made his Report
and the Party Complainant is to her at liberty
to apply to this Court by Petition as occasion
shall

shall require.

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Notice given
to the parties
this 21st Nov 1857

Friday the Seventeenth day of September 1857

Peter Carter Esquire Executor of the Last Will and Testament of

Manally Jonniah Moodelly deceased - - - Complainant.

and

Mylor Chingleroy Moodelly - - - Defendant

This Court doth Order and Decree that it be

referred to the Master of this Court to enquire

and Report whether any and which of the said

Subdivided Notes in the Pleadings of this Cause mentioned

other than the Fifteen Notes alleged by the said

Defendant

Copy furnished
per the Master
this 21st Nov 1857

Copy furnished
per the Master
this 21st Nov 1857

Copy furnished
per the Master
this 22nd Nov 1857

179
7
Defendant in his said answer to have been given

to him by the said Manally Ponniah Moodelly deceased

came to the proper Custody or Power of the

said Defendant or of any other Person or Persons

by his order or for his use and benefit

in this life time or after the death of

the said Manally Ponniah Moodelly deceased. And in case

the said Master shall find that any of such

notes were procured by the said Defendant or by

any other Person or Persons by his order or

for

for his use than the said Master is to

2

Inquire and Report how and in what manner the

said Defendant has disposed of the Same. And to

take an Account of the Proceeds of such Subdivided

Notes and the interest thereon. And it is further

Ordered that the said Master do Inquire and Report

whether the gift of the said Fifteen Notes alleged

by the said Defendant to have been made really

took place and under what Circumstances and at what

time the same was made. And in case the

said

187
3
said Master shall find that no such gift took

place then he is to take an account of

all monies received by the said Defendant on such

notes. And to enquire and Report as to the

House and Garden in the Privatoor road which the

said Defendant admits to have been purchased with part

of the produce of four of the said Fifteen

notes and to whom and for what consideration the

And the Master is to be at liberty to state any special
Circumstances.

116
J. G. same was sold by the said Defendant. And for

the better taking of the said Accounts and discovery

R

of the matters aforesaid the Parties are to produce
before the said Master upon oath all Charters, Deeds
Books Papers and Writings in their Custody or Power
relating thereto and are to be examined ^{Interrogatories} upon ~~the~~
as the said Master shall direct. 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 both
Parties are to be at liberty to apply to
this Court by Petition in this Cause as they
shall

1839

Refers 21938. 3-1/ found due by the Master

in respect of such last mentioned Legacy and further

ordered that such last mentioned sum of $\text{£}5484-8-9$

or so much thereof as can be - by by the

Sub Treasurer with the privity of the accountant

General laid out in the purchase of Government Securities

and that the Interest of such Government Securities and

all accumulations of Interest be laid out in the

purchase of other like Securities and that all such

Government Securities when so purchased be carried to the

Credit of the said last mentioned account "The amount
 due to Catherine Elizabeth Heydt in respect of her
 share in the Legacy of Pappas 2000 by the
 Testator's will given to his sister Clara under
 Case of her death to the next heir of
 her body or next pretation and further ordered
 that the pub Treasurer with the like privacy of
 the Accountant General do pay one moiety of the
 residue of the proceeds of such sale unto the
 Plaintiff William Scott Perry as the administrator of

Catherine Elizabeth Gerspach deceased and a third part of
the other moiety of such proceeds unto the said

William Scott Dunning as the administrator of the said

John Bernard Rebelo the elder deceased and another third

part of such last mentioned moiety unto the said

William Scott Dunning as the administrator with the will

annexed of the said Francis Ignatius Rebelo and that

he do carry the remaining third part of such

last mentioned moiety to an account to be settled.

"The amount due to Catherine Elizabeth Gerspach deceased in

Respect of her Interest in the proceeds of the
 Testator's Estate and further ordered that the sub-
 Treasurers with the like privacy of the Accountant
 General do lay out the last mentioned third part
 of such last mentioned money or monies thereof
 as can be in the purchase of Government Securities
 and also the Interest to grow due on such
 Government Securities when purchased and all accumulations
 of Interest in the purchase of other like Securities
 and do carry also such Securities when purchased to

the credit of the said account. "The amount due
 "to Catherine Elizabeth Heydt in respect of her interest
 "in the residue of the Testator's Estate" and any
 persons or parties interested in the same or Government
 securities to be carried to the respective accounts aforesaid
 are to be at liberty to apply to this Court
 as they shall be advised.

2 264
Thursday the Fourth day of April 1839

Notice given to
Sdros on the 1st
June 1839.

Connatoor Soobaroy Moodelly and Others

Copies furnished to
Mr. A. C. Worth on
the 5 June &
to Mr. J. J. J. J.
on the 6 June
1839.

Mangadoo Survanah Moodelly and

Peter Cator Esquire Solicitor

Order that it be referred to the Master to
Tax the Costs of the Complainants and of the
Defendant Peter Cator of this Suit as between Solicitor
and Client: And Order that out of the Sum
of Rupees Eight thousand Seven hundred and thirty three

Six and pice Eleven / 8,730-6-11 / Cash by the Masters.

