Series.
IX

(Mayor's Court records)
(Letters received)
(Vol No 12)

1771

Letters Received

1771

25,000—4-5-32.

Block 7

Rack No.

Shelf No.

Serial No. 12

General No.

753

To the Honble the Mayor's Court
at Madraspatnam

Gentlemen

I am Commanded by the Honble Court of Appeals to enclose to you the Orders of his most Excellent Majesty in Council for Withdrawing the Appeal in the Cause —

Christian Van Leylingen Esquire ... Appellant
Chocalinga Chitty ... Respondent

as also an Order of his most excellent Majesty in Council for Withdrawing the Appeal in the Cause —

Christian Van Leylingen Esquire ... Appellant
John Dederich Severin ... Respondent

Fort St George
9th April 1771

I am Gentlemen
Your Most Obedient
Humble Servant
W. M. Goodlad Clk of Apls

To Mr John Maxwell Stone
Regr of the Honble the Mayor's Court

Sir

I am Ordered by the Honble Court of Appeals to acquaint you that Agapen of Madras Inhabitant did on this Day lodge an Appeal in the said Court from a Decree of the Honble the Mayor's Court dated the 2d Day of April in a Cause wherein Henry Pitts of Fort St George Writer Complainant and the said Agapen Defendant which you will please to signify to the Honble the Mayors Court that they may give Orders for laying before the Honble the Court of Appeals the severable Papers exhibited in the said Cause.

I am Sir
Your Most Obedient Humble Servant
W. M. Goodlad Clk

Fort St George
16th April 1771

Mr Dan.l Shaw

Monsieur

Nous avons reçu la lettre que vous nous avez fait l'honneur d'ecrire le 23 fevrier dernier avec la Commission et les pieces du procès entre Labame Labourneur et le Sr Point pendant a l'honorable Cour de Maire de Madras Nous et avons pris vous dispenser de faire remettre cette Commission a la decession de la Cour Souveraine de Pondacherry que ne nous ayant pas autorisés a la remplir nous forcé avons renvoyer toutes les pieces

Nous Sommes très parfaitment

Monsieur

Vôtres Humbles et très Obeissans Serviteur

Marten Denviial

a Pondacherry le 14 Mars 1771

To Mr John Maxwell Stone
Regr of the Honble the Mayors Court

Sir

I am Ordered by the Honble Court of Appeals to acquaint you that John Jewell of Madras Inhabitant did on this Day lodge an Appeal in the said Court from a Decree of the Honble the Mayors Court Dated the 28th day of May last past in a Cause wherein the said John Jewelle Complainant and Nanna carramjee Defendant which you will be pleased to Signify to the Honble the Mayors Court that they may give Orders for laying before the Honble the Court of Appeals the several Papers exhibited in the said Cause

I am Sir your most Obedient humble Servt

M. M Goodlad Clk of Ap.

Fort St George
11th June 1771

To Mr John Maxwell Stone
Register of the Honble the Mayors Court

Sir

I am ordered by the Honble Court of Appeals to acquaint you that George Stratton and Charles Smith Esqrs of Fort St George Attornies to Claud Russell Esq at Calcutta in the Kingdom of Bengall did on this Day lodge an Appeal in the said Court from a Decree of the Honble the Mayors Court dated the 4th Day of this Instant in a Cause wherein George Mackay Esqr Complainant and the said George Stratton and Charles Smith Esqrs Attornies or Agents to the said Claud Russell Esq Defendants which you will please to signify to the Honble the Mayors Court that they may give Orders for laying before the Honble the Court of Appeals the several Papers exhibited in the said Cause

I am Sir your Most Obedient Humble Servant

M. M Goodlad Clerk

Fort St George
17th June 1771

To the Honble the Mayors Court
at Madraspatnam

Gentlemen

I beg leave to acquaint you that in Consequence of a Warrant which was issued to Arrest Motaphar Cawn the Serjeant went this Morning to Triplicane and presented the Warrant. On the Serjeants endeavouring to bring him to Prison, he was prevented by several Sepoys and other Attendants who turned him out of the Room.

