Block 7
Rack No.
Shelf No.
Serial No. 19
General No.

St Thomas's Mount

25th November 1776

Sir

As I am truly solicitous that as few irregularities as Possible may happen During the Present usurpation of the Government of Fort St George, And, especially in those Departments which are Constituted by the Royal Charter for the Administration of Justice I bring to my Remembrance that the Season which is Hereby Appointed for filling up Vacancies in the Corporation of Mayor and Aldermen and the Election of a Mayor for the Year ensuing is at hand, And reflecting in my Mind how material it is, that That Body to which the Administration of Justice in the Civil Department is intrusted should not be Affected by any Operation of those usurped Powers which have arrested the Government of Fort St George out of my Hands and Still Prevent me from the Discharge of the Several Functions of that Station and of the Office of President of the Council. I think it an indispensible Duty which I owe to the Public and to the Corporation of Mayor and Aldermen to intimate to you, for their Information and Consideration the Apprehensions which I feel lest any Irregularities in the Appointments which appertain to them should Affect the due Regular Course of the Administration of Civil Justice. And to the Doubts which occur to my Mind in Regard to that Part of their Authority with which the Corporation is Vested, Should any of the measures take place under the Sanction of an Illegal Administration I do not however forget that this Address is intended for a Civil

A

and Independant Body who have a Right to expect the best Information that I can give them to enable them to Satisfy themselves what Judgement to form and what Conduct to follow in this Present unsettled State of this Government, And tho' I am Sensible that every Individual of your Body may be and Probably is already well Appprized of the Violences which have produced the Present Usurpation of the Government yet it is Necessary to lay so much of that information before them in their Corporate Capacity as may enable them to form their Opinion on the matter of those Doubts which I think it my Duty to Suggest to them—

For this purpose I transmit to you herewith Copies of the following Papers—

No. 1 ... The Last Commission of Government which the Honble Court of Directors were pleased to grant to me—

2 ... Minutes of a Consultation held the 22d of August last, by which it appears that Messrs Stratton and Brooke were Suspended from the Company's Service—

3 ... A Letter which was Addressed to me and to the Rest of the Members who Attended their duty in Course on the 23d of August by Mr George Stratton Sir Robert Fletcher and Messrs Henry Brooke, Charles Floyer, Archdale Palmer, Francis Fourdan and George Mackay which was Delivered to me by Mr Charles Bromley a Notary Publick and immediately thereafter Copy Attested by the same Notary was Circulated in this Settlement to Commodore Sir Edward Hughes, the Company's Servants Civil and Military and to others who hold Public Offices in the Place—

4 ... The Minutes of Consultation held on the 23d of August by which it Appears that Messrs Floyer, Palmer, Fourdan and Mackay were Suspended the Company's Service And Sir Robert Fletcher Ordered into Arrest

5 ... The Declaration of Claud Russell Esqr given upon Oath before you in Regard to the Violent Seizure of the Fort by means of the Military Force which were then Stationd in the Garrison—

6 ... The Proclamation Published and Announced in the Names of His Majesty and the English Nation on the 25th August by Messrs Stratton and Brooke Sir Robert Fletcher and Messrs Floyer, Palmer, Fourdan and Mackay on their usurping the Government. And x x x x x x x x x

7 ... The Petition which was Delivered to the Honble the Mayor's Court on my behalf for a Writ of Habeas Corpus Containing the most material Circumstance of the Violent and Illegal Seizure of my Person on the 2[illegible] of August at Night of my being under the Confinement of a Strong Guard at the Mount, (in which Situation I shall continue,) And of the Attempt which was made on the Night of the 27th of August for my being Removed to some place at a greater Distance and to which it was believed, and may still be Doubted, That the Authority of the Royal Charter would not Reach—

From these Sir I think that the Illegality of the Power which at Present holds the Government will sufficiently appear to the Corporation, And I submit it to their Judgement whether it would be Regular in that Body to Receive any Appointments from or Apply for any Sanction of office to such an Authority, and whether it might not be most Consistent with the Dignity and Duty of that Seperate Jurisdiction with which it is Vested, in order to Preserve its own Legality free from all Possibility of Doubt, that they Should continue the same Persons who at Present hold their Offices by an Unimpeached Authority as the Head Members of the Corporation and the Judges of the Mayor's Court, especially as provision is made in the Charter in Case of any Impediment arising in the Election of the Members of the Corporation and of the Sheriff

W

It is by no means my intention or desire that any thing which I now offer to the Consideration of yourself and the Aldermen should impede or Disturb their Establishment or any way embarass the Administration of Justice in the Mayor's Court. My wish and Sole motive for Troubling you and them is to Prevent such inconveniencies as may arise by the not being Sufficiently apprised of the State of the Government as far as it Respects their Establishment

I have the Honor to be

Sir

Your most Obedient humble Servant

Pigot

To John Turing Esqr
Mayor of Madraspatnam

St Thomas's Mount 26th Novr 1776

Sir

Since closing my Letter of Yesterday it has occurred to me that I have omitted to send you Copy of a Letter from Sir Elijah Impey to Mr Andrew Ross Containing the Substance of the Answer given by the Judges of the Supreme Court of Judicature in Bengal On a Question Referred to them by the Governor General and Council at the Desire of Messrs Stratton & Smith Respect the the Legality of their Acting as Judges of Quarter Sessions of Oyer and Terminer and Goal Delivery and Judges of Courts of Appeals and as Justices of the Peace

I have now the Honor to inclose it and to Remark that Untill Saturday last Mr Ross's Correspondence with Sir Elijah Impey

I Impey on the Subject was entirely unknown to me, That it has been altogether an Act of his own and that I cannot but Admire the Candor of Sir Elijah on this Occasion

I am Sir

Your most Obedient humble Servant

Pigot

To John Turing Esqr Mayor of Madrass

Extract of a Letter from Sir Elijah Impey Chief Judge of the Supreme Court of Judicature in Bengal to Mr Andrew Ross

Dated at Fort William 26th October 1776

Sir

I Yesterday Received yours of the 5th Instant The Governor General and Council had before it came to hand Addressed a Letter to the Chief Justice and Judges of the Supreme Court of Judicature in which was inclosed an Extract of a Letter which they say they had Received from "the President and Council at Fort S. George and "that agreeable to their Request, Referred to the Judges for their "Consideration, and Requested their Opinion on the Questions therein "Stated"

In the Letter was enclosed that Extract and "a Copy of the Commission of Government granted by the Company on the Appointment of Lord Pigot to be President of the Council at Fort S. George" "the same with No 1 in your enclosure, and the Letter Acquainted their Judges" "with the Previous Circumstances which have brought that Government into its present State" and which as they "Suppose have given Rise to Doubts expressed in the Extract"

