IX

IV (Mayor's Court records)
(Letters received)
(Vol No 23)

Court of Appeals
at
Madraspatnam } Saturday the 30th December
Anno Domini 1786

Between Colbert W. Barrett
of Madras Inhabitant Appellant
and Joseph Moorhouse James
Anderson and Ridgway Clarke as
Master and Wardens of a Society of
Ancient and Accepted Masons Lodge
No. 152 Respondents

This Cause Coming on this Day to be heard and Debated before this Court by the Attorneys on both Sides upon hearing the Petition of Appeal and Answer and the Several Exhibits of the Hon'ble the Mayor's Court together with the Order of the said Court given in this Cause on Tuesday the 28th day of March Anno Domini 1786 upon due Consideration had of the Matters therein Severally Contained and of the Pleadings and Arguments Used by the Attornies on both Sides This Court doth think fit to order and doth Accordingly Order that the said Order of the Hon'ble the Mayor's Court do Stand Affirmed and that the Appellant's Petition be hence dismissed with Double Costs in this Court

Per Cur. Chas. N White Clerk

To Mr. James Taylor
Register of the Hon'ble the Mayor's Court

Sir I Return You the Several Papers received from You in the following Causes—

Alexander Cuthbert Acting Executor to the Capt. Wood Deceased } vers. Michael Lascelles by his Attorney Rowley Lascelles and Patrick Allan

Pascale Narrain - - - - - - vers. John Lloyd

Tannjie Ammanda Chinglaroy - - vers. Maudeyoon Moodlarum by Colin Anderson - -

Cottrell Barrett - - - - - - vers. Joseph Moorhouse James Andrew Tidway Clark.

Together with the Decrees of the Hon^ble the Court of Appeals in the said Causes.

Fort St. George
the 5th January 1787 -

I am
Sir
Your very Obedient Servant
Chas. N White
Clk

To Mr. James Taylor
Register of the Mayor's Court

Sir

I am directed by the Hon^ble the President and Council to send You the inclosed Extract from a Minute of the President in Consultation the 29th December last relative to the issuing of Warrants of Sequestration to the Sheriff and they are pleased to recommend the Subject to the Attention of the Hon^ble the Mayor's Court.

I am further instructed to transmit You the Accompanying Copy of a Letter from Mr. Robert George Latham respecting the Office of Sheriff at this Presidency and to desire You will lay it before the Hon^ble Court for their Consideration.

Fort St. George
15th Jany 1787 -

I am
Sir
Your Most Obedient Servant
Robert Clerk Depy.

Extract from Minute of the President in Consultation 29th December 1786

As one principal Mode by which the Hon^ble Company have been deprived of a very considerable Part of their Property in Ground has been by fraudulent Agreements between two Parties and collusive Process carried on in Consequence in the Mayor's Court it is Submitted with all Deference how far an Application can with Propriety be made from Government to the Mayor's Court to desire that previously to Warrants of Sequestration of Houses and Grounds for the Acquittal of a Debt being issued to the Sheriff some Enquiry may be made into the Registry of Company's Grounds to ascertain whether the Ground in Question is any part of their property Hundreds of Instances of this Nature are to be adduced whereby the Company have lost Ground to a great Amount and the Mayor's Court have while administering Justice with one Hand - by carrying into Effect the established Law with the other have innocently and unwarily deprived the Company of their clear and undoubted possession This has arisen from a Deficiency of so essential a Nature as to require the most effectual Remedy Government can adopt for the future This is only to be done by establishing an Office for the Registry of the Lands to which Reference may at any Time be had The Mode of that Reference may be through the Register of the Mayor's Court or by any other means from them which may be deemed most eligible -

A true Extract
Robert Clerk
Deputy

To the Honble Major General Sir Archd Campbell K.B. President
Governor and Commander in Chief &ca Council —
Fort St George