Report

Report found due by the Defendant, Peter Cator to
the Testator's Estate and from the proceeds of One

or more as may be necessary of the Government

Securities (other than the Government Promissory Note of the

Tanjore Debt N^o 263 of 110 of 1832/33 —

dated Twenty fourth day of June One thousand Eight

hundred and Thirty four for Rupees Five thousand (5000)

belonging to the Testator's Estate amounting together to Rupees

Ninety thousand Eight hundred and Nineteen (99819) by the

Master's Report found to be in the hands of

the

the Defendant Peter Cator belonging to the Testator's Estate
 the Costs of the Complainants when so Taxed be
 paid by the Defendant Peter Cator to Mr. John
 Innes their Solicitor and that the Costs of the
 Defendant Peter Cator when so Taxed be paid by
 him to Mr. Nathaniel Brindley Aneworth his Solicitor and
 Order that such payments be allowed to the Defendant
 Peter Cator in passing his further accounts before the
 Master. And further Order that the Defendant Peter Cator
 do deliver up to Davance Munnell in the Masters
 said

said Report mentioned the said Government Promissory Note of

the Tanjore Debt N^o 263 of 110 of 1832/33

dated the Twenty fourth day of June One thousand

Eight hundred and Thirty four for Company's Rupes Five

thousand (5000) by the Master's Report found to have

been given by the Testator Manally Ponniah Moodilly to

the said Davance Munnall and further Order that out

4 of the proceeds of the residue of the said

Government Promissory Notes belonging to the Testator's Estate the

Defendant Peter Cator do pay to the said Davance

Munnall

Minnall is much Money as with the sums already
 paid to her and allowed by the Master to
 the Defendant Peter Cator will make up the amount
 of Interest which shall have been received by the
 Defendant Peter Cator on the said Government Promissory Note
 of the Tanjore Debt And further Order that the
 Defendant Peter Cator do also from and out of
 the Residue of the proceeds of the said Government
 Promissory Note pay unto the Complainants the sum of
 Rupees Six thousand five hundred and fifty nine Annas
 fourteen

fourteen and pice four (559-14-4) being the Amount of

the Principal Money found due to them by the

Master on the Judgment obtained against the said Manully

Ponniak Moodelly and Mangadoo Survanah Moodelly by Commissioner

Moodelly and under the circumstances in the Master's Report

mentioned - Declare that as far as it will extend

the said Testator's Estate is liable as well to

the payment of the Sums found due to the

^{mentioned} Creditors in the Second part of the First Schedule

to the said Report ^{annexed} ~~mentioned~~ as to the payment

to the Creditors ^{named} in the first part of the
 first Schedule to the said Report ^{annexed} ~~mentioned~~ And accordingly
 Order that it be referred back to the Master
 to compute subsequent Interest on the Debts mentioned in
 the first and Second parts of the first Schedule
 to his Report ^{annexed} on which he has computed Interest
 and Make a Separate Report of the whole of
 the Debts in the said Schedule mentioned exclusive of
 so much of the said Judgment Debt of the
 Complainants as consists of Principal and Order that the
 said

Defendant

said Peter Cator do apply the Residue of the

proceeds of the said Government Promissory Notes which may

be in his hands (after setting apart a Sufficient

Sum to Answer the future Costs of this Suit

and of the general Administration of the Estate of

the Testator Manally Ponniah Moodelly such Sum to be

Certified by the Master and any further Sums proper

to be allowed to him in his Administration of

the Testator's Estate) in payment to the Creditors except

Siva Casime Unnall in the first and Second parts

f

of the first Schedule to the Master's Report mentioned
of the several Sums of Money to be so

Reported due to them according and in proportion to

the Amount of their respective Debts and the Debt

due to

of Seena Canning Ummall and Order that the Defendant

Peter Cator do must the proportion of the said

proceeds to which the said Seena Canning Ummall may

be entitled in respect of the Sum to be

Reported due to her or so much thereof as

he can in Government Securities or a Government Security

and

and ^{so} until the further Order of this Court retain.

the same in his hands and ~~to~~ pray the

Interest to accrue upon such Government ^{Securities or} Security unto Payment

Usmull for the maintenance of the said Seva. Caame

Unanimally and Order that it be referred to the

Master to ascertain who has now the Care of

Custody of the said Seva Cause Unmalt and how

long such person has had such care or Custody

and who is a fit person to have the

during her minority or.

Care and Custody of her for the future; until

27^h

her Marriage and also to Report whether any thing
and if any what Sum is due to such
person for the maintenance of the said Seiva Cause
Mumall and what Sum ought to be allowed for

11

her future ^{during her minority or} maintenance until her Marriage And Order that
the Master do carry on the Account of the
real and personal Estate of the Testator Manally Ponniah
Modelly by the former Decree directed and that in
continuing such Accounts he do allow the Defendant Peter
Cator the Sum of Rupees Four hundred and fifty
paise

five Annas twelve and pice Six (455-12-6) being the

Amount of Taxed Costs paid by him to Myla

Chengleroy Moodelly in pursuance of ^{the said} Order made in

wherein the said Peter Cator as Executor of the said M. Pinniah Moodelly was Complainant and Mylay Chengleroy Moodelly was Defendant