The Question Referred is on the Legality of their Acting

as

"as Judges of Quarter Sessions, Oyer and Terminer and Goal Delivery and Judges of Courts of Appeal and Justices of Peace" The Extract States "that the Question is not put from any Doubts on this occasion" of those Gentlemen but to give general Satisfaction to their Settlement"

After the anxiety which I shewed both in my Letter to Mr Fanning and to you, and which I shall preserve in this not to drop a hint Concerning the Legality or Illegality of the late Proceedings at Madras you will not be Surprized that the Judges Should Decline giving a Decisive Answer to a Question in which that Point is involved

The Substance of the Answer given is that if the Gentlemen are the Legal President and Council it is incidental to such of them as answer the Description in the Charter of Justice to act in the Several Capacities of Judges &c" as they Respectively answer such Description

I have in both my Letters to you wrote fully because from the Materials sent by you and the Arguments Drawn from them I Suppose you to be in the Confidence of Lord Pigot, and to write with his Privity. His Lordships Rank, Character, and Present Situation (for which as a Man, I am much Concerned) my Honor and Publick Situation Demand, that he as well as the other Gentlemen may be clearly Satisfied that I advance no Opinion to either, or the Sounds of either which may Possibly affect their Interest, without Communicating it to the other, for which Reason I must desire (and in that confidence I write) that this Letter or a Copy of it may be Communicated to his Lordship and the Present Board

The United Company of Merchants of England Trading to the East Indies

To all to whom these Presents shall come send Greeting

Know Ye, that the said United Company Reposing especial Trust and Confidence in the Fidelity Prudence Justice and Circumspection of the Right Honble George Lord Pigot Baron Pigot of Patshull in the Kingdom of Ireland have made, constituted and Ordained and by these Presents Do make, constitute and Ordain the said George Lord Pigot upon and from and immediately after the Arrival of the said George Lord Pigot at Fort St George and Publication of this Commission to be President and Governor of and for all our Affairs in the Coasts of Coromandel and Orixa and of the Ginges and Moratta Countries and of all the Territories thereunto belonging and of all and Singular the Forts Factories and Settlements Territories Countries and Jurisdictions thereof and to execute all and every the Power and Authorities thereunto appertaining by Order and Direction of the Court of Directors of the said United Company for the time being and to continue in the exercise of the same During Our or their Pleasure and until the Contrary thereof shall be Signified under the Seal of the said United Company of Merchants of England Trading to the East Indies or under the Hands of thirteen or more of the Court of Directors of the said

Company

Company for the time being. And to the End that the said George Lord Pigot may be better enabled to order and manage all the affairs of Us the said Company. We do by these Presents Constitute and Ordain George Stratton Esqr to be Second of Our Council of Fort St. George, to wit to be the Next in Council after Our said President George Lord Pigot Brigadier General Joseph Smith to be Third of Our said Council and not to Rise to a Superior Rank thereon Mr George Dawsonto be fourth, Mr Henry Brooke to be fifth, Mr John Whitehill to be sixth, Mr Henry Brooke to be fifth, Mr Charles Smith to be Seventh, Mr Paul Russell to be Eighth, Mr Charles Smith to be Eighth, Mr Alexander Dalrymple to be ninth, Mr Samuel Johnson to be tenth, Mr Charles Floyer to be eleventh, Mr John Maxwell Stone to be twelfth, Mr Archdale Palmer to be thirteenth, Mr James Hay to be fourteenth, Mr Edward Stracy to be fifteenth, Mr Edward Coleford to be sixteenth, Mr Richard Latham to be seventeenth, Mr Francis Fourdan to be eighteenth and Mr George Mackay to be Nineteenth, and last of our said Council of Fort St. George who is not at any time to Rise to an higher Rank thereon for governing and managing all the said Company's affairs upon the Coast of Coromandel and Orixa and the Gingie & Mondta Countries and Governing the said Fort St. George and City of Madraspatnam and all other Forts, Factories and Settlements within any of the said Territories and We do hereby give and Grant unto our said President and Governor George Lord Pigot and to our Council aforenamied or the major part of them (the whole Council except such time as are absent or Chiefs at Subordinate Factories being Duly Summoned) full Power and Authority from time to time to Rule and Govern all and every our Factors and Servants under the said Presidency and all the Soldiers and Inhabitants of our said Fort St. George and City of Madraspatnam and elsewhere within the Places aforesaid to Administer Lawful Oaths and things and to use and exercise all such other Powers and Authorities as the said President and Governor and his Council in their Several and Respective Places where the said United Company have or shall have Factors or any Places of Trade are Authorized to do, Subject nevertheless to the Superintending and Controuling Power of the Governor General and Council of Fort William in Bengall in such Cases wherein they are Authorized to have a Superintending and Controuling Power is and by an Act of Parliament Passed in the Thirteenth Year of his present Majesty's Reign, intitled An Act for Establishing certain Regulations for the better Management of the Affairs of the East India Company as well in India as in Europe" And also Subject and According to such Instructions and Directions as the said George Lord Pigot Our President and Governor and Council aforesaid shall from time to time Receive under the Hands of Thirteen or more of the Court of Directors of the said United Company for the time being and We the said United Company do hereby order and Require all our Factors Servants, Officers and Soldiers within the Limits of the said Presidency and all the People and Inhabitants of our said Fort St. George and City of Madraspatnam or any other our Forts, Places or Colonies within the said Presidency to

to conform Submit and yield due Obedience unto the said George Lord Pigot our President and Governor and his Council Accordingly and We do hereby Revoke Repeal annull and make void any former Commission or Commissions given and granted by us or hereby any other Person or Persons was and were constituted and ordained President and Governor any other Persons therein named were Constituted and ordained to be of the Council at Fort St. George aforesaid. In Witness whereof we the said United Company have caused our Common Seal to be affixed to these Presents the Eleventh Day of April in the Fifteenth Year of the Reign of this most Excellent Majesty George the Third by the Grace of God of Great Britain France and Ireland King Defender of the Faith and so forth and in the Year of Our Lord 1775.

Thursday 22d August 1776

Fort St George 22d August 1776.

At a Consultation Present

The Right Honble Lord Pigot Gov.r President

George Stratton
Henry Brooke
Alexander Dalrymple
John Maxwell Stone
Francis Sourdan

Claud Russell
Charles Floyer
Archdale Palmer
George Mackay

Sir Robert Fletcher Indisposed.

