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Block 7

Rack No.

Shelf No.

Serial No. 12

General No. 11921

218
349

1771
to
1772

a Court held at the Town Hall on Friday
the 26th day of December Anno Domini 1771

Present

John Hubbard Esquire Mayor
Thomas Pomeroy — Reynold Adams
Arthur Eastabrook — Edward Stacey
Francis Dunbar — Charles Smith
George Smith — John McPherson
John Sullivan — Aldermen

The Mayor and Messrs Aldermen Pomeroy, Adams, Dunbar, Eastabrook Smith, and George Smith being Interested go off the Bench and the Maces are taken away

Thos Pomeroy
vers
Reynold Adams and John Gaffelin Executors to the Estate of Edmund Wentworth deceased

Separate Rejoinder of Reynold Adams filed
Separate Rejoinder of John Gaffelin filed

Charles Devereux
vers
Reynold Adams and John Gaffelin Executors to the Estate of Edmund Wentworth deceased

Separate Rejoinder of Reynold Adams filed
Rejoinder of John Gaffelin filed

Peace to the Attorney General Bounty

Adams and John Gaffelin vers the Estate of Edmund Wentworth deceased

Separate Rejoinder of Reynold Adams filed
Rejoinder of John Gaffelin filed

Antonio de Souza
vers
Reynold Adams and John Goffelon Executors to the Estate of Edm
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Seperate Rejoinder of John Goffelon filed
Paul Benfield
vers
Reynold Adams and John Goffelon Executors to the Estate of Edm
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Seperate Rejoinder of John Goffelon filed
Thomas Pelling and John de Sines
vers
Reynold Adams and John Goffelon Executors to the Estate of Ed
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Seperate Rejoinder of John Goffelon filed
Frances Lourdan
vers
Reynold Adams and John Goffelon Executors to the Estate of
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Seperate Rejoinder of John Goffelon filed
Henry Brooke
vers
Reynold Adams and John Goffelon Executors to
Whalmough deceased
Seperate Rejoinder of Reynold Adams
Seperate Rejoinder of John Goffelon fil
Chocqueu Chitty
vers
Reynold Adams and John Goffelon Execu
Whalmough deceased
Seperate Rejoinder of Reynold Adams fil
Seperate Rejoinder of John Goffelon fil

John Holland and Edward John Holland
vers
Reynold Adams and John Goffelon Executors to the Estate of Edmund
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Seperate Rejoinder of John Goffelon filed
Edward Monckton
vers
Reynold Adams and John Goffelon Executors to the Estate of Edmund
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Seperate Rejoinder of John Goffelon filed
James Taylor
vers
Reynold Adams and John Goffelon Executors to the Estate of Edmund
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Seperate Rejoinder of John Goffelon filed
John Goffelon
vers
Reynold Adams and John Goffelon Executors to the Estate of Edmund
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Seperate Rejoinder of John Goffelon filed
Joannes Mercan
vers
Reynold Adams and John Goffelon Executors to the Estate of Edmund
Whalmough deceased
Seperate Rejoinder of Reynold Adams filed
Jacob Tonson
vers
Reynold Adams and John Goffelon Executors to the Estate of
Edmund Whalmough deceased
Seperate Rejoinder of Reynold Adams fil

Reynold Adams

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whalmough deceased.

Seperate Rejoinder of Reynold Adams filed

Seperate Rejoinder of John Goselin filed

Charles Smith and John Douglass Executors to the Estate of George Dolbin deceased

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whalmough deceased

Seperate Rejoinder of Reynold Adams filed

Seperate Rejoinder of John Goselin filed

Charles Smith

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whalmough deceased

Seperate Rejoinder of Reynold Adams filed

Seperate Rejoinder of John Goselin filed

The Mayor and Mess^rs Aldermen Powney, Adams, Jourdan, Charles Smith, and George Smith return to their Seats and the Maces are Replaced

Colasingana Chitty

vers

Adolphus Smith

Warrant of Arrest returned endorsed Not to be found The defendant Appears by his Attorney Mr Daniel Shaw The Attorney for the Complainant prays that the defendant may give Bail The defendant Offers to the Court Cundapah Shaw the Opposite Attorney Objects to as insufficient The said Cundapah thereupon makes Oath that he is justly and truly worth double the Sum sued for after all his Debts are paid and is Admitted as Bail for the defendt

Edward Eglenier

vers

Vaguenabaram

The Attorney for the Complainant Acquaints the Court that the Warrant of Execution prayed for the 8th October last and not before, and prays that it may now issue Ordered Accordingly

Mess^rs Aldermen Jourdan and George Smith bring Intended Jew off the Bo

Enzeddock Agrang

vers

John Burnell and William Benton

Rejoinder filed

Michael de Zahide

vers

John Burnell and William Benton

Deferred taking into Consideration the Petition and Answer &c thereto Court day when a full Court is Ordered to be summoned

Mess^rs Aldermen Jourdan and George Smith return to their Seats

Chocalingam Chitty

vers

Christian Van Teylengen

The Sheriff returns the Warrant of Execution issued against the Defendants Effects endorsed No Goods nor Chattels to be found within his District whereby he might levy the debt and Costs due to the Complainant or any part thereof

Warrant of Commitment prayed for and Granted

Antonio Johnson

vers

Cockspen

Summons returned served The Defendant does not Appear

To be Summoned again

Daniel Shaw

vers

Cundapah

The Sheriff returns the Warrant of Arrest thereon issued against the Defendants Effects endorsed No Goods nor Chattels to be found

The Mayor and Mess^rs Aldermen Charles Smith, Powney, Jourdan and George Smith being returned to the Court and their Seats are Replaced

Copy

George Mackay
vers
James Johnson

Issue joined

Day is Given the Parties till the 7th January next to Examine Witnesses

The Mayor and Mssrs Aldermen Charles Smith, Francis Saurdan, and George Smith returned to their Seats and the Mayor is replaced

Mr Alderman Charles Smith being interested goes off the Bench

George Mackay
vers
George Stretton and Charles Smith Attorneys to Claud Russell

The Attorney for the Complainant prays that a Warrant of Commitment may issue against the Defendants Bodies they not having satisfied such part of the Decree of this Court passed the 6th June last as was Confirmed by the Decree of the Court of Appeals 30th October last To which the Opposite Attorney Objects, alledging that the Defendants have not refused to Comply with such part of the Decree as has been Confirmed by the Court of Appeals, and which the Defendant Mr Charles Smith also asserts, and in Support thereof, He prays that the Correspondence that has passed between the Complainant and Defendant may be read The Court having taken the same into Consideration are of Opinion that reading the Correspondence is irregular, and it is therefore Resolved that it be not Complied with Ordered that a Warrant of Commitment do issue agreable to the Prayer of the Complainants Attorney

Petition of Mr Charles Brantley praying that he may be appointed one of the Attornies of this Court read a second time Heis Accordingly appointed, and as he is now ill Ordered that the Usual Oaths be Administered to him when he is able to Attend the Court

Mr Alderman Stacey desires that the Court will take into Consideration the following Question — Whether Special Replications should not in General be discontinued? The Court having taken the same into Consideration, As it has been the Constant Practice of this Court to Admit of Special Replications in all Suits whenever the Parties thought them Necessary, and as the discontinuing such Practice would in the Opinion of this Court debar the Parties from the Liberty of setting forth their Cases in so Clear and Plain a manner as to give the Court a Thorough insight into the Merits of the Suit The Court are therefore of Opinion that the Motion be Considered

Mr Stacey begs leave to enter his Dissent as follows

Because a Plain and clear Narrative of the Case of the party are required shewing the whole Ground of Action, may in my Opinion in General, be equally well contained in a Bill, as in a Bill and Replication

Because the Defendant, having by this Mode, the whole Ground of Action, before him, in the Bill, may in my Opinion, must Undoubtedly by being his whole Defence, as well within the Compass of an Answer, as in an Answer, and Rejoinder

Because a simple, but clear Narrative of the Case from both Parties, being thus obtained, in the Bill and Answer, the Matter, then rests upon Proof; and certainly needs no further special Pleadings, which in that Case, can only serve to Perplex

And above all, because it appears to me, that any one Lawyer in this Court, would Undoubtedly by this Mode, acquire speedier Possession of their Right, and the attainment of that Right be attended with less Expence, than before, both Matters of the highest importance to such Suitors

Ogden

The President and Council having by a Letter from their Secretary, bearing date the 9th Instant, signified to the Court that Isaac Smith Esq. to be Mayor for the ensuing Year, and the Charter having directed that he should be Sworn in on or before the 20th Instant, Recorder to Check the Mayor and Aldermen have not Attended The Court do Award to Acquaint the President and Council therewith The Citizens being returned acquainted the Court that the Mayor and Citizens ready to receive them, whereupon the Court went to the

Court

Note and Ceremony to the Council Board and Presented George Smith Esq[r]
as their Mayor for the ensuing Year. The President thereupon Administered
the Usual Oaths of Office and Allegiance to Him, afterwhich the Court
returned to the Town Hall, when George Smith Esq[r] took his Seat as Mayor
for the Town of Madraspatnam.

George Moubray Esq[r] is Appointed by the President and Council as Sheriff
for the ensuing Year.

Bill of Daniel Coyer with an Account Current annexed filed.

Tagapah Chitty to be Summoned.

The Sheriff presents to the Court Edward Lane as his Deputy. And
the Oaths of Allegiance, and Office, are Administered to Him.

Adjourned to Tuesday the 7th day of January next.

A Court Held at the Town Hall on Tuesday the 7th day of January Anno Domini 1772.

Present

George Smith Esquire Mayor

Thomas Powney — Reynold Adams

Arthur Cuthbert — Edward Bracey

Charles Smith — John M[c] Pherson &

John Sullivan — Aldermen.

Chocalinga Chitty

vers

Christian Jan Seylengen

Warrant of Commitment issued against the defendant's Body
returned endorsed Not to be found.

Antonio Johnson

vers

Certain

A further time till next day for the return of the Summons issued
against the defendant prayed for and Granted.

Daniel Coyer

vers

Tagapah Chitty

The Attorney for the Complainant Acquaints the Court that the Summons
prayed for last Court day did not issue, and prays that it may now issue.
Ordered Accordingly.

M[r] Alderman Charles Smith being Interested goes off the Bench.

George Mackay

vers

George Straton and Charles Smith Attorneys to Cazee Rajah M[o]

The Attorney for the Complainant Acquaints the Court, that the Defendants
have Satisfied the Complainant's demand, and that therefore the
Warrant of Commitment prayed for last Court day did not issue.

The Mayor Acquaints the Court, that upon reconsidering the Matter
respecting the Warrant of Commitment granted against the Defend-
ants, it Appeared to him, that the Precepts of the Court thereon had been
irregular, in not having first granted a Warrant of Execution against
the defendants Effects, and that he intended had the Warrant been
Applied for, to have called a Court between the days of Adjournment,
to take the same into Consideration, but as the Warrant had not
been Applied for, he had Deferred the Consideration, till this Day.
Deferred the Consideration of it till a new Court day, when a full Court
is Ordered to be Summoned.

Johnie Lawde Lawriston by his Attorney Charles Smith & Kaye

Cuyler Hault

vers

Paul Jardyn

After the time of One Month for the Return of the Warrant of Separation
Issued against the defendants Effects prayed for and Granted.

M[r] Alderman Charles Smith Returns to his Seat.

Daniel Brown

vers

Pabapparmanah

The Register Reports to the Court that the Complainant
Request Costes Warrant issued accordingly

the Stays for the Defendants Release

Salvador da Graca

vers

John Abenborough

A Letter from the Clerk of the Court of Appeals Read setting forth that the Complainant in this Cause had appealed from the Decree of this Court passed the 10th Inst. last.

Ordered that the Proceedings in this Cause be sent to the Court of Appeals.

Ignacio Pereira

vers

John Abenborough

A Letter from the Clerk of the Court of Appeals read, setting forth that the Complainant in this Cause had Appealed from the Decree of this Court passed the 10th day of December last

Ordered that the Proceedings in this Cause be sent to the Court of Appeals.

Morgan Williams &c. &c. &c.

vers

Nayden

Bill with an Account Current annexed filed Edmund the days of Adjournment Summons issued thereupon returned served.

The Defendant Appears.

Ninah Chitty

vers

Jergen Hertz

Further day is Given the Parties till the 8th Inst. to Examine Witnesses. The Attorney for the Complainant prays that the Examiner may be permitted to surrender up to him the Papers and Cash as Exhibits, Exhibited to him, & Ordered that he may be able to examine some Witnesses thereon at Cuddalore.

Ordered Accordingly.

The Mayor and Mess.rs Aldermen Powney, Charles Smith and John Holland being Interested go all the Bench and the Mace are taken away

Charles Smith

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Issue joined

Day is Given the Parties till the 8th Inst. to Examine Witnesses

Charles Smith and John Douglas Executors to the Estate of Edmund Whalmough deceased

Issue joined

Day is Given the Parties till the 8th Inst. to Examine Witnesses

John Gosselin

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Issue joined

Day is Given the Parties till the 8th Inst. to Examine Witnesses

John Gosselin

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Issue joined

Day is Given the Parties till the 8th Inst. to Examine Witnesses

Joannes Marcar

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Issue joined

Day is Given the Parties till the 8th Inst. to Examine Witnesses

Jacob Sinnan

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Issue joined

Day is Given the Parties till the 8th Inst. to Examine Witnesses

Lapsed

John Holland and Edward John Holland

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Antonio de Souza

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Charles Desmoulex

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

James Taylor

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Thomas Pomroy

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Frances Sowdan

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Thomas Pilling and John de Fries

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Paul Bousfield

vers

Reynold Adams & John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Edward Manchton

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Henry Brooke

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Frances Peacock by his Attorney Charles Bromley

vers

Reynold Adams & John Goselin Executors to the Estate of Edmund Whatmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Chocapash Chitty

vers

Reynold Adams and John Goselin Executors to the Estate

Edmund Whalmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Reynolds Adams

vers

Reynolds Adams and John Gofselin Executors to the Estate of Edmund Whalmough deceased

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

The Mayor and Messrs Aldermen Powney, Charles Smith, and John Holland return to their Seats and the Maces are replaced

Cota Singanah Chitty

vers

Adolphus Smith

Day is Given the defendant till the 11th Instant to Answer the Complainants Bill

Samuel Foxcraft

vers

Tolanny Vincadashen

Et Contra

Replication filed

Cross defendants Answer sworn to in Court filed

The Attorney for the Complainant prays leave to examine some Material Witnesses who are about to depart the Jurisdiction of this Court, Ordered Accordingly

Samuel Foxcraft

vers

Rangupatten Nundeah

Replication filed

Cross Defendants Answer sworn to in Court filed

The Attorney for the Complainant prays leave to examine some Material Witnesses who are about to depart the Jurisdiction of this Court, Ordered Accordingly

The

The United English East India Company by their Agents Lewis Da Pre Esqr & Sea Council

vers

John Wood

The Attorney for the defendant prays leave to Amend his Answer which is Granted, Amended Answer sworn to in Court filed General Cross Bill filed, The United Company to be Summoned

The United English East India Company by their Agents Lewis Da Pre Esqr Sea Council

vers

John Wood

The Attorney for the Defendant prays leave to Amend his Answer which is Granted, Amended Answer sworn to in Court filed General Cross Bill filed, The United Company to be Summoned

The United English East India Company by their Agents Lewis Da Pre Esqr & Sea Council

vers

John Wood

The Attorney for the defendant prays leave to Amend his Answer, which is Granted, Amended Answer sworn to in Court filed General Cross Bill filed, The United Company to be Summoned

Jacob Johnson

vers

Jackanah

The Attorney for the Complainant prays that a Mandamus for Correction may issue against the defendants Effects, Same having subpoed the Decree of this Court passed the 2d September 1769 Granted, Returnable in one Month

Petrus Thomas

vers

Tolanda Vincadashen Ranuloy

Further Days given the Parties till the 11th Instant to be Summoned Witnesses

The Mayor being Returned to the Chair and the Maces replaced

Ordered

away

Shaddock Symons

vers

John Burnell and William Benton

Issue joined

Day is Given the Parties till the 11th Instant to Examine Witnesses

Beam Syrang

vers

John Burnell and William Benton

Issue joined

Day is given the Parties till the 11th Instant to Examine Witnesses

The Mayor returns to his Seat and the Maces are Replaced

The Mayor and Messrs Aldermen Charles Smith and John Holland being Interested go. off the Bench and the Maces are taken away

George Mackay

vers

James Johnson

Further day is Given the Parties till the 11th Instant to Examine Witnesses.

The Mayor and Messrs Aldermen Charles Smith and John Holland return to their Seats, and the Maces are Replaced

John Young

vers

Moody

Bill with an Account Current annexed filed — The Attorney for the Complainant prays that a Summons Returnable immediately and a Warrant of Arrest may issue against the Defendant Moody, on his Clerk's making Oath to the justness of the Demand, and of his having reason to believe that the Defendant will Abscond from the Jurisdiction of this Court upon his being Served with a Summons — The Complainant having made Oath as above — Ordered that a Summons returnable immediately and a Warrant of Arrest do issue.

James Thorn

vers

Abner Hinchcliffe and Comrade

Summons returned Served — The Defendant does not Appear

Warrant of Arrest prayed for and Granted

Abraham Labor

vers

Sydaporam Andeapah

Summons returned endorsed Not to be found

A Second Summons returnable one month Hence prayed for and Granted

Johannes Peter Passmore

vers

Collanday

Summons returned served — The Defendant does not Appear

To be Summoned again

Sungannah Chitty

vers

Mathias Calvert

A Note from the Examiner to the Register read, Accompanying the Depositions in this Cause, and setting forth that Chinna Tunny Cundapah Chitty, and Shake Alley, two of the Witnesses Summoned on the part of the Complainant, did not appear to be examined, being up the Country — That Pennaul Moodeliar Summoned on the part of the Defendant is dead — That Naramah is gone up the Country without examination — That Tahnapah is gone up the Country without signing his Deposition, and Pennaul Chinna without being examined

Thomas Pilling and John de Tires

vers

Adolphus Smith

Warrant of Commitment returned endorsed not to be found

William King

vers

Shake Rajeran

Ordered with the Consent of the Parties that the Petition dated the 10th to be determined upon Proofs and

Affidavits

William Cornish by his Attorney Thomas Rathbone
vers
Shake Ruspan
Ordered with the Consent of both Parties that the Petition be set down to be
determined as it now stands
Michael de Lahide
vers
John Burnell and William Benton
Deferred taking into Consideration the Petition and Answer till next
Court day when a full Court is Ordered to be Summoned
Bill of James West filed
Francis Plot to be Summoned

Adjourned to Tuesday the 18th Instant

A Court Held at the Town Hall on Tuesday the 18th day
of January Anno Domini 1772

Present
George Smith Esquire Mayor
Thomas Downey — Arthur Cuthbert
Edward Tracey — Charles Smith
John McPherson — & John Sullivan
Aldermen

Antonio Johnson
vers
Coolapoon
Summons returned served The Defendant does not appear
Warrant of Arrest prayed for and Granted
Daniel Cayer
vers
Teagapah Chiby
The Attorney for the Complainant Acquaints the Court that the Summons
prayed for last Court day did not issue and prays that it may now
issue
Ordered Accordingly

The United English East India Company by their Agents &c
Dr Pr Ests &c in Council
vers
John Wood
Et Contra
Summons issued against the Corps Defendants returned served The
Defendants Appear by their Attorney Mr Ethen Sykes
John Doe and Richard Roe become Bail for the Personal Appearance
of the Defendants or to Answer all Costs and Damages
James West
vers
Francis Plot
The Attorney for the Complainant acquaints the Court that the Summons
prayed for last Court day did not issue, and prays that it may now
Ordered Accordingly
John Turing
vers
Moorty
Summons returnable immediately and a Warrant of Arrest issued against
the Defendants Body returned served Mooty and John Doe become Bail
for the Personal Appearance of the Defendant &c to Answer all Costs and
damages taken and Acknowledged before the Mayor, and that thereupon
a Counter Warrant issued Under the Hand and Seal of the Mayor for the
Defendants Release
Daniel Shaw
vers
Shaw Minapah and Cannapah
The Attorney for the Complainant Acquaints the Court that the Warrant
of Arrest prayed for last Court day did not Issue, and prays that it
may now Issue Ordered Accordingly
Johannes Peter Pajenaire
vers
Columbian
The Attorney for the Complainant Acquaints the Court that the Summons
prayed for last Court day did not Issue, and prays that it may now
Ordered Accordingly

William Cornish by his Attorney Thomas Pratt

vers

Nicholas Parley Executor to the Estate of Robert Parley deceased

vers

Mundata Incatarama

Warrant of Arrest prayed for and Granted

Michael de Resurrection and Ursula his Wife Administrator and

Administratrix to the Estate of Bartholomew Poulton deceased

vers

Charles de Sayde

Of Ventra

Further day is Given the Parties till the 11th day of February next to

Examine Witnesses, in default of which Publication will pass in this Cause

A further time of one Month for the return of the Commission issued to

Inchinoply for the examination of Witnesses in these Causes prayed for

and Granted

Randall

vers

William Johnson

Warrant of Attachment against the Complainant for Contempt in not

praying his Attorneys Stipulated fees prayed for and Granted

Ninath Chitty

vers

Jorgen Hertz

Further days is Given the Parties till the 21st Instant to Examine Witnesses

The Mayor and Messrs Aldermen Pomeroy, Charles Smith, and John Holland

being Interested go off the Bench and the Mace is taken away

Charles Smith and John Douglas Executors to the Estate of George Dalbin deced

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Charles Smith

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

John Holland and John Edward Holland

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Antonio da Souza

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

James Taylor

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Charles Desvoeux

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further Days is Given the Parties till the 21st Instant to Examine Witnesses

Thomas Pinney

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Francis Saunders

vers

Reynold Adams and John Gosselin Executors to the Estate of

Edmund Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine

Thomas Pilton and Johnson Jones

vers

Reynold Adams and John Gosselin Executors to the Estate

Edmund Whatmough deceased

Further days Given the Parties till the 21st Instant to Examine Witnesses

Sir Love Parley Administratrix to the Estate of John Parley deceased

vers

Mundala Tencataramah

Warrant of Arrest prayed for and Granted

Michael de Resurrection and Ursula his Wife Administrator and

Administratrix to the Estate of Bartholomew Roulim deceased

vers

Charles de Sande

Et Contra

Further day is Given the Parties till the 11th day of February next to

Examine Witnesses, in default of which Publication will pass in this Cause

& further time of one Month for the return of the Commission is granted to

Torchin esqr for the examination of Witnesses on these Causes prayed for

and Granted

Ramnath

vers

William Johnson

Warrant of Attachment against the Complainant for Contempt in not

paying his Attorney's Stipulated fees prayed for and Granted

Nimah Chitty

vers

Jorgen Hertz

Further days is Given the Parties till the 21st Instant to Examine Witnesses

The Mayor and Mess^rs Aldermen Powney, Charles Smith and John Holland

being Interested go off the Bench and the Maces are taken away

Charles Smith and John Douglas Executors to the Estate of George Dalbiac decd

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Charles Smith

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

John

John Holland and John Edward Holland

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Antonio da Souza

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

James Taylor

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Charles Desmoulet

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further Days is Given the Parties till the 21st Instant to Examine Witnesses

Thomas Powney

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Further day is Given the Parties till the 21st Instant to Examine Witnesses

Francis Lourdan

vers

Reynold Adams and John Gosselin Executors to the Estate of

Edmund Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Wit

Thomas Pilling and John de Frees

vers

Reynold Adams and John Gosselin Executors to the Estate of

Edmund Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witne

Peter

Paul Benfield

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased.

Further day is Given the Parties till the 21st Instant to Examine Witnesses

Edward Monckton

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased

Further day is Given the Parties till the 21st Instant to Examine Witnesses

Henry Brooke

Vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Francis Peacock by his Attorney Charles Bromley

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased

Further Days is Given the Parties till the 21st Instant to Examine Witnesses

Chocapah Chitty

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased

Further Days is Given the Parties till the 21st Instant to Examine Witnesses

John Gofselin

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased

Further Days is Given the Parties till the 21st Instant to Examine Witnesses

John Gofselin

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased.

