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Second Term Wednesday the 21st March 1804 -

Present

The Honble Sir Thomas Andrew Strange, Knights, Chief Justice

The Honble Sir Henry Gwillim Knight Puisse Justice -

Ramakrishna Ching

Ver

John Streeperasavarasamy

M^r. Anstruther Advocate for the Promovant upon the Certificate of the Register that Syaloo Soomayajoola Ramakrishna Praming the owner of the said Snow was on the 9th Instant proclaimed a 3rd time to appear on or before the 16th Instant and that he had not appeared moves that the Owner of the said Snow and all other persons interested therein may be proclaimed a 4th time to appear on or before Wednesday next the 28th Instant

Ordered and proclaimed accordingly -

Walters and Sutherland
Proctor

Adjourned till To morrow at 10 O'clock A. M.

Tuesday the 27th March 1804 -

Present

The Honble Sir Thomas Andrew Strange, Knights, Chief Justice -

The Honble Sir Henry Gwillim Knight Puisse Justice -

John Bannister Hudson

Edward Mason and John

Harvey vts

Grab Futtah Sultan

M^r. Anstruther Advocate for the Promovant upon the Certificate of the Register that John Leonard Gotting the owner of the said Grab and all other persons that might be interested therein were on the 9th Instant proclaimed a 4th time to appear on or before the 16th Instant and that no appearance had been entered to the Libel but that the said John Leonard Gotting continued Contumacious, and upon the affidavits of Abdullah and Thomas Blyth verifying that the said Grab is lying in the in Madras Roads at great risk and Expence Moves that a Commission of Appraisement and Sale in the Nature of a writ of Execution do issue against the said Grab and that the proceeds thereof be brought into Court for the benefit of those who may eventually be entitled thereto

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and that the promovant be at liberty on Saturday next to Exhibit attestations
in proof of his Libel -

Ordered

Walters and Sutherland
Proctors -

Adjourned till To Morrow at 10. A. M.

Saturday the 31st March 1804 -

Present

The Honble Sir Thomas Andrew Strange, Knight, Chief Justice -

The Honble Sir Henry Gwillim, Knight, Puisne Justice -

John Bannister Hudson,
Edward Bacon and John
Harvey ~~vs~~
Gräb Futtah Sultan -

Libel called on

M^r Austruther on the part of the Promovant delivers in, in proof of
his libel, the following Papers vizt.

The attestation of Charles Pereyra -

The Sumat attestation of John Binny and Robert Dinnison -

The attestation of Neal Mc Henry -

The attestation of George Mc Mahon -

An instrument of Hypothecation dated the 24th August 1803 given
by John Leonard Gotting as the Captain and Commander of the
said Gräb Futtah Sultan to the promovants on the said Gräb,
the Tackle and apparel of the same and also the freight of
the said Gräb which was or should become due for her

Returning Voyage from Calcutta to the port of Madras as a
Collateral Security for the repayment of a Set of bills for
the repairs of the said Gräb amounting to the sum of Seven
Rupees 5159. 13. 9 of equal date therewith and drawn
by the promovants on the said John Leonard Gotting
as such Captain and Commander aforesaid -

A Notarial Certificate dated 24th August 1803
Certifying the due Execution of the said instrument of
Hypothecation -

The whole of which papers being read together with the libel
Exhibited in this matter by the Promovants - The Court direct that

a Decree be given in favour of the Promovants and that the produce of the Sale of the said Grab Futtah Sultan directed to be made by the order of Court dated the 27th March Instant be paid into Court to be applied in discharge of the wages that may be due to the officers and Seamen employed on and belonging to the said Ship and in satisfaction of the claim of the Promovants in such manner and proportion as the Court may hereafter think proper to direct and order -

John Bannister, Hudson,
Edward Bacon and
John Harvey
vs
Grab Futtah Sultan
Walter and
Sutherland - Proctors

Mr. Anstruther moves for a further time of one month to return the Commission of Sale issued in this Cause -

Ordered

Adjourned till Monday at 10 A. M. -

In the Supreme Court of Judicature at Madras -

Admiralty side -

Saturday the 31st day of March 1804 and
in the 44th year of the Reign of His Majesty
King George the third Between John Bannister
Hudson, Edward Bacon and John Harvey -
Promovants - and Grab Futtah Sultan -

Forasmuch as upon Motion this day made by Mr. Anstruther Advocate for the Promovants, the Substance of the Libel Exhibited by them in this matter appeared to be that John Leonard Gotting being the Captain and Commander of the Grab Futtah Sultan in the Months of June and July in the year one thousand eight hundred and three employed and procured the said Promovants to make certain necessary repairs to furnish certain necessary articles for the said Grab then lying in the port of Calcutta to

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to enable her to proceed on her return Voyage thence to Madras which repairs
were completed and the said Necessary articles were furnished by them
the said Promovants for the price and Sum and being of the value of
Sicca Rupees five thousand one hundred and fifty nine, thirteen annas
and nine pice and thereupon for securing to the said Promovants payment
for the said repairs and Necessaries to that amount the said John Leonard
Gotting as such Captain and Commander of the said Grab by his Due
poll or instrument of Hypothecation sealed with his Seal bearing dated
the Twenty fourth day of August in the said Year one thousand eight
hundred and three reciting to the effect therein and herein above recited
did for and in Consideration of the said Sum of Sicca Rupees five
thousand one hundred and fifty nine, thirteen annas and nine pice
so due for the said Repairs and Necessaries hypothecate and charge
the said Grab Futta Sultan the Tackle and apparel of the same and
also the freight of the said Grab which was or might become due
for the returning Voyage from Calcutta to the Port of Madras for the
payments unto the said Promovants or some or one of them of the
said Sum of Sicca Rupees five thousand one hundred and fifty
nine, thirteen annas and nine pice of lawful Money of Bengal within
Six days after the safe arrival of the said Grab Futta Sultan
at the port of Madras from her said then intended returning Voyage
And also that at the time of making the said Agreement the
said John Leonard Gotting was Captain and Commander of the said
Grab Futta Sultan and as such had full power and authority
to hypothecate and charge the said Grab and her freight as aforesaid
for the purposes aforesaid - and also that the said Grab
Futta Sultan arrived in good safety in the Port of Madras within
the Jurisdiction of this Honble Court from the Voyage in the said
Agreement specified on the Twenty first day of September last
and

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and that at the time of Exhibiting the said Libel was and still is in the possession of the said John Leonard Gotting as such Captain and Commander of the same and that the said John Leonard Gotting had not at the time of Exhibiting the said Libel nor hath since paid to the said Promovants or any or either of them the said Sum of five thousand one hundred and fifty nine Sicca Rupees thirteen annas and nine pice or any part thereof and that there was at the time of Exhibiting the said Libel and still is due and owing to the said Promovants upon the said agreement the said Sum of Sicca Rupees five thousand one hundred and fifty nine, thirteen annas and nine pice being of the Value of one thousand five hundred and eighty three Raa Pagodas Eighteen Fanams and Seventy Six Cash of the Current Money of Madras - Therefore that right and Justice might be rightly administered to the said Promovants and their party in the premises and that it might be pronounced, declared and Decreed that the said Grab Futta Sultan might be Condemned for the payment of the said Sum of money therein and herein before articulately set forth and the Costs and Charges made and to be made in this Cause on the part and behalf of the said party and Compelled to the due payment thereof by this Honble Court and its final Sentence or definitive Decree given in this Cause and if necessary that the said Grab might be sold to answer the purposes aforesaid - and to be believed is the Scope of the Promovants Libel -

And Whereas the said John Leonard Gotting the Captain and Commander of the said Grab Futta Sultan and all other persons that might be interested therein had been in due form of Law publicly proclaimed to appear to the said Libel but are not

appeared

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appeared thereto but have continued Contumacious, and whereas upon reading the Affidavits of Abdullah and Thomas Blyth it appeared to the Satisfaction of this Court that the said Grab was lying in Madrag Roads at great Risk and Expence wherefore and upon the Motion of Mr. Anstruther Advocate for the Promovants this Court was on Tuesday the 27th March last pleased to order and direct that a Commission of appraisement and Sale in the Nature of a writ of Execution should be issued against the said Grab and that the proceeds thereof should be brought into this Court for the Benefit of those who should eventually be entitled thereto and that the said Promovants should be at liberty on this day to Exhibit attestations in proof of their Libel - and whereas in pursuance of the said Order last mentioned the said Promovants by their Counsel appeared on this day in Court to prove their said libel and for that purpose have delivered in the following papers in the attestation of Charles Perregré, the Funeral attestation of John Penny and Robert Dunnington - The attestation of Neal Mc Henry, the attestation of George Mc Mahon the Deed poll or instrument of Hypothecation. Dated the 24th August 1803 - and herein before and in the said Libel mentioned - and a Notarial Certificate dated the 24th August 1803. Certifying the due Execution of the said Deed poll or instrument of Hypothecation - and Whereas upon reading the Whole of such Papers with the Libel Exhibited in this matter by the Promovants - and Upon hearing what was alleged by the Promovants advocate and upon due Consideration had thereon, it appeared to this Court that the said Promovants were entitled to a decree in their favour - This Court doth therefore think fit to Order and Decree and it is accordingly ordered and Decreed that the Master of this Court do forthwith calculate and Certify the Sum of Principal and Interest monies which he shall find to be due to the Promovants upon the Deed poll or instrument of Hypothecation dated the 24th August 1803

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in the said Libel and hereinbefore mentioned to have been given by the said John Leonard Gotting as the Captain and Commander of the said Grab Futta Sultan to the Promovants and that he do tax the Promovants their Costs of this Suit - and that the aforesaid Order of Court dated the 27th March instant directing a Sale of the said Grab to take place be confirmed and ratified and be carried into immediate Execution and that the produce which may arise by the said Sale be paid into Court to be applied in discharge of the wages that may be due to the officers and Seamen Employed on and belonging to the said Ship and in Satisfaction of the Claim of the Promovants in such manner and proportion as the Court may hereafter think proper to direct and order and for that purpose that all proper parties be at liberty to apply to this Court for further directions as they may be advised or think proper -

Friday the 6th April 1804 -

Presents

The Honble Sir Thomas Andrew Strange Knight Chief Justice -
The Honble Sir Henry Gwillim Knight Justice -

Vencata Krishna Chetty - } Mr. Anstuther Advocate for the Promovants upon the Certificate of the
Shew Shree Verasavaraswamy } Register that Gyaloo Soomayajoola Ramakrishna Praming the owner
of the said Shew was on the 23^d of March last proclaimed the
4th time to appear on or before the 28th following but that he had
not appeared accordingly - moves that this Cause be set down for
hearing on Monday next the 9th Instant -
ordered

Walter & Sutherland
Proctors -

Adjourned till To Morrow at 10 a.m.

Second Term 1804 -

Monday the 9th April 1804 -

Present

The Honble Sir Thomas Andrew Knight Chief Justice -
The Honble Sir Henry Gwillim Knight Puisse Justice -

Vencata Krishna Chetty

^{very}
Snow Free Veerasavarasawmy

Libel called on.

W^m Anstruther on the part of the promouants moves that Iyaloo Soomayajoola Ramakrishna Braming the Owner of the said Snow and all other Persons who may be interested thereon may be proclaimed to appear, and thereupon proclamation being duly made in Court and no appearance made thereto the said Iyaloo Soomayajoola Ramakrishna Braming and all other persons interested in the said Snow are declared Contumacious - W^m Anstruther then delivers in, in proof of the libel in this matter the following papers vizt.

The attestation of the Promouant.

The attestation of Teadaby Maurecandoo Vellencaka Runga -

An Original Mortgage Bond on the Snow Free Veerasavarasawmy (with a translate annexed) dated the 4th November 1802 given by Iyaloo Soomayajoola Ramakrishna to the promouant for securing the payment of Rs. 8737 61/64. with interest at 12 1/2 Cent Gamman -

The whole of which paper being read together with the libel Exhibited in this matter by the promouant the Court orders and Directs that a Decree be given for the promouant in this matter and that a Commission of appraisement and Sale in the nature of a writ of Execution do issue against the said Snow Free Veerasavarasawmy and that the produce arising by the sale of such Snow be paid into the hands of the Register of this Court to be applied first in discharge of the Wages that may be due to the officers and Seamen employed on and belonging to the said Snow and then in satisfaction of the promouants claim / the usual Security having been previously

Second Term 1804

entered into by him and given to the Register aforesaid in such manner
and proportions as this Court may hereafter think proper to order and
direct -

Walter & Sutherland
Proctors

Adjourned till To Morrow at 10 A.M.