The Minutes of last Consultation Read and Approved

Minutes Delivered in by Mess.rs Stratton, Brooke, Floyer, Palmer, Sourdan, and Mackay

The Right Honble the President having Refused in Consultation 19th August to put the Question for taking into Consideration the Instructions to Col. Stuart we Declare that we Consider such Refusal as Inconsistent with the Rules of the Service and tending to Subvert the Constitution. But unwilling to proceed in such an important matter of such Importance the Council was adjourned until the Next day, when the Right Honble the President again Declared that he would not put the Question tho' there Repeatedly urged so to do. Declaring at the same time "that "he was Determined not to give his Consent to Col. Stuart's going to "Tanjore until Mr. Russell shall be ordered to proceed thither "likewise and that he would not allow the matter to be there "agitated" and having read a following Minute also Declared "It was his Opinion that without his name to these Orders [to Col. "Stuart] they are not the act of the Government and how executing "such orders may be liable to Difficulties

We cannot but express our astonishment at such extraordinary Declarations. We Deny that the Occurrence of the president is Necessary to Constitute an Act of Government and we Declare his conduct to be unconstitutional and Illegal. We have not a Doubt that the Minority of the Board are obliged to assist in Carrying into Execution the Orders of the Majority, and the President is as much bound by these Orders as any other Member of the Board. But he has thought proper contrary to the established Rules of Service to Declare Positively that he would not Sign the Instructions to Col. Stuart, tho' those Instructions have

have been disapproved by a Majority of this Board, and thereby become an Act of Government — willing to give him further time for the Consideration of this weighty matter Messrs Stratton and Sourdain moved this Adjournment of the Council and the Council was accordingly adjourned to this Day — But Previous to the Prosecution of this Business as a Refusal to put Questions must Retard if not totally Stop the Execution of every measure not Conformable to the Sentiments of the President, We Declare that we are of Opinion that in any case of the President's Refusal to put a Question proposed by any Member, it shall be the Duty of the Secretary to put that Question, beginning first with the Youngest Member, and the Duty of every Member of Council to answer such Question, and that a Refusal to Answer shall be deemed a breach of the Company's Standing Orders —

The Annexed Extracts from Mr Vansittarts Narrative will Elucidate the points in Question —

Vansittarts Narrative Vol:

1 "That the Resolutions of the Majority are to be Deemed the Resolutions of the Board and to be Signed by the whole Board —

Vol. 2. P. 233 — "though I had no other Arms than the Rectitude of my Intentions and the Propriety of measures which I had taken to oppose those Violences"

3d Vol. P. 137 — Vansittart Signs Instructions — "but disapproves" "Conforming therein to the established Rule of the Company's "Government which is that any Member shall Sign all Public Orders and Records entering his Dissent when he differs from the "Opinion of the Majority in the Consultation, it will be remembered "that I had formerly Strongly insisted upon the observance of this

"this Board and Subscribed their Dissent to them, and it was therefore "the more Necessary I should comply with it on all Occasions myself

The President then Addressed himself to the Board as follows —

The Majority having Proceeded so far on Tuesday last, as to bring their Instructions to Col: Stuart, and the Letter to Lieut Colonel Harper, to the point of Signing and to the President having Refused to put his name thereto, Recommending that the Gentlemen of the Majority would please to Consider, whether it were not prudent in them to proceed no further, and Remarking at the same time what Difficulties Men were liable to, executing such Orders, as in this Opinion are not an Act of Government without their names being affixed to them. And having had the Satisfaction then to find, that the Several Members wished to give this Matter full Consideration by desiring an Adjournment of 2 days and Receiving now the still greater Satisfaction of finding no Gentleman urge the Prosecution thereof, the President hopes, that he may be so fortunate as to meet the Gentlemen inclined to let this matter rest until the Pleasure of their Honorable Masters is known and therefore Recommends that they will do so — The President further adds that it seems to him quite Necessary that Something decisive should make its appearance before our Honorable Masters, that they might on the Arrival of the Grenville Remain with peace, that this is now only Patched up, Ready to Break out afresh to the great Detriment and bad Government of their Affairs —

The following Minutes are therefore given in —

Minutes of Messrs Stratton, Brooke, Palmer, Sourdain and Mackay —

We did not Consent to the appointment of Col. Stuart to the Command of Fort William without due Consideration, cannot Concur in Opinion with the Right Honble President but think the

Resolution

Resolution of Council Should be carried into Execution without
further Delay, and as the Right Honble President Refuses to Sign
the Instructions I am of Opinion they Should be Signed by the
Secretary by Order of Council and Immediately sent to them —

/Signed/ Francis Sourdan

I am of the same Opinion Geo. Mackay
Archdale Palmer
I concur — — — —

On these Instructions I have already given my Opinion
that they are very proper and explicit, and I am sorry that the
Right Honble the President Should Still Refuse Signing them I
have not a Doubt but agreable to the Rules of the Service he ought
to do so, Since they have been agreed on by a Majority of this Board
which I again Repeat I look upon as the Act of Government and
which I again Repeat I look upon as the Act of Government and
concur in Opinion with the Majrs. Mackay Sourdan and Palmer
that the Instructions and the Letter to Col. Harper should be signed
by the Secretary By Order of the Council and Immediately sent to
Colonel Stuart

Geo. Stratton
Henry Brooke

I am of Opinion with Mr. Stratton

Minute of Mr. Floyer

I have weighed the matter now before the Board with
all the Deliberation which I think the importance of the Subject
has Required of me — It would make me Extremely happy if my
Concurrence with the President in that the appointment of
Col. Stuart to Fangeaux Should be Deferred until the pleasure
of the Court of Directors can be known, it would be the means
of effecting a Durable and sound as a Reconciliation of the
unhappy Difference in Opinion which have but too long already
Prevailed among the Members of this Government — But when I

Reflect on the Tendency of the President's Arguments and Declarations
in Support of his having the power to put a Negative upon all acts of
the Majority which he does not approve of, and that by Virtue of
such Negative no Measures of the Majority can be Deemed Acts of
this Government and consequently cannot be carried into execution
I cannot hesitate to Declare, such Arguments and Declarations
to be Replete with Innumerable Dangers to the Honble Companys
affairs under our Management — Nor can I conceive the Present
Differences can Possibly end here as the President has frequently
Declared he is extremely Averse to the Departure at this time
of the Committee of Circuit, which if the Board in the instance before
us consents to this Reference Recommended by the President, may
give him & the President of the same pleas for Putting his Negative upon
the departure of its Members when the Period Specified upon Arrives for their
Proceeding upon that Duty — I could enumerate many other Arguments
equally cogent against the President's being Vested with the Power of
Putting such a Negative but I believe they have mostly been observed
by me already in the Course of our Debates at this Board —

I join therefore in Opinion with Mr. Sourdan that if the President
Still Persists in his Refusal to sign the Instructions and Letter now
before us they Should be signed by our Secretary by order of Council
and Dispatched for the with —

Charles Floyer

The Majority of the Board then deliver in the following
Minute Having thus given our Opinion on the Instructions to
Col. Stuart and Letter to Lt Col. Harper we call on the President to
Direct that the Secretary should sign the said Letter to Colonel
Stuart and Lt Col. Harper, and on his Refusal to give such Direction,
we the Majority do look upon Ourselves as Authorized to do so —

Geo.