Motaphar Cawn is Still at Triplicane Surrounded by his Guards but as I am not furnished with Means to force him from thence, I remain now I believe with you to take such Steps as you may judge necessary for that

that Purpose

I am Gentlemen

Fort St George
12th June 1771

Your most Obedient
Humble Servant

Charles Desvoeux
Sherriff

To Mr John Maxwell Stone
Register of the Honble the Mayors Court

Sir

I am Ordered by the Honble Court of Appeals to acquaint you that William Clark of Madras Inhabitant did on this Day lodge an Appeal in the said Court from a Decree of the Honble the Mayors Court Did the 11th Instant in a Cause wherein the said William Clarke Complainant and Gowpah Chitty Defendant and which you will please the Register to the Honble the Mayors Court that they may give orders for laying before the Honble the Court of Appeals the several Papers exhibited in the said Cause

I am Sir

Fort St George
24th June 1771

your Most Obedient Humble Servt
H. M. Goodlad Clerk

To the Honble the Mayors Court
of Madraspatnam
Gentlemen

I am Ordered by the President and Council to acquaint you that there being a Vacancy in the Court by the Resignation of Mr Peter Mariette, they have Chosen Mr George Smith to be Alderman and Judge of the said Court to fill the Vacancy — I am

Fort St George
24th June 1771

Gentlemen
your Most Obedt Humble Servt
H. M. Goodlad Secry

To Mr John Maxwell Stone
Register of the Honble the Mayors Court

Sir

I am Ordered by the Honble the Court of Appeals to Acquaint you that Veerapathra Pillah and Chinatomby Moodeliar of Madras Inhabitants did on this Day lodge an Appeal in the said Court from a Decree of the Honble the Mayors Court Dated the 2d Instant in a Cause wherein Gregorio Aga Perry Calendar of the same place Merchant Complaints and the said Veerapathra Pilla and Chinatomby Moodeliar are Defendants which you will be pleased to Signify to the Honble the Mayors Court that they may give Orders for laying before the Honble the Court of Appeals the Several Papers exhibited in the said Cause.

Fort St George
15th July 1771

I am Sir
Your Most Obedient Servant
H. M. Goodlad Clerk of Apps

To the Honble the Mayors Court
of Madraspatnam
Gentlemen

I am Ordered by the President and Council to acknowledge the Receipt of your Letter of the 25th Instant, and to acquaint you in answer thereto that they have chosen Mr John Sullivan to be an Alderman and Judge of the Mayors Court to fill the Vacancy occasioned by the Absence of Mr Alexander Davidson from the Settlement upwards of twelve Months

Fort St George
26th July 1771

I am Gentlemen
Your Most Obedient Humble
Servant H. M. Goodlad Secry

To the Honble the Mayors Court
at Madraspatnam

Gentlemen

I am commanded by the Honble the Court of Appeals to acquaint you the Orders of his most excellent Majesty in Council for Affirming the Appeal in the Cause of Christian Vantaybingen versus Madah Verdah Ragaelloo Chitty

Fort St George
30th July 1771

I am Gentlemen
Your most Obedient humble Servant
M. H. Goodlad Clerk

To Mr John Maxwell Stone
Register of the Honble the Mayors Court

Sir

I am Ordered by the Honble the Court of Appeals to acquaint you that James Daniel by his Attorney the Honble Edward Monckton Esqr did on this Day lodge an Appeal in the said Court from a Decree of the Honble the Mayors Court dated the 27th Day of August last past in a Cause wherein the said James Daniel by his Attorney the Honble Edward Monckton Esquire Complainant and James West Defendant which you will please to signify to the Honble the Mayors Court that they may give orders for laying before the Honble the Court of Appeals the several Papers exhibited in the said Cause.

I am Sir
Your most Obedient Humble Servant
M. H. Goodlad Clerk of Appe

Fort St George
9th September 1771

To Mr John Maxwell Stone
Register of the Honble the Mayors Court

Sir

I am Ordered by the Honble the Court of Appeals to acquaint you that Coja Agavally Alias Agavally Sahere of Madras Merchant did on this Day lodge an Appeal in the said Court from a Decree of the Honble the Mayors Court dated the 24th Day of September last past in a Cause wherein Maria De Monte of Madras Inhabitant Complainant and the said Coja Agavally Defendant which you will be pleased to signify to the Honble the Mayors Court that they may give Orders for laying before the Honble the Court of Appeals the several Papers exhibited in the said Cause.

