1063

within some of the Territories of the Batavian Republic, and had a Commission on board to act as such, and had a Crew and on board at the beginning of the engagement forty Eight men, and that the said Brig when Taken had Apparel and furniture and the Arms Stores and ammunition taken on board the same, be Adjudged and Condemned as good and lawful Prize to our Sovereign Lord the King taken and seized by His Majesty's Ship of War the Cutter Lybrecia Lieutenant Augustus Vere Drury Commander by this our definitive Sentence or final decree which We read and promulge by these Presents.

J. A. Strange

The Sentence was Read signed and promulged by the Judge aforesaid in the Court of Vice Admiralty for Island George Madras on Saturday the first day of September in the Year of our Lord one thousand eight hundred and Ten. —

Which I attest

Henry Gahagan
Registrar

1063

Certificate of Condemnation

Echo Continued

22

In Pursuance of an Act of Parliament passed in the Twenty
sixth Year of the Reign of His Majesty intituled "an
Act for the further increase and encouragement of Shipping
and Navigation" -

I Thomas Andrew Strange Knight Judge of
the Vice Admiralty Court of Madras and the Territories
thereunto belonging Do hereby Certify that it appears
by the Record of the said Court that on the first day of
September in the Year of our Lord 1810. the Brig Echo
was Condemned in the said Court of Vice Admiralty
as Good and lawful Prize taken by His Majesty's
Cutter Sylvia Lieutenant Augustus Vere Drury
Commander -

In Witness whereof I have
hereunto set my Hand and Seal
of Office this 4th day of September
in the Year of our Lord 1810.

T. A. Strange

L. S.

Which Patent

Geo. Gahagan

Registrar

Echo Continued

Certificate of Sailing under Enemy's Flag and Commission

Vice Admiralty Prize Court Madras

These are to Certify That the Brig Echo Condemned on the 15th day of September 1810 as good and lawful Prize taken by His Majesty's Cutter Sylvia Lieut. Augustus Vere Drury appears by the Proceedings before me had to have been Captured sailed under the Batavian Flag and with a Commission granted by the Batavian Government.

In Witness whereof I have unto put my hand and Seal of Office this 15th day of September in the Year of our Lord 1810.

J. A. Strange

(L.S.)

Robert Gatty

Registrar

Echo Continued

Authority to apply for an order to distribute

In the Vice Admiralty Court at Madras Prize Jurisdiction.

Our Sovereign Lord the King
against
The Dutch Brig Echo whereof
Christian Thraenp was Master -

Whereas the Dutch Brig Echo whereof Christian Thraenp was Master with her Tackle Apparel and furniture and the arms stores and ammunition which have lately been Condemned in the Vice Admiralty Court at Madras as Prize to the officers and crew of His Majesty's Cutter Sylvia Lieut. Augustus Vere Drury Commander Now I Richard Bromley Esquire of Madras and Secretary to His Excellency William O'Brien Drury Esquire Commander in Chief of His Majesty's Ships and Vessels in India and Prize Agent for the officers and Crew upon said to having authority from the said Lieut. Augustus Vere Drury for that purpose do hereby in the name of the said Lieut. Augustus Vere Drury Request that an Application be made to the said Vice Admiralty Court at Madras for an order that the Proceeds of the said Dutch Brig Echo her Tackle Apparel and furniture and the Arms Stores and Ammunition found thereunto Distributed pursuant to the authority Contained in the twenty second section of the Statute passed in the forty fifth Year of the Reign of His present Majesty Chapter 72 Dated this Fifteenth day of September in the Year one thousand eight hundred and Ten -

Richard Bromley

Signed in the presence of -

C. Gordon

Echo Continued

284 Order for Distribution of Proceeds-

Vice Admiralty Prize Court Madras

In the business of the Brig Echo - Taken by H.M. Cutter Sylvia Lieut. A.B. Drury

On motion of the King's advocate and on reading the Petition of the King's Proctor with the Certificate that the said Brig Echo sailed under the Enemy's Colours and with an Enemy's Commission - It is ordered that the Proceeds of sale of the said Brig now in the Registry of this Court be paid over to Messrs. Richard Bromley and Henry Hall Prize agents for the Captors and that the said Proceeds be distributed by the said agents upon the time of appeal lapsed, subject nevertheless to the liability of the Captors to answer any Appeal that may be instituted during the time limited by law for appeals -

Monday 17th September 1810.

J. A. Strange

Receipt to the Marshal for Sale Proceeds.

Vice Admiralty Prize Court Madras.

Monday 17th day of December 1810.

In the business of the Brig Echo.

Received from W.P. Macraggart Marshal the Sum of Arcot Rupees two thousand four hundred and three, and Cash Ten, the Balance of the amount Sales of the said Brig. -

Rupees	Fanm.	C
2,403 -	11 —	10
Paj.		
086 :	12 : -	10 -

Henry Gahagan
Registrar

The Dutch Brig Rambang

Affidavit of Lieut. Dabein of H. M. Sloop Samarang

In the Vice Admiralty Court at Madras

Prize Jurisdiction

Dutch Brig Rambang

Henrick Opperman Master

Appeared personally Thomas Dabein the first Lieut. of His Majesty's Sloop of War Samarang and being duly Sworn on the Holy Evangelists to depose the Truth, made oath, That he lately arrived in the Roads of Madras on board and in command of the Dutch Prize Brig the Rambang which was, as the Deponent has been informed and believes, Captured as Prize on the Six the day of February last by His Majesty's Ships Dover Edward Tucker Esquire Commander, And the Deponent did further depose That no Ships papers were delivered into the charge of the Deponent by the said Edward Tucker or by His orders And the Deponent was informed That no Ships papers belonging to the said Brig Rambang were found on board or delivered up, and the Deponent believes the same information to be true from having been afterwards told by the said Henrick Opperman the Master (who Came to Madras on board the said Brig Rambang) That the Ships papers were thrown over board just before she was Captured by the Dover And the Deponent did add That the said Dutch Prize the Rambang is now riding at Anchor in the Roads of Madras -

Thos. D. Dabein

Sworn at Fort St. George this 10th day of August in the Year 1810 -

Before me - -

D. A. Strange

Depositions of Witnesses on the Standing Interrogatories -

Vice Admiralty Prize Court Madras

Friday the 10th day of August 1810.

In the business of the Dutch Brig
The Rambang - of 80 Lasts De Weer
Captain . . . -
} Taken by His Majesty's Frigate
Dover. -

Depositions of Witnesses had and taken at the Office of Henry Lahagan Esquire Registrar in Fort Saint George Madras before Thomas Greenway Esquire one of the Commissioners named and Appointed in the Standing Commission issued out of and under the Seal of the said Court on the Standing Interrogatories annexed to the said Commission upon the oaths of the Witnesses hereinafter named by the Interpretation of J. L. Reefke who was first Sworn duly to interpret in that behalf in the presence of the Actuary. -

Hendrick Opperman

Hendrick Opperman about 39 Years of age Captain Lieutenant in the late Dutch

Brig Rambang Deposeth and saith as follows- That is to Say: -

1 To the first Interrogatory this Deponent answering saith that he is a

Native of German Holstein - for the last Seven Years has been at sea or

resided at Batavia - is subject to the King of Holland -

2 To the Second Interrogatory this Deponent answering saith he was present

at the Capture of the Rambang and her Lading she had a Commission on

board from the Dutch Government -

3 To the Third Interrogatory this Deponent answering saith - the Ship

was taken on the 6th of February this Year in sight of the Port of Amboyna

because she was a Dutch Ship and the Dutch and English were at War

the Rambang was Carried into Amboyna and sailed under Dutch Colours - the

Rambang made Resistance, but was taken by the Dover Frigate - the Samarang

was in sight

4 To the fourth Interrogatory this Deponent answering saith the Holst

De Wit is the name of the Captain of the Rambang - has known him about

12 Years the Captain is a Dutchman -

5 To the fifth Interrogatory this Deponent answering saith that there were

fifty nine Sailors on board - Javanese and Europeans - five officers Portug

officers - one Military officer - a Surgeon altogether ninety nine officers

Seamen and Soldiers on board -

6 To the Sixth Interrogatory this Deponent answering saith that

neither officers or Mariners had any interest in Ship or lading - Witness

was Captain Lieutenant of the Ship when she was taken has known

Rambang Continued

The Brig Jouw Ypes and first saw her at Rambang where she was built

7 To the Seventh Interrogatory this Deponent answering saith the Name of the Ship is Rambang - does not know if any Pass or Sea Brief was on board - She sailed on the fifth of February on a Cruize from Amboyna - She was Laly laden with Rice and Coffee and Sugar which were taken on board at Surat Bay and were intended for Ternate -

8 To the Eighth Interrogatory this Deponent answering saith - when she sailed from Amboyna She had the above Cargo destined as Provisions for Ternate -

9 To the Ninth Interrogatory this Deponent answering saith the Brig belonged to the King of Holland - She is a Brig of War -

10 To the tenth Interrogatory this Deponent not knowing answers Not -

11 To the Eleventh Interrogatory this Deponent answering saith the Lading was taken in at Surat Bay - some things were taken in also at Batavia -

12 To the twelfth Interrogatory this Deponent answering saith that the Dutch Government are the owners of the Cargo - it was consigned to the Governor of Ternate where it was to have been delivering -

13 To the thirteenth Interrogatory this Deponent answering saith

That he does not know of any bills of lading for this Cargo -

14 To the Fourteenth Interrogatory this Deponent answering saith that he does not know any thing about the purpose of the Vessel named in these Interrogatories -

15 To the Fifteenth Interrogatory this Deponent not knowing answereth not -

16 To the Sixteenth Interrogatory this Deponent answering saith there were papers on board the Vessel - but Deponent does not know what they were - they were in possession of the Captain -

17 To the Seventeenth Interrogatory this Deponent answering saith the Rambang was never before taken as Prize -

18 To the Eighteenth Interrogatory this Deponent answering saith that he was sufficiently no loss by the Capture of the Ship -

19 To the Nineteenth Interrogatory this Deponent answering saith that he does not know any thing about the Insurance of the Vessel or lading -

20 To the Twentieth Interrogatory this Deponent answering saith - If the Ship had arrived at Ternate the lading would there have been delivered to the Governor there -

21 To the Twenty first Interrogatory this Deponent answereth not

22 To the Twenty second Interrogatory this Deponent answereth not -

23 To the Twenty third Interrogatory this Deponent answereth not

24 To the Twenty forth Interrogatory this Deponent answering saith that all the papers which

Rambang. Continued

were on board the Ship were Thrown over board by
order of the Captain at the time of Capture - before
the Vessel Struck. -

25 To the Twenty fifth Interrogatory this Deponent answereth
not. -

26 To the Twenty Sixth Interrogatory this Deponent answering
Saith there were no Natives, and no British Subjects on
board the Brig. -

27 To the Twenty Seventh Interrogatory this Deponent not
Knowing Cannot Answer. -

28 To the Twenty Eighth Interrogatory this Deponent Cannot answer

29 To the Twenty Ninth Interrogatory this Deponent
Answering Saith at the time of the Ships was
taken She was as on Cruize among the
Malacca Islands -

30 To this, Deponent Answereth not

31 To the Thirty first Interrogatory this Deponent
answering Saith that the Brig had eighteen six
pounders She was a Brig of War and
as such Armed for fighting. -

32 To the Thirty Second Interrogatory this Deponent
answering Saith the whole of what he knows
is that the Brig was a Dutch Brig of War
and was taken on a Cruize. -

Rambaug Continued

Additional Interrogatories

1 T. This Deponent Answereth not

2 T. This Deponent Answereth not

H. B. Opperman

I. L. Steefke

Sworn before me
the 10th day of Augt. 1910.
Jno. Greenway
Com.o

Sworn Interpreter

In the presence of
Henry Gahagan
Returning

A true Copy
Henry Gahagan
Registrar

Dutch Brig Rambang continued

Allegations

In the Vice Admiralty Court at Madras

Prize Jurisdiction

Dutch Brig Rambang

Hendrick Opperman Master

August 1810.

Our Sovereign Lord The King against the Dutch Brig Rambang whereof the said Hendrick Opperman was Commander and his Apparel and furniture taken and seized by His Majesty's Ship Dover Edward Tucker Esquire Commander and now riding at Anchor in the Roads of Madras and within the Jurisdiction of this Honorable Court and against all Persons in General ..

On which day Robert Orme Procurator General for our Sovereign Lord the King by all Lawful ways and means and to all effects in Law whatsoever Alledged pleaded and articulately propounded as follows, to wit,

First That His Majesty by and with the advice and Consent of his Privy Council by an order in Council bearing date at the Court of Carlton House the Sixteenth day of June in the Year of our Lord one thousand eight hundred and three did order that General Reprisals be granted against the Ships Goods and subjects of the Batavian Republic so that as well his Majesty's Fleets and Ships and also all other Ships and Vessels that should be Commissioned by Letters of Marque or General Reprisals or otherwise by the Commissioners for executing the Office of Lord high Admiral of the United Kingdom of Great Britain and Ireland then and for the time being should and might Lawfully seize all Ships Vessels and Goods belonging to the Batavian Republic or to any

any Persons being Subjects of the Batavian Republic or inhabiting within any of the Territories of the Batavian Republic and bring the same to Judgment in any of the Courts of Admiralty within the Dominions of His Majesty which Should be duly Commissioned and this was and is true Public and notorious and the party proponent doth allege and propound every thing in this and the subsequent Articles — contained jointly and severally —

Second That the said Dutch Brig Rambang whereof the said Hendrik Appenman was Master and the Goods Wares and Merchandizes on board the same were on the sixth day of February in the Year of our Lord one thousand eight hundred and ten seized and taken as Prize by His Majesty's Ship Dover Edward Tucker Esquire Commander and were at the aforesaid Seizure thereof belonging to the Batavian Republic or to Persons being Subjects of the Batavian Republic or inhabiting within the Territories of the Batavian Republic and as such or otherwise liable to Confiscation and ought to be Confiscated and Condemned to our Sovereign Lord the King and that it ought to be further Adjudged and decreed that the said Edward Tucker the Commander of His Majesty's said Ship Dover and the Officers and Crew on board the said Ship under his Command were and are the Captors thereof and the party Proponent doth allege and propound as before —

Third That all and Singular the premises were and are true public and notorious and thereof there was and is public

Voice

Rambang. Continued

Your Name and Report of which legal proof being made the party
proponent Prays right and Justice to be effectually done &
Administered in the premises by You the Honorable Sir Thomas
Andrew Strange Knight Judge of His Majesty's Vice Court
of Admiralty at Madras or Your Lawful Surrogate and that
the said Dutch Brig Rambang & Tackle Apparel and Furniture
and the Goods Wares and Merchandizes laden thereon &c
Seized and taken as aforesaid be pronounced to belong at the
time of the aforesaid Seizure to the Batavian Republic or to
Persons being subjects of the Batavian Republic or inhabiting
within the Territories of the Batavian Republic and as
such or otherwise liable to Confiscation and Condemnation
and that it may be pronounced and decreed that the said
Brig her Tackle Apparel and Furniture and the Goods Wares
and Merchandizes laden thereon did belong to Enemies of
the Crown of the United Kingdom of Great Britain and
Ireland and that the said Brig her Tackle Apparel and
Furniture be adjudged and Condemned as Good and
lawful Prize Accordingly. -

P. H. Payne
King's Proctor

Herbert Compton

Order for Sentence of Condemnation

Vize Admiralty Prize Court Madras

Saturday the 1st day of September 1810

In the business of the Brig Rambang } taken by His Majesty's Ship Dover
of the Holst De Waer Commander - } Captain Tucker -

The Judge having heard the Kings advocate on behalf of the Captors praying Condemnation of the said Brig and having read the Depositions taken upon the standing Interrogatories whereby it appeared that the Papers belonging to the said Brig were all throwen overboard at the time of Capture by orders of the Commander of the Brig, and that His Majesty's Ship Samarang was in sight at the time Capture pronounced decreed and declared the said Brig her Tackle apparel Furniture and Stores to have been duly and lawfully seized and taken by His Majesty's Ship Dover Edward Tucker Esquire Commander, the Sloop Samarang Richard Spencer Esquire Commander being in sight as aforesaid at the time of such seizing and taking, and Condemned the same as good and lawful Prize so taken as aforesaid on the Reservation of all rights Claims and interests of Joint Capture that may be preferred or instituted by the said Sloop Samarang - And ordered Sentence of Condemnation to be issued unless parties appellant or Claimant intervene in due time - -

J. A. Strange

Sentence of Condemnation

In the Name of God Amen - We Sir Thomas Andrew Strange Knight Judge of the Vice admiralty Court of Madras and the Territories thereunto belonging and also to hear and determine all and all manner of Causes and Complaints as to Ships and Goods seized and taken as Prize specially Constituted and Appointed, having heard, seen, and understood fully and maturely discussed the merits and Circumstances of a certain Cause of Seizing and taking of a Certain Brig Called the Rambang relative of the Molestation of War as Commander & her Arms Stores and Ammunition taken by His Majesty's Ships of War the Clover Edward Tucker Esquire Commander and brought to the Port of Madras which was duly & fully depending before us on the part and behalf of our Sovereign Lord the King against the said Brig her Tackle Apparel and Furniture and the arms Stores and Ammunition taken therein and thereout & against all Persons in General, who have or pretend to have any right title or interest in the said Brig her Tackle Apparel and Furniture and the arms Stores and Ammunition taken and seized on board the same, having duly & legally cited and intimated, Called and not appearing but Contumaciously absenting themselves, and pronounced Contumacious in pain of the Contempt

Contempt of the parties so cited and not appearing having first enquired into and duly Considered the whole proceeding had and done before us in the said business and having observed what by law ought to be observed in this behalf have thought fit thus to proceed to the giving and promulging of our definitive Sentence or final decree in the said business in manner and form following. That is to say Forasmuch as we have by the acts exhibited deduced alledged pleaded propounded and proved in the said business, found and clearly discerned that the Promotor for our Sovereign Lord the King hath sufficiently founded his intention declared in or Certain Allegation given and admitted on his behalf upon the said business, and now remaining in the Registry of this Court, which said Allegation and other matters propounded exhibited and admitted, We took and will have taken as if here read and inserted for us to pronounce for the Condemnation of the said Brig her Tackle Apparel and furniture and the Arms Stores and Ammunition taken therein and thereunto as belonging to the Batavian Republic or some person or Persons being subjects of the Batavian Republic or inhabiting within the Territories of the Batavian Republic or otherwise liable to Confiscation and Condemnation as hereinafter mentioned, and that nothing at least effectual hath been excepted, declined, alledged, pleaded propounded or proved by any Person whatsoever which may or can any ways delay prejudice or weaken the intention of the Promotor. Whereupon We Sir Thomas Andrew Strange Knight the Judge aforesaid first Calling upon the name of Christ and having God alone before our Eyes, and having heard Counsel learned in the Law thereupon do hereby pronounce decree and

declare That the said Brig Rambang when the said Pits
Robbs De Veer was Commander her Tackle Apparel and
Furniture and the Arms Stores and Ammunition taken
therein and thereunto she were rightly and duly taken and
seized by His Majesty's Ship of War the Dover whereof
Edward Tucker Esquire is Commander and That the said
Brig her Tackle Apparel and Furniture and the Arms Stores
and Ammunition taken therein and thereunto did, at the time
of the Capture and Seizure thereof (as far as appears to us)
belong to the Batavian Republic or some persons or person
being subjects of the Batavian Republic, or inhabiting within
the Territories of the Batavian Republic and as such ought
to be accounted and reputed liable and subject to Confiscation
and to be adjudged and Condemned as and for good and
lawful Prize to our Sovereign Lord the King, And Also
also Pronounce, decree, and declare, That the said Brig was a
Brig of War belonging to the Batavian Republic or
Persons being subjects of Batavian Republic, or inhabiting
within some of the Territories of the Batavian Republic
and had a Commission on board to act as such, and had
alive and on board at the beginning of the engagement Ninety Five
Men, and That the said Brig her Tackle Apparel and Furniture
and the Arms Stores and Ammunition taken
on board the same, be adjudged and Condemned
as good and lawful Prize to our Sovereign Lord the

King

Hungtaken and seized by His Majesty's Ships of War the Honble Edward Tucker Esquire Commander, by this our definitive Sentence or final decree which We read and promulge by these Presents. -

T. A. Strange

This Sentence was Read Signed and promulged by the Judge aforesaid in the Court of Vice Admiralty at Fort Saint George Madras on Saturday the first day of September in the Year of our Lord one Thousand Eight hundred and Ten. -

Which I attest

Henry Gahagan

Registrar

Rambang Continued

300

Certificate of Condemnation

In Pursuance of an act of Parliament passed in the Twenty Sixth Year of the Reign of His Majesty intituled "an act for the further increase and encouragement of Shipping and Navigation."-

I Thomas Andrew Strange Knight Judge of the Vice Admiralty Court of Malacca and the Territories thereunto belonging do hereby Certify that it appears by the Records of the said Court that on the first day of September in the Year of our Lord 1810. the Brig Rambang was Condemned in the said Court of Vice Admiralty as good and Lawful Prize taken by His Majesty's Ship Dover Edward Tucker Esquire Commander.-

In Witness whereof I have hereunto Set my Hand and Seal of Office this 4th. day of September in the Year of our Lord 1810.-

T. A. Strange

Which I attest

Henry Gahagan

Registrar

L.S.

Rambang Continued

Receipt to the Marshal for Sale Proceeds. 301

Vice Admiralty Prize Court Madras

Monday the 17th day of December 1810.

In the business of
the Brig Rambang

Received from Mr W. Macleggan,
Marshal the Sum of Arcot Rupees
Fifteen Thousand, Six hundred and
thirty Eight, Fanams Eight and Cash
fifty, being the Balance of the amount
Sales of said Brig. —

Henry Gahagan
Registrar.

Rupees	Fans	Cash
15,638	8	50
or		
Pags.		
4468	8	50.

Continued Page 328

The Dutch Prize Property at Amboyna

382 Affidavit of Captain Spencer of H.M. Sloop Samarang

In the Vice Admiralty Court at Madras

Prize Jurisdiction Dutch Prize Property

Captured at Amboyna and the

other Moluccas Islands.

Appeared personally Richard Spencer Esquire

Commander of His Majesty's Sloop of War the Samarang now

riding at Anchor in the Roads of Madras and being duly sworn

on the Holy Evangelists to depose the truth made oath that under

the orders of His Excellency William O'Brien Drury Esquire Rear

Admiral of the Red and Commander in Chief of His Majesty's Ships

and Vessels employed in the East Indies, Edward Tucker Esquire a

Captain in His Majesty's Navy and in Command of His Majesty's Ship

of War the Dover received orders from the said William O'Brien

Drury under date the tenth day of October last past to proceed to

attack and get possession of the Dutch Island of Amboyna & its

dependencies the other Molluccas Islands. And the Deponent did

further depose that the said Edward Tucker with His Majesty's Ships

of War Cornwallis under the Command of William Augustus Montagu

Esquire & His Majesty's Sloop of War the Samarang under the Command of the

Deponent were also ordered to accompany and did accompany the said Ships

Dover under the orders of the said Edward Tucker and the Deponent did

further depose that a Detachment of the Company's Artillery &

and infantry from Fort Saint George was sent on board the said Ships

Dover and Cornwallis and placed under the orders of the said Edward Tucker

Sent were attended by Captain W. E. Court of the Coast Artillery who was the Senior Military officer with such detachment and the Deponent did further depose that the beforementioned ships with the Troops Seamen and Marines on board did proceed to the attack of the said Islands and in execution of their orders did after an Engagement with the Garrison of the said Island of Amboyna Compel them to Capitulate and surrender and the Deponent did further depose that the annexed Copy of the articles of Capitulation (which were signed and sealed & exchanged in the presence of the Deponent) is a true Copy of the original articles of Capitulation under which the said Island of Amboyna surrendered on the Nineteenth day of February last, at which surrender the Deponent was also present, the original articles being now in the Charge of the said William O'Brien Drury as Commander in Chief as aforesaid And the Deponent did further depose that under such Articles the whole of the public property on shore and in the Vessels then lying at Anchor off the said Island were taken possession of and secured as property which belonged to the Batavian Republic - And the Deponent did further depose that after the Surrender of the said Islands of Amboyna and under the orders of the said Edward Tucker the Deponent assisted in attacking and Capturing the other Dependant Islands of Saparoua Paranecka, Noorpacount and Pulo-ang which were also taken possession of as Proze with the Specie and public Stores found therein respectively; and the Deponent did further depose that

Since the Various Captures made as herein before mentioned
the Deponent hath lately Returned to the Road of Madras
aforesaid and now this the Jurisdiction of this Honorable
Court on board the said Sloop the Samarang having on board
about Three Thousand and eight Hundred Pounds Weight
Mace about Sixteen Thousand Pounds weight of Cloves and
about the same quantity of Nutmegs being part of the publick
property Captured at Amboyna and its dependants Islands
before named & Weight property it is necessary to have
landed immediately as this Deponent is about to be
ordered away from Madras aforesaid in charge of the said
Sloop Samarang. —

Wm Orme
Esqr. Agent

" Richd Spencer

Sworn at Fort St. George
this 21st day of July in the Year 1810 -
Before me
T. A Stronge

Articles of Capitulation

Articles Proposed by Jean Phillipe Francois Fitz Esquire Colonel Adjutant General to His Excellency the Marshal and Governor General Dändels, Commandant in Chief of the Forces of the King of Holland Employed at the Moluccas for the Surrender of the Island of Amboyna to His Britannic Majesty's Forces now before the place. –

Article 1st.

Granted

The Garrison of Amboyna to March out with all Military Honors, with Field Pieces loaded Matches lighted and Colours flying. –

Granted

The Troops laying down their Arms on the Esplanade. +

L. S.

The Officers to retain their Swords & to be Subsisted up to the day of their departure. –

Granted

On quitting the Castle of Amboyna the Officers and Soldiers are to be accomodated with Habitations at the Expence of the British Government & their Rations are to be Continued to them until the Setting in of the Eastern Monsoon, then they are to be Conveyed to the Island of Java at the expence of the British Government

L. S.

The Javanese and Madurese are to be permitted at their departure to have their Creeses Restored to them; –

Granted

Such Officers and Others who may be established on the Island shall not be required to quit it, Giving their Parole of Honor, not to Serve against the British Government during the present War. +

Granted

Article 2nd

Granted

All persons in Civil Employ shall be permitted to Return to the Island of Java at the expence of the British Government or at their own desire at their own Expences -

Article 3.

Granted

The English Government ensures Security to all persons during their Residence on the Island -

Article 4th.

Granted

The Garrison and Civil Servants shall be paid their Allowances respectively up to the day of the Surrender. -

Article 5th.

Granted.

The Private Property of every Person Civil Military or Inhabitant shall be freely and Securely protected by the British Government, and which on their departure from the Island they shall be permitted to Carry with them. -

Article 6th.

Granted.

The Paper Money at present in Circulation shall bear the same Value as hitherto it has borne

Article 7th.

The Property of the several Colleges shall be protected all Claims on the Dutch Government shall be attended to -

The Money & Effects of Colleges Orphans the Governor Boo Court Lepers & others of the same discription shall be secured to them & the Money due from the Dutch Government to them shall be paid from the Treasury Chest. -

The Dutch Prize Property Continued

Article 8th

The well known liberality of the British Character shall not be forfeited on this occasion, the Claim therefore contained in this article will be paid as far as the Dollars found in the Treasury Chest will admit. —

In like manner the Loans and Assignations of the Several Servants and Inhabitants to the Dutch Government Amounting to the Sum of Seventy Thousand Dollars shall be paid out of the Treasury Chest, otherwise Several Individuals might become destitute and required —

Article 9th

The Vessels at present in the Harbor must become Prize to His Britannic Majesty's Ships but upon sufficient proof being produced that they are bona fide the property of Individuals (inhabitants of Amboyna) they will be restored - - - -

All Vessels that may arrive under Dutch Colours must abide the decision of the Laws established on that head —

The Vessels with their Cargoes now laying in the Harbor of Amboyna or others that may be at Sea, belonging to the Inhabitants of Amboyna shall not be Confiscated. —

Article 10th

Granted in the Name of His Britannic Majesty's Pleasure be known

The Several Colleges shall be Continued on the same footing as hitherto, and their right over every Person without exception who have served under the Dutch Government shall be Continued According to the Dutch Laws. —

Article 11th

The Money & Effects belonging to the Dutch Government shall be delivered over to the British Commissioners named on both sides. —

A.K.

Article 2nd

Granted

All persons in Civil Employ shall be permitted to Return to the Island of Java at the expence of the British Government or at their own desire at their own Expences -

Article 3.

Granted

The English Government engage Security to all persons during their Residence on the Island.

Article 4th

Granted

The Garrison and Civil Servants shall be paid their Allowances respectively up to the day of the Surrender. -

Article 5th

Granted.

The Private Property of every Person Civil Military or Inhabitants shall be freely and Securely protected by the British Government, and which on their departure from the Island they shall be permitted to Carry with them. -

Article 6th

Granted

The Paper Money at present in Circulation shall bear the same Value as hitherto it has borne

Article 7th

The Property of the several Colleges shall be protected all Claims on the Dutch Government shall be attended to -

The Money & Effects of Colleges Orphans, the Governors Poor Chest Lepers, & others of the same description shall be secured to them, & the Money due from the Dutch Government to them shall be paid from the Treasury Chest. -

The Dutch Prize Property Continued

Article 8th

We well known liberality of the British Character
shall not be forfeited on this occasion, the claim
therefore contained in this article will be paid as far
as the Dollars found in the Treasury Chest
will admit. —

In like manner the Loans and Assignations of the
Several Servants and Inhabitants to the Dutch Government
Amounting to the Sum of Seventy Thousand Dollars shall
be paid out of the Treasury Chest, otherwise Several
Individuals would become destitute and ruined. —

Article 9th

The Vessels at present in the Harbour must become
Prize to his Britannic Majesty's Ships but upon
Sufficient proof being produced that they are bona
fide the property of Individuals (inhabitants of
Ambagnas) they will be restored - - - -

All Vessels that may arrive under Dutch
Colours must abide the decision of the Laws
established on that head. —

The Vessels with their Cargoes now
laying in the Harbor of Ambagnas or others
that may be at Sea, belonging to the
Inhabitants of Ambagnas shall not
be Confiscated. —

Article 10th

Granted in the Most Britannic
Majesty's Pleasure be known

The Several Colleges shall be continued on the same footing as
hitherto, and their rights over every Person without exception
who have served under the Dutch Government shall be
Continued According to the Dutch Laws. —

Article 11th

The Money & Effects belonging to the Dutch Government
shall be delivered over to the British Commissioners named on both sides. —

&c. &c. —

The Dutch Prize Property Continued

Granted

All the public and Secret Government Papers shall be Surrendered in the same manner, nevertheless it shall be permitted if it such be deemed necessary, that Authentic Copies be taken of the Papers, Serving for the Responsibility of the Prefect Winterdijk and the Colonel Commandant in Chief Fitz. –

Article 12th

Answered with the 10th Article Viz: That the Dutch Laws shall exist.

The Vendu Masters shall be maintained in their Demands upon the outstanding debts of Vendu Monies with the Right of Reference in Parate of Execution, which is Competent to them. –

Article 13th

Answered as above

Every Notary Paper and each Notary act and instrument shall be maintained & Honored –

Article 14th

Refused

But the Officers will be permitted to go on shore on their Parole of Honour not to leave until Exchanged & their property shall be protected –

They will also be allowed to go to Java on their Parole if not Contrary to our Marine laws regarding the Condemnation of Prizes –

The Officers of Equipage of the Mandarin Rembang and Lope shall be delivered up, and Considered in like manner with the Officers of Amboyna. –

Article 15th

The Dutch Prize Property Continued

Article 15th

Granted

The State Prisoners which are here, shall be transported to Banda or to Batavia in a Cartel Ship with their families Effects at the disposal of the Marshal —

Article 16th

Granted

In consequence of an order from Batavia to diminish the Weight of Coppee Money, there has been received from several Chinese Inhabitants about Three or four Mexs and Dollars, this Money is laying in the Treasury Chest, not yet exchanged &c is to be repaid to the owners —

Article 17th

Granted

The Former Governor of Banda being here, under a Civil Arrest by order of His Excellency the Marshal and on his way to Batavia to answer for his Conduct, it is requested that he shall quit the Island with the Garrison —

/Signed/ J. P. Fitz
Colonel adjutant General & Commandant in Chief of the Forces of His Majesty's the King of Holland at the Moluccas —

Amboyna the 10th Day of February 1810 —

/Sign'd/ Edw.d Tucker,
Captain of His Britannic Majesty's Ship Dover Senior Officer & Commanding the British Forces at Amboyna —

/Signed/ M. H. Burt
Captain Comm.g the Troops —

/A true Copy/
Edw.d Tucker
examined Rich.d Spencer —

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Special Interrogatories.

In the Vice Admiralty Prize Court of Madras -

In the business of the Dutch Property Captured at the Island of Ambayna, Sapirana Manoucka Nasipe Coul & Puloway By His Majesty's Ships Dover Cornwallis and Samarang -

Special Interrogatories to be Administered on behalf of our Sovereign Lord George the Third by the Grace of God of the United Kingdom of Great Britain and Ireland King defender of the Faith To the Witnesses hereinafter named touching the Capitulation or Surrender of the Islands of Ambayna, Saparoua, Manoucka Nasipe Coul and Puloway in the Month of February one thousand eight hundred and ten -

Let the Witnesses be respectively interrogated to the following Questions and their Answers to the respective Interrogatories written down -

First Interrogatory to all the Witnesses: To what Power or State are you or have you ever been a Subject? & What is your profession or Rank? & Where do you now reside? -

Second Interrogatory: Were you in or before the month of February last at or near to the Island of Ambayna, Saparoua Manoucka Nasipe coul and Puloway or at or near any or either and which of these Islands? If Yea, To what Republic Kingdom or State did such Islands or any or either and which of them belong previously to the said Month of February? & Were there any and what Troops of any and what nation employed for the protection or defence of any or either and which of such Islands and were there any and what Forts Fortresses or other Fortifications on any or either and which of the said Islands and if Yea, were they Garrisoned or defended by the Troops of any and what nation and what national Colours were hoisted in all or any or either and which of such Forts Fortresses or Fortifications in or before the said month of February last? were or was any

and what attack or attacks made in the said Month of February on all or any or either and which of the said Islands or on any of the Troops or Fortifications defending the same? If Yea, Were You present and did You Witness such attack or attacks? By what description of Force were or was such attacks or attack made and if by Vessels and Troops set forth by what Vessels and Troops respectively and of what Nation and under whose Command? were or was such attacks or attack or successful? Did all or any or either and which of such Islands surrender or Capitulate to the Force by which such attacks or attack were or was made? and did the Force employed in such attacks or attack take possession of all or any or either and which of such Islands? and if Yea, in the name of what Prince Potentate or State? -

Third Interrogatory. Do You know whether any part or portion of the public property Capture at the Islands of Ambayna, Saparoua, Haraneka Nasipe Court and Porto-Rey or either of them hath been brought to Madras? If Yea? Set forth the nature quality quantity and description of such property and by whom and the manner and time how and when the same was so brought to Madras and where the same is at present stored or deposited or what is become thereof as You know or believe. -

Robt Hampton

R. Orme
King's Proctor

Approved
A.G.

Depositions of Witnesses on the Standing Interrogatories

Vice Admiralty Prize Court Madras

Tuesday the 10th day of August 1810.

In the business of the Dutch Property,

Captured at Amboyna - - - - - } By His Majesty's Ships Dover Cornwallis

Java Java - - - - - - - - - } and Sarawarang -

Depositions of Witnesses

had and taken at the Office of Henry Gahagan Esquire

Registrar in Fort Saint George before Thomas Greenway

Esquire of the Commissioners named and appointed in and

by a certain Commission bearing date the 25th day of July last past

issued out of and under the Seal of the said Vice admiralty Court

upon Special Interrogatories referred to the said Commission -

Jery Bezaan lately Commanding the Dutch Sloop of War

the Mandarine deposeth and saith as follows that is to say: -

1-2. To the first and second Interrogatories this Deponent saith that he is

a subject of the King of Holland - is a first Lieutenant in the Dutch

Navy - at Present is a Prisoner of war at Pulicat - In February last

Deponent was at Amboyna - but at none other of the Islands

named - these Islands belong to the Dutch Government - there were Dutch

Troops some Europeans and some Javanese stationed to protect Amboyna

there were Forts and Batteries there, which were defended and protected

by the above Troops Dutch Colours were hoisted on the Forts - An

Attack was made / by two Frigates and a Corvette which put

Troops on shore upon Amboyna - The Forces and Troops were British the Ships were the British Forgates Dover and Cornwallis and Samarang Corvette or Sloop, the Attack was successful, and Amboyna Capitulated and was taken possession of by the British Forces in the Name of the British Government to the best of this

3 To the Third Interrogatory this Deponent Answering Saith that he does not Know whether any of the Public Property Captured at Amboyna was or was not brought to Madras. -

A. Bezemar.

William Ernst Thooft Deposeth and Saith as follows-

1 To the first Interrogatory this Deponent answering saith that he is a Subject of Holland - is a first Lieutenant in the Dutch Navy lately of the Mandarine - is a Prisoner of War residing at Pattecait upon Parole. -

2 To the Second Interrogatory this Deponent answering saith - In the month of January last he was at the Island of Amboyna it belonged then to the Dutch - There were Dutch Troops Europeans and Javanese there - There are Batteries and a Fort Called Fort Victoria, Defended by Dutch Troops and Dutch Colours were hoisted there - an attack was made upon Amboyna in February last - Deponent was present and Witnessed the attack - The attack was made by the English Frigates Dover, Cornwallis and Lamaroy and by English Company's Troops - The Troops were Commanded by Captain Court & Captain Tucker Commanded the Squadron The attack succeeded - Amboyna Capitulated and English Colours were then hoisted. -

3 To the Third Interrogatory this Deponent answering saith he Cannot say whether any of the Public Stores and Property Captured there was brought to Madras or not. -

W. E. Thooft

Hendrick Opperman Deposeth and Saith as follows -

1 To the first Interrogatory this Deponent answering Saith that he is a Native of Denmark that a Captain Leiutenant in the Dutch Navy - lately belonging to the Dutch Brig Rambang. -

2 To the Second Interrogatory this Deponent Answering Saith - In the Month of February in the last Year past of the Month, he was at Amboyna - it belonged to the King of Holland - Can not answer as to any Troops being there - There are Batteries and a Fort Calld Victoria there - There were Dutch Colours hoisted there, and they were Garrisoned by Amboyna Javanese and Dutch Amboyna was attacked in the month of Febuary - Witness was present at the attack it was made by two Fregates and a Corvette and English Troops Captain Tucker Commanded the Naval Force and Captain Court Witness believes Commanded the Troops - Amboyna Capitulated and was taken - English Colours were hoisted after it was taken. -

3. To the third Interrogatory this Deponent Answering Saith that Spices, Public Property, Captured at amboyna, were brought to Madras, Cloves, Nutmegs, Mace, but does not know -

The Dutch Prize Property Continued

what Quantity - The property was brought to Madras on board the Cornwallis, The Samarang and Rambang, but were it is now deposited he does not know. -

F. Oppenman -

Sworn before me
Thos Greenway
Comr

In the presence of
Henry Gahagan
Registrar &
Actuary

A true Copy
Henry Gahagan
Registrar.

Allegations

In the Vice Admiralty Court at Madras

Prize Jurisdiction

Dutch Property on the Island of Amboyna and its Dependant Islands of Saparoua Haroukka Naspe-cout & Puloo Aly August 1810.

Our Sovereign Lord the King against Certain Dutch Property Captured on the Island of Amboyna and its Dependant Islands of Saparoua, Haroukka, Naspe-Cout & Puloo Aly- and brought within the Jurisdiction of this Court against all Persons in General.—

On which day Robert Orme Proctor General for our Sovereign Lord the King by all lawful ways and means and to all effects in law whatsoever alledged pleaded and articulately propounded as follows, to wit,

First That his Majesty by and with the advice and Consent of his Privy Council by an order in Council bearing date at the Court of Saint James's the Sixteenth day of June in the Year of our Lord one thousand eight hundred & three did order that General Reprizals be granted against the Ships Goods and Subjects of the Batavian Republic so that as well his Majesty's Fleets & Ships and also all other Ships and Vessels that should be Commissioned by Letters of Marque or General Reprizals or otherwise by the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland &c. for the time being should and might lawfully seize all Ships Vessels and Goods belonging to the Batavian Republic or to any Persons

being

The Dutch Prize Property Continued

being subjects of the Batavian Republic or inhabiting within any of the Territories of the Batavian Republic and being thereof come to Judgment in any of the Courts of admiralty within the Dominions of His Majesty which shall be duly Commissioned and this was and is true public and notorious and the party proponent doth allege & propound every thing in this and the subsequent article Contained Jointly and Severally. -

Second That in the Month of February last the Island of Amboyna Ceram & thereto fore belonging to the Batavian Republic or to the Person or Persons then exercising the Government of Holland Surrendered by Capitulation to a Certain force in the Service of his Majesty and of the East India Company under the Command of Edward Tucker Esquire Captain of His Majesty's Ship Dover and that previous thereto Certain articles of Capitulation were on the Seventeenth day of February one thousand eight hundred and ten proposed by Jean Phillipe Francois Felix Esquire Colonel Adjutant General to His Excellency the Marshall and Governor General Daendels and Commandant in Chief of the Forces of the Batavian Republic or of the said person or persons then exercising the Government of Holland Employed at the Moluccas for the Surrender of the said Island of Amboyna to His Majesty's Forces there before the place whereby it was Stipulated and agreed to by the said Edward Tucker the Senior Officer and Commanding the British Forces at Amboyna as aforesaid and by W. E Lieut Esquire Captain Commanding the Troops there actually Landed on the said

Island

/amongst other things/ That the money and effects belonging to
the Dutch Government should be delivered over to the British
Crown by a Commission named on behalf of Sweden which property
afterwards was accordingly delivered over and taken and
received as Prize having thereto fore belonged to the Batavian
Republic or to the Person or Persons exercising the Government
of Holland or to Persons subjects of the Batavian Republic or
the person or persons exercising the Government of Holland
or to Persons inhabiting within the Territories thereunto and thereto
belonging to the Batavian Republic or to the Person or Persons
exercising the Government of Holland and as such or otherwise
liable to Confiscation and that the same having been brought
within the Jurisdiction of this Honorable Court ought to be confiscated
and condemned to our said Lord the King and that it ought to be
further adjudged and decreed that the said Edward Fraser the officers
& crew under his command on board the said Ships Doves & that
William Augustus Montague Esquire Commander of the officers &
crew under his command on board of His Majesty's Ship of War
Cornwallis and that Richard Spencer Esquire Commander of the
officers & crew under his command on board of His Majesty's Ship of
War Samarang and that the said W E Court and the
officers and men under his Command who respectively Composed
the Force aforesaid to wit the said Island of Amboyna Capitulated
and surrendered were and are the Captors thereof and the party prosecuted
doth

doth allege and propound as before —

Third — That Several adjacent and dependant Islands of Saparoua, Haroukka Nape: Bout & Pulo-Ay with the property thereon respectively then and thereto for also belonging to the Batavian Republic or to the Person or Persons exercising the Government of Holland were soon after the Capitulation of the said Island of Amboyna Compelled to Surrender and were taken as Prize under the orders of the said Edward Inglis by the force under his Command and the property so taken as last aforesaid did at the time of taking the same belong to the said Batavian Republic or to the Person or Persons exercising the Government of Holland or to Persons Subjects of the Batavian Republic or to the Person or Persons exercising the Government of Holland or to Persons inhabiting within the territories then and thereto for belonging to the Batavian Republic or to the Person or Persons exercising the Government of Holland and as such or otherwise liable to Confiscation and that the same having been brought within the Jurisdiction of this Honorable Court ought to be Confiscated and Condemned to our said Lord the King and that it ought to be further adjudged & decreed that the said Edward Inglis and the Officers & Crew under his Command on board the said Ship Dover and that William Augustus Montague Esquire

Commander

Commander and the officers & Crew under his Command on board of His Majesty's Ship of War Cornwallis & that Richard Spencer Esquire Commander and the officers and Crew under his Command on board of His Majesty's Sloop of War Samarang and that the said W. R Count and the officers and men under his Command who respectively Composed the Force aforesaid, to which the said Island of Amboyna Capitulated and surrendered were and are the Captors thereof and the party proponent doth allege and propound as before. —

Lastly That all and singular the premises were and are true public and notorious and thereof there was and is a public Voice fame and report & upon this legal proof being made the party proponent prays right and Justice to be effectually done and administered in the premises by you the Honorable Sir Thomas Andrew Strange Knight the Judge of His Majesty's Vice Court of Admiralty at Madras or Your Lawful Surrogate and that the public property Money and Effects so seized taken and surrendered as aforesaid be pronounced to belong at the time of the aforesaid Seizure to the Batavian Republic or to the Persons exercising the Government of

Ballard

The Dutch Prize Property Continued

Holland or to Persons being Subjects of the Batavian Republic or to the Persons exercising the Government of Holland or inhabiting within the Territories of the Batavian Republic or of the Persons exercising the Government of Holland and as such or otherwise liable to Confiscation and Condemnation and that it may be pronounced and Decreed that the said Property Money and effects did belong to Enemies of the Crown of the United Kingdom of Great Britain and Ireland and that the said property Money and effects be adjudged and Condemned as Lawful Prize Accordingly. —

R. Dodd
King's Proctor

Herbert Compton

Order for Sentence of Condemnation

The Dutch Prize Property Continued

Vice Admiralty Prize Court Madras

Saturday the 1st day of September 1810.