Geo. Stratton
Henry Brooke
Charles Floyer
Archdale Palmer
Francis Sourdan
Geo. Mackay

The President on Perusing this Minute of the Majority Declares that he will not give Orders to the Secretary in Consequence of which the following Letter was wrote.

To Mr. Secretary Sullivan

Sir

As the Majority of the Board having approved of their Instructions to Col. Stuart and the Letter to Lieut. Col. Harper and the President not only having Refused to sign them himself but also Refused to Order you to do it, We are Reduced to the disagreeable Necessity of Directing you to sign the same Instructions and Letter by Order of Council and send them to Colonel Stuart

Fort St George
22. August 1776

/Signed/ Geo Stratton
Henry Brooke

As soon as this Letter was signed by Mr. Stratton and Mr. Brooke, the President took the same into his Possession and taking it Notice to the Council of the foregoing Minute he had entrusted them with to carry this matter further. But to avoid the Determinations of the Court of Directors Declared he would now Act as he believed it was and Delivered in the following Paper.

Charge given in by the President against George Stratton and Henry Brooke Esqrs

of being guilty of an Act Subversive of the Authority of Government and tending to introduce Anarchy in the Signing Orders to the Secretary to give Instructions to Col. Stuart which have not been approved and Passed by the President and the Council.

Mr. Stratton and Mr. Brooke think it proper here to Record that before the President Delivered in the foregoing Paper which we will not Admit to be a Charge, the President Snatched out of Mr. Brookes hand after Mr. Brooke had Signed it a Paper Containing an Order to the Secretary Agreed upon by the Majority of the Board as Expressed by Messrs. Stratton, Brooke, Floyer, Palmer, Sourdan and Mackay, who were on the point of Signing the said Order, but Prevented from so doing by the Paper being as before Recited Snatched from the hands of Mr. Brooke

And we Call upon the Different Members as well as Mr. Sullivan and Mr. Baines the Secretary and Sub-Secretary to Declare whether the Circumstances were not as here Set forth.

As the Minute aforegoing given in by the President Contains a charge of the highest Nature against Messrs. Stratton and Brooke, we now Recommend that those Gentlemen be Ordered to withdraw, that their Conduct may be taken into Consideration.

Mr. Sourdan moves, and Mr. Mackay Seconds the motion that the Board do adjourn till to morrow Morning at 10 O'Clock

The President then moves the Board to come to the following Resolution

"Resolved, That George Stratton and Henry Brooke Esqrs "be now Suspended from the Companys Service until the Companys "Pleasure shall be known"

Mr. Mackay

Mr. Mackay ..... Against the Resolution
Mr. Saundan ..... Against the Resolution
Mr. Palmer ..... Against the Resolution
Mr. Stone ..... For the Resolution
Mr. Floyer ..... Against the Resolution
Mr. Dalrymple ..... For the Resolution
Mr. Russell ..... For the Resolution — and as on
The President ..... For the Resolution — and as on
casting up the Votes it Appears they are equal 6 to 6 The President
Desires it may be Recorded that Besides his Vote he gives his
Casting Vote for the Resolution —

Carried Accordingly for the Resolution by the President's
casting Voice —

To the Right Honble Lord Pigot — President &c.
Claud Russell
Alexr Dalrymple } Coss. of Council
and } at
John Maxwell Stone } Fort St George

My Lord and Gentlemen

We whose names are underwritten being of Council
and Constituting a Majority thereof having with our most serious
Consideration the Proceedings upon Record at the Two last
meetings and more Particularly the Unexampled Outrage
offered to the Constitution and Arbitrary behaviour towards Two of our
Number by an Illegal attempt to Suspend them in order by a Stroke to
gain a Majority are of Opinion that the Publick Safety is in Danger
by the Conduct of Lord Pigot and you Gentlemen who have Supported,
and by every Person who shall Continue to Support such measures and
we shall Hold you Severally Responsible for all the Consequences that
may ensue — We the Majority of the Board do Consider ourselves as
the only legal Representatives of the Honble Company under this
Presidency and as such we have no Doubt but all the Servants
of the Company will Regard us — For these Reasons and the
Evident Illegality of the Summons to Council for this Morning we
which are Omitted the Names of Mr. George Stratton and Mr.
Henry Brooke Two legal Members of the Board We cannot
Consistently with that Duty we Owe to our Honble Employers
attend the said Summons — We are

My Lord and Gentlemen
Your most Obedient humble Servants

Madras
23 August 1776.

Archdale Palmer — Geo. Stratton
Francis Saunders — Robt. Fletcher
George Mackay — Henry Brooke
Charles Floyer

Fort St. George 22d. August 1776.

22. Conformably to the Resolutions of this Day the following General
Orders and Letter were wrote —

G. O.

Fort St. George 22d. August 1776.

The

The Right Honble the President and Council have thought it necessary to Suspend George Stratton and Henry Brooke Esqrs from the Honble Company's Service the Honors of Second of the Coast devolves on Claud Russell Esqr who is to Receive them Accordingly

By order of the President and Council
R. J. Sulivane Secry

To George Stratton Esqr

Sir I am ordered by the Right Honble the President and Council to acquaint you that they have thought Proper to Suspend you from the Service of the East India Company and you are accordingly hereby Suspended there from, untill the Pleasure of the Court of Directors shall be known

Dated in Fort St George 22d August 1776 and Signed by Order of the President and Council

R. J. Sulivan Secry

To Henry Brooke Esqr

Sir I am Ordered by the Right Honble the President and Council to Acquaint you that they have thought proper to Suspend you from the Service of the East India Company, and you are Accordingly hereby Suspended therefrom untill the Pleasure of the Court of Directors shall be known

Dated in Fort St George 22d August 1776

And Signed by Order of the President and Council

Fort St George 22d August 1776

This Evening the following Summons was Circulated To Claud Russell Sir Robt Fletcher, Alexr Dalrymple, Charles Floyer, Jno Maxd Stone, Archdale Palmer, Richd Lathom, Fras Sourdan, and Geo Mackay Esqrs