12 ⁱⁿ

this Cause and ⁱⁿ a Cause ^{of} Cator against Chengleroy

bearing date ^{the} Twelfth day of April One thousand Eight

hundred and thirty seven - and ^{further} Order that the

Master in continuing such Accounts do distinguish what parts

of the Monies which may have been received by

the said Peter Cator on account of the said

Testator's Estate have been received on account of his

RA

perused

~~personal or moveable Estate and what parts have been
received on Accounts of his real or immovable Estate
or the Rents and profits thereof and ^{report} ~~also~~ what
on~~

parts (if any) of the Monies received on Account
of the ~~real~~ real or immovable Estate, or the
Rents and profits have been specifically bequeathed and to

whom And further Order that it be referred to

the Master to ascertain whether any and what parts
of the Testator's real and personal Estate be outstanding

and why and for what reason and whether any

and what proceedings ought to be taken to recover
such parts as he may find to be outstanding

and whether any and what parts of the real
and personal Estate which he may find to be

further
outstanding he specifically bequeathed And Order that the Master

(any of the Jewels Title Deeds or other Property of which the said decessed Peter Cator is now in possession as the
Executor of the said Testator all Immovables which were in the possession of the said Testator at the time
of his decease or previously thereto

do enquire and Report whether the Testator was at

N.B.

14

~~whether the said Defendant Peter Cator as his Executor is now in possession of any
and what (if any) Jewels
the time of his death in the possession of~~

N.B.

~~any and what (if any) Jewels Title Deeds or
Ra~~

~~other property belonging to any other person or persons
N.B.~~

for any other Person or Persons
as Trustee or otherwise than as owner or

beneficially

and whether the said Debt-Liter Cator as such Exor of the said Testator is now in beneficially interested therein and ~~that he do ascertain and~~ *N.*

(the possession of any Jewels Title Deeds or other Property not belonging to the said Testator's Estate and that he do ascertain and Report to whom such Jewels Title Deeds or other *NN*

Property (if any) belongs and Order that any person

or persons claiming to be entitled to any such

Jewels Title Deeds or other property be at liberty

to go in before the Master and establish such

Claims and farther Order that the Master do Report

what shall remain due to the Creditors of the

said Testator in the first and Second parts of

the first Schedule mentioned after such payments shall be

made

the Head or Principal Priest at such place for

worship or of distribution which should contain a declaration

or acknowledgment that the annual sum had been duly

received and properly administered or applied towards the purposes

16 intended by the Testator and specified in the said

List and he further Certified that the same Bequests

for charities directed to be performed at Travancor Triplicane

and Ponnalavayal respectively should be paid annually to the

Durmakhatras or Church wardens of the respective Pagodas at

such places respectively and that they should respectively obtain

yearly and every year a Certificate or acknowledgment from

the Head or Principal Priests or Ministers of such

Places as respectfully therein Certifying or acknowledging that the same

sums have been duly appropriated in compliance with the

17 directions of the Dictator which Certificate or acknowledgment should

be produced and verified when required by the associate

General for the time being and he further Certifies

that at the places respectively specified in the said

List where worship was directed to be performed and

price to be administered to the Poor the same

to be Expended in worship and in the Ceremonies

Connected therewith. should be kept separate and distinct from

the sum to be laid out in distributing Rice

18.

to the Poor and that the sum of Four

Hundred and Eighty Pappas annually should be allowed for

the worship of Sabarpatu Purnima at Chedumbaram in the

Southern district of about the sum of Two Hundred and

Forty Pappas annually for the celebration of the two

Principal Festivals and the sum of Two Hundred and

Forty Pappas annually to be distributed to the Poor

at Chedumbasams aforesaid on the occasion of such Festivals

which are performed there annually in the Months of

June and December and that the sum of one

19

Hundred and Twenty Pagodas should be allowed or paid

annually for the Evening worship of Mahalingam Sany at

Lavattamoodoor and that the sum of Two Hundred and

Forty Pagodas should be allowed annually for providing Rice

to be distributed to the Poor in a Choultry

at the last mentioned place: and that in as

much as it appeared from the List that a

Certain charity therein called *Worshipping the married Bramins* *Worshipping*

residing at the last mentioned place was to be

performed the sum of Fifty Pagodas should be applied.