Further

Further Days is Given the Parties till the 21st Instant to Examine Witnesses

Reynold Adams

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Joannes Marcar

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceand

Further days is Given the Parties till the 21st Instant to Examine Witnesses

Jacob Simon

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund Whatmough deceased

Further day is Given the Parties till the 21st Instant to Examine Witnesses

The Mayer and Messrs Aldermen Powney, Charles Smith, and John Holland returned to their seats and the Mayer are Replaced

Colachingana Chitty

vers

Adolphus Smith

Further days is Given the defendant till the 21st Instant to answer the Complainants Bill

James Mest

vers

Alaccatoor Sacanam, Cathoor Poothary, Alaccatoor Chinna Thavarasooloo & Chingasana Chitty Krishnamaugh

Will answer the defendants having no Attorney

Morgan Williams by his Attorney James Lodges

vers

Nayden

Days is Given the defendant till the 21st Instant to Answer the Complainants Bill

John

John Debonaire by his Attorney Reynold Adams

vers

Jeagapah Chitty

Replication filed

Beaun Syrang by his Attorney Narain Syrang

vers

John Burnett and William Benton

Rejoinder filed

Thomas da Lascar

vers

John Burnett and William Benton

Replication filed

Cottar Nainain Chitty

vers

Paul Benfield

Further Days is Given the Parties to the 21st Instant to Examine Witnesses
The Mayor and Mess.rs Aldermen Charles Smith and John Holland being
Interested goes off the Bench and their Maces are taken away

George Machan

vers

James Johnson

Further Days is Given the Parties to the 21st Instant to Examine Witnesses
The Mayor and Mess.rs Aldermen Charles Smith and John Holland returns
to their Seats and their Maces are Replaced

Francisco Joze

vers

Govindoo

Further Days is Given the Defendant to the 21st Instant to Answer
the Complainants Bill

Reynold Adams

vers

Gopaul Chitty Sarvaiay

Warrant of Arrest prayed for and Granted

Lewis

Lewis da Costa by his Attorney Reynold Adams

vers

Francis Le Seguet

The Attorney for the Complainant Acquaints the Court that the Warrant
of Sequestration prayed for did not issue and prays that it may now
issue — Ordered Accordingly

Lewis da Costa by his Attorney Reynold Adams

vers

Francis Le Seguet

The Attorney for the Complainant Acquaints the Court that the Warrant
of Sequestration prayed for did not issue, and prays that it may now
issue — Ordered Accordingly

John Leonhard Fix by his Attorney Lewis da Costa by his Attorney
Reynold Adams

vers

Francis Le Seguet

The Attorney for the Complainant Acquaints the Court that the Warrant
of Sequestration prayed for did not issue, and prays that it may now
issue — Ordered Accordingly

Lewis da Costa Attorney to Major De la Garde by his Attorney
Reynold Adams

vers

Francis Le Seguet

The Attorney for the Complainant Acquaints the Court that the
Warrant of Sequestration prayed for did not issue, and prays that
it may now issue — Ordered Accordingly

William Rouse

vers

James Bryant

Warrant of Arrest returned served — The Defendant is bound
to Court — The Attorney for the Complainant prays that the Bail bond
— and may give Bail — The Defendant having no Bail to
produce is Ordered to remain in the Custody of the Provost

John Debonnaire by his Attorney Reynold Adams
vers
Teagapah Chitty
Replication filed
Beaneshyrang by his Attorney Nanan Shyrang
vers
John Burnell and William Benton
Rejoinder filed
Thomas de Lascar
vers
John Burnell and William Benton
Replication filed
Cotta Nanan Chitty
vers
Paul Benfield
Further Days is Given the Parties to the 21st Instant to Examine Witnesses
The Mayor and Mess.rs Aldermen Charles Smith and John Holland being
Interested goes off the Bench and the Maces are taken away
George Mackay
vers
James Johnson
Further day is Given the Parties to the 21st Instant to Examine Witnesses
The Mayor and Mess.rs Aldermen Charles Smith and John Holland are to
to their Seats and the Maces are Replaced
Francisco Jose
vers
Govindoo
Further day is Given the Defendant to the 21st Instant to Answer
the Complainants Bill
Reynold Adams
vers
Gopaul Chitty Serreny
Warrant of Arrest prayed for and Granted

Lewis

Lewis da Costa by his Attorney Reynold Adams
vers
Francis de Sequeil
The Attorney for the Complainant Acquaints the Court that the Warrant
of Sequestration prayed for did not issue and prays that it may now
issue — Ordered Accordingly
Lewis da Costa by his Attorney Reynold Adams
vers
Francis de Sequeil
The Attorney for the Complainant Acquaints the Court that the Warr.t
of Sequestration prayed for did not issue, and prays that it may now
issue — Ordered Accordingly
John Leonhard Thix by his Attorney Lewis da Costa by his Attorney
Reynold Adams
vers
Francis de Sequeil
The Attorney for the Complainant Acquaints the Court that the Warr.t
of Sequestration prayed for did not issue, and prays that it may
now issue — Ordered Accordingly
Lewis da Costa Attorney to Magar De la Garde by his Attorney
Reynold Adams
vers
Francis de Sequeil
The Attorney for the Complainant Acquaints the Court that the
Warrant of Sequestration prayed for did not issue, and prays that
it may now issue — Ordered Accordingly
Sullevan Revue
vers
James Bryant
Warrant of Arrest returned served — The Defendant is not to be found
to Court — The Attorney for the Complainant prays that Writ of Attachment
may issue — Ordered Accordingly

Mr Charles Bromley who is Appointed one of their Attornies of this Court Appears and the Oaths of Allegiance and Office are Administred to him Agreable to a Resolution of 20th December last

Michael de Lahide

vers

John Burnell and William Benton

The Attorney for the Petitioner being indisposed, Deferred taking into Consideration the Petition and Answer till next Court day when a full Court is Ordered to be Summoned

Mr Alderman Charles Smith being Interested goes off the Bench

George Machary

vers

Charles Smith and George Shatton Attornies to Claud Rasell

Deferred the Consideration of the Motion made by the Mayor last Court Day, till Tuesday next when a full Court is Ordered to be Summoned

Mr Alderman Charles Smith returns to his Seat

Adjourned to Tuesday the 21st Instant

Halcourt Held at the Town Hall on Tuesday the 28th day of January Anno Domini 1772

Present

George Smith Esquire Mayor
Thomas Pomroy — Reynold Edwards
Arthur Culbert — Edward Stacey
John Holland — John McPherson
John Sullivan — Aldermen

Antonio Johnson

vers

Costafeen

The Attorney for the Complainant Acquaints the Court that the Warrant of Arrest prayed for last Court day did not issue, and prays that it may now issue

Ordered Accordingly

Daniel Cryer

vers

Teagahan Cubby

The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court day did not issue, and

James West

vers

Francis Pet

Summons returned served The Defendant does not appear To be Summoned again

Daniel Shean

vers

Alsou Monahan and Connahan

The Attorney for the Complainant Acquaints the Court that the Warrant of Arrest prayed for last Court day did not issue, and prays that it may now issue

Ordered Accordingly

Johannes Peter Pafsmore

vers

Collanday

The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court day did not issue, and prays that it may now issue

Ordered Accordingly

Erskine Risley Administrator to the Estate of Isaac Risley Deceased

vers

Mundella Concatenanole

The Attorney for the Complainant Acquaints the Court that the Warrant of Arrest prayed for last Court day did not issue, and prays that it may now issue

Ordered Accordingly

Ramsay

vers

Williamson Winson

The Attorney for the Complainant acquaints the Court that the Warrant of Attachment prayed for against this Clients Body did not issue and prays that it may now issue.
Ordered Accordingly

Ninah Chitty
vers
Jergen Hertz
Further Dayes Given the Parties till the 28th Instant to Examine Witnesses

Louchelea Rouzet
vers
Daniel Shaw
Ordered that this Cause be set down for Hearing

William Rain
vers
James Bryant
Dayes Given the Defendant till the 28th Instant to Answer the Complainants Bill

Colla Nerrain Chitty by his Attorney Hendrick Chitty & Pathmanaba Chitty
vers
Paul Bemfield
Further Dayes Given the Parties till the 28th Instant to Examine Witnesses

John Debonaire
vers
Sandavarayen Pillai and Chacanah Pillai
The Attorney for the Petitioner Edmund Pascal prays leave to Withdraw the Petition — By the Consent of both Parties, Ordered that the said Petition with the Proceedings thereon be Withdrawn

Samuel Foudrick
vers
Solamey Vincadachen
of Pondicherry
Dayes Given the Original defendant till the 28th Instant to Rejoin in default whereof the Cause will be heard ex parte

Proceedings Broadwhat
Dayes Given the Cross Complainant till the 28th Instant to Reply in default of which this Cause will be Heard on Bill and Answer
The Attorney for the Original defendant and Cross Complainant prays that the Original Charter Party of Affreightment may be by the Original Complainant and Cross defendant delivered in to Court — Ordered Accordingly

Samuel Foudrick
vers
Ramapullay Nundeah
of Pondicherry
Dayes Given the Original defendant till the 28th Instant to Rejoin in default of which this Cause will be heard on the Proceedings already had
Dayes Given the Cross Complainant till the 28th Instant to Reply in default of which this Cause will be heard on Bill and Answer
The Attorney for the Original defendant and Cross Complainant prays that the Original Charter Party of Affreightment may be by the Original Complainant and Cross defendant delivered in to Court — Ordered Accordingly

John Debonaire
vers
Teagapah Chitty
Dayes Given the defendant till the 28th Instant to Rejoin in default of which this Cause will be Heard on the Proceedings already had

Colasingamah Chitty
vers
Adolphus Smith
Further dayes Given the defendant till the 28th Instant to Answer the Complainants Bill in default of which the Answer will be taken for the Complainant

Morgan Williams by his Attorney James Lodge
vers
Sanders

Parties

Further Days are Given the Defendant till the 28th Instant to Answer the Complainants Bill

John Turney

vers

Moody

Days is Given the Defendant till the 28th Instant to Answer the Complainants Bill.

The Mayor and Aldermen Powney, Reynold Adams, and John Holland being interested ceas off the Bench and the Cause is taken away

Charles Smith and John Douglas Executors to the Estate of George Dillon

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Charles Smith

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

John Holland, and John Edward Holland

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further day is Given the the Parties till the 28th Instant to Examine Witnesses

Antonio de Souza

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further Days is Given the Parties till the 28th Instant to Examine Witnesses

James Taylor

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Charles Desvaux

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Powney

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Francis Jourdain

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Pilling and Thomas Fries

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Paul Benfield

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Edward Monckton

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund Whitmough deceased

Further Days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Brooke

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund

Witnesses

Further days is Given the Defendant till the 28th Instant to Answer the Complainants Bill

John Turney

vers

Moorty

Days is Given the Defendant till the 28th Instant to Answer the Complainants Bill

The Mayor and Mess.rs Aldermen Powney Reynold Adams and John Holland being interested goes off the Bench and the Maces are taken away

Charles Smith and John Douglas Executors to the Estate of George Dolbee

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Charles Smith

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 21st Instant to Examine Witnesses

John Holland, and John Edward Holland

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the the Parties till the 28th Instant to Examine Witnesses

Antonio da Cruza

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

James Taylor

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Charles Desvoeux

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Powney

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Francis Jourdain

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Kinng and Thomas Jones

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Paul Benfield

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Edward Monckton

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whitmough deceased

Further Days is Given the Parties till the 28th Instant to Examine Witnesses

Henry Brooke

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund Whitmough

Further Day is Given the Defendant till the 28th Instant to Answer
the Complainants Bill

John Tuomy

vers

Moonty

Day is Given the Defendant till the 28th Instant to Answer the
Complainants Bill

The Mayor and Mess.rs Aldermen Penney, Reynold Adams, and John
Holland being interested goes off the Bench and the Rules are taken away

Charles Smith and John Doughty Executors to the Estate of George Dolbin

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Charles Smith

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

John Holland, and John Edward Holland

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further days is Given the the Parties till the 28th Instant to Examine
Witnesses

Antonio da Cuza

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Francis Layton

vers

Reynold Adams and John Coffelin Executors to the Estate of
Edmund Whalmough deceased

Further

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Charles Edwards

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Penney

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Francis Jourdan

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Pilling and Thomas de Fries

vers

Reynold Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses,

Paul Benfield

vers

Reynolds Adams and John Coffelin Executors to the Estate of Edmund
Whalmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Edward Menechton

vers

Reynolds Adams and John Coffelin Executors to the Estate of
Edmund Whalmough deceased

Further Days is Given the Parties till the 28th Instant to Examine Witnesses

Ramsay Parker

vers

Reynolds Adams and John Coffelin Executors to the Estate

Further days is Given the defendant till the 28th Instant to Answer
the Complainants Bill

John Sweeny

vers

Moody

Days is Given the defendant till the 28th Instant to Answer the
Complainants Bill

The Mayor and Most Worll Aldermen Penny, Reynold & Adams, and John
Holland being inthronised goes off the Bench and the Mace are taken away

Charles Smith and John Douglas Executors to the Estate of George Dolbee

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Charles Smith

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

John Holland, and John Edward Holland

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further days is Given the the Parties till the 28th Instant to Examine
Witnesses

Antonio da Cunza

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

James Taylor

vers

Reynold Adams and John Gosselin Executors to the Estate of
Edmund Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Charles Devereux

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Penney

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Francis Jourdain

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Pilling and Thomas Tries

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Paul Benfield

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whitmough deceased

Further days is Given the Parties till the 28th Instant to Examine Witnesses

Edward Monckton

vers

Reynold Adams and John Gosselin Executors to the Estate of
Edmund Whitmough deceased

Further Days is Given the Parties till the 28th Instant to Examine Witnesses

Thomas Burke

vers

Reynolds Adams and John Gosselin Executors to the Estate of
Whitmough

Whitmough deceased

Further day is Given the Parties till the 28th Instant to Examine Witnesses

Francis Peacock by his Attorney Charles Bromley

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whitmough deceased

Further dayes Given the Parties till the 28th Instant to Examine Witnesses

Chocapah Chitty

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whitmough deceased

Further dayes Given the Parties till the 28th Instant to Examine Witnesses

John Gosselin

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whitmough deceased

Further dayes Given the Parties till the 28th Instant to Examine Witnesses

John Gosselin

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whitmough deceased

Further dayes Given the Parties till the 28th Instant to Examine Witnesses

Reynold Adams

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whitmough deceased

Further dayes Given the Parties till the 28th Instant to Examine Witnesses

Soumares Mercier

vers

Reynold Adams and John Gosselin Executors to the Estate of

Edmund Whitmough deceased

Further dayes Given the Parties till the 28th Instant to

Examine Witnesses

Jacob

Jacob Lemon

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Whitmough deceased

Further dayes Given the Parties till the 28th Instant to Examine Witnesses

Per Mayor and Messrs Aldermen Pawney, Reynold Adams and John Hollwell

return to their Seats and the Mace are Replaced

Per Mayor being Interested goes off the Bench and the Mace are taken away

Hovius & Lasseur

vers

John Burnell and William Benton

Issue joined

Days Given the Parties till the 28th Instant to Examine Witnesses

Beam Syrany by his Attorney Narrain Syrany

vers

John Burnell and William Benton

Issue joined

Days Given the Parties till the 28th Instant to Examine Witnesses

Michael de la hide

vers

John Burnell and William Benton

Petition of the Complainant Read

Answer of Williams Justice by his Attorney George Mackay, George

Smith, Francis Saurdan and Thomas Pilling and John de Paris Read

The said Petitions and Answer coming on to

be determined this day in the Presence of the Attorneys on both sides,

Upon due Consideration had thereon, The Court are of Opinion

that the Petitioner has no right to be paid his demand out of the

Amount of the Ship and Cargo mentioned in the Libel Action Mercy and

Respondentia in Preference to the other Creditors who have

Obtained Decrees and Executions against the Defendants, It

is therefore Ordered that the Petition be dismissed with Costs

The

The Mayor returns to his Seat and the Maces are Replaced

The United English East India Company by their Agents Jonas Du Pré Esqr & Ors Council

vers

John Wood

& Contra

Days is Given the Original Complainant till the 28th Instant to Reply

Days is Given the Cross defendant till the 28th Instant to Answer the Cross Complainants Bill

The United English East India Company by their Agents Jonas Du Pre Esqr & Ors Council

vers

John Wood

& Contra

Day is Given the Original Complainant till the 28th Instant to Reply

Day is Given the Cross defendant till the 28th Instant to Answer the Cross Complainants Bill

The United English East India Company by their Agents Jonas Du Pré Esqr & Ors Council

vers

John Wood

& Contra

Days is Given the Original Complainant till the 28th Instant to Reply

Days is Given the Cross defendant till the 28th Instant to Answer the Cross Complainants Bill

Peter Thomas

vers

Sellapadan Pacudes

Further dayes given the Parties till the 28th Instant to Examine Witnesses

Francis Canon

vers

John Purfory

Summons returnable immediately and a Warrant of Arrest

issued against the Defendants Body returned endorsed Not to be found Withdrawn the Defendant having no Attorney

The Mayor and Mr Alderman Holland being interested gas off the Bench and the Maces are taken away

George Mackay

vers

James Johnson

Further dayes is Given the Parties till the 28th Instant to Examine Witnesses in default of which Publication will pass in this Cause

The Mayor and Mr Alderman Holland returns to their Seats and the Maces are Replaced

Venkatanaick

vers

Cudbert Thornhill

Rejoinder filed

William Thorp

vers

Shaik Rufshaw

Ordered that the Petitioner in this Cause do Come on to be determined on Tuesday next when a full Court is to attend to be Summoned

William Cornish by his Attorney Thomas Rathbone

vers

Shaik Rufshaw

Ordered that the Petitioner in this Cause do Come on to be determined on Tuesday next when a full Court is to attend to be Summoned

Bill of Joaquim Gargia with a Recital of a Mortgage Bond or Obligation and an Assignment thereof annexed filed

Tenderall Kenah Pillah to be Summoned

George Mackay

vers

George Stratton and Hunter Ibbotson Attorneys to Claus Rufsell

The Attorney for the Complainant Prays that the Motion made by him on the 15th and 20th December last may be Respited

The Court being of Opinion that the Prayer of the Complainants Attorney is reasonable and Cause to be Complied with

The Court now proceed to take into Consideration the Motion made by the Mayor the 7th Instant — Whereupon it appearing to the Court that the Charter does not Authorize the Court to grant a Warrant of Execution against the Defendants Body for the Satisfaction of a Debt, without first issuing an Execution against his Effects — The Court are therefore of Opinion the Order passed the 20th December last was irregular — Ordered therefore in future, that Warrants of Executions agt the Defendants Body do not issue, Until all Executions against the Effects, have been first issued and returned —

Mr Alderman Cuthbert begs leave to enter his Dissent to the foregoing Resolution, which is Granted —

Mr Macpherson desires that the Court will be pleased to reconsider their Resolution of the 20th December in not hearing Mr Charles Smith who wanted to shew Cause why a Warrant of Commitment should not be Granted against him at the Suit of the Defendant

Ordered that this Matter be referred to the Court of Directors to Obtain the Opinion of Counsel thereon —

Adjourned to Tuesday the 28th Instant —

A Court Held at the Town Hall on Tuesday the 28th day of January Anno Domini 1772

Present

George Smith Esqr Mayor

Thomas Tenney — Reynold Adams

Arthur Cuthbert — Edward Stacey

John McPherson — John Sullivan

Aldermen

James West
vers
Isaac Hat

Summons Returned served — The Defendant does not appear

Withdrawn

Daniel Shaw
vers
Alsow Minapath and Conrapath

Warrants of Arrest returned served upon Alsow and Minapath, Conrapath Absconded to be found — The Attorney for the Complainant prays that the defendants may give Bail — The defendants having no Bail to produce are Ordered to remain in the Custody of the Sheriff —

Johannes Peter Pasmore
vers
Collaunday

Summons returned served — The defendant Appears —

Colwell Barratt
vers
Richard Blackburne

Bill filed between the days of Adjournment — Summons returnable immediately and a Warrant of Arrest issued against the defendants Body returned served — The Sheriff reports to the Court that the defendant is not to be found, and unable to Attend — The defendant appears by his Attorney Mr Daniel Shaw — The Attorney for the Complainant prays that the defendant may give Bail — The defendant having no Bail to produce is Ordered to remain in the Custody of the Sheriff —

Ninah Chilly
vers
Jorgen Hertz

Further day is Given the Parties till the 4th day of February next to Examine Witnesses —

William Rain
vers
James Bryant

Further day is Given the Defendant till the 4th day of February next to Answer the Complainants Bill —

Morgan Williams
vers
Jayden

Further days is given the Defendant till the 4th day of February next to Answer the Complainants Bill, in default of which Judgment will be Given —

the Complainant

John Turing

vers

Moor Lee

Further day is Given the defendant till the 15th day of February next to Answer the Complainants Bill

Vencatarramanaiv

vers

Cuthbert Thornhill

Issue joined

Day is Given the Parties till the 15th day of February next to Examine Witnesses

The United English East India Company by their Agents Josias Du Pré Esqr & ca Council

vers

John Wood

Et Contra

Further day is given the Original Complainant till the 15th day of February next to Reply

Further day is Given the Cross defendant till the 15th day of February next to Answer the Cross Complainants Bill

The United English East India Company by their Agents Josias Du Pré Esqr & ca Council

vers

John Wood

Et Contra

Further day is Given the Original Complainant till the 15th day of February next to Reply

Further day is Given the Cross defendant till the 15th day of February next to Answer the Cross Complainants Bill

The United English East India Company by their Agents Josias Du Pré Esqr & ca Council

vers

John Wood

Et Contra

Further day is Given the Original Complainant till the 15th day of February next to Reply

Further day is Given the defendant till the 15th day of February next to Answer the Cross Complainants Bill

The Mayor and Messrs Aldermen Penney, and Adams go off the Bench and the Maces are taken away

Charles Smith and John Douglas Executors to the Estate of George Dolben deceased

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund Whalbrough deceased

Further days is Given the Parties till the 15th day of February next to Examine Witnesses

Charles Smith

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund Whalbrough deceased

Further days is Given the Parties till the 15th day of February next to Examine Witnesses

John Holland and John Edward Holland

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund Whalbrough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Antonio da Souza

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund Whalbrough deceased

Further days is Given the Parties till the 15th day of February next to Examine Witnesses

James Taylor

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund Whalbrough deceased

Further days is Given the Parties till the 15th day of February next to

Examine Witnesses

Charles Desbouex

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Thomas Powney

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Francis Jourdan

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Thomas Pelling and John de Lies

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Paul Benfield

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Edward Monckton

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Henry Broohe

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Francis Peacock by his Attorney Charles Bromley

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Crocaspish Chitty

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

John Gosselin

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

John Gosselin

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Further day is Given the Parties till the 15th day of February next to Examine Witnesses

Reynold Adams

vers

Reynold Adams and John Gosselin Executors to the Estate of

Examine

Edmund Whatmough deceased
Further day is Given the Parties till the 4th day of February next to
Examine Witnesses

Johannes Marcan
vers
Reynold Adams and John Gosselin Executors to the State of Edmund
Whatmough deceased
Further days is Given the Parties till the 4th day of February next to
Examine Witnesses

Jacob Simon
vers
Reynold Adams and John Gosselin Executors to the Estate of Edmund
Whatmough deceased
Further day is Given the Parties till the 4th day of February next to
Examine Witnesses

The Mayor and Messrs Aldermen Penney, and Adams returned to their Seats &
the Races are replaced

Petrus Thomas
vers
Nillepadan Pacudos
Further day is Given the Parties till the 4th day of February next to Examine
Witnesses

John Debonnaire
vers
Soondaranon Pillah and Chacara Pillah
The attorney for the Complainant prays that a Warrant of Execution
may issue against the defendants Effects they not having satisfied the
Decree of this Court passed the 15th January 1771
Granted returnable the 25th day of November Next

Francisco Jose
vers
Govindah
Further days is given the defendant till the 4th day of February next
to Answer the Complainants Bill, in default of which Judgement
will be Given for the Complainant

James West
vers
Louis Mannevan
& Combes
A further time of three Weeks for the return of the Commission issued to
Massulapatnam prayed for and Granted

Robert Churchill
vers
Tombo
Warrant of Attachment issued against the defendants Body for Contempt
in not paying his Attorneys stipulated fees prayed for and Granted

Peter Francis Dyson
vers
Francis de St Jeoquel
The Attorney for the Complainant Acquaints the Court, that the Warrant
of Sequestration prayed for the 26th November last, did not issue, and
prays that it may now issue
Ordered Accordingly

Joaquim Gregorio
vers
Cundapah Moodelian
Precept against the Complainant for Contempt in not paying his Attorneys
Stipulated fees prayed for and Granted

Francis Baconsfield
vers
John Jewell
The Attorney for the Complainant Acquaints the Court, that the defendant
is in Prison for want of Bail upon a Warrant of Arrest, That the
defendant is undisposed, and prays that he may be Released
Ordered Accordingly

Catta Nawaun Chitty, by his Attorney Abraham Chitty, vers
Pattumarawer Chitty
vers
Paul Benfield
Further days is given the Parties till the 4th day of February next to

Examine Witnesses

George Mackay

vers

George Gratton and Charles Smith Attornies to Claud Russell

Mr Alderman Cuthbert delivers in his Dissent to the Resolution of the Court of last Court days which is Read as follows -

Mr Alderman Cuthbert dissents from the aforegoing Resolution for the following reasons which he desires may be Recorded -

First - Because it does not appear to Him that the Charter granted by His Majesty for constituting this Court, and which in all things therein set forth ought to give Law to this Court, does by any means confine the first Process to be had on a Judgement or Decree of this Court, or of the Court of Appeals, to a Warrant of Execution against the Effects of the Party against whom a Judgement is had, or a Decree obtained - Mr Cuthbert is clearly of Opinion that His Majestys said Charter no where precludes the Party in whose favor a Decree for a Debt is obtained, from proceeding against either the Person or Effects of his Debtor, as he shall judge most for the effectual Recovery of the Sum Decreed in Judgement, and that on the Party against whom a Decree is Obtained having refused to comply with the Tenor or Intent of the Decree in due time, a Warrant of Commitment against his Body ad Satisfaciendam may be prayed for, and ought to be granted by this Court, or a Warrant of Execution against his Effects, at the Option of the Party in whose favor the Decree goes, more especially if the Party against whom the Judgement lies, is held to Common Bail only. And in this Opinion Mr Cuthbert is further confirmed by the perusal of such Law Books as treat on the said Subject

Second - Because it appears to Him the said Alderman Cuthbert that the Party who has Obtained a Decree or Judgement in his favor may be effectually aggrieved, and even ruined by being compelled to proceed in the Manner of Process now laid down by this Court - for allowing the Necessity of a Warrant of Execution against the Party's Effects against whom a Decree or Judgement is obtained, before a Warrant of Commitment against his Person ad Satisfaciendam can be granted, such Party may if he pleases before the Warrant of Execution against his Effects, be enabled to Court fraudulently withdraw himself out of the Jurisdiction of the Court, and evade the Effect and Extent of the Decree. Mr Alderman Cuthbert is therefore of Opinion that the Resolution of this Court now in Question, may be the means of precluding Persons not only from Legal, but even Natural Justice. - This is Mr Alderman Cuthberts opinion in so far as the aforesaid Resolution of this Court may affect Suitors in general -

Regarding the Case now in point of Mackay versus Gratton and Smith, he prays leave to move this Court, that so much of it may be stated as relates to the Execution on the Decree of the Court of Appeals, and transmitted in the usual manner to the Hon^ble the Court of Directors of the East India Company, for the Opinion of Learned Counsel, and also a Copy of that part of the Charter, on which the present Resolution of this Court is grounded -

Arth^s Cuthbert

The Court taking into Consideration the Motion made by Mr Alderman Cuthbert for referring this Matter to the Court of Directors to Obtain the Opinion of Counsel thereon, are of Opinion that it is unnecessary; Their Motion is therefore Overruled -

William Cornish by his Attorney Thomas Rathbone

vers

Shaik Rujsan

The Petition of the Complainant coming on to be Determined this day, & appearing to the Court that Wages due to a Seaman, ought to be paid out of preference to all other demands upon the Ship - It is therefore Ordered, that the Sheriff do Retain in his Hands the Amount of the Complainants Demand under the Issue of this Suit, as also sufficient to defray the Costs of the said Suit, and of this Petition -

William Thring Esq^r

vers

Shaik Rujsan

The Petition of the Complainant coming on to be Determined this day, & appearing to the Court that Wages due to Seamen ought to be paid out of preference to all other demands upon the

It is therefore Ordered that the Sheriff do retain in his Hands the Amount of the Complainant's Demand, until the Issue of this Suit, as also sufficient to defray the Costs of the said Suit, and of this Petition.