In the Supreme Court of Judicature at Madras -

Admiralty side

Monday the 9th day of April 1804 and
in the 44th Year of the Reign of His
Majesty King George the Third before
Venkata Krishna Chetty - . . . Promovant
and
The Shree Veevasawarasawmy -

Forasmuch as upon Motion this day made by Mr. Sutherland advocate
for the promovant the Substance of the Libel Exhibited by him in this
matter appeared to be that Syaloo Somayajisolee Ramakrishna Peramiy
did by the means of his agent and Gomastah Chetrapoo Gungarayoo
an Inhabitant of Madras in the Month of November in the Year one
thousand eight hundred and two borrow from the said promovant
Venkata Krishna Chetty the Sum of eight thousand seven hundred and
thirty seven Pagodas and forty three Fanams and for the securing
the Repayment thereof did by his Deed bearing date the fourth day of
November one thousand eight hundred and two Sealed with his
Seal and Executed by him through the means and agency of his
said Gomastah Chetrapoo Gungarayoo acknowledge to have
mortgaged to the said promovant Venkata Krishna Chetty the said
now called the Shree Veevasawarasawmy and also a certain
other Vessel called the Shree Krishna sawmy and certain other
to have borrowed and received of the said

Second Term 1804

Promovant Vencata Krishna Chetty and he thereby engage to repay the said sum of Eight thousand Seven hundred and thirty seven Pagodas and forty three fanams to the said promovant Vencata Krishna Chetty in the space of one year with Interest thereon at the rate of Twelve per Cent per Annum the Year commencing from the Tenth day of January one thousand eight hundred and Two in default of which the said Iyaloo Somayajuslu Rama Krishna Braming did thereby authorize the said promovant Vencata Krishna Chetty to prosecute for the same in this Honble Court and to recover it with the Courts charges by selling by public outcry the said vessel and other property thereby mortgaged And also that the said Iyaloo Somayajuslu Rama Krishna Braming at the time of making the said Deed was owner of the said Snow Three Uerasavarasawmy and was lawfully entitled to mortgage the said Snow to the said promovant Vencata Krishna Chetty for the debt aforesaid and that the aforesaid debt of eight thousand Seven hundred and thirty seven Pagodas and forty three fanams was at the time of Exhibiting the said Deed and is still wholly due and unpaid to the said promovant Vencata Krishna Chetty with all Interest thereon amounting to the sum of Eleven thousand four hundred and seventy nine Pagodas eighteen fanams and Twenty Cash -

Therefore that right and justice might be rightfully administered in the premises and that it might be pronounced declared and Decreed that the said Snow Three Uerasavarasawmy might be continued for the payment of the said sum of money therein and hereinafore advertised set forth and the Costs and Charges made and to be made in this cause on the part and behalf of the said party proponents and to be compelled to the due payment thereof by this Honble Court and its final sentence or definitive Decree be given in this cause and if necessary that the said Snow Three Uerasavarasawmy might be sold to answer the purpose aforesaid - and to be relieved is the Scope of the Promovants

And Whereas the said Syaloo Somayajigoola Ramakishna
 Braminy the Owner of the said Snow Tree Veeravarasawmy and all
 Other Persons that might be interested therein have been in due form
 of Law publickly proclaimed to appear to the said Libel but have
 not appeared thereto, but have continued Contumacious - and whereas
 the said Promovant by his Counsel appeared on this day in Court to
 prove his said Libel and for that purpose delivered in the
 following papers Vizt - The attestation of the Promovant - The
 attestation of Feadaty Maurcondoo and Vincata Runga - The
 Original Mortgage bond on the Snow Tree Veeravarasawmy (with a
 translate annexed) dated the 4th November 1802 - given by
 Syaloo Somayajigoola Ramakishna to the Promovant for securing
 the payment of Rs. 8737 ⁶¹/₆₄ with interest at 12% per
 annum and in the said Libel and herein before mentioned - And
 Whereas upon reading the whole of such Papers with the Libel
 Exhibited in this matter by the Promovant and upon hearing
 what was alledged by the Promovants advocate - and upon due
 Consideration had thereon it appeared to this Court that the said
 Promovants were entitled to a Decree in their favour - This
 Court doth therefore think fit to Order and Decree and it
 is accordingly Ordered and Decreed that the Master of this
 Court do forthwith Calculate and Certify the Sum of Principal
 and Interest Monies which he shall find to be due to the
 Promovant upon the Mortgage Deed Executed by the said Syaloo
 Somayajigoola Ramakishna Braminy and in the said Libel
 and herein before mentioned to bear date the 4th day of November
 1802 and that he do tax the Promovant his Costs of this Suit -
 And this Court doth further Adjudge and Decree that a
 Commission of appraisement and Sale in the Nature of a writ of

Vacation after Second Term 1804 -

Execution do issue against the said Snow Free Veerasawmy and that the produce arising by the Sale of such Snow be paid into the hands of the Register of this Court to be applied first in discharge of the wages that may be due to the officers and Seamen Employed on and belonging to the said Snow and then in Satisfaction of the Promovant's claim (the usual Security having been previously entered into by him and given to the Register aforesaid) in such manner and proportions as this Court may hereafter think proper to order and direct - and for that purpose that all proper parties be at liberty to apply to this Court for further directions as they may be advised or think proper - and in case after discharging the wages of the officers and Seamen before mentioned and after satisfying the Promovant's claim any Surplus shall remain that the same be paid over to the said Syaloor Soomayya Ramakrishna Braimny or his lawful attorney -

Friday the 27th April 1804 -

Presents

The Honble Sir Thomas Andrew Knight, Chief Justice

Paumarty Narayana Naick

The Sloop Free Vencata
sevarar

M^r. Anstruther Advocate for the Promovant upon the Certificate of the Register that an attachment or Warrant to seize the said Snow issued on the 11th Instant and was returned on the 14th Instant endorsed served and that no appearance has been made on the part of the Owner of the said Sloop Free Vencata sevarar that Mandamus Paupoo Naick the Owner of the said Sloop and all other persons interested in her, may be proclaimed the first time to appear on or before Friday the 4th day of May next

Walter Sutherland -

Seigneur

Vacation after Second Term 1804 -

Before the Honble Sir Thomas Andrew Strange Kt. Chief Justice
at his Chambers -

Pacumarty Narsimma Naick

The Shop^{agst} Tree Vencataswami

Upon the Motion of Mr. Anstruther I do order that Mootoo Kyalan Pillay claiming to be owner of the said Shop Tree Vencataswami be at liberty to bail the said Shop now in the Custody of the Sheriff by virtue of writs of attachment issued in this Cause unless and sufficient Cause be shown to the contrary on Wednesday next the 27th day of June 1804 - Dated this 25th day of June 1804 -

T. A. Strange

Before the Honble Sir Thomas Andrew Strange Knight
Chief Justice at his Chambers -

John Bannister Hudson
Edward Bacon & John
Harvey - Pl^t
Grab Futta Sultan

Upon the Motion of Mr. Anstruther on behalf of the Promovant and upon reading the Decree and Master's Report made in this Cause and the Register's Certificate I do order that the Sum of one thousand nine hundred and sixty nine Rupees twenty five Fanams and Seventy six Cash be paid over by the Register to the Promovant - upon his giving the usual Security to the Register Promovant to the Decree made in this Cause - Dated this 11th

July 1804 -

T. A. Strange

Before the Honble Sir Thomas Andrew Strange, Knight,
Chief Justice at his Chambers -

Vencata Kishnama Chetty -

The Shop^v Tree Vencataswami
rasawmy -

Upon the Motion of Mr. Anstruther on behalf of the Promovant and on reading the Decree and Master's Report made in this Cause and the Register's Certificate I do order that the Sum of one thousand and Ten Pagodas thirty four Fanams and forty five Cash be paid over by the Register to the Promovant upon his giving the usual Security to the Register pursuant to the Decree made in this Cause - Dated this 11th July 1804 -

Vacation after Second Term 1804 -

Before the Honble Sir Thomas Andrew Strange Kt Chief
Justice at his Chambers

Paumarty Narsimma Naicker

The Koop Tree Vencata
swarai

Upon the Motion of Mr. Andrew and on Reading a Rule made
in this Cause on the Twenty fifth day of June last - where by it
is Ordered that Mootoo Nylansa Pillay who claims to be owner
of the said Koop Tree Vencata swarai should be at liberty to bail
the said Koop therein the Custody of the Sheriff by virtue of a writ
of attachment issued in this Cause - unless good and sufficient Cause
was Shewn to the contrary on Wednesday the Twenty seventh
day of the said Month of June - and no sufficient Cause having
yet been Shewn to the contrary - I do Order that the said Rule
of the twenty fifth day of June last be made absolute -
Dated this 13th day of July 1804 -

T. A. Strange

Third Term Wednesday the 18th July 1804 -

Present.

The Honble Sir Thomas Andrew Strange, Knight, Chief Justice -

The Honble Sir Benjamin Sullivan Knight, Puisne Justice -

The Register delivers in his Report of all the Decrees had since the Commencement of the Supreme Court -

Paumarty Narsimma -

Naick ~~etc~~

The Sloop Shree

Vencataswarar

M^r Compton Counsel for the Promovants upon the Certificate of the Register that Paupoo Naick the owner of the said Sloop was on the 27th April last proclaimed a 1st time to appear on or before the 4th of May following and that he had not yet appeared Moves that he may be proclaimed a 2^d time to appear on or before Wednesday next the 25th Instant -

Walters & Sutherland

Ordered and proclaimed accordingly.

Adjourned till To Morrow at 10 A M.

Friday the 27th July 1804 -

Present

The Honble Sir Thomas Andrew Strange, Knight, Chief Justice -

The Honble Sir Benjamin Sullivan Knight, Puisne Justice -

Paumarty Narsimma

Naick ~~etc~~

Shree Vencataswarar

M^r Compton Counsel for the Promovants. Moves that the Confession of Mandalum Paupoo Naick, the Mortgager and owner of the Vessel in question, and the Defendant in this Cause, may be received; and, delivers into Court, an Exhibit purporting to be an original Mortgage Bond in the

Malabar

Third Term 1804

Malabar Language, together with a Translate thereof,
under date 11th December 1803, for Six Hundred Six
Pagodas, payable on demand, bearing an interest of
12 $\frac{1}{2}$ Cent $\frac{1}{2}$ annum; the due Execution of which mortgage
Bond to the Promouant, the said Mandahim Paipoo.
Naick now acknowledges in Court -

Adjourned till to morrow at 11 o'clock

Thursday the 2^d August 1804 -

Presents

The Honble Sir Thomas Andrew Strange, Knight, Chief Justice,
The Honble Sir Henry Gwillim Knight.
The Honble Sir Benjⁿ Sullivan Knight. } Puisne Justice -

Paumarty Narsimah Naick M^r Anstruther Counsel for the Interveners upon three
Koop Tree Vencataswarar }
on the intervention of Nagapatam }
Mootoo Kylausa Pillay }
Averal Certificate of the Register stating that a bail
piece was on the 20th July last filed on the behalf
of the said Nagapatam Mootoo Kylausa Pillay as the owner of
the said Koop and that the said Koop and her tackle,
Apparel and furniture were thereby delivered to bail to
Simeos Ramah and Paupataloo Vencataramah Chetty
and that no Counter Warrant had yet been issued for
the liberation of the said Koop and that a libel
was on the 18th of July last filed by one Mandahim
Paipoo Naick against the said Koop which had
been

Vacation after Third Term 1804

been arrested under a warrant of attachment which issued
for that purpose. Moves that the said Simcoo. Ramah
Chetty and Paupataloo Vencataramah the bail for the said
Roope at the instance of the said Mootoo Hylausa Pillay
be discharged from their Recognizance -
Ordered

Samuel V Neale
Proctors

Before the Honble Sir Benjamin Sullivan, Knight,
Prime Justice at his Chamber -

Negapatam Mootoo
Hylausa Pillah
Intervener for the Roope
Sree Vencataswarar &
her Tackle, apparel
&c against
Paumary Narasimma
Naick Promovant
and
Mandalum Paupoo
Naick are Impugnant