Gentlemen

The Right Honble the President Desires your Attendance in Council at the Fort House Tomorrow Morning at 11 O'Clock Iam

Gentlemen

Your most Obedient humble Servant

R. J. Sulivan Secry

Thursday 22d Augt 1776

At a Consultation Present

The Right Honble Lord Pigot Govr President
Claud Russell — Alexr Dalrymple
Jno Maxd Stone — Richard Lathom

Mr Lathom being Arrived from Cuddalore now takes his Seat at the Board

Sir Robert Fletcher, Messrs Floyer, Palmer, Sourdan, and Mackay absent

The Right Honble the President Lays before the Board the following Letter which he Acquaints the Board was this Instant put into his hands by Charles Bromley a Notary Publick

To

Fort St. George 22d Augt 1776

To the Right Honble Lord Pigot President

&c Claud Russell
Alexr Dalrymple
Jno Maxl Stone
} Esqrs of Council at Fort St. George

My Lord and Gentlemen

We whose Names are underwritten being of Council and Constituting a Majority thereof having with our most serious Consideration the Proceedings upon Record at the two last Meetings and more Particularly the unexampled Outrage offered to the Constitution and Arbitrary Behaviour towards two of our Members by an illegal Attempt to Suspend them in order by a Trick to gain a Majority are of Opinion that the Publick Safety is in Danger by the Conduct of Lord Pigot and you Gentlemen who have Supported and by every Person who shall Continue to Support such measures and We shall hold you therefore Responsible for all the Consequences that may ensue We the Majority of the Board do Consider ourselves as the only legal Representatives of the Honble Company under the Presidency and as such we have no Doubt but all the Servants of the Company will Regard Us. For these Reasons and the evident Illegality of the Summons to Council for this Morning in which are omitted the Names of Mr George Stratton and Mr Henry Brooke Two Legal Members of the Board we cannot Conscientiously with the

Fort St. George 23d Augt 1776

Duty we owe to our Honble Masters attend the said Summons

We are

My Lord and Gentlemen

Your most Obedient humble Servants

Madras
23d Augt 1776

Geo. Stratton
Robt Fletcher
Henry Brooke
Charles Floyer
Archdale Palmer
Francis Sourdan
George Mackay

Agreed to Defer the Consideration of the foregoing Letter

Mr Stone Delivers in the following Minute

Having Yesterday given my Opinion in favor of the President's Motion for Suspending Messrs Stratton and Brooke I now beg leave to offer my Reasons in Support thereof

It is not for me to Determine whether the President has or has not the Power to Refuse his Sanction to any Resolution of the Majority of the Council, neither do I think the Majority of the Council Competent to Determine thereon. It is a Subject on which the Court of Directors alone must pass Judgment They Appointed the Governor and best know what Power and Authority they meant to lodge in his Hands. If he has no such Power or having it, if he exercises it improperly he is answerable to the

Company

Company. The Council have not in my Opinion by Virtue of any Orders or Instructions from the Company a Power to Compel the Governor to Subscribe to any Resolution of the Majority or to force him to give a Sanction thereto, and I think they would Stand sufficiently Justified in entering their Sentiments and Dissents on the Records whenever they thought the President assumed a Power which he hath not, or exercised any that he hath improperly.

All this I think myself not competent to Determine, whether the President hath or hath not a Power of withholding his Sanction from any Resolution of the Majority of the Council, I will maintain that as the President can do not Act without the Concurrence of the Council or the Majority of them, so the Council are not Authorised to carry into Execution any Resolution without the Sanction of the Governor. The Governor I consider as the executive Power of the Board, and it is his Province to Superintend and See that the Business of the Settlement is conducted in a proper and Regular Channel. It is the Governor alone who by the Company's express Commands is to Correspond with the Country Powers. If the Governor Should Refuse to carry into execution a Resolution of the Council or the Majority of them for writing to any of the Country Powers, I know not what means the Council can take to compel him, they cannot write themselves without Disobeying this Positive Order of the Company, I am moreover clear of Opinion that no Officer can obey the Orders of the Council without the President. The express words of their Commissions are, That they are to obey such Orders as they may Receive from the President and Council, and

they

Fort S. George 23 August 1776.

they must be taken in their Literal Sense, in the Construction of the Words of a Commission nothing can be taken by Implication, and if the Order proposed had been sent to Colonel Stuart, I think he could not have obeyed it, without great Risk to himself.

Seeing therefore the Members of the Council attempting to carry into Execution their own Resolutions without the Sanction of the Governor, which appears to me essentially Necessary, I cannot but consider such a Step as tending to Subvert all Order and good Government, and could not fail if Suffered to proceed to throw the Company's Affairs into Anarchy and Confusion. This induced me to Support the President's Motion however irksome the Task, and I cannot but think that the Court of Directors, Seeing the Necessity of the case will approve this Measure, as the only one that could have been adopted to Preserve Order and good Government in the Management of their Affairs.

Mr. Russell delivers in the following Minute.

I wished the Gentlemen to have taken time to have given an Answer in writing to the Charges brought against them by the President and even took the Liberty of giving such Advice to one of them, but as they have thought proper not to do so I now give my Opinion for the Question. Because I think and Attempt to Issue the proposed Orders without the Sanction of the President's Signature of Dangerous Tendency

to

to the Company's Affairs, by subverting all order and good Government, and involving the whole Community in Confusion. And this whether the Interest of the Company was not in the least Concerned. And Because I think the Officer to whom they were Directed could not by this Commission have obeyed them.

Mr. Dalrymple delivers in the following Minute.

Mr. Dalrymple thinks the Reference to Mr. Vansittart's Narrative in the Minute N.4. in Yesterday's Consultation so far from Conveying any Argument that the Resolution of the Majority of Council ought to be carried into effect against the Governor's Opinion, is the Strongest Argument that can be urged against the Measure, as Mr. Vansittart's giving way to Jaffier's Affairs to be in great alarming Crisis. To the Allegations urged in debate that Mr. Vansittart knew the Company's Constitution as well as any Man, and that therefore his opinion had great weight, I did then Remark that Mr. Vansittart gave a Seat in Council to Commodore Tinker which was a most unwarranted and unconstitutional Act.

Messrs. Russell, Dalrymple, and Stone enter the following Minute.

Being appealed to, we think it incumbent on us to say that we saw no impropriety in the manner in which the President took the Papers directed to Mr. Secretary Sulivan, and Signed by Messrs. Shatton and Brooke.

Fort St. George 23d. August 1776.