Ap Curr

Letter from Mr. John Maxwell Stone Register Read, praying leave to Resign the said Office

Agreed that this Resignation be Accepted, and the Court being Unanimously of Opinion that Mr. Stone by his long and faithful Services, is justly entitled to the Thanks of this Court. The Mayor does therefore by desire, and on the Name of the Court, Accordingly thank him.

Petition of Mr. James Taylor Deputy Register Read, praying that he may be Appointed Register in the Room of Mr. Stone, which is granted, and the Oaths of Allegiance and Office are Administered to him. Ordered that Mr. Stone do deliver over to the said Mr. James Taylor all the Records, Books &c. relative to the Employ.

Petition of Mr. Cadwallader Faith Read and filed, praying to be Appointed Deputy Register

Petition of Mr. John Sykes Read and filed, praying to be Appointed Deputy Register

The above Petitioners being both Attornies of this Court. The Court take into Consideration how far the Office of Deputy Register, may be Compatible with that of an Attorney, and are of Opinion that the two Offices may be held together.

The Court then proceed to Consider whether the Register should not regularly recommend the Person to be Appointed his Deputy to the Court for their Approbation, which is Considered in the Affirmative.

The Register thereupon recommends to the Court Mr. Cadwallader Faith as his Deputy, whom Accordingly Appointed, and the Oaths of Allegiance and Office are Administered to Him.

Bill of Johannes Peter Papenoire, with a Translate of a Malabar Mortgage Bond, an Obligation, and an Account Current annexed filed

Davy

Davy Sagrayen to be Summoned

Bill of John Ewing filed

Canna Saib to be Summoned

Bill of Cotton Bowerbank Dent filed

Richard Blackburn to be Summoned

Adjourned to Tuesday the 4th day of February next.

At a Court Held at the Town Hall on Tuesday the 4th day of February Anno Domini 1772

Present

George Smith Esquire Mayor

Reynold Edwards & Arthur Cuthbert

Aldermen

Robert Churchill

vers

Fombao

The Attorney for the Complainant Acquaints the Court that the Warrant of Attachment prayed for last Court day did not issue, and prays that it may now issue.

Ordered Accordingly.

Johannes Peter Papenoire

vers

Davy Sagrayen

The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court day did not issue, and prays that it may now issue.

Ordered Accordingly.

John Ewing

vers

Canna Saib

Summons returned served. The Defendant does not appear.

To be Summoned again.

Cotton Bowerbank Dent

vers

Richard Blackburn

Summons returned served. The Defendant does not appear.

Sube Summoned again

Saquum Cryaro

vers

Cundapah Moodelliar

The Attorney for the Complainant acquaints the Court, that the Precept prayed for against the Defendt last Court day, did not issue, and prays that it may now issue.

Ordered Accordingly

Ninah Chitty

vers

Jorgen Hertz

Further day is Given the Parties till the 11th Instant to examine Witnesses A further time of two Weeks for the return of the Commission issued to Cuddalore for the examination of Witnesses in this Cause prayed for and Granted

William Raine

vers

James Bryant

Further day is Given the Defendant till the 11th Instant to Answer the Complainants Bill, in default of which Judgement will be given for the Complainant

Cotta Nanain Chitty by his Attorney Atturapelle Chitty & Pethanandha Chitty

vers

Paul Benfield

Further day is Given the Parties till the 11th Instant to Examine Witnesses

Samuel Southack

vers

Solamy Vincadashen

Et Contra

The Attorney for the Original Complainant delivers into Court the Original Contract prayed for by the Original Defendant — The Cross Complainant delivers into Court two Letters mentioned in his Proceedings, and prayed for by the Original Complainant

Rejoinder filed

Cross Complainants Replication filed

Samuel Southack

vers

Rangapulley Kundiah

Et Contra

The Attorney for the Original Complainant delivers into Court the Original Contract prayed for by the Original Defendant — The Cross Complainant delivers into Court two Letters mentioned in his Proceedings, and prayed for by the Original Complainant

Rejoinder filed

Cross Complainants Replication filed

Morgan Williams

vers

Nagdeny

The Attorney for the Complainant produces to the Court, a Certificate from the Register setting forth that the Usual Rules have been Issued for the defendant to Answer the Complainants Bill, which he has neglected doing, He therefore prays that a Decree may now pass

Bill Read

Whereas by the Records of this Court it appears that the defendant hath been served with the Usual Rules to Answer the Complainants Bill, but wilfully, and Obstinately, refusing so to do, This Court doth therefore think fit to Order, and Decree, and doth Accordingly Order, and Decree, that the defendant shall pay unto the Complainant the full and just Sum of Three Hundred and seventy Pagodas, and four fanams / Pagodas 370 4 0 / together with such Interest as moneys, as shall hereafter become due thereon, until full Payment be made, also all Costs of this Suit

John Tunny

vers

Moorby

Withdrawn by the Consent of both Parties

Vencatanarrah

vers

Cuthbert Bowstead

Further day is Given the Parties till the 11th Instant to Examine

Sabe Summoned again

Joaquim Gregorio

vers

Cunderpah Moodelias

The Attorney for the Complainant acquaints the Court, that the Precept prayed for against his Client last Court day, did not issue, and prays that it may now issue.

Ordered Accordingly

Ninah Chitty

vers

Jorgen Hertz

Further day is Given the Parties till the 11th Instant to examine Witnesses A further time of two Weeks for the return of the Commission issued to Cuddalore for the examination of Witnesses in this Cause prayed for and Granted

William Raine

vers

James Bryant

Further day is Given the defendant till the 11th Instant to Answer the Complainants Bill, in default of which Judgement will be given for the Complainant

Cotta Narrain Chitty by his Attornies Ellis apille Chitty & Pethumanaba Chitty

vers

Paul Benfield

Further day is Given the Parties till the 11th Instant to Examine Witnesses

Samuel Foulkes

vers

Tolany Vencadashen

Et Contra

The Attorney for the Original Complainant delivers into Court the Original Contract prayed for by the Original defendant The Cross Complainant delivers into Court two Letters mentioned in his Proceedings, and prayed for by the Original Complainant

Rejoinder filed

Cross Complainants Replication filed

Samuel

Samuel Foulkes

vers

Rungapilley Nundiah

Et Contra

The Attorney for the Original Complainant delivers into Court the Original Contract prayed for by the Original defendant The Cross Complainant delivers into Court two Letters mentioned in his Proceedings, and prayed for by the Original Complainant

Rejoinder filed

Cross Complainants Replication filed

Morgan Williams

vers

Nayden

Tho Attorney for the Complainant produces to the Court, a Certificate from the Register setting forth that the Usual Rules have issued for the defendant to Answer the Complainants Bill, which he has neglected doing, He therefore prays that a Decree may now pass

Bill Read

Whereupon by the Records of this Court that the defendant hath been served with the Usual Rules to Answer the Complainants Bill, but wilfully, and Obstinately, refusing so to do, This Court doth therefore think fit to Order, and Decree, and doth Accordingly Order, and Decree that the defendant shall pay unto the Complainant the full and just Sum of Three Hundred and seventy Pagodas, and four Fanams (Pagodas 370 4) together with such Interest as now is, or shall hereafter become due thereon, until full Payment be made, also all Costs of this Suit

John Tunney

vers

Moorhay

Withdrawn by the Consent of both Parties

Vencatanarrah

vers

Cudbert Bromhall

Further day is Given the Parties till the 11th Instant to Examine Witnesses

Witnesses

James West and Charles Edward Lines

vers

Sydapporam Andeapah

The Attorney for the Complainant acquaints the Court, that the Sheriff had instead of endorsing on the back of the Warrant of Execution issued against the Defendants Effects, Pagodas 39.39.75 being the whole Amount Levied by Him, he endorsed to have Levied Pagodas 10h.33.80; The difference was Pagodas 7h.2h.76, in part of which Sum Ninah Chitty who became Bail for the Defendant had by Virtue of a Precept issued against him paid Pagodas 50 The Ballance now due to the Complainants is Pagodas 2h.2h.76, and to which Amount he prays that another Precept may issue against the said Ninah Chitty who became Bail for the Defendant as aforesaid

The Court having taken the above Prayer into Consideration, and as a Precept has already issued against the Bail, and been returned served in due time, and as no Precepts has since been had upon it, The Court are of Opinion that the granting another Precept would be irregular Ordered therefore that the Prayer of the Complainants Attorney be over Ruled

Anundanaion Pauliah

vers

Thomas Chambers

& Contra

Further day is given the Parties till the 11th Instant to Examine Witnesses

John Debonnaire

vers

Sugapah Chitty

Reminder filed

The United English East India Company by their Agents

Josias Du Pre Esqr & Co Council

vers

John Wood

& Contra

The Attorney for the Original Complainant Acquaints the Court that the Proceedings in this Cause are very long, he therefore prays that a Months time may be Allowed him to Reply to the Original Suit and Answer the Cross Suit The Court being sensible that the Proceedings are very long, it is Agreed that a Months time be Allowed

Further day is Given the Original Complainant till the 3d day of March next to Reply, in default of which this Cause will be heard on Bill and Answer

Further Days is Given the Cross Defendants till the 3 day of March next to Answer the Cross Complainants Bill, in default of which Judgement will be given to the Cross Complainant

The United English East India Company by their Agents

Josias Du Pre Esqr & Co Council

vers

John Wood

& Contra

The Attorney for the Original Complainant Acquaints the Court, that the Proceedings in this Cause are very long, He therefore prays that a Months time may be Allowed him to Reply to the Original Suit and Answer the Cross Suit The Court being sensible that the Proceedings are very long, it is Agreed that a Months time be Allowed

Further Day is Given the Original Complainant till the 3d day of March next to Reply, in default of which this Cause will be heard on Bill and Answer

Further Days is Given the Cross Defendant till the 3 day of March next to Answer the Cross Complainants Bill, in default of which Judgement will be given for the Complainant

The United English East India Company by their Agents Josias Du Pre Esqr & Co Council

vers

John Wood

& Contra

The Attorney for the Original Complainant Acquaints the Court, that the Proceedings in this Cause are very long, He therefore prays that a Months time may be Allowed him to Reply to the Original Suit

Suit, and Answer the Cross Suit. The Court being sensible that the Proceedings are very long, it is Agreed that a Month time be Allowed.

Further Day is Given the Original Complainant till the 3d day of March next to Reply, in default of which this Cause will be Heard and Bill and Answer

Further Day is Given the Cross Defendant till the 3d day of March next to Answer the Cross Complainant's Bill, in default of which Judgement will be given for the Cross Complainant

Francisco Joze

vers

Govendah

The Attorney for the Complainant produces to the Court a Certificate from the Register, Read setting forth that the Usual Rules have issued for the Defendant to Answer the Complainant's Bill, which he has neglected doing, He therefore prays that a Decree may pass, Bill Read.

Whereupon by the Records of this Court, that the Defendant has been served with the Usual Rules to Answer the Complainant's Bill, but wilfully, and Obstinately refusing so to do, This Court doth therefore think fit to Order, and Decree, and doth Accordingly Order, and Decree that the Defendant shall pay unto the Complainant the full and just Sum of Seventy eight Pagodas, and five Fanams, and Seventy two Cash Pagodas 78 5 72 together with such Interest as may or shall hereafter become due thereon, Until full Payment be made also all Costs of this Suit

Daniel Shaw

vers

Alsan Minapah and Comapah

Day is given the Defendants till the 8th Instant to Answer the Complainants Bill

Mathew Hare by his Attorney Nicholas Morse

vers

John Pearkes

Absolute from the Examiner to the Register Read, Accompanying the Depositions in this Cause

Cattrell Barnett

vers

Richard Blackburn

Day is given the Defendant till the 8th Instant to Answer the Complainants Bill

Bibus Thomas

vers

Pillaphdaw Racundy

Further Day is Given the Parties till the 8th Instant to Examine Witnesses

Francis Barnewall

vers

John Jewell

The Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendant's Effects, he not having satisfied the Decree of this Court, Signed the 16th May 1769.

Cpy an Ret. returnable the 3d day of March next

Joshua Trimble

vers

Edward Monckton

Rejoinder Filed

Peter Francis Bysson

vers

Francis De St. Jorquet

The Attorney for the Complainant prays that the Warrant of Sequestration issued against the Defendant's Effects, may be Superseded

Ordered Accordingly

Johannes Peter Rajamiae

vers

Colundaya

Withdrawn the Defendant having no Attorney

John Lane de Saussure by his Attorneys Boote Smith and Negus Lane

Maul

vers

Paulo Jandayr

The Attorney for the Complainant prays a further time of Service

for the reissuing of the Warrant of Sequestration issued against the Defendants Effects
Granted Accordingly

Adjourned to Tuesday the 11th Instant

A Court Held at the Town Hall on Tuesday the 11th day of February Anno Domini 1772

Present

George Smith Esquire Mayor
Thomas Pomeroy — Edward Stacey
& Johon McPherson — Aldermen

Robert Churchill
vers
Lambo
The Attorney for the Defendant Acquaints the Court that the Warrant of Attachment prayed for against this Client to Day last Court Day did not issue and prays that it may now issue
Ordered Accordingly

Johannes Peter Pasmores
vers
Daniel Sagarjen
The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court Day did not issue and prays that it may now issue
Ordered Accordingly

John Luning
vers
Canundah
Summons returned Served — The Defendant does not Appear
Withdrawn the Defendant having no Attorney

Colliat Banerbank Dant
vers
Richard Hackman

Summons

Summons returned Served — The Defendant does not Appear
Warrant of Arrest prayed for and Granted

Michael de Resurrection and Ursula his Wife Administrators and Administratrix to the Estate of Bartholomew Paulin deceased
vers
Charles De Mayde
& Cambo
Further Day is Given the Parties till the 18th Instant to Examine Witnesses
A further time of three Weeks for the return of the Commission issued to
Forthwith prayed for and Granted

Nina Wheatley Administrator to the Estate of Chintamby Chitty deceased
vers
Jongeen Keatty
Further Day is Given the Parties till the 18th Instant to Examine Witnesses
Alexander Davidson Esqr and Mr. William Maitland are Named the
Commissioners to them directed for the Examination of Witnesses neither have
Cottar Narrain Chitty
vers
Paul Benfield
Further Day is Given the Parties till the 18th Instant to Examine
Witnesses
The Attorney for the Defendant prays that a Commission issued
directed to Messrs Anthoney Bonnet, Goodlad, and William Magee
at Bengall for the Examination of Witnesses in this Cause
Granted returnable in Six Weeks
Joshua Toombie
vers
Edward de Kanekton
Plea joined
Day is Given the Parties till the 18th Instant to Examine Witnesses
Vence Dassonnah
vers
Cuthbert Bramhall
Further Day is Given the Parties till the 18th Instant to
Examine Witnesses

Mayor

Mathew Hore by his Attorney Nicholas Hore

vers

John Panton

Orders that this Cause be set down for Hearing

The Attorney for the Complainant prays that a Pencal Capias or Warrant may be Issued to Attend the Hearing, in Order that he might receive his Disposition on the part of the Defendant

Ordered Accordingly

Henry Brooke

vers

Chelentigagar and Dauerauze

Bill filed between the days of Adjournment

A further time till next Court days for the return of the Summons and Warrant of Arrest Issued against the defendant prayed for and Granted

John Whitehill

vers

Francis De St Vergnet

Bill filed between the days of Adjournment Summons Issued thereupon returned endorsed not to be found The Attorney for the Complainant prays that a Warrant of Sequestration may issue against the defendants Effects upon his Clients making Oath to the justness of his demand The Complainant having made Oath thereto

Ordered that a Warrant of Sequestration do issue

Reynold Adams

vers

Gopu Chitty Sawmy

Warrant of Arrest to him directed served

Ramaya of Madras Inhabitant having first Sworn that he is worth double the Sum sued for and John Doe became Bail for the Personal Appearance of the Defendant to Answer all Costs and Damages taken and Acknowledged before the Mayor & that thereupon a Counter Warrant Issued under the Hand and Seal of the Mayor for the defendants Release

The Mayor being Indisposed goes off the Bench and the Maces are taken away

Braddock Syrang

vers

John Burnell and William Benton

Further days given the Parties till the 18th Instant to Examine Witnesses

Beans Syrang by his Attorney Narraen Syrang

vers

John Burnell and William Benton

Further days is Given the Parties till the 18th Instant to Examine Witnesses

Thomas a Lascar

vers

John Burnell and William Benton

Further days is Given the Parties till the 18th Instant to Examine Witnesses

The Mayor returns to his Seat and the Maces are Replaced

Peters Thomas

vers

Vellephdan Raundos

Further days is given the Parties till the 18th Instant to Examine Witnesses

Daniel Chanot

vers

Alsou Monapah and Lamanapah

Further Days is Given the defendants till the 18th Instant to Answer the Complainants Bill

Daniel Cayer

vers

Tangeperdo Chitty

Withdrawn the defendant Having no Attorney

Colwell Bannet

vers

Richard Blackburn

Further days is Given the defendant till the 18th Instant to Answer the Complainants Bill

The Mayor being Interested goes off the Bench and the Mace are taken away

George Mackay
vers
James Johnston
Two Exhibits and a translate of one of them delivered into Court on the
part of the Complainant
Publications passed in this Cause
Sher Mayor returns to his Seat and the Maces are replaced
Robert Dunsett
vers
Frances de St Jorquet
Withdrawn the defendant having no Attorney
Peter Francis Besson
vers
Frances De St Jorquet
The Sheriff returns the Warrant of Sequestration issued against the
defendants Effects endorsed, Debt and Costs Satisfied
James West
vers
Louis Monneron
Et Contra
Alexander Wynch Esq[r] and M[r] Quintin Crawford return the
Commission to them directed for Swearing the defendant to the truth
of his Answer duly executed
Leucretia Rouzet
vers
Daniel Shaw
A Note from the Examiner to the Register Read it accompanying the
Depositions in this Cause, and that Cundasprah a Witness produced
on the part of the defendant has not signed his deposition, and
Samuel Dunnell has not appeared for his Examination
John Debonnaire by his Att[y] Reynolds Adams
vers
Teagaprah Chitty
The Attorney for the defendant prays leave to Amend his Rejoinder
by which
which is Granted
Amended Rejoinder filed
Joaquim Grigorio
vers
Sondergeld Nonah Pillah
Summons returned served The defendant does not appear
To be Summoned again
Francois Xavier Pelgow by his Attorney Daniel Shaw
vers
Shewesheaumbara Pillah
Et Contra
Ordered that these Causes do Come and to be Heard on Tuesday the 25[th]
Instant when a full Court is Ordered to be Summoned
The Register lays before the Court a Draft of a Letter
from him to the President and Council Agreeable to an Order passed
the 20[th] January which is read
Ordered that it be sent round for the Perusal of the several Members
Bill of Richard Parks by his Attorney Charles Edward Jones with an Account
Current annexed filed
Charles Smith and John Douglas Executors to the Estate of George
Dolben deceased to be Summoned
Bill of John Robinson with an Account Current annexed filed
John Hunt to be Summoned

Adjourned to Tuesday the 18[th] Instant

[illegible]

Malcourt Held at the Town Hall on Tuesday the 14th day of February Anno Domini 1772.

Present

George Smith Esquire Mayor
Thomas Powney — Arthur Cuthbert
Edward Stacey — & John McPherson
Aldermen

Robert Churchill
vers
Jamboo
A further time till next Court day for the return of the Warrant of Attachment issued against the defendants Body for Contempt in not paying his Attorney's Stipulated Fees prayed for and Granted

Johannes Alex Passmore
vers
Dawn Sagayen
Summons returned served — The defendant does not appear
To be Summoned again

Asatoon Jacob
vers
Cuah Mootu
Summons returned Served — The defendant does not appear
To be Summoned again —

Colon Banerbank Dent
vers
Richard Blackburn
Warrant of Arrest returned served — Mr Daniel Shaw appears for the defendant and Acquaints the Court that he is Sick and Unable to Attend the Court — The Attorney for the Complainant prays that the defendant may Give Bail — The defendant having no Bail to produce, is Ordered to remain in the Custody of the Sheriff

Henry

Henry Brooke
vers
Chetamby Agar and Dauvergne
A further time till next Court day for the return of the Summons and Warrant of Arrest issued against the defendants Body prayed for and Granted

Richard Parkes by his Attorney Charles Edward Jones
vers
Charles Smith and John Douglas Executors to the Estate of George Dolben deceased
A further time of two Weeks for the return of the Summons issued against the defendant prayed for and Granted

John Robinson
vers
John Munk
The Attorney for the Complainant Acquaints the Court that Summons prayed for last Court day did not issue, and prays that it may now issue — Ordered Accordingly

Joaquim Gregorio
vers
Sayall Sonna Mootu and Soocoonapraweenna Sayerandale
A further time till next Court day for the return of the Summons issued against the defendants prayed for and Granted —

Joaquina Gregorio
vers
Sondergelt Nina Pillay
A further time Three till next Court day for the return of the Summons issued against the defendant prayed for and Granted —

Ninah Chitty
vers
Jergen Hertz
Further days is Given the Parties till the 25th Instant to Summon Witnesses, as desired & which Public notice is to be given in the Courts

Cottar Nannain Chitty

vers

Paul Benfield

Further day is Given the Parties till the 25th Instant to Examine Witnesses.

Reynold Adams

vers

Gouriah Chitty Lannuay

Day is Given the defendant till the 25th Instant to Answer the Complainants Bill

Joshua Trenbte

vers

Edward Monckton

Further Day is Given the Parties till the 25th Instant to Examine Witnesses

Vencataramah

vers

Cuthbert Thornhill

Further Day is Given the Parties till the 25th Instant to Examine Witnesses

Thomas Chambers

vers

Avendanum Paupiah

Et Contra

Further day is Given the Parties till the 25th Instant to Examine Witnesses — The Attorney for the Original Complainant prays — that the Watches in Question may be delivered to the Examiner, in order to Examine some Material Witnesses thereto — Ordered Accordingly — The Cross Complainant delivers into Court a Commission directed to Messrs. John Persing, and Margaret Williams at Nizagapatnam for the Examination of Witnesses in these Causes — and Acquaints the Court, that the Witnesses had left that Place, and therefore could not be examined — The said Cross Complainant thereupon prays that another Commission may issue to Pulicat directed to Messrs. Edward Monckton, and Francis Light for the Examination of a material Witness in these Causes, and also prays that the Examiner may be directed to deliver up the said Watches after he has examined the Witnesses at this Place, to them, in Order that they be sent to Pulicat, that the said Witnesses may be examined thereto — To which the Opposite Attorney Objects, and in Case a Commission does issue, and the Watches are Ordered to be delivered up, he therefore prays that the Cross Complainant may be Obliged to give Security for the Amount of the said Watches — The Court having taken the same into Consideration — Is Ordered that the Commission do issue as prayed for by the Original defendant, and that the Examiner do deliver up the Watches as prayed for, after he has examined the Witnesses at this Place — And the Court are of Opinion that the Cross defendant ought not to be Obliged to give Security for them —

Edward Pybance

vers

Yeagambaram

The Attorney for the Complainant Acquaints the Court that the Warrant of Execution prayed for the 8th day of October last did not issue — The Register Acquaints the Court, that at the Complainants request a Counter Warrant issued under the Hand and Seal of the Mayor for the defendants Release

Cottrell Barnet

vers

Richard Blackburn

Further day is Given the defendant till the 25th Instant to Answer the Complainants Bill in default of which Judgment to be Given for the Complainant

Francis Lourdan

vers

Nelsenta Yeagambaram

The Register Acquaints the Court that at the Complainants Request a Counter Warrant issued under the Hand and Seal of the Mayor for the defendants Release

The Mayor and Mr Alderman Binney being Indisposed

the Bench and their Slaves are to have away.