Upon the Motion of Mr. Anstuther of Council for
Negapatam Mootoo Hylausa Pillah - I do order
that a Term Probatory be assigned to the said
Negapatam Mootoo Hylausa Pillah the Intervener
until the Tenth day of September Next ensuing - Dated
this 31st day of August 1804 -

Benjⁿ Sullivan

Vacation after Hilary Term 1804 -

Before the Honble Sir Thomas Andrew Strange
Knight, Chief Justice, at His Chamber -

John Bannister Hudson
Edward Bacon and
John Harvey -

~~WILLIAM~~
Gopal Futtah Sultan

Upon the motion of Mr. Anstruther Counsel for Neal
Mc Henry formerly Chief officer and thereafter the officer
in charge of the said Ship - and on reading the Affidavit
of Kelly Dalrymple and Thomas Blythe with an account
thereunto annexed, the said Affidavit being in verification
of the service of the said Neal Mc Henry on board the said
Ship and in verification of the said account - and on
reading a Certificate of the Register whereby it appears
that the sum of (Page 488. 9.17.) Four hundred and
eighty eight Star Pagodas nine Fanams and Seven pice
Cash of the Monies deposited in Court in the said
Cause does still remain in Court after deduction
of the Usual Commission - I do order that from
and out of the said remaining sum there be paid
to the said Neal Mc Henry the Balance of one
thousand five hundred and twenty two Madras
Rupees and three Fanams appearing to be due
to him upon the said account - Dated 10th
September 1804 -

T A Strange

Vacation after Third Term 1804 -

Before the Honble Sir Thomas Andrew Strange, Knight,
Chief Justice at his Chamber -

In the Matter of the Sloop -

Arce Venkataswarar -

Paumarky Parvamma Naick

Proponent -

Nagapatam Mootoo

Kylausa Pillay -

and

Nandalum Paupoo Naick

Intervenients -

On the Motion of Mr Compton Counsel for the said
Proponent - and on reading the Copy of an Order in
the said Cause bearing date the 31st day of August
1804 - for assigning a Term probatory to the said
Mootoo Kylausa Pillay until this present day -

and it appearing by the said Order that upon the Motion
for the same no Certificate was produced of issue having
been joined in the said Cause between the respective parties
thereto or any of them - Do Order that the said Order of
the said 31st day of August be set aside unless cause
be shown to the contrary within four days after service
of this Rule - Dated 10th day of September 1804 -

T. A. Strange

Fourth Term 1804 -

Monday the 17th September 1804 -

Presents

The Honble Sir Thomas Andrew Strange, Knight, Chief Justice

The Honble Sir Henry Gwillim Knight

The Honble Sir Benjamin Sullivan Knight } Puisse Justices -

In the Matter of the
Sloop Struvencata-
swara Paumary
Narsimah Naick

Proponents

Nagapatam Mootoo
Kylansa Pillay &
Mundalum Paupoo
Naick

Intervenients -

Samuel & Neale
Proctors

Upon hearing Cause shown by Mr. Anstruther on behalf
of the Interveniens against the Order nisi of the 10th
September Instant. Made in this matter by the Chief
Justice, and on hearing Mr. Compton, on behalf of
the Proponents, in support thereof - It is ordered that
the said Order of the 10th Instant be discharged,
without Costs -

Adjourned till Tomorrow at 11. A. M.

Saturday the 29th day of September 1804 -

Presents

The Honble Sir Thomas Andrew Strange, Knight, Chief Justice

The Honble Sir Henry Gwillim Knight

The Honble Sir Benjamin Sullivan Knight } Puisse Justices -

Paumary Narsimma Naick

The Sloop Struvencata

Mr. Compton on behalf of the Proponents - upon the Affidavits

Fourth Term 1804

of Khan Mahomed Moves that the said Sloop Tree Vincata-
sewarar may be sold and the proceeds of such sale be deposited
with the Register of this Court.

Ordered that it be referred to the
Register to make the necessary
enquiries into the actual state
and condition of the said Vessel, and
to report to the Court thereon.

Walters & Sutherland
Proctors for Propos.

Adjourned till Monday the 1st of October next at
10 a.m.

Monday the 1st day of October 1804.

Presents

The Honble Sir Thomas Andrew Strange, Knight, Chief Justice -
The Honble Sir Henry Gwillim, Knight, }
The Honble Sir Benjamin Sullivan, Knight } Puisne Justices -

Paumarky Narsimma

Naick attt

The Sloop Tree Vincata
sewarar

M^r. Compton on behalf of the Promovant - upon the
Report of the Register as to the state and condition of
the Sloop Tree Vincata sewarar, made in pursuance of an
Order of the 29th day of September last, and upon the Report
also of M^r. Thomas Blyth, the undersheriff and of M^r. John
Walkinshaw Inspector of Shipping employed in the Master
attendants office) of a Survey held on the said Sloop
on the 31st day of September - Moves that the said
Sloop be forthwith sold and the proceeds paid into the
hands of the Register Subject to the further order of
this Court -

Ordered -

Walters & Sutherland

Second Term 1805 -

Friday 5th April 1805 -

Presents

The Honble Sir Henry Gavillim Knight -

The Honble Sir Benjamin Sullivan Knight } Prisons
Justice

Vembaukum Tautiah

~~ut~~
The Brig Tree Veera
-rangavoo Sawmy -

Mr. Marsh, on behalf of Shoopendie Ammanah and Rothrayan
upon the Registrar's Certificate of the Sheriff's return of the
Process in the nature of an attachment which issued in this
Cause, and on reading the Affidavit made by the
Promovant in verification of his Claim and filed on the 1st
Instant - Moves for a Rule to shew Cause why the Seals
of the Sheriff should not be taken off the Cargo of the said
Brig Tree Veerarangavoo sawmy seized by him under and
by Virtue of the said writ for irregularity in the said
Affidavit -

Rule to shew Cause granted

Lutherland
Proctor

Adjourned till Tomorrow at 11. a.m.

Second Term 1805

Wednesday 10th April 1805.

Presents

The Honble Sir Henry Gwillim Knight

The Honble Sir Benjamin Sullivan Knight } *Principals*
Justices

Vembakkom Fautiah

Atty
The Brig Tree Veerau
- gava sawmy -

M^r. Marsh, on behalf of ahoopundie Ammeenah and
Rothrayah, upon reading the Rule obtained by them on the
5th Instant why the Seals of the Sheriff should not be
taken off the Cargo of the Brig Tree Veeraugavasaawmy seized
by him under and by virtue of a Procc^{ess} in the nature of
an attachment which issued in this matter, and upon the
Affidavit of Rich^d Donovan of service of the said Rule
on the Proctor for the Promovant on the 6th Instant moved
to make the Rule absolute -

Sutherland
Proctor -

M^r. Anstruther shews Cause against the Rule

Rule Made absolute with Costs -

Third Term Saturday 20th July 1805.

Presents

The Honble Sir Henry Gwillim Knight

First *Principals* Justice -

Amenchela Rama sawmy
Braminy *Atty*

The Vessel Tree Vencata-
- swarloo - the Hoop

M^r. Marsh Counsel for the Promovant - and upon the
Certificate of the Register that an attachment or warrant
to arrest and seize the said Vessel and Hoop which
issued on the 10th day of May last was returned

Third Term 1805

on the 13th day of the same Month endorsed "served on the
Roop Tree Sectarama Sawmy and that the Vessel Tree Vencat-
savaraloo was not then in Madras Roads"; that no
appearance had been entered on the part of the Owner of the
said Roop, or of any other person. Moves that the said Owner
and other persons interested in the said Roop be proclaimed
for the first time to appear on or before Saturday next the
27th Instant -

Ordered and proclaimed accordingly

Lights
Proctor

Adjourned till Monday the 22^d Instant
at 11. a.m.

Monday 29th July 1805-

Presents

The Honble Sir Henry Guillim Knight

First Puisne Justice -

Ammenchela Ramasawmy

Praniny ~~sett~~

The Vessel Tree Vencat-
savaraloo and the Roop
Tree Sectaramasawmy

M^r Marsh Counsel for the Promovee upon the Certificate
of the Register that the Owner of the Roop Tree Vencat-
savaraloo was on the 20th Instant proclaimed a first time
to appear on or before the 27th Instant but that he
had not yet appeared Moves that the said Owner be
proclaimed a 2^d time to appear on or before Monday the
5th day of August: Next -

Ordered and proclaimed accordingly -

Lights
Proctor

Adjourned till Tomorrow at 11. a.m.

Third Term 1805

Tuesday 6th August 1805.

Presents

The Honble Sir Henry Gwillim Knight.

First Prime Justice.

Ammenchala Ramasawmy
Primingy -

The Vessel Tree Vincata
Savaraloo and the Loop
Tree Seetaramasawmy -

M^r Marsh Counsel for the Promovant upon the Certificate of the Register that the Owner of the Loop Tree Seetaramasawmy was on the 29th day of July last proclaimed a second time to appear on or before the 5th Instant but that he had not yet appeared Moves that the said Owner and all others Concerned be proclaimed a third time to appear on or before Tuesday Next the 13th Instant.

Ordered and proclaimed accordingly -

Light -
Proctor

Adjourned till Tomorrow at 10 a.m.

Sittings after Third Term Wednesday 21st August 1805.

Presents

The Honble Sir Henry Gwillim Knight

First Prime Justice.

Ammenchala Rama-
sawmy Primingy

The Vessel Tree
Vincataswaraloo and
the Loop Tree Seeta-
ramasawmy -

M^r Marsh Counsel for the Promovant - upon the Certificate of the Register that the Owner of the Loop Tree Seetaramasawmy was on the 6th Instant proclaimed a third time to appear on or before the 13th Instant but that he had not yet appeared Moves that the said Owner and all others Concerned be proclaimed a fourth time to appear on or before Wednesday

Sittings after Third Term 1805

Aumenchela Ramasawmy
Braminy vety

The Vessel Tree
Venkataswaraloo and
the Koop Tree Seetara-
masawmy

M^r Marsh Counsel for the Promovant - upon
the Affidavit of Cadupoo Venkatesu Syrang
and of Rawoory Thestiah Braminy verifying a
Report made by John Walkinshaw as to the
State of the Koop Tree Seetaramasawmy Moves
that it be referred to the Register to report upon
the State and Condition of the said Koop -

Ordered

Adjourned till Thursday the 29th
Instant at 11. a.m.

Sittings after 3rd Term 1805.
Thursday 29th August.

Present

The Hon^{ble} Sir Henry Gwillim Knights, First Puisne Justice -

Aumenchela Ramasawmy
Braminy vety

The Vessel Tree Venka-
taswaraloo and the Koop
Tree Seetaramasawmy.

M^r Marsh Counsel for the Promovant upon the Certificate
of the Register, that the owner of the Koop Tree
Seetaramasawmy, was on the 21st Instant, proclaimed
a 4th time to appear on or before the 28th instant,
but, that he had not yet appeared, and, upon the
Report of the Register, made in pursuance of an order
of the 25th instant, and upon the Report of M^r John
Walkinshaw, inspection of Shipping, as to the state and Condition
of the said Koop - Moves that the said Koop be forthwith
sold, and the proceeds paid into the hands of the Register
Subject to the further order of this Court -

Ordered

M^r Light

Proctor for the Promovant

Court adjourned -

First Term 1806

43

Thursday 20th February

Presents

The Honble Sir Henry Gwillim Knights

First Puisse Justice

Mahomed Azam

~~att~~
The Ship Moideen
Buss

M^r. amstruther Counsel for Mahomed Azam
the Promouant upon the Affidavit of the
said Promouant, moves that he may be at
liberty to Examine Nizam Saib Shakh Saib
and Shakh Dawood, witnesses on the part
of the Promouant on Interrogatories de bene
ipse to be filed in this matter,

Disney

Proctor for Promouant

Ordered the Counsel for the
Impugnant consenting thereto

Adjourned till Tomorrow at 11. a. m.

Friday 21st February 1806.