In the business of
The Dutch Property
/Specie/
Captured at Amboyna
and other Molluccas Islands.

By Rt. H. S. Dover Cornwallis and Samarang
with a Detachment of East Indian
Company's Land Forces under Captain
Court

The Judge having heard the King's advocate on behalf of the
Captors praying Condemnation of the above Property and having
read the Articles of Capitulation agreed upon and ratified by &
between the Captors on the one part and J.P. Fels Colonel in the
Dutch Service Adjutant General & Commandant in Chief of the
Molluccas on the other together with the Depositions of the Several
Witnesses examined upon Special Interrogatories pronounced
decreed and declared the said Property to have been duly & lawfully
Captured by His Majesty's Ships Dover Cornwallis & Samarang
Wherein Edward Tucker, William Augustus Montague
and Richard Spencer Esquires were Severally Commanders with
a Detachment of the Honorable East India Company's Land Forces
Commanded by Major Kenny Court Esquire Captain in the
said Company's artillery and Condemned the same as Good and
Lawful Prize to be taken as aforesaid and ordered Sentence of
Condemnation to be issued unless Parties Appellant and
and Claimant intervene in due time. -

J. H. Swaine

Sentence of Condemnation

In the Name of God Amen We Sir Thomas Andrew Strange Commissary in the Vice admiralty Court of Madras and the Territories thereunto belonging and President and Judge thereof and also to hear and determine all and all manner of Causes and Complaints as to Ships and Goods seized and taken as Prize Specially Constituted and Appointed having heard, seen, and understood and fully and maturely discussed the merits & circumstances of a certain Business of the Capture of certain Property Consisting of Sundry Quantities of Spices to wit Cloves Nutmegs and mace taken at the Island of Amboyna and other Moluccas Islands dependant thereupon by His Majesty's Ships of war the Dover Cornwallis and Samarang whereof Edward Tucker, William Augustus Montague, Richard Spencer, Esquires were Severally Commanders & by a Detachment of the East India Company's Land Forces Commanded by Major Henry Grant Esquire Captain in the said Company's Artillery and brought to the Port of Madras on board of the said Ships Cornwallis Samarang and a Brig called the Rambang which was lately and still is depending before us on the part and behalf of our Sovereign Lord the King against the Property aforesaid and against all Persons in General who have or pretend to have any right title or interest therein - And the Judge duly proceeding in the said business and the Procurator for our Sovereign Lord the King appearing before us and praying Sentence to be given and Justice to be done and all others in General who have or pretend to have any right title or interest in the said

Property being duly and legally cited and intimated, called and not appearing in spite of the Contempt of the Parties so cited and not appearing, having first enquired into and duly Considered the whole proceeding had and done before us in the said business and having observed what by law ought to be observed in this behalf have thought fit and do think fit thus to proceed to the giving and promulging of our definitive Sentence or final decree in the said business in manner and form following that is to say- Forasmuch as We have by the acts exhibited declared alledged pleaded and propounded and proved in the said business found and clearly discovered that the Procurator for our Sovereign Lord the King hath sufficiently founded his intention declared in Certain Allegations given and admitted on his behalf in the said business and now remaining in the Registry of this Court which said Allegations and other matters propounded exhibited and admitted We take and will have taken as if here read and inserted, for us to pronounce for the Condemnation of the said Property as belonging to the Batavian Republic or Holland or some Person or Persons being Subjects of the Batavian Republic or Holland or inhabiting within the Territories of the Batavian Republic or Holland or otherwise liable to Confiscation and Condemnation as hereinafter mentioned and that nothing hath been excepted, declared, alledged pleaded propounded

or

The Dutch Prize Property Continued

or proved by any Person whatsoever which may or can any
wise defeat, prejudice or delay the intention of the Promoter
Therefore We Sir Thomas Andrew Strange Knight the Judge
aforesaid Sitting upon the name of Christ and having
God alone before our Eyes and having heard Counsel learned
in the Law Therefore do hereby pronounce decree and
declare That the said Property Consisting of the Spices
aforesaid was rightly and duly Captured and taken by His
Majesty's Ships of War The Dover Cornwallis and Lamaroon
whereof Edward Tucker, William Augustus Montague, Richard
Spencer, Esquires were severally Commanders and the Detachment
of the East Company's Land Forces Commanded by Major Percy
Cunt Esquire and that the said Property did at the time of
the Capture thereof (as far as appears to us) belong to the
Batavian Republic or Holland or to some person or persons being
subjects of the Batavian Republic or Holland or inhabiting
within the Territories of the Batavian Republic or Holland
and as such ought to be accounted and Reputed liable to
Confiscation and to be adjudged and Condemned as and
for good and lawful Prize to our Sovereign Lord the King
and We do also pronounce decree and declare that the said
Property be adjudged and Condemned as good and lawful Prize
to our Sovereign Lord the King taken and seized by His
Majesty's Ships of War The Dover Cornwallis and Lamaroon

whereof

whereby Edward Tucker, William Augustus Montague, Richard Spencer, Esquires were severally Commanders and the Detachment of East India Company's Land Forces Commanded by Mr Henry Grant Esquire Captain in the said Company's Artillery, by this our definitive Sentence or final decree which We read and promulge by these Presents. —

T. A. Strange

This Sentence was read Signed & promulged by the Judge aforesaid upon the first day of September in the Year of our Lord 1810. in the Court House in Fort Saint George Madras

Which I attest

Henry Graham
Registrar

Prize Brig Rambang Continued from Page 301.-

Petition for an order to distribute Proceeds.-

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In the Vice Admiralty Court at Madras

Prize Jurisdiction

Our Sovereign Lord the King

against

The Dutch Brig Rambang.

The humble Petition of Robert orme Proctor for our Sovereign Lord the King-

Sheweth,

That by a definitive Sentence of this Court read signed and promulged by the Judge of the said Court on the first day of September in the year one thousand Eight hundred and Ten a certain Brig called the Rambang whereof Abo Holst De Weer was Commander and the arms Stores and Ammunition taken by His Majesty's Ships of War the Dover Edward Tucker Esquire Commander (the Majesty's Ship the Samarang Captain Richard Spencer being in sight at the time) was Condemned in the said Court as Prize as having belonged to the Batavian Republic or to Persons being subjects of the Batavian Republic or inhabiting within some of the Territories of the Batavian Republic- as on Reference to such Sentence will fully appear.-

That by a Certificate under the Seal of this Court and hereunto annexed bearing date the Twenty first

day of February one Thousand Eight hundred and
Eleven it appears that the said Brig Rambang was
Captured sailing under the Dutch Flag and
with a Commission of War from the Dutch
Government of Batavia.-

That the said Richard Spencer hath in
this Court for an order to distribute the Proceeds
arising from the Capture of the said Brig pursuant
to the 46th George the 3d Chapter 72. Sect. 72. As
on reference to such Written Request hereunto
annexed will more fully appear.-

Your Petitioner therefore humbly
Prays that an order may issue to the
Prize Agent Richard Bromley Esqre
to distribute the Proceeds of the said
Brig Rambang.-

And Your Petitioner
Shall Ever Pray &c

P. Orme
Kings Proctor

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Certificate of Brig Rambang sailing under Enemy's Flag & Commission

I Thomas Andrew Strange Knight
Commissary and Judge, in the Vice Admiralty Court
of Madras and the Territories thereunto belonging do
hereby certify that it appears by the Proceedings
before me had, that the Brig Rambang,
in the said Court on the first day of September
1810. as good and lawful Prize taken by his Majesty's
Ship Dover whereof Edward Tucker Esquire was
Commander, was Captured sailing under the
Dutch Flag and with a Commission of War from
the Dutch Government at Batavia. —

In Witness whereof I have
hereunto set my hand and seal of Office
this Twenty first day of February in
the Year of our Lord one Thousand
Eight Hundred and Eleven. —

L. S.

T. A. Strange

Which I attest

Henry Gahagan
Registrar

Prize Brig Rambang Continued

Authority to Apply for a Distribution

In the Vice Admiralty Court at Madras.

Prize Jurisdiction.

Our Sovereign Lord the King

against

The Dutch Brig Rambang

Rennick Opperman - Master -

Whereas the Dutch Brig Rambang was with her Tackle Apparel & Furniture and the Arms Stores and Ammunition taken therein Lately Condemned in the Vice Admiralty Court at Madras as Prize to His Majesty's Ship of War the Dover Edward Proctor Esquire Commander and to the Sloop of War the Samarang Richard Spencer Esquire Commander Now I the said Richard Spencer do hereby Request that an Application be made to the Vice Admiralty Court at Madras for an order that the Proceeds of the said Dutch Brig Rambang be distributed pursuant to the Authority Contained in the 42d Section of the Statute passed in the 45th Year of the Reign of his present Majesty Chapter 72 - entitled "An Act for the Encouragement of Seamen and for the better and more effectually manning His Majesty's Navy during the present War" Dated this Twenty Third day of February one Thousand Eight Hundred and Eleven. -

Witness,
Richard Bromley

Rick[d] Spencer

Prize Brig Rambang Continued

Order for Distribution of Proceeds.-

332.

Vice Admiralty Prize Court Madras

Tuesday the 26th day of February 1811-

Before the Worble Sir Thomas Andrew Strange

Knight Judge of the said Court at his Chambers

present Henry Gahagan Esquire Registrar &c.-

In the business of

The Prize Brig Rambang - } Taken by H-M-S- Dover Edward Tucker Esquire Commander.-

On motion of the King's advocate and on reading the Petition of the King's Proctor together with the Certificate that the said Brig Rambang Condemned on the 9th day of September 1810- as good and lawful Prize taken by His Majesty's said Ship Dover, was Captured Sailing under the Dutch Flag and with a Commission of War from the Dutch Government at Batavia-

It is ordered that Richard Bromley Prize Agent for the Captor, do distribute the sale Proceeds of the said Brig Rambang before the time of Appeal lapsed, subject nevertheless to the liability of the Captors to answer any Appeal that may be instituted hereafter during the time limited by Law for Appeals.-

T- A- Strange

The Ship Hope Charles Eaton Master.—

333.

In the Vice Admiralty Court at Madras.

Prize Jurisdiction

To the Honble Sir Thomas Andrew Strange
Knight Commissary and Judge of His Majestys Vice
Admiralty Court at Madras.—

The Humble Petition of Charles Eaton
late Commander of the Ship
Hope now riding at Anchor in the
Roads of Madras and within the
Jurisdiction of this Honble Court
on the behalf of himself and the other
owners of the said Ship.—

Humbly Sheweth,

That the Ship Hope abovementioned of
the Burden of three hundred Tons or thereabouts was as your Petitioner hath
been informed and believes built at the Port of Calcutta in Bengal in
or about the year one thousand Eight hundred and four or one thousand
eight hundred and five and was duly Registered as a British Built Ship
by the Name of the Hope and afterwards sailed from the Port
aforesaid and continued to be Navigated in the Indian Seas, as a vessel
of such Register, until some time in the year one thousand eight hundred
and eight when as your Petitioner hath also been informed and believes
the said Ship was Captured, during a Voyage from Calcutta aforesaid
to the Island of Bencoolen, by the Frigate La Manche then belonging
to the Power exercising the Government of France.—

That

The Ship Hope C. Eaton Master

That the said Ship Hope as your Petitioner hath also been informed and believes was thereupon carried as a Prize to the Isle of France and afterwards sold by the Captors to one Noel Pantree a subject of France in whose possession she continued until she was recaptured in the year one thousand Eight hundred and Ten by the Joint Force of His Majesty and of the East India Company, when the Isle of France, surrendered to His Majesty's Arms.—

That shortly after the Capture of the said Ship Hope by the Frigate aforesaid she was abandoned by her then Owner to certain Persons in Bengal who then effected Insurances on Vessels at Calcutta aforesaid under the Form of the Calcutta Insurance Company and who had theretofore insured the said Ship Hope against the Risk that had happened.—

That the said Calcutta Insurance Company as your Petitioner hath been informed and believes authorized and appointed one William Colvill Seamouth to act as the Agent of the said Company at the Isle of France aforesaid who in Virtue of such authority applied to the Prize Agents in charge of the Vessels recaptured at the Isle of France to restore the said Ship Hope to the said Insurance Company on receiving the usual Salvage.—

That there was not as your Petitioner believes any Vice Admiralty Court at the Isle of France aforesaid in which the said Captors aforesaid could have proceeded against the said Ship Hope in or which the said Insurance Company

on to

would have obtained a Decree for the Restoration of the said Ship.—

That the Prize Agents therefore consented to restore the said Ship to the said William Colvil Learmouth the said Agent of the said Calcutta Insurance Company on payment of the usual salvage which was forthwith paid and the said Ship restored accordingly.—

That afterwards on the fourteenth day of February last the said William Colvil Learmouth by an Instrument in writing a true Copy whereof is hereunto annexed for the Consideration therein mentioned Bargained and sold the said Ship Hope to one Thomas Stewart a Subject of His Majesty who afterwards on the seventh day of April by an Instrument in writing a true Copy whereof is also hereunto annexed and for the consideration therein mentioned sold the said Ship Hope to your Petitioner and Thomas Richard Stockdale who were respectively British Subjects and that the said Thomas Richard Stockdale by an indorsement on the last mentioned Instrument a true Copy whereof is also hereunto annexed did on the seventeenth Day of July last sell his half share of the said Ship to certain Persons at Madras carrying on partnership under the Firm of Adriaan Defries and Company and that your Petitioner and the said Adriaan Defries and Company are now the owners of the said Ship Hope in Virtue of the several Instruments before mentioned.—

That after the Purchase of the said Ship by the said Thomas Stewart she was registered under the Authority of the Governor of the Isle of France and by him permitted thence

to

The Ship Hope . C. Eaton Master

to wit to the Port of Madras as will appear by certain original Documents
Marked A, B, C, and D of which your Petitioner hath annexed true Copies.

That your Petitioner and the other owners of the said
Ship Hope are desirous that the Restoration of the said Ship in the Manner
and under the Circumstances aforesaid may be allowed and approved of by this
Honorable Court in pursuance of the Statute in that case made and provided.

Your Petitioner therefore on the behalf
of himself and of the other Owners of
the said Ship Hope Most humbly
prays that it may be adjudged by the
Honorable Court that the said Ship
Hope hath been lawfully restored
to the said Calcutta Insurance
Company as representing the former
Owners of the said Ship, and that
this Honble Court doth allow and
approve of the Restoration thereof
as aforesaid.

In the Vice Admiralty Court at Madras

Prize Jurisdiction

Charles Eaton the Petitioner in the foregoing Petition
named maketh Oath and saith that the said Petition is true in substance and
matter of fact.

Chas. Eaton

Sworn this 3rd Day of August
1811. before me

J. C. C. Spurgin
Deputy Register
Henry Gahagan
Registrar

A

Know all Men by these Presents that I Williams Colonel Learmouth in behalf of the Calcutta Insurance Company now residing at Port Louis Isle of France do sell & certain Ship called the Hope for the Consideration of the Sum of fourteen thousand Spanish Dollars of Four and lawful Money in hand well and truly paid by Thomas Stewart Merchant in Port Louis Isle of France at or before the sealing and Delivery of these Presents the receipt whereof I do hereby acknowledge and of and from the same and every part and parcel thereof do acquit, release and for ever discharge the said Thomas Stewart his executors Administrators and assigns and each and every of them and by these presents have granted bargained sold assigned transfered and set over and by these Presents do fully and absolutely grant sell bargain assign transfer and set over unto the said Thomas Stewart his executors Administrators and assigns for ever all that said good Ship or Vessel called the Hope of the burthen about three hundred Tons and now lying in Port Louis in the Isle of France and to hold the said Ship or Vessel and every part and parcel of the same unto the said Thomas Stewart his executors Administrators and assigns for ever as his own proper Goods and chattles and to his use for ever - And the said W. C. Learmouth do hereby for the said Calcutta Insurance Company Covenant grant and agree to and with the said Thomas Stewart his executors Administrators and assigns in manner and form aforesaid and that it shall and may be lawful to and for the said Thomas Stewart his Executors Administrators and

assigns

The Ship Hope & Eaton Master

assigns from time to time and at all times hereafter quietly and peaceably to have and to hold and enjoy the said Ship or Vessel called the Hope and hereby granted without any Law Suit molestation disturbance or denial of or from W. C. Learmouth or the Calcutta Insurance Company and further that the said Ship or Vessel hereby bargained and sold now is and forever hereafter shall remain and continue unto the said Thomas Stewart his executors administrators and assigns free and clear and freely and clearly acquitted exonerated and discharged by us from all bargains and sales.—

In witness whereof we have hereunto set our hand and seals at Port Louis aforesaid this fourteenth day of February in the year of Christ one thousand eight hundred and eleven

/Signed/ Jos.h Read Witness /Signed/ W. C. Learmouth

Received the Day and Year above written of and from the above named Thomas Stewart the sum of Spanish Dollars Fourteen thousand pounds this consideration Money within mentioned to be paid by him to

(Signed) W. C. Learmouth

Be it remembered that on the 16th day of 1810. the said Ship /Hope/ within bargained for and sold was delivered by the said W. C. Learmouth to the said Thomas Stewart in the presence of

Geo. The Savage (Signed) Jos.h Read.

Brief

Crewar

R. Austin.

B

To all to whom these Presents shall come Thomas Stewart now of Port Louis Island of Mauritius Merchant Sends Greeting. Whereas the said Thomas Stewart is the true lawful and rightfull owner of a certain Ship or Vessel called the Hope of the burthen of Three hundred Tons or thereabouts now lying in the harbour of Port Louis aforesaid and whereas Thomas Richard Stockdale and Charles Eaton late of Mauritius have contracted and agreed to and with the said Thomas Stewart to become the Purchasers of the aforesaid Ship or Vessel called the Hope at the Price of Twenty one Thousand Five hundred Spanish Dollars. Now Know Ye that the said Thomas Stewart for and in consideration of the said Sum of twenty one Thousand five hundred Spanish Dollars of good and lawful Bills to him in hand given by the said Thomas Richard Stockdale and Charles Eaton at or before the sealing and Delivery of these Presents the receipt whereof the said Thomas Stewart doth hereby admit and acknowledge and thereof and therefrom and of and from the same and every part thereof doth acquit Release and for ever discharge the said Thomas Richard Stockdale and Charles Eaton aforesaid their Heirs Executors Administrators and Assigns and every of them forever by these Presents the said Thomas Stewart hath granted bargained Sold released and Confirmed and by these Presents doth grant bargain sell release and confirm unto the said Thomas Richard Stockdale and Charles Eaton their Heirs Administrators and Assigns for ever the said Ship or Vessel called the Hope of the Burthen of Three hundred Tons or thereabouts together with the Masts, Sail Yards, Sails, Anchors, Cables, Ropes, Cords, Boats

Oars

The Ship Hope & Eaton Master

Oars, pieces of Ordnance Guns, Shot, Sundry Apparel, Ammunition, Provisions, and Furniture belonging, appertaining thereto to have and to hold the said Ship or Vessel and all and every the premises hereby bargained and sold with their and every of their Appurtenances and every part and parcel thereof unto the said Thomas Richard Stockdale and Charles Eaton their Heirs Executors Administrators and Assigns to the only proper use and behoof of the said Thomas Stewart for himself his Heirs Executors and Administrators Covenants and agrees to and with the said Thomas Richard Stockdale and Charles Eaton their Heirs executors Administrators and Assigns by these Presents that the said Thomas Stewart at the time of the sealing and delivering hereof notwithstanding any Act or thing done to the Contrary is the true and lawful Owner and proprietor of the said Ship and premises hereby granted with the Appertenances and hath full power and lawful authority to grant and convey the said Ship and premises hereby granted and sold or mentioned or intended so to be with the appurtenances unto the said Thomas Richard Stockdale and Charles Eaton their Heirs Executors Administrators and Assigns and that they the said Thomas Richard Stockdale and Charles Eaton their Heirs Executors Administrators and Assigns shall and lawfully may from time to time and at all times hereinafter peaceably and quietly have hold and enjoy the said Ship and all other the premises hereby granted with the Appertenances without any Lett Molestation Disturbance or Denial of the said Thomas Stewart his Heirs or Executors or any

any other Person or Persons whatsoever lawfully claiming or to claim by from or under him the said Thomas Stewart His Heirs orexecutors or any other Person or Persons whatsoever and that the said Ship and Premises hereby granted or meant mentioned or Intended so to be as aforesaid with all and singular the Appertenances now is and shall from henceforth for ever hereafter continue remain and be unto the said Thomas Richard Stockdale and Charles Eaton their Executors Administrators and Assigns free and clear and freely and clearly and Absolutely freed acquitted exonerated and discharged of and from and all manner of former and other Bargains sails, Gifts, grants, Debts, dues, Judgments, Executions, Seizures, trouble forfeitures and encumbrances whatsoever had made committed done acknowledged or suffered by the said Thomas Stewart his executors or Administrators or by any other Person or Persons whatsoever and also that he the said Thomas Stewart shall and will from time to time and at all times hereinafter upon the Request and at the Proper Costs and Charges in the Law of the said Thomas Richard Stockdale and Charles Eaton their Heirexecutors Administrators and Assigns make do and execute or cause or procure to be made done and executed all and every such further and other lawful and reasonable Acts Conveyances and assurances in the Law whatsoever for the further Conveying and Confirming the said Ship and premises unto the said Thomas Richard Stockdale or Charles Eaton their executors Administrators and assigns as by the said Thomas Richard Stockdale and Charles Eaton and their Heirs Executors Administrators and Assigns or their Council Learned in the Law shall be reasonably devised or advised and required.

In Witness whereof the said Thomas Stewart hath hereunto set his hand and seal this twenty seventh Day of

The Ship Hope of Eaton Master

of April in the year of our Lord Christ One thousand eight hundred and seven —

Sealed and Delivered (where no stamps are in use or to be Laid) in the Presence of }

R. Austin

Anthony Lomax Lieut. 11th Regt. B. N. I.

Signed Thos. Stewart

L. S.

Received the Day and year within written of and from the within Named Thomas Richard Stackdale and Charles Eaton the } Spanish Dollars 21,500 —

Sum of Spanish Dollars Twenty one thousand Five hundred being the Consideration Money within mentioned to be paid by him to me I say received the same, —

Signed Thos. Stewart

Witness,

R. Austin

Anthony Lomax Lieut. 11th Regt. B. N. I.

Be it Remembered that on the Twenty seventh Day of April in the year of our Lord Christ one thousand eight hundred and seven peaceably and Quiet possession and Delivery of the within mentioned ship and Premises was delivered by the said Thomas Stewart to the said Thomas Richard Stackdale

Stockdale and Charles Eaton the seal of a Rope for and in the Name of the said Ship and Premises within mentioned in the Presence of us whose Names are hereunto Subscribed.—

" R. Austen (Signed) Thos. Stewart

" Anthony Lomas Lieut. 12th Regt. B. N. I.

Richard Stockdale of Madras for and in Consideration of the sum of nine Thousand Pagodas (9000) to me in hand paid by Messrs. Adrian De Fries and Co. the Receipt whereof is hereby acknowledged have bargained and sold and do hereby bargain and sell and assign over unto them my half Share and all my Interest right and title in the Ship Hope with all her Stores Gear &c as stated in the within Bill of sale to have and to hold by the said Messrs. Adrian De Fries & Co. the same for ever.

Madras this

17th. day of July 1811. (Signed) T. R. Stockdale

Witnesses

John Auchanth

The Ship Hope C. Eaton Master

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To whomsoever Subjects of His Majesty George the Third by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and so forth, and to all others whom these Presents may concern, The Honorable Robert Townsend Farquhar Esqr. Governor of the Isle of France and its Dependencies send Greeting

Whereas the Ship Hope Burthen about Three hundred and fifty Tons Commanded by Alexr Hugh M.Pherson belonging to Alexr Thomas Stewart is bound to Bourbon with Goods.

L. S.

I do hereby require and Command all Persons within or belonging to this Government under our Jurisdiction and to desire all persons that are friends and Allies to His Majesty George the Third by the Grace of God, of the united Kingdom of Great Britain and Ireland King Defender of the Faith and so forth, to suffer the said Ship Hope to pass with her Company, Goods, and Merchandize without any Lett, Seizure, or Molestation whatever provided this Pass be in force which is to continue for the Space of twelve Months from the date of these Presents Given under my hand and Seal at St Denis this twenty Sixth Day of March in the year of our Lord One thousand Eight hundred and eleven.

(Signed) R. T. Farquhar

Registered in the Secretarys Office

by order of

(Signed) A. Barr.

Chief Secretary to Govt

The Ship Hope C. Eaton Master

D

I do hereby certify that Mr. Thos. Stewart has this Day Registered the Ship Hope in my office, agreably to the orders of the Right Honorable the Governor General in Council in India, under date the 30th April 1810 Viz.t.

Ship Hope Burthen 350 Tons

Owner ---------- Mr. Thomas Stewart

Commander ---------- Hugh McPherson

Port ---------- Port Louis I. of France

Bound ---------- Bourbon

Cargo ---------- Troops

Isle of France, Port Louis 26th March 1811

Registered

(Signed) James Kendle

(Signed) A Barr

Chief Secretary to Govt.

D.

Port Office

Port Louis Isle of France March 29th 1811

These are to certify, to all whom it may concern that the ship Hope belonging to Port Louis Owner Mr. Thos. Stewart Commanded by H. MacPherson Burthen about Three Hundred & fifty Tons, mounted with two carriage Guns, Navigated with twenty four Men, last from India the ___ day of ___ Cargo ___ bounden to ___ arrived on the ___ day of ___; having complied with the Rules, Orders and Regulations of this Port, has permission to depart from hence to Bourbon.

Given under My Hand and Seal of Office

the 29th Day of March 1811.

(Signed) J. H. Southam Act. Port Captain.

The Ship Hope C Eaton Master

D

Port Office

Port Louis Isle of France 5th June 1811.

These are to Certify to all whom it may concern that the Ship Hope belonging to Messrs Owners Messrs T. W. Stockdale & Charles Eaton Commanded by Charles Eaton Burthen about three hundred and fifty Tons, mounted with two Carriage Guns, Navigated with forty five Men, last from Bourbon the Seventh Day of April 1811 Cargo Soaps & Stores Bounded to Port Louis arrived on the 13th Day of April 1811 having complied with the Rules Orders and Regulations of this Port, has Permission to depart from hence to Maiorca

Given under my Hand and Seal of Office
the 5th Day of June 1811.

L.S.

(Signed) J. W. Loutheam Agt. Port Captain.

Vice Admiralty Prize Court Madras.

Saturday the 3d. Day of August 1811

Before the Worthe Sir Thomas Strange Knt. Commissary and Judge

present Henry Lehegan Esqr. Registrar.

In the Business of the Ship Hope

whereof Charles Eaton is Master & Part owner }

On Motion of the Kings Advocate and on reading the Petition of Charles Eaton Master and Part owner of the said Ship together with his affidavit annexed in verification of the said Petition, and the Kings Advocate having been heard in behalf of the said Petitioner the court was pleased to order and it is hereby ordered that a commission of appraisement of the said Ship Hope her Tackle Apparel and Furniture do issue directed to the Marshal of this Court, and that the Appraiser or Appraisers appointed and sworn in and by virtue of the said Commission do forthwith proceed to the due Appraisement and Valuation of the said Ship her Tackle Apparel and Furniture as aforesaid and that the said Appraisement and valuation being duly had and Made as aforesaid be returned annexed to the said Commission with all possible convenient Dispatch. —

T. C. Strange

The Ship Hope C. Coates Master

368 Return of Appraisement

In Obedience to the annexed Commission of appraisement to me directed I have caused the ship Hope mentioned in the said Commission together with her tackle Apparel and Furniture to be appraised and I have also caused to be made a true and perfect Inventory of the said Ship her tackle Apparel and Furniture which is herewith Annexed.—

Madras 5th August 1811

Will. Mc Taggart
Marshal.

In the Vice Admiralty Court at Madras.

We the Undersigned C. H. Shaw and Andrew Macfarlane being respectively commanders of Ships having carefully inspected the Ship Hope with her tackle Apparel and Furniture and being sworn faithfully to appraise the same, Do upon our Oaths, say, that according to the best of our Judgement the said Ship her tackle and Furniture amounts to Eighteen thousand Star Pagodas — or thereabouts

Sworn this 5th Day of August 1811 before me

Will. Mc Taggart
Marshal —

The Ship Hope & Eaton Master.

Decree of Delivery

George the Third by the Grace of God of the United Kingdom of Great Britain & Ireland King Defender of the Faith &c. To William Macleggart Esq.re Marshal of our Vice Admiralty Court of Madras and to all others in whose Custody or possession the Undermentioned Ship is, Greeting Whereas the Honble Sir Thomas Andrew Strange Kt. Commissary and Judge in our said Court and also to hear and determine all and all manner of causes and Complaints as to Ships and Goods seized and taken as Prize especially constituted and appointed in a certain Business moved before him in our said Court concerning the Ship Hope, now in Madras Roads within the Jurisdiction of our said Court being, whereof Charles Eaton is Master (and part owner as is alledged) her Tackle Apparel & Furniture recaptured, as is also alledged, at the time of the surrender of the Isle of France to our Forces, rightly and duly proceeding hath directed by interlocutary Decree the said Ship to be delivered to the said Charles Eaton Master and part owner as aforesaid upon his depositing the Sum of Star Pagodas eighteen thousand being the appraized Value of the said Ship with her Tackle Apparel & Furniture and Whereas on the day of the date hereof the said Deposite of the sum aforesaid hath been duly made

We do therefore by these Presents authorize and empower you jointly and severally and strictly charge and Command you to release the said Ship Hope from her detention and Custody and to deliver the same unto the said Charles

Eaton

The Ship Hope C. Eaton Master

Eaton Master and part owner as aforesaid and Them so
shall not —

Given at Macao in our
Seal of Office and Court under the seal thereof
this fifth Day of August 1841
in the 5th year of our Reign. —

In obedience to this commission of delivery to me Directed I have
caused the Within Named Ship Hope, her Tackle Apparel and
Furniture to be delivered to the within Named Charles Eaton
Master and part owner. —

Will MacTaggart
Marshal —

Published

In the Business of the Dutch Property Captured at Amboyna and condemned as Prize in September 1810, continued from page 327

Certificate that Condemnation passed the Seal.

Vice Admiralty Prize Court Madras.

Monday the 16th of September 1811.

In the Business of the Dutch Property (Spices) taken at Amboyna & its dependencies } Brought to Madras on his Majesty's Ship Cornwallis Samarang and the Dutch Prize Brig Rambang.—

These are to certify that it appears by the Records of the Vice Admiralty Court of Madras that on the fifteenth day of September in the Year of our Lord One thousand eight hundred and ten Sentence of condemnation of the said Property, as good and lawful prize taken by H.M. Ship Dover Cornwallis & Samarang whereof Edward Tucker, William Augustus Montague and Richard Spencer Esquires were severally Commanders and a Detachment of the East India Company's Troops Commanded by Major Henry Court Esquire Captain in the said Company's Madras Artillery, passed the Seal of the said Vice Admiralty Court and that no appeal, nor has at any time any notice of appeal against the said Sentence from the day of the date thereof hitherto been filed in the said Court.—

Henry Gahagan
Registar
Vice Admlty Court Madras

Four Junks or Vessels captured by H. M.
Ship Blanche and Samarang.—

352.

In the Vice Admiralty Court at Madras.
Prize Jurisdiction

Junk Tamungong
Junk Limongsar
Junk Tanpacky
Junk Kimpanang

Appeared personally Richard Bromley of Madras Esquire late Secretary to His Excellency William Petrie Esquire Rear Admiral of the Red and being sworne on the Holy Evangelists do depose and say that the four Several accompanying Papers No. 561. 562. 563. and 564 relating to the above four Junks captured as Prize by His Majesty's said Ship Samarang and His Majesty's Ship Blanche Richard Spencer Esquire Commander were forwarded by the said Richard Spencer to the Deponent as the Prize Agent for the Captors At which time the Deponent also received from the said Richard Spencer the Several other private Letters and Papers accompanying this Affidavit to be deposited in this Court with the two Certificates annexed marked with the Letters A and B which said several Papers accompanying this Affidavit and above referred to are now brought in and delivered as they were received without any Alteration or Substitution.

Richard Bromley

Wm. Petrie Rear Admiral

Sworn at Fort Saint George
this 8th Day of January 1811.
Before Me
T. Macnaghten

A.

This is to Certify that the Nayadahs of the four China Junks brought to these Roads by H. M. Ship Ship Samarang acknowledged in our presence that the said Junks had shared out from Java and were on their Passage to Malacca when taken possession of by H. M. Ships Blanche and Samarang—

Malacca
5th October 1810

Wm. Farquhar
Capt. Commandt.
J. Maxwell
Collector

B.

I do hereby Certify that the Four Junks named Hemingsing, Hemingnar, Hempenang & Tampahy, captured by His Majestys Ships Blanche and Samarang, between the 13th Day of September and the 20th September 1810. are not in a fit state to be navigated to any Port in India —

Given under My hand at Malacca, this 26th Day of October 1810. —

Pt Clark
Mr. Abbott.

No. 561 Malacca 20th October 1810.

These Deponents Christian Ley Master and Chingeolar of the Junk, or Vessel Hemingsing appeared before us, and Voluntarily maketh Oath that between the 20th Day of July 1810 and the 1st Day of September following they took on board of the said Junk, or Vessel, then lying in the Roads of Batavia, a Cargo consisting of Salt, Arrack, Sugar, Tobacco, and Sundry Articles of Merchandize, the Produce of the Island of Java, and that on the 13th Day of September 1810. the said Junk was Captured off the Island of Palantague in the Straits of Dyore, by His M. Ship Blanche, and Samarang under the Command of Richard Spencer Esquire and that during the Voyage from Batavia these Deponents destroyed the whole of the Dutch Papers, and Documents respecting the Cargo in hopes to escape Capture by His Majestys Ships these Deponents further Make Oath that to the best of their Judgement and belief, the aforesaid Junk cannot be navigated to India or Ceylon. —

(Signed) Jaoo Attestor
Jno W.K. Stuber.

No. 562 Malacca 20th October

These Deponents Quickma Master, and Nacodah of the Junk, or Vessel Hemingnar appeared before us and Voluntarily maketh oath; that between the 20th Day of July 1810. and the 1st Day of September following they took on board of the said Junk or Vessel then lying in the Roads of Batavia a Cargo, consisting of Salt, Arrack, Sugar Tobacco, and Sundry Articles of Merchandize the Produce of the Island of Java, and that on the 20th Day of September 1810 the said Junk was Captured off the Islands of Pulo Sisang in the Straits of Malacca by His Majestys Ship Samarang Joseph Drury Esqr. Commander and

that

Four Junks — Continued —

that during the Voyage from Batavia, these Deponents destroyed the whole of the Dutch Papers, and Documents respecting the Cargo, in hopes to escape Capture by H. M. Ships - Also Deponents further Make Oath that to the best of their Judgment and belief, the aforesaid Junk cannot be navigated to India or Ceylon. —

Quod Attestor
Jno Hk Stecher

No 562.

On this Day the 23d October 1810. —

Appeared before me Jan Hendrick Stecher, Notary of the Government of Malacca, in pursuance of the hereafter Mentioned Witnesses. The Noble Sir. Richard Spencer Commanding His British Majestys Ship named Blonde. —

Who has delivered to me Notary, a Declaration written in the English Language, made by China Man Quickwa, Arrached from the Junk Vummyoan & Nioules, containing the same Declaration as follows

(here follows the Declaration in English)

(here under, with two Marks, and signed by Quickwa and Nioules.

(written this)

On this Day the 24th October 1810. Appeared before us undersigned Committee of the Numbers of Justices, the here before mentioned Deponents signed Quickwa & Nioules China Man and after having the before mentioned Declaration once more read and explained to them, they did remain persisting in it, and affirm their Oath which they have also done, in the China Journale. —

Done and Sworn at Malacca on the aforesaid Day (was signed) with two Marks, and signed (written) it by Quickwa and Nioules. —

(here under)

in presence of me (signed) J. H. Stecher Secretary in the Middle Signed with a China Character (written) which Signed by the Interpreter Lee Boan.

as Committee. in Mengone

C. Walbeehm & A. Van Nearbergen and in consequence of the Congress not
I request that a Minute of the Contents should be kept at the Notarie's Office, and
Act has been made in favour, which is this, requiring thereof two Copies of
the same Tenor.—

Done and Signed at Malacca, in presence of Johan Hendrik
Walbeehm & Pieter Averese, as Witnesses — who have the Minute of this
written on a Rl. Huguies Stamps. Signed together with the Comparant
& me Notary.—

(Signed) Geo. Alexander
J. H. Fischer
Notary

No. 563. Malacca 20th October 1810.—

These Deponents Gasoon Master and Factory of the Junk, or Vessel
Kamtiongsing appeared before us and Voluntarily maketh Oath that between
the 30th Day of July 1810. and the 1st Day of September following they took
on Board of the said Junk or Vessel, then lying in the Roads of Batavia a
Cargo consisting of Salt, Arrack, Sugar, Tobacco, and Sundry Articles of Merchandize
the Produce of the Island of Java. And that on the 15th Day of September 1810.
the said Junk was Captured off the Island of Catantagan in the Straits of Bryas
by H. M. Ships Blanche and Samarang under the Command of Richard Spencer Esqre
and that during the Voyage from Batavia these Deponents destroyed the whole
of the Dutch Papers and Documents respecting the Cargoe, in hopes to escape Capture
by H. M. Ships. These Deponents further make Oath, that to the best of
their Judgment and belief, the aforesaid Junk cannot be navigated to India or Ceylon.—

(Signed) Geo. Alexander
Jn. H. Fischer

No. 564. Malacca 20th October 1810.

These Deponents Cheatang Sing Master and Chae Chang of the Junk or
Vessel Tanpoehy appeared before us & Voluntarily maketh Oath that between
the 20th Day of July 1810 and the 1st Day of September following they took on
board of the said Junk, or Vessel, then lying in the Roads of Batavia,
a Cargo consisting of Salt, Arrack Sugar Tobacco, and Sundry articles

F

of Merchandize, the produce of the Island of Java, And that on the 15th Day of September 1810. the said Junk was Captured off the Island of Calantegas in the Straits of Dryan, by H. M. Ship Blanche & Samarang, under the Command of Richard Spencer Esquire and that during the Voyage from Batavia these Deponents destroyed the whole of the Dutch Papers and Documents respecting the Cargo; in Hopes to escape Capture by H. M. Ships. These Deponents further make Oath that to the best of their Judgment, and belief, the aforesaid Junk cannot be navigated to India, or Ceylon. —

Jurat Attestor
Jno Wm Tucker

In the Vice Admiralty Court at Madras. —

Prize Jurisdiction

Junks Hemingsing, Hemingsing
Sampacky and Hemsingsing. —

The Humble Petition of Robert Ommey Proctor for our Sovereign Lord the King

Sheweth

That your Petitioner as Proctor for our Sovereign Lord the King hath introduced the Affidavit of Richard Bromley Esquire late Secretary to His Excellency William Bligen Drury Esquire Vice Admiral of the Blue with Sundry Papers relating to the above mentioned four Junks captured as Prize by His Majesty's Ship Samarang Joseph Drury Esquire Commander and His Majesty's Ship Blanche Richard Spencer Esquire Commander, and deposited the same with the Registrar of this Court. —

That your Petitioner is now desirous that the usual Monitions should issue. —

Your Petitioner therefore humbly Prays that the usual Monitions may issue against all Persons in General having or pretending

pretending to have any right title or Interest in the said Junks their Tackle Apparel and Furniture to appear at such time as shall be appointed to shew and alledge in due form of Law any reasonable or Lawful Cause if they have any why the said Junks their Tackle Apparel and Furniture should not be condemned as good and Lawful Prize. —

And your Petitioner shall ever Pray &c.

Rt. Arnee

Kings Proctor. —

Vice Admiralty Prize Court Madras. —

Tuesday the 25th Day of January 1811. —

Before the Hon'ble Sir F. Maenaghten Kt.

Deputy Lawmissary at his Chambers in

Fort St George present Henry Sahagean Esquire

Registrar —

In the Business of Four Vessels or Junks } Captured by H. M. Ships Blanche and Samarang —

On Motion of the Kings Advocate and on reading the Petition of the Kings Proctor and the Affidavit (with the Papers thereto annexed) of Richard Bromley Esquire late Secretary to Rear Admiral Drury It is ordered that the usual Monition to proceed to Adjudication Do issue in this Cause, directed to the Marshall. —

F. Maenaghten

Vice Admiralty Prize Court Madras.

Wednesday the 17th Day of April 1811. —

Before the Hon'ble Sir T. A. Strange Kt.

Lawmissary at his Chambers present Henry

Sahagean Esquire. Registrar —

In the business of Four Junks or Vessels } taken by H. M. Ships Blanche and Samarang. —

Pr.

Four Junks — Continued —

It is ordered that a Monition do issue to the Agent or Agents for the Captors directing Him or them to bring and deliver into the Registry of this Court on or before the 24th Day of April instant the sale proceeds of the said Vessels or Junks, there to abide the further order of this Court. —

Attorney

In the Vice Admiralty Court at Madras —

Prize Jurisdiction

Junk Hemingang
Junk Hemingnal
Junk Tanpachy
Junk Kempeaning
Dutch Brig Name unknown —

Appeared personally Richard Spencer Esquire lately in Command of His Majestys Ship of War Blanche and being sworn on the Holy Evangelists did depose as follows, that is to say, That this Deponent while in Command of the above Ship the Blanche received Orders from His late Excellency Vice Admiral Drury as Commander in Chief of His Majestys Ships and Vessels in the east Indies to proceed with the Samarang then under the Command of Joseph Drury Esqr. on a Cruize off the Dutch Settlement of Wambang on the Streets of Banca to intercept the Trade from the Island of Java then under Strict Blockade by order of the British Government and to Attack take and destroy the Enemies Property which might be there found. And the Deponent in pursuance of such Instructions the said Ships the Blanche and Samarang proceeded to their Station and in Cruizing in the said Straits of Banca they on the Fourteenth Day of September one Thousand eight hundred & ten fell in with and captured in the Straits of Dyon being the entrance into the Straits of Banca a Junk Commanded by Chustang by them sailing from Batavia under a White Flag with a French Pendant over it. That after firing Two Guns at the said Junk she Lowered, and was soon afterwards boarded by the Deponent who

made

made diligent Search and enquiry for Ships Papers, and was told by the said Master
Cheating Soy that the Ships Papers had been thrown overboard, but a Small Paper
was found by the Deponent on the Deck of the said Junk (now deposited in the
Court) appearing to be a pass or order for a Boat to go out of the Mole of
Batavia to the said Junk with a part of her Cargo. And the Deponent did
further depose that on first hearing the said Junk he enquired from the said
Commander from whence he came to which he answered that he came from
Bally a Neutral Island and was bound to Malacca. But on the Deponent shewing to
the said Master the above pass or order he then admitted that he had cleared
out from Batavia. And the Deponent did further State that afterwards on the
fifteenth Day of the said Month of September while Cruizing in the said
Straits of Dryon he fell in with and Captured two other Junks then sailing
apparently from Batavia, That the Masters of those Junks Viz^t Jasoon
and Cheatong Seng were brought on board the Blanche and after at first declaring
that they also had sailed from Bally, and after the Deponent had discovered that
the Batavia Port Mark was on some of the Letters which were found on
Board the said Junks the Masters both acknowledged that they had cleared
out from Batavia and had thrown their Ships papers overboard. And the
Deponent did further State that after having captured the above three
Junks he ordered the said Joseph Drury to proceed to Malacca with
them, And the Deponent after Cruizing in the said Straits proceeded to
Malacca where he arrived on or about the Eleventh Day of October following
with a Brig Captured as hereafter Stated and found the said Joseph Drury in
charge of the said three Junks and of a fourth which he had captured on
his Voyage towards Malacca as having cleared out from Batavia. And
the Deponent did further depose that from there being no accommodation
on Shore for the Number of People belonging to the Junks and being
earnestly pressed by the Crews and being also requested by the Governor
of Malacca and not being able either to Man or Navigate those Junks
across the Bay of Bengal to any Vice Admiralty Court, this Deponent
and the said Joseph Drury and the other Officers and Crews agreed to give

up

It is ordered that a Monition do issue to the Agent or Agents for the Captors directing him or them to bring and deliver into the Registry of this Court on or before the 24th Day of April instant the sale proceeds of the said Vessels or Junks, there to abide the further order of this Court.