Charles Smith and John Douglas Executors to the Estate of George Dolbin deceased

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses, in default of which Publication will pass in this Cause

Charles Smith

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses in default of which Publication will pass in this Cause

John Holland and John Edward Holland

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses in default of which Publication will pass in this Cause

Antonio da Souza

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses in default of which Publication will pass in this Cause

James Taylor

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses, in default of which Publication will pass in this Cause

Charles

Charles Deswaux

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses, in default of which Publication will pass in this Cause

Thomas Penney

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses in default of which Publication will pass in this Cause

Francis Gourdan

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses in default of which Publication will pass in this Cause

Thomas Pelling and John de Luis

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses in default of which Publication will pass in this Cause

Paul Benfield

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further day is given the Parties till the 25th Instant to Examine Witnesses in default of which Publication will pass in this Cause

Edward de Monckton

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Further

Further days is Given the Parties till the 25th Instant to Examine Witnesses
in default of which Publication will pass in this Cause

Henry Brooke

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund
Whatmough deceased

Further days is Given the Parties till the 25th Instant to Examine Witnesses
in default of which Publication will pass in this Cause

Francis Peacock by his Attorney Charles Bromley

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund
Whatmough deceased

Further days is Given the Parties till the 25th Instant to Examine Witnesses
in default of which Publication will pass in this Cause

Chocapah Chitty

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund
Whatmough deceased

Further days is Given the Parties till the 25th Instant to Examine
Witnesses in default of which Publication will pass in this Cause

John Gofselin

vers

Reynold Adams and John Gofselin Executors to the Estate of Edmund
Whatmough deceased

Further days is Given the Parties till the 25th Instant to Examine
Witnesses in default of which Publication will pass in this Cause

John Gofselin

vers

Reynold Adams and John Gofselin Executors to the Estate of
Edmund Whatmough deceased

Further Days is Given Parties till the 25th Instant to Examine
Witnesses in default of which Publication will pass in this Cause

Reynold Adams

vers

Reynold Adams and John Gofselin Executors to the Estate
of Edmund Whatmough deceased

Further Days is Given the Parties till the 25th Instant to Examine Witnesses
in default of which Publication will pass in this Cause

Joannes Marcar

vers

Reynold Adams and John Gofselin Executors to the Estate of
Edmund Whatmough deceased

Further days is Given the Parties till the 25th Instant to Examine
Witnesses in default of which Publication will pass in this Cause

Jacob Simon

vers

Reynold Adams and John Gofselin Executors to the Estate of
Edmund Whatmough deceased

Further days is Given the Parties till the 25th Instant to Examine
Witnesses in default of which Publication will pass in this Cause

The Mayor and Mr Aldermen Pauney returns to this Rule and to
ther Races are replaced

Samuel Foulback

vers

Solomy Venkatashen

& Contra

The Attorney for the Cross Complainant and Original Defendant
prays leave to Amend his Replication and Rejoinder which
is Granted — Amended Replication filed
Amended Rejoinder with a Translation of a Charter party of
Affreightment annexed filed

Samuel Foulback

vers

Rungapilla Nundeah

The Attorney for the Cross Complainant and Original Defendant
prays leave to Amend his Replication and Rejoinder which is
Granted — Amended Replication filed
Amended Rejoinder with a Translation of a Charter party of
Affreightment annexed filed

Antoine Point

vers

Agnes Rene Hamelin

Issue joined

Days Given the Parties till the 25th Instant to Examine Witnesses

Daniel Shant

vers

Alsau Menapiah and Comriapiah

Further days is Given the defendants till the 25th Instant to Answer the Complainants Bill and default of which Judgement will be given for the Complainant

William Clarke

vers

Goupiah Chitty Sawmy

The Attorney for the defendant prays that a Precept may issue against his Client he not having paid him his Attorneys Stipulated Fees — Granted Accordingly —

Fulove Parley Administratrix to the Estate of Isaac Parley deceased

vers

Mundala Vencatarannah

Warrant of Arrest returned endorsed not to be found —

A second Warrant of Arrest returnable returnable in three Months prayed for and Granted

Ramiah

vers

William Johnston

Warrant of Attachment against the Complainant for Contempt in not paying his Attorneys Stipulated Fees returned endorsed not to be found —

A second Warrant of Attachment returnable in three Months prayed for and Granted

John Whitehill

vers

Francis de Mesquet

The Sheriff returns the Warrant of Seizure by him issued against the defendants Effects, endorsed that he has seized a Pettiaugua called the Elizabeth, Materials &c and Board — The Attorney for the Complainant Requesting the Court that the Pettiaugua Seized by the Sheriff may remain Lashed Sandshead and therefore prays that the Sheriff may be directed to do so, and the Amount thereof deposited with the Company's Cash in the name of the Accountant General till the Issue of this Suit — Ordered Accordingly —

Edward Manchion

vers

Annuntan Nawaun

Bill filed between the days of Adjournment — A further time till next Court day for the return of the Summons issued against the defendant prayed for and Granted

Antonio Johnson

vers

Coolapeen

Warrant of Arrest returned served — The defendant is brought to Court The Attorney for the Complainant prays that the defendant may give Bail — The Defendant having no Bail to produce is Ordered to remain in the Custody of the Sheriff

The Defendant being in Court and Acknowledging the justness of the Complainants demand, This Court doth therefore Think fit to Order and Decree and doth Accordingly Order and Decree that the defendant shall pay unto the Complainant the Sum of five Hundred Pagodas ₱ Pagodas 500 ₱ together with such Interest as may or shall hereafter become due thereon until full payment is made also all Costs of this Suit

Ordered

Petrus Thomas

vers

Sellepadaw Racendos

Further days is Given the Parties till the 25th Instant to Examine Witnesses in defence of the Action now depending in this Court —

Ordered

Morgan Williams by his Attorney James Hodges

vers

Sayden

The Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendants Effects, Sentence having satisfied the Decree of this Court passed the 16th Instant

Granted Returnable the 17th day of March next

The Mayor being Interested goes off the Bench, and the Maces are taken away

Shaddock & Syrang

vers

Johns Burnett and William Benton

Further Days Given the Parties till the 25th Instant to Examine Witnesses

Thomas a Lascar

vers

John Burnett and William Benton

Further days is Given the Parties till the 25th Instant to Examine Witnesses

Beana & Syrang by his Attr Narrain Syrang

vers

John Burnett and William Benton

Further Days is Given the Parties till the 25th Instant to Examine Witnesses

The Mayor returns to his Seat and the Maces are Replaced

Lewis da Costa by his Attorney Reynold Adams

vers

Frances de St Vergues

A further time of One Month for the return of the Warrant of Sequestration issued against the Defendants Effects prayed for and Granted

Lewis da Costa by his Attorney Reynold Adams

vers

Frances de St Vergues

A further time of One Month for the return of the Warrant of Sequestration issued against the Defendants Effects prayed for and Granted

John Lenthal Esqr by his Attorney Lewis Da Costa, by his Attorney Reynold Adams

vers

Frances de St Vergues

A further time of One Month for the return of the Warrant of Sequestration issued against the Defendants Effects prayed for and Granted

Lewis da Costa Attorney to Nazar de La Gord, by his Attorney Reynold Adams vers

Francis de St Vergues

A further time of One Month for the return of the Warrant of Sequestration issued against the defendants Effects prayed for and Granted

Letter from the Register to the President and Council

Read and Approved of

Ordered that it be Copied fair and sent to them

Adjourned to Tuesday the 25th Instant

At a Court Held at the Town Hall on Tuesday the 25th day of February Anno Domini 1772

Present

George Smith Esquire Mayor

John Holland — & John McPherson

Aldermen

Robert Churchill

vers

Sam Coo

Warrant of Attachment issued against the defendants Body for Contempt in not praying his Attorneys Stipulated fees returned Served — The Attorney for the defendant Acquaints the Court that his Client has paid him his Stipulated fees and therefore prays that he may be released from the Custody of the Sheriff

Ordered Accordingly

Johannes Peter Pasmore

vers

Davy Sangarow

Summons Returned Served — The defendant not appearing

John Doe and Richard Roe become Bail for the Personal Appearance of the defendant Taken in Court

Henry Brooke

vers

Chelemhyagar and Dawranee

a further time of two Weeks for the return of the Summons and Warrant of Arrest issued against the defendants Body prayed for and Granted

John Robinson

vers

Johan Munk

Summons returned served — The defendant does not appear

To be Summoned again.

Joaquim Gregorio

vers

Londergel Nindh Pillah

A further time of one Week for the return of the Summons issued against the defendant prayed for and Granted

William Clarke

vers

Goupah Chitty Lawnay

The Attorney for the defendant acquaints the Court that the Precept for against his Client did not issue, Whereupon he prays that it may now issue — Ordered Accordingly

Edward Manchton

vers

Annantia Narrainan

Summons Returned served — The defendant does not appear

To be Summoned again —

John Robinson

vers

Richard Blackburn

Bill filed between the days of Adjournment — Summons issued thereupon returned Served — The Defendant appears — Mr. — Attorney for the Complainant prays that the defendant may give Bail — The defendant having no Bail to produce, is Ordered into the Custody of the Sheriff

John Turing Administrator to the Estate of Walter Goddard deceased by his Attorney William Turing

vers

Annan Addapah

Bill filed between the days of Adjournment — Summons issued thereupon returned served —

Annian Narrain Chitty of Madras Merchant and John Doe become Bail for the Personal Appearance of the Defendant or to Answer all Costs and Damages taken and Acknowledged before the Mayor

Ann Smith

vers

Henry Thomas Sparke

Bill filed between the days of Adjournment — A further time of two Weeks for the return of the Summons and Warrant of Arrest issued against the defendant prayed for and Granted —

Michael de Rosario and Ursula his Wife Administratrix and Administratrix to the Estate of Barthelemew Rouland deceased

vers

Charles de Lange

& Contra

Further Days Given the Parties till the 10th day of March next to Examine Witnesses in defence of which Publication and Copies in this Cause

A further time of two Weeks for the return of the Commission issued to Trichinopoly for the Examination of Witnesses in this Cause prayed for and Granted —

Nina Chitty

vers

Jorgen Hertz

Further days Given the Parties till the 23d day of March next to Examine Witnesses —

Anderson

Antoine Remi

vers

Agnes Rene Hamelin

Further day is Given the Parties till the 3d day of March next to Examine Witnesses

Cotta Nanraun Chitty by his Attorney Atturagello Chitty and Pothonnaba Chitty

vers

Paul Bonfield

Further day is Given the Parties till the 3d day of March next to Examine Witnesses

Reynold Adams

vers

Goupah Chitty Sawmy

Further Day is Given the Defendant till the 3d day of March next to Answer the Complainant's Bill

Cotton Banker Bank & Dent

vers

Richard Blackburn

Days is Given the defendant till the 3d day of March next to answer the Complainants Bill

Petrus Thomas

vers

Villapdan Racudop

Further Days is Given the Parties till the 3d day of March next to Examine Witnesses in default of which Publication will pass in this Cause

Auvendanum Pauperah

vers

Thomas Chambers

& Contra

Further Days is Given the Parties till the 3d day of March next to Examine Witnesses

Daniel Shaw

vers

Shah Rushan

The Attorney for the Complainant prays Leave to Amend his Bill, which is Granted Amended Bill filed

John Debonaire

vers

Sondavaroy Pillah and Chacan Pillah

A further time of two Weeks for the return of the Warrant of Execution Issued against the defendants Effects prayed for and Granted

A Letter from the Secretary to the President and Council by their Order Read setting forth that they have appointed Messrs Archdale Palmer and George Savage Aldermen and Judges of this Court in the Room of Messrs Charles Smith who is Admitted a Member of the Council Board and Francis Lourdan who has Resigned

Ordered that the Register do Attend to swear the Usual Oath Administered to them

Francois Xavier Lelan by his Attorney Daniel Shaw

vers

Sheweshedembara Pillay

& Contra

Defendant Hearing this Cause till Tuesday next when a full Court is Ordered to be Summoned

Bill of Mrs Bell filed

Shah Mustafa to be Summoned

Adjourned to Tuesday the 3d day of March next

Mayors Court held at the Town Hall on Tuesday the
3rd day of March Anno Domini 1772

Present

George Smith Esquire Mayor
Thomas Downey — Arthur Cuthbert
Edward Gracey — John McPherson
Archdale Palmer — Aldermen

The Register Acquaints the Court that he has sworn the Usual Oaths to Commissioners by the President to Mess.rs Archdale Palmer and George Savage as Aldermen and Judges of this Court Mr. Archdale Palmer Accordingly takes his Seat on the Bench.

John Robinson
vers
John Munro

The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court day did not issue, and prays that it may now issue Ordered Accordingly

Joaquim Gregorio
vers
Sondergeil Nimah Pillah

Summons returned served The defendant does not appear
Warrant of Arrest prayed for and Granted

William Clarke
vers
Goupah Chitty Tamunny

The Attorney for the defendant Acquaints the Court that the Proofs prayed for against his Client did not issue

Edward Monckton
vers
Amunta Nearain

Summons Returned served The defendant does not appear
Warrant of Arrest prayed for and Granted

Rofs Bolt
vers
Shake Mustapha

The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court day did not issue and prays that it may now issue Ordered Accordingly

Ninah Chitty
vers
Jergen Hertz

Further day is Given the Parties till the 10th Instant to Examine Witnesses in default of which Publication will pass in this Cause

Antoine Perot
vers
Agnes Rene Ramelin

Further day is Given the Parties till the 10th Instant to Examine Witnesses

Cotta Nanaun Chitty by their Attorneys Cotta Chitty and Pathmanaba Chitty
vers
Paul Benfield

Further days is Given the Parties till the 10th Instant to Examine Witnesses

Reynold Adams
vers
Goupah Chitty Tamunny

Further day is Given the defendant till the 10th Instant to Answer the Complainants Bill in default of which Judgment will be Given for the Complainant

Cotton Bonnen Bank Dent
vers
Richard Blackburn

Further Days is Given the defendant till the 10th Instant to Answer the Complainants Bill.

The Mayor being Interested goes off the Bench and the Aldermen take their Seats

Thomas Lascar
vers
John Burnell and William Benfield

Publication enlarged in this Cause

Rofs

Shaddock Syrang

vers

John Burnell and William Benton

Publication is passed in this Cause

Beam Syrang by his Attorney &c

vers

John Burnell and William Benton

Publication is passed in this Cause

The Mayor returns to his Seat and the Maces are replaced

Audendanum Pauprah

vers

Thomas Chambers

& Contra

Further day is Given the Parties till the 10th Instant to Examine Witnesses

John Robinson

vers

Richard Blackburn

Day is Given the defendant till the 10th Instant to Answer the Complainants Bill

John Debonaire by his Attorney Reynold Adams

vers

Seagapah Chitty

Issue joined

Days is Given the Parties till the 10th Instant to Examine Witnesses

Antonia Johnson

vers

Coolapeen

The Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendants Effects hereof having Satisfied the Decree of this Court passed the 18th day of February Last

Granted returnable the 31st Instant

Daniel Shaw

vers

Aloo Moniapah and Cunnapah

The

The Attorney for the Complainant produces to the Court a Certificate from the Register setting forth that the Usual Rules have passed for the Defendant to Answer the Complainants Bill which they have neglected doing He therefore prays that a Decree may now pass

Bill Read

Appearing by the Records of this Court that the Defendants have been served with the Usual Rules to Answer the Complainants Bill, but wilfully and Obstinately refusing so to do This Court doth therefore think fit to Order and Decree and doth Accordingly Order and Decree that the Defendants shall pay unto the Complainant the full and just Sum of Seventy two Pagodas & 72 [illegible] Pagodas Together with such Interest as now is or shall hereafter become due thereon on full Payment is made also all Costs of this Suit

James West

vers

Louis Manneron

& Contra

Day is Given the Original Complainant till the 10th Instant to Reply

Day is Given the Cross defendants till the 10th Instant to Answer the Cross Complainants Bill

Johannes Peter Pafsmore

vers

Davy Sagayen

Day is Given the defendant till the 10th Instant to Answer the Complainants Bill

Daniel Shaw

vers

Ponnumbullum

Bill filed between the days of Adjournment Summons returnable immediately and a Warrant of Arrest issued against the defendants Body returned served The defendant is brought into Court The Attorney for the Complainant prays that the Defendant may enter Bail The Defendant offers to the Court Arrack against whom the Opposite Attorney Objects to as insufficient Two other Arrack are then offered makes Oath that he is worth the Sum of

Pagodas 1307.11 being double the Sum Sued for after all his Debts are paid, and is thereupon Admitted as Bail for the Defendant

Daniel Shaw

vers

Hastie

Bill filed between the Days of Adjournment. Summons returnable immediately and a Warrant of Arrest Issued against the Defendants Body, who Arrested. The Defendant is brought to Court. The Attorney for the Complainant prays that the Defendant may give Bail. The Defendant offers to the Court Agatya pah, whom the Opposite Attorney objects to as insufficient. The said Agatya pah thereupon makes Oath that he is justly and truly worth the Sum of Pagodas 163.11 being double the Sum Sued for after all his Debts are paid, and is thereupon Admitted as Bail for the Defendant

Cottrell Barrett

vers

Richard Blackburn

The Attorney for the Complainant produces to the Court a Certificate from the Register setting forth that the usual Rules have issued for the Defendant to Answer the Complainants Bill, which he has neglected doing, & therefore prays that a Decree may pass. Bill Read.

Hath appearing by the Records of this Court that the Defendant has been served with the Usual Rules to Answer the Complainants Bill, but wilfully and Obstinately refusing so to do. The Court doth therefore think fit to Order and Decree and doth accordingly Order and Decree that the Defendant shall Pay unto the Complainant the full and just Sums of Ninety Pagodas (Pagodas 90 -) Hoge Silver with such Interest as now is or shall hereafter become due thereon until full Payment is made also all Costs of this Suit

Henry Brooke — Ap Com

vers

Chidembrum Iyengar and Duvaraauze

The Attorney for the Complainant prays a further time of Fourteen days for the return of the Summons and Warrant of Arrest issued against the Defendants Body — Granted Accordingly.

P The United English East India Company by their Agents & Lessees Du Pré Cuff &c Council

vers

John Wood

& Contra

The Attorney for the Original Defendant and Cross Complainant produces to the Court a Certificate from the Register setting forth that the Usual Rules have issued for the Original Complainants to Reply, and the Cross defendants to Answer, which they have neglected doing, & therefore prays that these Causes may be heard on the Proceedings already had — To which the Opposite Attorney Objects, and prays that a further time may be granted them, as the Proceedings in these Causes are very long — The Court having taken the same into Consideration and finding the Proceedings are very long and intricate, it is Agreed that a further time be Granted — Further Days Given the Original Complainants till the 31st Instant to Reply, in default of which this Cause will be heard on Bill and Answer — Further Days is given the Cross Defendants till the 31st Instant to Answer the Cross Complainants Bill in default of which Judgement will be given for the Cross Complainant

B The United English East India Company by their Agents Josias Du Pré Cuff &c Council

vers

John Wood

& Contra

The Attorney for the Original Defendant and Cross Complainant produces to the Court a Certificate from the Register setting forth that the Usual Rules have issued for the Original Complainants to Reply, and the Cross defendants to Answer, which they have neglected doing, & therefore prays that these Causes may be heard on the Proceedings already had, to which the Opposite Attorney Objects, and prays that a further time may be Granted them, as the Proceedings in these Causes are very long — The Court having taken the same into Consideration and finding the Proceedings are very long and intricate, it is Agreed that a further

for the

further time be granted—

Further Day is Given the Original Complainants till the 31st Instant to Reply in default of which this Cause will be Heard on Bill and Answer—

Further Day is Given the Cross Defendants till the 31st Instant to Answer the Cross Complainants Bill, in default of which Judgment will be Given the Cross Complainant—

G The United English East India Company by their Agents Josias Du Pre Esqr & Co Counsel

vers

John Wood

& Contra

The Attorney for the Original defendant; and Cross Complainant; produces to the Court a Certificate from the Register setting forth that the Usual Rules have been for the Original Complainants to Reply, and the Cross Defendants to Answer, which they have neglected doing, Neither for' prays that these Causes may be Heard and the Proceedings already had; For which the Opposite Attorney Objects, and prays that a further time may be granted them, as the Proceedings in these Causes are very long— The Court having taken the same into Consideration, and as the Proceedings are very long and Intricate, it is Agreed that a further time be Granted—

Further Day is Given the Original Complainant till the 31st Instant to Reply in default of which this Cause will be Heard on Bill & Answer—

Further Days is Given the Cross defendants till the 31st Instant to Answer the Cross Complainants Bill in default of which Judgment will be Given for the Cross Complainant—

Pirus Ramad

vers

Allepidan Racundo

Further days is Given the Parties till the 10th Instant to Examine Witnesses

Francois Xavier Le Gou by his Attorney Daniel Shaw

vers

Shewshidambara Pillay

& Contra

Ordered hearing this Cause till Tuesday next when a full Court is Ordered

Ordered to be Summoned—

Adjourned to Tuesday the 10th Instant—

Madras Held at the Town Hall on Tuesday the 10th day of March Anno Domini 1772.

Present

George Smith Esquire Mayor

Thomas Powney — Edward Fraser

Archdale Palmer — & George Savage

Aldermen

Mr Alderman Savage takes his Seat as Alderman and one of the Judges of this Court—

John Robinson

vers

John Munk

Mr Henry Du Pre for Thomas Chambers acquaints the Court that the Summons prayed for last Court day did not issue, and prays that it may now issue— Ordered Accordingly—

Joaquim Gregorio

vers

Sondergell Ninah Pillah

Mr Johnstophes for Daniel Shaw Acquaints the Court that the Warrant of Arrest prayed for last Court day did not Issue, and prays that it may now issue— Ordered Accordingly—

Ros Bolt

vers

Shak Mustapha

Mr Johnstophes for Daniel Shaw Acquaints the Court that the Warrant of Arrest prayed for last Court day did not Issue, and prays that it may now issue— Ordered Accordingly—

William Duff

vers

Ninah Chitty

The Register Acquaints the Court that all the Complainants Request &c &c

Counter Warrant issued under the Hand and Seal of the Mayor for the Defendants Release

Cottam Shesnannauch

vers

Saboriano Johnson

The Register Acquaints the Court that at the Complainants Request a Counter Warrant is issued under the Hand and Seal of the Mayor for the defendants Release

Ninah Chilly

vers

Jorgen Hertz

Further day is Given the Parties till the 17th Instant to Examine Witnesses

John Debonaire by his Attorney Reynold Adams

vers

Teagapah Chilly

Further Days is Given the Parties till the 17th Instant to Examine Witnesses

Cotta Narraun Chilly

vers

Paul Benfield

Further Day is Given the Parties till the 17th Instant to Examine Witnesses

Juvendannum Paupiah

vers

Thomas Chambers

Defendant

Further day is Given the Parties till the 17th Instant to Examine Witnesses

Reynold Adams

vers

Coupah Chilly Lanumy

Further days is Given the defendant till the 17th Instant to Answer the Complainants Bill on default of which Judgment will be given for the Compl.

John Robinson

vers

Richard Blackburn

Further day is Given the defendant till the 10th Instant to Answer the Complainants Bill

James

James West

vers

Louis Monneron

& Contra

Further Days is Given the Original Complainant till the 17th Instant to Reply

Further Day is Given the Cross defendant till the 17th Instant to Answer the Cross Complainants Bill

The Mayor being Interested goes off the Bench and the Maces are taken away

Edward Monchton

vers

Amunda Narraun

Warrant of Arrest returned served. The defendant brought to Court

John Doe and Richard Roe become Bail for the Personal Appearance of the defendant taken in Court

Charles Smith and John Douglas Executors to the Estate of George Dalton deceased Ors

Reynold Adams and John Gofslen Executors to the Estate of Edmund Whatmough deceased

Bill of Revivor brought by the Complainant against the defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him and be on the same Right and Conditions as it was at the time the other defendant John Gofslen was living. The said Reynold Adams appears by his Attorney Messrs Johnstones and Charles Brumley and Acquaints the Court that he has no Objections to the Suit standing Revived against him

A Note from the Examiners to the Register Read as being for that the Depositions in this Cause are ready

Publication is Pleaded in this Cause

Charles Smith

vers

Reynold Adams and John Gofslen Executors to the Estate of Edmund Whatmough deceased

Bill of Revivor brought by the Complainant against the defendant

Reynold

Reynold Adams the Surviving Executor to the Estate of Edmund Whalmough deceased to Shew Cause why this Suit should not stand Revived against him and bear the same Right and Condition as it was in at the time the other Defendant John Goselen was Living — The said Reynold Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints this Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready — Publication is passed in this Cause —

John Holland and John Edward Holland

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whalmough deceased

Bill of Review brought by the Complainant against the Defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whalmough deceased to shew Cause why this Suit should not stand Revived against him and be in the same Right and Condition as it was in at the time the other Defendant John Goselen was Living — The said Reynold Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints this Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready — Publication is passed in this Cause —

Antonio DaSouza

vers

Reynolds Adams and John Goselin Executors to the Estate of Edmund Whalmough deceased

Bill of Review brought by the Complainant against the Defendant Reynolds Adams the Surviving Executor to the Estate of Edmund Whalmough deceased to shew Cause why this Suit should not stand revived against him and be in the same Right and Condition as it was in at the time the said Defendant John Goselen was living — The said Reynolds Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready — Publication is passed in this Cause —

James Taylor

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whalmough deceased

Bill of Review brought by the Complainant against the Defendant Reynolds Adams the Surviving Executor to the Estate of Edmund Whalmough deceased to shew Cause why this Suit should not stand Revived against him and be in the same Right and Condition as it was in at the time the other Defendant John Goselen was living — The said Reynolds Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready — Publication is passed in this Cause —

Charles Desvaux

vers

Reynolds Adams and John Goselen Executors to the Estate of Edmund Whalmough deceased

Bill of Review brought by the Complainant against the Defendant Reynolds Adams the Surviving Executor to the Estate of Edmund Whalmough deceased to shew Cause why this Suit should not stand Revived against him and be in the same Right and Condition as it was in at the time the other Defendant John Goselen was living — The said Reynolds Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready — Publication is passed in this Cause —

Thomas Bowney

vers

Reynolds Adams and John Goselen Executors to the Estate of

Edmund

Edmund Whatmough deceased

Bill of Review brought by the Complainant against the defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him and be on the same Rights and Condition as it was at the time when the other defendant John Gosselin was living— The said Reynold Adams appears by his Attorneys Mess^rs John Sykes and Charles Bromley, and Acquaints the Court that he has no Objection to the Suits standing revived against him— A Note from the Examiners to the Register Read setting forth that the Depositions in this Cause are Ready Publication is passed in this Cause—

Frances Saurdan

versus

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Bill of Review brought by the Complainant against the defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand revived against him and be on the same Rights and Condition as it was at the time when the other Defendant John Gosselin was living— The said Reynold Adams appears by his Attorneys Mess^rs John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him— A Note from the Examiners to the Register Read setting forth that the Depositions in this Cause are Ready— Publication is passed in this Cause

Thomas Pelling and John de Jersey

versus

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Bill of Review brought by the Complainant against the defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him and be on the same Rights and Condition as it was at the time when the other Defendant John Gosselin was living— The said Reynold Adams appears by his Attorneys Mess^rs John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him— A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready Publication is passed in this Cause—

Paul Bamfield

versus

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Bill of Review brought by the Complainant against the defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not Stand revived against him and be on the same Rights and Condition as it was at the time the other Defendant John Gosselin was living— The said Reynold Adams appears by his Attorneys Mess^rs John Sykes and Charles Bromley and Acquaints the Court that he has no Objections to the Suits standing Revived against him— A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready Publication is passed in this Cause

Edward Monckton

versus

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Bill of Review brought by the Complainant against the defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should and stand Revived against him, and be on the same Right and Condition as it was at the time the other defendant John Gosselin was living— The said Reynold Adams appears by his Attorneys Mess^rs John Sykes and Charles Bromley and Acquaints the Court that he has no Objections to the Suits standing Revived against him— A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready— Publication is passed in this Cause

Henry Brooke

versus

Reynold Adams and John Gosselin Executors to the Estate of Edmund

Edmund Whatmough deceased

Bill of Revivor brought by the Complainant against the Defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand revived against him and be in the same Right and Condition as it was in at the time the other Defendant John Gosselin was living — The said Reynold Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready — Publication is passed in this Cause —

Francis Peacock by his Attorney his Attorney Charles Bromley

Vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Bill of Revivor brought by the Complainant against the Defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him and be in the same Right and Condition as it was in at the time the other Defendant John Gosselin was living — The said Reynold Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are ready — Publication is passed in this Cause —

Chocapatoo Chitty

Vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Bill brought by the Complainant against the Defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him and be in the same Right and Condition as it was

in at the time the other Defendant John Gosselin was living — The said Reynold Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are Ready — Publication is passed in this Cause

Reynold Adams

Vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Bill of Revivor brought by the Complainant against the Defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him and be in the same Right and Condition as it was in at the time when the other Defendant John Gosselin was living — The said Reynold Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register read setting forth that the Depositions in this Cause are ready — Publication is passed in this Cause

Joannes Marcan

Vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

Bill of Revivor brought by the Complainant against the Defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand revived against him and be in the same Right and Condition as it was in at the time the other Defendant John Gosselin was living — The said Reynold Adams appears by his Attorneys Messrs. John Sykes and Charles Bromley and Acquaints the Court that he has no Objection to the Suits standing Revived against him — A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause

are Ready — Publication is passed in this Cause

Jacob Lisman

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased.