Honble Sir & Gentlemen

The time of my Serving in the Office of Sheriff being nearly expired and knowing how very inadequate the Advantages accruing to it are to the Risque and Trouble and that the Office from the Nature of its Duties is of the greatest Trust and Respectability I am led from a Conviction of the Necessity of the Interference of Government in order to form an Establishment such as might attract the attention of the principal Men in the Settlement and induce them to be sollicitous of avoiding the Employment humbly to lay before the Honble Board a Representation of the Emoluments and Losses of the present Year that they may be enabled to determine if the Advantages are proportionate to the Risque the Trouble compensated for in any Degree or the Aversion of all Ranks to hold the appointment unaccountable or ill founded in the Idea that upon a Reference to the Statement an Insufficiency will appear and that the Honble Board will not be displeased with the Outlines of a Plan calculated to remove the Objection I venture to submit the result of my Official Experience upon the Subject and as I am given to understand that a New Act of Parliament is to be in Force at the Commencement of the ensuing Year extending the Jurisdiction of the Mayors Court throughout the Peninsula a Circumstance that must increase greatly in a Comparative Extent the Responsibility of the Sheriff and the Expence of his Office I shall take the Liberty of adding some Observations upon that Head also

The Profits arising from Sales in consequence of Writs of Execution issued by the Honble the Mayors Court are 5 ℘ Cent upon all Sums not exceeding Pags 200 & 2½ ℘ Cent upon a Surplus Amount these are the Sole Advantages enjoyed by the Sheriff and from these Profits I have collected Pags 500 in Opposition to these I must bring forward Ps 400 or thereabouts lost in consequence of a non Performance of Engagements which it was impossible to avoid attending to besides a unnecessary mention of the Instances being numberless wherein a Sheriff is compelled to confide in the Attention Fidelity and Prudence of his Deputy and Bailiffs an Excellence in these Qualities is scarcely to be met with in the latter Description of Men and a Failure of either might involve the Sheriff into immense and irreparable Ruin it may be alledged that the Sheriffs in Great Britain are equally liable to these Inconveniences but this Plea will be instantly done away upon a Review of the Value Difference and Merits of their respective Sales Emoluments and Offices the Application Honble Sir and Gentlemen that must be exercised in enforcing a strict Obedience from the Deputy to Justice and to the Forms of the Court is sufficient to occupy a large Proportion of that Time which might otherwise be employed in different Pursuits the Sales of every Piece Spot of Ground even the most trifling Articles must be carefully watched over to prevent the Collusion which has sometimes been practised between their Officer and private Purchasers [illegible] and the minute Detail of Official Duties the Neglect of which whether from Sinister or other Motives would Occasion much Inquietude perhaps Loss to the Sheriff from no inconsiderable Part of his Trouble and added to the Anxiety of Mind inseparable in some Degree from the Nature of the Office will produce ample Cause of Disgust to the Employ.

In Order that these Difficulties may be obviated I propose and Trust the Honble Board will not consider it an unreasonable Proposition that the Fees of the Sheriff should be altered to 5 p Cent upon Sales made upon whatever Amount indiscriminately that upon each separate Sett of Advertizements signed by them and previous to their being published He do receive from the Hands of the Attorney for the Complainant 2 p Cent upon the Value of the Debt sued for and in the Event of these Advertizements being stopped by Petition or otherwise and previously to its being done 1 p Cent for each Sett of Advertizements so stopped from the Hands of the Attorney for the Petitioner and that upon all Bills of Sales Signed and sealed by the Sheriff He do receive the Sum of 3 Star Pagodas.

Yet even this Prospect of Emolument flattering as it may appear to those unacquainted with the Intricacies of Law Proceedings will vanish in a Moment unless some Remedy be adopted to repel an Evil that is at present but in its Infancy from its fair and impartial Argument one would conclude the [illegible] unwilling