W Strange

In the Vice Admiralty Court at Madras.

Prize Jurisdiction

Junk Hemingway
Junk Hemingrai
Junk Tanpacky
Junk Lempeasing
Dutch Brig Name unknown.

Appeared personally Richard Spencer Esquire lately in Command of His Majestys Ship of War Blanche and being sworn on the Holy Evangelists did depose as follows, that is to say, That this Deponent while in Command of the above Ship the Blanche received Orders from His late Excellency Vice Admiral Drury as Commander in Chief of His Majestys Ships and Vessels in the east Indies to proceed with the Samarang then under the Command of Joseph Drury Esqr. on a Cruize off the Dutch Settlement of Palembang in the Straits of Banca to intercept the Trade from the Island of Java then under the Government of the British Government and to attack take and destroy the Enemies Property which might be there found. And the Deponent did further state that in pursuance of such Instructions the said Ship the Blanche and Samarang proceeded to their Station and in Cruizing in the said Straits of Banca they on the fifteenth Day of September one thousand eight hundred & ten fell in with and captured in the Straits of Dyon being the entrance into the Straits of Banca a Junk Commanded by Chuatang by that name sailing from Batavia under a White Flag with a French Pendant over it. That after firing two guns at the said Junk she Struck, and was soon afterwards boarded by the Deponent who

made

made diligent Search and enquiry for Ships Papers, and was told by the said Master
& Cheating Joy that the Ships Papers had been thrown overboard, but a Small Paper
was found by the Deponent on the Deck of the said Junk (now deposited in the
Court) appearing to be a pass or order for a Boat to go out of the Mole of
Batavia to the said Junk with a part of her Cargo. And the Deponent doth
further depose that on first boarding the said Junk he enquired from the said
Commander from whence he came to which he answered that he came from
Bally a Neutral Island and was bound to Malacca. But on the Deponent shewing to
the said Master the above pass or order he then admitted that he had cleared
out from Batavia. And the Deponent did further State that afterwards on the
fifteenth Day of the said Month of September while Cruizing in the said
Straits of Dryon he fell in with and Captured two other Junks then sailing
apparently from Batavia, That the Masters of those Junks Visto Gosoon
and Cheatong Sung were brought on board the Blanche and after at first declaring
that they also had sailed from Bally, and after the Deponent had discovered that
the Batavia Port Mark was on some of the Letters which were found on
Board the said Junks the Masters both acknowledged that they had cleared
out from Batavia and had thrown their Ships papers overboard. And the
Deponent did further State that after having captured the above three
Junks he ordered the said Joseph Drury to proceed to Malacca with
them, And the Deponent after Cruizing in the said Straits proceeded to
Malacca where he arrived on or about the Eleventh Day of October following
with a Brig Captured as hereafter Stated and found the said Joseph Drury in
charge of the said three Junks and of a fourth which he had captured on
his Voyage towards Malacca as having cleared out from Batavia. And
the Deponent did further depose that from there being no accommodation
and those for the Number of People belonging to the Junks and being
earnestly prayed by the Prows and being also requested by the Governor
of Malacca and not being able either to Man or Navigate those Junks
across the Bay of Bengal to any Vice Admiralty Court, this Deponent
and the said Joseph Drury and the other Officers and Crews agreed to give

up

up and did give up and restore the said Junks to the Commanders and Crews.
And the Deponent did further depose that being unable to send the Cargoes of the said four Junks to Madras the same were sold at Malacca by Public Auction and the amount sales as now as the Deponent believes in the hands of the Registrar of this Court. And the Deponent did further depose that in the presence of Captain Farquhar the Governor of Malacca he through an Interpreter stated to the Masters and Crews of the said Junks that it was necessary at least for the Master and one of the Crew to go to the Colonies Court at Madras, as well to claim their Property as that Court as to be examined on the Standing interrogatories, but the Deponent saith that from the great aversion the Masters and Crew had to go so far from their own Country and declaring at the same time that they would rather lose their lives than be carried to Madras the Deponent was induced not to force them on board either of His Majestys said Ships and allowed them to remain with their Junks.

And the Deponent did further depose that when the Blanche was Cruizing off Palambang a Dutch Settlement on the Island of Sumatra they saw a Brig then sailing under a Blue Flag, which the Deponent understood to be a Javanese flag, that after chasing her some short time she run on shore off the entrance of Palambang River, where she was boarded & taken possession of by a Boat from the Blanche, and the Master brought on board that Ship who then declared that he had sailed from Bally, but on the Deponent (thro a Malay Interpreter) discovering from a Letter found on board dated Cheby in Java addressed to the Master of the Brig then lying in Soubaya on the said Island of Java, the said Master confessed that he lived at and had sailed from Surabaya and the Deponent being prepared to land the Crew of the said Brig at Palambang he did so but carried with him to Malacca the said Brig and her Cargo which were then sold and the Proceeds sold are now also as the Deponent believes in the hands of the Registrar of this Court.

Rich.d Spencer.

Sworn at Lord St George
this 21.st Day of May 1811
Before me

F. Macnaghten
Admiralty Proctor

F. Macnaghten
which I attest.

Henry Lehagan
Registrar

At the Board

Let Pass a Praue, with 4 Commissions Salt, to be sent on the Tranquebar Vessel.—

20th July 1810.

(Signed) J. Benshershen

In the Vice Admiralty Court at Madras.—

Prize Jurisdiction

Our Sovereign Lord the King

against

The Junk Kemingang — Cheatengang Master

The Junk Kemingnae Luckwa — Master

The Junk Tonpoohy — Chaukang Sing — Master

The Junk Tempansang Goswa Master with their respective tackle Apparel & Furniture & the Goods, Wares & Merchandizes found on Board those Several Vessels taken & seized as Prize by H. M. Ship of War the Blanche Richard Spence Esquire Commander & H. M. Ship of War the Sonorang Joseph Darcy Esquire Commander and against all persons in General—

On which Day Robert Arne Procurator General for our Sovereign Lord the King by all lawful Ways and means and to all effects in law whatsoever alledged pleaded and Articulately propounded as follows to Wit.—

First..... That His Majesty by and with the advice & consent of his privy Council by an Order in Council bearing date at the Court of Saint James's the sixteenth day of June in the year of Our Lord One thousand eight hundred & three did order that General Reprisals be granted against the Ships, Goods & Subjects of the Batavian Republic so that as well His Majesty's Fleets & Ships and also all other Ships and Vessels that should be Commissioned by Letters of Marque or General Reprisals or otherwise by the Commissioners

Four Junks ——— Continued

Commissioners for executing the Office of Lord High Admiral of the united Kingdom of Great Britain and Ireland then and for the time being should and might lawfully seize all Ships Vessels and Goods belonging to the Batavian Republic or Inhabiting within any of the Territories of the Batavian Republic and bring the same to Judgment in any of the Courts of Admiralty within the Dominions of His Majesty which should be duly Commissioned And this was and is true public and Notorious And the party proponent doth allege and propound every thing in this and the Subsequent Articles contained jointly & Severally —

Secondly — That the Junk or Vessel Hemangieng whereof Cheatong Lay was Master & the Goods wares and Merchandizes on board the same were on the thirteenth Day of September in the year of our Lord One thousand Eight hundred and ten seized and taken as Prize off the Island of Calantigue in the Straits of Dryon by His Majesty's said Ship Blanche Richard Spencer Esquire Commander & the said Sloop Samarang Joseph Drury Esquire Commander & that the said Junk or Vessel after having been seized and taken as aforesaid not being able to be navigated to Madras was with her Cargo taken to Malacca & there publickly sold & that the Nett proceeds sale of the said Junk or Vessel & her Cargo are brought to Madras and now remain within the Jurisdiction of this Court & the party proponent doth allege and propound as before —

Thirdly — That the Junk Hemangieng whereof Lumkina was Master & the Goods wares and Merchandizes on board the same were on the twentieth day of the said Month of September seized & taken as Prize off the Island of Pulo Pisang in the Straits of Malacca by His Majesty's said Ship Blanche and Sloop Samarang respectively Commanded by the said Richard Spencer and Joseph Drury And that the said Junk or Vessel after having been seized and taken as aforesaid not being able to be Navigated to Madras was with her Cargo taken to Malacca and there publickly sold And that the nett proceeds sale of the said Junk or Vessel and her Cargo are brought to Madras and now remain within the Jurisdiction of this Court And the Party Proponent doth allege & propound as before —

Fourthly — That the Junk Tampacky whereof Cheatong Lay was Master and the Goods Wares and Merchandizes on board the same were on the Fifteenth Day of the said Month of September seized and taken as Prize off the said Island of Calantigue in the Straits of Dryon by His Majesty's said Ship Blanche and Sloop Samarang respectively Commanded by the said Richard Spencer and Joseph Drury And that the said

Junk

Junk or Vessel after having been seized and taken as aforesaid not being able to be Navigated to Madras was with her Cargo taken to Malacca and there Publickly Sold and that the nett proceeds sale of the said Junk or Vessel and her Cargo are brought to Madras and now remain within the Jurisdiction of this Court And the Party proponent doth Pledge and propound as before.—

Fifthly.—— That the Junk Hempassing whereof Jassoon was Master and the Goods wares and Merchandizes on board the same were on the said fifteenth Day of the said Month of September seized and taken as Prize off the said Island of Sumatra in the Straits of Durian by His Majesties said Ship Blanche and Sloop Samarang respectively Commanded by the said Richard Spencer and Joseph Drury and that the said Junk or Vessel after having been seized and taken as aforesaid not being able to be Navigated to Madras was with her Cargo taken to Malacca and there publickly Sold and that the nett proceeds sale of the said Junk or Vessel and her Cargo are brought to Madras and now remain within the Jurisdiction of this Court And the Party Proponent doth alledge and Propound as before.—

Sixthly.—— That the said four Several Junks or Vessels and the Goods Wares and Merchandizes on board the same respectively at the time of the Capture thereof were belonging to the Battavian Republic or to persons Subjects of the Battavian Republic or Inhabiting within the Territories of the Batavian Republic and as such or otherwise liable to Confiscation and ought to be confiscated and Condemned to our Sovereign Lord the King— And the Party Proponent doth alledge and propounds as before.—

Seventhly.—— That the said four several Junks or Vessels on the Voyage in which they were Captured took in their respective Cargoes at and cleared out from the Port of Batavia on the Island of Java being a Port then & therefore belonging to the Battavian Republic and then & there being under the Government stiling itself the Kingdom of Holland and the said Port or Settlement of Batavia with the rest of the said Island of Java by His Majesties order in Council bearing date the twenty eighth Day of April one thousand eight hundred and Nine being then and

For

for some time previously subject to the same restrictions in point of trade and navigation without any exception as if the same were actually blockaded by His Majesty's Naval Forces in the Most Strict and Vigorous manner and by which order in Council it is directed that every Ships leading from and to any of the Colonies Plantations or Settlements in the Possession of the said Government Sailing Neath the English of Holland together with the Goods and Merchandizes on board shall be condemned as Prize And the party proponent doth allege and propound as before.

Eighthly ---- That each of the said several Junks or Vessels at the time of Sailing from the said Port of Batavia in the Voyage in which they were so taken had on board a Dutch Pass and Flag which the Masters of the said several Junks or Vessels concealed and threw over board or otherwise destroyed at or before the seizure thereof respectively And the Party proponent doth allege and Propound as before.

Ninthly ---- That it ought to be further Adjudged and Decreed that the said Richard Spencer Commander and the Officers and Crew of His Majesty's said Ship Blanche under his Command And the said Joseph Drury Commander and the Officers and Crew on board the Ship the Samarang under his Command were and are the Captors of the said four several Junks or Vessels and of the Goods Wares and Merchandizes laden thereon respectively And the parties proponent doth allege and propound as before.

Lastly ---- That all and singular the Premises were and are true Public and Notorious and thereof there was and is a Public Voice fame and report of which Legal Proof being made the party proponent prays right and justice to be Judicially done and Administered in the Premises by you, The Honble Sir Thomas A. Strange Knight Judge of His Majesty's Vice Court of Admiralty at Madras or your Lawful Surrogate And that the said four several Junks or Vessels hereinbefore named and their respective tackle Apparel and Furniture and the

Goods

Goods wares and Merchandizes laden thereon respectively so seized and taken
be pronounced to belong at the time of the aforesaid
as aforesaid & seizures to the Batavian Republic or to persons being subjects of the
Batavian Republic or inhabiting within the territories of the Batavian Republic
and has Loving traded from and to a Settlement in the possession of the
Government Stiling itself the Kingdom of Holland and as such or otherwise
liable to Confiscation and Condemnation And that it may be pronounced
and decreed that the said Several Sunts or Vessels their respective tackle apparel
and furniture and the Goods wares and Merchandizes laden thereon respectively
did severally belong to Enemies of the Crown of the United Kingdom of
Great Britain and Ireland - And that the said several Sunts or
Vessels and their respective tackle Apparel and furniture and the Goods
wares and Merchandizes laden thereon respectively be adjudged and Condemned
as Good and Lawful Prize accordingly -

W. Erme
Kings Proctor

Herbert Compton

Adjudication of Sale Proceeds of the Cargoes.

Vice Admiralty Prize Court Madras.

Monday the 9th Day of November 1811

Before the Worshl Sir Thomas Andrew Strange Kt Commissary & Judge &c

present Henry Salvador Esquire Register.

In the Business of
Jane Junks or Vessels } taken by H. M. Ships Blanche & Samarang
and their Cargoes

The Court having heard Mr Cuppidge the Kings Advocate praying Condemnation of the said Junks as Good and lawful Prize taken by His Majesty's Ships Blanche & Samarang whereof Richard Spencer & Joseph Drury Esquires were respectively Commanders and the Affidavit of Mr Richard Bramley with the Papers annexed thereto and accompanying the same, as well as the Affidavit of Captain Spencer, having been read on behalf of the Captors, & it appearing that no Papers belonging to the said Junks, save and except sundry private Letters written in the Malay and Chinese Languages and a small Paper purporting to be a Boat Pass written in the Dutch Language have been produced before the Court, nor has any account been given thereof other than what appears in certain Alledged declarations on the Part of the Nacodas or Masters of the said Junks, of which, Notarial Acts only taken at Malacca have been exhibited and it also appearing that no examinations of Witnesses as to the said Captures either upon the Standing or Special Interrogatories have been had & taken and no sufficient Cause having been shewn why the said Junks with their Cargoes and their Masters or Mariners or any of them have not been brought to Madras, or else where within the Jurisdiction of this Court but on the Contrary thereof it appearing that the Captors aforesaid did give up and restore the said Junks to their Commanders and Crews and that the Cargoes of the said Junks were sold at Malacca by public Auction without Authority or Necessity, so far as judicially appears the Judge pronounced declared and decreed that the Allegations exhibited and propounded by the Kings Proctor in behalf of the Captors were not fully and sufficiently made out and proved and therefore adjudged and Condemned

the

the sale Proceeds of the Cargoes of the said Junks to His Majesty's use and Disposal, but upon Consideration of all the circumstances attending the said Seizure & Capture, the Judge ordered all the Costs and Charges of this Cause to be satisfied & Paid out of the said Proceeds and further ordered that Copies of all the Papers and Proceedings in this Cause be transmitted by the Registrar of this Court to the High Court of Admiralty of England and that the Balance of the said sale Proceeds of the Cargoes aforesaid after such Satisfaction and Payment of Costs & Charges be, also by the said Registrar, to the High Court of Admiralty remitted there to Abide the Orders of His Majesty of His said High Court of Admiralty —

J. D. Strange

Admiralty Registry
Doctors Commons 25th July
1812

Sir,

I acknowledge the receipt of your two Letters of Date the 29th February 1812 addressed to the Registrar of the High Court of Admiralty, transmitting 1st a bill of Exchange on the Commissioners of the Navy for £ 5830.9.2 as the balance proceeds of four China Junks & Cargoes & a Bill of exchange on the same Commissioners for £ 390.0.2 as the Balance proceeds of a Dutch Ship & Cargo, Captured by His Majesty's Ship Blanche, Both these bills being payable 90 Days after Sight which when in Cash be carried to the Respective Accounts for which they are remitted. —

I am
Sir
Your Obt. humble Servt.
(Sigd.) James Farquhar

Henry Rahagan Esqre
Regr. V. A. Court Madras.

Hy. 15 March 1813

The Spices Captured at Banda Neira Dec^r brought to Madras
on H. M. Ship Piedmontaise Capt^n C Foote.-

368.

In the Vice Admiralty Court at Madrás.-

Prize Jurisdiction

Our Sovereign Lord the King

Against

Certain Property captured at the Dutch Islands of Banda Neira, Great Banda and Pulo Ay

Appeared personally Charles Foote Esquire Commander of His Majesty's Frigate the Piedmontaise and being Sworn to depose the truth made Oath as follows

That on or about the Fifth Day of May one thousand eight Hundred and Ten His Excellency William C Bryan Drury Ducarel then a Rear Admiral of the Red and Commander in Chief of His Majesty's Ships & Vessels in the Indian Seas issued orders to Christopher Cole Esquire the Commander of His Majesty's Ship of War the Caroline to proceed to the said Island of Banda Neira and its dependant Islands then in possession of Troops serving under the person or Persons then exercising the Government of Holland and to attempt the reduction of the same in the Name of His Majesty And that the said Christopher Cole was also ordered to take under his Command His Majesty's said Frigate the Piedmontaise then commanded by the Deponent and His Majesty's Brig Barracuta then commanded by Lieutenant Richard Kenah and a Detachment of the Honorable the East India Company's Madras European Regiment under the Command of Captain George Lennox Nixon - And this Deponent did further depose & State that pursuant to such Orders from the said William C Bryan Drury the said Ships did proceed to the said Islands and after Storming the Citadel of Belgica on the Island of Banda Neira the Dutch Garrison surrendered to His Majesty and accordingly possession of that Island was on the ninth day of August last past taken in the Name of His Majesty King George the third and the Public Property found on the said Islands of Banda Neira and on its dependant Islands Great Banda and Pulo Ay (which were also taken possession of) was seized as Prize And the Deponent did further depose and state that sundry Quantities of Mace and Cloves part of the Public

Property

Property taken on the said several Islands were soon afterwards shipped on board the said Ship the Caroline and the said Brig the Baracoutta and carried to Madras and as the Deponent has been informed and believes afterwards condemned in this Court as Prize captured by the said Ships the Caroline Piedmontaise and Baracoutta and by the said Detachment of the Madras European Regiment And the Deponent did further depose and state that after the departure of the said Christopher Cole from the said Island of Banda Neira the Government and charge thereof and of its dependant Islands were committed by the said Christopher Cole to the Deponent And that the Deponent continued in the charge and Government of these several Islands until the Eleventh day of March last when the same were delivered over to Walter Ewer Esquire who had been appointed for that purpose by Mr W. B. Martin the Resident of the East India Company at Amboyna in consequence of a proposal which was made as the Deponent believes by the said William Bryen Drury in his life time to the Governor General in Council that the said Islands should be held or possessed by the said East India Company until His Majestys pleasure should be known in India And the Deponent did further depose that the said Ship the Piedmontaise sailed from the said Island of Banda Neira on or about the thirty first day of March last and arrived in the Roads of Madras and within the Jurisdiction of this Court on the twenty sixth Day of May last having on board Sundry Quantities of Mace and Nutmegs to Wit Fifty seven thousand, three hundred and Ninety eight Dutch Pounds Weight or thereabouts of Mace and one hundred and twenty two thousand, seven hundred and two Dutch Pounds Weight or thereabouts of Nutmegs the parts of the Public Property taken on the said Islands.

Charles Foote

Sworn at Fort St George
the Seventh Day of June in the
Year 1811.

Before Me

T. A. Strange

In the Vice Admiralty Court at Madras

Prize Jurisdiction

Our Sovereign Lord the King

against

Certain Property captured at the Dutch Islands of Banda Neira, Great Banda & Pulo Ay

Publicly.

To the Humble Petition of Robert Orme Proctor for Our Sovereign Lord the King –

Sheweth,

That your Petitioner hath filed with the Registrar of this Honble Court the Deposition of Charles Foote Esquire Commander of His Majesty's Ship the Piedmontaise relative to the taking of the Dutch Islands of Banda Neira, Great Banda & Pulo Ay, and of the seizure of the Spices and other Prize Property on the said Islands And stating that sundry Quantities of Mace and Nutmegs, to Wit, Fifty Seven Thousand three hundred and ninety eight Dutch Pounds weight or thereabouts of Mace, and one hundred and twenty two thousand seven hundred and two Dutch Pounds Weight or thereabout of Nutmegs part of the said Prize Property taken on the said Islands had arrived in the Roads of Madras and within the Jurisdiction of this Court. –

That your Petitioner is now desirous that the Usual Monition should issue relative to the said Prize Property. –

Your Petr therefore humbly prays that the usual Monition may issue against all persons in General having or pretending to have any right title or Interest in the said Captured Property to appear at such time as shall be appointed to shew & allege in due form of Law any reasonable or lawful cause if they have any why the said Captured Property should not be condemned as good & lawful Prize

And your Petitioner shall ever Pray &c

Rt Orme

Kings Proctor

13 Banda Spices Continued

To the Hon^ble Sir Thomas Andrew Strange K^t Commissary and Judge in His Majesty's Vice Admiralty Court of Madras and the Territories thereto belonging.-

I Henry Lushington Registrar and Actuary named and appointed in the Commission from the said Court bearing date the 25th Day of June Instant for taking the examinations as to the capture of certain Property in and upon the Islands of Banda Naira, Great Banda and Pulo Ay, taken as Prize and brought to Madras and now within the Jurisdiction of the said Court do certify that Joachim Wind late a Captain in the Dutch Service, Alexander Lee late Secretary to Government at Banda and Johannes Hetting a Parkineer of Great Banda were by virtue of the said Commission produced and brought before Luke Ramsden Sterling Esquire one of the Commissioners Named, and in my presence by him examined upon certain Interrogatories hereunto Annexed, and the sayings and Depositions of the said Witnesses were by me faithfully reduced into writing and are herewith transmitted also annexed to these Presents in the said Commission required

Witness my hand & Seal this 29th Day of June 1811.-

Henry Lushington
Actuary & Registrar

In the Vice Admiralty Court of Madras

Prize Jurisdiction

In the business of the Dutch Property captured at the Islands of Banda, Neira, Great Banda and Pulo Ay, by His Majesty's Ships Caroline, Piemontaise and Barracouta.–

Special Interrogatories to be administered on behalf of Our Lord King George the Third by the Grace &c. to such Witnesses as may be hereafter named, produced, sworn and examined touching the capture of the Island of Banda Neira and of its dependencies in the Month of August One thousand Eight hundred and ten.–

Let the Witnesses be respectively Interrogated as follows and let their Answers to the respective Interrogatories be reduced to writing.–

First Interrogatory To Jochim Wart Alexander Le Leij and Johannes Hetting

Were you on or before the Ninth Day of August one thousand eight hundred and ten or for Some long before that time residing or Sojourning on either and which of the Islands of Banda Neira, Great Banda and Pulo Ay, and if you to what republic Nation State or Potentate did those Islands belong immediately before the Day last mentioned? Were you employed in any and what Military or Civil Capacity on either & which of the said Islands, and if you, by what authority were you appointed or did you Act? Was the Person or were the persons who executed the Government of the said Islands at or immediately before the time last mentioned subject to the Control or Authority of any other and what Government or Person to the Eastward of the Cape of Good Hope, as you know or believe, and did the Person or persons who executed the Government of the said Island of Banda Neira, possess or exercise any and what Authority over Great Banda and Pulo Ay or over any other and how many and what Islands by name in the vicinity of Banda Neira or otherwise? Did any and what British Force appear before or against the said Island of Banda Neira at or about the time hereinbefore mentioned, and if you, was any and what hostile Attack made on the said Island of Banda Neira, or on any and which of the Fortifications thereof, and if you, what was the result of such Attack, and was it successful

or

or otherwise? and, if you shall say that such Attack was successful, set forth and declare whether the said Islands of Banda Neira, Great Banda, and Pulo Ay, or any other and which Islands dependant on Banda Neira, did surrender, or were or was surrendered to such British Force, and if yea, Was such Island of Banda Neira with the Islands of Great Banda and Pulo Ay or were any other and which Islands dependant on Banda Neira, as you know or have any and what reason to believe taken possession of by any and what person in the Name of any and what Power or Potentate?

To the same Witness. Do you know whether any and what Goods Merchandize Treasure or other Property, belonging to the Person or Persons exercising the Government of Holland, or to any or either and which of the Subordinate Governments of the Dutch republic or Kingdom, or to any and what public Trading Company, Enemies of the Crown of Great Britain were or was captured taken or found on the said Island of Banda Neira or on any or either and which of the dependant Islands in the preceding Interrogatory mentioned, and if yea, have you any and what reason to know or believe that any part of such Goods, Merchandize, Treasure or other Property have or hath been brought, and now is at Madras, and if yea, set forth and describe the nature description and quantities of such Property and the means by which the same hath been brought to Madras. -

To the same Witness. - Were there on the said Islands of Banda Neira, Great Banda & Pulo Ay or on any and which of them on the said Ninth Day of August One thousand Eight hundred and Ten, and what number of Persons treated dealt with kept and detained as Slaves? And if yea, were they taken and seized as Prize after or after the capture or Surrender of the said Islands And State the Number of Men and of Women and also the Number of Children under the age of Fourteen Years who were so seized as Prize Slaves on the said several Islands or any of them. -

Alt. Crane
Kings Proctor.

Herbert Compton

In His Majesty's Vice Admiralty Court of Madras
and the Territories thereunto belonging. —

Depositions of Witnesses had and taken at the
Office of the Registrar of the said Court in Fort St George Madras aforesaid on the
twenty ninth Day of June in the Year of our Lord 1811 before Luke Montorville
Sterling Esquire one of the Commissioners named and appointed in and by
a certain Commission to himself and Thomas Greenway Esquire directed jointly
and severally, bearing date the 25th Day of June instant issued out of, and
under the seal of the said Court, authorizing and empowering them or either of
them to take the examinations of Witnesses, upon certain Interrogatories relative
to the capture of certain Property on the Islands of Banda Neira, Great Banda
and Pulo Ay, in the presence of the Actuary. —

1. Jochim Wood late Captain of Dutch Infantry
serving at Banda. Deposeth and saith as follows / that is to say / to the
first Interrogatory he maketh answer and saith that eight years antecedent to
the Ninth of August 1810. he has resided at the Island of Banda Neira,
Banda Neira is the head Quarters of the three Islands Banda Neira, Great
Banda & Pulo Ay, these Islands did on that day belong to the King of
Holland — he was employed as Captain and a Commandant of a Batalion
called Ambonnese was appointed by Marshal Daendals of Batavia
the Persons exercising the Authority of Government at Banda were subject
to the Control and Authority of the Governor of Batavia, the Government
of Batavia also Controlled the Governor at Great Banda Pulo Ay Rozengain
and some other small Islands in the Vicinity. About 9 or 10 O'Clock
in the evening of the 8th of August a British Force of Four Vessels the
Caroline, Piemontaise, Barracouta & Nisus appeared before the
Island of Rozengain — this force made an Attack on Banda and
the Attack was successful — the Islands surrendered to the Force commanded
by Captain Cole who Commanded the Squadron, and were taken in
the Name of His Britannic Majesty. —

2.

2. To the Second Interrogatory this Deponent answering saith that there were quantities of Spice in the Company's Godowns belonging to the Dutch Government taken at the time of Capture & after Money, but from his Situation as a Military Man, he can not speak to particulars he does not know whether the Property so captured has been brought to Madras but he understands that some has been brought here in the Peermontaid he believes it to be Nutmegs and Mace the Production of Banda.—

3. To the third Interrogatory this Deponent answering saith that at the time of Capture there were a Number of Slaves on the Islands but how many he does not know— they belonged to the Dutch Government but whether they were taken as Prize he does not know, but presumes they were, there were also other Slaves belonging to the Planters, private Property he believes.—

J. Reed

Banda Spice — Continued

1. Alexander Leslie - Secretary to the late Dutch Government of Banda deponeth and saith as follows to the first Interrogatory this Deponent answereth and saith that he has resided at Banda for twenty four years previously to the Month of August 1810. All the Islands thereabout were subject to the King of Holland he was employed in a civil Capacity, Secretary to the Gov.t of Banda and was so appointed by the Marshal at Batavia - Banda and its neighbouring Islands were subject to the Persons exercising Government at Batavia the Governor of Batavia controlled all the Islands as Chief by Regulation & others - On the 8th of August in the morning about nine O'clock a British Force of Four Vessels appeared before Rogungoon - An Attack was made at Banda Neira by the Hostile Force, the Attack was successful the Islands surrendered to the Force commanded by Captn Cole in the Name of His Majesty the King of England -

2. To the Second Interrogatory this Deponent answering saith that there was a Considerable Quantity of Nuts belonging to the Government at the time of Capture they were seized and Spoiled - there was also a large Quantity of Mace and Cloves, these were in good condition - there were in the Treasury about 3,400 (three thousand four hundred) Dollars in Specie and a large Quantity of Paper Money in Rix Dollars and also some Rice Goods on the Islands belonging to the Government & Naval Stores Government Stores - the Rice Goods & Stores were sold & appropriated to the purchase of the Spice proceeds, or part of the Proceeds, was drawn the Parkinsons - the Nuts, the Mace and the Cloves for the that which he first spoke of, one that which was paid for as he mentions, were brought to Madras on the Piedmontaire, Baracouta and another Vessel the Name also was drawn in the Packet - he does not know whether the Treasure or Paper Money was brought to Madras -

3. To the Third Interrogatory this Deponent answering saith that at the time of Capture there were eighty three Slaves then able to Work, and their Women and Children and Old Persons - altogether amounting to one hundred and seven, they were Government Property, they were taken as

as Prize by the British We delivered over these Public Slaves to Mr. Yates and Captain Kenah - there were fourteen or fifteen hundred Slaves belonging to the Parkinees, and others belonging to Individuals, but these were not taken as Prize. -

Mr. Lefevre.

1. Johannes Hetting late a Parkinee Resident at Great Banda sworth and saith as follows to the first Interrogatory this Deponent answering saith that before the 9th of August 1810. he had resided at Great Banda for a Period of about six years - these Islands of Banda Neira, Great Banda, Pulo Ay and others were subject to the King of Holland - he was not in any Civil or Military Employment under the Government then - these Islands were subject to Batavia - the Governor of Batavia exercised Control & authority over all the Governments of these Islands - on the 10th of August he saw the British Flag flying at Fort Belgica & Fort Nassau & saw two Frigates and a Sloop and the Mandarine sailing in the Roads - He knows that these Islands were taken by the British in the Name of the King of England. -

2. To the Second Interrogatory this Deponent answering saith that he knows generally that Property Spice &c. were taken but he can not speak to Particulars. He understands that some of the Spice has been brought to Batavia on the Continent, some of the Spice was on board this Ship, but how much he does not know. -

3. To the third Interrogatory this Deponent answering says that there were Slaves in the Quarters considered as Government Slaves but he does not know whether they were taken as Prize - he does not know the Number

J. Hetting

Sworn before me
Pt Sterling
Com.r
in the presence of
Henry Fahergan
Actuary & Registrar
and J. L. Hoefkes
Interpreter

Banda Spices | Contenued -

Know all Men by these Presents That I Robert Orme of Fort St George solicitor for the Honble the united Company of Merchants of England trading to the East Indies at Fort Saint George (with the consent of Alexander Anstruther Esquire the Advocate General for the said United Company at Fort St George aforesaid testified by his signature written at the foot of these presents) having the Authority of the Honble the Governor and Council at Fort Saint George for that purpose do hereby Constitute and appoint Townes Dorney one of the Proctors of the Vice Admiralty Court at Madras to appear before the Judge of the said Court and to exhibit a Claim to certain quantities of Spices alleged to have been seized and taken as Prize on the Dutch Islands of Banda Neira, Great Banda, and Pulo Ay and to do every thing that shall be needful and Necessary to be done for the said United Company until a definitive Sentence shall be pronounced by the said Court for or against the Validity of such seizure and Capture -

In Witness whereof I have hereunto set my Hand and Seal this first Day of June in the year One thousand Eight Hundred and Eleven -

Witness

John Shaw

Robt Orme (L. S.)

Consent to the above appointment

A. Anstruther

In the Vice Admiralty Court at Madras

Prize Jurisdiction

In the Matter of certain Property alleged to have been Captured on the Dutch Islands of Banda Neira Great Banda and Pulo Ay.—

The claim of the United Company of Merchants of England trading to the East Indies in right of the Government of the Islands abovementioned to one hundred and Eighty three thousand, Five hundred and Ninety five Dutch Pounds weight of Nutmegs and one hundred and Two thousand Six hundred and Thirty three Dutch Pounds weight of Mace part of the said Property.

That the Claimants from the time of the Capture of the said Islands in the Month of August in the year one thousand Eight hundred and Ten have held and exercised and still hold and exercise through the Persons hereinafter mentioned the Government of the said Islands under the Superintendance of the Governor General in Council of Fort William for and in the Name of His Majesty and Subject to his ratification and have borne and defrayed all the expences of the said Government of the said Islands as well as of the Expedition fitted out for the Capture thereof and have been and yet are in the enjoyment and perception of the Revenues thereof eventually in trust for His Majesty if His Majesty shall be pleased to assume to himself the Government of the said Islands or otherwise and in the meantime for the said United Company as managing the said Government That the said Nutmegs and Mace in the Claim above Specified were not at the time of the Capture of the said Islands the Property of the Dutch Government of the said Islands but were in the possession of the individual farmers of the Plantations upon which the same was respectively produced and that the same being at the time of the said Capture private property on board was not liable to Capture That the only Interest of the said Dutch Government of the said Islands in the said Nutmegs and Mace was and the Interest of the

British

Banda Spices — continued

British Government of the said Islands now Late under the said United Company still is as follows to Wit that the principal Revenues of the said Government of the said Islands arose from the Sole and exclusive right of purchasing the Spices growing in the said Islands at certain low prices the said Spices being during the Growth and Curing thereof and until their final delivery into the public Stores of the said Government at the risk of the Farmers of the respective Plantations on which the same were produced upon which delivery into the public Stores and not before the said Proprietors become entitled to receive the said Stipulated price for the same That the said Mace in the said Claim above Specified at the time of the Capture of the said Islands was not pulled but was growing upon the trees and was the produce of the Months of September, October, November and December one thousand Eight hundred and Ten and January One thousand Eight hundred and Eleven and was delivered into the Public Stores of the Government at the end of each of these Months or in the following Month respectively and that the said Nutmegs in the said Claim above Specified being at the time of the Capture of the said Islands in the Smoaking houses in the process of the Curing and preparing thereof was after the said Capture and when fully prepared and cured delivered into the Storehouses of the said Government there Lodged and secured for and on behalf of the said United Company by same of the persons who had captured the said Islands by whom the aforesaid fixed price was upon such delivery into the Public Stores of the said Government paid for in the same Manner and under the same rights and Obligations before effecting the Dutch Government of the said Islands That the said Nutmegs and Mace in the said Claim Specified thereby became the property of the said British Government of the said Islands then and still Lately under and on behalf of the said United Company subject to such eventual trust as aforesaid as a part of the

Revenues

Revenues thereof arising after the said Capture of the said Islands upon paying the aforesaid fixed price for the same but the persons so holding the said Government under the said United Company at the time of Delivery of the said Nutmegs and Mace in this Claim specified being some of the Captors of the said Islands have taken and seized the same on behalf of themselves and the other Captors of the said Islands as Prize to them the said Captors and have sent the same to Madras on board His Majesty's Ship Piemontaise as set forth in the Affidavits hereunto annexed And the said United Company any further claim for all such freight loses Costs damage demurrage and expences as have arisen or shall or may arise by reason of the seizure and detention thereof —

A. Anstruther

James Disney
Proctor for the
Claimants

In the Vice Admiralty Court at Madras

Prize Jurisdiction

In the Matter of certain Property alledged to have been Captured on the Dutch Islands of Banda Neira, Great Banda and Pulo Ay.

Appeared personally William Thackery Esquire Chief Secretary to the Government of Fort Saint George and being known and the Holy Evangelists to depose the truth the made Oath, That it appears from the records of the Government of Fort Saint George aforesaid that in consequence of a Communication from the late Excellency William Aikyns Drury a Rear Admiral of the Red Late the twentieth day of April one thousand eight hundred and five to the Right Honble Lord Minto Governor General &c in Council at Fort St George aforesaid proposing to the said Government the occupation of Amboyna then lately captured by His Majesty's Ships and the Castles and Countries of Banda and the rest of the Moluccas the Governor General and Council at Fort Saint George aforesaid did under date the twenty fifth day of the same Month of April send an Answer to the said William Aikyns Drury signifying to the Governor General and Council proposing to accept the charge of those Possessions on His Majesty's behalf and to manage them under the authority of the Supreme Government of Bengal until His Majesty's Pleasure should be known and informing him that the said Governor General and Council had resolved to embark one hundred and fifty European Troops with a supply of Stores Gun Powder Money and other Articles of which the Garrison of Amboyna was stated to be in immediate Want and for the informing the said William Aikyns Drury that under that arrangement for the transfer of the Moluccas Islands to the provisional Authority of the Honble the East India Company Government the Governor General and Council had thought proper for the present

present to vest the charge of those possessions in the hands of Captain Court and requesting that the said William Bryen Peary should be pleased to communicate that arrangement to Captain Tucker And also stating that it was the intention of the Governor General on his return to Bengal to take into his early consideration the detail of the further measures to be adopted for the Administration Security and Property of those possessions and to appoint a proper Officer to be resident at the Moluccas and to conduct the civil Government of the Islands.—

And the Deponent did further state that he had been informed and believed that in pursuance of the resolutions of the said Governor General and Council Silver Money Arms Stores Gunpowder and other articles of supply were soon afterwards shipped and sent to the said Island of Amboyna and that the said Island of Amboyna and its dependencies were afterwards taken charge of by the said Captain Court.—

And the Deponent did further depose and say that he had been informed and believed that the said William Bryen Peary did afterwards issue orders to Christopher Abbe Esquire the Commander of His Majesty's Ship the Caroline to take under his Charge and Command His Majesty's Frigate the Nereide then commanded by Charles Tucker Esquire and His Majesty's Brig the Barracouta then Commanded by Lieut. Richard Pinnock and to attempt the Reduction of the Island of Banda Neira and its dependant Islands Great Banda and Pulo Ay and that in pursuance of such Orders the said Island of Banda Neira together with its dependant Islands Great Banda and Pulo Ay were Captured by the said Squadron and possession thereof respectively taken on or about the Ninth Day of August in the said year one thousand Eight hundred and Ten from which time the Government of the said Islands was conducted by the Officers capturing the same on account and at the charge of the East India Company.—

And the Deponent did further depose and state that it also appears from Public Letters and Communications from the Governor General in Council at Fort William and the Deponent verily believes that after the return of the Governor

Governor General to Bengal She did in Council appoint B. B. Martin Esquire to be the resident at the Moluccas and to proceed to the said Island of Amboyna to take charge of such of the Molucca Islands as might be delivered over in consequence of the correspondence hereinbefore referred to.—

And the Deponent did further state that it appears from Letters written by the said B. B. Martin to the Governor General in Council after he had taken charge of the said Island of Amboyna and its Dependencies (Copies of which Letters duly certified have been forwarded to the Governor in Council at Fort Saint George) that after the taking of the said Island of Banda Neira and its said two dependant Islands the said B. B. Martin had appointed Walter Ewer Esquire to be the Deputy Resident at the said Island of Banda Neira who as the Deponent has been informed and believes took charge of that Island and its said two dependant Islands on or about the eleventh Day of March last past.—

And the Deponent did further state that by His Majesty's said Ship Piedmontaise the Hon^ble the Governor in Council at Fort St George aforesaid received a letter from the said B. B. Martin dated Fort Victoria in the said Island of Amboyna the twentieth Day of April last past, and the following is an Extract of so much thereof as relates to the Spices brought from the said Island of Banda Neira now within the Jurisdiction of this Court and attempted to be condemned as Prize Viz^t

" I consider it to be my Duty to inform you that His
" Majesty's Ship Piedmontaise is laden with the quantity and description
Nutmegs 18359 lbs Dutch
" of Spices noted in the Margin, which Captain Foote is conveying to
Mace 102, 633 lbs Dutch
" Madras for the purpose of obtaining their condemnation as Prize Property
" by the Vice Admiralty Court at that Presidency.—

" 2. As it appears to me that the whole of this Property belongs to the Company I have judged it proper to communicate to you the circumstances

under

"under which it has been claimed and appropriated by the Captors in order to
"enable the Government of Fort St George to adopt such measures as it may
"deem expedient for the purpose of securing the rights and Interests of the
"Company. –"

"3 At the period of the Capture of the Island of Banda & its dependencies
"no part of the Spices which are now laden on the Diamontaine, had been
"deposited in the public Storehouses belonging to the Dutch Government, they
"were then in the Smoaking Houses undergoing the usual process of curing
"preparatory to their final delivery into Store by the proprietors of the
"several Parks or Plantations. –

"4 Agreeably to the tenure under which these Parks are holden by the
"Proprietors they are responsible for the produce until the period of its
"delivery into Store, when Payment is made for it agreably to rates prescribed
"by the Dutch Government. As this period has not been completed at the
"time of the surrender, the Spices may perhaps be considered in the light
"of private Property, which although it was not in the power of the
"Proprietors to withhold from the ultimate possession of the Dutch Government
"yet as the time appointed for its delivery had not arrived as as payment had
"not been actually made for it by that Government, it appears to me
"to be extremely questionable whether it can justly be considered to
"constitute a portion of the Public Property at the time of the
"surrender to which the Captors can assert a legal Claim. –

"5 Availing themselves of the powers of Government, which they temporarily
"exercised the Captors required the Proprietors of the Plantations to deliver
"the produce into their hands, which they accordingly paid for agreeably to
"the established rates exhibited in the Statement which accompanies
"this letter. –

"Statement of the Price paid by the Dutch Government
"for the produce of Banda and its dependencies. –

"Nutmegs."

1st Sort. Nuts from Pulo Way and the further side of Great Banda ~~Banda~~ ——— Stivers 5.

&c.

Banda Spices — Continued

"Do. Do. from Banda Neira and the rest of Great } Stones
"Banda part ——— ——— ——— ——— } 4 —
"3. Mace for Do. ——— ——— ——— ——— ——— ——— 1½ ...
"Broken Nuts ——— ——— ——— ——— ——— ——— 1.

Mace

"From Pasalatay and the Southern end of Great Banda 11 ...
"From Banda Neira and the Rest of Great Banda 10

And the Deponent doth lastly State that he has been informed and believes that the Spices referred to in the Letter of the said H. B. Martin have arrived at Madras and are now in the charge of the Marshal of this Court and that proceedings are now pending to condemn the same as Prize to the Captors. —

Sworn at Fort Saint George
this 18th. Day of July
1811.

Before me
J. Strange

W. Shaskeray.
Q. Serv.t to Govt.

In the Vice Admiralty Court at Madras.

Prize Jurisdiction

In the Matter of Certain Property alledged to have been Captured in the Dutch Islands of Banda Neira Great Banda and Pulo Ay.—

Appeared Personally Charles Watson Yates as Lieutenant in the Military Service of the Honble the East India Company under their Presidency of Fort St. George and being duly Sworn on the Holy Evangelists to depose the truth made Oath that he was in charge of the Spices at Banda Neira, Great Banda, and Pulo Ay as Prize Agent there for the Captors.—

And the Deponent did further state that he knew the state of the Spices lately brought to Madras on His Majesty's Ship Freemantle to be condemned as Prize to the Captors of the said Islands being part of the Spices of which he was in charge as aforesaid.—

And the Deponent did further state that the principal Value and Revenues of the said several Islands of Banda Neira, Great Banda & Pulo Ay arise from the Spices grown on them and particularly from Nutmegs & Mace and the Nutmegs from which the Mace is taken are raised in certain Plantations (in Number about Thirty two) called Parks Four of which are situated at Banda Neira and the others on the other two Islands of Great Banda and Pulo Ay.—

And the Deponent did further state that the said Parks and the Smoaking Houses and other buildings and also the Slaves attached thereto were the property of the Dutch Government as this Deponent understood and believes were managed by persons holding the same as Tenants under the said Government, and who were encouraged to expect a Continuance of their Possession to themselves and their Families as the reward of Industry and Good Conduct but were and are liable to

to be remarked by the Government and that the benefit of the Govt of the said Islands arising from the said Parks buildings and Stores was and is the exclusive privelege of purchasing the Nutmegs & Mace at certain fixed low prices in proportion of the Quality and Quantity be each delivered the Mace being divided into three Classes of Merchantable Mace and the Nutmegs into three Classes and the Deponent did say that the Renters of the Parks (called Parkmeers) have all risks attending the Mace and Nutmegs until delivered into the Government Storehouses the principal of which is situated on the Island of Banda Neira and another on the Island of Pulo Cy at which time the Parkmeers became entitled to receive the said fixed prices for the same.