Bill of Review brought by the Complainant against the Defendant Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him, and be in the same Right and Condition as it was in at the time the other Defendant John Goselin was Living — The said Reynold Adams Appears by his Attorney Messrs Johnstones and Charles Bramley and Acquaints the Court that he has no Objection to the Suit's standing revived against him — A Note from the Examiner to the Register read Setting forth that John Godier and John Paulson who were Summoned as Witnesses on the part of the Complainant, have not appeared to be examined

The Mayor returns to his Seat and the Sheriffs are replaced.

John Whitehill

vers

Francis De St Serquet

The Sheriff delivers into Court his Account Sale of the Lucia Dighe by, which he Sold by Publick Outcry by Virtue of an Order issuing from this Court dated the 18th February last Amounting to Pagodas 4886 17 ah 0 —

Ordered that the said Sum of Pagodas 4888 17 ah 0 be deposited into the Company's Cash under the Head of the Accountant General and Carried to the Credit of this Cause until further Order of this Court, as this cause was so determined on the said 18th day of February last

The Honble the United English East India Company by their Agents

Josias Du Pré Esqr &c Council

vers

John Wood

& Cantra

Petition of the Cross Complainant and Original defendant filed praying that the Court will Reconsider the Order in Rule made last Court day. The Court having taken into Consideration the said Petition are of Opinion that the Order made in these Causes last Court day shall stand Confirmed — Ordered therefore that the said Petition be thrown out with Costs to be paid by the Petitioner

The Honble the United English East India Company by their Agents

Josias Du Pré Esqr &c Council

vers

John Wood

& Cantra

Petition of the Cross Complainant and Original defendant Read and filed praying that the Court will reconsider the Order or Rule made last Court day — The Court having taken into Consideration the said Petition are of Opinion that the Order made in these Causes last Court day shall stand Confirmed — Ordered therefore that the said Petition be thrown out with Costs to be paid by the Petitioner

The Honble the United English East India Company by their Agents

Josias Du Pré Esqr &c Council

vers

John Wood

& Cantra

Petition of the Cross Complainant and Original defendant Read and filed praying that the Court will reconsider the Order or Rule made last Court day — The Court having taken into Consideration the said Petition are of Opinion that the Order made in these Causes last Court day shall stand Confirmed — Ordered therefore that the said Petition be thrown out with Costs to be paid by the Petitioner

John Turing Administrator to the Estate & Effects of Wm Bogle deceased by his Attorney Stidman Turing

vers

Ammanee Addapah

Day is Given the defendant to the 4th Inst and to Answer the Complaint and Bill

Richard Parker by his Atty Charles Edwards Jones

vers

Charles Smith and John Douglas Executors to the Estate of George Dalton

Decd

Deceased

Summons returned served — The Defendants dont appear

To be Summoned again —

Samuel Troutbeck

vers

Tolanay Vencadashroo

Et Contra

Further Day is Given the Cross Defendant till the 17th Instant to Reply

in default of which this Cause will be heard on the Proceedings already had

Samuel Troutbeck

vers

Rangapullay Nundiah

Et Contra

Further Day is Given the Cross defendant till the 17th Instant to Reply in

default of which this Cause will be Heard on the proceedings already had

François Xavier Le Gout by his Attorney Daniel Shaw

vers

Shaveshedamberapully

The Attorney for the Complainant being Absent, deferred hearing this Cause

till Tuesday next when a full Court is Ordered to be Summoned —

Adjourned to Tuesday the 17th Instant

At a Court Held at the Town Hall on Tuesday the

17th day of March Anno Domini 1772 —

Present

George Smith Esquire Mayor

Thomas Ramsay — Edward Sheldon

Archdale Palmer — & George Savage

Aldermen

John Robinson

vers

Sabon Mirack

Per Henry Le Pay for Thomas Chambers Attorney for the Complt

Acquaints the Court that the Summons prayed for last Court day did not

issue, and prays that it may now issue —

Ordered Accordingly —

Joaquim Gorgorio

vers

Sondergel Ninah Pillah

A further time till Next Court day for the return of the Warrant to issue

Issued against the Defendants Body prayed for and Granted —

Ross Bolt

vers

Shah Mustafa

The Attorney for the Complainant Acquaints the Court that the Summons

prayed for last Court day did Not issue —

Richard Parks by his Attorney Charles Edward Jones

vers

Charles Smith and John Douglas Executors to the Estate of George Dickson

deceased

A further time of Fourteen days for the return of the Summons Issued against

the Defendant prayed for and Granted —

Chinnathamby Chitty

vers

Anguay

Bill filed between the days of Appearance — Summons returned Non Est

est[illegible] and a Warrant of Arrest Issued against the Defendants Body Returned

Served — The Defendant is brought to Court — The Attorney for the Complain[illegible]

prays that the Defendant may give Bail — The Defendant offers for his

Bail Tagapah, whom the Opposite Attorney Objects to as insufficient —

The said Tagapah thereupon makes Oath that he is justly and truly

Worth the Sum of Pagodas 250 or 80 being over and above the Sum Sufficient for

after all his debts are paid, and is thereupon Admitted as Bail for

the Defendant, he bound and Acknowledged in Court —

Kenny Brooke

vers

Chelambayagan and Davenayagan

A further time of Two Weeks for the Return of the Summons and Warrant

of Arrest Issued against the Defendants Body prayed for and Granted
Michael de Resurrection and Ursulla his Wife Administrators and
Administratrix to the Estate of Bartholomew Poulard deceased
vers
Charles del. Tayde
D Contra
A further time of two Weeks for the return of the Commission issued to Leeches-
pley for the Examination of Witnesses in this Cause prayed for and Granted
Further Days is Given the Parties till the 24th Instant to Examine Witnesses
in default of which Publication to pass in this Cause
Nunah Chibby
vers
Jurgen Hertz
Further Days is Given the Parties till the 24th Instant to Examine Witnesses
Cotta Nanrain Chibby
vers
Paul Bousfield
Further Days is Given the Parties till the 24th Instant to Examine
Witnesses
John Debonnaire by his Attorney Reynold Adams
vers
Seagapah Chibby
Further Days is Given the Parties till the 24th Instant to Examine
Witnesses
Catford Bonner Lamb Dent
vers
Richard Blackburn
Further Days is Given the Defendant till the 24th Instant to Answer
the Complainants Bill, in default of which Judgement will be given
for the Complainant
John Fearing Administrator to the Estate of Walter Goddard deceased
by his Attorney Williams Fearing
vers
Aaronson Addapah

Further Days is Given the Defendant till the 24th Instant to Answer the
Complainants Bill
Auwendanum Paupiah
vers
Thomas Chambers
D Contra
Further days is Given the Parties till the 24th Instant to Examine Witnesses
John Robinson
vers
Richard Blackburn
Further days is Given the Defendant till the 24th Instant to Answer the
Complainants Bill, in default of which Judgement will be Given for
the Complainant
Daniel Shaw
vers
Moore
Further day is Given the Defendant till the 24th Instant to Answer
the Complainants Bill
The Mayor being being Intimated goes off the Bench and the Mace is taken away
George Mackay
vers
James Johnson
The Attorney for the Complainant prays that this Cause may be set
down for Hearing Which the Opposite Attorney Objects, as the
Translation of the Perusal Exhibit delivered in to Court by the Complain-
ant is not Sworn to, Upon which the Attorney for the Complainant
Requires the Court that he could not proceed any Further to hear
the Translation of the said Paper The Attorney for the Defendant
thereupon Requires the Court that in Case Further proceedings be had in
his endeavors to get a Person to Translate the same upon Oath, and
if he cannot do that, to Compare the present Translation with
the Original, and prays that Fourteen Days may be Allowed him
for that Purpose Ordered Accordingly
The Mayor returns to his Seat and the Mace is replaced

Antoine Paint

vers

Agnes Ronel Hannelan

Further Day is Given the Parties till the 24th Instant to Examine Witnesses

James West

vers

Louis Mannerian

& Cantra

Further Day is Given the Original Complainant till the 24th Instant to Reply in default of which this Cause will be Heard on Bill and Answer

Further Day is Given the Cross Defendant till the 24th Instant to Answer the Cross Complainant's Bill in default of which Judgment will be Given for the Cross Complainant

Johanne Peter Rysamire

vers

Davy Jaganyen

Further Day is Given the Defendant till the 24th Instant to Answer the Complainant's Bill in default of which Judgment will be given for the Complainant

John Smith

vers

Henry Thomas Sparke

Summons returnable Immediately and Warrant of Arrest issued as the Defendants Body not to be found Endorsed Not to be found

The Mayor and Mr Alderman Pomery being Interested go off the Bench and the Maces are taken away

John Goselin

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Bill of Revivor brought by Mr James West Executor to the Estate of the Complainant John Goselin deceased against Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him and be on the same Rights and Condition as it was in at the time the said deceased was living The said Reynold Adams appears by his Attorney Mr John Sykes and Acquaints the Court that he has no Objection to the Suit standing Revived against him

John Goselin

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

Bill of Revivor brought by Mr James West Executor to the Estate of the Complainant and John Goselin deceased against Reynold Adams the Surviving Executor to the Estate of Edmund Whatmough deceased to shew Cause why this Suit should not stand Revived against him and be on the same Rights and Condition as it was in at the time the said deceased was living The said Reynold Adams appears by his Attorney Mr John Sykes and acquaints the Court that he has no Objection to the Suit standing Revived against him

Charles Desvoeux Assignee of Charles Bromley

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause, and Setting forth that John Gedion, and John Reardon have not appeared for Examination

Charles Smith and John Douglas Executors to the Estate of George Dalton deceased

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause

Charles Smith

vers

Reynold Adams and John Goselin Executors to the Estate of Edmund Whatmough deceased

A Note from the Examiner to the Register Read Accompanying the

the Depositions in this Cause

Jeames Hancox

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause, and setting forth that Jacob Lamow did not appear to be Examined

Frances Peacock by his Attorney Charles Bromley

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause And setting forth that John Godine and John Paulton have not appeared to be examined

Reynold Adams

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause

Chocapah Chitty

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause And setting forth that John Gosselin and John Paulton have and appeared to be Examined

Antonio da Souza

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause And setting forth that John Wilkinson

Wilkinson did not appear to be examined

Henry Brooke

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause And setting forth that John Godine, and John Gosselin have not appeared to be examined

John Holland and Edward John Holland

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause And setting forth that John Godine, and John Gosselin have not appeared to be Examined

Thomas Pomroy

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause And setting forth that John Gosselin and John Paulton have not Appeared to be examined

Thomas Pelton and John De Frie

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause And setting forth that John Wilkinson did not appear to be Examined

Edward Manchester

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whalmough deceased

Wits

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause – And setting forth that John Godin and John Gosselin have not appeared to be Examined –

Francis Saundann

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause – And setting forth that John Godin, John Paulon, and John Gosselin, have not appeared to be examined –

James Taylor

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause –

Paul Bonfield

vers

Reynold Adams and John Gosselin Executors to the Estate of Edmund Whatmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause – And setting forth that John Godin and John Paulon have not appeared to be examined –

The Mayor and Mr Aldermen Powney return to their Seats and the Maces are Replaced –

Ramah

vers

William Johnson

Warrant of Attachment issued against the Complainant and for Contempt in not paying his Attorney's Stipulated fees returned endorsed Not to be found –

A second Warrant of Attachment prayed for and Granted

Petrus Thomas

vers

Pellapedavo Pareudoss

A Note from the Examiner to the Register Read, setting forth that the Depositions in this Cause are ready –

The Mayor being Interested goes off the Bench and the Maces are taken away

Shaddock Iyrang

vers

John Burnell and William Benton

Ordered by the Consent of both Parties that this Cause be set down for Hearing –

Thomas Lascar

vers

John Burnell and William Benton

Ordered by the Consent of both Parties that this Cause be set down for Hearing –

Bevan Iyrang by his Attorney Narrain Iyrang

vers

John Burnell and William Benton

Ordered by the Consent of both Parties, that this Cause be set down for Hearing –

The Mayor resumes his Seat and the Maces are replaced –

François Xavier Le Gou by his Attorney Daniel Shaw

vers

Shevashedavanbaad Pillai

& Contra –

Bill with an Account Current and a Translate of a Paper Writing from the Malabar Language annexed Read –

Answer Read

Cross Bill Read –

Replication Read

Cross Answer Read

Rejoinder Read

Cross Replication Read –

Rejoins

Rejoinder Read.

Interrogatories on the part of the Original Complainant and Cross defendant with a Note or Writing Obligatory in the French Language annexed Read.

Two Depositions fin French and Translates thereof taken thereunto Read

Additional Interrogatories on the part of the Original Complainant and Cross defendant with an Obligatory Writing in the Malabar Language annexed Read.

Three Depositions taken thereunto Read.

Interrogatories on the part of the Original defendant and Cross Complainant Read.

One Deposition taken thereunto Read.

Additional Interrogatories on the part of the Original Defendant and Cross Complainant Read

Three Depositions taken thereunto Read.

Further Additional Interrogatories on the part of the Original defendant and Cross Complainant Read.

Four Depositions taken thereunto Read.

The Attorney for the Original Complainant, Objects to the Deposition of Vincola Rayah a Witness produced on the part of the Original Defendant, and prays that the said Deposition may be quashed, as it's Not signed by the said Vincola Rayah — The Court having taken the said Prayer into Consideration; and as the Examinin has set his Name to the said Deposition, and thereby Certifying that the same has been Sworn to — The Court are of Opinion that it ought to be received as Evidence, All the Six not signed by the said Deponent

These Causes coming on to be Heard and Debated this day, in the Presence of the Attorneys on both sides, On Reading the Complainants Bill with an Account Current, and a Translate of a Paper Writing from the Malabar Language annexed, The defendants Answer, the Cross Complainants Bill, The Replications, The Cross defendants Answer, The Rejoinder, The Cross Complainants Replication, The Cross defendants Rejoinder, The Interrogatories and Depositions on the part of the Original Complainant and Cross defendant, with a Note or Writing Obligatory in the French Language, as also an Obligatory Writing in the Malabar Language annexed, The Interrogatories and Depositions on the part of the Original Defendant and Cross Complainant — On hearing the Pleadings made thereby the Attorneys, and on due Consideration had thereon, Happearing to the Court from the Proceedings, that the Original Complainant has not produced sufficient Evidence to prove the Validity of the Bond supon which he now sues — The Court doth therefore think fit to Order and Decree, and doth Accordingly Order and Decree, that the Original Complainants Bill be Dismissed, and that the Original Complainant do pay the Costs of both Suits —

Bill of Daniel Cayes with a Translate of a Bond or Obligation annexed filed.

Seragapah Chitty and Audey Vencatachala to be Summoned

Bill of Joseph le Marcat with two Agreements and an Account Current annexed filed —

Narrapeet to be Summoned

Adjourned to Tuesday the 26th Instant

A Court Held at the Town Hall on Tuesday the 24th day of March Anno Domini 1772 ——

Present

George Smith Esquire Mayor

Thomas Bowrey — Edward Gracey

Archdale Palmer — & George Savage

Aldermen ——

John Robinson

and

John Meunier

The Attorney for the Complainant desires the Court that the Summons prayed for last Court day to issue

Joaquim Gregorio

vers

Londongelle Anna h Pillah

A further time of One Week for the Return of the Warrant of Arrest issued against the Defendants Body, prayed for and Granted

Joseph Mazoot

vers

Narrainsamy

Summons Returned Served — The Defendant Appears by his Attorney Mr Daniel Shaw — The Attorney for the Complainant prays that the Defendant may give Bail — Samuel Shaw and John Doe became Bail for the Personal Appearance of the Defendant or to Answer all Costs and Damages taken and Acknowledged Vizt Cant

Daniel Cayon

vers

Seagapah Chitty and Audery Concatashem

Summons returned Served The Defendants do not appear & to be Summoned again —

Joannes Marcar

vers

Allen Pencamin

Bill filed between the days of Adjournment — Summons returnable immediately and a Warrant of Arrest issued against the Defendants Body returned served — Adolphus Smith of Madras Inhabitant, and John Doe become Bail for the Personal Appearance of the Defendant, or to Answer all Costs and Damages taken and Acknowledged by the Master — Rethe said Adolphus Smith having first Sworn that he is Really and Bona fide worth the Sum of Pagodas 1320.5 being double the Sum sued for, after all his Debts are paid, and that thereupon a Counter Warrant issued under the Hand and Seal of the Mayor for the Defendants Release —

The Attorney for the Defendant prays that the Complainant may be directed to deliver into Court the Respondents a Bond wherein he

he resides, for the Inspection of the Defendant

Ordered Accordingly —

Adolphus Smith

vers

Goorakoo Conayah

The Register Acquaints the Court that at the Complainants Request a Counter Warrant issued under the Hand and Seal of the Mayor for the Defendants Release —

Adolphus Smith

vers

Tomaor Nellavandoo

The Register Acquaints the Court that at the Complainants Request a Counter Warrant issued under the Hand and Seal of the Mayor for the Defendants Release —

Adolphus Smith

vers

Sanjeevey Goaraupah

The Register Acquaints the Court that at the Complainants Request a Counter Warrant issued under the Hand and Seal of the Mayor for the Defendants Release —

Adolphus Smith

vers

Tanerao Chenaviranmendoo

The Register Acquaints the Court that at the Complainants Request a Counter Warrant issued under the Hand and Seal of the Mayor for the Defendants Release —

Adolphus Smith

vers

Chen Goaraupah Ramendoo

The Register Acquaints the Court that at the Complainants Request a Counter Warrant issued under the Hand and Seal of the Mayor for the Defendants Release

Adolphus

Adolphus Lanaith

vers

Lamaroo Seemalayah

The Register Acquaints the Court, that at the Complainants Request a Counter Warrant is issued under the Hand, and Seal of the Mayor for the defendants Release

Ninah Chitty

vers

Jurgen Hartz

Further day is given the Parties till the 31st Instant to Examine Witnesses

Coddy Narrain Chitty by his Attorneys Allumjellee Chitty, and Pathma-nabaw Chitty

vers

Paul Benfield

Further Days is Given the Parties till the 31st Instant to Examine Witnesses — A further time of One Month for the return of the Commission issued to Bengall for the Examination of Witnesses in this Cause prayed for, and Granted

Lewis da Costa by his Attorney Reynold Adamas

vers

Francis De St Vergnet

a further time of One Month for the return of the Warrant of Sequestration issued against the defendants Effects prayed for and Granted

Lewis da Costa by his Attorney Reynold Adamas

vers

Francis De St Vergnet

a further time of One Month for the return of the Warrant of Sequestration issued against the defendants Effects prayed for, and Granted

John Leonardo da Luz by his Attorneys Lewis Da Costa, by his Attorney Reynold Adamas

vers

Francis De St Vergnet

A further time of One Month for the return of the Warrant of Sequestration issued against the defendants Effects prayed for and Granted

Lewis da Costa by his Attorney to Mayor de Legarde by his Attorney Reynold Adamas

vers

Francis De St Vergnet

a further time of One Month for the return of the Warrant of Sequestration issued against the defendants Effects prayed for and Granted

John Debonaire

vers

Seagapah Chitty

Further day is Given the Parties till the 31st Instant to Examine Witnesses in default of which, Publication will pass in this Cause

The Mayor being Interested goes off the Bench, and the Maces are taken away

Edward Manesteen

vers

Annunda Narrain

The Attorney for the Complainant prays that a Warrant of Execution may issue against the defendants Effects, he not having satisfied the Decree of this Court passed the 10th Instant

Granted Returnable the 28th April Next

Bill of Alexander Wynch, by his Attorneys Shaw Maxwell Stone, and Williams

Wynch, with an Account Examinat annexed filed

George Smith to be Summoned

The Mayor returns to his Seat, and the Maces are replaced

Johan Luning Administrator to the Estate of Walter Ford deceased, by his Attorney William Luning

vers

Annunda Addapah

Further day is Given the defendant till the 31st Instant to Answer the Complainants Bill, in default of which Judgment will be given for the Complainant

Marmaduke Thompson

Juvendanum Paupiah

vers

Thomas Chambers

Et Contra

Further Day is Given the Parties till the 31st Instant to Examine Witnesses

The Mayor and Mr Aldermans Pomney being Interested Ags the Bench and

their Maces are taken away

Charles Smith and John Douglas Executors to the Estate of George

Dal Bose deceased

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Ordered that this Cause be set down for Hearing

Charles Smith

vers

Reynolds Adams and John Gosselin Executors to the Estate of

Edmund Whatmough deceased

Ordered that this Cause be set down for Hearing

John Rolland and Edward John Rolland

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Ordered that this Cause be set down for Hearing

Antonio da Soura

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Ordered that this Cause be set down for Hearing

Joanes Taylor

vers

Reynolds Adams and John Gosselin Executors to the Estate of

Edmund Whatmough deceased

Ordered that this Cause be set down for Hearing

Charles Desvaux

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Ordered that this Cause be set down for Hearing

Thomas Pomney

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Ordered that this Cause be set down for Hearing

Francis Jourdan

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Ordered that this Cause be set down for Hearing

Thomas Pelling and Abraham Jones

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Ordered that this Cause be set down for Hearing

Paul Benfield

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Ordered that this Cause be set down for Hearing

Edward Manckton

vers

Reynolds Adams and John Gosselin Executors to the Estate of

Edmund Whatmough deceased

Ordered that this Cause be set down for Hearing

Henry Brooke

vers

Reynolds Adams and John Gosselin Executors to the Estate of Edmund

Whatmough deceased

Orders

Ordered this Cause be set down for Hearing

Francis Pacock by his Attorney Charles Bromley

vers

Reynolds Adams and John Goffelin Executors to the Estate of Edmund Whatmough deceased

Mr Johnson by his Attorney for the Defendant Reynolds Adams prays that the Deposition of Mr Charles Bromley may be Suppressed as he is private Attorney to the Complainant — Mr Henry Du Pury the Opposite Attorney has no Objection to Mr Bromley's Deposition being Suppressed, as he was examined thro a Mistake

Ordered that this Cause be set down for Hearing

Chocapah Chitty

vers

Reynolds Adams and John Goffelin, Executors to the Estate of Edmund Whatmough deceased

Ordered that this Cause be set down for hearing

Reynolds Adams

vers

Reynolds Adams and John Goffelin Executors to the Estate of Edmund Whatmough deceased

Ordered that this Cause be set down for Hearing

Johannes Mercar

vers

Reynolds Adams and John Goffelin Executors to the Estate of Edmund Whatmough deceased

Ordered that this Cause be set down for Hearing

W John Goffelin

vers

Reynolds Adams and John Goffelin Executors to the Estate of Edmund Whatmough deceased

Ordered that this Cause be set down for Hearing

The Mayor and Mr Alderman Powney return to their Seats and the Maces are replaced

Adolphus Smith

vers

Mallapah

Petition of Coareecarian Moodeliar filed Setting forth for that the Sheriff had by Virtue of a Warrant of Sequestration issued against the Defendants Effects Seized a House and Ground the Property of the Petitioner, and the Sheriff had in Pursuance of an Order from this Court Advertized for the said House and Ground to be Sold and discharge of the Complainants Debt, Notwithstanding they are the Property of the Petitioner, Wherefore prays that the Sequestre may be superseded and the Sheriffs Seals be taken off the said Premises, and he put in Possession of the same