20

annually for the purchase of cloths to be distributed

among such of the married Bramins residing at each

last mentioned place as by reason of their poverty

or of their having devoted their lives to religious

purposes might be most deserving of such charitable aid

and that in like manner and for distribution to

such married Bramins at Carbacoon as would be most deserving

to be most deserving of charitable aid for the

Reasons therein last mentioned the sum of Fifty Pagodas

should be applied annually for the purchase of cloths

19 21

and that the same should be distributed accordingly and

that the sum of Fifty Pagodas should be applied

annually at the last mentioned place for the worship

of the Hindu deity Jangang-pang-pang and which worship

is called Jastacheshakum and that the sum of one

Hundred and Twenty Pagodas should be applied annually for

the daily worship of Ponchanda-ha-pang at Trovan and

that the sum of Two Hundred and forty Pagodas

be applied annually for the distribution of Rice daily

to poor People at the last mentioned place and

the sum of Thirty Pagodas as an annual Gift

Called *Vaisachellam* to a *Samburam* or Abbott named *Pannamandam*

Moorty to enable him to perform Certain Charities established

at the last mentioned place and that the sum

of Two Hundred and Forty Pagodas should be applied

annually for the purpose of distributing Rice daily to

the Poor at Madura and the annual sum of

one Hundred and Twenty Pappas in worshipping the gods

Menachee Munnar at the place last mentioned and that

the sum of two Hundred and forty Pappas should

be applied for each year in distributing free Daksh

to the poor Bramins at the Choultry of Panna

Conjeveram and the sum of one Hundred and Twenty

Pappas be allowed ^{for} annually ^{for} lighting up the

Pappas of Yajambaram at the place herein last mentioned

and that the Deans that might hereafter be made

by this Court or such parts as might be

deemed sufficient should be translated into the Malabar and
Santo Languages, and written in parchment and transmitted to
the Principal Priam and Darnest Curtes at each of
the places mentioned in the said List at which
Chanties or Religious Ceremonies are directed to be performed
and upon leaving said the said Secretat over bearing
date the 15th day of April one Thousand Eight
Hundred and twenty nine whereby it was amongst other
things ordered and Decreed that after the payments and
deductions therein mentioned the accountant General should place the

24

Reversion of the sum of Papeas Two Hundred and
 Eighty five thousand one Hundred and Ninety six Cunes
 Thirteen and Pie Cunes in the said Report mentioned
 and the Interest due and to accrue one Honor
 to the Credit of the said original Cause in
 Trust for the said charitable Request of one Lac
 of Papeas and it was referred to the Master
 to appoint a Receiver of such sums as were to
 be taken in part payment of the said charitable
 Request as in the said Report mentioned and as

was then outstanding and of the balance of Papeas
one hundred and twenty thousand two hundred and eighty
one Lanzas Dos and Cosh Fifteen Reported to be
due in respect of the said charitable Request of
one Lac of Papeas and that the said Receiver
was to pass his accounts before the Master and
when and as often as he should have in
his hands two thousand Papeas he was to pay
the same into the Treasury to the Credit of
the said original Information "In trust for the said

26

Charitable Request of one Lac of Pagodas" and as

soon as the Receiver should have received the whole

27 of the said balance of Pagodas one Hundred and

Twenty thousand two Hundred and Eighty one Tanams two

and Cash Fifteen found due by the Defendant N.

Armesawmy Pillay in the said Defendant was to be

at liberty to apply touching the residue of the

Property agreed to be ascertained by him as in

the said Report more particularly mentioned and the Court

did by the said Decretal order continue the reservation

of all further directions touching the said charitable request

of one Las of Papoas and on the main

28

thence any of the ^{Persons} ~~Parties~~ interested in any of

the matters therein before mentioned were to be at liberty

to apply to the Court as they should be

occasion and upon reading an order of this Court

of the Thirtieth day of March ^{one} ~~of~~ thousand Eight

Hundred and thirty whereby it was among other things

ordered that the approval and appointment therein named of

Peter Calton Ogden to be Receiver should be confirmed

And upon hearing Read an order of this Court

made in these Cases on the Twenty third day

29

of October Instant upon the Petition of the said

Informant George Norton whereby It was ordered that it

be referred back to the master to Enquire and

report who would be fit and proper persons to

have the Management and Superintendence of the said Church

Charters therein and hereinbefore mentioned and referred to and

to carry the same into Execution having regard to

the particular nature of such Charters and the places

where the same, are respectively to be performed and

what would be a fit and proper mode of

management of the same and that in making such

Enquiry the Master was to take into his Consideration

the amount of the funds then in the Treasury

of Tots and George standing to the Credit of

the said original Information and the funds which might

hereafter be realized on account of the said charitable

request: and should appropriate the amount of the same

among the several Charities in such proportions and for

such uses and purposes as should be reasonable and
just and consistent with the Employment and relief of