(And the Deponent did further State that from the time of the blossom to the Nutmegs being ready for pulling is a period of Nine Months and Nine Days, but the Nutmegs are Collected daily throughout the year, and the Mace (being a part of the same fruit) requiring no preparation except three Days drying in the Sun was usually delivered into the Public Stores from each Park at the end of every Month at which time it ceased to be at the risk of the Parkmeers and they became entitled to the Price thereof according to its Quality as aforesaid.

(And the Deponent did further say that the Mace now at Warren and in the Title of this Deposition mentioned was all pulled after the Ninth Day of August one Thousand Eight hundred and Ten (upon which Day the Islands were Captured) being respectively the produce of the several Months of September, October November, & December One thousand Eight hundred & Ten and of January One thousand Eight hundred and Eleven that at the time of the said Capture a Considerable part of the said Mace as well as of the Nutmegs now in Question was at the respective Parks from which they were produced on the Island of Great Banda

and

and the risk of the transportation thereof from Great Banda to the Government Stores at Banda Neira by the Course and usage of the said Islands would have fallen upon the Parkineers And the Deponent did further say that upon the said Mace now in Question being delivered into Store in the Month of September, October, November and December One Thousand Eight hundred and Ten, and in January and February One thousand Eight hundred and seven the Stipulated price was paid for the same to the Parkineers by this Deponent as Prize Agent under the Orders of the persons necessarily exercising the Government of the said Islands.-

And the Deponent did further say that the Nutmegs now brought to Madras on His Majesty's Ship the Piedmontaise and now in question had been pulled respectively in the several Months of April, May, June and July One Thousand Eight hundred and Ten And that the Course of preparing Nutmegs on the said Islands is as follows, to Wit, that after being pulled the same are kept for about Six Weeks in the Smoaking Houses which have been built by the Dutch Government and one of which is attached to each Park and held with it by the Parkineers, and that the Nutmegs during that process are under the Management of the Parkineers of the Parkineer and the Operation is Conducted by the Slaves, the Nutmegs being during that process at the risk of the Parkineers And the Deponent did say that the Nutmegs are afterwards cracked, and the outer Shell being taken off the Nutmegs are then carried at the risk of the Parkineer to the Government Stores at Banda Neira where they are weighed and paid for by the Dutch Government formerly But the Nutmegs now in Question were paid for by the Deponent as Prize Agent as aforesaid and under such Authority as aforesaid And that after the Nutmegs are so received into the Government Stores and being at the risk of Government they undergo a further Process of Shumaring before they are in a State for Keeping.—

And

And the Deponent did further State that upon the Capture of the said Islands the same were taken possession of in the Name of His Majesty but the Government was vested and immediately at the expence of the East India Company by the following Spies to Wit Captains Cole of His Majesty's Ship Caroline who Commanded the Expedition at the time of the Capture and continued in Command of the Islands until the Fourteenth Day of August One thousand Eight hundred and Nine when Captain Lamb of His Majesty's Ship the Piemontaise who was also one of the Captors took the Government until the tenth day of March One thousand Eight hundred and Eleven when he delivered over the same to Walter Ewer Esquire a Civil Servant of the said East India Company who continued to hold the same for the said East India Company until a few Days previous to the sailing of the Piemontaise for Madras with the said Spies on board.—

Sworn at Fort Saint George
this 12th Day of July 1811
Before Me

T. Macnaghten

C. W. Yates

Thomas Dyer
Master for the
Piemontaise

In the Vice Admiralty Court at Madras.

Prize Jurisdiction.

Our Sovereign Lord the King

against

Certain Property Captured at the

Dutch Islands of Banda Neira

Great Banda and Pulo Ay. &c.

On which day Robert Orme Procurator General for our Sovereign Lord the King by all lawful Ways and means and to all effects in Law whatsoever alledged pleaded & Articulately propounded as follows, to Wit.

First ..... That His Majesty by and with the advice and Consent of his Privy Council by and under in Council bearing Date at the Court of Saint James' the sixteenth Day of June in the year of our Lord One thousand Eight hundred and three did order that General Reprisals be granted against the Ships Goods and Subjects of the Batavian Republic & that as well His Majestys Fleets and Ships And also all other Ships and Vessels that should be Commissioned by Letters of Marque or General Reprisals or otherwise by the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain & Ireland then & for the time being should and might lawfully seize all Ships Vessels and Goods belonging to the Batavian Republic or to any persons being Subjects of the Batavian Republic or Inhabiting within any of the Territories of the Batavian Republic and bring the same to judgment in any of the Courts of Admiralty within the Dominions of His Majesty which should be duly Commissioned And this Was and is true public and Notorious And the Party Proponent doth alledge and propound every thing in this and the subsequent Articles contained jointly and Severally.—

Secondly ..... That on or about the Ninth Day of August last past the several Islands of Banda Neira, Great Banda and Pulo Ay then & therefore respectively belonging to the Batavian Republic or to the Person or Persons then

then exercising the Government of Holland were captured by certain Forces in the service of His Majesty under the Command of Christopher Cole Esqr. Commander of His Majesties Ship of War the Caroline And the said Several Islands and the Slaves public Stores and property thereon respectively were also captured and taken as Prize having theretofore belonged to the Batavian Republic or to the Person or Persons exercising the Government of Holland or to persons subject to the Batavian Republic or to persons inhabiting within the Territories then and therefore belonging to the Batavian Republic or to the person or Persons exercising the Government of Holland and as such or otherwise subject to confiscation And that the same ought to be confiscated and Condemned to our said Lord the King And that it ought to be further adjudged and decreed that the said Christopher Cole Esquire and the Officers and Crew under his Command on board the said Ship the Caroline And that Charles Foote Esquire Commander and the Officers and Crews under his Command on board of His Majesty Frigate the Piedmontaise And that Richard Rench Esquire Commander and the Officers and Crew under his Command on board of His Majesty's Armed Brig the Barracutta And that Captain George Lennox Nixon Commanding a Detachment of the East India Company's Madras European Regiment and the Officers and Men under his Command who respectively composed the Force aforesaid which Captured took the said several Islands of Banda Neira, Great Banda, and Pulo Ay and the Stores and Property thereon respectively and are the Captors thereof respectively And the Party proponent doth alledge and propound as before.

Lastly ..... That all and singular the Premises were and are true public and Notorious and thereof there was and is a public Voice fame and Report of which Legal Proof being made the Party proponent prays right and Justice to be ministered.

And

and administered in the Premises by you The Honble Sir Thomas Andrew Strange Knight Judge of His Majestys Vice Court of Admiralty at Madras or your lawful Surrogate and that the Slaves publik Property Monies Goods Wares Merchandizes and Effects so seized Captured and taken as aforesaid be pronounced to belong at the time of the aforesaid Capture and seizure to the Batavian Republic or to the Person or Persons exercising the Government of Holland or to persons being subjects of the Batavian Republic or to the person or Persons exercising the Government of Holland or to persons Inhabiting within the Territories of the Batavian Republic or of the Person or Persons exercising the Government of Holland and as such or otherwise liable to Confiscation and Condemnation And that it may be pronounced and decreed that the said Slaves property Monies Goods Wares Merchandizes and Effects do belong to the Enemies of the Crown of the United Kingdom of Great Britain and Ireland and that the same Slaves property Monies Goods Wares Merchandizes and Effects be adjudged and Condemned as good and lawful Prize Accordingly &c.

Herbert Compton

Pt. Orme.

Kings Proctor

Bonaa Speira — Continued —

Vice Admiralty Prize Court Madras

Friday the 23d Day of August 1811

Before the Worble Sir Thomas Andrew Strange Knight Judge of the said Court

Present Henry Gahagan Esquire Registrar.

In the Business of Certain Property taken at Bonaa Speira and its dependencies } brought to Madras on board His Majesty's Ship Piedmontese Captain C. Foote.—

The Kings Advocate having been Heard on behalf of the Captors in this business and Mr Austruther the H. E. I. Company's Advocate on behalf of the Claimants, and it appearing in the Course of the Discussion that all the necessary Parties in this business were not before this Court & that no Claim on behalf of the Crown had been put in (with the Consent of the Kings Advocate & Proctor now Acting on behalf of the Captors) It is ordered that Mr Daniel Neale Do appear as Proctor for the King in this Business and Mr Austruther as Advocate for the King pro hac vice and that a Claim to the said Property for and in right of the Crown be exhibited and filed in this Court by the said Mr Neale as Proctor as aforesaid on or before Tuesday Next the twenty Ninth Instant.—

T. L. Strange

In the Vice Admiralty Court at Fort Saint George Madras Prize Jurisdiction } In the Matter of Certain Property alledged to have been Captured on the Dutch Islands of Banda Neira Great Banda and Pula Cay.—

Intervening on behalf of His Most Excellent Majesty Daniel Neale Esq^r being Specially Appointed Proctor for His Majesty in this behalf.—

Whereas on or about the Ninth Day of August One thousand Eight Hundred and Ten the Several Islands of Banda Neira, Great Banda, and Pula Ay then and therefore respectively belonging to the Batavian Republic were Captured by certain Forces in the Service of His said Majesty under the Command of Christopher Cole Esquire Commander of His said Majesty's Ship of War the Caroline, in virtue and by Authority of an Order in Council of His said Majesty bearing date at the Court of Saint James's the Sixteenth Day of June One thousand Eight hundred and Three Whereby it was ordered that Several Reprisals should be granted against the Ships Goods and Subjects of the said Batavian Republic.—

And Whereas the Spices in Question which have been Claimed by the Captors as Prize and which are now in the Charge of the Marshall of this Hon^ble Court became & are now the property of his said Majesty Constituting a part of His Majesty's Revenue of and from the said Islands arising and growing due after the Capture thereof And the same ought therefore to be returned and delivered to His said Majesty & not to the said Captors.—

The said Intervenient on behalf of his said Majesty doth therefore Claim to have the said Spices now in Charge of the Marshall of this Hon^ble Court returned and Delivered to His Majesty accordingly.—

D Neale
Proctor

Vice Admiralty Prize Court Madras

Tuesday the 27.th Day of August 1811.

Before the Honble Sir Thomas Andrew Strange Knight Judge &c.a presnt

Henry Gahagan Esquire Registrar

In the Business of certain Property captured at Banda Neira & its Dependencies } Brought to Madras on board H. M. Sloop Piedmontaise Captain E. Foote.—

On hearing Mr. Compton the Kings Advocate on behalf of the Captors praying Condemnation of the said Property as good and lawful Prize, and Mr. Anstruther Advocate (pro hac vice) on behalf of the King praying Adjudication of the same to for and in right of the Crown It is ordered that an Affidavit or Affidavits be filed on or before Tuesday the third Day of September next by Mr. Daniel Neale (acting pro hac vice also as Proctor for the King) in verification of the Claim exhibited and filed this Day by the said Proctor as aforesaid and that the Captors be at Liberty also on or before the Day last aforesaid to exhibit an Affidavit or Affidavits with any other Sufficient Document or Documents in Proof of the Grant, Lease, Covenant or any Tenure of any Description soever by and in Virtue of which the Parkinees or Tenants of Spice Parks at Banda or any of its dependencies aforesaid Lets their Parks under the Government of the said Island of Banda and its Dependencies.—

T Strange

In the Vice Admiralty Court at Madras.-

Pulo Jurisdiction

Our Sovereign Lord the King

against

Certain Property Captured at the Islands of Banda Neira, Great Banda and Pulo Ay.-

Appeared personally Alexander Le Cerf now residing at Madras lately the Secretary to the Dutch Government at the Island of Banda Neira and Johannes Ketting also residing at Madras but lately a Parkeneer on the Island of Great Banda and being severally sworn upon the Holy Evangelists to depose the truth made Oath as follows And both the Deponents did depose and say That the Revenues of the several Islands of Banda Neira Great Banda, and Pulo Ay arise from the produce of the Trees cultivated on those Islands yielding Mace and Nutmegs which were under the Controul and Management of the Officers of the Dutch Government and all Individuals on the said Islands were prohibited from being in any way concerned in the Spices aforesaid except on the behalf and on Account of the Dutch Government.-

And the Deponents did further depose and say that the said three several Islands are divided into Plantations or Parks in number Forty four Four of which are situated on the Island of Banda Neira, Thirty two on the Island of Great Banda, and Eight on the Island of Pulo Ay, and that on each of these several Parks dwelling houses and other buildings have been erected for the residence of the Parkeneers and their families and Slaves and for the Custody and Curing of the Spices aforesaid.-

And the Deponents did further depose and say that the said several Parks were Cultivated by Slaves who are under the immediate superintendance and charge of the Parkeneers.-

And

And the Defendants did further depose that the said Several Islands at the time of the Capture thereof in the Month of August in the Year One thousand Eight hundred and Ten were belonging to the King of Holland and the several Plantations or Parks on the said Islands were Let by Proper persons Tenants under the Terms and Stipulations contained in certain Acts or Instructions issued by the Council of the Dutch Governor General in that under Date the twenty Second day of November in the Year One Eight hundred and [illegible]

And the Defendant Alexander LeCras did further depose that the Paper Writing in the Dutch Language hereunto annexed Marked with the Letter A purporting to be Instructions for Partners of Banda is an Original Paper issued by the Dutch Governor of Banda Neira from the Dutch General in Council at Java which Paper Writing was brought from the Records of the Government of Banda Neira by the Defendant on his leaving that Island for Madras —

And the Defendant Alexander LeCras did further depose and say that the said Annexed Paper Writing is signed by Jan Jansen who when the Territory to the Dutch Governor General in the said Island of Java the Defendant being well acquainted with the hand Writing of the said Jan Jansen having seen it signed to various Official Papers issued from the Dutch Governor General to the Governor of Banda Neira and the Defendant Believes

And the Defendant Alexander LeCras did further depose that after the receipt of the said Annexed Paper writing or Instructions, Copies thereof were made and sent to the Different Partners on the Banda Islands of Banda Neira, Great Banda and on the other Defendant Islands and were Carried into Effect by the Defendant as Secretary as aforesaid

And the Defendant Alexander LeCras did further depose that under Orders from His Excellency Herman Willem Daendels Marshall of Holland then Governor General and Commander in Chief in India at the

the King of Holland a Publication or Proclamation of which the Annexed Paper Marked B is a true Copy was published and distributed in Banda Neira and the dependant Islands and Communicated to the different Partkeneers on those Islands about the time of its date.—

And both the Deponents did further depose that the several Partkeneers on the said Island of Banda Neira and its dependant Islands, possess no title deed or document from the Dutch Government or from any other person to shew their Interest in or right to their Parks or the Houses Buildings and Slaves thereon other than the said annexed Instructions and Publications or Proclamations.—

And the Deponent Johannes Letting did further State that at the time of the Capture of the said several Islands in the said Month of August One thousand Eight hundred and Ten he the Deponent was in possession of a Park under the Dutch Government on the Island of Great Banda which is dependant on Banda Neira and held the same Park and the buildings and Slaves thereon under the Terms contained in the said Annexed Paper writing or Instructions Marked A having been furnished with and now possessing a Copy thereof sent to him as such Partkeneer as aforesaid under the Signature of the other Deponent Alexander Leferf as the Secretary to the Dutch Government at Banda Neira. (And under the terms contained in the said Annexed Publication or Proclamation marked B)

Both Sworn at Fort St George
this 30th Day of August
in the Year 1811.
Before me
J. Strange

A. Le Conf
J. Letting

Translation

B

Publication

Rocloff Cops. a Groene Resident of the Residentie Banda, representing His Excellency Herman William Daendels Marshall of Holland, Colonel of State in Extraordinary Services Grand Cross of the Royal Order of Holland, Grand Officer of the Legion of Honor of the French Empire, Governor General and Chief Commander of the Kings Forces by Land and Sea in India and of the Government of these Countries makes Known and Makes Known. —

While it has pleased to the Supreme Government in India to give up a decree dated the 22. November a new Evidence of their benevolent disposition by granting the most generous encouragement towards the Zeal and Industry of the Perkeniers in order to promote the Cultivation of Spices, it is determined that henceforward the permanent and hereditary use of the Perks is granted to them and that the said Supreme Government as a proof of the Country Sovereignty had been pleased to abandon the 10 Per Cent formerly paid by the Perkeniers on the Quantity of the delivered Spices, and to increase the prices as follows. —:

4 Stuivers per Pound for the Fat and Middle Quality of Nuts
10 — Do — ... Do. for the Mace for the Perkeniers of Neira
5 — Do — Do — Fat and Middle Quality of Nuts —
11 — Do — Do — Mace from the Perkeniers of the High Coast of Packeay and behind Country —

Hereby all equal in respect to the inferior Nuts. —
1½ Stuiver and 1 Stuiver for the Broken. Nuts —

Hereby Notice is given to the Public at large of the Fatherly Care and Tenderness so generously bestowed on the Subjects, while Government expect in return of such a Favor that every one shall pay every attention, and employ his best endeavours towards the improvement of the cultivation of the Nutmeg Trees. —

Banda the 27th January 1810 —

A

Instructions for the Parkeneers of Banda containing an explanation of the rights and Obligation granted to them and under which they are to be confirmed in the possession and the Management of their Parks.—

Article 1st

Each Parkeneer (provided he has satisfied to the Conditions herein mentioned) shall have he and his heirs a permanent and hereditary use of the Park grounds granted to him and the rights to enjoy all the profits arising from the Cultivation of Spices.

Article 2d

He shall be at Liberty (in giving notice to the Perfect) to Erect at his expense Buildings for his dwelling and the necessary Out houses in the Limit of his Park and in Case of forfeiture of the use of the Park the same shall be reimbursed to him at a proper Valuation.— Article 3d.—

He shall be at Liberty to make over his Park the whole and undivided as well by will, sale, Rent, Donation at his own pleasure, however and the penalty of Mulcation, shall the Perfect and Inspector General of the Parks judge the persons to whom the transfer is made incapable of conducting it.—

Article 4th.—

However in some cases the Perfect and the Inspector of the Parks shall be at liberty to allow that another persons or persons who may be entrusted with the conduct of the Park shall act for them, and under such proviso the transfer may be made

Article 5th.

This indulgence shall also be granted, in case the Park was made over by last will or Abentestate to Women or Mens, who are absolutely in want of such assistance.

Article 6th

At no Consideration it shall be permitted either by Act of intervivas sale or by last will, that the use of the Park shall be splited or divided amongst different Persons and therefore those persons to whom the Park has been transferred into different parcels shall be obliged to unite together in the use of the Park or by some other arrangements so as to prevent any division of the Park.—

Article 7th

The Parkeneers are not to Mortgage either the whole or any part

of

of the Park and none of the Articles belonging to the Parks such as Fruits, Spices Slaves Mutensils &c.a cannot be seized for the Debts contracted by the Partnerers.

Article 8.th

The Partnerers will receive for the Spices delivered the following prices.—

Those from Neara Celamma and the foreland of Lantoor for the Fat and Middle quality of Nuts & Strivers for pound Mace..... 10

Those from Poelosi and the behind Land for the Fat Nuts and Middle quality & Strivers p.r pound Mace..... 11 —— "

For the Second sort of Nuts they will receive all equally..... 11/2 Stivers p.r pound the broken Nuts..... 1 — D.o D.o

Article 9.th

Government shall successively and as soon as possible Completo the Number of Slaves required for the Cultivation of the Parks according to the Calculation of each Partnerer.—

Article 10.th

All the necessary buildings in the Park excepting the dwelling houses of the Partnerer and his family shall once be repaired or erected at the expense of Government.—

Article 11.th

Government shall furnish Monthly the Quantity of 40 th. rice for every Park Slave at the Stipulated rate of 60 p.r Bar 3000 th.—

Article 12.th

The Partnerer shall be at Liberty to Sustent for the quantity of rice he shall be in want of, for him and his family (provided the Stock will allow it) at the rate of 100 Rix Dr.s per Coyang of 2,000 th.—

Article 13.th

For the Clothing of the Park Slaves the Partnerers shall be supplied with the Necessary Cloth from the Government Storehouses on moderate prices.—

Article 14.th

In Consideration of all the forementioned prerogatives each Partnerer shall be obliged

Obliged to deliver all the Spices which are produced from his Park to the Government.–

Article 15th

He must Carefully avoid not to expose himself to the punishment established on any of the production of his Park being carried away in a Clandestine Manner not only for himself, but also will become liable to punishment if through his carelessness Opportunities is given to Strangers his house Servant or the Park Slaves to make themselves guilty of this Crime.–

Article 16th

In order to prevent as much as possible the execution of the abovementioned Crime, they shall not permit any Stranger or person not belonging to the Park or any Strange Slaves to walk or to traverse about and round the Park under whatsoever pretext, but they shall arrest such person or persons, and deliver them over to the Inspector General of the Parks.–

Article 17th

For the same reason they shall not allow any person not immediately belonging to the Park to reside or to dwell within the Limits of the Park.–

Article 18th

They also in General but especially the Partenier of Combe, shall never allow Vessels of any description to remain more time than Absolutely Necessary and principally in the Nights, near the Parks on the waterplace near Combe, & in case of refusal they shall be Obliged to give Notice of it to the Inspector General of the Parks without loss of time.–

Article 19th

The Partenier shall not on the penalty already established thereon make any Oil of the Spices or what is called Banda Soap, or Canary Oil which may grow in the Limits of their Park without having previously received permission from the Perfect and Inspector General of the Parks to do so.–

Article 20th

The Partenier are not merely bound to deliver all the Spices growing and produced in their Park, but they are also obliged to employ their Endeavours and Knowledge to bring the Spices to the highest Degree as well in respect of Quality and as Quantity

Article

Article 21st.

To succeed in this, the Partenears as far it Concerns the Cultivation and Management of their Parks, are Obliged to submit themselves to the Superintendance of the Perfect General The Inspecter General of the Parks, the Forresters and others who may be qualified thereto in their respective Capacities, and according their Instructions the Partenears are bound to obey to their Orders as well as to all the Articles herein mentioned.—

Article 22d.

It is particularly required from the Partenier that they shall give as much as possible their personal Attendance to the Management of their Parks, and therefore Obliged to keep their permanent residence and Dwelling within the Limits of there Parks and in Case they are Obliged to absent themselves on account of private business of some other legal reasons, they must put another person in the Parks to act for them during their absence with the approval of the Perfect General and the Inspector General of the Parks.—

Article 23d

In order to Satisfy to the Contents of the 4th Article they shall be Obliged to keep the Park Buildings Smoke Para, Parias, Slave Barracks Water Cisterns Yea Yea in good and perfect order and in such a State as they shall be, after having been built and repaired by Government and to keep the Number of Slaves, the Park utensils, according their Inventory and what may be Supplied by Government, always Complete in Number at their own expenses, and in Case of Death or Desertion of a Slave they are bound to replace them with other Slaves of the same Nation, sound of Limbs and Body, not younger than 15 and not older than 40 years, and in the Contrary case they shall not be accepted and the Inspecter General of the Parks shall supply others at their own expenses.—

Article 24th.

Article 26th

In Order to insure the execution the better of the above Article it is required that immediate Report is made of the Death or the Desertion of a Slave to the General Inspector of the Parks and the same in regard to the Chain Slaves who are placed in the Parks, in order that they may be Completed by Government.—

Article 25th

A Parkenier shall not be permitted to allow a Park Slave to absent himself or to employ (with or without Payment) such a Slave for his Private Work, and Still less to Mortgage, Barter or to sell him.—

Article 26th

The Supplies of rice and Cloth for the Slaves of the Park, shall not be appropriated to any other purpose but for what they are intended and also a good treatment of the Slaves is expected.—

Article 27th

For the improvement of the Spice Cultivation the Parkeniers shall take care to keep the Ground Clean and free from Weeds and to keep the Nutmeg Trees clean from Creepers, Tay Koreny or what Generally is called Dauw Manampeak white Ants, Mostes and other Uncleanness which may be judged prejudicial to the Growth and fruitfulness of the Trees.—

Article 28th

In the rain time they shall plant in the unoccupied grounds, Young Trees Plants not Shorter than three feet and the distance the one from the other not less than from 16 to 24 Feet, in Holes which must have been previously prepared in the Dry Seasons.—

Article 29th

And on the Contrary they shall cut down the old unfruitful Trees Valo thoo either Nutmeg Trees or other that are too Close together & prevent thereby the free and beneficial Circulation of the Air, however to this Operation they want the Approval of the Inspecter General of the Parks.—

Article 30

Article 30th

They shall with concurrence of the Inspector General of the Parks, Plant protection Trees where they may be wanted, which trees protect the Nutmeg Trees from the effect of heavy Wind, Storms and excessive Drynefs.—

Article 31st

In order that the Collection of the Fruits is properly managed, they shall take Care to keep the Ground under the Trees, Sweep Clean to prevent that the fallen Nuts not remain and become rotten and the Grounds.

Article 32nd

For this same reasons they shall employ a sufficient number of Slaves to cruise thro' the Park to Collect the ripe Fruits and in the time of the revolt they shall employ at least 2/3 of the Park Slaves for that purpose.—

Article 33rd

They shall pay attention that the fallen Nuts shoud be picked up within 12 hours time and brought home and also that they are not mixed with the ripe Nuts but seperately Dried on the Para Paras & so delivered to the Government.

Article 34th

If the Unripe Nuts beated down accidentaly by wind or rain, nothing shall be taken from them but the Mace, and never brought on the Para Paras &c. Kept in a seperate place & after burnd according to the directions of the Inspector General of the Parks.—

Article 35

They also ought to pay particular Attention that the Slaves by shaking the Trees do not make fall the ripe and Unripe Nuts mixed together, but so as much as possible to gather them with the hand & not before the outer shell is Sprung.

Article 36

In regard to the Management of the Nuts they shall pay attention not to Lean them too high on the Smoke Para Paras, and that they are turned at least three times a Week and the Fire under the Smoke Para Paras never allowed to become entirely extinguished but always kept alive.—

Article 37

Article 37th

The Nut Kitchen are to be divided into Seven partitions; and the Nuts after having successively been laying one Month in each partition they are taken out after the expiration of the six Month and then the Shells taken off and kept in a dry place, until the delivery of them to Government. —

Article 38th

The Mace at the delivery must be Clean and dry without Dirt decayed Leaves uncleanness or Branches. —

Article 39th

In case the Partinicers should fail in the fulfilling of all these Artules, they not only will forfeit the rest of his Rank but shall be punished according to the Statutes of the Case. —

Done and approved in the Council of Banda the 22d November 1809.

By order of His Excellency the Governor General in Council forming the Government General of the Possessions of His Majesty the King of Holland in India.

(Signed) Jan Teerman

Sec.y

a true translation from the Dutch Language J. L. Hasselt Sworn Dutch interpreter to the Supreme Court of Judicature. —

In the Vice Admiralty Court at Madras.

Puje Jurisdiction

Our Sovereign Lord the King

against

Certain Property Captured on the Islands of Banda Neira, Great Banda & Pulo Ay.

Appeared personally Charles Watson Yates a Lieutenant in the Military Service of the Honorable the East India Company under their Presidency of Fort St George and being duly sworn upon the Holy Evangelists to depose the truth made Oath as follows:-

That the Captors of Banda Neira, Great Banda and Pulo Ay having appointed this Deponent their Prize Agent at those Islands this Deponent took charge of the Captured Property taken on the said Islands and particularly what was taken on the said Island of Banda Neira to which the other two Islands are dependant.

That exclusively of the Mace and Nutmegs on the said Several Islands at the time of the Capture thereof, the Public Property taken possession of as Prize consisted of Specie of different denominations and Value, and of Rice and Cloth and other Articles found in the Public Government Store houses and also of Paper Money not current after the Capture of the said Islands

That the Parkeneers of the different Parks on the said Several Islands by the terms and Stipulations contained in the Government Instructions under which the Parkeneers cultivate and Manage their Parks, were entitled to receive from Government on the delivery into the Public Stores of those Islands of the Mace and Nutmegs, produced on their Parks, certain Stipulated prices per Pound; or in lieu of part thereof were entitled to have delivered to them a from the Government Stores a certain quantity of rice for each Slave in the Charge of those Parkeneers at a certain fixed rate, and in lieu of other part thereof

thereof were entitled to be supplied from the Government Storehouses with the necessary Cloths for their Slaves at moderate prices.-

That the Delivery of Mace into the Public Storehouses takes place once in each Month, but the Nutmegs are only delivered about once in four Months.-

That the Rice and Cloths necessary for the Slaves are wholly supplied from the Island of Java, and those Supplies only forwarded at stated Periods or Seasons of the Year, it was therefore Considered that to have applied the Specie Rice or Cloths so captured in any other Way than that of Satisfying the Partenees for the Mace and Nutmegs which they were ready to deliver into Store; or to have removed the same Captured Property from the Island of Banda Neira within the Jurisdiction of any Vice Admiralty Court in India would have occasioned Actured Distress to the Partenees their Families and Slaves & to the other Inhabitants of those Islands.-

That after the Capture of the said Several Islands and when and as the Partenees delivered their Mace and Nutmegs into the public Storehouses the Deponent as Prize Agent as aforesaid and having the previous Authority of the Captors satisfied the Partenees for the Mace and Nutmegs which they delivered out of the Captured Property partly in Specie and partly in Rice and Cloths agreably to the Stipulations contained in the said Government Instructions And that the avenues of the Partenees on delivery the Mace and Nutmegs safely brought to Madras on board His Majesty's Ship the Fitzmaurice and now landed and within the Jurisdiction of this Court were satisfied and made under the orders of the Deponent out of the Captured Property aforesaid.

That it appears from the Affidavit of the Deponent already filed in this Matter, that the price paid to the Partenees for Mace delivered in the Months of September, October

November

Bonds &c Spies — Continued

November and December One Thousand Eight Hundred and Ten and in January and February One thousand Eight hundred and seven was paid by this Deponent as Prize Agent under the orders of the Persons necessarily exercising the Government of the said Islands But the Deponent did not thereby receive or intend to be understood that in Making those payments for the Mare he acted solely under the Orders of the person exercising the Govt. of the said Islands he the Deponent having in fact acted under the Authority and with the Sanction of Captain Cole and Captain Foote two of the Captains of the said several Islands —

Sworn at my Garden House
at Madras this first
Day of September
in the year 1811

Before me

D Steuart

C W Yates
Agent

C W Yates
Prize Agent

Vice Admiralty Prize Court Madras.

Monday the 9th Day of September 1811.

Before the Honble Sir Thomas Andrew Strainge Knt Commissary & Judge &c.

present Henry Gahagan Esquire Registrar.

In the business of the Mace and Nutmegs taken at Banda Neira Great Banda & Pulo Ay } brought to Madras on board H. M. Ship Piedmontaise Captain C. Foote.

Mr Compton the Kings Advocate having been heard on behalf of the Captors praying Condemnation of the said Spices as good & lawful Prize taken by His Majestys Ships Caroline Piedmontaise and Barracouta whereof Christopher Cole, Charles Foote & Richard Lenah Esquires were respectively Commanders, and Mr Anstruther having been heard in support of the Claim specially put in by an Order of this Court on behalf of the Crown, for the same, and the Allegations given by the Captors and all their Proofs and the said Claim and Affidavits in support thereof, having been read and the Claim originally exhibited on the part of the United Company of Merchants trading to the East Indies not being further proceeded in, The Judge pronounced declared and decreed that the said Spices were not and ought not to be adjudged and condemned as good Lawful Prize taken by His Majestys said Ships of War, but allowed and admitted the Claim put in and behalf of the Crown as aforesaid & adjudged and Decreed that the said Spices do belong to His Majesty, and (the Proctor Specially appointed to act in this case, on behalf of His Majesty and the Kings Proctor Acting for the Captors, requesting & Consenting thereto) Ordered that a Commission of Sale of the said Spices do forthwith issue, and the Sale Proceeds thereof be brought into Court

and

Barnd Spies – Continued

and by the Registrar thereof be deposited in the Government Bank on or before the first Day of December next ensuing; all Costs and expenses of this Cause to be deducted and paid out of the said Proceeds And it appearing that upon receipt of the said Spies on behalf of the Captors, certain Stipulated Payments were made in Consideration thereof to persons, upon whose estates the Spices had been produced and by whom they were delivered to the Prize Agent appointed at the time by the Captors, which payments were made out of other Property then and there Claimed as Prize The Judge further ordered that all Disbursements, Advances and Charges made and incurred for & on Account of the said Spices by the Captors thereof be also to them or their Agents reimbursed and made good out of the said Proceeds such Disbursements Advances & Charges being first to be approved of and allowed by this Court and the Judge further ordered that it be referred to the Registrar of this Court and to George Arbuthnot, John Binny & Sebastian Holford Greig of Madras Merchants or any two of them, to take an Account of all such Disbursements Advances & Charges made and incurred by the Captors for and on Account of the Spices as aforesaid and that a Commission do issue authorizing & empowering the said Registrar & the said Merchants jointly and severally to administer an Oath or Oaths to such Person or Persons as may be before them examined touching the Matters of such Account & that the said Account be taken & returned into Court with all convenient Dispatch

S Strange

Vice Admiralty Court

Prize Jurisdiction

In the Matter of Spices taken at Banda & its Dependant Islands.

Henry Lahagan Esquire
Registrar

Sir

Take Notice that it is the intention of the Captors in this Matter to appeal to the Lord Commissioners of Appeal in Prize Causes against the Decree pronounced by this Court; and that the Necessary Instructions for that purpose are now before the Kings Advocate. I have further to acquaint you that James Balfour Esquire and Richard Bromley Esquire are authorized to direct and inspect the sale of the Spices in question on the part of the Captors. Dated this 23. September 1811.

Yours Obediently
W. Arme
Kings Proctor.

Petition for leave to appeal.

Banda Spices — Continued

In the Vice Admiralty Court at Madras.
Prize Jurisdiction.

Our Sovereign Lord the King
against
Certain Dutch Property.
Captured at the Dutch Islands of
Banda Neira, Great Banda & Pulo Ay.

The humble Petition of Christopher
Cole Esquire Commander and the Officers
and Seamen of H. M. Ship Caroline and
of the Commanders Officers & Seamen of
H. M. Ships of War the Piedmontaise
and Baracouta and of the Officers and
Soldiers of a Detachment of the Troops
of the Honorable the East India Company
Madras European Regiment. —

Sheweth,

That about the Month of May One Thousand
Eight hundred and Ten your Petitioner Christopher Cole
by the Orders of His Excellency the late Rear
Admiral Drury the then Commander in Chief of H. M.
Naval Forces in India proceeded with H. M. Ships & a detachment
of Troops belonging to the Army of the United Company
of Merchants of England trading to the East Indies
to attack & Capture the Island of Banda Neira and its
dependant Islands, then in the possession of persons

who

Banda Isles — Continued —

who acknowledged subjection to the existing Government of Holland, then at enmity with His Majesty —

That in pursuance of the Orders aforesaid, your Petr Christopher Cole & your other Petrs did on or about the nineteenth Day of August in the year last mentioned attack & by force take and Capture the said Island of Banda Neira, in consequence whereof the several Dependant Islands aforesaid shortly afterwards surrendered to H. M. Arms. —

That after the surrender of the Island of Banda Neira, your Petr Christopher Cole did take on himself the Govt of the several Captured Islands in the Name of H. M. & did exercise the Govt until about the thirtieth Day of August following, when your Petr entrusted the Charge thereof to the next Senior Officer the late Charles Forbes Esquire then Commander of the said Ship Piedmontaine who afterwards delivered the Charge of the said Islands to a Civil Servant of the said United Company at the time and in the manner hereinafter particularly mentioned. —

That at the time of the Capture of the said Island of Banda Neira and the other Islands as aforesaid the Public Property there found Consisted of a small Sum in Specie, of different Denominations, viz. Cattle and other Articles which were deposited in the Public Stores and of the right Title or Interest which the Dutch Govt had in the Nutmegs, Mace and Cloves respectively which were then growing on the Trees in the Public Plantations or Parks on the said Islands respectively, and in certain

Banda Spices - Continued

Certain Nutmegs which at the time of the surrender of the said Islands had been plucked or severed from the said Trees in the said Parks or Plantations and which last mentioned Nutmegs were then in a Course of preparation in order to be delivered to the Dutch Government -

That the Several Trees from which the Nutmegs Mace and Cloves produced on the said Islands, are obtained, are Planted in Parks or Plantations which belonged to the Dutch Government subject to the Leases or Lettings thereof respectively hereafter particularly mentioned and that by the Orders and Regulations of the Supreme Government of Batavia, no individuals on the said Islands were permitted to cultivate Nutmeg Trees for their own use or benefit, it having been the peculiar Policy of the said Govt to Monopolize the whole of the Spices produced on the said Islands, and to prevent the same from being sold or delivered to any other Person or persons than those entrusted to receive the same by the Govt of the said Island of Banda Neira.

That by a decree or Regulation of the Supreme Govt of Batavia dated in November one thousand Eight hundred and Nine, the person exercising the Government of Banda Neira, was directed to issue to each of the persons called Parkiniers then in charge of the Public Parks or Plantations in the Islands aforesaid, certain Instructions declaratory of the Obligations under which they were thereafter to be permitted to Manage the said Parks or Plantations, and subject to the performance of which, they / the Parkeniers / were confirmed

in

and the possession and management of such Parks and Plantations - and that in virtue of such Decree or regulation Instructions were accordingly issued and delivered to each of the Parkeneers of which instructions and of the Proclamation relating thereto -

That in virtue of the Instructions last mentioned the Parkeneers continued to hold their respective Parks until the Period of the Capture of the said Islands, by your Petitioners and from time to time delivered to the Person or persons exercising the Government of Banda Neira, the whole of the Spices produced on the Trees in the said Parks at the Stipulated prices in the said Proclamation and Instructions in that behalf respectively mentioned.-

That the person or persons exercising the Govt of Banda, duly and regularly supplied the Parkeneers, with rice and Cloths at the prices, and in the Quantities and manner particularly Specified in the said Instructions, and that Considerable Quantities of rice and Cloths had been delivered in Advance to the Several Parkeneers for the Support Maintenance and Clothing of themselves and their Slaves respectively by means whereof the said Parkeneers had been enabled to cultivate the trees, which were in Blossom or producing fruit, at the time of the Capture of the said Islands and the Value of which last mentioned rice and Cloths respectively was to have been deducted out of the Stipulated prices of the growing produce of such Trees, and of

the

the Nutmegs, which were then undergoing the process of smoaking as aforesaid when the same should have been respectively ripened prepared and delivered to the Dutch Govt. —

That if the Islands aforesaid had not been captured, the Dutch Government of Banda, would have been entitled to receive from the Parkeneers, the whole of the Nutmegs which were then severed from the trees as aforesaid and also the whole of the Fruit growing on the said Trees, at the time of the said Capture paying for the same respectively the stipulated rates aforesaid after deducting the value of the rice and Cloths previously delivered to the Parkeneers aforesaid. —

That at the time of the Capture of the said Islands One hundred and two Thousand, six hundred and thirty three Dutch Pounds of Nutmegs had been severed and were in the Smoaking houses in a course of preparation as aforesaid for delivery, the nature of which preparation will appear from the evidence now of record in this Court. —

That the Spices rice and Cloths Captured by your Govt. as before mentioned had been provided by the Dutch Govt. for the supply of the Parkeneers and Slaves on the said Islands with which identical rice and Cloths the Parkeneers would have been partly paid for the Spices which were growing and gathered at the time of the Capture if the Islands had not been taken and that if the Cloths and rice last mentioned had not been delivered to the Parkeneers, as hereafter Stated, they would have been unable to support themselves and their Slaves, and the Cultivation of the Plantations must have been abandoned. —

That

That the Parks or Plantations and the houses Outhouses Buildings and Stages appertaining to the same were considered by the Partenieers and Dutch Inhabitants as of right belonging to the Dutch Government subject to the Interest or tenure that had been created by the Proclamation and instructions aforesaid and that your Petrs therefore believed themselves to be entitled to all the Spices which were then on the Trees and in the Smoaking Houses aforesaid, as property which was absolutely vested in the Dutch Government before the Capture aforesaid subject only to the payment of a small balance to the respective Partenieers -

That your Petrs therefore did require the several Partenieers to deliver to the Agent of your Petrs the whole of the Nutmegs which were in the Smoaking Houses as aforesaid and from time to time the mace which was on the Trees at the time of the Capture but which was afterwards pulled or severed and in return for the same the said Agent of your Petrs aforesaid the balances which were due to them respectively partly in Cash, and partly in the rice and Cloths that were Captured as aforesaid and that the Partenieers being thus satisfied, the Spices before mentioned were received by the Agent of your Petrs as Property liable to be Condemned as Prize -

That about the thirtieth Day of August One thousand Eight hundred and Ten the Govr of the said Island of Banda Neira and its dependencies was delivered by the said

Banda Spices — Continued

said Charles Foote to one Walter Ewer a Civil Servant of
the said United Compa[illegible] in virtue of some arrangement which
had previously existed between the late Rear Admiral
Drury and the Governor General of Fort William in Bengal
whereupon the said Charles Foote caused to be laden on the
said Ship Piedmontaise as many of the last mentioned Spices
as could be conveniently removed on that Vessel and particularly
the whole of the Nutmegs which had been pulled at the time
of the Capture which were forthwith conveyed to Madras
for the purpose of being condemned in this Court.

That the residue of the Spices which had been
collected in the Manner before mentioned was left at the Island
of Banda Neira, in charge of the said Walter Ewer who
granted receipts therefor to the Agents of your Petrs, and
that the Spices last mentioned would have been also brought
within the Jurisdiction of the said Court if Vessels could
have been procured for the Conveyance of the same.

That your Petrs proceeded in the usual manner in this
Court to obtain the Condemnation of the said Spices which had been
brought to Madras as aforesaid as lawful Prize, whereupon the united
Company of Merchants of England trading to the East Indies
caused a Claim to be preferred against the right of your
Petrs, pretending that the Spices herein last mentioned
belonged to the said United Company as having from the time
of the Capture of the said Islands exercised the Government
thereof, and as having been in the enjoyment & perception of

the

the revenues of the said Islands eventually in trust for H. M. as by reference to the Claim of the said United Company verified by the Affidavits of William Shackeray and Charles Watson yates will more fully appear.—

That the Libel of your Pets supported by the Depositions of Joachim Wart, Alexander Le Cerf and Johannes Letting appears by the claim and evidence on behalf of the said United Company came on to be considered before this Court whereupon you were pleased to direct that a Claim should be preferred for and in the Name of His Majesty in respect of the Spices before mentioned and Libelled as aforesaid and that further Proof should be adduced touching the rights and Allegations of the said Partiners—

That afterwards a Claim was accordingly preferred on behalf of H. M. and that Affidavits of the said Alexander Le Cerf Johannes Letting and Charles Watson Yates were exhibited as further Proof on the behalf of your Pets and that on the Sixth Day of September last the Matters aforesaid Came and were determined before you whereupon you were pleased to decree that the said Spices were not and ought not to be Adjudged and Condemned as Prize taken by H. M. said Ships of War but adjudged and decreed that the said Spices belonged to the Claim.—

That your Pets feel themselves aggrieved by the said Decree and pray leave to appeal therefrom to the Lords Commissioners of Appeal in Prize Causes for the following amongst other reasons, that is to say.—

That by an Act passed in the Twenty fifth year of the Reign of His present Majesty entitled "An Act for the

Banda Spices Continued

the encouragement of Seamen and for the better and more effectually manning H. M. Navy during the present War," it is amongst other things enacted "That the Flag Officers Commanders and other Officers, Seamen, Marines and Soldiers on board every Ship and Vessel of War in H. M. Navy being armed, officered, and employed in H. M. service, who shall take any Fortress upon the Land, or any Arms, ammunition, Stores of War, Goods, Merchandize, and Treasure, belonging to the State, or to any Public Trading Company of the enemies of the Crown of Great Britain upon the Land or any Ship or Vessel, or Merchandize laden on board the same, in any Creek, River Haven, or Road belonging to and defended by the said Fortress upon the Land, shall have the sole Interest and property of and in all and every such Ship or Ships, Vessel or Vessels, Arms, Ammunition Stores of War, Goods, Merchandize, and Treasure, after due Condemnation thereof as Lawful Prize in any of His Majesty's Courts of Admiralty or Vice Admiralty Duly authorized as aforesaid (which Courts are hereby required to proceed thereon as in other Cases of Prize) to be distributed by H. M. in such proportions and manner as hereinbefore is mentioned."