Presents

The Honble Sir Henry Gwillim Knights

First Puisse Justice

Mahomed Azam agent
to His Highness the King
of Pegue ~~att~~

The Ship Moideen

M^r. Marsh Counsel for the Impugnant, upon
the Certificate of the Register that a Libel
was filed in this Matter on the 31st day of
January last, that on the 1st Instant an
attach ~~att~~ warrants to arrest the said

Sittings after Third Term 1805

Aumenchela Ramasaamy
Braminy vety
The Vessel Tree
Venkataswaraloo and
the Loop Tree Sektara-
masaamy

M^r Marsh Counsel for the Promovant - upon
the Affidavit of Cadupoo Venkatesu Syrang
and of Rawoory Chistiah Braminy verifying a
Report made by John Walkinshaw as to the
State of the Loop Tree Sektaramasaamy Moves
that it be referred to the Register to report upon
the State and Condition of the said Loop -

Ordered

Adjourned till Thursday the 29th
Instant at 11. a.m.

Sittings after 3rd Term 1805.
Thursday 29th August.

Present

The Honble Sir Henry Gwillim, Knight, First Justice -

Aumenchela Ramasaamy
Braminy vety
The Vessel Tree Venka-
taswaraloo and the Loop
Tree Sektaramasaamy

M^r Marsh Counsel for the Promovant upon the Certificate
of the Register, that the owner of the Loop Tree
Sektaramasaamy, was on the 21st Instant, proclaimed
a 4th time to appear on or before the 28th instant,
but, that he had not yet appeared, and, upon the
Report of the Register, made in pursuance of an order
of the 21st instant, and upon the Report of M^r John
Walkinshaw, Inspector of Shipping, as to the state and condition
of the said Loop - Moves that the said Loop be forthwith
Sold, and the proceeds paid into the hands of the Register
Subject to the further order of this Court -

Ordered

M^r Light
Proctor for the Promovant

Court adjourned -

Second Term Thursday 3^d April 1806.

Presents

The Honorable Sir Henry Gwillim Knights

In the Matter of the Sloop
Sreenuncatawarar

Between

Paumarty Narsimma

Naick - Promouant

and

Nagapatnam Mootoo

Kylausa Pillay and

Mandalum Paupoo

Naick - Interveniens

Sutherland

Proctor for Promouant

M^r March Counsel for the Interveniens
Mandalum Paupoo Naick moves that
his Case and that of the Promouant
claiming under him be consolidated -

Ordered the Counsel for the
Interveniens N. Mootoo Kylausa
Pillay consenting thereto -

In the Matter of the Sloop
Sreenuncatasewarar

Between

Paumarty Narsimma

Naick - Promouant

and

N. Mootoo Kylausa

Pillay and Mandalum

Paupoo Naick

Interveniens

M^r Anstruther Counsel for Nagapatnam Mootoo
Kylausa Pillay one of the Interveniens
moves that the Order of the 31st day of August
1804 assigning a Term Probatory to the said
N. Mootoo Kylausa Pillay in this Cause be
discharged -

Ordered the Counsel for the Promouant
and of the Interveniens Mandalum
Paupoo Naick Consenting thereto

Nale

Proctor for N. Mootoo Kylausa

Pillay -

First Term 1806-

Ship issued returnable on the 28th Instant which had not yet been returned that the said Ship had since been hailed by the Impugnans Movers for an Order to show Cause why the proceedings in this Suit should not be stayed, until Security be given by the Promouans for the payment of such Costs as shall be incurred by the Impugnans in and about their defence therein -

Ricketts
Proctor for the Impugnans

Order nisi granted

Adjourned till Tomorrow at 11. a. m.

Sitting after the -
1st Term 1806 -

} Thursday 27th February 1806.

Presents
The Honble Sir Henry Gwillim, Knight
First Puisse Justice

Mahomed Azam - -

~~Movers~~
The Ship Moideen
Bus - - - - -

Mr. Marsh Counsel for the Impugnans
Movers for leave to Examine Tammadare
Detchalicoo and Vapoo witnesses on the part
of the Impugnans, on Interrogatories de
venue esse to be filed in this Cause -

Ordered, the Counsel for the Promouans
consenting thereto -

Ricketts
Proctor for Impugnans

Adjourned till Monday the 3rd March
at 11. a. m.

Sittings after the Second Term 1807

65

Chase, John Chinnery, John Mc Douall, Edward
Matts and Gillies Richetts -

C

Bill of Sale of the said Ship dated 22nd September
1803 from Thomas Chase, John Chinnery and John
Mc Douall to Henry Hall In Trust for
Messrs Chase, Chinnery, Mc Douall, Matts and
Richetts -

D¹

a Certificate dated Fort William the 30th
September 1802 of the Register of the Ship
Matilda -

D²

Pass of the Ship Matilda dated 30th September
1802 - from the Government of Calcutta -

E

Copy of an Entry respecting the Ship Matilda
from the Books of the Collector of the East
India Company's Customs -

F

Letter dated Madras 10th October 1803 from
Chase, Chinnery, Mc Douall and Company to Messrs
Porcher, Redhead & Co. Devonshire, Square,
London -

G

Letter dated 17th October 1803 from the same
to the same -

H

Letter dated London 21st September 1804 from
Messrs Porcher, Redhead and Co. to Messrs Chase
Chinnery, Mc Douall & Co.

I

Letter dated London 19th October 1804 from the
same to the same -

K

Letter dated 9th November 1804 from the same to
the same -

L

Letter dated London 15th November 1804 from the
same to the same -

Sittings after the Second Term 1807

M.

Letter dated London 14th December 1804 from the same to the same -

N.

Letter dated London 1st January 1805 from the same to the same -

O.

Letter dated London 21st December 1804 from Messrs Bruce De Ponthieu Bage & Company the Impugnants to Messrs Chase Chinnery McDonald & Co.

P.

Letter dated London 28th December 1804 from the same to the same -

Q¹.

Letter dated London 11th January 1805 from the same to the same -

Q².

Statement of Disbursements on the Ship Matilda on account of Messrs Chase, Chinnery McDonald & Co made by the Impugnants dated London 31st July 1805 -

R.

a Certificate dated 25th August 1806 signed "John St Barber Sworn Broker" that the Ship Matilda was by Order of the Impugnants advertised and put up to sale by him on the 18th April 1805 at Lloyd's Coffee House for 9000 Guineas, at which Sum there was no Bidder -

S.

Letter dated 19th April 1805 from the Impugnants to Messrs Chase Chinnery McDonald & Co.

T.

Letter dated London 10th July 1805 from the Impugnants to Messrs Chase, Chinnery, McDonald & Co.

U.

Blank assignments of the Ship Matilda from Messrs Chase Chinnery and Others to the Impugnants -

V.

Bill of Sale dated 19th April 1805 of the

Second Term Thursday 3^d April 1806.

Presents

The Honorable Sir Henry Gwillim Hughes

In the Matter of the Sloop
Sreenuncata swarar
Between
Paumarty Narsimma
Naick - Promouant
and
Nagapatnam Mootoo
Kylausa Pillay and
Maudalum Paupoo
Naick - Interveniens

M^r March Counsel for the Interveniens
Maudalum Paupoo Naick moves that
his Case and that of the Promouant
claiming under him be consolidated -
Ordered the Counsel for the
Interveniens N. Mootoo Kylausa
Pillay consenting thereto -

Sutherland
Proctor for Promouant

In the Matter of the Sloop
Sreenuncata swarar
Between
Paumarty Narsimma
Naick - Promouant
and
N. Mootoo Kylausa
Pillay and Maudalum
Paupoo Naick
Interveniens

M^r Anstruther Counsel for Nagapatnam Mootoo
Kylausa Pillay one of the Interveniens
moves that the Order of the 31st day of August
1804 assigning a Term Probatory to the said
N. Mootoo Kylausa Pillay in this Cause be
discharged -

Ordered the Counsel for the Promouant
and of the Interveniens Maudalum
Paupoo Naick Consenting thereto

Neale
Proctor for N. Mootoo Kylausa
Pillay -

Second Term 1806.

In the Matter of the Sloop
Free Vencataswarar
Between
Paumartty & Vardimmar
Naick Promovees
and
Mandalum Paupoo
Naick Interveniens
against
Nagapatnam Mootoo
Kylausa Pillay
Interveniens.

Sutherland
Proctor for Promov.

M^r Marsh. Counsel for the Promovees and
Mandalum Paupoo Naick, one of the Interveni-
ents - Moves that this Cause as consolidated
by an Order of Court made therein this
day be entered with the Register for hearing
on Tuesday next the 8th Instant and
that the Witnesses for the Parties respec-
tively be Examined at such hearing.
Viva Voce -

Ordered - the Counsel for the
Interveniens Nagapatnam Mootoo
Kylausa Pillay Consenting thereto -

Adjourned till Saturday next
the 5th Instant at 11. a. m.

Thursday 10th April 1806.

Presents

Sir Henry Gwillim Knight
First Puisne Justice.

The Honble
In the Matter of the
Ship Moideen Buss
Between
Mahomed Azam.
and
Analaaway Tomby
Marecar, a Keem Saib
and a paumak Maulem

M^r Marsh Counsel for the Impugnans.
Moves that the answer of the Impugnans
to the Libel in this Cause be received
without Oath as to the Impugnans
Analaaway Tomby Marecar.

Ordered the Counsel for the

Second Term 1806

In the Matter of the Ship
Moideen Buss
Between
Mahomed Agam
Promoveant
and
Amalaway Tomby
Maricar Akem Saib
and Aspaunak Maulem
Impugnants -

M^r. Austruther Counsel for the Promoveant
moves that this Cause be entered with the
Register for hearing on Monday the 21st
day of April Instant, and that the
Witnesses for the Parties respectively -
be Examined at such hearing Viva Voce.
Ordered, the Counsel for the Impug-
nants consenting there to -

Disney
Proctor for Promoveant -

Court adjourned

Sittings after the
Second Term 1806

Thursday 24th April 1806

Presents

The Honble

Sir Henry Guillemain Smith
one of His Majesty's Justices

Cause called on

In the Matter of the
Ship Moideen Buss
Between
Mahomed Agam
Promoveant
and
Amalaway Tomby
Maricar Akem Saib
and Aspaunak Maulem
Impugnants -

Libel - - - - - Read

Answer of the Impugnants - - - - - Read

M^r. Austruther is heard on the part of
the Promoveant -

M^r. Marsh is heard on the part of the
Impugnants -

Libel dismissed

Ricketts

Proctor for the Impugnants

Do: D. Hill Esq. Attorney at Law

Sittings after the Second Term 1806.

In the Supreme Court of Judicature at Madras

Admiralty side

Thursday the Twenty fourth
day of April one thousand eight
hundred and six and in the 46th
year of the Reign of His Majesty
King George the Third In the
Matter of the Ship Maideen Buiss
Between Mahomed Azam
and Promovant
Amalaway Lomby Marecar
Akrem Saib and Ufaunaci
Maulim - - - Impugnants

This Matter coming on this day to be heard
and debated in the presence of the Advocates
learned on both sides - on reading the Libel
Exhibited by the Promovant Mahomed Azam and
the answer of the Impugnants Amalaway Lomby
Marecar Akrem Saib and Ufaunaci Maulim thereto
and upon debate of the Matter and hearing what
was alledged by the Advocate on both sides,
and upon due consideration had thereon -
This Court doth think fit to order
and Decree and it is accordingly ordered
and Decreed that the Libel in this
Matter be dismissed

By the Court
John Shaw
Jy Reg^r

Sittings after the Second Term 1806.