31 such Clashes of Priests or Bramins as were Employed

and relieved by the Lictator in his life time

and also with the Selections of such poor persons

as were deemed objects of the Lictator's bounty and

that the said Informant the advocate General be at

liberty to carry on before the Master such further

and supplementary proposals as he might be advised respecting

such matters and that the said Master should Enquire

thereon
and Report ~~thereon~~ and that the said Informant should

32

be at liberty to set the cause down to

be heard for further directions in regard to the

matters presented as well as the further report of

the Master touching the matters aforesaid as upon the

said Master's Report of the Twenty first day of

March are There said Eight Hundred and Twenty nine and

upon hearing read the Master's said Report dated the

Twenty ninth day of October Instant made in pursuance

of the said last mentioned order (and the order

Confirming the same) whereby he amongst other things found

33

Kat Jayak Sastri Shrinivasa Pillay Maunatchak Maunay Arinayana Pandey

Ragavath Chetty Ramayyosloo Nairk. Yagambaram Moodelly Chockapah Chetty and

Moostappa Andumavaimial Respectively Hindus Inhabitants of Madras were left

and proper persons to have the management and superintendence

of the charity at Triplicane (which is situated within

the local limits of the Jurisdiction of this Honorable

Court and to carry the same into Execution under

the orders and directions of this Court and having

regard to the particular nature of the charities next

thereafter mentioned and the places where the same are

respectively to be performed he found that the said

several last mentioned persons were fit and proper persons

to have the management and superintendence of the said

charities situated at Chendambaram Shally Thottamondam Coimbatore

Troovair Jambakasonnam Sheringum Tajoer Trovalore alias Troovalor

Maddur Thachiar Pagoda Nambooram Soobanall's Choultry near Chendambaram

Trooparasaidel Pagoda Arin Arjivaram Thottam Chinn Arjivaram

Troovaramally and Troomalavoyel and to carry the same into

Execution subject to such directions as the Court might

Confirming the same) whereby he amongst other things found

Kal Iyal Sastri Shrinivasa Pillay Maanathak Maany Arinjamma Pandi

Ragavath Chetty Ramalingaswami Naik Gajambaram Moodely Chockab Chetty and

Moorthy and Annavaimal respectively Hindus Inhabitants of Madras were first

and proper persons to have the management and superintendence

of the charity at Triplicane (which is situated within

the local limits of the jurisdiction of this Honorable

Court and to carry the same into Execution under

the orders and directions of this Court and having

regard to the particular nature of the charities next

thereafter mentioned and the places where the same are

respectively to be performed He found that the said

several last mentioned persons were fit and proper persons to

have the management and superintendence of the said

charities situated at Chendambaram Shally Thottamoodoor Coimbatore

Troovair Jambakaswaram Sheringum Taijore Trovalore alias Troovalor

Madurai Srachian Payoda Nannaswaram Soobanall's Choultry near Chendambaram

Troopavandil Payoda Arin Conjeriam Thottam Chinnar Conjeriam

Troovarambally and Troomalavoyel and to carry the same into

Execution subject to such directions as the Court might

be pleased to give touching the same and thereby

Certified that a certain Regulation entitled A.D. 1817.

Regulation VII for the due appropriation of the Rents

and produce of lands granted for the support of

Mosques Hindoo temples and Colleges or other public purposes

for the maintenance and repair of Bridges Choultries and

Choultries and other public Buildings and for the Custody

and disposal of Escheats was passed by the Governor

in Council of Fort St. George on the Thirtieth

of September one thousand Eight Hundred and fifteen which

said Population I will be the duty of the

local agents to obtain full information from the public

records and by personal Enquiries respecting all Endowments

Establishments and Buildings of the nature of those before

described and respecting all cheats and to report to

the Board of Revenue any instance in which they

may have reason to believe that lands or Buildings

or the Rent or Revenue derived from lands are

unduly appropriated being in all cases careful not to

infringe any private rights or to occasion unnecessary trouble

be pleased to give touching the same and thereby

Certified that a certain Regulation entitled A.D. 1817.

Regulation VII for the due appropriation of the Rents

and produce of lands granted for the support of

Mosques Hindoo temples and Colleges or other public purposes

for the maintenance and Repair of Bridges Chattris and

Chattrams and other public Buildings and for the Custody

and disposal of Escheats was passed by the Governor

in Council of Fort St. George on the Thirtieth

of September one thousand Eight Hundred and twenty which

said Population it will be the duty of the

local agents to obtain full information from the public

records and by personal Enquiries respecting all Endowments

Establishments and Buildings of the nature of those before

described and respecting all cheats and to report to

the Board of Revenue any instance in which they

may have reason to believe that lands or Buildings

or the Rent or Revenue derived from lands are

unduly appropriated being in all cases careful not to

infringe any private rights or to occasion unnecessary trouble

a variation to individuals and that the local officials
 shall also Report to the Board of Revenue all
 Vacancies and Casualties which may occur with full information
 of all circumstances to enable that Board to judge
 of the pretensions of the person or persons claiming
 the trust particularly whether the succession has been heretofore
 by inheritance in the line of descent or whether
 the successor has been in former instances elected and
 by whom or whether he has been nominated by
 the founder or his heir or representatives or by

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any other individual patron of the foundation or by
any officer or representatives of Government or directly by
the Government itself and that in those cases in
which the nomination has usually rested in the Government
or with the public officer or in which no
private person may be competent and entitled to make
sufficient provision for the succession to the trust and
management it shall be the further duty of the
local agents to propose to the approval and Confirmation
of the Board of Revenue any person or persons

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for the change and trust managers or superintendents shall
 attending to the qualifications of the person or persons
 selected and to any special provisions of the original
 endowments and foundation and to the general rules or
 known usages of the Country applicable to such cases
 and that on the receipt of the Report and
 information so required, as aforesaid the Board of Revenue
 shall either appoint the person or persons nominated for
 their approval or should make such other provision for
 the trust management or superintendence as might to them

being right and fit with reference to the nature
and Conditions of the Endowments having previously called for
any information from the local agents that may appear
to them to be requisite and that nothing contained
in the said Regulations shall be construed to preclude
any individual who may conceive that he has just
grounds of Complaint on account of any wrong which
might be suffered by any of the before mentioned
authorities respecting the appropriation of any lands or buildings
or any rents and revenues from lands of the

nature of those before described from living in the

mode and form prescribed by the Regulations

or public officers are parties or near the general

provision of the Regulations of the said - he brought

against a Competitor or other private person for the

preventing thereof in the regular course of law or

for Compensation in Damages for any loss or injury

supposed to have been unlawfully prevented by him and

that the object of the said Regulations was solely

to provide for the use appropriation of land or

other endowments granted for the public purposes aquirably to

the intent of the grantor and not to reserve

any part of them or of their produce to

the benefit of Government and that all Buildings erected

by Government or by individuals for the benefit of

the public shall be Exclusively appropriated to that purpose

with the Exception of such as have fallen to

decay or cannot be conveniently repaired or which can

no longer contribute to the accommodation of the Community

and the legislative provisions at the time of the

lapsing of the said Regulations in force or which
 may hereafter be ~~directed~~ ^{enacted} to the punishment of fraud
 or Embezzlements in the Native servants of Government Employ
 under the Collector in the Departments of the Land
 Revenue shall be held applicable to all native servants
 and to all Trustees Managers or Superintendents Employed or
 charged with the Settlement Custody or appropriation of the
 Revenue funds or other property of the public institutions
 referred to in the said Regulations and the said
 Master submits for the consideration of this Court whether