A Consultation Present

Friday the 23d. Aug.t 3 PM

The Right Honble Lord Pigot Gov.r President
Claud Russell — Alex.r Dalrymple
John Max.l Stone — Rich.d Latham

The Town Major having waited on the Governor whilst at Dinner, with a Letter to him from Charles Brumley Notary Publick and by Directions of Sir Robert Fletcher, Charles Floyer Arch.d Palmer, Francis Fourdan, and George Mackay Esq.rs of Council, and George Stratton and Henry Brooke accompanying a Copy of the Paper Signed by them and 2 others in the Morning. The Governor Desired Messrs. Russell, Dalrymple, Stone, and Latham to accompany him to the Consultation Room to Deliberate thereupon. Accordingly the Secretary attending the Letter was Read as follows.

To Capt.n Robert Wood
Town Major

Sir

I am Directed by George Stratton Esq.r Sir Robert Fletcher &c.a Gentlemen of Council at Fort St. George, whose names are affixed to an attested Copy of a Letter by me herewith Sent, to deliver this morning to the Honble George Lord Pigot, Claud Russell, Alexander Dalrymple, Jno. Max.l Stone Esq.rs of Council at Fort St. George to serve the same upon you, of which you will

Please

Please to take Notice, and am Fort St George 23d Aug 1776

Sir

Your most Obedient humble Servant

Charles Bromley

Notary Publick

The Secretaries acquaint the Board they have Received Similar Letters — The President whilst in Consultation Received Information that the like had been issued to the Officer of the main Guard as well as to the other Officers in the Garrison & to the Commander of the Company's Ships London, and also to Sir Edward Hughes the Commander in Chief of his Majesty's Ships —

Mr Bromley the Notary Publick being sent for and asked by whose Authority or Order he circulated those Letters Declared by those Directions to the Board that it was in Consequence of the positive Directions given at Sir Robert Fletcher's house to him as Notary Publick by all the Gentlemen who Subscribed the Paper Delivered by him this Morning to the President — and Declared that he would be Ready to attest the Fact whenever called upon —

The Board considering this Act as tending to excite and cause Mutiny and Sedition in the Troops in this Garrison —

Resolve to order Brigadier General Sir Robert Fletcher in Arrest and he by him for being concerned in circulating Letters tending to excite and cause Mutiny and Sedition in the Troops in this Garrison in Consequence of which the Secretary is now ordered to issue the following Order —

To Sir Robert Fletcher

Brigadier General &c

I am Directed by the Right Honble the President and Council to acquaint you that they hereby order you to Arrest for being Concerned in Circulating Letters tending to excite and cause Mutiny and Sedition among the Troops in this Garrison —

Signed by Order of the Right Honble the President and Council this 23 day of August 1776 —

Fort St George 23d Aug 1776

Rich.d Sulivan Secry

G. O. The Right Honble the President and Council having been Pleased to order Brigadier General Sir Robert Fletcher in Arrest for being concerned in Circulating Letters tending to excite and cause Mutiny and Sedition among the Troops in this Garrison —

Colonel James Stuart is ordered to take upon him the Command of the Troops under this Presidency and all Reports and Returns are to be made to him Accordingly —

By Order of the President and Council —

R.d Sulivan Secry

Fort St George
23d Aug.t 1776 —

When the Paper Delivered by the Notary Publick to the President was Read this Morning the President and Council being inclined to let the Gentlemen have sometime to Consider of the Impropriety of their Conduct did not then come to any Resolution thereupon. But their Behaviour in circulating those Papers Requires an immediate Determination whereupon it is Resolved unanimously that Charles Sloyer Archdale Palmer Francis Fourdaw and George Mackay Esqrs be suspended from the Company's Service till the Company's Pleasure be known

Fort St. George 23. August 1776.

Ordered and Agreed that the following Letter be sent to each of those Gentlemen—

To Charles Floyer Esqr.

Sir

The President and Council unwilling to proceed to Extremity were inclined to give you Some time to consider the Impropriety of your Conduct in Delivering by the hands of a Notary Publick this Morning to the President a paper tending to Subvert the Authority of Government, but finding that you have since thereto united in circulating that Paper to the Officer of the Main Guard and Among other Officers in this Garrison and to the Commander of the Company's Ships London as well as to the Secretaries of the Council, they think they cannot consist with their Duty to the Company Delay Suspending you from the Company's Service and they have Accordingly Suspended you therefore until the Company's Pleasure shall be known—

Signed by Order of the President and Council

R. J. Sullivan Secry.

The Information of Claud Russell Esq.

This Informant saith that on Sunday the 25th being at the Mount, Major Monro Commanding officer there, gave him to Peruse an order he the Major had Received that Morning Signed George Stratton, Henry Brooke, Robert Fletcher, Charles Floyer, Archdale Palmer, Francis Fowke and Giving Machay and that the last Paragraph of the said Order was in these Words "As the last Resource in case of an Attempt to Rescue Lord Pigot this Life must Answer it and these you will Signify to him"

This Informant further Saith that the same Order was some Days afterwards produced to Sir Edward Hughes the Commander in Chief of His Majesty's Ships in India in Presence of Lord Pigot, The Honble Edward Monckton, Alexander Dalrymple and this Informant

(Signed) Claud Russell

Madras 31st. August 1776

Sworn to before me

(Signed) John Turing Mayor

On Saturday the 24th instant between eight and Nine o'Clock at Night Intelligence having been brought to the Governor's Garden House, where I then was, that Lord Pigot had been carried off a Prisoner to the Mount, I immediately hastened to the Fort accompanied by John Macneill Stone Esqr. where I found the Town in Confusion and was told that Mr. Stratton and Sir Robert Fletcher with others had taken Possession of the Council Room. On Drawing near the Parade it being moon light I observed it was crouded with Officers and others as well Europeans as Blacks. And a Number of Carriages at the Fort Square Gate. Meeting soon afterwards with the Fort Major Capt. Wood, he informed me that those Gentlemen had Declared themselves the Administration and that I had been Sent to the Main Guard for endeavouring to keep the Troops to their Duty. I then Desired Lieut. Pendergast the Fort Adjutant who