I am Sir
Your most Obedient Servant
M. H. Goodlad Clerk

Fort St George
8th October 1771

Gentlemen

It is with the utmost Concern that I am under the Necessity of Troubling you on the present disagreeable Occasion, but Justice to myself as well as to others, Obliges me to it. And therefore I beg you will do me the favor to execute it. My bad State of Health has for some time past prevented me from paying that Application to Business, which both my inclination and Interest required and in Consequence thereof Mr Mackay took that Opportunity to Accuse me with neglect in his Cause Against Mr Johnson, and Accordingly not only detained my Draft of Replication to Mr Johnsons Ammended Answer and Delivered it to Another, but also insisted on having all the papers which are in my Hands delivered up to Him: And that He had Imployed another Attorney to Carry on the Suit to which I wrote him in answer, that I could not at that time Comply with his Demand, he then wrote me he would this Day, lay my letter before this Honble Bench, by way of Complaint, for my

Neglect

Neglect of Duty; If he should do so I most Humbly pray this Honble Court to Suspend their Censure and Judgment Untill it may please God to Enable me to appear before you; when I hope clearly to Confute every Accusation Mr Mackay may have to lay against me And I shall with great pleasure rely on the Candour and Justice of this Honble Court either to stand Condemned or Acquitted

I have the Honor to be with the most profound Respect

Gentlemen

Your Most Obedient Humble Servant

F Chambers

Madras October 15th 1771

To the Honble the Mayors Court
of Madraspatnam

Gentlemen

As I have found it absolutely necessary to take my suit against Mr Johnson out of the Hands of Mr Chambers (who has hitherto been employed as my Attorney) and put it in the Hands of another; I have thought it proper to lay the following Circumstances before the Honorable Court which I Hope will appear to them a sufficient Reason for my doing so

Mr Chambers has for some time past labored under a bad State of Health; which has been the Cause of great Delay and Loss of Time, so much that had it not happened the Suit would probably by this time have been brought to an Issue which induced me to desire Mr Firth to carry on the Suit and in my Name Demanded the papers relating thereto from Mr Chambers who Not only refused delivering them to him but wrote me the accompanying Letter, which I beg leave to lay before the Honble Court, not doubting they will see it in its proper Light and pass such Censure upon Mr Chambers as they think he deserves, and Order him to Deliver up the Papers to my Attorney upon my paying him for what he has Done

I am with due Respect Gentlemen

Your Most Obedient humble Servant

Geo Mackay

Fort St George
22d October 1771

Sir

I am sorry to Observe, that it is not enough which I suffer through a very bad State of Health, but through Misrepresentations and Malice, I have never Neglected neither your Business nor your Interest, and that Matter shall be Determined before the Mayors Court, of which Court I am an Officer, and Doubt not of having Justice done me, till then I cannot deliver any Papers, and more Especially so, as you have not sent me the Draft of the Replication, which is Mine and I will not Suffer it to go into the Hands of Neither Mr Firth nor non else, untill I am Ordered to do so, in due form. I am very Certain you have been Wrong Informed in this Matter, otherwise I should not have Suffered so much in your Opinion; and I do Declare my Attention to the very Cause now in Question, has never been wanting, but on the Contrary I have, never been Wanting, but on the Contrary I have, and still do Consider you very Cruelly Threated. I am sorry the Usuall Rules for the Replication did not Issue from Court, and then the time for filing it Expired Last Court Day, and as there is a Draft of it ready (if approved) it was Intended to be filed Tomorrow, so that one Week is the time more than the Rule would have limited and when this is Considered to have arisen from a very Sever Indisposition Humanity would Certainly have made some Allowance for it. As to any Message which I sent you; they were always with the most perfect Respect, And I ever thought my self highly Obliged to you for many Civilities which I Received at your Hands, and had Mr Firth never been Concerned in the present Affair, I flatter myself there would not happened the Difference which now appears to be, I wish it was in my power to wait on you. I hope this Misunderstanding might be Adjusted, and I am Sensible that your Candor and Impartial Judgment would do Justice to those who deserve it, And I wanted no more.