the proportion of the funds then standing to the
Cost of the original Information in the Treasury of
Port and Suez and the funds which might be
hereafter realized to be appropriated for the performance of
the said several Charities at Chanderam, Shally, Travancore,
Cumbassum, Travancore, Jambakkalam, Thennungam, Tunga, Travancore, also Travancore
Madrass, Arcot, Pegoda, Ramaswami, Sookamall, Choultry near Chanderam
Travancore, Pegoda, Pany, Cojwaram, Travancore, China, Cojwaram, Travancore, and
Travancore, should not be directed to be paid to the
said Lyah, Pashy, Shrivappa, Ally, Mamatiah, Nannay, Amegum, May 10

Ragavah Chetty Ramalingaswami Nair. Yagambaram illudally Chokkappa Chetty and

Kottiyara and Maraimalai as Trustees for the management and superintendence

of the said funeral charities to be performed within the

premises of this Pansinay subject to such rules as

this Court might be pleased to make touching the

same with reference to the said last mentioned Regulation

and He thereby Certified that further and supplementary orders

for the appropriation of the annual Interest of the

sum of one hundred thousand Pagodas deposited by the

said Estate Patetapah should be for the performance of charities

and religious Ceremonies and observances and such sums

as might be required and received by and the principals

sums aforesaid and also Proposals of fit and proper

persons to have the management and superintendence of

General Charities and carry the same into Execution and

for the mode of managing superintending and controlling the

same has been left with him by the Informant

the associate General which has been agreed and consented at

to by the Solicitor of the Defendant Parents my Mother

stating amongst other things that it might appear Expedient - 10

and Consistent with the objects and intentions of the

said Testator in respect of ^{his} said specified Charitable

requests that out of any surplus fund that might

hereafter be got in and received by the Committee

as in the said Further and supplementary Proposals provided

beyond the sum then in the Treasury standing to

the Credit of this Cause and beyond what might

suffice for defraying the Expenses of the managing of

the said Charities and for providing for the preparing

the several Tablets and Monuments in the Report of

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first

the master of Twenty ~~first~~ day of March one

Thousand Eight Hundred and Twenty nine mentioned and for

Establishing erecting and maintaining the building Offices and ~~Chambers~~

as by the said last mentioned report is provided for

Should be made for substituting such surplus Charitable funds

so to be hereafter preserved among such learned and

Respectable Persons as might be willing in consideration of

the same to be Employed in rendering useful services

to the public, and that accordingly certain Charitable institutions

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for the Education and instruction of Persons should be

Established and maintained by and out of a sufficient

portion of any such last mentioned surplus fund and

in and by the said further and supplementary proposals

the said Associate General has proposed that the General

Management of the said Charities should be delegated to

a Committee consisting of Nine members one of whom

should be the President and all of whom should

be Members and House Holders resident within the local

limits of the jurisdiction of this Court such Management

of the said Committee being subject nevertheless to the

general superintendence of the Board of Revenue of Port

Saint George as provided by the said Regulation VII.

A.D. one thousand Eight Hundred and Sixteen or

any future Regulation to be made in such behalf

and to all end. Every the provisions of such

Regulation that the names of the members of the

said Committee of Management should be as follows the

said Dyak Sacty President and the said Theunappa Pillay

Meenathiah Braming, Armozum Mordelly, Nagasah chetty, Raminjooloorick

Yagambharam Mordelly, Cheepah chetty and Westingera and many and that any

Vacancies which might happen from death resignation or otherwise

should be filled up by the election and appointments

of the remaining members of the said Committee two

three of whom should for such purpose be necessary

to form a Majority and that the above named

persons and those thereafter to be elected and appointed

in manner aforesaid were fit and proper persons to

have the management and superintendence and carrying into Execution

of the before mentioned Charities subject nevertheless as therein before

specified and that any five or more assembled together

should be a sufficient number to represent and do

all acts in the name of the Committee and

that a majority of the said Committee so assembled

should decide on all questions before them and that

the President when present should have a Casting Vote

when the members should be equally divided and that

the Committee should have power to make such Regulations

and give such directions as might be necessary from

time to time for conducting and managing the Charities

such Regulations and directions being in conformity with the

Vacancies which might happen from death resignation or otherwise

should be filled up by the election and appointments

of the remaining members of the said Committee two

thirds of whom should for such purpose be necessary

to form a Majority and that the above named

persons and those thereafter to be elected and appointed

in manner aforesaid were fit and proper persons to

have the management and superintendence and carrying into Execution

of the before mentioned Charities, subject nevertheless as therein before

specified and that any five or more assembled together

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should be a sufficient number to represent and do