Friday 25th April 1806

Presents

The Honble Sir Henry Guillim Knigh
one of His Majesty's Justices

In the Matter of the
Ship Maideen Buss
Between

Mahomed Azam
and Promovant
Amalaway Tomby
Marecar Akeem
Saib and Ushanah
Maulim - Impugnant

Mr. Marsh Counsel for the Impugnant upon the
certificate of the Deputy Register that the
Libel in this Matter was Dismissed by
an Order of Court made at the hearing thereof
on the 24th day of the present month of April,
moves that the Bail for the said Ship
Maideen Buss, be discharged from their
Recognizance -

Ordered

Ricketts
Proctor for Impugnant

In the Matter of the Saap
Streenacaswarar
Between
Paumary Narsimma
Naick Promovant
and
Mandalum Paupoo
Naick Interveniens
against
Nagapatnam Mootoo
Kylausa Pillay
Interveniens -

Cause called on -

Libel and Affidavit on behalf of Paumary
Narsimma Naicker Read
Libel of Nagapatnam Mootoo Kylausa
Pillay by way of intervention Read
Libel and Affidavit of Mandalum
Paupoo Naig Read
Replication of N. Mootoo Kylausa
Pillay Read

a Mortgage Bond with a translate annexed dated
11th December 1803 from Mandalum Paupoo
Naick

Sittings after the Second Term 1806

Naick to Paumarhy Narasimma Naick for 600
Star Pagodas payable on demand with Interest
at 12% per Annum - - - - - Read

M^r Marsh opens the Pleadings -

Witness on the part of the Intervener
-nient Mootoo Kylaissa Pillay -

Seenevasah - - - - - Sworn

Exhibit A

a Letter in the Malabar Language (with a Translate
annexed) dated 3^d March 1804 from Lyanan to
Mandalam Paupoo Naick delivered in on the
part of the Promovant and Interveners M.
Paupoo Naick and proved by the witness to be
in the hand writing of Lyanan -

B

a Letter in the Guntoo Language from the same
to the same delivered in on the part of the
Promovant and admitted by the Counsel for
Mootoo Kylaissa Pillay -

C

an account in the Malabar Language of the
disbursements for building the Robb Venkata
-swara stated therein to belong to Mundalun
Paupoo Naick delivered in on the part of the
Promovant and admitted by the Counsel for
Mootoo Kylaissa Pillay -

D

A Letter in the Malabar Language (with a
Translate annexed) dated 8th February 1804
from Lyanan to Mandalam Paupoo Naick
also delivered in and admitted -

Singara Charian - - - - - Sworn
M^r Austruther is heard on the part of
the Intervener Mootoo Kylaissa -

Sittings after the Second Term 1806

The Court decrees that it be referred to the Master to calculate and Certify the Principal and Interest Monies due to the Promover upon the Mortgage Bond Executed by the Intervener Mundalam Paupoo Naig for 600 Pagodas and to tax the Promover his Costs of this Suit - that the sum of 417 Star Pagodas paid into the Registry of this Court as the net proceeds of sale of the Koop Tree Venkatasewarar pursuant to an Order of Court made in this Suit on the 1st day of October 1804 be paid over to the Promover in Satisfaction as far as the same shall extend of the Monies due to him by virtue of the said Mortgage Bond, - That the Costs incurred by the Promover by reason of the Libel by way of intervention filed by the Intervener Mootoo Mylansa Pillay to be taxed as aforesaid be paid by the said Mootoo Mylansa Pillay -

Adjourned till Tomorrow at 10. a.m.

Sittings after the Second Term 1806

In the Supreme Court of Judicature at Madras -

Admiralty side

Friday the Twenty fifth
day of April one thousand
eight hundred and six and
in the 46th year of the Reign
of His Majesty King George
the Third Between Paumarly
Narainmah Naick -

^{and Promovant}
The sloop ^{and} Aravenkatawarar
Mandalum ^{and} Paupoo Naick
and Nagapatnam Mootos
Hylauza Pillay Interveni-
-nts -

This Cause Coming on this day to
be heard and debated in the presence
of advocates learned on both sides -
On reading the Libel Exhibited by
the Promovant Paumarly Narainmah
Naick - The Libel by way of inter-
-vention on behalf of the said Sloop
Aravenkatawarar Exhibited by the
Interveniens Nagapatnam Mootos
Hylauza Pillay and the Libel
Exhibited by the Interveniens Mandalum
- Paupoo Naick, also the Repli-
-cation of the said Nagapatnam Mootos
Hylauza Pillay on the said Libel

Sittings after the Second Term 1806

Proofs adduced by the Parties respectively,
and upon due Consideration had thereon
This Court doth think fit to Order
and Decree and it is accordingly ordered
and Decreed that the Sum of Four hundred
and Seventy Star Pagodas remaining in the
Registry of this Court and being the
Nett proceeds of Sale of the said Raaf
Tree Vencatasevaran, Made Pursuant
to an Order of this Court bearing date
the first day of October one thousand
eight hundred and four be paid to the
said Paumarty Narainmah Naick as
Mortgagee of the said Vessel under the said
Mundalum Paupoo Naick the Brother and Next
of Kin and lawful personal Representative
of Vencatachella Naick deceased and this
Court rejects the Claim of the said Moottas
Kylansa Pillay under Mandalum Sauction
Ummah the Widow and Mundalum Rama-
sawmy Naick the alleged adopted Son of
the said Vencatachellum Naick and doth
therefore Order that the Libel by way of
intervention Exhibited by the said Moottas
Kylansa Pillay be dismissed and that
the Costs of this Suit be paid by the said

Second Term 1807.

Tuesday 7th April 1807-

Presents

The Honble Sir Thomas Andrew Strange Shighs

and Chief Justice
The Honble Sir Benjamin Sullivan Shighs
one of his Majesty's Justices

John Tulloh William

Douglas Bradie and

George Walyhurst

The Ship Matilda

Mr. another Counsel for the Promouants
upon the Certificate of the Register that
a Libel was filed in this matter on
the 26th day of March last that an
appearance was entered by Mr. Orme
on the part of Patrick Scott the Commander
on the 30th day of the same Month that
on the 4th Instant an appearance was
entered by Mr. Neale on the part of Thomas
Chase John Mc. Douall, Edward Watts and
Gilbert Ricketts - that a Libel by way
of intervention was filed this day by
Oliver Calh, Joseph Baker and William
Hart, and that no further proceedings have
been since had - moves for leave to
amend the Libel filed in this matter
without Costs, on amending the official
copies of the other parties -

Ordered

Sutherland

Proctor for Promouants

Vacation after the Second Term 1807

Before the Honble Sir Thomas Andrew
Strange Knight Chief Justice at his
Chambers

Oliver Colth, Joseph
Baker and William
Hars ~~vers~~
John Tulloch, William
Douglas Bradie
and George Halyburton
and the Ship Matilda

Upon the motion of Mr Greenway advocate
for the Interveners Oliver Colth, Joseph
Baker and William Hars - I do

Order that the Interveners be at
liberty to amend their libel filed in
this Cause and also to substitute the
Name of Thomas Greenway for that of
Alexander Anstruther on amending the office
Copies - Dated this 22^d day of April 1807

T A Strange
Filed 23^d April 1807
J.S.

Neale
Proctor for the
interveners Colth
&c.

Before the Honble Sir Thomas Andrew
Strange Knight Chief Justice at his
Chambers -

John Tulloch, William
Douglas Bradie
and George Halyburton
~~vers~~
Ship Matilda

Upon the motion of Mr Anstruther on behalf
of the Promovants - I Order that the said
Promovants be at liberty to amend their
Libel by praying that the possession of the
Ship Matilda may be delivered to them
without Costs on amending the office Copies
of the other parties - Dated 22^d April 1807

T A Strange
Filed 24th April 1807
J.S.

Sutherland
Proctor for Promovants

Sittings after the Second Term 1807

Wednesday 29th April 1807

Presents

The Honble Sir Thomas Andrew Strange Knight

The Honble Sir Henry Guillimin Knight ^{Chief Justice}

The Honble Sir ^{and} Benjamin Sullivan Knight
His Majesty's Justice

In the Matter of the Ship
Matilda -

Between
John Tulloh, William
Douglas Brodie and
George Haliburton
and Promouants

Oliver Colt, Joseph
Baker and William
Hart - Interveners
and

Patrick Crawford
Bruce, Henry Fawcette
George Simpson, John
De Ponthieu, Richard
Campbell Bayette and
John Crawford
Impugnants

Cause called on -

Libel of the Promouants and Affidavit
Read -

Libel by way of Intervention - Read

Answer of the Impugnants Read

The following Conditions agreed
upon by all Parties delivered in and
Read -

No 1. That the Ship Matilda was
built at Calcutta by Messrs Hudson
& Co Ship Builders and never
belonged to any other Port but
that and Madras previous to
her sailing for England on the
27th or 28 October 1803.

No 2. The Grand Bill of Sale and subsequent
Deeds (of which AB and C are Copies)
vesting the property of the Ship in Messrs
Chase

Sitting after the Second Term 1807

No 3

Chace Chimney, M^r. Doual, Watte and Rickett
That on or about the 30th September 1802
a Register (marked D. 1) was obtained for
the Ship at Calcutta and a Pass (marked
D. 2.) of same date.

No 4

That on the 24th September 1803 before the
Ship sailed for England a Register was
obtained for her at the Custom House of
Madras a Copy of which is set forth in the
Bills of Sale to the Impugnancy and that she
sailed with that Register.

No 5

That Walter Balfour in the last Register
mentioned is Collector of the East India Company's
Customs at the Port of Madras.

No 6

That the several Registers so granted were
in the usual forms established at Calcutta and
Madras at those dates under the Orders of the
Governments of Fort William and Fort St. George.

No 7

That there is not kept at the Custom House
or elsewhere at Madras any other Register or
Copy of Registration of the Ships registered by
the Collector of the Customs except an Entry
in a Book kept for that purpose of which
Entry as to this Ship the Exhibit Letter E. is a
Copy being in the usual form of all such
entries.

No 8

Sittings after the Second Term 1807

No 8

That the Ship was Consigned to Messrs Porcher Redhead & Co. as the agents of Messrs Chase and Company in London and the Letters of the 10.th and 17.th October 1803. (Exhibits F and G) were addressed and forwarded by Messrs Chase and Co. to Messrs Porcher, Redhead and Company at or about their respective dates and Copies of the same sent by the Matilda, -

No 9

That the Ship arrived in England and came into the Charge and possession of Messrs Porcher Redhead & Co. -

No 10

The Letters of Messrs Porcher Redhead & Company to Messrs Chase & Co. dated 21.st September 19.th October 9.th & 15.th November 14.th December 1804 and 1.st January 1805.

Marked H I K L M N are admitted and the several facts therein stated -

No 11

That at the date of the Letter of the 14.th December 1804 Messrs Porcher & Co. had paid or become accountable for the Sum of £7592. 12. 3. or thereabouts for Repair or Other disbursements to and about the Ship Matilda and that the above Sum was afterwards settled with them by Messrs Bruce and Co. but in what manner does not appear.

No 12

The Letters of the Impugnants to Chase and Co. dated the 21.st and 28.th December 1804 and

Sittings after the Second Term 1807 -

- the 11.th January 1805 (marked OP Q(1)) admitted, and the facts therein stated -
- No 13 - That the Ship Matilda was delivered over by Porcher & Co to Bruce & Co between the 28.th Dec^r 1804 and the 11.th January 1805 -
- No 14 - That besides the abovementioned sum of £7592 - 12 - 3 the Impugnants disbursed about the Ship the further sum of £2247 2. 5. after she came under their charge and management and before the sale to them - The particulars of the disbursements of which said two sums are set forth in the account marked Q(2) -
- No 15 - That the Repairs included in the above disbursements mentioned in the Admissions 11. and 14 were made for the purpose of sending the Ship out to India in consequence of the Circumstance mentioned in the Letters of 21.st September 19.th October and 9.th November 1804 from Mess^{rs} Porcher & Co to Mess^{rs} Chase & Co
- No 16 admit the Certificate of Mr. S. Barber dated the 25.th August 1806. (marked R) and the facts therein stated -
- 17 admit the Letter from the Impugnants to Chase and Co dated the 19.th April 1805 (marked S) and the facts stated in Paragraph No 2 -
- 18 admit the Letter of the 10.th July 1805 (marked T) and the blank Bill of Sale inclosed and referred

Sittings after the Second Term 1807

referred to thereby (marked U)

- 19 That Mr John Mc Donall Executed the Bill of Sale dated 19th April 1805 (marked V) and that C. Muce and Others Executed the Bill of Sale dated the 18th of September 1805 without notice of any other Conveyance of the Ship from Messrs Chase & Co.
- 20 That on or about the 2nd day of January 1806 a British Register was obtained for the Ship at the Custom House in London in the name of the Impugnants a Bond being given by Mr Mc Donall and Mr Crawford to produce a Bill of Sale Executed by the Partners in India in a reasonable time.
- 21 That in consequence of the refusal of the East India Company to permit the Matilda to proceed to India with Freight and also in consequence of the House of Muce & Co being largely in advance for Chase & Co and Bills of Exchange drawn by the latter and accepted by the former to a large amount beyond the Funds in their hands, Messrs Muce and Company frequently consulted with Mr Mc Donall the only Partner of the Firm of Chase & Co in England and that the result of those Conferences was that the immediate Sale