Attendance for the Purpose of Affixing the Seal and Signature of Office to Advertizements ought to entitle the Sheriff to an adequate Compensation so far however from receiving any Petitions upon the most frivolous Pretences frequently occasion his suffering the Inconvenience four or five Times within a Month upon the same Suit & in the last Stage of the Business when the Seal of the Sheriff has been for a length of Time upon the Property and who is consequently during the Period himself answerable for the Effects so secured and even upon the End of the Day of Sale He has on two recent Instances been deprived of his expected Fee by the Amount of the Demand which for the purpose of satisfying Seizures were made being paid into the Hands of the Attorney for what purpose is the Sheriff directed to seize and dispose of Property but to obtain a Sufficiency to Satisfy the Debt and if the Sufficiency appear the Sheriff is evidently the proper Channel of Conveyance otherwise He will be for ever deprived of his Commission on Sales as few will take place when the Effects to be disposed of exceed or equal the Demand of the Creditor who can by procuring a private Purchaser or becoming one himself evade with the Concurrence of the Attorney the Payment of the Sheriffs Rights and although it is probable that upon Application to the Honble the Mayors Court a Decision might be made in his Favor yet I humbly conceive the Honble Board will not approve of the Expediency of the Measure upon such Occasions for independant of giving unnecessary Trouble to the Court and Subjecting the Sheriff Himself to additional and improper Hardships a contest with the whole Corps of Attornies would certainly be most unequal.—

The Authority of the Mayors Court at present extends only to a very small Circle round the Presidency and to such Villages as were in Possession of the Hon.ble Company at the time the Charter was granted them in the Year there are Men who deny the Authenticity of their Reasoning and I shall not take upon myself to give an Opinion upon the Subject but observe that during my Sheriffalty these Limits have been invariably attended to and in no particular has a Warrant of Arrest or any other Process of the Court coming through the Medium of the Sheriff been served beyond them Government thought proper to allow P.s 66 ⅌ Month for a Deputy Sheriff two Constables and Eight Bailiffs to do the necessary Duties within the Space alluded to and it has hitherto been found rather more than was required insomuch that I conceive if the number of Bailiffs be increased to twelve the Business of the Civil Court between the Coleroon and the Kistnah may be transacted with Readiness and Dispatch to the Southward of the former and to the Northward of the latter of these Rivers it will be absolutely necessary to establish distinct Offices that the Court may have confidential People to adjust the concerns of these Countries upon the Spot and thereby avoid the Danger that would arise from the Circumstance of Deputing

Bailiffs without Control to such a Distance from the Presidency the Hon.ble Board will Pardon me for suggesting that the Establishment of the Sheriff might be fixed on the 1.st January 1787 as follows—

at the Presidency
1 Deputy at P.s 10 ⅌ Month - - - - 10.
12 Bailiffs at 5 - - - - - - - - - 60.
at Masulipatam
1 Deputy at 10 - - - - - - - - - 10.
8 Bailiffs at 5 - - - - - - - - - 40.
at Nagore
1 Deputy at - - 10 - - - - - 10.
8 Bailiffs at - - 5 - - - - - 40.
Total P.s - - - - - 170.

The Deputies and Bailiffs are to receive their Fees from those Transactions alone which proceed from the Offices to which they are severally attached.—

If the Chief and Council of Masulipatam and the Resident at Nagore be desired to receive into their Treasuries all Money tendered to them by the Deputy Sheriff and send an Account of the same as soon as may be convenient to the Civil Paymaster at Madras who will consequently give the Sheriff credit for the Amount and settle with Him every Month or at any Period that may be approved of it will be the means of removing a considerable Share of Risque and Responsibility from the Sheriff

As every Summons Warrant or other Paper that it may be necessary be necessary to execute in the Districts Northward of the Kistnah and Southward of the Coleroon must be transmitted by Letter with Instructions from the Sheriff Himself to the Deputies of those Districts and as their Distance from the Presidency affords a greater Field for Escapes or other Irregularities I should suppose that 1 P^{s}. for each Summons Warrant or other Paper is dispatched to be previously paid by the Attorney for the Complainant would not be thought an exorbitant Compensation to the Sheriff in consequence

Some vacant House belonging to the Company might be allotted to the Sheriff which will occur the Expence of an Office and all official Letters received there or dispatched from thence must of course be exempt from Postage.