That the Spices which were Growing on the Trees of the Different Plantations aforesaid at the time of the Capture of Banda Neira and its dependencies, and more especially the Nutmegs, which had been severed from the trees, were respectively Goods and Merchandize belonging to the Dutch East India Company or state subject only to the right of the Partizens to receive a certain balance partly in Rice and Cloths and partly in Money.

That your Petrs have satisfied the balance so claimable and

Claimed

Claimed by the Partenears and that therefore your Pet.rs as the Captors of the said Islands had and have the sole Interest and property of and in the said Goods and Merchandize and that the same ought to have been Condemned as lawful Prize to H. M. distributable among your Petitioners -

That the whole of the Spice rice and &c. the captured as aforesaid have been delivered to the Partenears in Consideration of the Spices. received as aforesaid and that therefore the Interest which the Partenears at any time had in the Spices received as aforesaid has been purchased, and satisfied first by the advances made by the Dutch Govt and afterwards by the Public Spoile and Property Captured by your Pet.rs -

That the Money Rice and Cloths paid and delivered to the Partenears by and on behalf of your Pet.rs alone Enabled the Partenears to Continue the Charge of their Plantations, for that if the same had not been so applied the Plantations could not have been cultivated, and the then future Revenues of the said Islands would have been materially injured if not destroyed. -

Your Petitioners therefore humbly pray leave to appeal from the said Decree to the Lords Commissioners of Appeals in Prize Causes your Pet.rs being ready and willing to give Security on the said Appeal to the Satisfaction of this Court -

And your Petitioners shall &c. ever Pray. -

Herbert Compton

Rt. Anne
Proctor for the
Petitioners -

Order for leave to appeal.—

Banda Spices — Continued

Vice Admiralty Prize Court Madras.—

Monday the 2nd Day of December 1811

Before the Honble Sir Thomas Andrew Strange Kt. Judge of the said Court Dca at his Chambers present Henry Gahagan Esquire Registrar.—

In the Business of the Spices Captured at Banda Neira } Brought to Madras on board His Majesty's Ship Piedmontaise Captn C. Foote.—

On Motion of the Kings Advocate and on reading the Petition of Christopher Cole Esquire Commander and the Officers and Seamen of H.M. Ship Caroline and of the Commander Officers and Seamen of H.M. Ships Piedmontaise & Baracoutta and of the Officers and Soldiers of a Detachment of the East India Company's Madras European Regiment. It is ordered for the reasons (amongst others) in the said Petition assigned that leave be given to the said Petitioners to appeal to the Lords Commissioners of Appeal in Prize Causes from the Decree pronounced in this business on the 9th Day of September last past whereby the said Spices were pronounced declared and decreed to belong to His Majesty's and that the said Petitioners give sufficient security for the due and effectual Prosecution of such Appeal and for the Payment of such Costs as hereafter may by this Court or by their said Lordships Commissioners be awarded and that it be referred to the Registrar to take such security.—

T. A. Strange

Banda Spices – Continued

To the Vice Admiralty Court at Madras: –

Prize Jurisdiction.

In the Matter of Certain Mace and Nutmegs taken on the Island of Banda Neira and its dependant Islands. –

The Humble Petition of James Balfour and Richard Bromley Esquires. –

Sheweth,

That a Commission under the Seal of this Court bearing date the Twenty fourth Day of September last past issued to your Petitioners authorizing your Petitioners to expose and Cause Certain Spices – Consisting of Nutmegs and Mace in the said Commission particularly described to be exposed to public Sale and that they should sell or Cause the same to be sold to the best bidder under the direction and inspection of your Petitioners And your Petitioners were and are by such Commission directed to bring the produce Monies arising from such Sale into the Registry of ~~this~~ Court on or before the first Day of December then and now next with true and faithful Account Sales. As on reference to such Commission will more fully appear. –

That in pursuance and under the authority of such Commission your Petitioners proceeded

to

to Advertise the same Spices for sale on the Seventieth Day of the present Month of November, but your Petitioners have as yet only sold a part of the said Spices and it will require a further period of Two Months to Continue the Sale of the remainder of such Spices, and to render and pay in the Proceeds of such Sale. —

Your Petitioners therefore humbly pray that an Order may be issued allowing your Petitioners two Months further time to render an Account Sales and to pay the Monies Arising from such Sale. —

Pr: And your Petrs shall ever Pray

Pr. Arme
Proctor
29th November
1811.

J. Balfour
" Richard Bromley

Entered

Danish Brig Auchadun Cowder Bux 1/1-

Affidavit

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In the Vice Admiralty Court at Madras

Danish Brig Cowder Bux 1/1- Apana Shanukan - Master

Appeared Personally James Murray lately master of

His Majesty's Ship Victor Thomas Groube Esquire Commander and being

Sworn on the Holy Evangelists to depose the truth made oath That the

Papers and Writings hereunto annexed numbered from one to sixteen

are all the Papers Papers Sea Briefs Charter Parties Bills of Lading Cockets

Letters and other Documents and Writings which were delivered up or

found on board the above Brig Cowder Bax taken by His Majesty's

said Ship Victor on the twenty ninth day of February last and

which Capture and detention this Deponent was present and

that the said Papers and Writings are brought and delivered

in as they were received and taken without any fraud addition

Subduction or embezzlement Saving the numbering thereof -

J. Murray

Sworn at Madras in the East Indies

this 25th day of October in the Year 1808

Before me -

J. A. Strange

W. G.

Registrar

Danish Brig Muchadin Cawder Bux.s /1/ Continued

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Affidavit as to the Proceeds Sale. -

In the Vice Admiralty Court at Madras

Prize Jurisdiction Danish Brig Muchadin Cawder Bux.s /1/

Pervapah Nathine - Master. -

Appeared Personally William Hall Esq.r Madras acting for Messrs. Henry Hall and Edward William Stevenson the Joint Prize Agents for the Officers and Crew of His Majesty's Ship Victor, and being Sworn on the Holy Evangelists to depose the truth made oath that the Brig Muchadin Cawder Bux.s /1/ and her Cargo were, as the Deponent has been informed and believes, Seized and Captured as Prize on or about the Twenty Sixth day of February last by His Majesty's said Ship Victor And the Deponent did further depose that the said Brig Muchadin Cawder Bux.s /1/ and her Cargo were sold & are within the Jurisdiction of this Honorable Court and the Amount Sales are now in the Charge of the Prize Agents or one of them and within and subject to the Jurisdiction of this Honorable Court. -

Wm Hall

Sworn at Fort St. George
this Second day of January in
the Year 1809. Before me

T. A. Strange

Allegation

In the Vice Admiralty Court at Madras

Prize Jurisdiction

Danish Brig Muchadin Cawder Bux[t]

Servapah Mahlin - Master

January 1809.

Our Sovereign Lord the King against the said Brig

Muchadin Cawder Bux[t] whereof the said Servapah Mahlin

was Master her Tackle Apparel and Furniture and the Goods Wares

and Merchandizes therein taken and seized by His Majesty's Ship

of War the Victor Thomas Groube Esquire Commander and against

all Persons in General. -

Be it which day Robert Orme Procurator General for our

Sovereign Lord the King by all lawful ways and to all

Effects in Law whatsoever Alledged pleaded and Articulately

propounded as follows, to wit. -

First That his Majesty by and with the advice and Consent of his Privy

Council did by an order bearing date at the Pavilion Palace the fourth

day of November one thousand Eight hundred and seven order that

General Reprizals be granted against the Ships Goods and Subjects

of the King of Denmark / save and except the Vessels to which his

Majesty's Licence had been granted or which had been directed to be

Released from the embargo and had not since arrived at any foreign

Port / So that as well his Majesty's Fleet and Ships and also

all other Ships and Vessels that should be Commissioned by Letters of

Marque

Marque or General Reprisals or otherwise by His Majesty's Commissioners for exercising the office of Lord high Admiral of Great Britain & Ireland might lawfully seize all Ships Vessels and Goods belonging to the King of Denmark or his subjects or others inhabiting within the territories of the King of Denmark and bring the same to Judgment in any of the Courts of Admiralty within his Majesty's Dominions and further the said order in Council did direct that a Commission should issue and a Commission did accordingly issue under the Great Seal of the United Kingdom of Great Britain and Ireland authorizing the Commissioners for executing the office of Lord high Admiral or any Person or Persons by them empowered and appointed to issue forth and grant letters of Marque and Reprizals to any of His Majesty's subjects or others whom the said Commissioners should deem qualified in that behalf for the apprehending seizing and taking the Ships Vessels and Goods belonging to Denmark and the Vessels and subjects of the King of Denmark or any inhabiting within his Countries territories or Dominions Except as aforesaid and this was and is true public and notorious and the party proponent doth allege and propound every thing in this and the subsequent Article Contained jointly and severally.-

Second That the said Brig called Mechadin Lawder Burt (1) whereof the said Servant Mathew was Master and the Goods and Merchandizes on board the same were on or about the Twenty Ninth day of January in the Year one thousand eight hundred and Eight seized and taken as Prize by his Majesty's Ships or Vessels under the

Victor

Victor Thomas Sproule Esquire Commander and were at the time of the aforesaid Seizure thereof belonging to Subjects of the King of Denmark or to Persons inhabiting within the Territories of the King of Denmark and are liable or otherwise liable to Confiscation and ought to be Confiscated and Condemned to our Sovereign Lord the King not being within the exception in the said order mentioned and that it ought to be further alledged and declared that the said Thomas Sproule Esquire the Commander of His Majesty's said Ship Galatea the Victor and the officers and Crew on board the said Ship under his Command were and are the Captors of the said Brig the Mercheadin Cawder Buss 1/ and of the Goods Wares and Merchandizes on board the same - And the Party Proponent doth alledge & propound as before -

Third

That the said Brig the Mercheadin Cawder Buss 1/ her Tackle Apparel and Furniture and the Goods Wares and Merchandizes taken thereon were within and are subject to the Jurisdiction of this Honorable Court and the Party Proponent doth alledge and propound as before —

Lastly

That all and singular the Premises were and are true public & notorious and thereof there was and is a public Voice Fame and Report & upon which Legal proof being made the Party Proponent Prays right and justice to be effectually done and administred in the Premises by you the Honorable Sir Thomas Andrew Strange Knight Judge of His Majesty's Vice Court of Admiralty at Madras or Your Lawful Surrogate And that the said Brig the Mercheadin Cawder Buss 1/ whereof the said Cornelius Mackenzie was Master her Tackle Apparel and Furniture and all & singular

the

Cowder Box / / Continued

the Goods Wares and Merchandizes on board the same to
seized and taken therein as aforesaid be pronounced to belong
at the time of the aforesaid seizure to subjects of the King of
Denmark or to Persons inhabiting within the Territories of the
King of Denmark and as such or otherwise liable to Confiscation
And that it may be pronounced decreed and declared that
the said Brig her tackle Apparel and Furniture and the
Goods Wares and Merchandizes taken therein did belong
to Enemies of His Majesty of the United Kingdom of Great
Britain and Ireland And that the said Brig her Tackle
Apparel and Furniture and the Goods Wares and
Merchandizes taken on board the same be adjudged
and Condemned as Good and Lawful Prize accordingly -

Proctor
King's Proctor

for W. Compton
A. Austen Ker

To Henry Dahagan Esquire
Registrar to the Vice Admiralty Court at
Madras

Sr,

I have the Honor to acknowledge the
Receipt of your letter dated the 6th Instant with
a Commission in the name of W.E.W. Stevenson
and myself but none of the Persons attached
to the Prize brig Mercharlin Ladue Brig Can
at present be found here. —

I am
Sr,
Your most obedient Servant
W. McLeod
Commissioner

Tranquebar
16th January 1809

Brig Lawder Purse / / Continued

2d Letter Received from Tranquebar

Tranquebar 29th July 1809.

Henry Gahagan Esqre
Registrar Admiralty Court

Madras

Sir

Accompanying this I have the honor of sending the Commission issued for the Examination of the People belonging to the Brig Called Mechaline Lawder Purse Captured by His Majesty's Ship Victor - I am sorry that Captain Stevenson and myself have been unsuccessful in not getting one person to give evidence Relative to the above Brig - Consequently I think it best right to return the Commission

I am
Sir,
Your obedient Servant
W. McLeod

Brig Lavinder Prize / Continued

Order for Sentence of Condemnation

Vice Admiralty Prize Court Madras

Wednesday the 16th day of May 1810.

Our Sovereign Lord the King
v
The Brig Lavinder Prize /
Lewapah Mahtim Master

} taken by His Majesty's Sloop Victor Captain Goudie

On motion of Mr Compton King's Advocate and on reading the Brig's papers together with the Captain's Attestation in Verification of the same and no Person or Persons appearing to shew Cause against Condemnation of the said Brig and Cargo. The Judge pronounced the said Brig & Cargo to have belonged at the time of Capture to the King of Denmark or to subjects of the King of Denmark or to Persons inhabiting the territories or Dominions of the King of Denmark, Enemy to the Crown of Great Britain and decreed the same to be liable as Subject to Confiscation and Condemnation and Condemned the said Brig and Cargo as good and lawful Prize taken by His Majesty's Sloop Victor whereof Thomas Goudie was Commander, and ordered Sentence of Condemnation to issue. –

T. A. Strange

Brig Caveder Bux /1/ Continued

436 Petition of Leva Vaupah Mahtim and Others

To The Vice Admiralty Court

Prize Jurisdiction

Sheweth,

The humble Petition of Leva Vaupah Mahtim

Mahammadoo Nina Marican Mahtim Saib Roopie

Marican Ramasawmy Narrainen Appayen Sahoo

Malavay Marican Saib Samy Chetty Raweder Maydeen

Avootan Meera Hoopan, Ebrahim Hoomra Nina Marican,

Abdal Raweder Vanna Saib, Ameen Saib, Cosa Marican

Hoopen Saib Raweder Saib, Saulappa and Natam

Saib Appen Raweder Maydeen Okeb Lynda Saib

Veerengadam Ramalingapillay Sahoo Mahammadoo

Avoorooma Lavay Raweder Aby Avootan Lavay Hoosen

Hoosy Meera Marican Akeem Vanna Raweder Raydeen

Lavay Toomby Appoo Chetty Ramapillay Cheniatomby

Maydeen Kundoo Madanna Comarapa Moodr and

Vaupoo. —

Most Your Petitioner Leva Vaupah Mahtim

is the sole owner and proprietor of the Brig or Vessel called

the Caveder Bux and which has been libelled against in this Honorable

Court by the name of the Caveder Bux No 1 and was also Commanded

and Supercargo on board Thereof at the time of her Capture Hereinafter

Mentioned. —

That the said Brig on her Voyage from Penang to Mayore

was to get the cargo on board after belonging to your Petitioners

the said Mahammadoo Nina Marican Makkin said Roonjoo Marican

Ramasawmy Narraenen Appayen Sakoomalavay Marican said

Sanny Chetty Rawder Maydeen, Avoakee mera Hoosain, Ebrahim,

Hoomra Nina Marican, Abdal Rawder Naina said Ameen said, Cosa

Marican Hoosain said Rawder said Saulepa Rakeem said Appen Rawder

maydeen Okeeb Genda said Trevengadam Ramaloy appillay dakoo Mahammadoo

Avoorama Lavay Rawder Aby avoaka Lavay Naina Nagoy Meera Marican

Kheem Naina Rawder Maydeen Levay Tamby Appoo Chetty Ramasamy

Channatamby maydeen Ramadoo Madura said Tonarapah Naick

and Vanpoo residing at Nagore Pulo Penang Tremelrayampatam Porto

Novo and Karical under the British Government Therefor respectively on the

month of February in the Year of Christ one Thousand eight hundred

and Eight seized and detained by His Brittannick Majesty's Ship

of War the Victor Thomas Growler Esquire Commander and Carried into

Trangueber Roads where the said Cargo was landed and the same with

the said Brig afterwards sold Your Petitioner Lewa Vanpah

Makkin having himself become the purchaser of the said Brig.—

That in order to obtain Restitution of the proceeds of the said

Brig and her Cargo by your Petitioner Lewa Vanpah Makkin afterwards

proceeded to Madras where he arrived the latter end of April or

the beginning of May then following when he on behalf of himself

and the Petitioners the said Freighters addressed a Petition to His

Excellency Sir Edward Pellew praying that the said Brig and

her Cargo might be restored to them.—

That the said Excellency Sir Edward Ellen Lawrence
the said Petition did refer Your Petitioner to the Honorable the
Governor in Council in Consequence Whereof Your Petitioner addressed a
Petition to the said Governor in Council in answer to which
Your Petitioner were informed that their Petition respecting
the seizure of the said Vessel and the Goods laden upon her
involved some points of Law and had been laid before the
Advocate General for his opinion on those points and that
he the said Advocate General had not then given an answer
thereto but that as soon as he did so it would be communicated
to Your Petitioner and that in the mean time Your Petitioners
might themselves wait upon him at his Chambers in
the Fort —

That Your Petitioners did in Consequence thereof
accordingly wait upon the said Advocate General for
his opinion on the subject and that the said Advocate
General referred them to Mr. Robertson the Honorable
Company's Solicitor who informed Your Petitioners
that a Court of Vice Admiralty was about to be
established at Madras and that as soon as it was established
he might prefer his Claim before the same —

That being unable to obtain restitution of the
said Buggy or her Cargo Your Petitioner Lewis Vaughan Mathias
did in the month of June in the Year aforesaid leave
Madras and proceeded to Calpee and from thence on the

Thirteenth day of the month of July one thousand Eight hundred and Eight and before the establishing of a Court of admiralty for Prize Jurisdiction here proceeded on a Voyage to Penang as Commander of the same Vessel purchased by your Petitioner Leva Vaupah Mahtin and then Called the Mandeen Buxe where in Consequence of ill health he remained until the month of march last past when your Petitioner having recovered from his said illness proceeded by way of Atcheen to Nagore aforesaid where he arrived in the month of May last and your Petitioner Leva Vaupah Mahtin hath annexed to his Affidavit the Port Clearance which he received at Pulo Penang on Commencing his said Return Voyage being the 30th day of March last. –

That about fourteen days after his arrival at Nagore aforesaid he your Petitioner was informed by a letter addressed to him from one Peer Saib Abdeah Settee Maracair at Madras that the said Brig was with her Cargo by the Sentence and Decree of this Honorable Court Condemned as lawful Prize to the Captors in Consequence of no Claims having been made for the same on behalf of the owners and your Petitioner have since understood and believe that the said Brig and Cargo had been so Condemned soon after the departure of your Petitioner the said Leva Vaupah Mahtin from Pulo Penang to within the month of March last. –

That until the information your Petitioner Received as aforesaid he had no Knowledge that the matter Relating to the Seizure and detention of the said Brig the Pawder Buxe or her Cargo

were brought for adjudication before this Honorable Court

That at the time of the aforesaid Capture and Sale a Note of the Cargo was given by your Petitioner Leva Vanpah Mahbin to Captain Graube at Trangueban where Agent there Mr. John Chinnery then returned a Copy thereof to your Petitioner a true Copy whereof is annexed to the Affidavit of your Petitioner and which your Petitioner believes to be a true Statement of the Cargo then Captured and Sold by the said Captain Graube and at the same time the said Captain Graube delivered to your Petitioner an Agreement a Copy whereof is also Annexed to the said Affidavit

That the owners of the said Cargo were prevented bringing forward their Claims thereto in Consequence of the absence of your Petitioner as aforesaid. —

That your Petitioner are aggrieved by the said Sentence or Decree for the following amongst other reasons —

First. That at the time of the passing of the said Sentence or Decree as before stated, your Petitioner had no notice of the intention of the Captors to proceed to the final adjudication of the said Vessel and her Cargo, which, by the rules of the Admiralty Court, he was entitled to have, before sentence could legally be passed in the said matter, as binding upon the said property. —

Secondly - That neither of the Officers or crew of the

that were on board the said Vessel at the time of her said Capture were, (as your Petitioners Contend they ought to have been) examined upon the Standing Interrogatories but the Condemnation, which has taken place, proceeded solely upon the evidence of the Ship's papers, which Papers your Petitioners are prepared to shew, were merely in themselves Colorable and forged by them, for the sole purpose of deceiving the enemy and thereby protecting the property of your Petitioners —

For all which reasons your Petitioners humbly Pray that the said Sentence or Decree may be set aside & they at liberty to appeal therefrom &c —

Gibbs Ricketts
Proctor

And your Petitioners &c

Brig Cawder Bux /1/ Continued
Affidavit of Leva Vaupsah Mahlein -

In the Vice Admiralty Court
at Fort Saint George Madras
Prize Jurisdiction - - -
} The Cawder Bux /No. 1/

Leva Vaupsah Mahlein Inhabitant of Nagore and residing under the British Government there maketh oath and saith that he is the sole owner and proprietor of the Brig or Vessel called the Cawder Bux which this Deponent understands and believes to have been proceeded against in this Court by the name of the Cawder Bux No 1 and was also Commander and supercargo on board thereof at the time of her Capture hereinafter mentioned and this Deponent saith that the said Brig on her Voyage from Penang to Nagore was together with the Cargo on board of her belonging to persons residing at Nagore Pulo Penang Tremulrayanpatam Porto Novo and Ramnad under the British Government there respectively in the month of February in the Year of Christ one thousand eight hundred and eight seized and detained by His Britannick Majesty's Ship of War the Victor Thomas Lyons Esquire Commander and Carried into Tranquebar Road where the said Cargo was landed and the same with the said Brig afterwards sold this Deponent having brought the said Brig and this Deponent saith that in order to obtain restitution of the proceeds of the said Brig and her Cargo he this Deponent afterwards proceeded to Madras where he arrived in the latter end of April or in the beginning of may then following when he this Deponent and the Freighters addressed

a Petition to His Excellency Sir Edward Pellew praying that Richard Brig and Cargo might be restored to them and this Deponent saith that this said Excellency Sir Edward Pellew having received the said Petition did refer this Deponent and the said Freighters to the Hon^ble the Governor in Council, and this Deponent saith that in consequence thereof he addressed a Petition to the said Governor in Council in answer to which this Deponent and the said Freighters were informed that their Petition respecting the seizure of the said Vessel and the Goods laden upon her involved some points of law and had been laid before the Advocate General for his opinion on those points and that he the said Advocate General had not then given an answer thereto but that as soon as he did so it would be communicated to this Deponent and the said Freighters and that in the mean time this Deponent and the said Freighters might themselves wait upon him at the Chambers in the Fort and this Deponent saith that he and the said Freighters did in consequence thereof accordingly attend upon the said Advocate General for his opinion on the subject and that the said Advocate General referred them to Mr. Robert Orme the Honorable Company's Solicitor who informed this Deponent and the said Freighters that a Court of Vice Admiralty was about to be established at Madras and that as soon as it was established they might prefer their Claims before the same and this Deponent saith that being unable to obtain restitution

Brig Lawder Box #1 Continued

of the said Brig or her Cargo he did in the month of June in the
Year aforesaid leave Madras and proceed to Nagore and from
thence on the Fifteenth Day of the month of July one thousand
eight hundred and Eight and before the establishment of a
Court of Admiralty for Prize Jurisdiction here proceeded on a
Voyage to Penang as Commander of the same Vessel purchased
by this Deponent and then called the Maiden But in
Consequence of ill health this Deponent remained until the
month of March last past when he this Deponent
having received from his said Owner proceeded by
way of Atchin to Nagore aforesaid where he arrived
in the month of May last and this Deponent saith
hereunto annexed the Port Clearance which
this Deponent received at Port Penang on Commencing
his said return Voyage bearing the fourth Day of March
last and this Deponent saith that about fourteen
Days after his arrival at Nagore aforesaid the this
Deponent was informed by a letter addressed to him
from one Peer Saib Abdulla Letter Marracan
at Madras that the said Brig was with
her Cargo by the Sentence and Decree of this
Honorable Court Condemned as lawful Prize
to the Captors in Consequence of no Claim having
been made for the same on the behalf of the owners
and this Deponent hath since understood and

believes that the said Brig and Cargo had been so Condemned soon after the departure of this Deponent from Rio Janeiro to wit in the month of march last and this Deponent saith that until the information he this Deponent received as aforesaid he had no knowledge that the matter relating to the seizure and detention of the said Brig the Camden Bux or her Cargo were brought for adjudication before this Honorable Court and this Deponent saith that at the time of the aforesaid Capture and Sale a Note of the Cargo was given by this Deponent to Captain Growler at Trangrebar whose Agent there Mr John Chinnery then returned a Copy thereof to this Deponent a true Copy whereof is hereunto annexed and which this Deponent believes to be a true Statement of the Cargo then Captured and sold by the said Captain Growler and at the same time the said Captain Growler delivered to this Deponent an agreement a Copy whereof is hereunto annexed - And this Deponent saith that the owners of the said Cargo were as this Deponent hath been informed by them and verily believes prevented sueing forward their Claims thereto in Consequence of the absence of this Deponent as aforesaid and this Deponent saith lastly

Brig Crowder Bus /1/ Continued

Received a Power of Attorney from the said owners to put in Claim for Wages to the said Cargo which Power of Attorney this Deponent hath herewith annexed -

Edwd H Rackett
Proctor

Sworn at my Chambers in Fort St. George this 10th Day of August 1910. The Contents having been previously explained by the Court Interpreter - - - -

Before me -

L. A. Storey

(21.) This is to Certify, That the Brig Maiden Boat Commander, Libby Hakins has Cleared out from this Port for Nagore Cargo, Sundries.—

Tho. Ruffles
Secretary to Government

Port Cornwallis
the 4th of March 1810.

Cargo of the Danish Brig Edvarder Bas as
landed at Tranquebar on the undermentioned days —

1808.

Sorts of Goods	March 6	7	8	9	10	11	12	Total weight or Package & quantity	Remarks
Bundles of mats	36	9	6	"	"	1	"	52	52
Tare of sorts	50	8	17	1	"	8	"	84	84
Bags Pepper	16	53	51	23	1	"	"	144 Bags net	9 2 Peic 112½ lb 3 Bags Nutmegs
Rice	44	188	306	551	439	215	"	1836	" 1083 — 65 Do } net this Quantity
Sago	"	"	"	"	"	"	"	103	" 73 130½ Do 24 bags do Ots
Sugar	2	3	"	"	"	"	"	39	— 30 — 8 7¾ — Do
Packs of Tin	9	"	"	"	"	"	"	9	9 5 — 17 — 114 Do
Wax	5	"	1	3	"	"	"	9	9 5 22½ Do
Benjamin	62	1	"	"	"	1	"	64	64 30 — 9½ Do
Brimstone	"	"	30	63	"	"	"	93	93 51 — — 105 Do
Chests of China	2	2	2	"	"	"	3	9	9 Number not known
Do Clothes	1	1	"	"	"	"	"	2	2 Do Chests do I. C
Chinnamon	"	3	"	"	"	"	"	3	3 3 Peic 83 lb
Bundles Rattan	174	20	55	11	2	"	"	262	
Bags Paddy	"	"	"	31	58	40	"	"	129 129 89 Do 120 lb
Barrels of Beer	"	"	14	"	"	"	"	"	14 14
Gun Powder Jars	"	"	1	"	"	"	"	"	1 1 very small Quantity delivered

I. C.

Brig Camden Box #1 Continued

Letters & 1 Box	"	"	"	1	"	"	1	40. Fortoin Number
Boat Hooks	"	"	"	"	"	"	39	39
Spare Lwood afsots	"	"	"	"	"	164	164	164.
Salt Bags	"	"	"	"	"	2	"	2 2
Lanner Do	"	"	"	"	"	2	"	2 120 120 ft
Camphene 1 Box	"	"	"	"	"	"	"	3 Packets away small Quantity

one Ivory Box Contained 6 sealed Packets Gold Dust Contents unknown

3 Small Papers of Gold Dust Do Do Do

In Silver Dollars Ten Thousand three hundred and Eleven 10311

In Do Rupees Thirty six 36.

2 Torch Brushes

2 Water Carriers.

Tranquebar 13th March 1808

I Hereby Certify to Lebaapah Nacodah of the Danish Brig Camden Box that the above is a just Account of the Cargo landed from the said Brig and that is Corresponds with a Similiar Account he has rendered to Captain Graube Commander H. M. S. Victor. —

Jno Chenney
Mast. A.A.C
Lieut. M.C.

428 Landed at Tranquebar on the undermentioned days —

1808.

Sorts of Goods	Mark	6	7	8	9	10	11	12	Total weight or Package Quantity	Remarks
Bundles of mats	36	9	6	"	"	1	"	52	52	
Tare of sorts	50	8	17	1	"	8	"	84	84	32 large Tare do T.C.
Bags Pepper	16	53	51	23	1	"	"	144	Exported	9 2 Peice 112 1/2 lb 3 Bags Inferiors
Rice	44	188	306	551	439	215	"	1836	"	1083 — 68 Do in this Quantity
Sago	"	"	"	"	"	"	"	39	—	30. 8 7 3/4 Do
Sugar	2	3	"	"	"	"	"	5	—	17 — 11 1/4 Do
Pack of Tin	9	"	"	"	"	"	"	9	9	5 22 1/2 Do
Wax	5	"	1	3	"	"	"	9	9	5 12 1/2 Do
Benjamin	62	1	"	"	"	1	"	64	64	30 — 9 1/2 Do
Brimstone	"	"	"	30	60	"	"	93	93	51 — — 105 Do
Chest of China	2	2	2	"	"	"	3	9	9	Number not known
Doz Cloths	1	1	"	"	"	"	"	2	2	Do Chests do T.C.
Cinnamon	"	3	"	"	"	"	"	3	3	3 Peice 83 lb
Bundles Rattan	1/4	20	55	11	2	"	"	262	262	
Bags Paddy	"	"	21	38	40	"	"	129	129	89 Do 120 lb
Bundles Reeds	"	"	"	14	"	"	"	14	14	
Green Powder Tea	"	"	1	"	"	"	"	1	1	very small Quantity delivered

T.C.

Brig Camden Box 1/ Continued

Plaisters 1 Box " " " " 1 " " 1 40. Fortin Number

Boat Hooks " " " " " " " 39 39

Spare Swivel ofsets " " " " " 164 164 164.

Salt Bags " " " " " 2 " 2 2

Dammer Do " " " " " 2 " 2 120 120 ℔

Camphire 1 Box " " " " " " " 3 Packets amongst small Quantity

one Ivory Box Contained 6 sealed Packets Gold Dust Contents unknown

3 Small Papers of Gold Dust Do Do

In Silver Dollars Ten Thousand Nine hundred and Eleven 10911

In Do Rupees Thirty six 36

2 Forge Bellows

2 Water Casks.

Tranquebar 13th March 1808

I Hereby Certify to Lebaappah Naccodah of the Danish Brig Camden Box that the above is a Just Account of the Cargo landed from the said Brig and that is Corresponds with a Similiar Account he has rendered to Captain Ingram Commander H. M. S. Victor. —

Jno. Chinnery
Mar. A.C.
Cust. W.

Brig Camden Bux/1/ Continued

Tranquebar 13th March 1818.

Copy of a Certificate given by Levah Appah -

Thereby Certify to Thomas Goudie Esquire Captain of the M. S. Victor That the Cargo of the Camden Bux Lately under my Command as exhibited by an Abstract of the same on the back hereof with the signature of myself and John Chenneny Esquire of Tranquebar was Landed in good order and that the Captain and Officers of the said Ship are wholly free from any responsibility on that account

Signed/ Levah Appah

true Copy

Jn.o Chenneny

Invoice of Dollars 8th March

In bags with Chits

Nanaim Naick -- 500

Akkoo Lebay - - - - 495

2 bags Nanaim Naick 1000

Ibraham Nagore -- 500

Pattis Madras -- 400

Mohan Iman -- 500

Seva Meratteen 91½

bag without Name 90

Memo.a of Dollars 9th March

Ayer Meratteen 162

Nagore ditt - - - 185

Camden ditt - 500

Solie Bay -- 500

4 Bags Atteem ditt

Nagore } 1860

1 Do. Atteem Bawah 500

Camden Marked Atteem 520

Atteem ditt - - - 500

Loose Dollars 1230
Do Lady Do 2½
30 Rupees - 15-

Do 4825

Lewis Tomby - 190 } 21 Parcels of Cloth
Dust
Abbas Cholby - 82
Ramasully & Chuma Lubeb } 298
2 bags unthank name } 28½ & 6 Rupees

Do 5,504-

The above Dollars and Rupees delivered to Mr Steinhaus at Zanzibar -

J. A. Sweeney

Brig Camden Buse /1/ Continued

Tranquebar 6th March 1808

Articles of agreement entered into this day between Thomas Graeme Esquire Captain of His M. Ship Victor on account of himself the officers and Crew of the said Ship and Lebah Appah owner and Merchant of the Brig Camden Buse detained at Tranquebar on the 29th February last

1st That the entire Cargo of the Ship without any distinction whatever shall be landed without loss of time at Tranquebar —

2d The said Cargo shall be landed from the Camden Buse under Superintendence of an Officer of H.M. Ship and be received on shore by the Chinnay Canapt to be granted by him for the same under the additional signature of the Merchant to prove that the Cargoes faithfully taken Charge of —

3 Alle die Burger so Kinder haben, die zu
ihren Jahren kommen, sollen dieselben
zu Schulen halten, damit sie lesen und
schreiben lernen, und sollen auch ihre
Kinder zu Gottesdienst und Predigt
halten, wie sich das gebührt, bey Ver-
meidung einer Strafe nach Gelegen-
heit der Sache.

4 Alle Diejenige, welche Kinder
haben, sollen dieselben zu Gottes-
furcht und Ehrbarkeit halten, und
sie lehren, wie sie sich gegen Gott
und ihren Nächsten verhalten sollen,
bey Vermeidung einer Strafe nach
Gelegenheit der Sache.

5 Alle Burger so Kinder haben,
welche zu Jahren kommen sind, sollen
dieselben zu Handwerken halten, damit
sie ihre Nahrung dadurch haben mögen,
bey Vermeidung einer Strafe nach
Gelegenheit der Sache.

6 Alle Burger so Kinder haben,
welche zu Jahren kommen sind, sollen
dieselben zu Handwerken halten, damit
sie ihre Nahrung dadurch haben mögen,
bey Vermeidung einer Strafe nach
Gelegenheit der Sache.

Qaid Kunda Dawal / Fanhmna

[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

Know all Men by these presents That We who have hereunto set our hands and seals severally owners of the Cargo which was on board the Brig Cavalier Burr whereof Levi Vanpelt Mathin was Master and supercargo at the time of her seizure by His Majesty's Ship of War Creator Captain Thomas Groube Commander have authorized and empowered and by these presents do authorize and empower the said Levi Vanpelt mathin Jor ers and in our names and on our behalf respectively to demand main Claim and to use and take all legal ways and means for recovery of the said Cargo or the proceeds thereof in any Court or Courts and to act do and perform all matters and things therein and relating thereunto as fully as We ourselves might or could do if personally present.- And We do hereby Ratify and Confirm all and whatsoever the said Levi Vanpelt mathin shall lawfully do or Cause to be done in and touching the premises - In Witness whereof We have hereunto set our hands and seals this Eighteenth day of July in the Year one Thousand Eight Hundred and Ten.-

Signed Sealed and delivered
In the presence of -

Proxy.

In the Vice Admiralty Court at Fort Saint George Madras Prize Jurisdiction — } The Cawder Bux /1/ Leva Vaupah Mahtem Master.

Know all men by these Presents that Ule Leva Vaupah Mahtem a Mahomedan Merchant Residing at Nagore the sole owner and proprietor of the Brig Cawder Bux and was also Commander and Supercargo on board thereof at the time of her Capture and Mahammadoo Nina Marcair Mahtem said Raongoo Marcair Ramasawmy Narrainen Appiayen Sakamalavay Marcair said Samy Chitty Ravelu Maydeen Avvakoo mera Voopan Ebrahim Naina Nina Marcair Abdulh Ravelu Vanna said Ameer said Casa Marcair Noosen said Ravelu said Sankappa and Mahtem said persons residing at Nagore and Appen Ravelu Maydeen and Aseb Genda said persons residing at Porto Novo and Tirrengadam Ramalinga pillay Sakoo Mahammadoo Avvoroomo Levay Ravelu Aby avvaka Lavay Veeren Mesay Mahtem said and Ramapillay Cannatomby persons residing at Tremelayen Patnam and Maydeen Ravelu and Madana said persons residing at Karical, Comarapah Nacth and Vaupoo persons residing at Porto Novo owners of her Cargo do hereby Constitute and Appoint Gilbert Ricketts one of the Proctors of the Vice Admiralty Court at Fort Saint George Madras to appear before the Honorable Sir Thomas Andrew Strange Knight Judge of the said Court and to exhibit, prosecute and in the behalf

Brig. Lawder Bux 11 Continued

of me the said Leva Vanfah Mahlin as such owner &
proprietor of the said Brig or Vessel Called the Lawder
Bux and for and in behalf of us the said other persons
herein before named as such owners of her Cargo & Claim
for the Restitution of the said Brig lately seized by His
Britannick Majesty's Ships of War Victor as also for
the Cargo on board the said Brig at the time aforesaid
and to do every thing that shall be needful and
necessary to be done for us until a definitive Sentence
shall be pronounced by the said Court for or against the
Validity of such Seizure and We do hereby promise to
allow as firm and Valid all and whatsoever the said
Proctor shall lawfully do or Cause to be done for us
in and touching the premises - In Witness whereof
We have hereunto set our hands and seals this
first day of September in the Year one Thousand
Eight hundred and ten -

Signed Sealed and delivered
in the presence of -
W Sierotraw

Lewis Vanfahmahlin
Jacob Vanfahmahlin
Johannes Vanfahmahlin

Brig Caverdar Busa/l Continued

Claim

459

In the Vice Admiralty Court at Fort Saint George Madras Prize Jurisdiction

The Caverdar Busa/l Leva Vaupah Mahtun Master

The Claim of Leva Vaupah Mahtun residing at Nagore under the British Government there and Mahammadoo Nina Marcair Mahtun sait Koonjoo Marcair Ramasawmy Ramasamy Appayan Sakoorinatavay marcair sait Lamy Chetty Raver Maydeen Avoka Mera Hoosane Ebrahim Noorna Nina Marcair Abdal Raver Vauva Sait Ameen sait Cosa Marcair Hoosen sait Raver sait, Saulappa and Hawkem sait persons residing at Nagore under the British Government there - and Appen Raver Maydeen and Neek Genda sait persons residing at Pulo Penang under the British Government there and Treveng adam Ramatinga pillay Sakoo Mahammadoo Avoosoona Lavay Raver aby Avoka Lavay Neenes Nagy Mera Marcair Akum Vauva Raver Maydeen Levey Tomby Appoo Chetty and Ramapillay Comiatomby persons residing at Tarcomalay Rayer Patnam under the British Government there and Allaydeen Rumbo and Madura sait persons residing at Karical under the British Government there and Comaropah Naick and Vaupoo persons residing at Porto Nova under the British Government there which said Leva Vaupah Mahtun is the time

Brig Camden Packet Continued

lawful and sole owner and proprietor of the said Vessel Called the Camden Packet her Tackle Apparel and furniture and that the several other persons mentioned are the owners of the Cargo seized and detained by his Britannick Majesty's Ship of War the Victor Thomas Graves Esquire Commander as set forth in the Affidavit hereunto annexed and for all such freight Lopes Costs Charges Damages Demurrage and Expences as shall or may arise by reason of the seizure or detention aforesaid.—

Wm Ricketts
Proctor

Order for leave to file appeal upon Condition &c. 461

Vice Admiralty Prize Court Madras

Tuesday the 2d day of October 1810

Before the Honorable Sir Francis Macnaghten Knight

Deputy Commissary of the said Court present

Henry Gahagan Esquire Registrar &c.

In the Causes of

The Brig Cawder Bux[t] } Taken by H.M. late Sloop Victor
Leva Vanpah Mathlum Master } Captain Graeber. -

On motion of Mr. Arbuthnot and on reading the Claim and Petition of Leva Vanpah Mathlum and others native Merchants residing at Mayore, Pulo Penang, Tremulrayanpatam, Porto Novo & Karrical together with the Affidavit of the said Leva Vanpah Mathlum and the papers thereto annexed in support of the said Claim and Petition - It is ordered that the said Petitioners be at liberty to enter and file their Appeal against the Sentence of Condemnation of the said Brig and Cargo pronounced in this Court on the Sixteenth day of May last past, the Parties Adverse and Captors Consenting thereto upon Condition that all further proceedings thereon be stay'd and that the final decision of this Cause shall await, abide by and follow the Decree made or to be made by the Lords Commissioners for Appeals in Prize Causes on the two Appeals Causes of the Cawder Bux[t] and the Braiderne Bux. and that an agreement to this effect signed by the Proctors of the Parties Captors and Claimants be forthwith filed as of Record. -

T. Macnaghten
Dep[y] Commissary
the 9th & 10th October 1810.

Brig Cawdor Box 1/1 Continued

Agreement that this Cause abide the Event of former Appeals.-

Vice Admiralty Prize Court Madras.

Tuesday the 2d day of October 1810.

Before the Honorable Sir Francis Macnaghten

Knight. Deputy Commissary of the said Court present

Henry Gahagan Esquire Registrar &c.

In the business of the

Brig Cawdor Box 1/1

Laden Captain

Master } Taken by H. M. late Sloop Victor

Thomas Graube Esquire Commander

On this day appeared Mr. Robert anne Kings Proctor for and on behalf of the Officers Seamen and others of His Majesty's late Sloop Victor Captors on the one side, and Mr. Gilbert Ricketts for and on behalf of Leva Vanpah Mahtuie and others Native Merchants of Nagore Pulo Penang, Tremulroyanbatam Cuddalore and Porto Novo Inhabitants and Appellants on the other, and by Virtue of a Condition Contained in an order of this Court bearing date the same day and Year abovementioned They hereby for the said Parties Captors and Appellants Mutually Consent and agree that all further proceedings on Appeal in this Cause shall be stayed and that the final decision therein shall await

abide by and follow the Decree made or to be made by the Lords Commissioners for Appeals in Prize Causes in the two Appealed Causes of the Lowder Box 2 and Maidenn Box and that this Agreement be filed as of Record. —

In Witness whereof the Proctors aforesaid hereunto severally put their hands —

R. Orme
King's Proctor

Wheeler Dalton
Henry Gabbegans
Registrar

Gibbs Rackett
Claimants
Proctor

Lg. Oct. 4. 1810

Joseph Thomasin Master

Affidavit

In the Vice Admiralty Court at Madras.

Prize Jurisdiction French Privateer La Confiance

Joseph Thomasin Master

Personally appeared John Binny of Madras Merchant one of the Partners under the firm of Messieurs Binny Dennison and Company and being duly Sworn on the Holy Evangelists to depose the truth made oath That he and his Copartners Received a letter from Mr John Collington the Purser of His Majesty's Ship Blanche dated the Twenty first day of August last on board his Majesty's Ship Blanche Port Cornwallis with the French Log Book accompanying this Affidavit N°1. and the several other French Papers also accompanying Numbered 2, 3, 4 and 5 and two affidavits made by the said Joseph Thomasin the Master Numbered 6 and 7. relating to the French Privateer La Confiance (taken by His Majesty's said Ship Blanche on the Twenty Seventh day of July last when Richard Barton Esquire was acting Commander of the said Ship) which Letter desired that the same Papers might be forwarded to the Registrar of this Court. And the said John Collington did therein signify his intention to forward by the earliest opportunity a Small Chest said to Contain Six Thousand two hundred and forty five Spanish Dollars to be also delivered to the Registrar of this Court. —

And the Deponent did further depose, that on the Twenty Seventh day of the same Month of September last, he and his Copartners Received another letter dated on board His Majesty's Ship Blanche Port Cornwallis the Twenty fourth August last from the said John Collington

enclosing the annexed Account Sales N°. 8. of the Property taken on board the above French Brig the Confiance, And the said letter also Enclosed an affidavit made by the said John Collington which is also hereunto annexed N°. 9. and Acquainted this Deponent and his Partners that he the said John Collington had been appointed the Prize Agent by the Captors of the said French Privateer La. Confiance.—

And the Deponent did further depose that the said Chest of Dollars is now in the charge of the Deponent and his Partners within the Jurisdiction of this Court.—

Sworn at Fort Saint George Madras this 30th. day of October 1810. — — — — —

J. Binny.

Before me

J. Macnaghten

La. Confiance Continued

N°. 5

Joseph Thomasin late Commander of the French Brig Privateer then called the Confiance, and lately Captured by His Majesty's Ship Blanche maketh Oath and saith that the Log Book now produced is the same that was kept on board the said Brig Confiance while under his Command - and that the following Papers now produced viz a Jire Case 1st a List or Roll of the Ships Company two Blank Commissions for Prize Masters, and a Commission or Letter of Marque for the said Brig Confiance, on the same that were on board the said Brig at the time of her Capture -

Mr. Thomasin
Corpr

Sworn before me
this 8th day of August 1810 -
W. T. Phillips -
Justice of the Peace
at Prince of Wales Island -

Joseph Thomasin late Commander
of the Brig Confiance Captured by his
Majesty's Ship Blanche Monkett
Oath and Sarvice - The said Brig was
built at the Island of France and
was at the time of her Capture as
aforesaid French Property. -

Jnº Thomasin
Capt.n

Sworn before me
at Prince of Wales Island
the 8.th of August 1810.