Sittings after the Second Term 1807

Sale of the Matilda was resolved upon -

22. Admit the Letter of the 26th March 1805 marked X from Mess^{rs} Bruce & Co to M^r McDonald and that M^r McDonald consented to the proposal contained in that Letter -

23. That M^r McDonald on proceeding to Europe in 1802 left a Power of attorney with Mess^{rs} Chase and Chinnery to act for him in India and on or about the 23rd day of June 1804 Executed the Special Power of that date in London (marked V) in favor of Mess^{rs} Chase Chinnery Watts and Pickers jointly and severally, and forwarded the same to India -

24. Admit the Bond dated 13th October 1804 (marked Z) and that the same is the Bond extended to be recited by the assignment or Mortgage Deed in the Libel of the Proponents mentioned and that at the time the Bond was granted a mortgage of even date was executed on the Ships Gillwell and Wellesley in lieu of which Ships the Matilda was substituted in the Mortgage. Next hereafter mentioned at the desire and for the accommodation of Mess^{rs} Chase and Company - the said Ships Gillwell and Wellesley being then considered good and available Securities for the amount -

25. Admit the Execution of the assignment or Mortgage

Sittings after the Second Term 1807

Mortgage Deed dated the 26.th of February 1805 a Copy of which (marked A.A.) is admitted - and that the Sum of Pagodas 27000 and upwards is now due on the said Bond and Mortgage Subject to an account if necessary - and that at the time of Executing the assignment on Mortgage Deed Messrs Chase and Co delivered to Messrs Tulloh and Co the Grand Bill of Sale and other Title Deeds of the Ship Matilda she being then absent from the Port of Madras having proceeded to Europe -

26.th That at the time of Executing the Mortgage the Ship was insured in London for her outward bound Voyage and that the Interest in that Insurance was agreed to be made over to Messrs Tulloh & Co and an Order granted to them to receive the Policy with an Undertaking that no other Orders should be given respecting the said Policy -

27.th That the Grand Bill of Sale and other Title Deeds of the Ship Matilda were on or about the 10.th day of April 1805 delivered by the proponents to the Interveners In Trust to be held as well for securing the Proponents in respect of their said Debt as for securing the Interveners in respect of a Sum of Pagodas 10,000 advanced or intended to be advanced

advanced by them to Messrs Chase & Co.

28

The Substance of Mr. Watt's Letter of the 23rd April 1807 (marked BB) is admitted and that Mr. Watt was at that time the Partner of the House who negotiated the Mortgage to the Proponents and Interveniency -

29

The Bond and Mortgage to the Interveniency dated 15th April 1805 marked CC and DD are admitted -

30

That as an inducement to Messrs Tulloh & Co. to give the priority to the Interveniency specified in the Libel of the latter Messrs Chase & Co. at the time of the Mortgage to the Interveniency agreed to make further Insurances at Madras to the amount of Pagodas 40,000 on the Matilda for the outward Voyage part of which to the amount of Pagodas 30,000 was to be lodged with the Proponents and the residue with the Interveniency -

31

The Printed Paper (marked E.E) is admitted to have been published -

The following Consent between the Promovants and John Tulloh William Douglas Brodie and George Halyburton and the Interveniency Oliver Colt Joseph Baker and William Hays, delivered in and read - It is agreed between the Promovants and

Sittings after the Second Term 1807

and Oliver Colt, Joseph Baker and William
Warrs Interveners in the Suits that the Proponents
and intervenients proceed jointly to obtain possession
for their joint account and on their joint Expence
and Risk without prejudice to any question
between them as to priority - and that in the event
of their obtaining possession the Vessel or the
proceeds (if sold) shall remain in the custody
of the Court to abide the event of any appeal
by the Impugnants and also to abide the
event of any Suits on any side of this Court
or elsewhere to be instituted by the Promo-
- vents for impeaching the Claim of the Intervie-
- nients Colt and to priority In the event
of no such Suits the priority of the Interveni-
- ents to stand allowed as stated in the title
of intervention -

The following Exhibits mentioned and
referred to in the foregoing admissions delivered in,
and read -

A - Grand Bill of Sale of the Ship Matilda, dated
at Calcutta the 8th October 1800 from John
Bannister Hudson, Edward Bacon John
Harvey and Henry Archer Ship Builders of
Calcutta to M^r. Arthur Hogue for and on account
of Mess^{rs} Chase, Swell and Chinnery merchants
of Madras, and M^r. Arthur Hogue for 100,000
Sicca Rupees -

B - Bill of Sale of the said Ship dated 23rd
September 1803 from Henry Hall to Thomas
Chase

Sittings after the Second Term 1807

himself and Partners Thos. Chase, John Chinnery
Gilbert Ricketts and Edward Watts to the
Impugnants -

W

Bill of Sale dated 18th September 1805 of the
same Ship from the Impugnants to Richard
Campbell Bayett and John Crawford -

X

Letter dated 20th March 1805 from the Impug-
nants to John M^c. Donall -

Y

Power of Attorney dated 23rd June 1804 from
John M^c. Donall to Thomas Chase, John
Chinnery Edward Watts and Gilbert Ricketts

Z

Bond dated 13th October 1804 from Thomas
Chase, John Chinnery, John M^c. Donall
Edward Watts and Gilbert Ricketts to the
Promovants for the Principal Sum of 30,000
Pagodas -

AA

Assignment and Mortgage dated 26th February
1805 of the Ship Matilda from Mess^{rs} Chase
Chinnery M^c. Donall & Co^o to the Promovants

BB

Letter dated 23rd April 1807 from Edward
Watts to Mess^{rs} James Sutherland, D. Neale
and Robert Erme -

CC

Bond dated 15th April 1805 from Mess^{rs}
Chase, Chinnery M^c. Donall & Co^o to Oliver
Colt, Joseph Baker, William Harts and
Gilbert Giddes Richardson for 10,000 Pagodas

DD

Assignment and Mortgage dated 15th April
1805 of the Ship Matilda from the same
the same -

Sittings after the Second Term 1807-

EE

Printed Copy of a Letter dated Madras
9. August 1805 from Chase, Chinnery
McDonall and Company to the Honorable
Basil Cochrane, William Douglas Brodie
and Thomas Parry Esquires.

M^r. Anstuther is heard on the part
of the Promoters -

M^r. Greenway is heard on the part
of the Intervinients -

M^r. Marsh is heard on the part of
the Impugnants -

Sutherland
Proctor for the Promoters

Consideration deferred -

Adjourned till Tomorrow at 11. a.m.

Friday 8. May 1807.

The Honble Sir Thomas Andrew Strangford
The Honble Sir Benjamin Sullivan Knight
Chief Justice
one of His Majesty's Justices
Presents

The Court proceed in the further hearing
of this Cause -

The following additional admissions
agreed upon by all Parties delivered in and
read -

No. 32. - The Extract of the Letter
from

In the Matter of the Ship
Matilda Between

John Tulloh, William Douglas
Brodie and George Maly
Lurton - Promoters

Olivier Colt, Joseph Baker
William Har - Intervinients

Patrick Crawford Bruce
Henry Sawcette & others -
Impugnants

from messrs Chase & Co. to the Impugnants dated the 8th March 1805 marked **FF**

No 33 -

The Letter from messrs Chase & Co. to the Impugnants of the 21st July 1805 of which the Copy is marked **H.H.** was forwarded by the Tigris and is the same referred to in the above Letter of the 8th March marked **FF** and that the Letter of the said 21st July 1805 from messrs Chase and Co. to messrs Porcher & Co. of which the Copy is marked **GG**, is the same mentioned and referred to in the said Exhibits **HH** and was inclosed therein -

34 -

The Series of accounts of the Impugnants with messrs Chase & Co. from March 1805 to October 1806 marked **H⁽¹⁾**, **H⁽²⁾** and **H⁽³⁾**

35 -

That there is reason to suppose that a part of the proceeds of the Harrington from Botany Bay has been received by the Impugnants to the amount of 3 or 4000 £

36 -

That in the above accounts from March 1805 to October 1806 there is an entry of a Credit of 3500 £ as received by the Impugnants from the New Madras Insurance Company, but it is admitted that that sum was credited by the Impugnants on the delivery of a Bill of Exchange drawn by messrs Porcher & Redhead & Co. as the agents in London for

Sittings after the Second Term 1807-

EE

Printed Copy of a Letter dated Madras
9. August 1805 from Chase Chinnery
McDonall and Company to the Honorable
Basil Cochrane, William Douglas Brodie
and Thomas Parry Esquires -

M^r. Anstuther is heard on the part
of the Promoters -

M^r. Greenway is heard on the part
of the Interveners -

M^r. March is heard on the part of
the Impugnants -

Sutherland
Proctor for the Promoters

Consideration deferred -

I journeied till Tomorrow at 11. a.m.

Friday 8. May 1807.

The Honble Sir Thomas Andrew Strange
The Honble Sir Benjamin Sullivan Knight
Chief Justice
one of His Majesty's Justices

The Court proceed in the further hearing
of this Cause -

The following additional admissions
agreed upon by all Parties delivered in and
read -

No 32. - The Extract of the Letter
from

In the Matter of the Ship
Matilda Between
John Tulloch, William Douglas
Brodie and George Maly
Lurton - Promoters
and Joseph Baker &
Oliver Colt - Interveners
William Har - Impugnants
Patrick Crawford Bruce
Henry Fawcette & others -
Impugnants

from Messrs Chase & Co to the Impugnants dated the 8th March 1805 marked **FF**

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The Letter from Messrs Chase & Co to the Impugnants of the 21st July 1805 of which the Copy is marked **H.H.** was forwarded by the Tigris and is the same referred to in the above Letter of the 8th March marked **FF** and has the Letter of the said 21st July 1805 from Messrs Chase and Co to Messrs Porcher & Co of which the Copy is marked **GG**, is the same mentioned and referred to in the said Exhibits **HH** and was inclosed therein -

34 -

The Series of accounts of the Impugnants with Messrs Chase & Co from March 1805 to October 1806 marked **H⁽¹⁾**, **H⁽²⁾** and **H⁽³⁾**

35 -

That there is reason to suppose that a part of the proceeds of the Harrington from Botany Bay has been received by the Impugnants to the amount of 3 or 4000 £

36 -

That in the above accounts from March 1805 to October 1806 there is an entry of a Credit of 3500 £ as received by the Impugnants from the New Madras Insurance Company, but it is admitted that that sum was Credited by the Impugnants on the delivery of a Bill of Exchange drawn by Messrs Porcher & Red head & Co as the agents in London for

for that Insurance Company; the payment of which Bill has been refused on the pretence that Messrs Porcher Redhead & Co. had no right to draw such Bill, and the same had been accordingly protested -

37

That there is reason to suppose that at this time there is a considerable balance due from Messrs Chase & Co. to the Impugnants.

The following Exhibits mentioned and referred to in the foregoing admissions delivered in and read -

FF

Extract of a Letter from Messrs Chase Chinnery, McDonald & Co. to Messrs Bruce de Ponthieu, Bayle & Co. dated Madras 8th March 1805 Certified by Wilson Foster Notary Public -

GG

Copy of a Letter from Messrs Chase & Co. to Messrs Porcher, Redhead & Co. dated 21st July 1805 -

HH

Copy of a Letter from Messrs Chase & Co. to Messrs Bruce de Ponthieu & Co. dated Madras 21st July 1805 -

H⁽¹⁾H⁽²⁾
H⁽³⁾

a Series of accounts of the Impugnants with Messrs Chase & Co. from March 1805 to October 1806 -

Mr. Anstruther is heard on the part of the Promovants -

Mr. Marsh is heard on the part of the Impugnants, and

Mr. Greenway is also heard on the part of the Promovants & Interveniants -

Consideration deferred.
Adjourned till Tuesday 19th N.

Sittings after the Second Term 1807

Friday 15th May 1807

Present
The Honble Sir Thomas Andrew Strange, Knight
Chief Justice
The Honble Sir Benjamin Sullivan, Knight
one of His Majesty's Justices.