The Predicament of the Sheriff in the Superior Court is peculiarly hard without the smallest Recompence He is obliged to devote much of his Time to the Duties of it may to be at the Charge of a Palanquin to proceed according to Custom the Judges to the Quarter Sessions with some other Expences that are not well be defined in Great Britain the Sheriff is also subject to Expence but without adverting to the comparative Gains & Chances of accidental Loss the essential Difference in Point of Balance plead strongly for some consideration in Behalf of the Sheriff of Madras who is usually far from being in opulent or even to terable Circumstances I shall

for speaking my Sentiments thus freely if they meet with Approbation I shall be happy if otherwise I shall not regret having employed a few leisure Hours in endeavouring to avert from my Successor the Evils I have myself encountered and to annex to a most disagreable Office a determinate and just Advantage.

I have the honor to be Hon^{ble} Sir &
Gentlemen

Fort S^{t}. George
20th. December 1786

Your most Obedient & humble Serv^{t}
Rob^{t}. Geo: Lathom
Sheriff

A true Copy
Robert Clerk
Deputy

To M^{r} James Taylor
Register of the Hon^{ble} the Mayors Court

Sir

I am ordered by the Hon^{ble} the Court of Appeals to acquaint You that Thomas Jones late one of the Attornies of the Hon^{ble} the Mayors Court by his Attornies John Collins Lonyer and Peter Massey Cassin did Yesterday Lodge an Appeal in the said Court from a Decree of the Hon^{ble} the Mayors Court Dated the 23^{d} Ultimo in a Cause wherein Bryan Sedney of Madras Esquire Administrator to the Estate and Effects of Captain William Gowland Deceased was Original Complainant and Cross Defendant and the said Thomas Jones was Original Defendant and Cross Complainant which You will Please to Signify to the Hon^{ble} 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
the 6th February 1787 —

I am
Sir
Your very Obedient Servant
Chas. N. White Clk

Filed 1st May 1787

To
The Honourable the Mayor's Court
at Madraspatnam

The humble Petition of Neil Campbell
Sheriff of Fort St. George Town of Madraspatnam
and the Districts thereof

Sheweth

That some time since a Memorial was delivered to the Honourable the President and Council by Robert George Latham Eſquire late Sheriff of Fort St. George &c. &c. and by them transmitted to this Honble Court stating the Risque Trouble and Expence attending the Office of Sheriff and how very inadequate the Fees were to such trouble and Risque This Honble Court having thought proper not to comply with the Request in the said Memorial contained as not coming regularly before them Your Petitioner is induced thus regularly and in form to addreſs this Honble Court upon the same Subject — Your Petitioner prays leave to State that the chief and indeed almost Sole advantage reaped by the Sheriff is from Executions issued by this Honble Court the profits upon which are five per Cent

Cent

Cent upon all Sums not exceeding two hundred Pagodas and two and a half per Cent upon a Surplus Amount yet even this Apparent advantage may be done away or leſsened by the Inattention Imprudence and Carelesneſs of the Deputy Sheriff and Bailiffs and a Sheriff in many Instances is obliged to confide in those People your Petitioner is well aſsured the late Sheriff lost a considerable Sum of money in this manner but a more effectual Stop has been put to the Sheriff gaining any advantage from this Commiſsion by a custom very prevalent at present that of paying the Debt upon which Execution has been granted and Goods or Lands seized and sealed by the Sheriff into the Hands of the Attorney and not into the Hands of the Sheriff before a Sale had This your Petitioner humbly Submits as a grievous hardship the Reſponsibility of the Sheriff while the Goods are under his Seal is sometimes very great his Care and Trouble equally so and from Petitions to restrain the Sheriff from selling the premiſses so seized and sealed that Reſponsibility and that Care & Trouble is often prolonged to a considerable length of time at least when the Sheriff by a Sale hopes and expects to be paid as he is justly intitled for such his Care and Attention the Sum sued for is paid to the Attorney and the Sheriff loses his Fees your Petitioner prays leave to state that such a proceeding is not founded upon Practice the practice should be in conformity to the writ the Writ directs the Sheriff to levy and bring the Money into Court. If the Defendant to save his Goods from Sale chooses to pay the Money he should of Right pay it to the Sheriff who then tho there has not been any Sale makes his Return that he has levyed and has the Money ready This is the uniform practise of the Courts at home but so long as the practise subsists of paying the Debt to the Attorney the Sheriff cannot make a proper Return.