who had just joined Us, to go to the Officer of the Main Guard, (Captain Adair) and tell him that it was my Orders, in the Absence of Lord Pigot to have his Men stand Immediately to their Arms, but observing that he (Capt. Adair) hesitated, I went myself to him and Repeated my Orders in Person, telling him that he should Reflect on the Consequences of a Refusal as in the absence of Lord Pigot whose Guard he Commanded I must be considered their Commanding Officer He (Capt. Adair) still hesitated and mutter-ing Something about the Commander in Chief, I asked him if he had Received any contradictory Order from the Commander in Chief, and by whom they were Delivered. Captain Adair Replied in a confused manner that Colonel Stuart had Delivered him Orders During this a Council of Officers had assembled around Us and on my insisting with Capt. Adair that my orders should be complied with Lieut. Colonel Edington Adjutant General and Capt. Barclay came up to me and with great Professions of Respect for my Person Recommended to me as most prudent to go to my House I told them my Duty called me where I was or words to that effect, and in the mean while whether by Captain Adairs Order or not I do not know Great Part of the Guard stood to their Arms and as I was advancing to get in front of them Col. Stuart came up to me Seemingly much Agitated & saying you must go with me to Council or before Council. My Answer was that I was not under his Orders but that he at that time was under mine and that I should certainly not go where he Directed in words to that effect. Col. Stuart upon this Seized me by the Breast of my Coat calling out for Orderlies at the Same time Lieut. Colonel Edington and Capt. Barclay each Seized me by an Arm and these Gentlemen were forcibly Dragging me along, whom I called to the Captain of the Main Guard for Assistance but in vain tho' I did observe Several of the Grenadiers Advance from the Ranks towards Us which warned Col. Stuart so much that he quitted his Hold of me and Ran back to push them into the Ranks with Oaths and Threats after effecting this Col. Stuart returned to Assist Col. Edington and Captain Barclay by laying hold of my Wrists and calling for an Orderly Sergeant to make me Prisoner Continuing to make all the Resistance in my Power I was by main Force Dragged by Col. Stuart, Lieut. Colonel Edington and Captain Barclay with the Assistance of the Orderly Sergeant to the Council Room, where were sitting George Stratton Esq. Sir Robert Fletcher Francis Sourdan, George Mackay, Charles Boyer Penny Roche and Archdale Palmer Esq.rs and Mr. Henry Norris attending Colonel Stuart led me in by the Arm and Shutting the Door he addressed himself to the above Gentlemen, saying that I had so strong an Arm that he was out of Breath and must beg time to Recover it before he could explain the cause of my being before them. Upon this I required to know whether I was a Prisoner or not Sir Robert Fletcher (I think it was) answered that I was not a Prisoner and I was therefore going to Retire, but upon

opening

Opening the Door, Colonel Stuart run up to me and flapped it to
Upon my Representing the Indecency of this behaviour to Mr. Stratton
who seemed to be the President, The Colonel pleaded in Excuse that
he wished me to be present while he Related to the Council for
such he called them what had passed. He (Colonel Stuart) then
Dictated while Mr. Sowerdan Stenciled a Declaration about my
exciting Mutiny and Related the Circumstances of this Seizure
with all the Accuracy excepting that he made no men-
tion of the Violent and Powerful assistance given him by Lieut.
Colonel Edington, Captain Barclay and the Orderly when the Colonel
had finished, Mr. Stratton asked what I had to Say in Answer to
which I replied that I Denied their Authority and should Say
Nothing or Words to that Effect. Mr. Mackay and Mr. Sowerdan
then went Round to the opposite side of the Table and after some
Conversation with Sir Robert Fletcher and Mr. Floyer, Sir
Robert proposed before I should retire that a Letter which
would shortly be sent to me might be Read to me, But
this I objected to, Declaring that I would not listen to any
thing at that Board, whose Authority I denied. Mr. Stratton
however Rising up began to Read a Paper Supposed to be
the Letter in Question, but Stopped upon my calling to him
by Name that I would not hear him, Sir Robert then moved
that the Contents should be told me which Mr. Stratton
then Declared to be that they had Suspended me the
Company's Service and orders were given in my hearing
to Colonel Stuart to declare the same Immediately on
the

the Parade. I then upon Retired and Immediately Returned to
the Governor's Gardens.

Madras 31st. August 1776

/Signed/ Claud Russell

Sworn to before me

/Signed/ John Turing

Mayor

In the Name of His Majesty and the English Nation
from whom are Derived the Powers and Authorities of the Honble
East India Company our Constituents we the Subscribing
Members of their Government of Fort St. George and its
Dependencies Composing a Majority of the Members of the
said Government and therefore by Law and the express orders
of the Company being Virtually the Government Issue the
following Proclamation

Whereas the Right Honble the Lord Pigot President
Claud Russell, Alexander Dalrymple, and Jno. Maxwell Stone
Esqrs. Members of Our Council, have by various Arbitrary and
Illegal Acts attempted to Supersede in Us the Authority of the
Company and to assume to themselves the Powers of this
Government, Contrary to Law and the Orders of the Company
which can be Demonstrated to every Individual by the
following Measures which they have attempted to execute,
and which are entered on the Records of the Company
First That the said President has expressly maintained
that he would not put Questions moved by the Members of the
Majority, if he did not choose to do so. That he had a Right to

Adjourn

Adjourn the Council Contrary to the Opinion of the Majority,
as well as that by Putting a Negative to any Resolution of a
Majority he can Stop the Execution of such Resolution. A System
which proves to the meanest Capacity that it is Royal Will the
the greatest Danger to the Community and Expressly Contrary
to the Constitution of the Government Vested in the Hands of more
than one Member

Thus if an Enemy invaded this Settlement and that the
President chose to oppose Preparations for the Publick Defence,
it is evident that the Loss of the Settlement might attend such
Power in the hands of any Ill Disposed President. And further
if such a System was Supported, and that a President Vested
with such Powers was Detected in Sacrificing the Publick
Interest to his own it is clear that no measure of Detection or
Punishment could be carried against him

Secondly It had been Resolved that Colonel Stuart should be
sent to the Command of Tanjore and Instructions had been
Recommended by the Commander in Chief, But the President
Refused to put the Question for their being taken into Consider-
ation The Majority of the Council who had before Resolved on
the Necessity of Sending Col. Stuart, had no other mode left
excepting Suspension, but that of entering their Opinions on
Writing first that they might to be then Considered and read
that they were full and proper And the President Refusing
to sign them the Majority unwilling to come to extremities
this further gave it as their Opinions in writing that they
should

should be Signed by the Secretary This the President said
he thought would not be Sufficient Authority for the Secretary
and in Consequence as the Secretary did not seem to think it
Sufficient with the unanimous Agreement of the Majority and
Order to the Secretary to sign it by order of Council nor
written them Copied fair, and when Signed by Mess.rs Stratton
and Brooke was Snatched by the President out of Mr.
Brookes Hands and at the same Instant the President
pulled out of his Pocket a charge against these Gentlemen
for an Intention to Subvert the Government and introduce
Anarchy by Signing an Order to the Secretary without
the Concurrence of the President and Council