In the Matter of the Ship

Matilda Between

John Tuccat, William

Douglas Brodie &

George Halyburton

Promouants

Oliver Colt, Joseph

Waker and William

Hart - Interveniens

and

Patrick Crawford

Bruce, Henry Fawcette,

George Simpson, John

de Ponthieu, Richard

Campbell Baggett &

John Crawford —

Impugnants

The Court delivers its decision in this
Cause & directs —

That the Suit be dismissed — and on
the Impugnants giving good and sufficient
Security, to abide the event of any appeal
by the Promouants — from the Decree of
this Court, that the Warrant of arrest
issued against the Ship, be superseded to

Court adjourned —

Orme

Proctor for the Impugnants

Sittings after the Second Term 1807

In the Supreme Court of Judicature at Madrid

Admiralty side.

Friday the fifteenth day of May one thousand eight hundred and seven and in the 47th year of the Reign of His Majesty King George the Third In the Matter of the Ship Matilda -

Between
John Tulloch, William Douglas
Brodie and George Malghurton
Promovants
Oliver Colt, Joseph Baker
and William Hart -

Interuenients
Patrick Crawford Bruce, Henry
Fawcette, George Simpson John
De Ponthieu, Richard Campbell
Bazette and John Crawford -
Impugnants

This Cause coming on to be heard and debated in the presence of Advocates learned on both sides, On Reading the Libel Exhibited by the Promovants; John Tulloch William Douglas Brodie and George Malghurton, The Libel by way of intervention against the said Ship Matilda Exhibited by the Interuenients Oliver Colt, Joseph Baker and William Hart - and the answer of the Impugnants - On

Sittings after the Second Term 1807.

Examining the Admission and Proofs adduced
by the parties respectively - and upon due
Consideration had thereon - This Court
doth think fit to Order and Decree and
it is accordingly Ordered and Decreed that
this Suit be dismissed, and upon the Impug-
nants giving good and sufficient Security
to abide the event of any Appeal to be
made by the Promouers from the Decree of
this Court, that the warrant of arrest
issued against the said Ship be suspended.

By the Court

John Shaw
Sesq. Reg.

Vacation after the Second Term 1807

Before the Honble Sir Henry Guillemard
one of His Majesty's Justices at his Chambers

John Tulloch and
others Promouers
and

P. C. Bruce Vthers
Impugnants

The Several Parties Promouers,
Intervenient and Impugnants in this Cause
appearing by their Respective Counsel and
Captain Patrick Scott appearing in person
and undertaking to proceed with the Ship Matilda
direct to Calcutta and the said Several parties
by their Counsel agreeing that she shall so
proceed for the purposes of the Commission,
hereinafter mentioned and on the risk of the
Insurances if any effected or to be effected in
England or in India by the Impugnants or
their agents upon the Block of the said Ship
for or including the Voyage from Madras to
Bengal and the Parties Represented as aforesaid
further agreeing that the Premium or proportion
of premium for the said Voyage at the rate of
three per Cent on the amount so insured or to be
insured on the Block shall be paid to the
Impugnants out of the proceeds of the said Ship
if sold or from the Monies recovered by insurance
in the event of Loss. and the Impugnants
Represented as aforesaid consenting that
the Policies of all such Insurances on
the Block of the said Ship Matilda for or
including the said Voyage from Madras to
Calcutta shall stand as a security to the
Claimants

Vacation after the Second Term 1804

Claimants for their eventual interest upon Appeal
to the King in Council and upon the Motion of Mr.
Marsh Counsel for the Impugnants and the Consent
of Mr. Anstruther Counsel for the Promouents and
of Mr. Greenway Counsel for the Interveners -
I ORDER that a Commission do issue to
Calcutta directed to William Fairlie Allan
Gilmores Alexander Colvin and James Colvin
all of Calcutta Merchants and the said Captain
Patrick Scott or any three or more of them
the said William Fairlie or Allan Gilmores
being one and the said Alexander Colvin or James
Colvin being also one of the acting Commissioners
for the following purposes Viz.

First - To sell the Ship at Calcutta and hold
the proceeds subject to the order of this Court
deducting the said premium and all Charges
occasioned by the Seizure including the Wages
of the Captain and Crew from the day of arrest
to the day of Sale -

Secondly - at the option of the Impugnants or
their agents to give good and sufficient Security
in Calcutta in pursuance of the Decree and to
the Satisfaction of the said William Fairlie
or Allan Gilmores -

And I further Order upon the like
Motion and Consent as aforesaid that any further
charges

Vacation after the Second Term 1807

Charges or deductions claimed by any of the said Parties or any other person or persons who may hereafter from the proceeds of the said Ship in case of the Sale thereof shall be subject to the further Order of this Court - And the Promouents accepting the said undertaking and other the Terms of this Rule as good and sufficient Security under the Condition of the said Decree - Further Order on the like Motion and Consent as aforesaid and for the purposes aforesaid that the Warrant of arrest be superseded - Dated this Twenty seventh day of May 1807.

Henry Guillim

A. Amstuter.

C. Marsh.

Filed 27th May 1807. Thos. Greenway
J.

Before the Honble Sir Henry Guillim Knight
one of His Majesty's Justices at his Chamber.

Amunuchalla Ramasawmy

Praminy

Attys

The Vessel Freevencia-
-Pasumaralas & others

upon the Motion of Mr. Marsh, and upon reading the Affidavits of Richd. Donovan of Service upon a Ramasawmy Praming the Promouents above named with a true Copy of the taxed bill of Costs in this Cause - I order that an Attachment issue against the said

Vacation after the second Term 1807

said A. Ramasawmy Braminy for non payment of
the said Costs unless Cause be Shewn to the
Contrary within four days from the service
of this Rule upon the said Promouant
Dated this 27th day of May 1807 -

Lights
Proctor

Filed 28th May 1807 Henry Guillime
H.

Before the Honble Sir Thomas Andrew Strange
Knight Chief Justice at his Chambers

Sumencharla Rama-
sawmy Braminy
Att^r
The Veper Street
Venkatasavaratoo
Others

Upon the Motion of Mr Marsh, on behalf of
William Lights - On reading the Order nisi
obtained on the 27th of May last, That an
Attachment do issue against the said
Sumencharla Ramasawmy Braminy for
non payment of the taxed Bill of Costs in
this Cause unless Cause be Shewn to the
Contrary within four days from the service
hereof on the said Sumencharla Rama-
sawmy Braminy, On reading the Affidavits
of Rich Donnan of Service of the said
Order nisi; and upon reading also
the Certificate of the Register That no
Cause hath been Shewn against the same
I Order That the said order nisi
of the 27th of May last aforesaid be
made absolute - Dated this 29th day of
June 1807 - T. A. Strange

Third Term Saturday 13th July 1807.

Presents

The Honble Sir Thomas Andrew Strange, Knight,
Chief Justice -

The Register delivers in his Report of a
Decree of the Preceding Term -

Adjourned till Monday next the
26th Instant - at 12 o'clock at noon.

Vacation after the
Third Term 1807 }

Before the Honble Sir Thomas Andrew
Strange, Knight, Chief Justice, at his
chambers -

In the Matter of the Ship
Matilda -
John Tulloh, and others
Promoters -

Patrick Crawford Bruce
& others - Impugnants
and
Oliver Colt, & others
Intervenients

Upon the Motion of Mr. Anstruther on behalf
of the Sheriff and on reading an Order of
Court of the 27th day of May last whereby it
is ordered amongst other things that all
charges occasioned by the seizure of the
said ship should be deducted by the
Commissioner from the Proceeds thereof
when sold, I order that the Sheriff's
Bill of Charges occasioned by the
seizure of the said ship amounting to
three Hundred and two Rupees Duets
the Costs of this Motion be paid from
the said Proceeds - Dated 7th September
1807 -
T. A. Strange

J. Sutherland

Fourth Term Saturday 12th September 1807-

Present

The Honble Sir Thomas Andrew Strange Thigh
Chief Justice

The Honble Sir Benjamin Sullivan Thigh
one of His Majesty's Justices,

Adjourned till Monday Next the 14th
Instant at 11. a. m. -

Tuesday 29th September 1807-

Present

The Honble Sir Thomas Andrew Strange Thigh
Chief Justice

The Honble Sir Henry Guillemin Thigh,

The Honble Sir Benjamin Sullivan Thigh,
His Majesty's Justices

In the Matter of the
Ship Matilda

John Tulloch, William

Douglas Brodie &

George Halyburton

Promouants

Oliuer Colt, Joseph

Baker & William

Karl - Interveniants

Patrick Crawford Bruce

Henry Lawcett George Simpson

Robert & Anthony - Interveniants

M^r. Anstruther advocate for the Promouants,
and M^r. Greenway advocate for the Inter-
veniants - Upon Reading the Petition
of the said Promouants and Interveniants,
moves that it be referred to the Master
to approve & take sufficient Security
on the part of the said Promouants and
Interveniants for the payment of all
such Costs as shall be likely to
be incurred by Reason of an
Appeal

Vacation after the Fourth Term 1807

Amended by order of the
chief Justice made the
19th Oct^r 1807 I Shaw
Jy. Reg^r

Appeal from the Decree pronounced in this
Cause on the ^{15th} 27th day of May last, to His
Most Excellent Majesty in Council and
that upon the Order made in this behalf
being satisfactorily performed the said
Promoters and Interveners be at
liberty to apply to the Court for leave
to appeal from the said Decree of the
said ^{15th} 27th day of May last to the King's
Most Excellent Majesty in Council -
Ordered

Lutherland
Proctor for Promoters
D. Neale Proctor for
Interveners -

Adjourned till Tomorrow at
11. A.M.

Before the Hon^{ble} Sir Thomas Andrew
Strange Thighs Chief Justice at his
Chambers

In the Matter of the
Ship Matilda -
John Tulloh, William
Douglas Probie and
George Halyburton
Promoters
Oliver Colt, Joseph Baker,
& William Harris - Interveners
and
Patrick Crawford Bruce
Henry Fawcett, George
Simpson & John de Pontreue
Impugnans -

Upon the Motion of Mess^{rs} Anshutler and
Greenway of Counsel for the Promoters
and Interveners in this Suit - I do
Order that the Order of Court dated
the Twenty Ninth day of September
last" whereby it is Ordered that
it be referred to the Master to appraise
and take sufficient security on the
part of the Promoters and Interveners
for the Payment of all such Costs as
shall be

Vacation after the Fourth Term 1807.

Should be likely to be incurred by reason of
an appeal from the Decree pronounced in this
Cause on the Twenty Seventh day of May last
to the King in Council - be rectified by
inserting the fifteenth day of May as the day
on which the said Decree was pronounced instead
of the Twenty Seventh day of May. Dated this
Nineteenth day of October one thousand eight
hundred and Seven J. A. Strange

Filed 19th Oct^r 1807.
J. A.

Before the Hon^{ble} Sir Thomas Andrewes
Knight Chief Justice at his Chambers.

In the Matter of the Ship
Matilda John Tulloch &
Others Promouers -
Oliver Colh Others
Intervenients
Patrick Crawford
Muce Others -
Impugnans

Upon the Motion of M^r another advocate for
the Intervenients, upon reading an Order of Court
of the 29th September last, whereby it was
ordered that it be referred to the Master to
approve and take sufficient Security on the
part of the said Promouers and Intervenients
for the payment of all such Costs as should
be likely to be incurred by reason of an appeal
from the Decree pronounced in this Cause on the
27th day of May last to His Most Excellent
Majesty in Council and that upon the order
made in this behalf being satisfactorily
performed the said Promouers and Interven-
ients should have liberty to apply to the
Court

Vacation after the Fourth Term 1807

Court for leave to appeal from the said Decree of the said 27th day of May last to the King's Most Excellent Majesty in Council; and upon reading also another order of this Court dated the 19th day of October last, whereby it was ordered that the said order of the 29th of September last should be rectified by inserting the 15th day of May as the day on which the said Decree was pronounced instead of the 27th day of May; and upon reading the Certificate of the Master in Equity of this Court dated the 14th day of January instant that the Interveners had given security before him to abide the event of the said Appeal - I Order that the Interveners have leave to appeal to His Majesty in Council from the Decree of this Court made in this matter on the said 15th day of May last - Dated this 15th day of January 1808

D. Neale
Proctor for Interveners

T. A. Strange

Filed 16th January 1808
J. J.