With respect to an Increase of Commission upon all Sales and upon all Money paid into the Sheriffs hands previous to a Sale in order to stop it your Petitioner humbly conceives it may be done for tho the Act of Parliament Vizt. the 29th of Elizabeth Cap: 4 fixes the Fees of the Sheriff yet your Petitioner submits to this Honble Court whether Attention is to be paid to that Act of Parliament inasmuch as it has been often declared by respectable Authority that no Act of Parliament is binding in this Country unless the East Indies be specialy named in the Body of the Act

Your Petitioner thus humbly states to this Honble Court the Disadvantages attending him as Sheriff and the Causes and Grounds of such Disadvantages he relies intirely upon the Wisdom and Justice of this Honble Court for Relief And most humbly prays that this Honble Court will be pleased to Order and direct that after Execution granted all Sums sued for shall be paid into the Hands of the Sheriff and not into the Hands of the Attorney That the Sheriff be allowed his Commission upon all Sums for which Execution shall be granted whether he shall have levied the same by Sale or whether the same shall have been paid to him by the Defendant to prevent a Sale that the Commission thereon be five per Cent on the first Two hundred and fifty Pagodas and two and a half per Cent on all Sums of a Surplus Amount or be further or otherwise Increased in such a manner as this Honourable Court shall be pleased And that your Petitioner may receive such further and other Relief as to this Honourable Court shall seem meet

And your Petitioner as in duty bound shall ever pray

Fort St. George
30th April 1787 —

Neil Campbell Sheriff

To Mr. James Taylor
Register of the Mayor's Court

Sir

I am directed by the Governor in Council to acknowledge the receipt of your Letter of the 12th Instant with the accompanying Extract and to acquaint you for the information of the Honble the Mayor's Court that this Government has approved of the addition therein mentioned in the Sheriffs Fees and likewise to the Interpreters Salary. —

I am Sir
your most Obedient Servant
Chas. N White Secy

Fort St. George
16th June 1787
Exd. M.S.

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I am ordered by the Honble the Court of Appeals to Acquaint you that George Mowbray by his Attorney Henry Alexander of Fort St. George Esqr. did this day Lodge an Appeal in this Court from an Order of the Honble the Mayor's Court dated the 26th Ultimo in a Cause wherein the aforesaid George Mowbray by his Attorney Henry Alexander was Complainant and Myla Tanacolly Pillah of Saint Thomé Inhabitant as Defendant which you will Please to Signify to the Honble the Mayor's 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 very Obedient Servant
Chas. N White Clerk

Fort St. George
the 9th July 1787

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I am ordered by the Honble the Court of Appeals to Acquaint You that William Gardiner of Madras Shopkeeper did this day Lodge an Appeal in this Court from a Decree of the Honble the Mayor's Court dated the 5th Instant in a Cause wherein Thomas Umpherston by his Attorney David Young of Madras Merchant was Complainant and the said William Gardiner as Defendant which you will Please to Signify to the Honble the Mayor's 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 very Obedient Servant
Chas. N White Clk

Fort St. George
the 18th June 1787

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I am Ordered by the Honble the Court of Appeals to Acquaint You that Cuthbert Fenwick Commander of the Ship Success Galley did this day Lodge an Appeal in this Court from an Order of the Honble the Mayor's Court dated the 11th Instant In the Matter wherein the said Cuthbert Fenwick Commander of the Success Galley is Petitioner against the Bill of Complaint and Proceedings thereon of Nacodah Cuerdah Malum Complaint which You will Please to Signify to the Honble the Mayor's Court that they may give orders for laying before the Honble the Court of Appeals the Petition and the Several Papers Exhibited in the said Cause — I am Sir
Your very Obedient Servant
Chas. N White Clk