Ordered that the Complainant be summoned with a Copy of the said Petition, and that the Sheriff be restrained from Selling the Sequestered Premises till further Order of this Court

Samuel Troubach

vers

Rangapulla Nundeah — & Contra

Cross defendants Rejoinder filed

Samuel Troubach

vers

Tolanoo of Tenecatasheen

& Contra

Cross Defendants Rejoinder filed

Narrain Chitty

vers

Paul Benfield

Issue joined

Day is given the Parties till the 21st Instant to Examine Witnesses

The Attorney for the Original Complainant and Cross defendant prays that a Commission or Dedimus directed to the Examiners of this Court to examine one Pooney Cooley a necessary Material Witness in this Cause at Trepliecane Pagoda, as the Complainant does

not think but that the Common Method of Administering the Oaths is sufficiently Solemn, and Binding — Towhich the Opposite Attorney Objects, unless very particular reasons can be given — The Court having taken the same into Consideration — It is Ordered that a Commission issue do issue, as prayed for by the Original Complainant's Attorney —

Fortoine Pouant
vers
Agnes Rose Kennedy

Further Day is Given the Parties till the 31st Instant to Examine Witnesses

Daniel Shaw
vers
Master

Further Day is Given the Defendant till the 31st Instant to Answer the Complainant's Bill —

Petrus Thomas
vers
Villapatnam Pacudos

Publication is passed in this Cause

Raynold Adams
vers
Gouprah Chitty Sanoonay

The Attorney for the Complainant produces to the Court a Certificate from the Register, setting forth that the Usual Rules have issued for the Defendant to Answer the Complainant's Bill, which he has neglected doing, he therefore prays that a Decree may now pass — The Attorney for the Defendant delivers into Court the Defendant's Answer, and produces to the Court a Letter from his Client setting forth that he is Sick, and Unable to Attend the Court — The Court having taken the same into Consideration — And as the Answer is ready — It is Agreed that the Defendant be Allowed till Next Court Day to Swear to his Answer before one of the Judges of this Court in default thereof that a Decree do pass —

William

William Strong
vers
Shake Rufsan

The Attorney for the Complainant Acquaints the Court that the Usual time of Six Months allowed by his Majesty's Charter since the Return of the Warrant of Sequestration issued against the Defendant's Effects, is expired, and as the Defendant has not appeared to Answer the Complainant's Bill, He prays that a Decree may now pass — Bill Read —

Happearing by the Records of this Court that the Space of six Months of the time Limited in His Majesty's Charter is elapsed since the return of the Warrant of Sequestration issued against the Defendant's Effects, and the Defendant has not made any Appearance in Court to Answer the Complainant's Bill — This Court doth therefore think fit to Order and Decree and do it Accordingly, Order and Decree, that the Defendant shall pay unto the Complainant the full and just sum of Seventy Pagodas, Twenty two fanams, and Thirty Cash (Pagodas 70.22.30) together with such Interest, as moneys as shall become due thereon Until full Payment is made, also all Costs of this Suit

Hum —

William Cannis by his Attorney Thomas Rathbone
vers
Shake Rufsan

The Attorney for the Complainant Acquaints the Court that the Usual time of Six Months allowed by his Majesty's Charter since the Return of the Warrant of Sequestration issued against the Defendant's Effects, is expired, and as the Defendant has not appeared to Answer the Complainant's Bill — He prays that a Decree may now pass — Bill Read —

Happearing by the Records of this Court that the Space of six Months of the time Limited in his Majesty's

Charles's elapsed since the return of the Warrant of Sequestration issued against the Defendant's Effects, and the defendant has not made any appearance in Court to Answer the Complainant's Bill — This Court doth therefore think fit to Order and Decree, and doth Accordingly Order and Decree, that the Defendant shall pay unto the Complainant the full and just Sum of Fifty One Pagodas, and Twenty eight Fanams Pagodas 51.28 — together with such Interest as aforesaid, as shall hereafter become due thereon until full payment is made, also all Costs of this Suit

Lucretia Rouzet

vers

Daniel Shaw

Ordered that this Cause do Come on to be Heard on Tuesday next when a full Court is Ordered to be Summoned —

Bill of Marquis Sattur with an Account Sale and an Account Current annexed filed —

Patchiapah Chitty to be Summoned —

Bill of Martinus Nicholaas with a Translate of an Obligation and an Account Current annexed filed —

Paulayanne Chintamanny Chitty to be Summoned —

Bill of Reynold Adams, with an Account Annexed filed —

Verdapah to be Summoned —

Bill of Antonio Johnson with Two Translates, and an Account Current annexed filed —

Rhamanee to be Summoned —

Adjourned to Tuesday the 31st Instant

A6

Madras Held at the Town Hall on Tuesday the 31st day of March Anno Domini 1772 —

Present

George Smith Esquire Mayor

Thomas Powney — Arthur Cuthbert

Edward Stracey — & George Savage

Aldermen

Joaquim Gregorio

vers

Tondengell & Nanah Pillah

Warrant of Constable returned unserved Not to be found —

A Second Warrant of Arrest prayed for and Granted —

Daniel Cuyer

vers

Seagapah Chitty and Judey Tendatasha

Summons returned Served The Defendants do not appear

Antonio Frank

vers

Benjamin Birt

Summons returned Served The Defendant does not appear

To be Summoned again —

Sarquis Sattur

vers

Patcheapah Chitty

Summons returned Served The Defendant does not appear

To be Summoned again —

Martinus Nicholas

vers

Paulayanne Chintamanee Chitty

Summons returned Served The Defendant does not appear

To be Summoned again

Reynolds

Reynold Adams

vers

Verdapaah

Summons returned served — The defendant does not appear

To be Summoned again

Antonio Johnson

vers

Rhennanean

The Attorney for the Complainant Acquaints the Court that the Summ.s prayed for last Court day did not issue and prays that it may now issue — Ordered Accordingly —

The Mayor being Sitting sledges off the Bench and the Maces are taken away —

Alexander Wynch by his Attornies John Maxwell Stuart and William Wynch —

vers

George Smith

Summons returned served — The defendant does not appear

To be Summoned again —

Adolphus Smith

vers

Mattiapah

Day is Given the Complainant till the 17th April next to Answer the Petition of Controversy and Mootie —

George Mackay

vers

James Johnson

Ordered that this Cause be set down for Hearing

Edward Monckton

vers

Benjamin Narrain

The Attorney for the Complainant Acquaints the Court that this praying for a Warrant of Execution against the defendants Effects last Court day was a Mistake, as a Decree had not passed against the Defendant, he Prays that the same may be Superseded — Ordered Accordingly —

The Defendant appears —

The Defendant being in Court and Acknowledging the justness of the Complainants Demand, This Court doth therefore think fit to Order and Decree, and doth Accordingly Order and Decree, that the Defendant shall Pay unto the Complainant the full and just Sum of Four Hundred and Eighty seven Pagodas and Two fanams / Pagodas 487 ½ 2 / together with such Interest as now is, or shall hereafter become due thereon, until full Payment is made, also all Costs of this Suit —

Court —

The Mayor returns to his Seat and the Maces are Replaced —

Charles Bramley

vers

Arroachellum and Veenapermaul

Bill filed between the days of Adjournment — Summons issued thereupon returned Served — The defendants do not appear —

To be Summoned again

Coja Petoan Coja Maul by his Attorney Isaac Marcel

vers

Ammer Nazaradjean Raphael

Bill filed between the days of Adjournment — Summons issued thereupon returned Served — The defendant appears by his Attorney Mr. Johnstone, The Attorney for the Complainant prays that the Defendant may give Bail — Gregorio Sherminem, and John Doe become Bail for the Appearance / Appearance of the Defendant, or to Answer all Costs and Damages to be Taxed and Acknowledged in Court —

Joannes Martinus

vers

Richard Dundas

Bill filed between the Days of Adjournment — Summons issued thereupon returned endorsed Not to be found — The Attorney for the Complainant prays that a Warrant of Sequestration may issue against the Defendants Effects, now the Cause is coming on

to the justness of his Demand — The Complainant being in Court and
Swearing made Oath to the justness of his Demand — Ordered that a
Warrant of Sequestration do issue —

Ninah Chitty

vers

Seergeen Heabz

Further Day is Given the Parties till the 27th day of April next to
Examine Witnesses —

Joseph a Mercoot

vers

Narrainapeen

Day is Given the Defendant till the 27th April next to Answer the
Complainants Bill —

Sungrannia h Chitty

vers

Mathias Calvert

Ordered that this Cause be set down for Hearing

Reynold s Adams

vers

Gouriah Chitty Sawmy

Answer Sworn to in Court filed —

P The United English East India Company by their Agents
Josias Du Pre Esq Sea Council

vers

John Wood
& Contra

Replication filed
The Cross Defendants Answer with the Hon ble East India
Company s Seal affixed to it filed —

G The United English East India Company by their Agents
Josias Du Pre Esq Sea Council

vers

John Wood
& Contra

Replication —

Replication filed
The Cross Defendants Answer with the Hon ble East India Company
Seal affixed to it filed —

B The United English East India Company by their Agents
Josias Du Pre Esq Sea Council

vers

John Wood
& Contra

Replication filed
The Cross Defendants Answer with the Hon ble East India Company
Seal affixed to it filed —

Auwendanaun Paupiah

vers

Thomas Chambers
& Contra

Further Day is Given the Parties till the 27th day of April next to
Examine Witnesses

Petrus Pontas

vers

Pillepdaun Racudoss

A Note from the Examiner to the Register Read, accompanying
the Depositions in this Cause —

The Mayor and the Aldermen Mr Pauney being Interested go off the
Bench and their Places were taken away —

R James West Executor to the Estate of John Gosselin deceased

vers

Reynolds Adams Surviving Executor to the Estate of Edmund
Whatsoever deceased —

A Note from the Examiner to the Register Read, Setting forth that
the Depositions in this Cause are Ready —
Publication is passed in this Cause

Jacob Simons

vers

Reynolds Adams Surviving Executor to the Estate of Edmund
Whatsoever

Whatmough deceased.

A Note from the Examiner to the Register Read setting forth that the Depositions in this Cause are Ready.

Publication is prayed in this Cause.

The Mayor and Mr Alderman Pomroy returned to their Seats, and the Maces are Replaced.

John Robinson

vers

Richard Blackburn

The Attorney for the Complainant produces to the Court a Certificate from the Register Read, setting forth that the Usual Rules have issued for the Defendant to Answer the Complainant's Bill, to which he has neglected doing, Whereupon he prays that a Decree may now pass Bill Read.

It Appearing by the Records of this Court that the Defendant hath been served, with the Usual Rules to Answer the Complainant's Bill, but wilfully and Obstinately refusing so to do, This Court doth therefore think fit to Order and Decree and doth Accordingly Order and Decree, that the Defendant shall Pay unto the Complainant the full Principal Sum of Fifty one Pagodas, and Twenty two Fanams ₰ Pagodas 51 n 22 ~ ₰ together with such Interest as now is, or shall hereafter become due thereon until full Payment is made, also all Costs of this Suit

Daniel Shaw ~ ~ ~

Issue joined

Days Given the Parties till the 7th day of April Court to Examine Witnesses

François Xavier Legou by his Attorney Daniel Shaw

vers

Shewsheden Baraballah

& Cambra

A Letter from the Clerk of the Court of Appeals Read Setting forth that the Complainant hath Appealed from the Decree of this Court passed the 17th Instant

Ordered that the Proceedings in these Causes be sent to the Court of Appeals.

Mr Alderman Cuthbert Being Interested goes off the Bench

Bill of Examines Marshies filed

Anthony Cuthbert to be Summoned

Mr Alderman Cuthbert returns to his Seat

Joannes Mercan

vers

Allen Poncanonin

The Attorney for the Complainant delivers into Court the Bond prayed for last Court day.

Colson Banner Cassh & Dent

vers

Richard Blackburn

The Attorney for the Complainant produces to the Court a Certificate from the Register Read, setting forth that the Usual Rules have issued for the Defendant to Answer the Complainants Bill which he has Neglected doing, She therefore prays that a Decree may now pass Bill Read.

It Appearing by the Records of this Court that the defendant hath been served with the Usual Rules to Answer the Complainants Bill, but wilfully and Obstinately refuses so to do, This Court doth therefore think fit to Order and Decree, and doth Accordingly Order and Decree that the Defendant shall pay unto the Complainant the sum of just Sum of Sixty three Pagodas, and Sixty five Fanams & Pagodas 33 35 / together with such Interest as now is, or shall hereafter become due thereon, until full Payment is made, also all Costs of this Suit

Costs

Mr Alderman Cuthbert Being Interested goes off the Bench

Jean Debonnaue by his Attorney Reynolds Adams

vers

Seagapah Chitty

The Attorney for the defendant begs leave to deliver in and Amended Answer. The Opposite Attorney Objects as Issue is joined in this Cause, and the Rules for Examination of Witnesses almost expired. The Attorney for the Defendant acquaints the Court that he has discovered a Mistake in his Account Current annexed to his Answer, and begs leave to Rectify the same, by Amending his Answer, upon payment of Costs. The Court having to know the same into Consideration, are of Opinion that the Defendant ought not to be permitted to Amend his Answer as Issue has already been joined, and Rules passed for the Examination of Witnesses, It is therefore Ordered that the same be dismissed with

Mr Alderman Cuthbert returns to his Seat

Laurent Rouzet

vers

Daniel Shaw

Bill Read.

Answer with an Account Current annexed Read.

Replication Read.

Rejoinder Read.

Interrogatories on the part of the Complainant with the Answers thereto

Papers annexed Read

Four Depositions taken thereunto Read.

Two Exhibits on the part of the Complainant Read

Interrogatories on the part of the Defendant Read.

Two Depositions to them thereunto Read.

This Cause coming and to be Heard and debated this day in the Presence of the Defendant and of the Attorneys on both Sides, on Reading the Complainants Bill, The Defendants Answer, with an Account Current annexed, The Replication, the Rejoinder, The Interrogatories and Depositions on the part of the Complainant, with two written Papers annexed, Two Exhibits on the part of the Complainant, The Interrogatories and Depositions on the part of the Defendant, On hearing the Pleadings read & duly weighed by their Attorneys, and full Consideration had thereon.

It Appearing to the Court from the Proceedings, that the defendant only Boarded at the Complainants House for the Term of Two Months and fourteen Days, at eight Pagodas p. Month. This Court doth therefore think fit to Order and Decree, and doth Accordingly Order and Decree, that the Defendant shall pay unto the Complainant Two Months, and Fourteen Days Boarding after the rate of Eight Pagodas p. Month, deducting therefrom the Sum of One Pagoda, which appears to have been paid by the Defendant to the Complainant, and that each Party do Pay their Costs so far as they have respectively incurred in the Suit of Bill.

Mathew Hare by his Attorney Nicholas Meure
vers
Johan Paulson

Ordered that this Cause do Come on to be heard on Tuesday next, when a Full Court is Ordered to be Summoned. And Ordered that Vencaty Saveray Narain attending be produced on the part of the defendant to be Examined to Whom the Hearing to be referred as prayed for by the defendants Attorney.

Bill of Costello Bandt with an Account annexed filed
Daniel Shaw to be Summoned.

Bill of Answer & Addapah with a Translation of a Charter Party of Affreightment, a Bill of Sale, and an Account Current annexed filed. Paul Bonfils to be Summoned.

Adjourned to Tuesday the 7th day of April next.

Madras Held at the Town Hall on Tuesday the 7th day of April Anno Domini 1772.

Present
George Smith Esquire Mayor
Edward Stracey — John Holland
John Mc Pherson — & George Savage
Aldermen.

Joaquim Gregorio
vers
Londergolle Ninak Pillay

A further time of fourteen days for the return of the Warrant of Arrest issued against the defendants Body prayed for and Granted.

Sarguis Satur
vers
Pitchiapah Chitty

Summons returned served. The defendant does not appear.
Withdrawn the defendant having no Attorney.

Martinus Nicholao
vers
Paulayanna Chintannanenne Chitty

Summons returned served. The defendant does not appear.
Warrant of Arrest prayed for and Granted.

Reynold Adams
vers
Verdapah

Summons returned Served. The defendant does not appear.
Warrant of Arrest prayed for and Granted.

Antonio Johnson
vers
Rhamanoo

The Attorney for the Complainant Acquaints the Court that the Summons prayed for Last Court day did not issue, and prays that it may now issue Ordered Accordingly

Charles Bromley

vers

Annachellum and Veerapennaul

Summons Returned served The defendants do not appear

Nil to do answer the Defendants having no Attorney

Annuum Addapah

vers

Paul Banfield

Summons returned served The defendant appears by his Attorney Mr Charles Bromley The Attorney for the Complainant prays that the Defendant may give Bail Ordered with the Consent of the Complainants Attorney that the defendant do produce Bail by next Court day, or in default thereof that a Warrant of Arrest do issue

Cottil Barrett

vers

Daniel Shaw

Mr Henry Du Pre for Mr Thomas Chambers Attorney for the Complainant and Acquaints the Court that the Summons prayed for last Court day did not issue

Joannes Mattoos

vers

Arthur Cuthbert

Summons Returned Served The defendant do not appear

To be summoned again

Cotta Nassaian Chitty by his Attornies Allasingatto Chitty & Pattamanaba Chitty

vers

Paul Banfield

Further Days is given the Parties till the 11th Instant to Examine Witnesses

Samuel Troutback

vers

Rangapully Nundeah

& Contra

Further Day is Given the Parties till the 11th Instant to Examine Witnesses

Samuel Troutback

vers

Tolanny Vencadashen

& Contra

Further Day is Given the Parties till the 11th Instant to Examine Witnesses

Adolphus Smith

vers

Malliapah

Further Days is Given the Complainant till the 11th & Defendant to Answer the Petition of Consequence Abated

Joseph Harrod

vers

Nannapeen

Further Day is Given the Defendant till the 11th Instant to Answer the Complainants Bill

Joannes Marcar

vers

Allen Ramsammon

Day is Given the Defendant till the 11th Instant to Answer the Complainants Bill

The United English East India Company by their Agents Messrs Du Pre Esqrs & Co Counsel

vers

John Wood

& Contra

Exceptions of the Cross Complainant to the Answer of the Cross Defendant filed

Ordered that the Cross defendant be furnished with a Copy of the

said Exceptions

B The United English East India Company by their Agents

Due Bro Exqr & ca Council

vers

John Wood

& Contra

Exceptions of the Cross Complainant to the Answers of the Cross Defendant filed — Ordered that the Cross Defendant be furnished with a Copy of the said Exceptions —

P The United English East India Company by their Agents

said Due Bro Exqr & ca Council

vers

John Wood

& Contra

Exceptions of the Cross Complainant to the Answer of the Cross Defendant filed — Ordered that the Cross Defendant be furnished with a Copy of the said Exceptions —

Auvendanum Paupiah

vers

Thomas Chambers

& Contra

Further Day is Given the Parties till the 4th Instant to Examine Witnesses —

Ther Mayor and Mr Aldermen Holland being Interested go off the Bench and the Maces are taken away —

James West Executor to the Estate of John Gosselin deceased

vers

Reynold Adams Surviving Executor to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause

Jacob Sinnon

vers

Reynold Adams Surviving Executor to the Estate of Edmund Whalmough deceased

A Note from the Examiner to the Register Read Accompanying the Depositions in this Cause, and Setting forth that John Godin and John Pardon have not appeared to be examined —

Ther Mayor and Mr Aldermen Holland returned to their Seats and the Maces are Replaced

Chintoomby Chitty

vers

Angury

Further Day is Given the Defendant till the 4th Instant to Answer the Complainants Bill —

Antoine Point

vers

Agnes Rene Hamelin

Further Day is Given the Parties till the 4th Instant to Examine Witnesses, in default of which Publication will pass in this Cause

Petrus Thomas

vers

Villepadan Racadofs

Ordered that this Cause be set down for hearing

William Rising

vers

Shake Rushan

Ther Attorney for the Complainant prays that the Sheriff may be directed to discharge the Decree of this Court given in this Cause the 2d 15th day of March last and of the Produce of half of the Ship Doddoly

Ordered Accordingly —

William Cornish by his Attorney Thomas Rathbone

vers

Shake Rushan

Ther Attorney for the Complainant prays that the Sheriff may be directed to discharge the Decree of this Court given in this Cause the 2d 15th day of March last and of the Produce of half of the Ship Doddoly — Ordered Accordingly —

John

John Turing Administrator to the Estate of Walter Goddard deceased by his
Attorney William Turing
vers
Jannamma Addapark
Answer Sworn to in Court filed
James West
vers
Louis Monanzoni
& Contra
Application filed
Cross Defendants Answer Sworn to in Court filed
Andrew Ross
vers
Hooty Shishnah
Bill filed between the days of Adjournment Summons issued
thereupon returned Served The Defendant does not appear
To be Summoned again
Andrew Ross
vers
Coriumber Chitty
Bill filed between the Days of Adjournment Summons Issued
thereupon returned Served The Defendant does not Appear
To be Summoned again
Richard Parker by his Attorney Charles Edward Jones
vers
Charles Smith and John Douglas Executors to the Estate of George
Dollin deceased
Summons Returned Served The Defendants appear by their Attorney
Mr. John Sykes
Mathew Hare by his Attorney Nicholas Hare
vers
John Paulson
Summons issued against Vincaty Savvony Narraird a Witness examined
on the part of the Defendant returned Served He Accordingly
appears The Attorney for the Complainant being indisposed Deferred
hearing this Cause till Tuesday next, when a full Court is Ordered to be Summoned
And Ordered that the said Vincaty Savvony Narraird be Summoned to
Attend
Bill of Moodoovanah Chitty with a Note of Hand annexed filed
Ignacia Smith and Adolphus Smith to be Summoned
Bill of John Robinson filed
William Stephens Keating to be Summoned
Bill of William Harrison with an Account annexed filed
Richard Black Gunn to be Summoned
Bill of Philip Bromfield by his Attorney John Maxwell Stone with an
Account Sales and an Account Current annexed filed
Duraby to be Summoned
Bill of Elizabeth Geary filed
William Keating to be Summoned

Adjourned to Tuesday the 11th Instant

Madras Held at the Town Hall on Tuesday the 11th day
of April Anno Domini 1775

Present
George Stratton Esquire Mayor
Thomas Pomeroy — Edward Brazier
John McPherson — Archdale Palmer
& George Savage — Aldermen

Manlorius Nicholas
vers
Chintoonenne Chitty
Warrant of Arrest returned served The Defendant is brought to the Court
The Attorney for the Complainant prays that the Defendant may give
Bail The Defendant having no Bail to produce is ordered to
remain in the Custody of the Sheriff

Prayer Ex

Reynold Adams

vers

Verdapah

Warrant of Arrest returned endorsed Contempt Satisfied

Antonio Johnson

vers

Shanmanen

A further time of fourteen days for the return of the Summons issued against the defendant prayed for and Granted

Joannes Martinus

vers

Arthur Cuthbert

Summons returned Served The defendant appears by his atty Mr John Sayers John Cox and Richard Bee become Bail for the Personal appearance of the Defendant taken in Court

Mooduramah Chitty

vers

Ignatia Smith and Adolphus Smith

Summons returned Served The Defendants dont appear To be Summoned again

John Rheno

vers

William Reginald Keating

Summons returned endorsed Not to be found

Another Summons prayed for and Granted

William Harrison

vers

Richard Blackburn

Summons returned Served The defendant does not appear To be Summoned again

Philip Bransfield by his atty John Maxwell Stone

vers

Daarabjee

Summons returned endorsed Not to be found

A Second Summons prayed for and Granted

Andrew Ross

vers

Moothu Thistnah

Summons Returned Served The defendant does not appear Warrant of Arrest prayed for and Granted

Andrew Ross

vers

Cumaren Cor Chitty

Summons Returned served The defendant does not appear Warrant of Arrest prayed for and Granted

Elizabeth Geary

vers

William Keating

Summons returned endorsed Not to be found The Attorney for the Complainant Acquaints the Court that he is informed that the Deft is now within the Jurisdiction of this Court, and about to depart, he therefore prays that a Summons returnable immediately and a Warrant of Arrest may issue against the defendants Body, upon his Clerk making Oath before one of the Judges of this Court, to the grounds of the Demand and of their Shewing reasons to believe the Defendant will Abscond from the Jurisdiction of this Court

Ordered Accordingly

Cothanai Krishnanna Naick

vers

David Johns

The Register Acquaints the Court that at the Complainants Request a Counter Warrant issued under the Hand and Seal of the Master for the Defendants Release

Cotta Ramanna Chitty

vers

Paul Bonfield

Further Day is given the Parties till the 21st Instant to Summon Witnesses

Samuel Troutbeck

vers

Johanny Concadashen

Et Contra

Further Day is Given the Parties till the 21st Instant to Examine Witnesses

Samuel Troutbeck

vers

Ramgapusilly Nundeah

Et Contra

Further Days is Given the Parties till the 21st Instant to Examine Witnesses

Joseph de Marcot

vers

Nannapeen

Further Day is Given the Defendant till the 21st Instant to Answer the Complainants Bill or Defendt of such Judgement will be Given for the Complainant

Joannes Marcar

vers

Allen Peracannion

Further Day is Given the Defendant till the 21st Instant to Answer the Complainants Bill

Michael de Resurrection and Ursula his Wife Administrator and Administratrix to the Estate of Diaz the Lonnew Rantion deceased

vers

Charles De Hagde

Et Contra

Further Days is Given the Parties till the 28th Instant to Examine Witnesses A further time of fourteen Days for the return of the Commissions issued to Fischinachy for the Examination of Witnesses in these Causes prayed for and Granted

Johannes Peter Pajanaire

vers

Davy Sagayen

Answer with an Account Annexed Sworn to in Court filed

The

P The United English East India Company by their Agents Josias Du Pre Esqr & ca Council

vers

John Wood

The Attorney for the Cross Complainant prays Leave to deliver in Amended Exceptions to the Insufficiency of the Cross Defendants Answer To which the Opposite Attorney Objects The Court Hearing to hear the same into Consideration, It is Ordered that the Amended Exceptions be received, each paying the Costs of the former Exceptions Amended Exceptions filed