First Term Tuesday 2nd February 1808

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Presents

The Honble Sir Thomas Andrew Strange, Knight,
Chief Justice

The Honble Sir Benjamin Sullivan, Knight
one of His Majesty's Justices

Adjourned till Tomorrow at 11. a. m.

Wednesday 1st February 1808

Presents

The Honble Sir Thomas Andrew Strange, Knight
Chief Justice

The Honble Sir Benjamin Sullivan, Knight
one of His Majesty's Justices

In the Matter of the
Ship Matilda
John Tulloch, William
Douglas Brodie and
George Halyburton
Promovent
Oliver Colb, Joseph
Baker & William
Hart - Interveniants
Patrick Crawford Bruce,
Henry Fawcett, George
Simpson & John de
Ponthieu

M^r Amstutter advocate for the Promovent
upon reading the Certificate of the Master
in Equity of this Court dated the 15.th
day of February Instants that the
Interveniants had in pursuance of an order
of this Court dated the 29.th day of September
last given Security to abide the event
of any Appeal to His Majesty in
Council that might be lodged on the
part of the Promovent and Interveniants
in this Cause, as well as to pay or cause
to be paid all such Costs and Charges
as

First Term 1803-

as should be adjudged and awarded against
them either by His Majesty in Council his
heirs or Successors or by this Court in
Consequence of or Relating to such appeal-
Moves that the Promouers have leave to
appeal to His Majesty in Council from
the Decree pronounced in this Cause on the
15.th day of May last.

Mowne
Proctor for Promouers

Leave to appeal
granted

Adjourned till Tomorrow at 11
a. m.

First Term 1808-

Monday 21st March 1808

Presents

The Honble Sir Thomas Andrew Strange Knigh

Chief Justice -

The Honble Sir Benjamin Sullivan Knigh

Adjourned till Tomorrow at 11. a. m.

Vacation after the
second Term 1808

Thursday 21st April 1808

Presents

The Honble Sir Henry Guillim Knigh

one of His Majesty's Justices

Colanocoodroo Cothundara

= miak attt

The Vessel Tree

Vignasvarabo

M^r Henry Gahagan advocate for the
Promovens upon the Certificate of the Deputy
Register that an attachment to seize the
said Vessel Tree Vignasvarabo issued
on the 8th instant. Returnable on the 11th Instant
and was returned on the 14th Instant endorsed
served on the 9th Instant and that no appearance
had been entered on the part of the owner
of the said Vessel or for any other person
concerned therein Moves that M^r William
Licht be allowed to appear as Proctor for the
Promovens and make himself party for him

Vacation after the Second Term 1808

and that Venkatachella Naidoo and Coka Maskerloo
Naidoo the Owners of the said Vessel in Special
and all Persons in General having or pretending
to have any interest in the said Vessel be proclaimed
to appear on or before Thursday the 28th instant

Ordered and proclaimed accordingly
Adjourned

Lights
Proctor

Friday 29th April 1808

Present

The Honble Sir Benjamin Sullivan, Knight -
one of His Majesty's Justices -

Colanocoodroo Cothundaras
- miah attt

The Vessel Tree
Vignasvaraloo - - -

M^r Henry Cahagan advocate for the Promover
upon the Certificate of the Deputy Register
that the Owners of the said Vessel Tree
Vignasvaraloo were on the 21st instant
proclaimed a first time to appear on or
before the 28th instant and that they have
not yet appeared - moves that the owners
Coka Venkatachella, and Pattha Kistnama
Syang the Master, in Special, and all persons
in general having or pretending to have an
Interest in the said Ship be proclaimed
a second time to appear on or before
Friday the 6th day of May Next -

Lights
Proctor for Promover

Ordered and proclaimed accordingly
Adjourned

Vacation after the Second Term Monday 9th May 1808

Presents

The Honble Sir Thomas Andrew Strange, Knight,
Chief Justice

Colanocodroo Cothundaramiah

Attest
The Vessel Free Vignaswardos

M^r Henry Gahagan advocate for the Promount
upon the Certificate of the Deputy Register that
the Owner and Syrang of the said Vessel and all
other persons interested were on the 29th day of April last
proclaimed a second time to appear on or before the 6th
Instant and that they or any of them had not yet appeared
Moult that the Owner Ceca Venkatachellum and Pattha
Kistnama Syrang in Specials and all persons in General
having or pretending to have an Interest in the said Ship
be proclaimed a third time to appear on or before Monday
the 16th day of May instant -

Ordered and Proclaimed accordingly

Light
Proctor for Promount

Friday 20th May 1808

Presents

The Honble Sir Benjamin Sullivan Knight
one of His Majesty's Justices

Colanocodroo Cothundaramiah
Attest
The Vessel Free Vignas-
wardos

M^r Henry Gahagan advocate for the Promount
upon the Certificate of the Register that the Owner
and Syrang of the said Vessel and all other persons
interested were on the 9th Instant proclaimed a third
time to appear on or before the 16th Instant
and that they or any of them had not yet
appeared

Vacation after the Second Term Thursday 23^d June 1808

appeared - Moves that the Owner Coca Quica-
lachellum and Pattha Kishnama Syrang in special
and all persons in general having or pretending
to have an Interest in the said Ship be
proclaimed a further time to appear on or before
Friday next the 27th day of May instant -

Ordered and proclaimed accordingly

Light
Proctor for Promovent

Thursday 23^d June 1808

Presents

The Honble Sir Thomas Andrew Strange, Knight,
Chief Justice -

Colonos Goodroo
Cothundaramiah

Attest

The Vessel Tree
Vignasvaraloo

M^r Henry Gahagan advocate for the
Promovent - upon the Certificate of the
Deputy Register that the Owner
and Syrang of the said Vessel and
all other persons interested, were
on the 20th day of May last proclaimed
a fourth time to appear on or before the
27th day of the same Month, and that they
on any of them have not yet appeared.
Moves that this Cause be set down
for

for hearing on Monday Next the 27th Instant at
Twelve o'clock - Ordered

Light
Proctor

Adjourned till Monday Next the 27th
instant at 12 a.m.

Third Term 1808 -

Monday 18th July 1808 -

Presents

The Honble Sir Thomas Andrew Strange, Knight,
Chief Justice -

The Honble Sir Benjamin Sullivan Knight

Adjourned till tomorrow at 11 a.m.

Before the Honble Sir Thomas Andrew Strange Knight
Chief Justice at his Chambers -

In the Matter of the Grab Ship
Nancy -
at the instance of Raddamohum
Bonaparte and others -

Upon the Motion of Mr. Compton; and upon reading the
Registry's Certificate; and upon the Consent of the
Advocate for the Impugnants - I order that the
Examiner proceed forthwith to the Examination of William
Dawson, and Nathaniel Buchanan as Witnesses,
produced on the part of the Promouents - Dated this
2^d day of March 1810 -

D. Neale
Proctor for the Promouents

T. A. Strange

Second Term 1810

Thursday 5th April 1810 -

Presents

The Honble Sir

Thomas Andrew Strange Esq
Chief Justice -

Conjospareetoo Coonjoo
attty

The Ship Mangammadas
Caudry

Mr. Anstruther on behalf of Amjee Maran Pillay
Nocadar of the Ship Mangammadas Caudry and Cochee Mathum-
mud Pillay Gomastah for Hassan aly Pillay Mullie
Rauvootter of Malialum, Owner of the said Ship and also
on behalf of Saravudala Ramasawmy Chitty mortgagee
of the Cargo - upon the Certificate of the Deputy Register
that a Libel was filed in this matter on the 28th day of
March last - moves that the Vessel and Cargo be
liberated on Bail to be given by these Claimants, for
answering the sentence to be given on the promissory
Libel -

Ordered

Neale Proctor

Court adjourned till tomorrow at 11 a.m.

Before the Honble Sir Thomas Andrew Strange Esq
Chief Justice at his Chambers

Coonjoo Pareetoo Coonjoo
attty

The Ship Mangammadas
Caudry

Upon the Motion of Mr. Anstruther, and the Bail put
in for the Claimants in this Cause, having this day
justified themselves before me as good and sufficient
Bail for the above named Vessel and her Cargo
and having been allowed by me as such - I order
that the said Vessel and her Cargo be forthwith
liberated from the arrest thereof made by the
Sheriff by virtue of Process issued in this
matter - Dated this 16th day of April 1810.

D. Neale
Proctor for the Claimants

T. A. Strange

Vacation after Second Term 1810

Tuesday 22^d May 1810

Presents

The Honble Sir Thomas Andrew Strange Knight
Chief Justice

Latchmanah Chitty the
adopted son and personal
representative of Canettry
Varadappa Chitty decd

att^y
The Sloop Tree Raubah
Kishna Saumy

Mr. another advocate for the Promovan,
upon the certificate of the Deputy Register
that an attachment or warrant to seize
the said Sloop issued on the 3^d May^h
Instant and was returned on the 9th

Instant indorsed as follows "By

Virtue of this writ to me directed I have caused
the Sloop called the Tree Raubah Kishna Saumy
to be arrested together with her Tackle, apparel
and Furniture as appears by a certain Certificate
herunto annexed "Signed J. M. Greig Sheriff"

Noonnah Ranganaisooloo and Chaucheraijoo Poondaru
= cauchia "Not to be found" and that no appearance
had been entered in this matter - Moved that Noonnah
Ranganaisooloo the sole Proprietor of the said Sloop
and Chaucheraijoo Poondaru cauchia the lawful
agent or Gomastah of the said Noonnah Ranga-
naisooloo and all other persons interested in her,
may be proclaimed the first time to appear
on or before Tuesday the 29th instant -

Ordered and proclaimed accordingly

Disney Proctor

Court adjourned

Vacation after Second Term 1810

Before the Honble Sir Thomas Andrew Arne, Knight,
Chief Justice at his Chamber.

Coonjoo Pareetoo Coonjoo
Att'y
The Ship Moogammadoo
Caudry (second Suit)

Upon reading the libel filed by the Promouit in this
matter on the 24th day of April last - and the Affida-
-vit in support thereof - and the Register's Certificate
that an attachment on the same libel issued
against the Ship Moogammadoo Caudry on the 30th
day of the same month - and was returned Executed
on the 11th day of May last - and that on the 8th day
of May an appearance was entered on the part of
Coonjee Meeran Pillay Nacadah of the said Ship
(otherwise called Syed Mahomed Bahauy) and
Cocher Mahummed Pillay Ghomastah for Plea-
ally Pillay Rauvootur of Malakum on behalf
of the person last named - and also upon
reading the Register's Certificate that a former
attachment against the said Ship at the suit
of the Promouit aforesaid issued on the 28th
day of March last, which has been Executed
and to which an appearance has been in like
manner entered - and upon the motion of Mr
Anstruther advocate for the said Coonjee Meeran
Pillay Nacada and Cocher Mahummed Pillay
Ghomastah as aforesaid I Order that
the said Ship be liberated from the arrest
made by virtue of the libel aforesaid
filed on the 24th April last - Unless cause
to the contrary shall be shown by the Promouit
or his Proctor within four days after notice
to the said Proctor of this order - Dated
this fifth day of June 1810
T. A. R.

Third Term } Thursday 19th July 1810

Present

The Honble Sir Thomas Andrew Knight
Chief Justice

The Honble Sir Francis Macnaghten Knight
one of His Majesty's Justices

Satchmanah Chetty the
adopted son and personal
Representative of Canchy
Varadappah Chetty deceased
Promouant

Goondoo Sobandry - Intervenor
and

against
The Raoor Tree Rautah Kishna-
= sawmy

M^r Compton advocate for the Intervenor -
upon the Affidavit of Pummadao Rautah
Syang of the said Raoor Tree Rautah
Kishnasawmy - Moves that the said Raoor
or Vessel Tree Rautah Kishnasawmy be
allowed to proceed to the Port of Coringa and
under the charge of the said Pummadao Rautah
her present Syang, to be repaired -

Ordered - the advocate
for the Promouant consenting
thereto -

Ricketts
Proctor for Intervenor

Court adjourned till tomorrow at 11 a.m.