Fort St. George
the 17th Sept. 1787

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I am Ordered by the Honble the Court of Appeals to Acquaint You that James Taylor George Savage and James Call Executors of Andrew Majendie deceased did Yesterday Lodge an Appeal in this Court from a Decree of the Honble the Mayor's Court dated the 14th Instant in a Cause wherein Rangapillah of Madras Inhabitant was Complainant and the said James Taylor George Savage and James Call of Fort Saint George Merchants Executors Named in the last will and Testament of Andrew Majendie Deceased were Defendants which you will Please to Signify to the Honble the Mayor's 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 very Obedient Servt.
Chas. N White
Clk

Fort St. George
the 28th Sepr. 1787.

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I am Ordered by the Honble the Court of Appeals to Acquaint You that William Wynch of Fort St. George Esqr. in right of his Wife Rhoda Wynch Lawfull Sister of Sophia James Widow and Relict of Edward James Deceased did Yesterday Lodge an Appeal in this Court from an Order of the Honble the Mayor's Court Dated the 27th Ultimo in a Cause wherein William James the Natural and Lawfull Brother of Edward James the Sole Administrator as such under the Prerogative Court of the Arch Bishop of Canterbury of the Goods Chattels and Credits of the said Edward James by his Acting Attorney Lieutenant Colonel William Sydenham of the Corps of Artillery of Fort Saint George as Proponent and the aforesaid William Wynch in right of his Wife Rhoda Wynch Lawfull Sister of Sophia James Widow of Edward James as Opponent in a matter in dispute between them relative to the Estate of Col. Edward James Deceased which you will Please to Signify to the Honble the Mayor's Court that they may give Orders for laying before the Honble Court of Appeals the Several Papers Exhibited in the said Cause —

I am Sir

your very Obedient Servant

Chas. N White Clk

Fort St. George
1st. November 1787

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I am ordered by the Honble the Court of Appeals to Acquaint you that William Wynch of Fort Saint George Esqr. in Right of his Wife Rhoda Wynch Lawfull Sister of Sophia James Widow and Relict of Edward James Deceased did Yesterday Lodge an Appeal in the Court from an Order of the Honble the Mayor's Court dated the 30th. Ultimo in a cause wherein William James the Natural and Lawfull Brother of Edward James the Sole Administrator as such under the Prerogative Court of the Arch Bishop of Canterbury of the Goods Chattels and Credits of the said Edward James by his Acting Attorney Lieut. Colo. William Sydenham of the Corps of Artillery of Fort Saint George as Proponent and the aforesaid William Wynch in Right of his Wife Rhoda Wynch as Opponent in a matter in dispute between them relative to the Estate of Col. Edward James deceased which you will Please to Signify to the Honble the Mayor's Court that they may give orders for laying before the Honble Court of Appeals the Several Papers Exhibited in the said Cause —

I am
Sir
Your very Obedient Servant
Chas. N White Clk

Fort St. George
the 3d. November 1787

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I Return You the Several Papers Received from you in the following Causes —

Cuthbert Fenwick vers. Nacodah Condah Malim
Joaquim Gregorio vers. Thomas Jones by his Attornies John Collins Troyce and Peter Massyclain —

Together with the Order and Decree of the Honble the Court of Appeals in the said Causes —

I am Sir
Your very Obedient Servant
Chas. N. White Clk

Fort St. George
12th. November 1787

At the Court at St. James's the 16th. of March 1787 —

Present

The King's most Excellent Majesty —

Lord President Lord Sydney
Marquis of Carmarthen Mr. Pitt
Earl of Denbigh Sir George Yonge Bart.

Whereas there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for hearing Appeals from the plantations &c. dated the 13th. of this instant in the Words following Viz.