B The United English East India Company by their Agents Josias Du Pre Esqr & ca Council

vers

John Wood

Et Contra

The Attorney for the Cross Complainant prays Leave to deliver in Amended Exceptions to the Insufficiency of the Cross Defendants Answer To which the Opposite Attorney Objects The Court Hearing to hear the same into Consideration, It is Ordered that the Amended Exceptions be received, each paying the Costs of the former Exceptions Amended Exceptions filed

G The United English East India Company by their Agents Josias Du Pre Esqr & ca Council

vers

John Wood

Et Contra

The Attorney for the Cross Complainant prays Leave to deliver in Amended Exceptions to the Insufficiency of the Cross Defendants Answer To which the Opposite Attorney Objects The Court Hearing to hear the same into Consideration, It is Ordered that the Amended Exceptions be received, each paying the Costs of the former Exceptions Amended Exceptions filed

Regnard

Reynold Adams

vers

Goupah Chitty Sawinny

Day is Given the Complainant till the 21st Instant to Reply sive default
of which the Cause will be heard on Bill and Answer

Swendanuun Pauspeah

vers

Thomas Chambers

& Contra

Further Day is Given the Parties till the 21st Instant to Examine Witnesses

The Mayor and Mr Alderman Powney being Interested go off the Bench and
the Maces are taken away

James West Executor to the Estate of John Hosier deceased

vers

Reynold Adams Surviving Executor to the Estate of Edmund Whatmough

Ordered with the Consent of both Parties that this Cause be set down for Hearing

Jacob Annan

vers

Reynolds Adams Surviving Executor to the Estate of Edmund Whatmough

Ordered with the Consent of both Parties that this Cause be set down for Hearing

The Mayor and Mr Alderman Powney returned to their Seats and the
Maces are Replaced

Chintoomberg Chitty

vers

Anguy

Further Day is Given the Defendant till the 21st Instant to answer
the Complainants Bill, in default of which Judgment would be Given for
the Complainant

Richard Parks by his Attorney Charles Edward Jones

vers

Charles Smith and John Douglas Executors to the Estate of George
Dalbin deceased

Day is Given the Defendant till the 21st Instant to Answer the
Complainants Bill

The Mayor being Interested goes off the Bench and the Maces are taken away

Alexander Wynch by his Attorneys John Maxwell Stone and Millard Wynch

vers

George Smith

Summons to Plead Served The Defendant appears by his Attorney Mr
John Sykes, and prays leave to deliver in a Demurrer

Demurrer filed

The Mayor returns to his Seat and the Maces are Replaced

William Johnson

vers

Kennedy

Warrant of Attachment issued against the Defendants Body for Contempt in
not paying his Attorneys Stipulated fees Returned and not to be
found A Second Warrant of Attachment prayed for and Granted

Matthew Hore by his Attorney Nicholas Morse

vers

John Panton

Summons issued against Duncaly Sawing Narrative & Witness examined
on the part of the Defendant returned Served He according by Appears
Their Attorney for the Complainant being indisposed, Referred hearing this
Cause till Tuesday next when a full Court is Ordered to be Summoned, And
in Case the Attorney for the Complainant should Continue sick, that
he be Ordered to give Instructions to another Attorney to Act for Him as
this Cause will certainly come on to be Heard and Determined And
Ordered that the said Duncaly Sawing Narrative be Summoned to Attend

Bill of Hurjanboy by his Attorney William Clarke with the Sanction of a
Declaration a Power of Attorney and an Assignment thereof annexed filed

Paupon Chitty the Mayor to be Summoned

Bill of Cawaseer and Soorj Dutt by his Attorney William Clarke with the Sanction
of an Allegation, a Power of Attorney, and an Assignment thereof annexed
filed

Megaloor Prushotham Chitty to be Summoned

Bill of Cawaseram Soorj Dutt by his Attorney John Barnes with the Sanction
of an Agreement, a Power of Attorney, and an Assignment thereof
annexed

annexed filed

Shishanmah and Veraperumall to be Summoned

Adjourned to Tuesday the 21st Instant

Madras Held at the Town Hall on Tuesday the 21st day of April Anno Domini 1772

Present

George Smith Esquire Mayor
Thomas Powney — Edward Stracey
& George Savage — Aldermen

Mauritius Nicholas
vers
Paulayaun Chintommanee Chitty

Comgasally Chitty become Bail for the personal Appearance of the defend and or to Answer all Costs and Damages taken and Acknowledged before the Mayor, and that thereupon a Counter Warrant issued under the Hand and Seal of the Mayor for the defendants Release

Moodu Pannah Chitty
vers
Ignatius Smith and Adolphus Smith

The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court day did not issue, and prays that it may now issue
Ordered Accordingly

John Robinson
vers
William Stephen Keating

The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court Day did not issue, and prays that it may now issue
Ordered Accordingly

Philip

Philip Broomfield by his Attorney John Maxwell Crane
vers
Doorabjee

Summons returned endorsed Not to be found
A second Summons prayed for and Granted

Andrew Ross
vers
Moolu Shishnah

Warrant of Arrest returned endorsed Contempt Satisfied

Andrew Ross
vers
Coriumber Chitty

Warrant of Arrest returned endorsed Contempt Satisfied
Withdrawn the defendant having no Attorney

Elizabeth Geary
vers
William Keating

A further time of One Week for the return of the Summons and Warrant of Arrest issued against the defendants Body prayed for and Granted

Monjaubhoy by his Attorney William Clarke
vers
Pupjee Chitty Shishayeen

Summons returned Served The Defendant does not appear
To be Summoned again

Dawah Canneeranam Soorjy Dutt by his Attorney William Clarke
vers
Mogaloor Pusholhamah Chitty

Summons returned endorsed Not to be found
A Second Summons prayed for and Granted

Dawah Canneeranam Soorjy Dutt by his Attorney John Rhenius
vers
Shishnamah and Veraperumall

Summons returned Served The Defendants do not appear
To be Summoned Again

The Mayor being interested goes off the Bench and the Maces are taken away

Alexander Wyatch by his Attorney John Maxwell Stone

vers

George Smith

Joinder filed

Ordered that the Demurrer and Joinder do Come on to be Argued on Tuesday next, when a full Court is Ordered to be Summoned

Edward Monckton

vers

Annanta Narrain

The Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendants Effects, he not having Satisfied the Decree of this Court passed the 9th Instant

Granted returnable the 19th day of May next

The Mayor returns to his Seat, and the Maces are replaced

Cotta Narrain Chitty by his Attorney Muniapel Mootchitty and Pethna=
=na da Chitty

vers

Paul Bonfield

A further time of two Months for the return of the Commission issued to Pringall for the Examination of Witnesses in this Cause prayed for and Granted - The Attorney for the Complainant prays that another Commission may issue to Pringall directed to Wm. Williams Magee and Wm. Anthony Bennet Goodlad for the Examination of Witnesses in this Cause, as he apprehends that the former Commission is Miscarried

Ordered Accordingly

Lewis da Costa by his Attorney Reynold Adams

vers

Francis De St. Jorquet

A further time of One Month for the return of the Warrant of Sequestration issued against the Defendants Effects prayed for and Granted

Lewis da Costa by his Attorney Reynold Adams

vers

Francis De St. Jorquet

A further time of One Month for the return of the Warrant of Sequestration issued against the Defendants Effects, prayed for, and Granted

Lewis da Costa by his Attorney Reynold Adams

vers

Francis De St. Jorquet

A further time of One Month for the Return of the Warrant of Sequestration issued against the Defendants Effects, prayed for, and Granted

Samuel Saulbach

vers

Solanny Vencadashem

Et Contra

Further Days Given the Parties till the 28th Instant to Examine Witnesses.

Samuel Saulbach

vers

Ranganully Nundiah

Et Contra

Further Day is Given the Parties till the 28th Instant to Examine Witnesses.

Henry Brooke

vers

Chelentayagan Dawanaze

A further time of two Weeks for the return of the Summons &c
Warrant

Warrant of Arrest issued against the Defendant's Body prayed for and Granted—

Saamuna Marcar

vers

Allen Poncamnin

Further Day is Given the Defendant till the 28th. Instant to Answer the Complainant's Bill and default of which Judgment will be given for the Complt.

Reynold Adams

vers

Vadapah

Withdrawn the Defendant having no Attorney—

Daniel Shaw

vers

Alsou, Minapah, and Camrapah

Petition of Annandapulley, and Chandradray Read and filed Setting forth that the Sheriff had by Virtue of a Warrant of Execution issued against the Defendant's Effects, Seized ten Calves, One Cow, and Nine Buffaloes, the Property of the Petitioners, they therefore pray that the said Seizure may be Superseded, and that they may be put in possession of their said Property

Ordered that the said Seizure be Suspended until further Order of this Court, and the Complainant be furnished with a Copy of the said Petition—

Morgan Williams by his Attorney James Wedges

vers

Vayder—

The Sheriff returns the Warrant of Execution issued against the Defendant's Effects, endorsed that he has Levied by Sale of the Goods and Chattels of the Defendant the Sum of Pag.s 336 — 18 — 10½, and that the Defendant hath no other Goods nor Chattels within his District whereby he might Levy the Residue of the Debt and Costs due to the Complainant or any part thereof

Petition of Nunagoo and Inhabitants of Tondawoor Read and filed Setting forth that the Sheriff had by Virtue of a Warrant of Execution issued against the Defendant's Effects, Seized and sold a House and three Prices of Grounds, and that the House only was the Property of the Defendant, but the Ground having been the Property of the Petitioners and their Ancestors from time immemorial, they therefore pray that they may be put in Possession of their said Ground—

Ordered that the Complainant be furnished with a Copy of the said Petition—

Arundanum Paupiah

vers

Thomas Chambers

& Contra—

Further Day is Given the Parties till the 28th. Instant to Examine Witnesses

Daniel Shaw

vers

Moosa

Answer Sworn to in Court filed

Cross Bill filed— Ordered that the Original Complainant be Summoned to Appear next Court Day—

Channatomby Chitty

vers

Angany

Further Day is Given the Defendant till the 28th. Instant to Answer the Complainant's Bill

Johan Fleming Administrator to the Estate of Walter Goddard deceased by his Attorney William Fleming—

vers

Annuson Addapah

Day is Given the Complainant till the 28th. Instant to Replication default of which this Cause will be heard on Bill and Answer

Daniel Shaw

vers

Chavanabaram Shuppoo Pillai

Summons returned Served— The Defendant does not Appear

Withdrawn the Defendant having no Attorney

Annuson

Annum Addapah

vers

Paul Benfield

Charles Bramley became Bail for the Personal Appearance of the defendant or to Answer all Costs and Damages taken and Acknowledged in Court

Days is Given the Defendant till the 28th Instant to Answer the Complaints Bill

Johannes Martenus

vers

Arthur Cuthbert

Days is Given the Defendant till the 28th Instant to Answer the Complainants Bill

The United English East India Company by their Agents Louis Du Pré Esqr & ca Council

vers

John Wood

& Contra

Ordered that the Cross Complainants Exceptions, to the Cross Defendants Answer, do Come on to be Argued on Tuesday next, when a full Court is Ordered to be Summoned

The United English East India Company by their Agents Louis Du Pré Esqr & ca Council

vers

John Wood

& Contra

Ordered that the Cross Complainants Exceptions, to the Cross Defendants Answer, do Come on to be Argued on Tuesday next, when a full Court is Ordered to be Summoned

The United English East India Company by their Agents Louis Du Pré Esqr & ca Council

vers

John Wood

& Contra

Ordered that the Cross Complainants Exceptions, to the Cross Defendants Answer, do Come on to be Argued on Tuesday next, when a full Court is Ordered to be Summoned

Mr Alderman Stracey goes off the Bench

Mathew Hare by his Attorney Nicholas Morse

vers

John Pardon

Bill with Copies of a Letter, Certificate, and Affidavit annexed Read

Answer Read

Replication Read

Rejoinder Read

Two Exhibits on the part of the Complainant Read

Interrogatories on the part of the Defendant Read

Two Depositions taken thereunto Read

Summons issued against Metcalfe by Sawyer Mannered

Witness examined on the part of the Defendant returned Sworn The Defendant accordingly appears, and being duly Sworn The Defendant Interrogatory put to him by the Examiner, is now put to him in Court, And the Evidence his now gives Agrees with his said Deposition taken by the Examiner, except that he there deposed "As also that the Complainant did take Muster "or Samples out of the Camphire, before he took the same away, but whether "previous to the said Purchase, or before the same was Concluded, this "Deponent doth not know, and that the Quantity out of which the said "Complainant took the said Muster, was three Peice, and one half, "or three, and a Quarter" Whereas he now positively Deposes "That "the Complainant took Muster out of the said Camphire, four Days "before he purchased the same, And that he the Complainant took the "said Muster out of Four Boxes, containing about three and a half or three "and a Quarter Peice", And being asked the Reason of the difference in his Evidence now given, and his Depositions taken by the Examiner, he Acquaints the Court that it was entirely owing to a Mistake

Ordered that his Depositions be Corrected

The Court observe that the attested Copy of the Defendants Letter to Stephen Lewis Gamesies Esqr, a Exhibit delivered on the part of the Complainant is Dated July 12th 1765, Whereas the Letter

part of the Complainant is Dated July 12th 1765, Whereas the Letter

to the Replication is dated July 4th 1770 — Mr. Thomas Chambers Attorney for the Complainant Acquaints the Court that it was a Mistake in the Engrossing of it —

This Cause coming on to be heard, and debated this day, in the presence of the Attornies on both sides, On Reading the Complainants Bill, with the Copies of the Letter, Certificate, and Affidavit annexed, The Defendants Answer, The Replication, The Rejoinder, Four Exhibits on the part of the Complainant, The Interrogatories, and Depositions on the part of the Defendant, On hearing the Pleadings made use of by the Attornies, and due consideration had thereon, It appearing to the Court from the Proceedings, that the Complainant did not sell the Caempheine in Question at China, or ever Offered it for Sale, which he ought to have done, in Consequence of the Agreement entered into with the Defendant, and as the Letter delivered into Court as an Exhibit on the part of the Complainant, said to be an Attested Copy of an Original Letter from the Defendant to Stephen Lewis Garreau Esq is not proved, and absolutely denied by the Defendant to have been wrote by him — The Court are of Opinion that the Complainant is not entitled to the Sum sued for — This Court doth therefore think fit to Order and Decree, and doth Accordingly Order and Decree, that the Complainants Bill shall stand dismissed with Costs —

Hour

Bill of Ramah Chitty, by his Attorney Francis Xavier de Silva, with a Translate of a Bond or Obligation, a Power of Attorney, and Assignment thereof annexed filed —

Morris can any Arrangement to be Summoned —

Adjourned to Tuesday the 28th Instant

At a Court Held at the Town Hall on Tuesday the 28th day of April Anno Domini 1772 —

Present

George Smith Esquire Mayor

Thomas Powney — Reynold Adams

Edward Stacey — John Holland

John McPherson — George Savage

Aldermen —

Mooduramah Chitty

vers

Ignasia Jonis, and Adolphus Smith —

The Attorney for the Complainant Acquaints the Court, that the Summons prayed for last Court day did not issue, and prays that it may now issue Ordered Accordingly —

John Robinson

vers

William Stephen Keating

The Attorney for the Complainant Acquaints the Court, that the Summons prayed for last Court day did not issue, and prays that it may now issue, Ordered Accordingly —

Philip Bromfield, by his Attorney John Maxwell Stone —

vers

Dorabjee

Summons returned served — The Defendant does not Appear To be Summoned again —

Elizabeth Geary

vers

William Keating

A further time of One Week for the return of the Warrant of Arrest issued against the Defendants Body, prayed for, and Granted —

Nonjasarbay by his Attorney William Clarke

vers

Pupsoo Chitty Sheshagiree

Summons returned Served — The Defendant does not Appear

To be Summoned again

Canniseramm Soory Cutty by his Attorney William Clarke

vers

Hegaloor Prushothamah Chitty

The Attorney for the Complainant Acquaints the Court, that the Summons prayed for last Court day did not issue, and prays that it may now issue

Ordered Accordingly

Canniseramm Soory Cutty by his Attorney John Rheno

vers

Vishnamah and Veerapermall

The Attorney for the Complainant Acquaints the Court, that the Summons prayed for last Court day did not issue, and prays that it may now issue

Ramah Chitty, by his Attorney Francisco Xavier Da Silva

vers

Hoorucanjarey Armogam

Summons returned served — The Defendant does not Appear

To be Summoned Again

Daniel Shaw

vers

Moosa

Et Contra

The Attorney for the Cross Complainant Acquaints the Court, that the Summ[s] prayed for last Court Day against the Cross Defendant did not issue, and prays that it may now issue — Ordered Accordingly

Samuel Troutbeck

vers

Solamey Vencadasheu

Et Contra

Further Day is Given the Parties till the 5th day of May next to Examine Witnesses

Samuel Troutbeck

vers

Rangapully Nundiah

Et Contra

Further Day is Given the Parties till the 5th day of May next to

Examine

Examine Witnesses

Auvendanaim Pauptiah

vers

Thomas Chambers

Et Contra

Further Day is Given the Parties till the 5th day of May next to Examine Witnesses

Richard Parker, by his Attorney Charles Edward Jones

vers

Charles Smith, and Archer Douglas, Executors to the Estate of George Colbie deceased

Further day is Given the Defendants till the 5th day of May next to Answer the Complainant's Bill, in default of which, Judgement will be Given for the Complainant

Joannes Marcar

vers

Arthur Cuthbert

Further Day is Given the defendant till the 5th day of May next to Answer the Complainant's Bill

Mr Alderman Adams being Interested goes off the Bench

Reynold Adams

vers

Gopah Chitty Sawmy

Replication filed

Mr Alderman Adams returns to his Seat

Daniel Shaw

vers

Alsau, Minapah, and Camapah

A further time of Two Weeks for the return of the Warrant of Execution issued against the defendant's Effects prayed for, and Granted

Adolphus Smith

vers

Mallapah

Answer of the Complainant to the Petition of Correspondence Mondy filed

Manuus Nicholas

vers

Pollianna Chinnatamboo Chitty

Day is Given the Defendant till the 5th May next to Answer the

Complainant's

Complainants Bill

William Raine

vers

James Brainard

Ther Attorney for the Complainant prays leave to Withdraw this Cause

Granted Accordingly

Ther Mayor being Interested goes off the Bench and the Maces are taken away

Alexander Wynich by his Attornies John Maxwell Stone and Willaim Wynich

vers

George Smith

Deferred taking into Consideration the Demurrer and Joinder till next

Court day, when a full Court is Ordered to be Summoned

Ther Mayor returns to his Seat and the Maces are replaced

The United English East Indies Company, by their Agents Isaias

Dusbé Egg[s]ton Council

vers

Johan Wood

Et Contra

Answer of the Cross Defendants, to the Bill of the Cross Complainant Read

Exceptions of the Cross Complainant to the Insufficiency of the Cross

Defendants Answer Read

The Exceptions of the Cross Complainant to the Insufficiency of the Cross Defendants Answer, Coming on to be Argued this Day — It Appearing to the Court, that Neither the Agents for the Cross Defendants, nor any Person or Persons, by their Order, or direction, have Signed their Name, or Names to the said Answer, thereby Certifying that the Seal Affixed to the said Answer, is the Seal of the said Cross Defendants — The Court are therefore Unanimously of Opinion, that the first Exception is Good and Valid — The Court then proceed to take the second Exception into Consideration, and the Question is put, whether the Cross Defendants as a Body Corporate are Obliged to deliver in their Answer upon Oath or not, which is Carried in the Negative — The Question is then put whether the President and Council as Agents for the Cross Defendants ought, or ought not to Swear to the truth of the Answer delivered into Court by them on behalf of the Cross Defendants which is also Carried in the Negative — The Second Exception is therefore Over Ruled — This Court doth therefore think fit to Order and it is Accordingly by Order, that the said Cross Defendants shall Amend their said Answer, by their Agents, or some Person, or Persons Authorized by them, Signing their Name, or Names to the said Answer, thereby Certifying, that the Seal Affixed to the said Answer, is the Seal of the said Cross Defendants, and that the Cross Defendants do pay the Costs, Attending the Amending of the said Answer As Also the Costs of the first Exception —

Court

The Mayor delivers in his Reasons as follows —

Because I am of Opinion that the Defendants being a Body Corporate should Appear in this Court by their Solicitor or Deputy, with Powers from the Defendants Agents to Plead, and Implead the Defendants Cause, as Appears from the Records of this Court to have been the Case in the Year 1753, in a Cause brought against the Company by the Present Defendants into this Court by Sumroo Vencatachellum Esq, Eminent Merchants Complainants,

Because the Members of this Court, and especially Myself, being but little Conversant in many Points of Law, not being our particular Profession, or Study, and also of the Proceedings of the Courts of Judicature in England, relative to the Proofs to be Observed in Suits Carried on in these Courts by Corporations against Individuals & Vice Versa, and particularly in the present Instance, whether the Answers of a Corporation to a Bill of Complaint filed against them in a Court of Judicature, ought to be Signed

Into Court upon the Oath of the Corporation, or that of their Solliciter or Deputy, or by their Common Seal only, yet as this Court is entrusted by the Royal Charter to pronounce the Rule of Law, and to form Rules of Practice for Themselves. They ought in my humble Opinion in this particular Case being ignorant of the Law itself, and the practice of the Courts of Judicature in England, to Apply that Rule to the Principles of Justice and Equity, which demand an equal Measure of Form, and Testimony in Behalf of one Party, as of the other, without any essential Difference.

Because it Appears to me, that Cases may arise, wherein the Oath of a Corporation, or that of their Solliciter or Deputy, is indispensible, as In the Case of a Writ of Discovery, for the Effects of a Deceased, or Insolvent Person, which a Trading Company, or Corporation, as are the Defendants, may often necessarily have in their Possession.

Because by the first Parliamentary Charter Granted by King William to the Defendants, constituting them a Body Corporate, it is Ordered and directed that a Corporation holding a Share to the Value of five hundred Pounds Sterling in the Stock of the Defendants, Shall at the Election of Directors for the Management of the Defendants affairs, by their Deputy make Oath that the Share so held in the Stock of the Defendants is Actually at that time, The Unalienated Property of said Corporation, Swearing or making Oath by their Deputy.

Because it appearing to Me that in the above mentioned Instance, an Oath is Administred to the Deputy of a Corporation, and by him taken, and that in Case of a Writ of Discovery, it seeming to Me that an Oath cannot Legally be dispensed with, I am of Opinion that there is no just Cause why the Answer given by the Defendants to the Bill of Complainants

Bill

Bill of Complaint Should not be delivered into this Court upon the Oath of the Defendants Agents, or their Solliciter, for if it be admitted by this Court that the Answer of the Defendants shall be received under their Common Seal only, and without an Oath, the Sacred Stamp of its Veracity, a Latitude may be given to deviate from that Rule of Sacred Truth, which should alone Guide this Court in their Judgement.

Because his Majesty's Charter constituting this Court, directs that the Process to be Observed in all Suits with the Defendants, shall be the same as in all other Actions brought into this Court, and does not in such Case express or imply any Immunity or Exemption to them as a Body Corporate to the forms of Practice.

Because it has been the hitherto established and Invariable Practice of this Court founded on the Instructions sent from England, together with the Royal Charter, which Authorizes this Court to form Rules of Practice for their Government, not to Admit or to receive and Answer, but such as is Signed, and Sworn to by the Defendant or his Agent.

Because the Matter of Defendants Answer must be well Known to their Agents, or those at least from whom said Answer is, I cannot see any just Cause against their on taking Oath to the Truth of the Defendants Answer, it being delivered into this Court by their said Agents, who ought to be able to Ascertain its Veracity.

Because the Agents of the Defendants, who deliver their Answer of the Defendants into Court, and Give Security, Indemnification, they cannot Legally claim the Immunity or Privilege of a Corporation, nor the Exemption of an Oath in a Court of Judicature, tho' such Exemption should be in a Corporation.

Because the Affixing the Seal of the Defendants (which is Used for many Purposes in all their Offices) Sealing, Signing, and Swearing to their Answer, does not by Me, seem to give that due Authenticity, which such a Matter [illegible]

nor is it an Act which Carrys in it so much Proof, but that it may be denied.

Because the Defendants Agents are Subject to Death, and Removal, their Successors may deny their Act, Unless, Properly Authenticated.

Because such Neglect of Authenticity to an Act of so great Importance, may be of the Utmost Consequence to an injured Party, at such a Distance from the last Resort and Appeal.

For the Reasons above given, I am of Opinion that it is regular, Proper, and Legal, that the Answer of the Defendants to the Complainants Cross Bill, ought to be admitted into this Court Signed by, and Attested by the Oath of the Defendants Agents, or at least that of their Solicitor, and therefore I do hereby Submissively dissent from the Resolution of this Court of to Day, which Orders, that the Answer of the Defendants being a Body Corporate, shall be Admitted and received by this Court under the Common Seal of the Defendants, and Signed by their Agents, or some Person for them, testifying said Seal to be that of the Defendants, but without that Solemn Test of its truth, and Veracity, the Oath of the Defendants Agents, or that of their Solicitor, which I think is in Equity absolutely Necessary, and Indispensible.

George Smith

The United English East India Company by their Agents Josias Du Pre Esq^r & Ca Counsel

Vers

John Reed

&c

Et Contra.

Answer of the Cross Defendants to the Bill of the Cross Complainant Read.

Exceptions of the Cross Complainant to the Insufficiency of the Cross Defendants Answer Read.