I am with great respect

Sir Your very Obedient Humble Servant

F Chambers

October 11th 1771

To George Mackay Esqr

To the Honble the Mayor's Court
of Madraspatnam

Gentlemen

I am sorry to be under the Necessity of giving you any further Trouble on the Subject which I addressed you the 22d Instant, but as the speed Decision of the Suit between Mr Johnson and myself is of the utmost Consequence to me, and to the other Gentlemen intrusted with me I hope that will be Deemed a sufficient Plea for this second Letter. You were pleased by your Order of last Court Day to allow Mr Chambers a further Day to answer the Complaint contained in my Letter to the Court of the 22d Instant.

I have not accused Mr Chambers of any thing. Only said that his Indisposition hindered him from carrying on my Suit, and I believe he will hardly venture to assert that he was not indisposed, and that my Business was not Delayed by that Indisposition. Compassion for Mr Chambers Situation, and that ill judged good Nature frequently of much Detriment in Carrying on Business, made me forbare to mention to the Court the other Reasons I had for wishing to take my Suit out of the Hands of Mr Chambers. I will now mention them, and the Court will be the best Judges whether they are well, or ill founded. Almost from the Begining of this Suit I suspected that much Time was lost from unnecessary Delays in carrying it on, and mentioned I am certain more than once to Mr Chambers himself my Disaprobation of his being so delatory, and told him that I should be under the Necessity tho much against my inclination to employ another Attorney if those Delays continued. he gave me from time to time such Promises of Attention and Diligence as enduced me to believe him, and continue the Suit in his Hands. I am sorry I did not think it necessary to preserve the several Letters and Notes that passed between Us on the Subject as that would set the Matter in a very clear light before the Honorable Court. When my Exceptions to Mr Johnsons Answer were argued, the Answer dismissed as insufficient and Mr Johnson Ordered to Deliver in his amended Answer by next Court Day Wedn. the 3d September in Default of which a Decree would be given against him. The Amended Answer was not filed according to the Order of Court, and my Attorney Mr Chambers, instead of praying a Decree as he ought to have Done, agreed with the Attorney of the Defendant to give him a further Day, and accordingly the amended Answer was not filed till the 10th September. this appeared so palpable a Neglect if to call it by no worse, in Mr Chambers that I questioned him about it, and he gave me for Answer that the Defendants Attorney had his Answer ready on the Day Ordered by the Court, but as it was only to such Parts as I had objected to and not a full Answer, it could not be filed. I told him that was in my Opinion the very Reason why he ought to have prayed for a Decree, because the bringing such an Answer could be done with no other Intent but to Delay the Suit. I need not point out to you Gentlemen the Time that has been lost in giving my Replication, it might have been filed the 22d and now one Court Day has elapsed since that time I beg leave to enclose You a Letter from Mr Chambers dated the 5th Instant in which he Acknowledges his Inhability to go on with the Suit and says that he would be much obliged to Mr Smith and my self for such an Act of Friendship, that he was ready to deliver the Papers to any Person I would send for them. I was not withstanding willing to allow him a little more time in Hopes he might Recover and particularly as he promising that the Replication should be filed on Tuesday the 15th but to my great Surprize the Saturday preceding Mr Chambers Dubash came to me with a Message from his Master to acquaint me he was so very ill he could not have the Replication ready according to his Promise. On this I sent for Mr Smith and Retained him, giving at the same time a Note to Mr Chambers in which I told him that in Consequence of the Message he had sent me I had employed Mr Smith to carry on the Suit, and Desired he would deliver him

him all the Papers, and so little Suspicion had I of his refusing to do so, that I desired him in the said Note to give Mr Smith such Hints as he thought Proper for drawing up the Replication. Mr Chambers on the Receipt of my note refused to Deliver up the Papers, but wrote me a Letter the same evening with a first Draft of the Replication and assured me it should be filed next Tuesday the 15th I Returned him for Answer that he had Disapointed me so often I could not Depend on him, and as I had employed Mr Smith I was Determined he should Carry on the Business Consequence that Note Mr Chambers wrote me the Letter enclosed in my Address of the 22d to the Honble Court the improper and I may had impertinent Insinuations thrown out in that Letter by Mr Chambers against Mr Smith and Myself as if we Wanted to injure him I hope will not pass unnoticed I beg Leave further to observe that I doubt not it will appear to the Court that Mr Chambers might (if he pleased and had the Interest of his Client really at Heart) have had the Suit in much greater forwardness than it is at present. As long as he thought that my Indulgence admitted of his Excuses he was so very ill that he could do nothing, but the very moment he found I was determined to put the Hands into the Hands of another he was well enough to draw the Replication, notwithstanding a few Hours before he sent me a Massage that he was not able to do it