W.m Phillips -
Justice of the Peace at
Prince of Wales Is.d

French Privateer
Confiance -

La Confiance Continued

No. 9.

I James Collington, Purser of His Majesty's Ship Blanche make Oath and saith that the Chest, said to Contain Spanish Dollars, which was taken out of La-Confiance, French Privateer, on the Twenty Seventh July 1810. by Richard Barton Esquire Acting Captain of His Majesty's Ship Blanche and delivered into my Charge, has not been opened or in any way removed from its original Package as found on board the Confiance.—

J. Collington

Sworn before me
this 23d. day of August 1810.
Prince of Wales Island.

L. Stanley.

His Majesty's Ship Blanche Port
Cornwallis. Prince of Wales Island
21st August 1810.

Gentlemen

I beg leave to transmit to you the Log Book and Papers found on board the Confiance French Privateer recently Captured by the Blanche, and request you will be so Kind as to forward them to the Registrar of the Vice Admiralty Court at Madras, for Adjudication. Should any expence occur in the Condemnation I will thank You to pay the same and place to my Account - The Confiance had on board when Captured a Small Chest said to Contain 9,245 Spanish Dollars which I intend to send by the earliest opportunity to Madras, to your Care, to be delivered to the Registrar of the Court, with the Log Book and Papers. - The Receipt of which you will be pleased to acknowledge. — Wishing You every Success —

I Remain
Gentlemen
Your Obedient Servant
J. Pellington
Agent to the Captors

To Messrs. Benny Dennison & Co
Madras - - - -

La Conpanee Continued

His Majesty's Ship Blanche Port Cornwallis 24th August 1810.

Gentlemen

Enclosed You will Receive an Account of the French Brig Conpanee, together with the whole of the Property found on board the said Brig; Also an affidavid made by me, respecting the Chest, said to Contain Dollars, which was found on board the said Brig at the time of her Capture, which will be necessary to be produced at the Vice admiralty Court; Should the Registrar of the Court Require the proceed of the sale of the Brig & Property to be lodged in the Court You will have the goodness to deposit the same, and pray for Condemnation of the said Brig & Property, together with the Chest said to Contain Spanish Dollars; As the Chest is now in the same State as when taken out of the Conpanee I trust You will see it opened and counted at the Admiralty Court, in the presence of the officers of the Court, appointed for that purpose.

As this is the first instance in which I have acted as Agent for Prize, should I have made any omissions, or Committed any Errors. You will greatly oblige me by pointing out in what existance.—

I remain
Gentlemen
Your most obedient Servant
J. Collington

To Messrs Binny Dennison & Co
Madras

La Confiance Continued

Vice Admiralty Prize Court Madras

The King

against

The French Privateer La Confiance

Joseph Thomas Master

Received from Messrs. Binny Dennison & Co.

as Agents for Mr. J. Ellington Purser of His Majesty's

Ship Blanche a Box directed to "The Registrar of the

Vice Admiralty Court Madras To the Care of Messrs.

Binny Dennison & Co. Madras" which upon being

opened in my presence and in that of John Binny

Junior a partner of the said firm was found to Contain

as follows Viz.t-

1 Bag Contained Spanish Dollars	458
1 D.° "	465
1 D.° "	464
1 D.° "	460
1 D.° "	441
1 D.° "	461
1 D.° "	463
1 D.° "	451
1 D.° "	455
1 D.° "	456
1 D.° "	460
1 D.° "	462
	5490 Fme

La - Confiance Continued -

Five Thousand, four hundred and Ninety six
Spanish Dollars one of the above Number having
proved to be Copper was cut in two by the Servants
at the Government Bank, in whose presence
also the said box was opened and the Dollars
Counted -

Fort St George 1st November 1810.

J Berry Gahagan
Registrar

Affidavit of Mr Bromley.

In the Vice Admiralty Court at Madras
Prize Jurisdiction

Brig La Confiance
Joseph Thomasin Master

Appeared personally Richard Bromley of Madras Esquire the substituted Agent for Richard Burton Esquire the late Acting Commander of His Majesty's Ship of War the Blanche and for the Officers and Crews of that Ship and being sworn on the Holy Evangelists doth depose and state that he lately received from William Willoughby who was a Lieutenant serving on Board the said Ship the Blanche at the time of the Capture of the French Brig La Confiance the annexed Affidavit appearing to have been duly sworn to on the twenty fifth Day of September last by the said William Willoughby before W. E. Phillips Esquire the Governor of Princes of Wales Island

Sworn at Fort St George
this 14th Day of November
1811 Before me

W. E. Phillips
Governor Penang

Richard Bromley

T. A Strange

La Confiance Continued

Lieut. William Willoughby of the Royal Navy maketh oath and saith that the Confiance French Privateer taken by H. M. Ship Blanche was from the bad state of Her Sails, and the Blanche beating so much, and weakly manned, was not able to proceed to Madras not having Men to send in Her.—

Wm Willoughby

Sworn before at Prince of Wales Island this 25th Day of September 1811.

W. E. Phillips

Property and Vessels captured at and off Ambayna Vizt

4 7/5

Affidavit -

In the Vice Admiralty Court at Madras

Prize Jurisdiction

Our Sovereign Lord the King

against

Certain Property captured at and off the Dutch Island of Ambayna and its dependant Islands of Saparoua Haruku Boero Hasa-Laut and Manipa -

Appeared personally Edward Tucker Esqr late Commander of H M Frigate the Dover now wrecked on the Beach of Madras & being duly Sworn on the Holy Evangelists to depose the truth made Oath that he the Deponent received orders from His Excellency William Bruen Drury deceased then a Rear Admiral of the Red and Commander in Chief of H M Ships and Vessels in the Indian Seas under date the 10th day of in the year One thousand Eight hundred and Nine to proceed to carry into effect the Orders for blockading the Island of Java and the other Molluccas Islands and to attack and get possession of the Dutch Island of Ambayna and its dependencies the other Molluccas Islands And the Deponent did further depose that he was also ordered to take and did take under his Command H M Ship of War the Cornwallis commanded by William Augustus Montague Esquire and H M Sloop of War the Samarang then under his Command of Richard Spencer Esquire and the Deponent had also under his Command a Detachment of the Honorable the East India Companys Artillery and of the Madras European Regiment of Infantry attended by Captain Major Henry Court as the Senior Military Officer over such Detachments And the Deponent did further depose and state that the said Several Vessels with the said Detachments

Property and Vessels Captured at and off Amboyna &c.

Detachments under the Command of the Deponent did sail to and attack the said Island of Amboyna & after an engagement with part of the Garrison did compel them to Capitulate and surrender the said Island under certain Articles of Capitulation a Copy of which (as the Deponent has been informed and believes) has been filed in this Court which Island and the Public Stores and Property thereon were surrendered and taken possession of on the Nineteenth day of February One thousand Eight hundred and Ten And the Deponent did further depose that Saparoua, Haraka, Banda Neira, Lost and Manipha were also taken possession of under the Orders of the Deponent in the Name of the King and the Public Property found thereon taken and seized as Prize And the Deponent did further depose and state that certain Quantities of Mace Cloves & Nutmegs taken on the said several Islands were soon afterwards sent under the Orders of the Deponent to Madras on board H. M. Ships Cornwallis and Samarang and the Prize Brig Nautilus and the Deponent has been informed and believes that such Spices have since been condemned by this Court to the Captors. And the Deponent did further depose that such Parts of the Public Property found and taken on and off the said several Islands as were saleable there and were wanted for the use of the Government and the Inhabitants were sold by the Orders of the Deponent and part of the proceeds thereof remitted within the Jurisdiction of this Court in the most Advantageous mode that offered by Public Bills from time to time sent by the Deponent or by his orders to the Prize Agent for the Captors. And the Deponent did further state that by the Means of such remittances, and by the Dollars Copper Money Government Paper Money Jewels and other Articles taken on board H. M. said Frigate the Dover at the said Island of Amboyna the whole realized Produce arising from the Captured Property taken on the said Islands has been brought and is now within,

within the Jurisdiction of this Court and part thereof was on board the said Frigate the Dover on the third Day of May last when she was unfortunately wrecked on the Beach of Madras during the late violent Storm. But the Deponent did further depose and state that parts of the Proceeds of the Prize Property so laden on the Dover have since been recovered and saved by the exertions of Sebastian Holford Greig Esquire (the purchaser of the Wreck of the Dover) in Consequence of a promise of Salvage made to him by the Prize Agent for the Captors - And the Deponent did further state that the several Ships and Vessels named in the list written at the foot of this Deposition with the Cargoes on board the same (except the "Madurea" and two other small Vessels found sunk in the Harbour of Amboyna) were soon after the surrender of the said several Islands captured as Prize some of them by or under the express orders of the Deponent and others by the said Ship the Cornwallis under the Command of the said William Augustus Montague and others by the said Sloop the Samarang under the Command of the said Richard Spencer while acting under the Deponent in the execution of the Orders aforesaid received by him from the said late Admiral Drury - And the Deponent did further depose and state that the "Patnam Dowers" "Pathalgar" and "Madurea" three of the Vessels named in the Annexed List being required for public Service the Deponent allowed them to be employed by Government and a Value being then fixed and settled and on the execution of a Bond conditioned either that those Vessels should be delivered to the Agent for the Captors at Periang or that their estimated Value should be paid to the Captors or their Agents the Deponent did add that the said three Ships or any of them have not as yet

yet been delivered at Penang nor their Value paid for to his Knowledge or belief. And the Deponent did further depose and state that with the exception of the three Vessels last named the several other captured Vessels described in the said annexed List were for the reasons hereinafter stated severally sold on the said Island of Amboyna by public Vendue to the highest bidders. And that the Cargoes of these several Vessels were either sold on the said Island of Amboyna by public Vendue to the highest bidders or to Inhabitants for the use of the said several Islands or for the use of His Majesty's said Ships of War then off the said Islands at a fair valuation for which Sales to Government and for the use of the Ships of War public Bills were delivered and forwarded by the Deponent to the Hon.ble Agent at Madras. And the Deponent did further state that the amount of all such sales is now within the Jurisdiction of this Court. And the Deponent did further depose and state that with the exception of the said three Vessels named the "Patnam Dawes" "Pathalgat" and "Madurese" sent for the use of Government none of the said captured Vessels were in the Opinion of the Deponent capable of performing a Voyage from Amboyna to the Port of Madras or to any other Ports in India where a Vice Admiralty Court is established But if they had been capable of performing such a Voyage neither the Deponent nor either of the other Commanders of His Majesty's said Ships Cornwallis and Sandwich could spare from their Crews the necessary number of Men to take charge of their Vessels to any Port where a Vice Admiralty Court is established having been obliged to allow parts of the Crews of those Vessels to be employed at the different Garrisons on the said Islands - And the Deponent did further

further depose that with the exception of the two Small Banda Crafts
No 18 and 19 in the annexed List the whole of the Several Ships so Captured
and taken as hereinbefore stated sailed from Surabaya in the Island
of Java laden with the usual Supply of Treasure Provisions Military and
other Clothing and Government Marine and other Stores for the use
and on the account of the Dutch Government at Amboyna which
is supplied from Java with yearly all the necessary Articles of life
and therefore the sending such Stores to any other Country might
have been attended with serious public inconvenience to the Inhabitants
of those several Islands. And the Deponent did further depose and state
that soon after the taking of the said Island of Amboyna the
Deponent ordered that all the Ships Papers belonging to or found
on board any Ships or Vessels that might be Captured off the said
several Islands should after the arrival of such Captured Ships and
Vessels in the Harbour of Amboyna be brought and delivered to
the Deponent and that the Commanders of such Ships and
Vessels should also appear before the Deponent and that in consequence
of such Order the several Ships Papers and Documents accompanying
this Deposition marked respectively with the Letters **A B C D E F G**
H I K L M N O P Q R S T V. were delivered to the Deponent and
are all the Ships Papers and Documents relating to the several Ships
named in the said annexed List (with the exception of private Letters)
which were delivered up and as the Deponent believes were found on
board any of those Vessels and that those said several
accompanying Papers and Documents marked as above stated
with the Letters A to V are now brought and delivered in as they
were received by the Deponent without any alteration addition
subduction or Embezzlement by the Deponent or as he

believes

believes by any other person or persons saving the Letters affixed on Each and Corresponding with those above mentioned and the Endorsements written in English on some of them since they were delivered up. And the Deponent did further depose that from the General aversion shewn by the Officers and Crew of the Captured Vessels to cross the Bay of Bengal to Madras the Deponent was induced not to insist on the Officers or any of the Crews of such Captured Vessels proceeding to Madras and more especially as the Deponent was aware that without previous restraint on the Crews and ultimately using force to get them on board a Vessel bound for Madras none of them would have been brought to that Place.—

Sworn at Fort St. George
this twelfth Day of June
1811.— Before me

Edwd. Tucker

T. A. Strange

Property and Vessels Captured at and off Amboyna &c.

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List of Ships and Vessels Captured off the Island of Amboyna and its dependant Islands by the Squadron under the Command of Captain Edward Tucker.—

	Ships Name	Guns	Commanders	Ships Papers—
1	Patria and Powers —	360 —	Abdul Rachman	A a Dutch Pass given at Amboyna B a Dutch Charter Party C a Dutch Bill of Lading
2	Patto Igar —	4 4 6 —	said Achmat and Rachman	D a Dutch Pass given at Amboyna
3	Margaretta Louisa —	a Corvette Guns not known	3 Lieuts ten Ree Reuter	E This was a Dutch Armed Corvette with 6 Guns and 40 Men, she had no Ships papers but 4 Bills of Lading of her Cargo which are marked E /1/ E /2/ E /3/ E /4/—
4	Slamat —	200 —	Maor Magnier	F a Dutch Pass given at Amboyna G a Dutch Charter Party H a Dutch Bill of Lading
5	Bouton —	(not known)	Tho Dicko —	None I. The Bill of Lading was made out by the Master after the Capture of the Vessel.—
6	Charlotte —	80 —	Liokimlong —	K a Dutch Pass given at Amboyna L a Dutch Charter Party
7	Sala Sala —	80 —	Le Lamsing	M a Dutch Pass given at Batavia
8	Johanna Carolina —	60 (an Armed Lugger)	Charles Jacobsen	N a Dutch Pass given at Batavia
9	Pammakang —	52 —	Cesien —	O a Dutch Pass given at Amboyna
10	De Elie —	(not known) (joined Brig)	Lieut. Smith —	None
11	Jawan —	(not known) (Sloop of War)	Jue Cutjong	P None Dutch Bill of Lading
12	Jinro —	(not known)	(Not known)	None
13	Pasawakan (No 2)	(Not known)	(Not known)	None
14	Ternate —	Brig of War	Lieut Dirk Hogerwoord	None But a Notorial Copy of the Affidavit in support of the Claim to Head Money
15.	Engelina —	160 Armed Brig	Prof —	Q a Dutch Pass given at Amboyna R a Dutch Bill of Lading

Property and Vessels Captured at and off Amboyna &c.

List of Ships and Vessels captured off the Island of Amboyna ——— Continued —

16.	Kaukiko	do	Kaukiko	S. a Dutch 18 pr gun Vessel at Amboyna. I. a Dutch Chartered Vessel. Vessels Dutch property.
17	Maaresa	an armed Prau	Lieut. Jackson	None. This Vessel was sunk in the Harbour of Amboyna when she was first taken by the Officers & Seamen employed by the Ship
18	Bunda Rafte	(unknown)	Not known	None.
19				
20.	Ajax			
21	Sano	50	(unknown)	None. NB. These two Vessels were sunk with the Town of Amboyna when it was first taken, and are still under Water
&c		(unknown)	(unknown)	

(A true Copy)

R. Orme

Property and Vessels Captured at and off Amboyna &c.ª

Depositions

To the Honourable Sir Thomas Andrew Strange Knight Judge &c.ª in His Majestys Vice Admiralty Court of Madras & the Teratories thereunto belonging.—

I Henry Lahagan Registrar and Actuary appointed in the Commission from the said Court bearing date the 5th Day of July instant for taking the examinations of Witnesses, de bene esse relative to the Capture of certain Property off and on the Island of Amboyna & its dependant Islands do hereby Certify that Cap.ª Bezamar late Captain of the Ship Mandarine William Ernst Praagt late Lieutenant of the said Ship Hendrick Oppermans late Captain Lieutenant in the Dutch Service Joachim Wendt also Dutch Captain of Infantry Alexander Le Cerf late Secretary to the Dutch Government at Banda and Johannes Letting a Planter of Banda were by virtue of the said Commission in my presence severally and seperately examined and Interrogated by Luke Hansterville Sterling Esquire one of the Commissioners in the said Commission named upon Special Interrogatories and the whole of their Sayings & Depositions were by me faithfully reduced into Writing and the said Witnesses being Foreigners & not sufficiently understanding the English language Lewis Heeske a person of good Credit & skilled in the Dutch & English Languages was sworn truly to interpret the sayings and Depositions of the said Witnesses and such sayings and Depositions so reduced into Writing as aforesaid are together with the said interrogatories transmitted annexed to these Presents.—

Witness my hand & Seal this 29th Day of July in the year 1811

L. S.

Henry Lahagan
Registrar & Actuary

Property and Vessels Captured at and off Amboyna &c.

Interrogatories.-

In the Vice Admiralty Court at Madras

Prize Jurisdiction

Our Sovereign Lord the King

against

Certain Dutch Property captured at and off the Dutch Island of Amboyna and its dependant Islands of Saparoua, Haraukee, Boure Naspe, Louk and Manippa, by H.M. Ships Dover, Cornwallis, and Samarang.

Special Interrogatories to be administered on behalf of our Sovereign Lord King George the Third by the Grace of God of the United Kingdom of Great Britain and Ireland King defender of the Faith and so forth to such Witnesses as may be hereafter named produced Sworn and examined touching the Capture of the said Island of Amboyna and its dependant Islands of Saparoua Haraukee, Boure Naspe, Louk and Manippa, and touching the Capture of the several Ships and Vessels described in the annexed List.-

Let the Witnesses be respectively interrogated as follows, and let their Answers to the respective Interrogatories be reduced into Writing.-

First Interrogatory

Ary Bagaman, William Ernst Hooft, Hendrik Appermans Jochum Wait, Alexander Le Cerf, Johannes Letting

} Where were you born? where do you now live? To what Prince or State are you or have you been a Subject what is your Profession or Rank? are you a Married Man, and if you? where do you Wife or family now reside.-

Second Interrogatory

To the same Witnesses

} Where you on or before the nineteenth Day of February in the year one thousand

Eight

Eight hundred and Ten residing at or near the Island of Amboyna or at or near any of its dependant Islands of Saparoua, Haroukta, Boero Nasse-Laut, and Manipa, or at or near any or either and which of those Islands? If you shall say that you were not residing at or near the Islands of Banda Neira, Great Banda, and Pulo Ay, or at or near any or either and which of those last mentioned Islands? To what republic Kingdom or state did the said Islands of Amboyna, Saparoua Haroukta, Boero, Nasse-Laut, and Manipa, or any or either and which of them belong previously to the said Nineteenth Day of February? Were you employed in any and what Civil, Naval, or Military Capacity under the person or persons who exercised the Government of any or either and which of the said several Islands last named at and immediately before the Capture of those Islands respectively? Did the person or Persons who executed the Government of the said Island of Amboyna possess or exercise any and what authority over the said other Islands of Saparoua, Haroukta, Boero Nasse-Laut, and Manipa, or over how many and what Islands by Name in the vicinity of Amboyna? Had the person or Persons who exercised the Government of Amboyna or any or either and which of the other Islands last named any Superior or Governor General in India to whose Orders he or they was or were subject; and if yea, where did such Superior or Governor General live or reside, and by what Nation Republic Kingdom or state was he appointed or from whom did he derive and exercise his authority?

Third Interrogatory to the same Witnesses } Are the Inhabitants of the said several Islands of Amboyna, Saparoua, Haroukta, Boero, Nasse Laut, and Manipa, or of any or either and which of them supplied with Treasure Grain, provisions Military

Marine

Marine and other and what Stores and necessaries for their support and defence from any and what other Island or Place? And if you state the reason why such Supplies are sent to the Inhabitants of such Several Islands as you know or have any and what reason to believe? and there any and if any what Months in the year when such Supplies generally arrive at any or either and which of the Islands last Named? Do the Vessels bringing such Supplies generally belong to or are they chartered by the Government of the Island or place from whence such Supplies are sent as you know have heard and believe, and state your Reasons for believing that such Vessels are belonging to or Chartered by such Government? Do you know whether Vessels which are Chartered for the purpose of Carrying such Supplies are generally or otherwise required to take a Pass from the Port where such Supplies are shipped or put on board; and whether such Vessels are also required to sail under the Flag of the Nation Republic Kingdom State or Govt. on whose behalf they are so Chartered.

Fourth Interrogatory

Lo Arij Bezamar, William Ernst Thoolt. Hendriek Oppenman.

Whether there any and what Ports of any and what Nation are played for the protection or defence of any or either and which of the said Islands of Amboyna, Saparua, Haroeku, Banda, Nasse Lant and Manipa, and where there any and what Forts Fortresses or other Fortifications on any or either and which

which of the said Islands, and if yea, were they respectively garrisoned and defended by the Troops of any and what Nation? and were any and what National Colours hoisted in all or any or either and which of such Forts Fortresses or Fortifications in or before the said Month of February one thousand Eight hundred and Ten? Were or Was any and what Attacks or Attack made in the said Month of February or at any other time and when on all or any or either and which of the said Islands in this Interrogatory named or on any of the Troops or Fortifications defending the same respectively? If yea, were you present and did you Witness such Attacks or Attack? By what description of Force were or was such Attacks or Attack made, and if by Vessels and Troops set forth by what Vessels and Troops respectively and of what Nation and under whose Command? Where or was such Attacks or Attack successful? did all or any or either and which of the several Islands in this interrogatory named surrender or Capitulate to the Force by which such Attacks or Attack were or was made? And did the Force employed in such Attacks or attack take possession of all or any or either and which of the said several Islands in this Interrogatory named? and if yea, in the Name of what King Prince Potentate or State.-

Fifth Interrogatory to all the Witnesses } Look at the List of Captured Ships and Vessels now produced and shewn to you (annexed to the affidavit of Edward Tucker Esquire lately the Commander of His Britannic Majestys Ship the Dover) and say whether you know and were personally or otherwise acquainted with any and which of the Persons named in the said List and described as the Commanders of the Vessels therein respectively named? Are you acquainted with the original or build or have you at any time and when seen

Property and Vessels Captured at and off Amboyna &c.

seen the several Vessels named in the said List or any and which of them? and if you do you know to what Port or Place they or any or either and which of them belonged? Were any or either and which of there Vessels seized or taken as Prize and when and where and by whom as you know have heard and believe, and state your reasons for believing that they or any of them were taken as Prize? Were any or either and which of those several Vessels when taken as Prize laden with any and what supplies of any and what Government? and if you, at what Port or Ports, Island or Islands were such supplies laden and shipped on such Vessels respectively? For what Port or Ports Island or Islands were the supplies so laden on such Vessels or and any or either and which of them destined or intended? Do you know, and if you, state with what national flag and under what National Flag the said last mentioned Ships respectively sailed on the Voyage or Voyages during which they were respectively Captured? did all or any or either and which in particular of those several Vessels belong to any and what Government, Potentate or State? Were any and which of those Vessels Chartered by or by the Order of any and what Government for the purposes of carrying supplies to any and which of the said Islands in the last interrogatory named or for any other and what purpose as you know or believe and state the reasons for your belief? Were any and which of those Vessels by name Armed and Manned for fighting? and did any and which of the Commanders in the said List named hold any Commission of War from the Government

Government in whose service such Vessels were employed? did all or any and which of the Vessels Named in the said List usually sail with any and what Ships Papers? Had any and which of those Vessels when taken as Prize to your knowledge any and what Pass, and if you, Look upon the said several Ships Papers annexed to the Affidavit of the said Edward Tucker marked respectively with the Letters from A to V and point out such of them as are in your Opinion genuine Papers and Documents And say whether you are acquainted with the Hand Writing of any of those Persons whose Names appear to be written or Signed on or at the back of such Papers? And did any and whom by Name of such Persons hold any and what public Situation or Office and where and under what Government.-

x? L. Compton

R.t Crane
Ships Proctor

Property and Vessels Captured at and off Amboyna &c.

In His Majesty's Vice Admiralty Court of Madras and the Territories thereto belonging.—

Depositions of Witnesses had and taken at the Office of Henry Lahagan Esquire Registrar in Fort St George Madras on the 23rd Day of July in the year of Our Lord 1811. before Luke Hauteville Sterling Esquire one of the Commissioners named and appointed in and by a Certain Commission to him and another directed jointly and severally bearing date the 5th Day of July aforesaid issued out of and under the Seal of His Majesty's said Vice Admiralty Court, on Certain Interrogatories referred to in the said Commission upon the Oaths of the Witnesses hereinafter Named by the Interpretation of John Louis Reefke who was first duly sworn to interpret in that behalf in the presence of the Actuary.—

Dry Bezamer late Captain of the Ship Mandarine deposeth and saith as follows.

1. To the first Interrogatory this Deponent answering saith that he was born at Schiedam in Holland - is a Prisoner of War now residing at Pondicherry - is a Subject of the Emperor of France - is first Lieutenant in the Dutch Navy and is not a Married Man.-

2. To the Second Interrogatory this Deponent answering saith that some time before the Nineteenth of February he was at the Island of Amboyna - before Amboyna was Captured he had been at Banda - Before that time the Islands of Amboyna, Saparoua, Haroeku Banda-

Bowes Napier Saul and Manippa were subject to the Dutch Government - he served as a Lieutenant in the Dutch Navy - in the Royal Navy of Holland, not the Company's Marine - the Person governing Amboyna exercised Government over the other Islands mentioned - this Governor was under the Authority of General Daendals the Governor General who resides on the Island of Java - he was appointed Governor General by the King of Holland -

3. To the third Interrogatory this Deponent answering saith that Amboyna and the other Islands named get all their Supplies of Grain, Provisions & Stores both Military and Marine from Java, there were none of these Supplies produced by those Islands themselves - These Supplies generally arrived during the West Monsoon from about the Middle of December through January and February - The Vessels which brought such Supplies were some of them belonging to the Dutch Government at Java, others were Chartered by that Government - It was the habit of Government to charter such Vessels Annually - these Vessels always had a Pass from Surabaya or the Port from which they Sailed, they generally sailed from Surabaya - Some of them Sailed under the Dutch Flag and some others carried Moorish Colours as belonging to Moormen -

4. To the fourth Interrogatory this Deponent answering saith that there were Native Troops in the Service of the Dutch Government for the Defence of the said Islands - there were also some Europeans - the Dutch Colours were always hoisted on those several Islands - Amboyna was Attacked he believes on the 17th of February by the British he was Witness to the Attack, being on

board

boad the Mandarinne in the Bay of Amboyna - the Force consisted of Dover & Cornwallis Frigates & Samarang Corvette, English Vessels under the Command of Captn. Tucker of the Diver - the Attack was successful, and Amboyna Capitulated - the other Islands, surrendered as Deponent believes afterwards - they were taken in the Name of the King of Great Britain. -

5. To the fifth Interrogatory, before Answering Deponent looks at the list of the Ships & Vessels Annexed to the Affidavit of Captain Tucker & says that he is personally acquainted with the Ship Natuna Dannus and its Commander Abdul Rachman - it has been an American Ship - She belonged to two or three Owners Dutch Gentlemen at Java & the Mannaw had a short She was taken at Sea & brought in Prize by Cornwallis to Amboyna - Deponent believes she was laden with Stores belonging to the Dutch Government - he thinks these Stores were taken in at Sunda Bay - to be carried to Amboyna - he believes she had a Dutch Flag but does not know - does not know whether she was absolved by the Dutch Government - she was not manned or Armed for fighting - does not know that the Commander had any Commission of War - Deponent looks at the Papers produced and Paper Marked A appears to be a genuine Dutch Pass belonging to the said Ship - he knows the hand writing of Mr Bunbury whose Name appears signed to the Paper - Mr Bunbury was Harbour Master at Sunda Bay under the Dutch Government - he looks at Papers B and C he saw them before - does not know the hand Writing, but

they have every appearance of being genuine Papers of the Batavia Downers he also knows the Ship Batholgar, but not the Commander named in that list - does not know where she was built nor to what Port she belonged, She was taken at Amboyna as Prize after the Capture of the Island - She was taken by the Cornwallis he believes. she was laden with rice on account of the Dutch Government and going to Banda, supposes she was laden at Laurah Bay - he believes she had a Moorish Flag - She was Chartered he believes by the Dutch Government but does not know the Owners - She was taken up to Carry Supplies to the Moluccus - She was not Armed & had no fighting Commission - The Paper Marked **D** appears to be and is a Genuine Dutch Passport belongs to the Ship Batholgar, is also signed in the hand Writing of Mr Bonbey, the first Harbour Master of Laurah Bay - Deponent also knows the Ship Margaretta Louisa, and the Commander Reuter, he was a Lieutenant in the Navy but is now drowned - believes this Vessel was built at Java, was an Armed Brig in the Service of the Dutch Government; She was Captured by the Boats of the Cornwallis at Amblack a Small Island to the Southward of Banda - She had Money on board for the Dutch Government going to Amboyna - She Sailed under Dutch Colours - the paper marked **E** appears to have belonged to the Ship Margaretta, is a genuine Paper and is a list of her lading, or Invoice, he does not know the hand writing of any part of it - Deponent knows also the Ship Charlotte mentioned in the list, but not the Commander there Named - does not know where She was built - believes She belonged to Amboyna.

The

She was taken Prize by (he believes) the Cornwallis - does not know whether she was Chartered or had supplies on Account of the Government - Knows nothing of her Flag or Pass - She was not an Armed Ship - Deponent looks at the Papers and the Paper letter K is a genuine Passport and appears to have belonged to the Brig, but the Name is not mentioned in the Pass - Paper Marked L is a genuine Dutch Paper - the Bill of Lading of the Brig Charlotte - he knows the hand Writing of Messrs Middelkoop the Prefect at Banda Bay & De Bruyn Secretary there - their Names are subscribed to that Paper L - Deponent also knew the Ship Johanna Carolina and her Commander Charles Jacobson Named in the List, she was built at Gilolo - She belonged to Jacobson who was Master Attendant at Ternate - he was a Dane but in the Service of the Dutch - She was Captured after Deponent left Amboyna - She was not Armed when he knew her - The Paper Marked N is a Dutch Passport belonging to the Johanna Carolina a genuine Paper - he knows the Names subscribed but not the hand Writing - The Indorsements at the back he knows to be in the hand Writing of Mr Van Lighten the Prefect of Sorong, and of Mr Andaja Master Attendant at Sorong - and also of Mr Bonbery - Deponent also knew the Vessel Delie Named in the list and also her Commander Smith a Lieutenant in the Dutch Company's Service - does not know where the Vessel was built, She belonged to the Dutch Government She was taken after Deponent left Amboyna - She sailed

under

under Dutch Colours - She was an Armed Vessel carried about 8 Guns - Deponent also Know the Brig Leeuwter and her Commander Hagemeet a Lieutenant in the Dutch Company's Service - Does not Know where she was built - She belonged to the Dutch Govt. was an Armed Brig and Sailed under Dutch Colours and was expected with Supplies from Java when Deponent was at Amboyna - Deponent also Knows the Brig Angelina Named in the list and her Commander Kip - She was taken after Deponents departure from Amboyna, he knows Nothing of her except that he has seen her at Java & at Banda & she belonged to a Mr. Van Seylingen formerly Dutch Resident at Tagal - the Paper Marked Q is a genuine Dutch Paper and is a Passport from Sunda Bay belonging to the Engelina - & Mr. Bonbey hand writing is subscribed to it - Paper Marked R is an Invoice in the Dutch Language, it appears to be genuine - but Deponent does not know the hand Writing - it appears to have belonged to the Angelina - Deponent also knows the Brig Madurese and Lieu Commander Gustavus first Lieutenant in the Dutch Navy - She was built at Java was a Brig of War and Sailed under the Dutch Flag, she was sunk at Amboyna at the Attack and afterwards weighed up by the English & taken as Prize - Deponent also know the Ajax a little Cutter - She was sunk in the bay before the Attack on Amboyna - Deponent knows none other of the Ships or Commanders Named in the List - Paper Marked F is a genuine Dutch Passport signed in the hand Writing of Mr. Bonbey, and appears to have belonged to a Brig called the

Hamiat.

Slamat - Paper G is a Dutch Agreement and is signed in the hand Writing of Mr De Bruyn Secretary at Saurak Bay belonging to the Brig Slamat - Paper F I is written in the Dutch Language but he does not know the hand writing - Paper marked I is a Malay Paper & appears to be genuine - Paper K is a Dutch Passport signed in the hand Writing of Mr Bonbey Paper marked M is also a genuine Dutch Passport Mr Bonbey's hand Writing is Endorsed upon it - Paper N is also a good Dutch Passport signed in the hand Writing of Mr Bonbey - Paper P is a Malay paper - Deponent knows nothing of it - Paper S is a genuine Dutch Passport also signed in the hand Writing of Harbour Master Bonbey - Paper T is signed by Mr DeBruyn in his own handwriting and appears to be an Agreement - Paper V is a Dutch Bill of Lading - he does not know the hand Writing, but it appears a genuine Paper -

A. Bezamer

Sworn before me
L H Sterling
Comr
in the presence of
Henry Sahajan
Actuary
& J. L. Leefke
Interpreter

William Ernst Thoost late first Lieutenant of the Mandarine deposeth and saith as follows:-

1. To the first Interrogatory Deponent answering saith that he was born at Lathorninel in Holland (the province of Guilderland) is now a Prisoner of War at Pondicherry - is not a Married Man.

2. To the Second Interrogatory Deponent answering saith that at or about the 19th of February 1810 he was in the Bay of Amboyna on board the British Frigate Cornwallis he has been previously Captured - the several Islands named in the Interrogatory, Amboyna, Banro, Haroukee, Saparoua, Manoppa and Nassau Last previously belonged to the King of Holland - he was a first Lieutenant in the Navy under the Order of Marshal Daendals at Java - Amboyna was the seat of Government over the smaller Islands - all these were subject to the Supreme Government at Java, the Governor General was appointed by the King of Holland and resided at Java.-

3. To the third Interrogatory Deponent answering saith that the several Islands of Amboyna and its dependencies are supplied with Treasure Grain and Articles of all sorts from Java - these Supplies arrived in January & February sometimes in December - and are brought in Vessels belonging to or Chestered by the Government of Java - the Vessels always took Passports in the Ports from which they Sailed & some sailed under Dutch Colours, some under Country Colours.-

4. To the fourth Interrogatory Deponent answering saith that there were Native Troops Commanded by Dutch Officers employed in the Defence of those Islands under the Dutch Government Dutch Colours were always hoisted in the Ports

Forts on these Islands - In the Month of February
1810 an Attack was made upon Amboyna by a British
Force - Deponent saw the Attack it was made by two
British Frigates and a Sloop of War Commanded by
Captain Tucker - The attack was successful, and Amboyna
Capitulated and in Consequence, all the other Smaller
Islands were Surrendered - Haronka and Saparoua were
taken possession of by the English before Deponent left
Amboyna in the Name of the King of Great Britain
the other Islands Deponent also believes to have Surrendered

5. To the Fifth Interrogatory Deponent looks at the List
Annexed to Captain Tuckers Affidavit and says he knows
the Ship Patmans Dawners and her Commander Abdul
Rachman - She is an American built Ship - the Belong
to a Moorman, a Malay, an Inhabitant of Java - she
was taken as Prize by the Cornwallis - She was laden
with Supplies for the Dutch Government - going to Amboyna
She Sailed with Blue Colours, and must have had a
Dutch Pass - She was Chartered by the Dutch Government
for the purpose of Carrying Supplies - She was not Armed
except as against Pirate, had no Commission of War -
looks at the Papers and Paper marked A is a Dutch
Pass - it is Signed by Mr Bankey - a Colonel and
Harbour Master of Lunak Bay - the Signature is
Bankeys hand Writing - it belongs to the Patmans
Dawners - looks at Paper B it is a genuine Dutch
Paper, but he does not know the hand Writing knows
Nothing of Paper C it appears to be genuine - Deponent
knows the Ship Pathegan, but not the Commander

Manned

Named in the list - She is a Java built Ship and belongs to an Arab. She was brought into Amboyna as Prize - was laden with rice and Money of the Dutch Government at Java - going to Banda - she sailed under a Country flag with a Dutch Pass - She was Chartered by the Dutch Government, to take Supplies to Banda; she was not Armed for fighting - Paper D is a Dutch Passport signed by Mr. Bomberg and belongs to the Ship Pathalgar - Deponent knows also the Brig Margaretta Louisa, Lieut. De Venter Commander, She is Java built Ship, She belonged to the Dutch Government, was taken as Prize a few Days after the Capture of Amboyna - She was laden with rice from Java for Amboyna Sailed under Dutch Colours and with a Dutch Pass and Her Commander was a Commissioned Officer in the Dutch Navy Paper E is a Bill of Lading, belonging to the Brig Margaretta Louisa, it appears to be a genuine Paper but Deponent does not know the hand Writing Deponent knows the Brig Charlotte and Her Commander a China Man inhabitant of Amboyna, named Hiem Long - the Ship belonged to Amboyna was brought in Prize by one of the English Squadron - She had on board a Small Quantity of Treasure for Amboyna from Java - She Sailed under Dutch Colours and with a Dutch Pass - She was not a Vessel of War - Paper marked K is a Dutch Passport signed by Mr. Bomberg - Paper L is a Dutch Certificate signed by C. A. Middelkoop - in his own hand Writing Deponent knows the Ship Johanna Carolina and her Commander Charles Jacobson She was built at Ternate and belonged to Jacobson who was a Dutch Subject - Does not know whether

she

She has been taken she sailed with Dutch Colours - but is not a fighting Ship - Jacobson formerly was an Officer in the Companys Service - Paper N is a Dutch Pass belonging to the Johanna Carolina - he knows the hand Writing of Benseeken subscribed to this Paper - he was Subandaar at the Port of Batavia. Deponent knew the Brig Delie and her Commandant Smith, an Officer in the Company's Service - She was built at Java and belonged to the Dutch Govt - she sailed with Dutch Colours. does not know whether she was taken as Prize - She was an Armed Vessel Deponent also knew the Sloop Juno, a small Vessel taken by the Samarang - does not know the Commander or to what Port she belonged - she sailed under Dutch Colours - does not know whether she was Chartered by the Dutch Government, she was not armed for fighting - Deponent also knows the Brig Recruiter and her Commander Dirk Hagerwood a Lieut in the Companys Service - She belonged to the Government of Java does not know that she has been taken - She sailed under the Dutch Colours, and was an Armed Vessel - her Commander was Commissioned - Deponent knows also the Brig Angelina and her Commander Taylor - she belonged to some person at Java - does not know whether she has been made Prize, does not know whether she was Chartered by the Dutch Government, she sailed under Dutch Colours but was not armed - looks at Papers and Paper Marked Q is the Passport of the Brig Angelina signed by Bonbery Paper R appears to be a Bill of Lading belonging to Brig

engelina

Angelina, but Deponent does not know the hand Writing - Deponent also knows the Brig Madurese and her Commander Lustravers, Lieut in the Navy - She belonged to the Government of Java and was a Brig of War - She was sunk when the British Approached, but was weighed afterwards - she sailed under Dutch Colours - Deponent knows the Cutter Ajax - she was also sunk - She belonged to the Government of Amboyna - She was a small Vessel of War and sailed under Dutch Colours - Deponent looks at Paper **F** it is a Dutch Pass of the Brig Slamat it is signed in the hand Writing of Bonbery - Paper **G** is a Contract and Deponent knows the hand writing of De Bruyn who has signed it. De Bruyn was Secretary to the Government at Louraks Bay - Deponent knows nothing of Paper **H** it appears a regular Ships paper. - Deponent looks at paper marked **I** but knows nothing of it - Deponent knows paper **K** it is a Dutch pass signed in the hand Writing of Auan Braaire Resident of Council at Java - Paper **O** is a Dutch pass belonging to a Danemark, signed by Bonbery Deponent looks at Paper Marked **P** but knows nothing about it - Paper Marked **S** is a genuine Dutch Pass signed by Mr Bonbery Harbour Master at Louraks Bay Paper Marked **T** is an agreement in the Dutch Language knows the hand writing of Middelkoop which is subscribed to it. Middelkoop is present at Louraks Bay - Deponent looks at Paper Marked **V** It appears a genuine Ships paper, but Deponent knows nothing about it -

W. E. Roost

Sworn before me
L. H. Sterling
Com.
in the presence of
Henry Lahrgan
Actuary
P. L. Keesse
Interpreter

In His Majesty's Vice Admiralty Court of Madras and the territories thereto belonging

Depositions of Witnesses had and taken at the Office of Henry Gahagan Esquire Registrar in Fort St George Madras on the 24th. Day of July in the year of our Lord 1811. before Luke Hauterville Sterling Esquire one of the Commissioners Named and appointed in and by a Certain Commission to him and another jointly and severally directed bearing date the 5th Day of July aforesaid issued out of and under the Seal of the said Court on Certain Interrogatories referred to in the said Commission upon the Oaths of the Witnesses hereinafter Named named by the Interpretation of John Louis Leefte who was first Sworn duly to interpret in that behalf in the presence of the Actuary.—

Hendrick Asperman late Captain Lieutenant in the Dutch Companys Service Deposeth & saith.

1. To the first Interrogatory this Deponent answering saith he was born Welstadt in Holstaine, is now a Prisoner of War at Pulicat, is subject to the King of Holland - is a Captain Lieutenant in the Dutch Marine - is not married Man.