all acts in the name of the Committee, and

that a majority of the said Committee so assembled

should decide on all questions before them and that

the President when present should have a Casting Vote

when the members should be equally divided and that

the Committee should have power to make such Regulations

and give such directions as might be necessary from

time to time for conducting and managing the Charities

such Regulations and directions being in conformity with the

Decrees made and to be made respecting the management
 of the same and for calling and assembling meetings
 of such Committee Provided nevertheless that every standing or
 general Regulation for such management should be submitted within
 one month from its being passed by the Committee
 for the sanction of the Board of Revenue or
 any other Board or authority which might be hereafter
 substituted in such behalf by any future Regulations and
 in case such sanction should be refused within six
 months after being so submitted the same should be

no longer operative and that the Committee should have

power to appoint a secretary to the Committee and of

also other officers and clerks who might be required 50/

for the purposes of assisting them in the management

of the duties and business of the said Committee

and to allow them adequate salaries for their trouble

and to pay the same out of the Interest

of the sum plus charity fund beyond the Lac of

59. as the Interest of which Lac was directed to

be distributed according to the said List of Dyaklamall

and football in the playgrounds set forth and that besides

other meetings which might be called or appointed from

time to time as occasion shall require there shall

be one popular and stated meeting at Madras in

every year for the purpose of Commemorating the foundation

of the Charities by such Cereemonies and solemnities as

may be deemed by the Committee Expedient and of

receiving petitions and reports of the several distributions of

the Charities and for auditing all accounts and for

visiting such Populations and giving such general directions as

1840

Augusta Mary Paterson an Infant." and that what the

Master shall find to remain due on account of

the said Legacy of Lucia Rufus Ten thousand /10000/

be paid by the Defendant into the said Treasury

with the like priority of the said accountants General

and there placed to the Credit of this Cause

to an account to be entitled "In trust for

John Carmichael Paterson an Infant." and further order that

the Sub-Treasurer with the like Priority of the

said accountants General do direct the sums to be so

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paid by the Defendant into the Treasury to the

respective accounts advanced in the purchase of Government Securities

or Promissory notes of the East India Company and

that he do carry the Government Securities or Promissory

~~notes~~ notes when so purchased to the respective accounts from

which the moneys wherewith they were purchased respectively stood.

And ordered that the interest to accrue due on

such Government Securities or Promissory notes when so purchased

and all accumulations thereof be by the Sub Treasurer

with the like privacy of the accountant General from

time to time laid out in the purchase of

the like Government Securities or Promissory notes and Carried

to the like accounts aforesaid subject to the further

order of this Court and ^{it is} further ordered that it

be referred to the said Masters to approve of

a proper person or persons to be guardian or

guardians of the persons and Estates of the Infant

Plaintiffs during their respective minorities and ^{it is} ordered that all

proper parties have notice to attend the said Masters

thereon and be at liberty to propose such Guardian

or Guardians and ^{Wm} Order that the Master do Enquire

Mr. Reid state the Difant. Plaintiffs ^{ages} ~~ages~~ and the nature.

and amount of their fortunes and on what Evidence

or grounds be approved of such person or persons.

so to be appointed Guardian or Guardians and order

that the said Master do Enquire and state what

will be proper to be allowed for the manuscript.

and Education of the Infant Plaintiffs during their minority

and from what period such allowances should commence.

out of what funds they should be taken and

the said Master is to be at liberty to

state any special Circumstances and to make a separate

Report as to any of the matters aforesaid and

this Court doth

reserve all further directions and the subsequent Costs of

this suit until after the Master shall have made

his Report and any of the parties or persons

interested are to be at liberty to apply to

the Court as occasion shall require.

Saturday the 4th day of April 1840.

Notice given to Joly
this 9 day of April 1840.

Perused by Mr. Wilkins
this 11 April 1840.

Perused by Mr. Rose
this 15 April 1840.

The Reverend William Longbottom and

Executors of Mr. Conscience Elizer Lamb

deceased.

Balthazar Mainook Satoor and others

This Court doth

Order that it be referred back to the Master
of this Court to enquire and Report whether or
not the University in the Ionian States in his
said Report of the Thirty first day of January
last mentioned is "the Greek College for the Education
of

of "Youths in Arts and Sciences" in the Second
 Codicil of the said Testatrix's Will mentioned And for
 that purpose the said Master is to require the
 said University to produce Evidence before him in support
 of its Claim Further Order that it be referred
 back to the said Master to Tax the Costs
 of the Defendants Belthazar Manook Satoor and Arathoon Jacob
 Johannes and the Advocate General of and relating to
 the enquiry what Collegiate body or other Society was
 meant by the said Testatrix in the Second Codicil
 to

to her said Will under the descriptions of the
 "Greek College for the education of Youths in Arts
 and Sciences" by the Decree of the Tenth day
 of April One thousand Eight hundred and Thirty four
 directed since the last taxation thereof as between Solicitor
 and Client and that the same were Taxed be
 Certified at the foot of this Decree under the
 Signature of One of the Judges of this Court.
 And Order that the Sub Treasurer of Fort Saint
 George with the privacy of the Accountant General of
 the

this Court from and out of the Funds standing

to the Credit of this Cause to the Account

"The Legacy for the Greek College for the Education

"of Youths in Arts and Sciences in the Second

"Codicil to the said Testatrix's Will in that behalf

"mentioned" ~~and~~ in the said Certificate of the said

Accountant General mentioned do raise and pay what shall

be so certified as the Costs of the Defendants

Balthazar Manook Saton and Arathoon Jacob Johannes to Mr

John Henry Wilkins their Solicitor ^{and} what shall be so

certified.

certified as the Costs of the Defendant the Advocate

General to Mr. William Henry Rose his Solicitor and

to enable him to make such payment the Sub

Treasurer is to be at liberty with the priority

of the Accountant General to sell or subdivide any

one or more of the Government Promissory Notes in

his Certificate mentioned as he may find occasion and

in the Court of the

Reserve the consideration of all further directions and the

subsequent Costs of the Defendants until after the Auditor

shall have made his Report and any of the

parties

parties to this suit are to be at liberty

to apply to this Court as there may be

occasion-

Ex. p. d.