The Exceptions of the Cross Complainants to the Insufficiency of the Cross Defendants Answer, Coming on to be Argued this Day. It Appearing to the Court, that neither the Agents for the Cross Defendants, nor any Person, or Persons by their Order, or Direction, have Signed their Name, or Names to the said Answer, thereby Certifying that the Seal Affixed to the said Answer, is the Seal of the said Cross Defendants. The Court are therefore Unanimously of Opinion, that the first Exception is Good, and Valid. The Court then Proceed to take the second Exception into Consideration, and the Question is put, whether the Cross Defendants as a Body Corporate, are Obliged to deliver in their Answer upon Oath, or Not, which is Carried in the Negative. The Question is then put, whether the President, and Council, as Agents for the Cross Defendants, ought, or ought not to Swear to the truth of the Answer delivered into Court by them on behalf of the Cross Defendants, which is also Carried in the Negative. The Second Exception is therefore Over Ruled. This Court doth therefore think fit to Order, and doth Accordingly Order, that the said Cross Defendants shall Amend their said Answer, by their Agents, or some Person, or Persons, Authorized by them, Signing their Name, or Names to the said Answer, thereby Certifying that the Seal Affixed to the said Answer, is the Seal of the said Cross Defendants, and that the Cross Defendants pay the Costs Attending the Amending of the said Answer, & the Costs of the first Exception.

&c &c

The Mayor delivers in his Opinion as follows.

Because I am of Opinion that the Defendants being a Body Corporate, should Appear in this Court by Solicitor, or Deputy, with Power from the Defendants to Plead, and Implead the Defendants Cause, & Affect

here

from the Records of this Court to have been the Case in the Year 1734,
in a Cause brought against the Company the present Defendants
into this Court, by Simon Concatachellum a Sea Contract Merchants
Complainants.

Because the Members of this Court, and especially
Myself, being but little Conversant in many Points of Law, not being
our particular Profession, or Study, and also of the Proceedings of the
Courts of Judicature in England relative to the Process to be Observed in
Suits carried on In these Courts by Corporations against Individuals
or Vice Versa, and particularly in the present Instance, whether the Answer
of a Corporation to a Bill of Complaint filed against them in a Court of
Judicature, ought to be delivered Into Court upon the Oath of the Corpora-
tion, or that of their Solliciter or Deputy, or by their Common Seal only,
yet as this Court, is entrusted by the Royal Charter to pronounce the
Rule of Law, and to form Rules of Practice for themselves, they ought
in My humble Opinion, in this particular Case, being Ignorant of
the Law itself, and the Practice of the Courts of Judicature in England,
to Apply that Rule to the Principles of Justice, and Equity, which
demand an equal Measure of Favor, and Testimony in Behalf
of one Party, as of the other, without any essential Difference.

Because it Appears to Me that Case may
Arise wherein the Oath of a Corporation, or that of their Solliciter or
Deputy, is indispensible, as in the Case of a Writ of Discovery, for
the Effects of a Deceased, or Insolvent Person, which a Trading
Company, or Corporation, as are the Defendants, may often Necessari-
ly have in their Possession.

Because that by the first Parliamentary
Charter Granted by King William to the Defendants, Constituting
them a Body Corporate, it is Ordered, and directed that a Corpora-
tion holding a Share to the Value of five hundred Pounds
Sterling in the Stock of the Defendants, shall at the Election of
Directors for the Management of the Defendants Affairs, by their
Deputy make Oath that the Share so held in the Stock of the
Defendants, is actually at that time, The Unalienated Property of said
Corporation, Swearing or making Oath by their Deputy

Because it appearing to Me that in the above
-mentioned Instance, an Oath is Administred to the Deputy of a
Corporation, and by him taken, and that in Case of a Writ of Discovery
it seeming to Me that an Oath cannot Legally be dispensed with
I am of Opinion that there is no just Cause, why the Answer given
by the Defendants, to the Cross Complainants Bill of Complaint,
should not be delivered in to this Court upon the Oath of the Defendants
Agents, or their Solliciter, for if it be Ordered by this Court that the
Answer of the Defendants shall be received under their Common
Seal only, and without an Oath, the Sacred Stamp of its Veracity,
a Latitude may be Given to Deviate from that Rule of Sacred
Truth, which should alone Guide this Court in their Judgement.

Because his Majesty's Charter, constituting
this Court, directs that the Process to be Observed in all Suits with the
Defendants, shall be the same as in all other Actions brought into
this Court, and does not in such Case, express, or imply, any Immu-
-nity, or Exemption to them, as a Body Corporate to the forms of
Practice.

Because it has been the Established and
Invariable Practice of this Court, founded on the Instructions sent
from England, together with the Royal Charter, which Authorizes
this Court to form Rules of Practice for their Government, Not to Admit,
or to receive an Answer, but such as is Signed, and Sworne to by the
Defendant, or his Agent.

Because their Matter of the Defendants Answer
must be well Known to their Agents, on whose Prophet Act said Answer
is, I cannot see any just Cause against their making Oath to the
Truth of the Defendants Answer, it being delivered into this Court
by their said Agents, who ought to be able to Ascertain its Verac-
-ity.

Because the Agents of the Defendants who have
the

the Answer of the Defendants into Court, are Virtually Judicious-
-ably, they cannot Legally Claim the Immunity & Privilege of a
Corporation, nor the Exemption of an Oath in a Court of Judicature,
tho' such Exemption should be in a Corporation.

Because the Affixing the Seal of the Defend-
-ants (which is Used for many Purposes, in all their Offices)
without Signing, and Swearing to their Answer, does not to Me
seem to give that due Authenticity, which such a Matter
Requires, nor is it an Act, which carrys with so much Proof
but that it may be denied.

Because the Defendants Agents are
Subject to Death, and Removal, their Successors may deny
their Act, unless Properly Authenticated.

Because such neglect of the Authenticity
to an Act of so great Importance, may be of the Utmost Consequence
to an injured Party, at such a Distance from the last Resort
and Appeal.

For the Reasons above Given, I am of Opinion
that it is Regular, Proper, and Legal, that the Answer of the
Defendants to the Complainants Cross Bill, ought to be delivered
into this Court Signed by, and Attested by the Oath of the Defend-
-ants Agents, or at least that of their Solicitor, and therefore
do hereby Submissively dissent from the Resolution of this Court of to
Day, which Orders, that the Answer of the Defendants being a Body
Corporate, shall be Admitted, and received by this Court, under the
Common Seal of the Defendants, and Signed by their Agents, or some
Person for them, testifying said Seal to be that of the Defendants, but
without that Solemn Test of its Truth, and Veracity, the Oath of the
Defendants Agents, or that of their Solicitor, which I think in an
Equity Absolutely Necessary, and Indispensible.

George Smith

The United English East India Company by their Agents
Josiah Du Pre Esqr. in Council
vers
John Wood
Et Contra

Answer of the Cross Defendants to the Bill of the Cross Complainant and the
Exceptions of the Cross Complainant, to the Insufficiency of the Cross
Defendants Answer Read.

The Exceptions of the Cross Complain-
-ant, to the Insufficiency of the Cross defendants Answer, coming on
to be Argued this Day. It Appearing to the Court, that neither the
Agents for the Cross Defendants, nor any Person or Persons by their
Order, or Direction, have Signed their Name, or Names to the said
Answer, thereby Certifying that the Seal Affixed to the said Answer
is the Seal of the said Cross Defendants. The Court are therefore
Unanimously of Opinion, that the first Exception is Good, and Allowed
The Court then Proceed to take the second Exception into Consider-
-ation, and the Question is put whether the Cross Defendants as a Body
Corporate, are Obliged to deliver in their Answer upon Oath, or Not,
which is Carried in the Negative. The Question is then put whether
the President, and Council, as Agents for the Cross Defendants,
ought, or ought not to Swear to the truth of the Answer delivered
into Court by them, on behalf of the Cross Defendants, which is also
Carried in the Negative, The second Exception is therefore Over Ruled.
This Court doth therefore think fit to Order, and doth Accordingly
Order, that the said Cross Defendants shall Amend their said Answer
by their Agents or some Person or Persons Authorized by them,
Signing their Name, or Names to the said Answer, thereby Certifying
That the Seal Affixed to the said Answer, is the Seal of the said
Cross Defendants, And that the Cross Defendants do pay the
Costs Attending their Amending of the said Answer, And also the
Costs of the first Exception.

Ordered

The Mayor delivers in his Opinion as follows—

Because I am of Opinion that the Defendants being a Body Corporate, should appear in this Court by their Mayor or Deputy, with Powers from the Defendants Agents to Plead, and Implead the Defendants Cause, as appears from the Records of this Court, to have been the Case in the Year 1753, in a Cause brought against the Company of the present Defendants entitled The Sundry Inhabitants of Bengal Complainants and the United East India Company Defendants

Because the Members of this Court, and especially myself, being but little Conversant in many Points of Law, not being ever particular Professors, or Study, and also the Proceedings of the Courts of Judicature in England, relative to the Process to be observed in Suits carried on in those Courts by Bill against Individuals, & Vice Versa, and particularly in the present Instance, whether the Answer of a Corporation to a Bill of Complaint filed against them in a Court of Judicature, ought to be delivered into Court upon the Oath of the Corporation, or that of their Solicitor, or Deputy, or by their Common Seal only, yet as this Court is entrusted by their Royal Charter, to pronounce the Rules of Law, and to form Rules of Practice for themselves, they ought to form humble Opinions in this particular Case, being Ignorant of the Law itself, and the Practice of the Courts of Judicature in England, to apply that Rule, to the Principles of Justice, and Equity, which demand an equal Measure of Time, and Testimony in behalf of one Party, as of the other, without any essential Difference

Because it Appears to Me that Cases may Arise, wherein the Oath of a Corporation, or that of their Solicitor, or Deputy is indispensible, as in the Case of a Bill of Discovery, for the Effects of a Deceased, or Insolvent Person, which a Trading Company, or Corporation, as are the Defendants, may often Necessarily have in their Possession—

Because that by the first Parliamentary Charter granted by King William

them a Body Corporate, it is Ordered, and Decreed that a Corporation holding a Share to the Value of five hundred Pounds Sterling in the Stock of the Defendants, shall at the Election of Directors for the Management of the Defendants affairs, by their Deputy, make Oath that the Share so held in the Stock of the Defendants, is actually at that Time, the Unalienated Property of said Corporation, swearing, or making Oath by their Deputy

Because it appearing to Me that in the above-mentioned Instance, an Oath is Administred to the Deputy of a Corporation, and by him taken, and that in Case of a Bill of Discovery, it seeming to me that an Oath cannot Legally be dispensed with, I am of Opinion, that there is no just Cause, why the Answer given by the Defendants, to the Corporation Complainants Bill of Complaint, should not be delivered into this Court upon the Oath of the Defendants Agents, or their Solicitor, for if it be Admitted by this Court, that the Answer of the Defendants shall be received under their Common Seal only, and without an Oath, the Sacred Stamp of the Judiciary, a Latitude may be given to deviate from that Rule of Sacred Truth, which should alone Guide this Court in their Judgment

Because his Majesty's Charter, constituting this Court directs, that the Process to be Observed in all Suits with the Defendants shall be the same as in all other Actions brought into this Court, and does Not in such Case expose, or employ any Immunity or Exemption to them as a Body Corporate to the Forms of Practice

Because it has been the hitherto established, & Invariable Practice of this Court founded on the Instructions sent from England, together with the Royal Charter, which Authorizes this Court to form Rules of Practice for their Government, not to Admit or to receive an Answer, but such as is Signed, and Sworn to by the Defendant, or his Agent

Because the Matter of the Defendants Answer must be well Known to their Agents, whose part of the said Answer is, I cannot see any [illegible] against their making Oath to the truth of the Defendants Answer, & being delivered

and Indispensible.

George Smith

Bill of Charles Smith with an Account Current annexed filed

Singarry Ranganadah to be Summoned

Bill of Charles Smith with an Account Current annexed filed

Canary Pillah to be Summoned

Adjourned to Tuesday the 6th May next

A Court Held at the Town Hall on Tuesday the

5th day of May Anno Domini 1772

Present

George Smith Esquire Mayor

Thomas Powney — Edward Stracey

& John Holland — Aldermen

Mooduvanah Chitty

vers

Ignatia Smith, and Adolphus Smith

The Attorney for the Complainant Acquaints the Court that the Summons

prayed for last Court Day did not issue, and prays that the same may now issue

Ordered Accordingly

John Robinson

vers

William Stephen Keating

A further time till next Court Day for the return of the Summons issued

against the Defendant prayed for and Granted

Philip Braam field by his Attorney Julius Rancelle Stone

vers

Doorabjee

Summons returned Served — The Defendant does not Appear,

Warrant of Arrest prayed for and Granted

Edgeworth

Bill

Writ to this Court by their said Agents, who ought to be able to Ascertain its Veracity.

Because the Agents of the Defendants who deliver the Answer of the Defendants into Court, are Critically Circumstanced they cannot Legally claim the Immunity, or Privilege of a Corporation the Exemption of an Oath in a Court of Judicature, tho' such Exemption should be in a Corporation.

Because the Affixing the Seal of the Defendants for which is Used for many Purposes, in all their Affairs without Signing, and Swearing to their Answer, does not in the Least Seem to give that due Authenticity, which such a Matter requires, as it is an Act which Carrys in it so much proof, but that it may be denied.

Because the Defendants Agents, are Subject to Death, and Removal, their Successors may deny their Act, unless Properly Authenticated.

Because such Neglect of Authenticity to an Act of so great Importance, may be of the Utmost Consequence to an injured Party, at such a Distance from the last Court and Appeal.

For the reasons above given, I am of Opinion, that it is regular, proper, and Legal, that the Answer of the Defendants to the Complainants Cross Bill, ought to be delivered into this Court, Signed by, and Attested by the Oath of the Defendants Agents, or at least that of their Solicitor, and therefore do hereby Submissively Dissent from the Resolution of this Court to Day, which Orders, that the Answer of the Defendants being a Body Corporate, shall be Admitted and received by this Court under the Common Seal of the Defendants, and signed by their Agents, or some Person for them, testifying said Seal to be that of the Defendants, but without that Solemn Test, of the Truth, and Veracity, the Oath of the Defendants Agents, or that of their Solicitor, which I think is an Essential Absolutely Necessary

Elizabeth Geary
vers
William Keating
A further time till next Court Day for the return of the Summons and Warrant of Arrest issued against the Defendants Body, prayed for and granted

Hanjauboy by his Attorney William Clarke
vers
Puphoo Chitty Shishayen
Summons returned Served – The Defendant does not Appear
Warrant of Arrest prayed for and Granted –

Dawah Cawseeram Doory Dutt by his Attorney William Clarke
vers
Mogalore Rusthothamah Chitty
The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court Day did not issue, and prays that it may now issue
Ordered Accordingly –

Dawah Cawseeram Doory Dutt by his Attorney Johan Pohna
vers
Rustumah and Veerapermaul
The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court day did not issue, and prays leave to Withdraw this Cause – Granted Accordingly –

Ramah Chitty by his Attorney Francisco Xavier da Silva
vers
Mooruganjaray Annogaum
Summons returned Served – The Defendant does not Appear
To be Summoned again –

Daniel Shaw
vers
Moosu –
Et Contra
Summons issued against the Cross Defendant Returned Served – He Accordingly Appears –

Charles Smith
vers
Singaray Rayapermadoo
A further time till next Court Day for the return of the Summons issued against the Defendant prayed for and Granted –

Charles Smith
vers
Canary Pillah
A further time till next Court Day for the return of the Summons issued against the Defendant prayed for and Granted –

Daniel Shaw
vers
Alsou, Minapah and Comrapah
Petitions of Reynold Adams, James Taylor, and James Call, with Translate of two Obligations annexed Read and Filed – Setting forth that the Sheriff had by Virtue of a Warrant of Execution issued against the Defendants Effects Seized and Sold a House, which is Mortgaged to the Petitioners for the Sum of Pags 110, they therefore pray that the Sheriff may be directed to Applay the Produce of the said House in Discharge of the said Mortgage, and that the Costs &c. Occasioned by the said Unjust Seizure may be Awarded to them –
Ordered that the Sheriff do Retain in his Hands the Produce of the said House Until further Order of this Court, and that the Complainant be furnished with a Copy of the said Petition

Reynold Adams
vers
Gourpah Chitty Sawmy
Day is Given the Defendant till the 12th Instant to Rejoin in default of which this Cause will be Heard on the Proceedings already had –

Henry Brooke
vers
Chelentayagen & Cawaraune
A further time of four Weeks for the Return of the Summons and Warrant of Arrest issued against the Defendants Body prayed for and Granted

Johannes Peter Rasonaire
vers
Dawah Lagayan
Day is Given the Complainant till the 12th Instant to Reply

Default of which this Cause will be heard on Bill and Answer

Auwendamuson Pauliah

vers

Thomas Chambers

& Contra

Further Day is Given the Parties till the 12th Instant to Examine Witnesses

Richard Parks by his Attorney Charles Edward Lewis

vers

Charles Smith and John Douglas Executors to the Estate of George Dollin deceased

Further Day is Given the Defendants till the 12th Instant to Answer the Complainants Bill or default of which Judgement will be Given for the Complainant

Annuum Addapah

vers

Paul Benfield

Further Day is Given the Defendant till the 12th Instant to Answer the Complainants Bill

Joannes de Martinis

vers

Arthur Cuthbert

Withdrawn by the Consent of both Parties

Martinus Nicholao

vers

Pettiappa Chinatamboo Chitty

Further Day is Given the Defendant till the 12th Instant to Answer the Complainants Bill

John Turing Administrator to the Estate of Walter Goddard deceased by his Attorney William Turing

vers

Annuum Addapah

Replication filed

Coja Paloom Coja Maul by his Attorney Joseph Marcot

vers

Ann Nannadjean Raphael

Day is Given the Defendant till the 12th Instant to Answer the Complainants Bill

Joseph Marcot

vers

Nannapeen

Answer Sworn to in Court by the Defendant filed

The United English East India Company by their Agents Josiah Du Pre Esqr & Council

vers

John Wood

& Contra

Mr. John Sykes Attorney for the Cross Defendants tenders to the Court his Amended Answer Agreable to an Order made last Court Day

Mr. Gedion Lisle for Messrs. Thomas Chambers and Henry De Pury Attorneys for the Cross Complainants delivers into Court a Petition praying that the Court will Reconsider the said Order Made last Court Day, but at the same time Requeants the Court, that he has not any further Instructions from the said Attorneys, than the delivering in of the said Petition — The Court having taken the same into Consideration, and as there is a Standing Order of Court, that when ever any of the Attorneys cannot attend, that they do furnish Another Attorney with Sufficient Instructions to Act for them — The Court do therefore Fine the said Thomas Chambers, and Henry De Pury Attorneys for the Cross Complainant in the Sum of Five Pagodas each for such their Neglect, Bill & Ordered that the said Answer and Petition do Lie on the Table, till Next Court Day, when a full Court is Ordered to be Summoned

Happearing to the Court that it would be proper that the Petition for Rehearing should be rendered use thereof the Sum of 20 Pagodas being first Deposited with the Register — Ordered that a full Court be Summoned on Tuesday Next to take the same into

Consideration.

The United English East India Company by their Agents Thos Du Pre Esqr & Sea Council

vers

John Wood.

& Contra

Mr John Sykes Attorney for the Cross Defendants tenders to the Court his Amended Answer Agreable to an Order made last Court Day.

Mr Gedion Firth for Messrs Thomas Chambers and Henry Du Pury Attorneys for the Cross Complainant delivers into Court a Petition praying that the Court will Reconsider the said Order made last Court Day, but at the same time Acquaints the Court that he has not any further Instructions from the said Attorneys than the delivering in of the said Petition. The Court having taken the same into Consideration, and as there is a Standing Order of Court that when any of the Attornies cannot Attend, that they do furnish another Attorney with Sufficient Instructions to Act for them. The Court do therefore fine the said Thomas Chambers, & Henry Du Pury, the Attorneys for the Cross Complainant in the Sum of Five Pagodas each for such their Neglect. And Ordered that the said Answer and Petition do lie on the Table till Next Court Day when a full Court is Ordered to be Summoned.

Happearing to the Court that it would be proper that no Petitions for Rehearing should be received without the Sum of 20 Pagodas being first deposited with the Register. Ordered that a full Court be Summoned on Thursday Next to take the same into Consideration

The United English East India Company by their Agents Thos Du Pre Esqr & Sea Council

vers

John Wood

& Contra

Mr John Sykes Attorney for the Cross Defendants tenders to the Court his Amended Answer, Agreable to an Order made Last Court Day. Mr Gedion Firth Attorney for Messrs Thomas Chambers, and Henry Du Pury, Attornies for the Cross Complainant, delivers a Petition praying that the Court will Reconsider the said Order made last Court Day, but at the same time Acquaints the Court that he has not any further Instructions from the said Attorneys than the delivering in of the said Petition. The Court having taken the same into Consideration and as there is a Standing Order of Court, that when any of the Attornies cannot Attend, that they do furnish another Attorney with sufficient Instructions to Act for them. The Court do therefore fine the said Thomas Chambers, and Henry Du Pury, the Attornies for the Cross Complainant in the Sum of Five Pagodas each for such their Neglect, And Ordered that the said Answer, and Petition, do lie on the Table till Next Court Day when a full Court is Ordered to be Summoned.

Happearing to the Court that it would be proper that no Petitions for Rehearing should be received without the Sum of 20 Pagodas being first deposited with the Register. Ordered that a full Court be Summoned on Tuesday next to take the same into Consideration

Johannes Marcar

vers

Allin Penicannan

Answer Sworn to in Court Filed

Samuel Trautbach

vers

Solano Vencadashan

& Contra

The Attorney for the Cross Defendant prays that a Commission may issue directed to the Examiners to Examine Paupah Chitty, and Pallah Chitty two Material Witnesses produced on the part of the Original Complt at this Cause at Eight Licanee Pagodas, As his Client cannot think that the Common Method of Administring the Oath is sufficiently Solemn and binding. Ordered Accordingly.

Further Days is given the Parties till the 12 Instant to Examine Witnesses.

Samuel Trautbach

vers

Ramagaroolay Mundeah

& Contra

The Attorney for the Cross Defendant prays that a Commission may Issue directed to the Examiner, to Examine Pragash Chibby, and Mellah Chibby Two Material Witnesses produced on the part of the Original Compl.ts in this Cause at Triplicane Pagoda, as his Client doubts that the Common Method of Administring the Oath is Insufficient to Solemn and binding — Ordered Accordingly —

Further Day is Given the Parties till the 12th Instant to Examine Witnesses

The Mayor being Interested goes off the Bench and the Maces are taken away.

Alexander Wynch by his Attornies Johnn Maxwell Stane and Williams

Wynch

vers

George Smith

Bill with an Account Current annexed Read —

Demurrer Read —

Joinder Read —

The Demurrer and Joinder coming on to be Argued, and Determined this Day, On Reading the Complainants Bill, with an Account Current annexed, the Demurrer, the Joinder, &c — hearing the Pleadings and Arguments made Use of by the Attorneys, and on due Consideration had thereon — The Court are of Opinion that the first Plea made Use of by the Defendant in his Demurrer is a Good and Sufficient Cause of Demurrer — The Court then proceeded to take the second Plea into Consideration, and are of Opinion that it is — Insufficient — This Court doth therefore think fit to Order, and doth Accordingly Order, that the Complainant's Bill be Dismissed with Costs, and that the Complainant do pay the Costs attending the said Plea in the said Demurrer, and the Defendant the Costs of the — Second Plea —

Ordd

The Mayor returns to his Seat and the Maces are Replaced —

A Letter from Mr Charles Oakley Sub Secretary to the President and Council Read, Acquainting that they have Chosen Mr James Bodas an Alderman and Judge of this Court in the Room

of Cuthbert who has Resigned — Ordered that the Register do Attend — Upon the Governor to see the Usual Oath of Allegiance and Office Administred to him —

Bill of Charles Bramley Filed

Teagapah Chibby to be Summoned

Bill of Charles Bramley with an Account Current annexed Filed

Peers Vengadashen to be Summoned —

Bill of Charles Bramley with a Bill annexed Filed

Nineapeer and Pallian mooten to be Summoned

Bill of Haddemarah Filed

John Robinson to be Summoned —

Adjourned to Tuesday the 12th Instant

At a Court Held at the Town Hall on Tuesday the 12th day of May Anno Domini 1772 —

Present

Mr Thomas Pomney Senior Alderman

John McPherson — John Sullivan

George Savage — Aldermen —

Moodooramiah Chibby —

vers

Ignacia Smith and Adolphus Smith

The Attorney for the Complainant Acquaints the Court that the Summons prayed for last Court they did Not Issue —

John Robinson

vers

William Stephen Thuster

Mr Henry Pye Prays for Mr Thomas Chambers prays upon the Usual of two Weeks for the Return of the Summons Issued against the Defendant

Granted Accordingly —

Philip Bromfield by his Attorneys John Maxwell Stone ... Chitty
vers
Donabjee
A further time of One Week for the return of the Warrant of Arrest and
against the Defendants Body prayed for and granted
Elizabeth Geeany
vers
William Stephen Keating
A further time of two Weeks for the Return of the Summons & Warrant
Arrest issued against the Defendants Body prayed for and Granted
Hunjaw Boaj by his Attorney William Clarke
vers
Paulhoo Chitty Shishaysen
Warrant of Arrest returned Served Soorah Cundapah Chitty of Madras
Merchant, became Bail for the Personal Appearance of the Defendant
to Answer all Costs and Damages taken and Acknowledged before
Thomas Powney Senior Alderman And that thereupon a Counter
Warrant issued under the Hand and Seal of the Mayor for the Release
Canjeeram Joorey Duck by his Attorney William Clarke
vers
Mugaloor Bishothanaick Chitty
The Attorney for the Complainant Acquaints the Court that the Summons
prayed for last Court Day did not issue, and prays that it may now issue
Ordered Accordingly
Ramado Chitty by his Attorney Francis Xavier Da Silva
vers
Moorucanjaray
The Attorney for the Complainant Acquaints the Court that the Summons
prayed for last Court Day did not issue, and prays that it may now
issue Ordered Accordingly
Charles Smith
vers
Ignatius Pantaadah