2. To the second Interrogatory this Deponent answering saith that on or about the 10th of February 1810 he was on board the Dover a Prisoner of War in the Bay of Amboyna - Amboyna and its dependencies, Boero, Manipa, Saparoua, Haroukà, belonged previously to this Date to the King of Holland. Deponent served under the Governor of Batavia - the above Islands were all subject to the Government of Batavia - So was their Governor subject to the Governor General who

who resided at Batavia, and who was appointed by the King of Holland.-

3. To the third Interrogatory this Deponent answering saith that Amboyna and its Dependant Islands were supplied with Treasure Grain, Military and Marine Stores from Batavia the Islands themselves do not produce these Supplies - these Supplies generally arrived in the West Monsoon, about February, March and April - some of the Vessels which bring these Supplies some belong to Government some are Chartered by the Govt - they all sail with Passes from the Ports from which they carry these Supplies - they carry different Colours, some Moorish, some Malays, some Dutch.-

4. To the fourth Interrogatory this Deponent answering saith that Malay Amboynese & other troops in the Service of the Dutch were employed in the Defence of these Islands - The Dutch Flag was hoisted in the Fort Victoria of these Islands - In February 1810. an Attack was made on Amboyna - at which Deponent was present - An English Force Consisting of two Frigates La Carnatic made the Attack which proved Successful - Amboyna and its dependant Islands all Surrendered - and were taken Possession of for the King of England.-

5 Captain Tucker of Fidelity with the List annexed is produced to Deponent who looking at it to the fifth Interrogatory answering saith that he knows the Ship Patriam Damaree but is not acquainted with the Commander, does not know where she was built - she belongs to Java - she was taken as Prize, and had a Cargo of Rice, Salt and other Articles on board at the time of Capture - does not know when the Supplies were going - She sailed under Moorish Colours

Colours with a Dutch Pass - she was Chartered by the Dutch Govt.
for the purpose of carrying supplies - She was not an armed Ship
Deponent also knows the Ship Athalya and her Commander
does not know where she was built - Does not know what Port
she belonged to but she belonged generally to Java, was taken
Prize and was laden with supplies of Rice &c. but does not
know where she was laden or what Consigned - She sailed
believes under Moorish Colours, with a Dutch Pass - she was
freighted by the Government for the purpose of Carrying
Supplies, and was not Armed for fighting - Deponent
also knew the Brig Margaretta Luisa and her
Commander Lieut. De Venter, She was built at Java,
Was an Armed Vessel - her Commander was a
Captain Lieut. in the Dutch Enga Service - was
taken as Prize Near the Isle of Amblock - She
was laden with Treasure & Provisions for One of the
Islands - she sailed under the Dutch Flag - Deponent
knows that the Brig Llanat has been taken Prize
by the English - Knows nothing more of her - Deponent
knew also the Vessel Johanna Carolina and her
Commander Jacobson - she was built in the East
on the East side of Jernate - was taken Prize by
the English and at the time of Capture was laden
with Provisions for Jernate from Lourak Bay - she
sailed under a Dutch Flag & Pass - was freighted by
the Dutch Government - but was not an Armed
Ship - Deponent also knew the Vessel Dekie and
her Commander Lieut. J. Smith, does not know
where she was built - She belonged to Amboyna - was

taken

taken Prize when on a Cruize from one Island to the other she sailed with a Dutch Flag and Pass - She belonged to the Government of Amboyna - Deponent knows also the Brig Perruiter and her Captain Hagerwood - does not know where she was built - She was a Brig of War in the Service of the Dutch Government and Sailed under Dutch Colours he knows nothing of her Cargo - Deponent also knew the Ship Madurese and her Commander Gustavus She Was built at Rambang on Java - She was also an Armed Brig of War under the Dutch Flag - She was laden with Supplies for Ternate, - but was sunk in the Bay of Amboyna, and afterwards weighed up again and made Prize of - he knows no more of the Vessels in the List or their Commanders. - Deponent looks at Paper Marked A which is a genuine Dutch Passport, signed by Mr Bonbey in his own hand Writing, the Harbour Master at Saura Bay Paper Marked B Deponent does not know the hand Writing of, but it appears a genuine Paper - Paper marked C Deponent knows nothing about - Paper Marked D is a genuine Dutch Pass signed in the hand Writing of Bonbey Harbour Master at Saurak Bay - Paper Marked E Deponent Can not Speak to it appears an Invoice Paper Marked F is a Dutch Pass signed by Mr Bonbey Paper Marked G he thinks is a genuine Paper from the Seal - he also knows the hand writing of Mr De Bruyn which is upon it - Paper marked H he does not know - it appears an Invoice - Paper Marked I he does not know, it appears to be in

 Property and Vessels Captured at and off Cimbayna

the Malay language - Paper **K** is a Dutch Pass also signed by Bonberg - Paper Marked **L** is an Agreement and is signed by Mr. De Bruyn in his own hand Writing De Bruyn is Secretary to Govt at Lumak Bay Paper Marked **M** is a Dutch Pass signed in the hand writing of Van Braam the Landraad at Batavia it is Endorsed in the hand Writing of Bonberg Paper Marked **N** is also a Dutch Pass - it is Endorsed in the hand writing of Bonberg - Paper **O** is also a Dutch Pass signed in the hand Writing of Bonberg Paper Marked **P** Deponent does not Speak to - Deponent looks at Paper **Q** which is a genuine Dutch Pass signed in the hand Writing of Bonberg - Paper **R** appears to be an Invoice but Deponent Can not Speak to it - Paper Marked **S** is a Dutch Pass signed also by Bonberg - Paper Marked **T** appears to be an Agreement signed by Secretary De Bruyn - Paper Marked **V** appears to be an Invoice but Deponent Cannot Speak to it -

Sworn before me
L. A. Sterling
Com.r

H. A. Appenman

in the presence of
Henry Gahagan
Actuary
V. L. Hoefke
Interpreter -

In His Majestys Vice Admiralty Court of Madras and the Territories thereto belonging -

Depositions of Witnesses had and taken at the Office of Henry Gahagan Esquire Registrar in Fort St George Madras on the 29th Day of July in the Year of our Lord 1811 before Luke Hauteville Sterling Esquire one of the Commissioners Named and Appointed in and by a Certain Commission to him and another directed jointly and severally, bearing date the 5th Day of July aforesaid issued out of and under the Seal of His Majesty's said Vice Admiralty Court, on Certain Interrogatories referred to in the said Commission upon the Oaths of the Witnesses hereinafter Named by the Interpretation of John Lewis Sheske who was first duly Sworn to interpret in that behalf in the presence of the Actuary -

Jochim Wendt, Captain of Infantry in the Dutch Kings Service maketh Oath and Saith -

1. To the first Interrogatory this Deponent answering saith that he was born at Breitz in Brundenburgh, is at present resident at Madras, is a Subject of the Dutch King and was Captain of Infantry in his Service, is not married. -

2. To the Second Interrogatory this Deponent answering saith that he was in February 1810 at Banda, Amboyna and all the Islands Mentioned in the Interrogatory belonged to the King of Holland - Banda was under the Control of Amboyna and Amboyna and the other Moluccas were all Subject to the Governor General who resided at Batavia - on the Island of Java the Governor General was appointed by the King of Holland -

3. To

508 Property and Vessels Captured at and off Cavite &c

3. To the third Interrogatory this Deponent answering saith that all the Islands Named in this Interrogatory recieved their annual supplies of Grain, Provisions Military and Marine Stores from Batavia on the Island of Java, the Islands did not themselves furnish such supplies the Vessels which brought these supplies arrived in the West Monsoon, about December, January, February or March - sometimes in April - some of the Vessels belonged to Govt, some were freighted by the Govt of Java - the Vessels he believes always took papers from the Ports they sailed from, and sailed under the Dutch Flag, some under the Moorish flag.-

4. To the fourth Interrogatory this Deponent (on looking at the list annexed to Captain Fuckers Affidavit which is produced) answering saith, that one Brig Named in the said List the Delie he believes is a Dutch Brig - knows nothing of any other of the Vessels or Commanders Named in the said List - Deponent looks at the several Papers Marked Grain A to V and says being a Military Man he is totally unacquainted, with the Papers, their Nature and Contents, and Cannot answer any thing respecting them.-

Sworn before me J. Weed
L.t Sterling
Com.r
on the presence of
Henry Sakagawa
Actuary
P. L. Heeffle
interpreter

Property and Vessels Captured at and off Amboyna &c.

Alexander Le Cerf late Secretary to the Govt. at Banda, maketh Oath and Saith.—

1. To the first Interrogatory this Deponent answering saith that he was born at Macassar; is now resident at Manar he was Secretary to the Dutch Government at Banda and was subject to the King of Holland is a Married Man and his Wife and Family are at Banda.—

2. To the Second Interrogatory this Deponent saith that before February 1810 he had been resident at Banda Neira—all the Islands Enumerated in this Interrogatory did belong to the King of Holland— He was employed as Secretary under the Governor of Banda—the Government of Amboyna Controlled the other Islands Named, and the Government of Amboyna was itself subject to the Governor General of Batavia, on the Island of Java—the King of Holland appointed the Governor General of Batavia.

3. To the third Interrogatory this Deponent answering saith that Amboyna and the other Islands named were all Supplied with Grain, Provisions, Treasure, Marine and Military Stores from Batavia—they produced Nothing themselves but Spices—These Supplies generally arrived from Batavia in January February, or March the Vessels which brought the Supplies partly belonged to the Dutch Company and partly Chartered or freighted by them They all took passes from the Ports from which they Sailed—the Vessels sailed under Dutch or Arab or Moorish Colours.—

4. The Affidavit of Captain Tucker with a List annexed is shewn to the Witness who Answering to the fifth Interrogatory saith that he knows the Vessel Patman Dawnes—

and her Commander Abdul Rachman he does not know when she was built, or to what Port she belonged - it was made Prize he Understands at the time of her Capture - some of her loading was destined for Banda - does not know where it was shipped or with what Pass she Sailed - She was a private Ship freighted by the Dutch Government to Carry Supplies - He Deponent also knows the Ship Patholgar, but Not the Commander Named - Does not know where She Was built or to what Port she belonged - She was taken Prize as he understands She was loaded with Supplies to Banda from Batavia - She belonged to the Dutch Government, she was freighted for the purpose of Carrying Supplies - Deponent also knows the Brig Delie and her Commander Lieut. J. Smith She was a Dutch Brig of War under the Dutch Flag, and had no Supplies or Treasure, and was made Prize of when upon a Cruize he understands he knows none of the other Vessels or Commanders Named in the list - Deponent Lets thought the several Papers Marked from **A to V** and Paper Marked **A** is a genuine Dutch Pass signed in the hand Writing of Bonberg the Harbour Master of Lourah Bay and in the Land writing of Blackland - Paper Marked **B** a genuine Dutch Charter Party signed in the Land Writing of Gloudyk Director General at Batavia Paper **C** appears an Invoice but he does not know the Writing Paper Marked **D** is a genuine Dutch Pass and he knows the Land Writing of Bonberg and Blackland who signed it - Paper Marked **E** appears to be an Invoice but does not know the Land Writing - Paper Marked **F** is a genuine Dutch Pass signed also in the Land Writing of Bonberg and Blackland Paper Marked **G** is a Dutch Charter

Party signed in the hand Writing of De Bruyn Secretary at Lourak Bay - Paper marked H appears to be an Invoice but he does not know the hand Writing - Paper Marked I he knows nothing about it is in the Malay Language - Paper Marked K is a Dutch Pass signed also in the hand Writing of Bonberg and Blacklaud - Paper Marked L is a Dutch Charter Party signed in the hand Writing of Middelkoop and De Bruyn - Middelkoop was Governor of Lourak Bay - Paper Marked M is a Dutch Pass - signed in the hand writing of Van Braam Deputy Governor at Batavia - the hand Writing of Bonberg and Blacklaud were also Endorsed upon it - Paper Marked N is a Batavian Pass signed in the hand Writing of Ysselcyk Director General of the Trade - it is also Endorsed in the hand Writing of Blacklaud and Bonbury - Paper Marked O is a Dutch Pass signed in the hand Writing of Blacklaud and Bonbury - Paper Marked P appears to be a Malay Bill of Lading, but he does not know the hand Writing 2. is a Dutch Pass, signed in the hand Writing of Bonbury and of Blacklaud - Paper Marked R appears to be an Invoice, but he does not know the hand Writing - Paper Marked S is a genuine Dutch Pass signed in the hand Writing of Bonberg and Blacklaud - Paper marked T is a Dutch Charter Party signed by De Bruyn and Middelkoop in

their

Property and Vessels Captured at and off Ambayna &c.

their own hand Writing - Paper Marked V appears to be a Dutch invoice but he does not know the hand Writing.-

Sworn before me
L. A. Sterling

Ar. Le Cerf.

in the presence of
Henry Gahagan
Actuary
L. L. Boeffke
Interpreter.-

Property and Vessels Captured at and off Amboyna

Johannes Hetting late a Parkeneer on the Island of Great Banda Maketh & saith that is to say..

1. To the first Interrogatory this Deponent answering saith that he was born at Nassau in Germany - is at present residing in Madras - was a Subject of the King of Holland - was a Parkeneer or Planter of Banda, is a Married Man, and his Wife and Family are at Banda -

2. To the second Interrogatory Deponent saith that about February 1810 he was residing at Great Banda - the Islands Named in this Interrogatory were all Subject to the King of Holland - he was not in any Employment under the Government of Banda - Amboyna exercised Control and Authority over all the Minor Islands and Amboyna was Subject to the Governor General of Batavia who was appointed by the King of Holland -

3. To the third Interrogatory this Deponent answering saith that all the Islands Named herein were Supplied with Treasure, Provisions & Military Stores from Batavia, they had no such Supplies of their own - these Supplies arrived during the West Monsoon from the Month of December to April - these Vessels which brought the Supplies either belonged to the Dutch Government or were freighted by the Dutch Government - he believes that these Vessels were required to take passes from the Ports from which they Sailed - these Vessels Carried Some Dutch; & thus Moorish Flags -

5. To.

5. To the fifth Interrogatory (Lasting at Capt.ª Tuckers Affidavit and the List annexed) saith that he Can not read English, but being asked by the Sworn Interpreter as to the several Vessels and Commanders Named, in the said List says that he knows the Dutch Brig Delie Commanded by Lieut.ª Smith - She was an Amboyna Prize under the Dutch Flag, and understands that she was made Prize - he knows nothing of her Lading - he knows the Name Hawkins, he was the Commander of a Vessel. he was a China Man - he knows nothing of any other Vessel or Commanders named in the said List - Deponent looks at the Papers from A to V but knows Nothing of the Several Papers or their Contents or of the Hand Writing of any of them. -

P. Hetting

Sworn before me
Lt.t Sterling
Comd.r
in the presence of
Henry Gahagan
Actuary
P. L. Heeske
Interpreter

Vice Admiralty Prize Court Madras.
Tuesday the 6.th Day of August 1811.
Before the Honble. Sir Thos. Andrew Strange Kt.t Judge &c.ª present
Henry Gahagan Esquire Registrar -

In the Business of Property Captured and off Amboyna and its Dependencies } brought to Madras on board His Majestys (late) Ship Dover. -

Mr. Compton the Kings Advocate having moved for a Monition calling upon all persons who have right title or Interest and in the said Property to shew Cause why the same should not be Condemned as Prize, and reading the Affidavit of Captain Tucker His Answer, that a Monition do issue to Sebastian Lafont Greig Esquire of Madras directing him to bring and deliver into the registry of this Court, forthwith a true and faithful Account with a full and perfect discovery of all the Goods, Treasure, Jewells and Effects of all and any Description saved received and saved from the Wreck of H. M. late Frigate Dover, Specifying at the same time in what Security Custody Places or Place they and each or any of them Now are or remain. -

T. A. Strange

Property and Vessels Captured on and off Amboyna &c.

Allegations –

In the Vice Admiralty Court at Madras.
Prize Jurisdiction

Our Sovereign Lord the King

against

Certain Dutch Property captured as Prize on the Island of Amboyna and its dependent Islands, Saparoua, Haruku, Nasse Laut and Manipa. –

and also against

The Patnam Dauvers - Abdul Rachman - Master
The Patholgar - Said Achmal Dul Rachman - Master
The Margaretta Louisa - Lieut. Fer Tee Venter - Master
The Slamat - Moor Maydeen Master
The Bouton - The Wiekao - Master
The Charlotte - Liakimlong - Master
The Sala Sala - Le Lamaing - Master
The Johanna Carolina - Charles Jacobson Master
The Padmakang - Cedin - Master
The Delie - Lieut. J. Smith Master
The Javan - Lue Outjong - Master
The Juno - Master Unknown
The Padawakan (No. 2) Master unknown
The Recruiter - Lieut. Dirk Hagerwood Master
The Engelina ——— Ross - Master
The Bunga — Hankiko — Master
The Madurese - Lieut. Gustraams Master
Two Banda Crafts - Masters unknown
The Ajax - Master unknown

The

Property and Vessels Captured at and off Demerara &c.

the Same - Master unknown

With the tackle Apparel

and Furniture respectively belonging

to those Several Vessels and the

Goods Wares, and Merchandizes

found on board the Same taken

and Seized as Prize. And against

all persons in General.

On which Day Robert Orme Procurator

General for our Sovereign Lord the King by all

Lawful Ways and Means and to all effect in law

whatsoever alledged pleaded and articulately propounded

First — as Follows, to Wit, That His Majesty by and with

the advice and Consent of his Privy Council by an Order

in Council bearing date at the Court of Saint Jamess

the Sixteenth Day of June in the year of our Lord

One thousand Eight hundred and three did order that

General Reprisals be granted against the Ships Goods

and Subjects of the Batavian Republic so that as well

His Majestys Fleets and Ships and also all other Ships and

Vessels that should be Commissioned by Letters of Marque

or General Reprisals or otherwise by the Commissioners

for executing the office of Lord High Admiral of

the United Kingdom of Great Britain and Ireland

then and for the time being should and might lawfully

seize all Ships Vessels and Goods belonging to the Batavian

Republic or to any Persons being Subjects of the

Batavian Republic or inhabiting within any of the

Territories of the Batavian Republic and bring the Same to

Judgment in any of the Courts of Admiralty within the

Dominions

Dominions of His Majesty which should be duly Commissioned and this Was and is true public and Notorious And the Party Proponent doth allege and propound every thing in this and the Subsequent Articles Contained jointly and severally.

Secondly— That in the Month of February in the year One thousand Eight hundred and Ten the Island of Amboyna then and theretofore belonging to the Batavian Republic or to the person or persons exercising the Government of Holland surrendered by Capitulation to a certain Force in the Service of His Majesty and of the East India Company under the Command of Edward Tucker Esquire Captain of His Majestys Ship Dover, and that previously thereto certain Articles of Capitulation were on the Seventeenth day of the said Month of February proposed by Jean Phillipe Francois Filz Esquire Colonel Adjutant General to His Excellency the Marshal and Governor General Daendals and Commandant in Chief of the Forces of the Batavian Republic or of the person or persons exercising the Government of Holland employed at the Moluccas for the Surrender of the said Island of Amboyna to His Majestys Forces then before the Place Whereby it was Stipulated and agreed to by the said Edward Tucker Senior Officer and Commanding the British Forces at Amboyna aforesaid and by M. C. Faurt Esquire Captain Commanding the Troops then Actually on the said Island (amongst other things) That the Money and Effects belonging to the Dutch Government should be delivered over to the British Crown by a Commission named on both sides (as on reference to such Articles now of record in this Court will more fully appear) which Property afterward was accordingly delivered over and taken and received as Prize having theretofore belonged to the Batavian Republic or to the person or persons exercising

the

the Government of Holland or to persons subjects of the Batavian Republic or to persons inhabiting within the Territories then and theretofore belonging to the Batavian Republic or to the persons exercising the Government of Holland and as such or otherwise liable to Confiscation And that such parts of the Prize Property so taken and received at the said Island as were wanted by the persons exercising the Government of the said Island and by the Inhabitants of that Islands and its dependant Islands and for the use of His Majesty's Ships of War then cruizing off those Islands were sold by public Auction at Amboyna and the Net Amount Sales of such Prize Property and all other the Prize Property taken on the said Island or the realized produce thereof has been sent to Madras and within the Jurisdiction of this Court and the principal part thereof is in the hands and Charge of the Registrar of this Court Wherefore the same and every part thereof ought to be Confiscated and Condemned to Our said Lord the King and the party proponent doth alledge and propound as before.—

Thirdly — That the Several Adjacent and dependant Islands of Saparoua Haraukà, Bouro, Nape Saut and Manipa with the Property thereon respectively, then and theretofore also belonging to the Batavian Republic or to the person or persons exercising the Govt. of Holland were (soon after the Capitulation of the said Island of Amboyna) compelled to surrender and the Property found thereon respectively was taken as Prize under the Orders of the said Edward Tucker by the force under his Command And the Property so taken as last aforesaid did at the time of taking the same belong to the Batavian or to the person or persons exercising the Government of Holland

or

or to persons subjects of the Batavian Republic or to persons inhabiting within the territories then and theretofore belonging to the Batavian Republic or to the person or persons exercising the Government of Holland and as such or otherwise liable to Confiscation And that such part of the Prize Property taken at the said Several dependant Islands as were wanted by the persons exercising the Govt. of Amboyna and those dependant Islands, and by the Inhabitants of Amboyna and the said Dependant Islands and for the use of His Majesty's Ships of War then cruizing of those Several Islands were sold by public Auction at Amboyna aforesaid and the Net Amount Sales of such Prize Property and all other the Prize Property taken on the said Several Dependant Islands or the realized produce thereof has been sent to Madras and within the Jurisdiction of this Court and is in the hands and Charge of the Registrar of this Court wherefore the same and every part thereof ought to be Confiscated and Condemned to Our said Lord the King and the Party Proponent doth alledge and propound as before.—

Fourthly.— That the said Ship or Vessel the Batavian Dewaers whereof Abdul Rachman was Master and the Goods Wares and Merchandizes on board the same were on or about the twenty fifth Day of February in the said year One thousand Eight hundred and Ten Seized & taken as Prize off the Island of Amboyna by His Majesty's Ship Dover Edward Packer Esquire Commander and His Majesty's Ship Commodore William Augustus Montague Esquire Commander, And that the Captors being regulated by the persons exercising the Government of the Island of Amboyna to send the said Captured Vessel for the use of Government to the

the same was delivered into their Charge and has not since been redelivered to the Captors or paid for And that the Cargo on board the said Captured being required for the use of the Inhabitants of the said Island of Amboyna and its dependant Islands and for the use of His Majesty's Ships of War then Cruizing off those Islands was sold on the said Island of Amboyna by public Auction to the highest bidders And the Net proceeds Sale of such Cargo has been sent to Madras within the Jurisdiction of this Court And the Party Proponent doth alledge and propound as before.-

Fifthly — That the said Ship or Vessel the Patholgar whereof said Achmut Bin Vachman was Master & the Goods Wares and Merchandizes on board the same were on or about the said Twenty fifth Day of February in the said Year One thousand Eight hundred and ten seized and taken as Prize off the said Islands of Amboyna by H.M. said Ships of War the Dover & Cornwallis & that in like Manner the Captors being requested by the persons exercising the Government of the Island of Amboyna to lend the said Captured Vessels for the use of & to the same was delivered into their Charge & has not since been redelivered to the Captors or paid for & that the Cargo on board the said Captured Vessel being required for the use of the Inhabitants of the said Island of Amboyna and its dependant Islands and for the use of H.M. Ships of War then Cruizing off those Islands was sold on the said Island of Amboyna by public Auction to the highest bidders and the Net proceeds Sale of such Cargo has been sent to Madras within the Jurisdiction of this Court and the party proponent doth alledge

and

and propound as before.—

Sixthly — That the Armed Corvette or Vessel the Margaretta Louisa whereof Lieut. Servd Reuter was Master & the Goods Wares and Merchandizes on board the same were on or about the Second Day of March in the said Year One thousand Eight hundred and Ten Seized and taken as Prize off the Island of Boano by H. M. said Ship of War the Cornwallis And that the Captons were not able to spare hands to Navigate the said Corvette Nor was she in a fit State to perform a Voyage to Madras And as the Cargo on board that Corvette was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of H. M. Ships of War then Cruizing off those Islands the said Corvette and her Cargo were sold at Amboyna by public Auction to the highest bidders And the Net proceeds Sale thereof was sent within the Jurisdiction of this Court And the party prapponent doth allidge and propound as before.—

Seventhly — That the Brig the Slamat whereof Moor Mayden was Master and the Goods Wares and Merchandizes on board the same were on or about the eighteenth Day of March in the year One thousand Eight hundred and Ten Seized and taken as Prize off the Island of Boano by H. M said Ship of War the Cornwallis And that the Captons were not able to spare hands to Navigate the said Brig Nor was she in a fit State to perform a Voyage to Madras And as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the

use

use of His Majesty's Ships of War then Cruizing off those Islands the said Brig and her Cargo were Sold at Amboyna by public Auction to the highest bidders And the Net proceeds Sale thereof was sent within the Jurisdiction of this Court And the Party Proponent doth alledge & propound as before.—

Eighthly — That the Brig the Bouton whereof the Hiakoo was Master And the Goods, Wares and Merchandizes on board the same were on or about the Fifth Day of March in the said year One thousand Eight hundred and Ten Seized and taken as Prize off the said Island of Amboyna by His Majesty's said Ships of War the Cornwallis And that the Captors were not able to spare hands to Navigate the said Brig nor was she in a fit state to perform a Voyage to Madras And as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its Dependant Islands and for the use of H. M. Ships of War then Cruizing off those Islands the said Brig and her Cargo were Sold at Amboyna by public Auction to the highest bidders And the Net proceeds Sale thereof was sent within the Jurisdiction of this Court And the Party Proponent doth alledge and propound as before.—

Ninthly — That the Brig Charlotte whereof Lo Kimlang was Master and the Goods Wares & Merchandizes on board the same were on or about the Twenty third Day of February in the said year One thousand Eight hundred and Ten Seized and Taken as Prize by Armed Boats from the Squadron of His Majesty's Ships of War then Cruzing off the said Island Consisting of the said Ships of War the Dover and Cornwallis and of H. M. Sloop of War the Samarang Richard Spencer Esquire Commander And that the Captors were not able to spare hands to Navigate the said Brig nor was she

on

in a fit State to perform a Voyage to Madras and as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of His Majesty's Ships of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by public Auction to the highest bidders and the Net proceeds Sale thereof was sent within the Jurisdiction of this Court And the Party Proponent doth alledge & propounds as before.-

Tenthly That the Brig Sala, Sala, whereof Le Lamsing was Master and the Goods, Wares and Merchandizes on board the same were on or about the Twenty fifth Day of February in the said Year One Thousand Eight hundred and Ten seized and taken as Prize by Armed Boats from the said Ship of War the Dover and that the Captors were not able to spare hands to Navigate the said Brig Nor was she in a fit State to perform a Voyage to Madras And as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its Dependant Islands and for the use of His Majesty's Ship of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by public Auction to the highest bidders and the Net proceeds Sale thereof was sent within the Jurisdiction of this Court And the Party Proponent doth alledge and propounds as before.-

Eleventhly That the Armed Lugger Johanna Sarahna whereof Charles Jacobsen was Master and the Goods, Wares and Merchandizes on board the same were on or about the Seventeenth Day of March in the said Year One thousand

thousand Eight hundred and Ten seized & taken as Prize by H. M. said Ship of War the Cornwallis and that the Captors were not able to spare hands to Navigate the said Lugger Nor was she in a fit state to performe a Voyage to Madras and as the Cargo on board that Lugger was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of His Majestys Ships of War then Cruizing off these Islands the said Lugger and her Cargo were sold at Amboyna by Public Auction to the highest bidders and the Net proceeds Sale thereof was sent within the Jurisdiction of this Court and the party proponent doth alledge and propound as before.—

Twelfthly — That the Brig the Padmakang whereof Cesin was Master & the Goods Wares and Merchandizes on board the same were on the twentieth Day of March in the said year One thousand Eight hundred and Ten seized and taken as Prize by Armed Boats sent from the said Squadron of His Majesty's Ships of War off the said Island of Amboyna & that the Captors were not able to Spare hands to Navigate the said Brig Nor was she in a fit state to perform a Voyage to Madras and as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its dependant Islands & for the use of H. M. Ships of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by public Auction to the highest bidders and the Net proceeds Sale thereof was sent within the Jurisdiction of this Court and the Party Proponent doth alledge and propound as before.—

Thirteenthly — That the Armed Brig Dolle whereof Lieut. J. Smith was Master and the Goods Wares and Merchandizes on board the same were on the Seventeenth day of March in the said year One thousand Eight hundred and Ten seized and taken as Prize by H. M.

said

said Ship Cornwallis at Banes Bay aforesaid and that the Captors were not able to spare hands to Navigate the said Brig Nor was she in a fit state to perform a Voyage to Madras and as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its Dependant Islands and for the use of H. M. Ships of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by Public Auction to the highest bidders and the Net proceeds sale thereof was sent within the Jurisdiction of this Court and the Party Proponent doth alledge and propound as before.-

Fourteenthly That the Sloop Jawan whereof Lee Antgang was Master And the Goods Wares and Merchandizes on board the same were on or about the Fifth Day of March in the said year One thousand Eight hundred and Ten seized and taken as Prize by H. M said Ship of War the Cornwallis off the said Island of Amboyna And that the Captors were not able to spare hands to Navigate the said Sloop nor was she in a fit state to perform a Voyage to Madras And as the Cargo on board that Sloop was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of His Majesty's Ships of War then Cruizing off those Islands the said Sloop and her Cargo were sold at Amboyna by public Auction to the highest bidders and the Net proceeds sale thereof was sent within the Jurisdiction of this Court & the Party Proponent doth alledge and propound as before.-

Fifteenthly

Fifteenthly That the Brig Jane the Master whereof is unknown and the Goods Wares and Merchandizes on board the same were on the Fifteenth day of February in the said year One thousand Eight hundred and Ten seized and taken as Prize by H. M. said Ships of War the Dover, Cornwallis and Samarang, off the said Island of Amboyna And that the Captors were not able to spare hands to navigate the said Brig nor was she in a fit State to perform a Voyage to Madras And as the Cargo on board the Brig was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of H. M. Ships of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by Public Auction by the highest bidders and the Net proceeds Sale thereof was sent within the Jurisdiction of this Court and the Party Propounent doth allledge and propound as before.

Sixteenthly That the Brig Padawaking / No 2 / the Master whereof is unknown and the Goods Wares and Merchandizes on board the same were on the Twentieth Day of March in the said year One Thousand Eight hundred and ten seized and taken as Prize by H. M said Ships of War the Dover, Cornwallis, and Samarang off the said Island of Amboyna and that the Captors were not able to spare hands to Navigate the said Brig nor was she in a fit State to perform a Voyage to Madras And as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of H. M. Ships of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by public Auction to the highest bidders and the net proceeds Sale thereof was sent within the Jurisdiction of this Court and the Party

Propounent

Seventeenthly Praponent doth alledge and propound as before.- That the Armed Brig Recruiter whereof Lieut. Dirk Hageman was Master and the Goods Wares and Merchandizes on board the same were on the Twenty Eighth Day of March in the said year One Thousand Eight hundred and Ten seized and taken as Prize by H. M. said Sloop of War the Samarang off the said Island of Amboyna. And that the Captors were not able to Spare hands to Navigate the said Brig nor was she in a fit State to perform a Voyage to Madras And as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of H. M. Ships of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by Public Auction to the highest bidders And the Net proceeds Sale thereof was sent within the Jurisdiction of this Court, and the party Praponent doth alledge & propound as before.-

Eighteenthly. That the Armed Brig Engelina whereof Bos was Master and the Goods Wares & Merchandizes on board the same were on or about the Twenty Sixth Day of April in the said year One thousand eight hundred and ten seized and taken as Prize by H. M. said Ship of War the Dover off the said Island of Amboyna And that the Captors were not able to Spare hands to Navigate the said Brig nor was she in a fit State to perform a Voyage to Madras And as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of H. M. Ships of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by Public Auction to the highest bidders And the Net proceeds Sale thereof was sent within the Jurisdiction of this Court and the party

Nineteenthly

Proponent doth allledge and propound as before — That the Brig Bunga whereof Hawkins was Master and the Goods Wares and Merchandizes on board the same were on the Twentieth Day of April in the said year One thousand Eight hundred and ten seized and taken as Prize by Armed Boats from H. M said Ship the Dover off the said Island of Amboyna And that the Captors were not able to spare hands to Navigate the said Brig nor was she in a fit state to perform a Voyage to Madras. And as the Cargo on board that Brig was required for the use of the Inhabitants of Amboyna and its dependant Islands and for the use of H M Ships of War then Cruizing off those Islands the said Brig and her Cargo were sold at Amboyna by public Auction to the highest bidders And the Net proceeds Sale thereof was sent within the Jurisdiction of this Court And the Party Proponent doth allege and propound as before.—

Twentiethly

That the Armed Brig Madrese whereof Lieut. Gustanus was the Master was on the Seventeenth Day of February in the said year One thousand Eight hundred and ten seized and taken as Prize by the said Ships the Dover, Cornwallis & Samarang. when lying in the Harbour off Fort Victoria on the said Island of Amboyna And that the Captors being requested by the Persons exercising the Government of the Islands of Amboyna to lend the said Captured Vessel for the use of Govt the same was delivered into their Charge and has not since been redelivered to the Captors or paid for and the Party

Proponent

Property & Vessels Captured at & off Amboyna &c.

Twenty firstly

Proponent doth alledge and propaund as before.—
That the two Banda Rafts or Boats the Masters whereof
are unknown were on or about the twentieth Day of April
in the said year One Thousand Eight hundred and Ten seized
and taken as Prize by Armed Boats from H. M. said Ship
of War the Dover and that the Captors were not able
to Spare hands to Navigate the said Banda Rafts nor
were they in a fit State to perform a Voyage to Madras
And as the Cargoes on board those Rafts were required for
the use of the Inhabitants of Amboyna & its dependant
Islands and for the use of H. M. Ships of War then
Cruizing off those Islands the said Rafts and their Cargoes
were sold at Amboyna by Public Auction to the highest
bidders And the Net proceeds Sale thereof was sent within
the Jurisdiction of this Court And the Party Proponent
doth alledge and propound as before.—

Twenty Secondly

That the Brig Ajax and Sano the Masters whereof are
unknown were on the Seventeenth Day of February in
the said year One thousand Eight hundred and Ten seized
and taken as Prize by the said Ships the Dover, Cornwallis
and Samarang, when Sunk in the Harbour of Fort
Victoria in the said Island of Amboyna and that the
Captors were not able to Spare hands to Navigate the
said Brigs to Madras wherefore they were sold at the
said Island of Amboyna by Public Auction to the
highest bidders and the Net proceeds Sale have been
sent to Madras within the Jurisdiction of this Court
And the Party Proponent doth alledge and propound
as before.—

Twenty Thirdly

Property and Vessels Captured at and off Amboyna &c.

Twenty Thirdly That the Several Vessels heretofore Enumerated and the Goods, Wares and Merchandizes on board such of them as had Goods, Wares and Merchandizes on board at the time of the Capture thereof respectively were belonging to the Batavian Republic or to persons Subjects of the Batavian Republic or inhabiting within the Territories of the Batavian Republic and as such or otherwise liable to Confiscation and ought to be Confiscated and Condemned to Our Sovereign Lord the King, and the Party Proponent doth alledge and propound as before:-

Twenty Fourthly That the said Several Vessels Named the Patnam Dawers the Patholgar, the Margaretta Louisa, the Slamat, the Bouton, the Charlotte, the Sala Sala, the Johanna Carolina, the Padmakang, the Delie, the Javan, the Juno, the Padawakan (No 2) the Recruiteur, the Engelina, the Bunga, took in their respective Cargoes at and cleared out from the Ports of Batavia and Soorabaya or one of them in the Island of Java being ports then and theretofore belonging to the Batavian Republic and then and there being under the Government & Sterling itself the Kingdom of Holland and the said two Several Ports with the rest of the said Island of Java by H. M. Order in Council bearing date the Twenty Sixth Day of April One thousand Eight hundred and Nine being then and for some time previously subject to the same Restrictions in point of Trade and Navigation without any exception as if the same were Actually Blockaded by H. M. Naval Forces in the most strict and rigorous manner And by which Order in Council it is directed that every Vessel trading from and to any

any of the Colonies Plantations or Settlements in the Dispute of the said Govt. Stiling itself the Kingdom of Holland together with the Goods and Merchandizes on board thereof be condemned as prize And the Party Proponent doth allege & propound as before-

Twenty fifthly That it ought to be further adjudged and decreed that Edward Tucker Esquire Commander & the Officers and Crew of H. M. said Ship of War the Dover under his Command And that William Augustus Montague Esquire Commander and the Officers and Crew of H. M. said Ship of War the Cornwallis under his Command and that Richard Spencer Esquire Commander and the Officers and Crew of H. M. said Ship of War the Samarang under his Command And that the said H. M. Court and the Officers and Men under his Command (being and Composing the force as aforesaid under the Command of the said Edward Tucker) were and are the Captors of the Prize Property taken and received on the said Island of Ambayna and its said several Dependant Islands of Saparoua, Haruku, Banoa, Nasser Saint and Manipa and that the said Edward Tucker and the Officers and Crew of the Dover, the said William Augustus Montague and the Officers and Crew of the Cornwallis and the said Richard Spencer and the Officers and Crew of the Samarang were and are the Captors of the said several Vessels and of the Goods Wares and Merchandizes taken on board the same respectively And the Party Proponent doth allege and propound as before-

Lastly That all and singular the Premises were and are true public & Notorious and thereof there was and is a public Voice fame & report & which legal Proof being made the Party Proponent prays right & justice to be effectually done and administered in the Premises by your

Property and Vessels Captured at and off Amboyna &c.

533.

The Honorable Sir Thomas Andrew Strange Knight Judge of H. M. Vice Court of Admiralty at Madras or your lawful Surrogate And that the said Prize Property so taken and received as aforesaid and the several Vessels hereinbefore Named and their respective Tackle Apparel and Furniture and the Goods Wares and Merchandizes taken on ack of those respective Vessels as had Goods Wares and Merchandizes laden thereon as aforesaid be severally pronounced to belong at the time when the same were taken received and seized as aforesaid to the Battavian Republic or to persons being Subjects of the Batavian Republic or Inhabiting within the territories of the Battavian Republic and that such several Vessels be pronounced to have traded from and to a Settlement in the Possession of the Govt. Stiling itself the Kingdom of Holland and thereby Subject to Confiscation and Condemnation And that it may be pronounced that the said Prize Property so taken and received as aforesaid and the several Vessels hereinbefore Mentioned and their respective Tackle Apparel and Furniture and the Goods wares and Merchandizes aforesaid did belong to Enemies of the Crown of the United Kingdom of Great Britain and Ireland And May be respectively adjudged and Condemned as good and lawful Prize Accordingly

Rt. Arnee
Kings Proctor

Herbert Compton

Property and Vessels Captured on and off Amboyna &c.

Supplementary Affidavit.

In the Vice Admiralty Court at Madras.

Prize Jurisdiction

Our Sovereign Lord the King

against

Certain Dutch Property captured at or near the Island of Amboyna and its Dependant Islands of Saparoua, Haruku &c. &c. &c.

Appeared personally Edward Tucker Esqr. the Commander of H. M. Frigate the Dover and being duly sworn on the Holy Evangelists to depose the truth made Oath that after the Capture of Amboyna and its dependant Islands at the time and in the manner particularly stated in an Affidavit now of record in this Worthy Court and sworn to by this Deponent on or about the 18th Day of June last, this Deponent as the Commander of the Squadron in the said Affidavit also mentioned did take on himself the actual Charge and Management of the Property which was Captured as in the said Affidavit specified, and did continue in such Charge and management until the same was realized or disposed of as stated in the said Affidavit, and until part of the proceeds thereof was remitted to the Prize Agent at Madras by which the same have (as this Deponent has been informed and believes) been delivered into the Registry of this Honorable Court as hereafter mentioned: And this Deponent further saith that the Property which was Captured at Amboyna and in its dependant Islands consisted principally of Articles in the Cloth Winkle; Old Rice, Marine Stores, Bamuck and Hospital Cotts, Coffee, Treasure, Paper Money, Arrack Brandy, Sugar, Pepper, Oil, Vinegar, Candles, Leaguer, Copper

Copper Weights, Iron Beams, Wooden Scales, dinding, Stone Jars, and other Articles of Stone and of the different Spices which were the produce of the said Islands part of which has been fandemned by this Honorable Court and other part has been lost in the said Ship Dover, And that the Cargoes of the diffirent Vessels specified in the list Subjoined to the said Affidavit of this Deponent, which were respectively laden at the time of their Capture, as will appear on reference to their Bills of lading and papers consisted of Rice, Arrack, Oil, Spice Sheets, Coffee, Pepper, Copper, Salt, Salt Meat, Cloth, Canvaiss, Carpenters Tools, Stationary, &c Medicines, Iron, Steel, Wine, Nails, Cattan, Yarn, Twine, Rosin, Pitch, Tamarinds, Lead, Paint, Spears, Saws, Blocks, Iron hoops, Scales, Canes, Vinegar, Tobacco, Candles, Cotton, Cotton yarn Sugar, Tea, Shoes, Handkerchiefs, Copper Utensils, Rattans, Malay Knives, Saddles, Bridles, China Ware, Timber, Wax, Gongs and Treasure, And this Deponent further saith that the said Island of Amboyna and its dependencies being chiefly appropriated to the Cultivation and production of Spices were constantly, as this Deponent hath been informed and believes, supplied by the Dutch Government of Java with Grain, Sugar, Tobacco, Cloth, Vinegar Spirits and other Articles of Consumption and that such Articles were periodically transported from Java to Amboyna And this Deponent further saith that about the time when the said Island of Amboyna and its dependencies were Captured as aforesaid, the Inhabitants of the said Islands, as this Deponent hath also been informed and believes, were not provided with the Means of Subsistence for any considerable length of time but depended as theretofore on the Supplies which they expected to receive from the Dutch Government at Java, and this Deponent further saith that the Grain, Stores, and other Articles of Consumption, which were in the Stores of the said Dutch Government at Amboyna, at the time when the said Islands surrendered as aforesaid were not, as this Deponent believes, sufficient

Sufficient, for the use of the said inhabitants until a Competent Supply could have been procured from the British Settlements in India, and that in order to enable the Government established after the Capture at Amboyna to provide for the wants of the British force, and of the inhabitants, it became necessary to land the Cargoes of the several Vessels that had been Captured, in order that such Cargoes might be appropriated for the use of such persons as might continue on the said Islands and of H. M. Squadron then Cruizing off those Islands And this Deponent further saith that the respective Cargoes of the Ships Patnam Dawers, Hatholgar, Slamat, Charlotte, Sala Sala, Padamakang III and Bunga alias Kunkito in the said list specified, and also the respective Cargoes of the Government Armed Transports the Margaretta Louisa, Johanna Carolina, Heermiteur and Engelina in the said list also specified had been sent by the said Government of Java to Amboyna, as the periodical Supply for the Inhabitants of that Island and its dependencies, And this Deponent further saith that of the Property captured on the said Islands and on the said Vessels respectively certain Shoes, Sugar, Rice, Vinegar Salt Meat and Arrack, and also Sixteen Tons were required for the use of H. M. Squadron, and were valued at Ten thousand Seven hundred and forty six Rix Dollars, Four Stivers and Two Duits and that certain Treasure, Rice, Beef, Pork, Medicine, Shoes, Vinegar, Salt, Canvas, Spice Cases, Rope, Junk and Barrack and Hospital Bills were required for the use of the said Government of Amboyna, and were accordingly delivered to the said Government as follows,

follows, to Wit, Treasure to the Amount of one hundred and forty two Thousand three hundred and seventy Nine Rix Dollars, and the Supplies of provisions and Stores at the estimated Value of Rix Dollars Seventy three thousand four hundred and fifty eight and Stivers forty, making together Rix Dollars Two hundred and fifteen thousand Eight hundred and forty seven, and Stivers forty And that certain Articles in the Cloth Warehe, Old rice, Beef, Arrack, Coffee, Marine Stores, Rice, and other Articles were sold by the public Vendue Master to the highest bidders for the Sum of One hundred and Sixteen thousand eight hundred and sixty four Rix Dollars and thirty three Stivers and that certain Tobacco, Rice, Nankeen and other Articles were sold to individuals for the Sum of Twenty thousand two hundred and sixty six Rix Dollars and thirty two Stivers, And this Deponent further saith that if he had possessed or could have procured the means of transporting the several Articles herein Stated to have been sold and delivered to the Government and inhabitants of Amboyna from Amboyna aforesaid to either of the Presidencies in India, he verily believes that much of the Grain and many of the Articles would have been rendered of little value and that the Garison and inhabitants of Amboyna and of its dependencies and the Crews of H. M. Squadron would have been much distressed, and that the local Government would not have been enabled to relieve the wants of the people, For this Deponent further saith that during the time he remained on the said Island, in addition to the Supplies found on the said island and to those received from the Captured Ships, the person in charge of the Government and the pursers of the said Ships Danea were obliged to purchase Rice, Beef, Arrack, Bisuit, and Flour from trading Vessels which happened to touch there from Calcutta, and to send for Supplies of fresh provisions, such as Buffaloes, Bullocks, Cows, Sheeps and Pigs from the Neighbouring islands of Timore and the

Celebes, And this Deponent further saith that at times during his remaining at Amboyna and particularly previous to the Arrival of the Ship Mandarine with Treasure, Salt Meat, and Flour from Madras in the Month of September one thousand eight hundred and Ten, there was a great Scarcity of provisions and the Garrison of Amboyna and the Crew of the Dover then off the Island, were often obliged to be on short allowances and to resort for their support to fish & turtle caught off the said Islands, And this Deponent further saith that before he was able to proceed from Amboyna to Madras on board the Dover it became necessary for him to procure a supply of Stores and provision from Penang as the nearest port where such things could be procured to which place this Deponent sent a Ship for the purpose, which was lost during her voyage, but the Crew and dispatches being saved, the Supplies were afterwards forwarded from Penang by His Majesty's Ship Phanix. And this Deponent further saith that if an Enemy had appeared off Amboyna during the Months of November and December 1810 & January 1811, this Deponent could not have ventured to sea in the Dover for the want of a sufficient supply of Stores & provisions, & this Deponent further saith that after deducting the various sums paid for and on account of Stores delivered to the Captors by the Cultivators after the said Island was taken and after deducting a sum of Six Dollars Two Thousand Six hundred and Sixty five, and Stivers thirty two, paid to certain persons on the Island of Amboyna who acted as Guides to the British force under the Command of this Deponent previous to the Capitulation, under a promise of being rewarded for their services and the several Charges and disbursements which were necessarily paid at Amboyna for the realization of the said Captured property

the

the Treasure and the Nett proceeds of the said Articles so delivered to the said Government of Amboyna and for the use of H. M. Squadron respectively, and of the said several Articles which were sold by the said Vendue Master, and to individuals as before stated amounted to the sum of Rix Dollars Three hundred and thirty five thousand, one hundred and thirty Nine Stuivers Twenty eight and Duits Two. And this Deponent further saith that the Schedule hereunto annexed Nº 1. doth contain a true Statement of the property which was captured on the said Island of Amboyna and its dependencies (other than and except the Spices hereinbefore mentioned and the Silver Money, Paper Money, and Copper Money, taken on the said Island of Amboyna as hereinafter mentioned, and also except sundry provisions and victualling Stores delivered into the Garrison stores to the charge of Captain M. H. Court the then Commanding Officer and in charge of the Govt. of the said Island of Amboyna and its dependencies, as is also hereinafter mentioned, and also except a small quantity of Treasure found on the several Islands dependant on Amboyna Amounting in paper, Silver, and Copper to Rix Dollars one thousand six hundred and thirty one, and some Ordnance Military, Marine and Slave Stores, which were delivered to and placed to in the Charge of the said Captain M. H. Court in the expectation that the same would be accounted for to the Captors which has not yet been done and also except some Marine Stores supplied to H. M. Squadron and for fitting out the three Ships lent to Government as in this Deponents former Affidavit and hereinafter is mentioned) and which was realized under the directions of this Deponent as aforesaid and also of the Sums in Rix Dollars for which such Property was disposed of as aforesaid, And this Deponent further saith that the Schedule or Statement also hereunto annexed Nº 2 Contains a particular Account of all the silver Money, Paper Money, and Copper money

at

at Amboyna delivered up to the Captors under the said Articles of Capitulation. And this Deponent further saith that the Schedule No. 3. also hereunto annexed contains a true account of the appropriation of such treasure and paper money as was applied in the payment of Loans stipulated to be made by the said Articles and in remittances to Madras by public Bills and also the Amount of paper Money laid out in the purchase of Jewells as hereinafter is mentioned and the Amount of the paper money taken Charge of by the Resident at Amboyna who refused to allow the Captors to remove the same from that Island. And this Deponent further saith that sundry provisions & victualling Stores found and taken on the said Island of Amboyna being immediately required for the public Service were delivered over to the said Captain M. H. Court and the same were then valued by the Secretary and by the Administrator General to the late Government and by the principle Inhabitants of Amboyna and the value set upon those provisions and Stores was made according to the prices then established on that Island, But this Deponent says that although he has been informed and believes, that application has been made to the Governor General in India for payment of the value of such provisions and Stores no part thereof has been yet paid, And this Deponent further saith that the Schedule hereunto annexed No. 4 doth contain a true Statement of the Sums for which each of the several Ships or Vessels mentioned in the said list to the former Affidavit of this Deponent annexed, as were disposed of by or under the direction of this Deponent were respectively sold for, as in the said Affidavit is mentioned except the Charlotte and Sala Sala, which were generally sold with a part of the Cargo on board but the price of the Hull of each Vessel may be fairly estimated at One Thousand Six Dollars And this Deponent further saith that the Net proceeds of the said last mentioned Ships and of the Property (except as hereinbefore is excepted) amounted to the Sum of Six

Dollars.