Notice given to Sub^{rs}
this 2^d April 1840.

Copies furnished to
both the Attornies

Decree issued
12 May 1840.

Saturday the 18th day of April 1840.

Emily Moody and Others

N. B. Acworth Esquire Executor ^{of} John

Tatham deceased and Others

This Court doth.

Declare that the Will and Codicil of the ^{said} Testator

John Tatham

ought to be established and Order and Decree the

And this Court doth

same accordingly Declare that the Infant Plaintiffs are entitled

as joint Tenants to the Sum of Company's Rupres

Twenty thousand (20,000) and Company's Rupres Ten thousand (10,000)

bequeathed by the ^{said} Testator's Will and Codicil with Interest
thereon

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thereon at six per cent per annum from the

death of the Testator subject to the maintenance during

her life of the Plaintiff Emily Moody thereout not

this Court doth Order that it be
exceeding one fourth of the Interest and refer it

to the Master to ascertain what under the circumstances

will be a sufficient proportion of the Interest (such

proportion not to exceed one fourth) on the said

sums to be paid to the said Emily Moody

this Court doth Order that it be
during her life for her maintenance and refer it

2
to the Master to approve of a proper person

or persons to be appointed the Guardian or Guardians

of the persons and fortunes of the Infant Plaintiffs

during their Minorities And Order that all proper parties

have notice to attend the Master thereon and be

at liberty to propose such Guardian or Guardians And

Order that the Master do enquire and state the

Infants Ages and the nature and amount of their

fortunes and on what evidence or ground he approves

of such person or persons so to be appointed.

Guardian or Guardians And Order that the said Master

do. enquire and state what will be proper to
be allowed for the maintenance and education of the
Infants during their respective minorities, and from what period
such allowances should commence and out of what fund

they should be taken and Order that it be

referred to the Master to tax the Costs of

~~all~~ all parties ~~of~~ ^{to} this Suit as between Solicitor and

Client and Order that the Defendant Nathaniel Brindley do

do from and out of the said Sums of

4. Rupees Twenty thousand (20,000) and Rupees Ten thousand (10,000)

and

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and interest pay the amount which shall be so

taxed for the Plaintiffs Costs to Mr John Henry

Wilkins their Solicitor and the Amount which shall be

so taxed for the Defendants Costs to Mr William

Henry Rose their Solicitor And Order that it be

referred to the Master to take an account of

the Sums of Money paid by Peter Cator Esquire

and the Defendant Nathaniel Brindley Acworth to the Plaintiff

5 Emily Moody on account of Interest on the said

two Sums for the Support of herself and the

Infant

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Impact Plaintiffs and that such payments and the Costs

to be so paid as aforesaid be allowed to

the Defendant Nathaniel Brindley Acworth on taking an account

of what remains due for principal and interest on

the said sums and ^{that} Order that it be referred

to the Master to take an account of what

remains due on the said two sums of Company's

Recess Twenty thousand (20,000) and Company's Recept Ten thousand

(10,000) for principal and interest calculated at six per

Cent per annum from the death of the Testator after
giving

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giving Credit for the Sums ~~in~~ which he shall

find to have been so paid to the said

Emily Moody as aforesaid and the said Costs and

for the better taking of the said Account and

discovery of the Matters aforesaid the Parties are to

produce before the Master upon Oath all books papers

and Writings in their Custody or power relating thereto

7 and are to be examined upon Interrogatories as the

Master shall direct who in taking the said Account

is to make unto the Parties all just allowances

and

and Order that what shall remain due on the
taking of the said Account for principal and interest
on the said two Sums be by the said
Nathaniel Brindley Acworth paid into the Treasury with the
priority of the Accountant General and there placed to
the Credit of this Cause and Order that
the Sub Treasurer with the like priority of the
Accountant General do invest the Money which shall be
so paid in by the said Nathaniel Brindley Acworth
in one or more Government Promissory Notes or Securities
and

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and carry such Notes or Securities to the Credit
of this Cause subject to the further Order of
this Court and the Master is to be at
liberty to make a Separate Report as to any
of the Matters aforesaid and reserve the consideration of
all further directions and the subsequent Costs of this
Cause until after the Master shall have made his
Report and any of the Parties or persons interested
are to be at liberty to apply to the
Court as occasion shall require.

M. Ansell
J.

35
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and carry such Notes or Securities to the Credit
of this Cause subject to the further Order of

this Court. And the Master is to be at

liberty to make a Separate Report as to any

of the Matters aforesaid and Reserve the consideration of

all further directions and the subsequent Costs of this

7 Cause until after the Master shall have made his

88 Report and any of the Parties or persons interested

are to be at liberty to apply to the

Court as occasion shall require.

M. Ansell
Jy