Your Majesty having been pleased by your order in

Council of the 25th of last Month to refer unto this Committee the
humble petition of Charles Smith by his Attornies Alexander Cathcart
Alexander Brodie and John Douglas of Fort St George Esquires
setting forth that the petitioner did on the 13th of July 1782 file his Bill
of Complaint in the Honourable the Mayor's Court at Madraspatnam
against Kistnadoss Verjeedoss for the Recovery of the Sum of 5200 Pag.
33 fanams Current Money of Madras due upon Bond bearing
date in Fort St George the 24th April 1778 from the Defendant to the
said Charles Smith To which the said Defendant put in his
Answer; That publication having passed in this Cause the same
was set down for hearing and coming on to be heard before the said
Honourable the Mayor's Court on the 23d day of May 1783 the
said Court did order and Decree that Defendant should pay unto
the petitioner the full and just Sum of 5,020 Pagodas and 33 fanams
Current money of Madras together with all Interest as then was
or should thereafter become due thereon with all Costs of Suit
That the Defendant conceiving himself aggrieved thereby did
Appeal therefrom to the Honourable the president and Council
of Fort St George as a Court of Appeals Established by Royal
Charter for the said Presidency and Relief was prayed by the
Defendant against the said Decree of the said Court; That the
Petitioner appeared by his Attorney's aforesaid and put in an
Answer to the Defendant's petition and Appeal That the said
petition and Appeal and Answer thereto coming on to be heard
before the said Honourable Court of Appeals on the 20th day of
May

May 1784 when the said Honourable Court was pleased to confirm
the Decree of the said Honourable the Mayor's Court that by the said
Decree of the said Honourable the Court of Appeals given against
the Defendant as aforesaid the Defendant conceived himself aggrieved
and therefore on the 2d June 1784 Appealed to the Judgment and
final determination of your most Excellent Majesty in Council
That the said Defendant hath nevertheless neglected to prosecute
his said Appeal and it being now upwards of two Years and
an Half since the said Appeal was prayed and Allowed The
petitioner humbly prays your Majesty that the said Appeal
may be dismissed with Costs for non prosecution The Lords of the
Committee in Obedience to your Majesty's said order of Reference
this Day took the said petition into Consideration and were
Attended by the Sollicitor for the petitioner thereupon and it appearing
to be upwards of two Years and an half Since the said Appeal was
Allowed their Lordships do agree to Report as their opinion to your
Majesty that the said Appeal of the said Kistnadoss Verjeedoss from the
said Decree of the Court of Appeals at Fort St George of the 20th of May
1784 ought to be dismissed with Twenty pounds Sterling Costs for non
prosecution."

His Majesty taking the said Report into Consideration was
pleased with the Advice of His privy Council to approve thereof and
to order that the Appeal of the said Kistnadoss Verjeedoss be and the same
is hereby dismissed this Board with Twenty pounds Sterling Costs
for

for non prosecution Whereof the Governor or President and Council of Fort St. George and all others whom it may concern are to take Notice and govern themselves Accordingly.

Steph Cottrell

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I Return you the Several Papers Received from you in the following Causes—

Edward Jourdan Executor of Francis Jourdan Deceased } Vers Soncar Chinna Kistnamah Chitty by Royanootolah Vincataramiah.

Edward Jourdan Executor of Francis Jourdan Deceased } Vers Avadanum Paupiah Bramany

Jamaloodeen of Madras Inhabitant Vers John Robson

Richard Johnston Esqr. Vers Nagapah Chitty

Thomas Jones by John Collins Tonyn and Peter McCaspen } Vers Boyan Scottey Admor to William Gowland

William Gardiner .... Vers Thos. Umphelston by David Young

George Mowbray by H Alexander Vers Myla Vinacooly Pillah

James Taylor Geo: Savage and James Call Executors of Andrew Majendie deceased .. } Vers Rungapillah

Together with the Orders and Decrees of the Honble the Court of Appeals in the said Causes.

Fort St. George
3d. December 1787.