Dollars Three hundred and fifty thousand, two hundred and Ninety, Stuivers forty one, and Duits two, of which Sum Six Dollars Fifty two thousand seven hundred and fifty six and Stuivers thirty nine, in Silver & Copper Money were on board the Dover at the time she was wrecked, and this Deponent saith that a Sum equal to Six Dollars Three hundred and Seven thousand five hundred and thirty four & Stuivers five was remitted and paid by or under the Orders of this Deponent to the Prize Agent at Madras part of which remittance to the amount of Six Dollars Thirty Six thousand Six hundred and fifty one Consisted of Paper money issued by the Order of the Dutch Government at Amboyna and being in circulation was received on account and in part payment for Sales of Prize Property on the said Island it being Customary there to receive on Sales of Property by vendue one third of the price in paper money. And this Deponent further saith he hath been informed Believes that Securities of the East India Company equal to the Sum of Six Dollars Two hundred and seventy thousand eight hundred and Eighty three and Stuivers Eight with the said Paper Money amounting together to the said Sum of three hundred and seven thousand five hundred and thirty four Six Dollars, and eight Stuivers have been by the same Agent deposited with the Registrar of this Honble Court and this Deponent further saith that part of the paper Money found in the Treasury at the time of the Surrender of Amboyna of the value of fourteen thousand and fourteen Six Dollars which had been issued by the Dutch Government at Batavia was delivered to certain persons at Amboyna in exchange for Jewels of the like value, and that such Jewels were so purchased because the said last mentioned Paper Money could only be of value to such persons as might transmit the same to Batavia where the same was payable or Current, And this Deponent further saith that in addition to the Sums which were remitted and paid to the said Prize Agent as aforesaid he caused to be laden on the said Ship Dover the Jewels last mentioned and ninety Casks some of them Containing Gold Coins and Silver Coins of the value of thirteen thousand six hundred and three Six Dollars and others Containing Copper Money of the value of thirty seven thousand three hundred

and thirty four Rix Dollars and sixteen Stivers, and that the Jewels Gold Silver and Copper last mentioned and the sum of five hundred and Eighty four Rix Dollars together with a great quantity of Spices, and two hundred and forty four pieces of Longcee Waar which were in the said Ship Dover at the time when she was wrecked as in this Deponents former Affidavit mentioned And this Deponent further saith that the Money remitted and paid to the said Prize Agent and the Gold, Silver, and Copper Money in the said Ship when Wrecked is aforesaid constituted the proceeds of the whole of the public property and Treasure (except as hereinbefore is excepted) which were Captured at Amboyna and its dependencies and also of all the Ships and their Cargoes which were sold under the Orders of this Deponent as aforesaid And that the paper Money which was paid for the said Jewels and what was left with the Resident at Amboyna as before Stated constituted the whole of the paper money Captured as hereinbefore and in this Deponents former Affidavit mentioned. And this Deponent further saith that having Stated in his former Affidavit that the Captured Vessels named the "Patnaire Dawners" "Pathalgar" and "Madurese" were required for the public service and were allowed to be employed by Government on a value being fixed and Settled and on the execution of a Bond conditioned that those Vessels should be delivered to the Agent for the Captors at Penang or that their estimated value should be paid to the Captors or their Agent and that the said three Vessels or any of them had not been delivered at Penang nor their value paid for to his knowledge or belief. He this Deponent further saith that the estimated value of those three several Vessels as Stated in the Bond executed on the part of Government was as follows, the "Patnaire Dawners" at Eight thousand Spanish Dollars, the "Pathalgar" at ten thousand Spanish Dollars, and the "Madurese" at Six thousand Spanish Dollars amounting together to Twenty four thousand Spanish Dollars and such Vessels were employed in conveying the Dutch Garrison of Amboyna to Java as stipulated in the said Articles of Capitulation, which Service the said Vessels performed, but

this

this Deponent has since heard and believes, that the "Patuan Sawwers" after leaving the Island of Java on the service aforesaid reached Malacca in a sinking State, and that the Officer in charge of her was obliged to run her ashore, in which State she was publickly sold for one thousand five hundred and ten Spanish Dollars, and that her expences after leaving Amboyna, considerably exceeds that sum, and no part thereof has been paid to any Agent for the Captors to the knowledge or belief of this Deponent And this Deponent hath also since heard and believes that the "Patholgar" after leaving Java and in attempting to reach Penang from distress was driven to the Gulf of Siam with the loss of her Sails where she was refitted at an expence of one thousand Spanish Dollars, and was afterwards forced into the River of Tringano in a disabled State with the loss of her Anchors and Cables and as it is stated was taken possession of by the Malays but an Offer being made of Four thousand Spanish Dollars for the chance of her recovery that sum was accepted but two thousand five hundred and eight Spanish Dollars only have been remitted to the prize Agent at Madras on account of "Patholgar" And this Deponent has also since heard and believes that the "Madurese" after leaving Java did with difficulty reach Malacca but in consequence of the Damage received in the course of her voyage she could not be removed but at a heavy expence and was there publickly sold and the sum of One thousand eight and thirty four Spanish Dollars remitted to the Prize Agent at Madras and this Deponent further saith that he has been informed by the Agent at Madras and believes that an Application has been made by him to the Government at Fort Saint George for remuneration to the Captors for the above three Vessels and that such Application was forwarded to the Governor General in Council at Fort William but that no remuneration has yet been made.

Edw.d Tucker.

Sworn at Fort St George
this Twenty first Day
of January 1812
Before

T. A. Strange.

Property and Vessels Captured on and off Amboyna &c.

Schedule N. 1.

	Sold for Rix Dlrs
Articles in the Government Cloth Winkle	13,969 16 -
Old Rice	15,840 - -
Do. Do.	100 - -
Condemned Stores found in the unserviceable Godown	1,105 - -
Marine Stores	3,976 - -
Do. — Do.	195 - -
Barrack and Hospital Cattle	1,278 16 - -
Guns belonging to Vessels sunk in the harbour of Amboyna	512 - - -
Brig Maswree which was sunk in the harbour of Amboyna when taken, but afterwards raised and sent to Government at the estimated value of 6000 Spanish Dollars but afterwards sold at Malacca for Spanish Dollars 1824	" " "
Cutters Gjat and Sans both Sunk in the same harbours and sold when under Water for	650 " "
Rix. Dollars..	

Lt. Arme

Kings Proctor..

Property and Vessels Captured on and off Amboyna &c.ª

Schedule N.º 2.

A Statement of treasure as delivered over by the Dutch Commissioners to the English Commissioners.—

Viz.ª from the Great Chest

In Silver Money ---------- 69.991 1.— —

By an obligation from Doctor of the 1.st Class Attyetenbroecke ---- 1,150 — —

The remains of a treasure Box broken open in the Emanuels battery — 76 16 —

Total in Silver 11,217 17 — —

In Paper

4 Pieces of 1000 Rix Dr.s each. 4,000

6 — Dr.s — 500 — Dr.s ——— 3000

96 — Dr.s — 100 — Dr.s ——— 9,600

100 — Dr.s ——— 10 — Dr.s ——— 1,000

200 — Dr.s ——— 5 ——— Dr.s ——— 1,000

Various of 20 ——— " ——— 1,600

" " 10 " 2,000

" " 5 " 1,800

" " 2 " 1,600

" " 1 " 2,100

" " 1/2 " 1,400

" " " " 275. 24.

——— 29,375 24.

In Copper Money ———————— 7,263 — —

Note. of this Copper 1400 Rix Dr.s belongs to private individuals it being in the Treasury for the purpose of being changed.

Viz.ª Little Chest

Silver ———————— 1,426 — — —

Copper ———————— 383 45 — —

Paper ———————— 10,541 — —

Delivered in by Mr. Maaris the Civil Paymaster

Silver ———————— 1,056 — — —

Paper ———————— 147 — — —

Silver Rix Copper Rix Paper Rix

Total 13,709 - 17 - 7646 - 45 - 40,069 - 64 ——— 121,419 98 — —

Rt. Orme

Property and Effects captured on & off Amboyna &c.

Schedule No. 3.

Treasure Accounted for after delivery to the English Commissioners

R. D. S. D.

By amount of Loans paid in Silver & Copper agreably to Articles of Capitulation — Copper belonging to individuals then in Treasury —	32,476	— —
By amount of Bills on Bengal Government in favor of the Captors —	1485	— —
By a Charge against the Captors —	47,396	— —
	59. 38	—
Total in Silver & Copper —	81,356	38 —
By Amount of Loans, paid in paper agreably to Articles of Capitulation —	9,500	— —
By Jewels purchased with Paper —	14,014	— —
By Amount remaining in the hands of the Resident of Amboyna until decided whether Paizo Property —	16,549	— —
Total of Paper —	40063	— —
Total of Silver and Copper 81,356. 38 in paper 40,063	12,419	38 —

R. Evans

Kings Proctor.

Property and Vessels Captured on and off Amboyna &c.

Schedule N°. 4.

1	Batuam Dawvers / this Vessel was lent to Gov.t at the estimated value of 8,000 Sp.h Dr.s and nothing has been received by the Prize Agent on her account /			
2	Batholgar / this Vessel was also lent to Gov.t at the estimated value of 10,000 Spanish Dollars, but the Prize Agent has only received 3008 Spanish Dollars /			
3	Margaretta Louisa	1,200		
4	Plamat	2,000		
5	Bouton	2,000		
6	Charlotte / this Vessel was sold with part of her Cargo but her hull may be estimated at	1,000		
7	Sala Sala / this Vessel was also sold with part of her Cargo, but her hull may be estimated at	1,000		
8	Johanna Carolina	1,600		
9	Padawakang /1/	2,66	32	
10	D'Elie	2,200		
11	Javan	600		
12	Juno / was restored to her Owner			
13	Padawakang /2/	150		
14	Recruiteur	9,600		
15	Engelina	1,600		
16	Bunga alias Houkito	10,80		
17	Madurese / the Money received on account of this Vessel is stated in Schedule N°. 1 to be Spanish Dollars 1,834 or	2,445	16	
18 19	Banda Craft	822		
20 21	Ajax, Sans / the value of these two Sunken Vessels is stated in Schedule N°. 1.	650		
		Rix Dollars		

R.t Crane
Kings Proctor.

Property and Vessels Captured on and off Amboyna &ca

Order of Adjudication.-

Vice Admiralty Prize Court Madras.-

Friday the 9th day of February 1812.

Before the Hon'ble Sir Thomas Andrew Strange Kt. Commissary & Judge of the said Court present Henry Gahagan Esquire Registrar.-

In the Business of certain Property taken on and off the Island of Amboyna and its Dependencies.- } By H.M. Ship Dover, Cornwallis and Samarang.-

The Kings Advocate Mr. Compton having been heard on behalf of the Captors praying Condemnation of the said Property as good and lawful Prize taken by H.M. said Ships, and the Affidavit of Captain Tucker with all the Ships and other papers annexed and referred to in the said Affidavit, and the Depositions of the Witnesses examined upon Special Interrogatories, with the Allegations filed on behalf of the Captors, as also the Supplemental Affidavit by the said Captain Tucker and the Articles of Capitulation of the said Islands together with the return made by Mr Greig of all the Articles recovered and saved by him from the Wreck of the said Ship Dover having been read, The Judge pronounced declared and Decreed that the Captors be allowed their Costs to be paid out of the proceeds hereafter mentioned, But that the Papers alledged to have belonged to the several Vessels in Question not being verified, nor any of the Captures brought in for examination, and the Vessels themselves with the rest of the Property referred to in the said Allegations having been, at or soon after the Capture of the said Island and its dependencies, without any necessity / so far as appears / converted and sold by the Captors on the Spot, and the proceeds of Sale only remitted within the Jurisdiction the same / deducting the said Costs to be paid to the Captors / be retained to abide the order thereon of the High

Court

Court of Admiralty in England and that accordingly Copies of all the Proceedings in this Court relative thereto be by the Registrar thereof transmitted to the Registrar of the said high Court of Admiralty. And that a Monition in the mean time do issue directed to W. B. Martin Esquire or the person or persons exercising the Powers of Government at Amboyna requiring him or them to monish & cite all persons having any right title or Interest in any of the said Vessels or other property aforesaid, forthwith to appear and to shew cause, if they have any, against the Condemnation thereof as good and lawful prize taken as aforesaid, before the said last mentioned Court. And it is further Ordered that a Commission do issue &c directed to Sebastian Wolfort Greig and Richard Bromley of Madras Esquires requiring them jointly and severally to expose to Sale and to Sell to the highest Bidder at Public Auction all the Effects and Articles recovered and saved from the Wreck of the said Ship Deaer from the Day of the Wreck up to the date of these presents the same being now, as appears, in the possession and Custody of the said Sebastian Wolford Greig, and to bring and deliver in the Sale proceeds thereof to the Registry of this Court on or before the thirtieth Day of March next ensuing, subject to any Claim of Salvage to be made thereupon.-

T. A. Strange.-

Property and Vessels Captured on and off Amboyna &c.

Monition to Amboyna.-

George the third by the Grace of God of the united Kingdom of Great Britain and Ireland, King Defender of the Faith to W. B. Martin Esquire or the person or persons exercising the Power and Authorities of Government at Amboyna Greeting

Whereas We have deputed the Honble Sir T. A. Strange Kt. Commissary and Judge of our Vice Admiralty Court Madras and the territories thereunto belonging and also to hear and determine all all manner of causes and Complaints as to Ships and Goods taken as Prize Specially Constituted and appointed in a certain business moved and prosecuted before him in our said Court on our behalf against certain Goods Merchandize and Treasure being publick Property as is alledged taken at the Island of Amboyna and its dependencies, Banca, Manippa, Saparoua, Haroeka, and Nassaw Last then Subject to the Batavian Republic and against the following Ships or Vessels and their respective Cargoes, that is to say, the Ship or Vessel Patnam Dawoers whereof Abdul Rachman was Commander, the Pathelgar whereof Syed Achmed dul Rachman was Commander, the Corvette Margaretta Lucia Commanded by St. Lee Reuter the Ship or Vessel Slamat whereof Moor Mohudeen Was Commander, the Bouton whereof Thos. Hicks was master the Charlotte whereof Liakimlong was Master, the Sala Sala, whereof Leisunsing was Master, the Armed Lugger Johanna Carolina Charles Jacobson was Commander the Padmakang whereof Deiers was master, the Brig Delie Commanded by Lt. J. Smith the Ship or Vessel Jawan whereof Lee Cutjang was Master, the Juno the Master whereof is unknown the Padmawank No. 2. whereof the Master is also unknown the Brig Recruiteurs Lt. Dirk Hagervaart Commanding the Brig Angelina Rofs Commanding the Ship or Vessel called the Bunga or Haukiko Whereof Haukiko was Master the Brig Madureee Lieut. Gustravus Commanding. Two Banda Proas the Masters Whereof are unknown the Ship or Vessel Ajax the Master Whereof is unknown the Ship or Vessel Jane the Master Whereof is also unknown, Seized and Captured at or off or near the said Islands or some or one of them by our Ships the Dover. Cornwallis and Samarang or by one or more of them whereof Edward Tucker, William Augustus Montague and Richard Spencer

Spencer Esquires were Severally Commanders and a Detachment of the East India Companys Troops Commanded by Captain Court of the said Companys Madras Artillery rightly and duly proceeding hath ordered and adjudged that the Sale proceeds of the said Property which were by the Captors remitted and sent within the Jurisdiction of our said Vice Admiralty Court be there retained to abide the order of our High Court of Admiralty in England and that accordingly Copies of all the Proceedings had and done before him in our Court at Madras aforesaid be transmitted to our said High Court of Admiralty of England and hath decreed all persons in General who have or pretend to have any Right title or Interest in the said Property or Vessels or any of them or the proceeds thereof to be manished Cited and Called to Judgment at the time and place undermentioned and to the Effect hereinafter expressed justice so requiring - We therefore Charge and Strictly enjoin and Command you jointly and severally that you omit not but that by affixing these Presents upon some Conspicuous part of some public Building in Fort Victoria at Ambegna aforesaid at the usual time of the public resort thither and by leaving thereupon affixed a true Copy or Copies thereof - you do manish and site or cause to be manished and cited peremptorily all persons in General who have or pretend to have any Right title or Interest in the said Property or Vessels or any of them or the said proceeds thereof or any of them forthwith to be and appear before us or our Judge of our High Court of Admiralty in England in the Common Hall of Doctors Commons situate in the Parish of Saint Benedicts near Pauls Wharf London there and there to shew and alledge in due form of law a reasonable and lawful cause if they have any why the said Property and Vessels should not be pronounced to have belonged at the time of the Capture to our Enemies or otherwise liable and subject to Condemnation to be adjudged and condemned as

good and lawful Prize seized and taken by our said Ships Dover, Cornwallis and Samarang as aforesaid and further to do and receive in this behalf as to justice shall appertain and that you duly intimate or cause to be intimated peremptorily unto all persons aforesaid in General (to whom by the Tenor of these presents we also intimate) that if they shall not appear at the time and place abovementioned or appearing shall not shew a reasonable and lawful cause to the Contrary our Judge of our said high Court or his Surrogate do intend and will proceed to adjudication in the said Captures and may pronounce that the said Property and Vessels did belong at the time of the Capture of the same to our Enemies and as belonging to our Enemies or otherwise liable and subject to Condemnation and Confiscation to be adjudged and Condemned as good and lawful Prize seized and taken by our Ships abovementioned the absence or rather Contumacy of the Persons so cited and intimated in any wise Notwithstanding and that you duly certify to our said Judge in our said Vice Admiralty Court at Madras or his Surrogate what you shall do in the Premises together until these Presents.

L. S.

Given at Madras in our aforesaid Court under the Seal of the same this 9th Day of February in the year of our Lord 1811 and of our Reign the 52d.

Harry Gahagan
Registrar

I do hereby Certify that the exigency of this Monition has been Complied with and that it has been duly affixed at the most public places of resort at the Island of Amboyna, and its Dependencies Ternate and Banda.-

(Signed) J. V. B. Martin
Resident

Fort Victoria
24th June 1813

To

H. Dahogan Esqre
Registrar to the Court of
Vice Admiralty
Madras.

Sir,

I have the honor to acknowledge the receipt of your Letter dated the 21st February 1812 together with the Monition which accompanied it. the requisition of which having been Complied with, it is herewith returned to you Certified in the Manner which you desired.-

I have the honor to be
Sir
Your Most Obedient Servant
(Signed) J. V. B. Martin
Resident

Fort Victoria
June 25th 1813

Ambayna

Copy Monition &

Property and Vessels Captured on and off Ambayna &c.

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George the Third by the Grace of God of the united Kingdom of Great Britain and Ireland King Defender of the Faith To all and Singular our Officers and Ministers and others our liege Subjects being literate persons whomsoever in and throughout our said United kingdom and other our foreign plantations and Dominions Greeting Whereas our beloved the Right Honorable Sir William Scott Knight Doctor of Laws our Lieutenant of the High Court of our Admiralty of England and in the same Court Official Principal & Commissary General and Special and President and Judge thereof and also to hear and determine all and all manner of causes and Complaints as to Ships and goods seized and taken as Prize Specially constituted and appointed in a certain business moved and prosecuted before him in our said Court on our behalf against all and singular the Ordnance Arms Artillery Stores and Ammunition Ships Goods Wares and Merchandizes Stores Treasure and effects being public property belonging to the Dutch Government or to the public trading Companies seized and taken at Ambayna & its dependencies and the Arsenals Forts and Batteries thereunto belonging at the time of the Surrender of the same to our Ships Dover Edward Lucker Esqr. Commander Cornwallis Willm. Augustus Montague Esqr. Commander and Samarang Richard Spencer Esqr. Commander having on board a detachment of the Honble East India Company's Artillery and the Madras European Regiment of Infantry under the Command of the said Captain Edward Lucker rightly and duly proceeding on the duty of the state thereof by his Intermediary Decree condemned all & singular the Ordnance Arms Artillery Stores and Ammunition Ships Goods Wares and Merchandizes Stores Treasure and Effects aforesaid as good and lawful Prize and at the Petition of our Procurator General alleging the Proceeds of the said property to be in the Hands of Henry Gahagan Esqr. acting Registrar of the Vice Admiralty Court at Madras decreed a monition to

issue

ſsue against the said Henry Dahagan to transmit the said proceed-
into the Registry of our aforesaid Court (Justice so requiring) We
do therefore strictly charge and command you jointly and severally that
you omit not by reason of any Liberty or Franchese but that you
Monish or cause to be monished peremptorily and personally the said
Henry Dahagan whom we monish by virtue of these presents that
he transmit or cause to be transmitted the proceeds of all and
singular the Ordnance Arms Artillery Stores and Ammunition
Ships Goods Wares and Merchandizes Stores Treasure and Effects
being public property late belonging to the Dutch Government
or to the public Trading Companies aforesaid taken and condemned
as before set forth and now remaining in his hands custody power
or possession into the Registry of our aforesaid High Court of
Admiralty of England situate in the Parish of Saint Gregory
near Doctors Commons London within fifteen Months
after Service of this Monition under pain of the law and
the peril which will fall thereon and that you duly certify
our said Judge or his Surrogate what you shall do in the
premises together with these presents.

Given at London in our
aforesaid Court under the
Great Seal thereof the 19th
Day of August in the year
of our Lord 1813 and of our
Reign the 53d. —

L S

Arden
Registrar.

56 The Brig Hope Continues from Page

Petition.-

To the Vice Admiralty Court at Madras
Prize Jurisdiction

In the Matter of the recapture
Ship the Hope - Charles Eaton
Master and part Owner.-

The Humble Petition of George Arbuthnot
John D'Monte and William M.c Taggart
of Madras Merchants and the other part owners of
the said Ship Hope..

Sheweth,

That your Petitioners have been informed and
believe that the said Ship the Hope was before her Capture, as
hereinafter is mentioned belonging to the Port of Calcutta and
was the Property of the Trustees of Messr.s Harvey Weatherall and
Co.a and of John Cook who severally insured their interest in the
said Ship on the 28.th July 1808 in the Calcutta Insurance Offic
on two several Policies of Insurance upon the Block of the said
Ship on a Voyage for four Months from Calcutta to all ports and
places subject to the Orders of Government.-

That afterwards while the said Ship was on the West Coast of
Sumatra and on the 1.st October then following she was as your
Petitioners believe captured in Pulo Bay by the Boats of the
French Frigate La Manche and carried to the Isle of France.-

That it appears that after such Capture the said several Owners
abandoned the said Ship to the underwriters who thereupon paid the
amount of the several Policies so effected on the Block of the said
Ship as for a total loss thereof.-

That it also appears on the Capture of the said Isle of France
the said Ship was taken in one of the Harbours of that Island
and was retaken when the said Island surrendered to the
British sent to reduce the same.-

That

That a Committee of the Members of the said Calcutta Insurance Company did by a certain Power of Attorney bearing date the 3d. September 1810 authorize & empower William Callie Learmouth to claim restitution of the said recaptured Ship on payment of Salvage as on reference to a Notorial Copy of such Power hereunto annexed will more fully appear.-

That the said William Calvin Learmouth did proceed to the said Isle of France, & under the authority of the said Power of Attorney did claim the said Ship the Hope, and agree to her being sold & accordingly she was sold to one Mr. Thomas Stewart of Port Louis in the said Island, as will more fully appear from the Certificate signed by the Prize Agent for the Captors of that Island and hereunto annexed.-

That the said Charles Eaton on the Joint account of himself and of your Petitioners afterwards purchased the said Ship from the said Thomas Stewart & brought her to the Roads of Madras within the Jurisdiction of this Court where she was seized by the Marshall of this Court.-

That by an Order of this Court bearing date the 5th. August last past it was ordered that the said Charles Eaton as Master & part owner as aforesaid should deposit in the Registry of this Court the Sum of Star Pagodas Eighteen thousand being the appraised value of the said Ship, and that after such Deposit should have been made the said Ship should be delivered to the said Charles Eaton.-

That your Petitioners were given to understand that the value of Eighteen thousand Pagodas in Company's Paper was the Security intended that they should lodge and which they would have lodged accordingly, but not having at that time any Company's paper by them they paid the Sum of Eighteen thousand Pagodas in Cash as a Deposit in the Hands of the

Registrar

Registrar there to remain as your Petitioners were informed without any deduction or abatement whatever as a security for the production of Satisfactory Vouchers to shew that the Salvage due to the Captors had been paid or secured.

Your Petitioners therefore humbly pray that the several Documents hereunto annexed may be accepted & received as Satisfactory Evidence that the Claims of Salvage is Satisfied and that an Order may issue directing the said Deposit to be redelivered & paid over to your Petitioners without any deduction or abatement whatever.-

And your Petitioners shall ever Pray.-

) W. Orme
Proctor

George Arbuthnot one of the Petitioners in the foregoing Petition, named, maketh Oath & saith that the contents of the said Petition are true in substance and matter of fact.-

Sworn at Fort Saint George
Madras this Day of
1812.

Before me } G. Arbuthnot.-

The Brig Hope – Continued

Port Louis Mauritius 20 Sept.r 1811.

We the undersigned appointed Prize Agents for the respective Captors at the Surrender of this Island to His Britannic Majestys Arms, Do hereby certify to all whom it may concern, That Mr. Thomas Stewart of this Town Merchant did on the 15th Day of February last actually pay into our hands the Sum of 14,000 Thousand Spanish Dollars being the price of the Ship Hope fixed and agreed upon as the sale thereof stood between the said Thomas Stewart Purchaser, William Colville Learmouth agent for the Calcutta insurance Company as Claimants, and we on the part of our said Constituents, which Sum was by mutual consent lodged in the Government Treasury at this Island until Adjudication shall take place, for the account of all concerned and having Interest in the said Ship, being a recapture in this Harbour at the Reduction of the Colony, and for which the said William Colville Learmouth has granted a Bill of Sale to the said Mr. Thomas Stewart. And further we do hereby certify that all the Papers necessary for adjudicating the said Ship Hope as well as all other Vessels Captured in this Harbour are lodged with one of Crowns Lawyers belonging to H. M. Vice Admiralty Court at the Cape of Good Hope.

(Signed) H. Fraser
Jas. Reed
J. Mackie
} Prize Agents

560 Power of Attorney &c.a Granted by the Calcutta insurance Company to William Calville Learmouth.-

I James Taylor Notary Public by Royal Authority duly admitted and sworn residing & practising in the Town of Calcutta in the Province of Bengal in the East Indies do hereby certify that in the Month of September last past at the request of the Committee of a certain Insurance Society established in Calcutta and called the Calcutta insurance Company, I did prepare a power of Attorney authorizing William Calville Learmouth then of Calcutta but shortly about to depart for the Islands of Rodrigues Bonaparte or Bourbon to claim certain Ships and Vessels which theretofore has been insured by the said Company captured by the French and taken to the Mauritius and which in consequence of an expedition then fitting out against the Mauritius were expected to be recaptured and that the said Power of Attorney was accordingly executed by the said Committee and I do further Certify that the Paper writing hereunto annexed is a true and faithful Copy of the Original Draft of the said Power of Attorney executed by the said Committee, I the said Notary having this Day Carefully examined the said Copy with the said Draft and found them to agree in every respect an act Whereof having been requested by James McTaggart Esquire the Secretary to the said Calcutta Insurance Company, I have granted the same under my Notorial form and Seal of Office to serve and avail as occasion shall or may require.-

L. S.

Done and passed at Calcutta aforesaid this 24th Day of August in the year of our Lord One thousand eight hundred & Eleven.

Jas. Taylor.
Notr. Pub.-

To all to whom these Presents shall come We whose hands and Seals are hereunto affixed being the Committee of a certain Insurance Company established at Calcutta in the Province of Bengal for the insurance of Ships and Vessels at Sea and going to Sea called the "Calcutta Insurance Company" Send Greeting Whereas on the 9th day of July in the year of our Lord 1808 a certain insurance by policy was effected by Charles Blaney of Calcutta Merchant with the said Calcutta Insurance Company upon the Body tackle apparel ordance, munitions Artillery Boat and other Furniture of the Ship Sir Lawrence Parsons burthen 500 Tons or thereabouts whereof was then Master James James for the sum of Sicca Rupees 20,000 from Madras to the Car Nicobars Pegue and Calcutta beginning the adventure from & immediately after the said Ship should depart from Madras aforesaid & so to continue & endure for 60 Hours after the Arrival of the said Ship at the port of Calcutta & Whereas the said Ship Sir Lawrence Parsons did shortly afterwards depart from Madras bound on her said intended Voyage and on the 22nd day of June then following whilst the said insurance was in full effect the said Ship Sir Lawrence Parsons was taken and captured at Sea by the French Privateer La Ballone commanded by certain persons belonging to the French Nation then at War with England and whereas after the said capture of the said Ship Sir Lawrence Parsons & in consequence thereof the said Charles Blaney did abandon all his right title & Interest whatsoever in and to the said Ship to the said Calcutta Insurance Company and did demand the sum of Sicca Rupees 20,000 & 400 from & which was accordingly paid by the said Calcutta insurance Company being as and for a total loss on the said insurance according to the terms thereof & Whereas on the 29th day of July in the year of our Lord 1808 a certain other insurance by policy was

Messrs. Harvey Weatherall and Company late of Calcutta Ship Builders with the said Calcutta insurance Company upon the body tackle, Apparel, ordnance, munition artillery boat and other furniture of the Ship Hope burthen 300 Tons or thereabouts whereof was then master John Cook for the Sum of Sicca Rupees 31,200 and 30 beginning the adventure from and immediately after the said 28th day of the said Month of July and so to continue and endure for 4 Calender Months from Calcutta to all ports and places and subject to the Orders of Government And whereas the said Ship Hope did depart from Calcutta on a Voyage to Bencoolen on the West Coast of Sumatra and on the 1st Day of October then following whilst the said insurance was in full effect the said Ship was taken and captured in Pulo Bay by the Boats of the French frigate La Manche Commanded by certain persons belonging to the French Nation then at War with England And whereas after the said capture of the said Ship Hope and in consequence thereof of the said Alexander Calvin did on behalf of himself and the said other Trustees of the said Messrs Harvey Weatherall & Co abandon their Right title and Interest in and to the said Ship to the said Calcutta Insurance Company and did demand the Sum of Sicca Rupees 30,600 and 23 from and which was accordingly paid by the said Calcutta Insurance Company being in and for a total loss on the said insurance according to the terms thereof And Whereas on the said 28th Day of the said Month of July in the said year 1800 a certain other insurance by policy was effected by John Cook mariner part Owner of the said Ship Hope with the said Calcutta insurance Company upon the body tackle Apparel Ordnance munitions Artillery boat and other Furniture of the said Ship Hope burthen 300 Tons or thereabouts whereof was then Master the said John Cook for the Sum of Sicca Rupees 18,700 and 30 beginning the

adventure

The Brig Hope — Continued

adventure from and immediately after the said 28th day of the said Months of July and so to continue and endure for 6 Calendar Months from Calcutta to all ports and places and subject to the Orders of Government And whereas the said Ship Hope did depart from Calcutta on a Voyage to Bencoolen on the West Coast of Sumatra & on the 1st day of Octr. then following whilst the said insurance was in full effect the said Ship was taken and Captured at Sea by the Boats of the French Frigate La Manche Commanded by certain persons belonging to the French Nation then at War with England, And whereas after the Capture of the said Ship Hope and in consequence thereof the said John Cook did abandon his right title & Interest in & to the said Ship to the said Calcutta insurance Company & did demand the Sum of Sicca Rupees 18,900 and 7/5 from and which was accordingly paid by the said Calcutta Insurance Company being as for a total loss on the said insurance according to the Terms thereof & Whereas on the 7th day of September in the said year 1808 a certain other insurance by policy was effected by Hugh Atkins Reed of Calcutta Merchant with the said Calcutta insurance Company upon the body tackle Apparel and ornance, munition &c boat and other Furniture of the Ship Henry Wellesley Artillery burthen 300 Tons or thereabouts whereof was the Master Williamson for the Sum of Sicca Rupees 50,000 beginning the adventure from and immediately after the 6th Day of September 1808 and so to continue and endure for three Calendar Months from Calcutta to all ports and places within the Company's Limits And Whereas the said Ship Henry Wellesley did depart from Calcutta on a Voyage to Madras on the Coast of Coromandel in or about the said Month of Septr. whilst the said insurance was in full effect the said Ship was taken and Captured at Sea by the French Privateer L'Hirondelle Commanded by certain persons belonging to the French Nation then at War with England, And whereas after the said Capture of the said Ship Henry Wellesley and

The Brig Hope — Continued.

in Consequence thereof the said Hugh Atkins Reed did abandon his right title and interest in and to the said Ships to the said Calcutta Insurance Company, and did demand the Sum of Sicca Rupees 49,000 from and which was accordingly paid by the said Calcutta insurance Company being as and for a total loss on the said Insurance according to the terms thereof. And whereas on the 9th day of September in the said year 1808 a certain other insurance by policy was effected by Messrs Hague Dawdeson and Co of Calcutta Merchants with the said Calcutta Insurance Company upon the body Tackle Apparel ordnance munition artillery boat and other Furniture of the Ship Calcutta burthen 400 Tons or thereabouts whereof was then Master George Dawdeson for the Sum of Sicca Rupees 33,000 beginning the adventure from and immediately after the 10th day of the said Month of September and so to continue and endure for four Calander Months to all ports and places within the Company's Limits And whereas the said Ship Calcutta did depart from Calcutta on a Voyage to Madras on the Coast of Coromandel and on the 23d day of September then following whilst the said insurance was in full effect the said Ship was taken & captured at Sea by the French Privateer Le Hirondelle commanded by Certain persons belonging to the french Nation then at War with England and whereas after the said Capture of the said Ship and in consequence thereof the said Messrs Hague Dawdeson and Company did abandon their right title and Interest in and to the said Ship to the said Calcutta Insurance Company and did demand the Sum of Sicca Rupees 33,000 and 900 from and which was accordingly paid by the said Calcutta Insurance Company as and for a total loss on the said Insurance according to the terms thereof. And Whereas an Expedition is now fitting out in the port of Calcutta for the reduction of the French Islands in India and in the event of the said Islands being captured it is probable that

that some or all of the said hereinbefore mentioned Ships may be
recaptured and also other Vessels and Goods which are or may
have been Captured by the Enemies of His Majesty and which
were insured abandoned to and paid for by the said Calcutta
Insurance Company. And whereas the said Calcutta Insurance Co.
Company in prospect of such recaptures are desirous of giving sufficient
powers and authorities to William Saltire Learmouth to Claim &
Restitution thereof from the Receptors on payment to them of
such Salvage as they are or shall be entitled to Now Know
Ye that for the better enabling the said Calcutta Insurance
Company and their Assigns to recover from the Receptors of the said
Ships hereinbefore named and also from the Receptors of all and every
other Ship or Ships goods or Merchandizes which may have been
Captured by the Enemies of His said Majesty and which were insured
abandoned to and paid for by the said Calcutta Insurance Company
or if and from such other person or persons whom it doth shall or may
concern We the said Committee of the said Calcutta Insurance Company
have and each and every of us hath made ordained nominated constituted
and appointed and by these Presents do and each and every of us doth
make ordain nominate constitute and appoint and in our place and
stead put and depute William Saltire Learmouth now of Calcutta
but shortly about to depart for the Islands of Rodrigues Bonaparte
or Bourbon our true and lawful Attorney and the Attorney of the
said Calcutta Insurance Company to ask demand sue for recover and
take possession as well of the said Ships hereinbefore named by
whatsoever Names or Name the said Ships may be now known or
distinguished as also all and every other Ship or Ships goods wares or Merchandizes
which may have been Captured by the Enemies of His said Majesty
and which were insured abandoned to and paid for by the said Calcutta
Insurance Company together with the tackle Apparel & Furniture
to the said Ships or either of them belonging or appertaining or in
case of their or any or either of them having been sold to ask demand
sue for recover and receive the proceeds of the said Ships and the said
Goods Wares and Merchandizes and so much and such parts or
proportions thereof as the said Calcutta Insurance Company are
entitled to from all and every persons or person in whose hands
the said proceeds may be but to and for the sole and only proper use
and benefit of the Members of the said Calcutta Insurance Company
either in his sir or their names or name or in the Names and name
of the Owner or Owners thereof and on refusal or non delivery
of the said Ships and premises by the person or persons whom it
doth

doth shall or may concern, or non payment of the proceeds thereof or such parts or proportions thereof as the said Calcutta insurance Company shall or may be entitled to in case they shall have been said such persons or person respectively to compel and oblige by all Lawful Ways and Means whatsoever & also for us and the said Calcutta Insurance Company and in their or our Names or Name or in the Name or Names of the said Owners or Owner of the said Ship or Ships to commence bring institute and prosecute any action suit Libel, or other usual and necessary proceedings or proceeding in any Vice Admiralty Court or other Court to having Jurisdiction over the Matter as to our said Attorney shall seem proper for obtaining the delivery and possession of the said Ships Goods Merchandizes and premises aforesaid or the proceeds thereof and to sign Seal and give Security Warrant, Proxy or other usual & proper Instruments or writings in the premises either in our Names or of the said Calcutta insurance Company or in his the said W. C. Learmouth's own Name and to appoint any Attorney or Attornies, Solicitor or Solicitors, Proctor or Proctors and advocates or other proper and necessary persons in the premises as to him the said W. C Learmouth shall seem proper or expedient in the Premises & also for the said Calcutta Insurance Company and in our Names and in our behalf or in the Name of our said Attorney to adjust settle & pay or to enter into any Agreement or Engagement with the person or persons whom it doth shall or may concern for the settling, adjusting and paying all & every the Salvage charges and expences of Recapture whatsoever due or payable or which may become due and payable for in respect of the said Ships Goods or Merchandizes any or either of them or the recapture thereof and also in the Name of the said Calcutta Insurance Company or in our Names or in the Name of our said Attorney to sign, seal execute & deliver any such Agreement or Engagement for that purpose as may be deemed necessary and expedient and to do all other acts in the premises as fully and effectually as we the said Committee or the Members of the said Calcutta Insurance Company could or might or ought to do were we or any of us personally present, And we the said Committee do and each and every of us doth further empower & authorize the said W. C. Learmouth to nominate one or more Attorney or Attornies under him for all or any of the purposes aforesaid as he shall think proper and we do and each of us doth hereby promise to ratify allow and confirm all whatsoever the said W. C. Learmouth or his Substitute or Substitutes shall or may lawfully do or cause & procure to be done in the premises by virtue of these Presents, In Witness whereof the said Committee have set their hands and seals this 8th Day of September in the year of our Lord 1810.

Sealed and delivered where no Stamps are used or to be had in the presence of ----------

/a true Copy/

J.C. Taylor

Notr Pub.

(Copy)

Calcutta, 4th September 1810.-

Captain W. C. Learmouth,

Sir/

The Committee of the Calcutta Insurance Company having thought proper to appoint you Agent on behalf of themselves & the Members of that Society, which by the deed of their Copartnership they are authorized to do, I have received the instructions of the Committee to furnish you with Copies of the several Policies which have been granted by the Society on Vessels Captured And to request that upon the Surrender of the Island of Mauritius which is confidently expected, And your finding there the Blacks of any Ships, which have been Captured, & which had been insured by the said Society, that you will immediately take all legal measures under the power you possess to reclaim the said Blacks from the Captors, paying the regulated Salvage for the same, at a fair valuation of the Vessels at the time and place of recapture, with respect to the disposal of the Ships which shall thus come into your possession, the Committee must necessarily depend on your good Judgment & discretion in adopting the measures which shall appear to be most for the advantage of themselves & the Society whom they represent, as to selling them on the Spot, or fitting them out and sending them back to India.- The Hon.ble Wellesly & Hope, the two Ships expected to be found at Mauritius, are Calcutta Built, & if their Sails have not been neglected & injured in consequence, they would in all probability meet with an Advantageous Sale here; but as is said in the letter will depend on the Amount of the Outset which fixed no, and of which you alone can be the best Judge, to Bills for the enclosed to be of opinion that it would be to transmit to me offer should be made at Mauritius- Committee propose allowing differently it is presumed, in proportion which the Ships shall be valued, proceeds of the Ships, with which they trust, you will be satisfied.

For your trouble
you 5 ℘ ct

I am
Sir
your Obedient Servant
/Sd/ J. McL. Taggart
Calcutta Insurance Co.

/a true Copy/
J McL. Taggart
Calcutta Insurance Company

The Baig Hope — Continued

Order &c.

Vice Admiralty Prize Court Madras

Friday the 24th of January 1812.
Before the Hon.ble Sir T. A. Strange
Kt. Commissary & Judge &c. present
Henry Gahagan Esquire Registrar.

In the Business of the Ship Hope Charles Eaton Master. } Recaptured at the Surrender of the Isle of France.

The Petition of George Arbuthnot John DeMonte and William McTaggart Merchants Part Owners of the said Ship and the Notarial Copy of the Power of Attorney and Letter of Instructions to W. C. Learmouth agent for the Calcutta insurance Company to whom the said Ship has been abandoned after Capture by the French Frigate La Manche &c. a certificate signed by the Prize Agents for the Captors of the Island of Mauritius having been read and the Kings Advocate having been heard in Support of the Prayer of the said Petition It is ordered that Six Months further time be given to the Owners of the said Ship to produce full and Satisfactory Proof as to the Property of the said Ship having been British Satisfier Claim of Salvage to the Recaptors at the has been duly paid and

Strange