If notwithstanding these Representations the Court should be of Opinion that I still shall employ Mr Chambers in the Suit in Question I shall do it - but I request at the same time that I may be permitted to employ Mr Smith likewise and that you will give him leave to file my Replication which is now ready. I am Gentlemen

Your most Obedient
Humble Servant
Geo. Mackay

Fort St George
29th October 1771

To the Honble the Mayors Court
of Madraspatnam

Gentlemen

I am ordered by President and Council to acknowledge the Receipt of your Letter of the 16th Instant and to acquaint you in Answer thereto, that they have chosen Mr John Sulivan to be an Alderman and Judge of the Mayors Court to fill the Vacancy occasioned by the Absence of Mr John Debonaire from the Settlement upwards of twelve Months.

I am Gentlemen
Your most Obedient Humble Servant
W. M. Goodlad Secretary

Fort St George
29th October 1771

To Mr John Maxwell Stone
Register of the Honorable the Mayors Court

Sir

I am Ordered by the Honble the Court of Appeals to acquaint you that David Alcock by his Attorney James Taylor did on this Day lodge an Appeal in the said Court from a Decree of the Honorable the Mayors Court dated the 29th Day of October last past in a Cause wherein the said David Alcock Complainant and Andrew Majendie Defendant which you will please to signify to the Honorable the Mayors Court that they may give Order for laying before the Honble the Court of Appeals the several Papers exhibited in the said Cause.

I am Sir
Your most Obedient Servant
W. M. Goodlad Clerk of App.

Fort St George
12th November 1771

To Mr John Maxwell Stone
Register of the Hon^ble the Mayor's Court

Sir

I Return you the several Papers received from You in the Causes of John Jewell versus Nanacanamjee
George Stratton & Charles Smith } vers George Mackay together with the Decrees of the Hon^ble the Court of Appeals in the said Causes

I am Sir
your most Obedient Servant
H. H. Goodlad Clerk

Fort St George
13th November 1771

To Mr John Maxwell Stone
Register of the Hon^ble the Mayor's Court

Sir

I return you the several Papers received from you in the Causes of William Clarke versus Goupoo Chetty Swamy — Verapathra Pulley and China Lomby, vers Gregorio Aga Perry, James Daniel versus James West together with the Decrees of the Hon^ble the Court of Appeals in the said Causes

I am Sir
your most Obedient Servant
H. H. Goodlad Clerk of Appe:

Fort St George
15th Novem^r 1771

To Mr John Maxwell Stone
Register of the Hon^ble the Mayor's Court

Sir: I am Ordered by the Hon^ble the Court of Appeals to acquaint you that Henry Lawson of Madras Inhabitant did on Yesterday lodge an Appeal in the said Court from a Decree of the Hon^ble the Mayor's Court dated the 19th November last past in a Cause wherein the said Henry Lawson Complainant and Poncolla Narnahpa Defendant which you will please to signify to the Hon^ble the Mayor's Court that they may give Orders for laying before the Hon^ble the Court of Appeals the several Papers exhibited in the said Cause.

I am Sir Your Most Obedient Servant
H. H. Goodlad Clerk of Appe:

Fort St George
3d December 1771

To the Hon^ble the Mayor's Court
of Madraspatnam

Gentlemen

I am directed by the President and Council to acquaint you that they have Chosen Mr George Smith, who with Mr John Sullivan was presented to them on Tuesday the 3d Instant agreeable to the Charter to be Mayor of Madraspatnam for the ensuing Year, and that the President or in his Absence the two Senior of the Council resident at this Settlement will be ready on the 20th Instant at 10 o'Clock in the forenoon to administer the Oath prescribed by the Charter to the Mayor Elect

I have likewise their Direction to acquaint you that they have elected Mr George Moubray of Fort St George Merchant to be Sheriff of Madraspatnam and the Districts thereof for the Year ensuing

I am Gentlemen
Your Most Obedient Humble Servant
H. H. Goodlad Secry

Fort St George
9th Decem^r 1771