I am Sir
Your very Obedient Servant
Chas. White Clk

To Mr. James Taylor
Register of the Honble the Mayor's Court

Sir

I am Ordered by the Honble the Court of Appeals to Acquaint You that Zachariah Polack of Madras Merchant did this day Lodge an Appeal in this Court from an order of the Honble the Mayor's Court dated the 20th. November in a Cause wherein John Moss in the Service of His Highness the Nabob of the Carnatick is Complainant and the said Zachariah Polack is Defendant which you will Please to Signify to the Honble the Mayor's Court that they may give orders for laying before this Honble Court of Appeals the Several Papers Exhibited in the said Cause.

Fort St. George
3d. December 1787.

I am
Sir
Your very Obedient Servant
Chas. White
Clk

To Mr. James Taylor
Register of the Honble the Mayor's Court

I am ordered by the Honble the Court of Appeals to Acquaint that Zachariah Polack having prayed leave to withdraw his appeal from an Order of the Honble the Mayors Court dated the 4th December in a Cause wherein John Moss is Complainant and the said Zachariah Polack is Defendant the Honble Court of Appeals have Consented thereto

Fort St George
4th December 1787—

P Order
Chas N White Clk

To the Honble the Mayors Court
at Madraspatnam

Gentlemen

I am directed by the Governor in Council to Acquaint You that Mr Edward John Hollond who together with Mr Edward Garrow was presented on the 4th Instant Agreeable to the Charter is elected to be Mayor of Madras=patnam for the ensuing Year and that the President or in his absence the next Senior of the Council residing at this Settlement will be ready on the 20th Instant at ten O'Clock in the forenoon to administer the Oaths prescribed by the Charter to the Mayor elect

I am also directed to inform you that Mr George Sullivan Martin of Fort St George is nominated to be Sheriff of Madraspatnam and the Districts thereof for the ensuing Year.—

I am
Gentlemen
Your most Obedient Servant
Chas N White Clk

Fort St George
5th December 1787.

To the Honble the Mayor's Court
at
Madraspatnam

Gentlemen

James Taylor George Savage and James Call of Fort St George Merchants Executors of Andrew Majendie Deceased by their Attorney having duly filed an Appeal from a Decree of the Honble the Mayors Court dated the 14th day of September Anno Domini 1787 in a Cause wherein Rungapillah of Madras is Complainant and the said James Taylor George Savage and James Call Executors of Andrew Majendie deceased were Defendants the said Appeal came on to be heard on the 1st Instant when the Honble the Court of Appeals were Pleased to Affirm the Decree of the Honble the Mayor's Court with Costs from both which Decrees the said James Taylor George Savage and James Call Executors of Andrew Majendie deceased did on the 14th Instant Lodge an Appeal to the Kings Most Excellent Majesty in Council—

I am
Gentlemen
Your most Obedient humble
Servant
Chas N White
Clk

Fort St George
the 18th December 1787.

To the Honble the Mayor's Court
at
Madraspatnam

Gentlemen

Bryan Scottney of Madras Esqr administrator to the Estate and Effects of Captain William Gowland deceased by his Attorney having duly filed an Appeal from a Decree of the Honble the Mayor's Court dated the 23d day of November Anno Domini 1787 in a Cause wherein the said Bryan Scottney of Madras Esqr Administrator to the Estate and Effects of Captain William Gowland deceased was Original Complainant and Cross Defendant and Thomas Jones by his Attornies John Collin Tonyn and Peter Massy Cassin was Original Defendant and Cross Complainant the said Appeal came on to be heard the 1st Instant when the Honble the Court of Appeals were Pleased to Decree that the Decree of the Honble the Mayor's Court be set aside that the Defendants Attornies do Swear to their Original Answer on his behalf and each party to be at liberty to examine Witnesses - that the Arguments against Oral Evidence be expunged from the Cross Answer and the cause reheard - and that each Party do pay his Costs in this Court from which Decree the said Bryan Scottney did on the 14th Instant Lodge an Appeal to the Kings Most Excellent Majesty in Council.

Fort St. George
the 18th December 1787.

I am Gentlemen
Your most Obedient humble Servt
Chas. N. White Clk