It must here be Remarked that as he came from his Closet
Prepared it must have been his Intention to Seize that Paper
as soon as it was Signed by as many of the Majority as he
wanted to get rid of on this frivolous charge he moved the
Suspension of these two Gentlemen and by excluding their
Votes and taking himself all this he was the Accuser by his
Casting Vote he carried the Motion. And that all this it was
moved to adjourn the Council previous to his putting this
Question, he would not hear it, but Proceeded and as soon as
he had effected his Design, he adjourned the Council, all this
the Members of the Majority then said and Refused to
Consent to it. An Attempt which if by Law or Custom it
Could have any Effect, it must have Virtually Suspended
his own Authority he being but part of the Government the attempt
ed to Supersede That he Joined in Publick Military Orders the
ired

said illegal Attempt as the Act of the Governor and Council thereby attempting in Violation of every Right and Privilege of their Constitutional Government to assume a Personal Power over the Military

Thirdly— His having Violently attempted to Supersede the whole Authority of the said of the Commander in Chief of the Army, and endeavoured to compel Obedience from all Servants Civil and Military to himself and his Associates, as if he and they Possessed legally and Constitutionally the Authority invested by the Royal Charter and the Orders of the Company in a Majority of the Members of the Government, which Majority for the Subscribing Members Virtually and Effectually Composed—

For these weighty Reasons no less clear than interesting to every Individual, whether a Servant of the Company or under their Protection, It is hereby Enacted and Proclaimed that George Stratton Esqr. is According to the Orders of the Company President of the Council of Fort St. George and that the Powers of Lord Pigot and Messrs. Russell, Dalrymple and Stone Stand Annulled— It is therefore ordered and Proclaimed by the Authority of the aforesaid President and the Subscribing Members of Council being the only legal Representatives of the Company on this Coast, that all Servants Civil and Military do obey our Orders Immediately, and every Servant failing in such Duty is held Answerable by their Commissions or Station in the Service of the Company and it is further Proclaimed that all Servants Civil and Military shall be indemnified against any Oppression or Disadvantage they may have suffered or may suffer by the usurped Authority of the Right Honble Lord Pigot and his Associates—

(Signed)

George Stratton
Henry Brooke
Robert Fletcher
Charles Floyer
Archdale Palmer
Francis Fourdan
George Mackay

As it is proper that upon so interesting a Subject the Orders of the Company should be expressly and literally Set forth, We have Directed the following Standing Order to be Annexed to this Proclamation—

"Whatever shall be agreed upon by the Majority shall "be esteemed the Order by which each one is to act and "Accordingly every Individual Person, even the Defenders "thereof are to perform their Parts in the Prosecution, "and in so doing they do their Duty and must not be blamed.

To the Honble the Mayor's Court
at
Madraspatnam

The Humble Petition of the Right Honble
George Lord Pigot

Sheweth

That the above named George Lord Pigot on Saturday the

the Twenty fourth of August Instant about the Hour of Eight
in the Evening on the Highway in the Island between the Bridges
there and there being in a Chaise with James Stuart Colonel in the East
India Company's Service on the Coast of Choromandel in the East
Indies in the Peace of God and of Our Sovereign Lord the King James
Eidingtoun Adjutant General of the Troops in the said Company's
Service Aided and abetted by Certain Men Armed with Cutlasses and
other Weapons of Offence the said George Lord Pigot did Violently and
feloniously Stop by placing themselves before the Chaise and Horses
of the said George Lord Pigot on the Highway between the Two Bridges
aforesaid That at the same time Arthur Lysaught Captain in the
said Company's Service did make an Assault on the Body of the
said George Lord Pigot and did put him the said George Lord Pigot
in Bodily fear and Immediately endanger the Life of the said
George Lord Pigot by Presenting a Pistol to the said George Lord
Pigot That the said Arthur Lysaught with the Aid and
Assistance of the said James Stuart the said James Stuart
then and there being in the Chaise with the said George Lord
Pigot did forcibly take and Compel the said George Lord Pigot to
quit his the said George Lord Pigot's Chaise and to enter the post
Chariot or Chaise of Paul Benfield one of the Civil Servants of
the said Company whilst the said James Eidingtoun Adjutant
General with the Armed Men aforesaid Stopped the Chaise
and Horses of the said George Lord Pigot as aforesaid That the
said George Lord Pigot being forcibly Drawn and Compelled into
the Chariot or Chaise of Paul Benfield the said Arthur Lysaught
entered the said Chariot or Chaise holding the aforesaid Pistol in
his Hand and which he the said Arthur Lysaught afterwards
Placed between him the said Arthur Lysaught's Legs in the Chariot or
Chaise aforesaid That the Chariot or Chaise aforesaid was Drawn to
Saint Thomas's Mount where the said George Pigot by the said
Arthur Lysaught was Delivered to the Charge of Mathew Horne
Major of Artillery in the said Company's Service and Commanding
at Saint Thomas's Mount aforesaid on the Day of the Month afore-
said That from the Day aforesaid namely the Twenty fourth of
August to this Instant writing the said George Lord Pigot has
been forcibly and illegally Detained by a Military Force under
the Command of the said Mathew Horne part of whose orders
are as follows

"As the last Resource in case of an Attempt to Rescue Lord
Pigot the Life must Answer for it Signed George Stratton,
Henry Brooke, Robert Fletcher Charles Floyer, Archdale
Palmer, Francis Sourdan, George Mackay" at the House of the
said Mathew Horne at Saint Thomas's Mount aforesaid and
Denied the Use of Pen and Ink That on the Twenty eighth of the said
Month the said James Eidingtoun did come at Midnight to the
House of the said Mathew Horne and did the said George Lord
Pigot Forcibly and put in Bodily fear of his Life by threatning
and attempting forcibly to take him the said George Lord Pigot
from out of the Custody of the said Mathew Horne and Refusing
to Shew his Orders or let him the said George Lord Pigot know
whether he the said James Eidingtoun intended to carry him
this Repeatedly Required

Your Petitioner therefore most humbly Prays this
Honorable Court that taking into Consideration the Vio

and felonious Assault and Capture of him the said George Lord Pigot
by the said Farmer Edrington, the said Arthur Lyregault and the said
James Stuart as also the illegal Detainment of him the said George
Lord Pigot at Saint Thomas's Mount aforesaid by the said Matthew
Horne will be Moved this Term a Rule of Habeas Corpus ad
faciendum, Subjiciendum et Recipiendum to be Issued and
Returned whatsoever the Judges of this Honorable Court shall
Consider on behalf of him the said George Lord Pigot


SUPERBOS QUE LIBERTATE
PRO PATRIA ELUSOS