

Mayors Court records
(Letters received)
(Vol. No. 9)

25,000-435-32

Block	7
Rack No.	
Shelf No.	
Serial No.	9
General No.	12175

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To John Macmill Stone
Register of the Honble the Mayors Court

Sir

Please to Acquaint the Honble the Mayors Court that Quintin de Samathie hath this day filed an Appeal in the Honble Court of Appeals from a Decree of the Honble the Mayors Court Dated the 2. Instant in a Cause wherein the said Quintin de Samathie and Alla Mooda Rishmah were Parties. I am therefore to request that the several Papers exhibited in the said Cause may be laid before the Honble Court of Appeals —

Fort George
17. February 1767

I am
Sir

Your Most Obedient Servant
W. Goodlad
Clerk of Appeals

To Mr. John Macmill Stone
Register of the Mayors Court

Sir

Please to Acquaint the Honble the Mayors Court that Pankala Narpa Naich hath this day filed an Appeal in the Honble Court of Appeals from a Decree of the Honble the Mayors Court Dated 21. day of March last past in a Cause wherein Coja Moocartum Complainant and the said Pankala Narupah Naich Defendants. I am therefore to Request that the several Papers exhibited in the said Cause may be laid before the Honble Court of Appeals —

I am
Sir

Your Most Obedient Servant
W. Goodlad

Fort George
14. April 1767

To Mr. John Maxwell Stone
Register of the Mayor's Court

Sir

I am ordered by the Honble Court of Appeals to acquaint you that Christian Van Teylingen did on the 21st Day of this Instant lodge an Appeal in the Court from a Decree of the Honble the Mayor's Court Dated the 12th Day of the said Instant in a Cause wherein John Debusche, Governor of Nagapatnam by his Attorneys John Philip Tabernus and John Christian Prichard Complainant and the said Christian Van Teylingen Defendant which you will please to signify to the Honble the Mayor's Court that they may give Order for laying before the Honble the Court of Appeals the several Papers exhibited in the said Cause.

Fort St. George
22 May 1767

I am Sir

Your Most humble Servant
H. Goodlad
Clerk of the Court

To Mr. John Maxwell Stone
Register of the Mayor's Court

I am ordered by the Honble Court of Appeals to acquaint you that Christian Van Teylingen did on the 13th Day of this Instant lodge a Appeal in the said Court from a Decree of the Honble the Mayor's Court Dated the second Day of the said Instant in a Cause wherein Chocalinga Chetty of Pulliam Merchant by his Attorneys Cundayak Chetty and Chuddayapah Chetty of Madras Merchant Complainants and the said Christian Van Teylingen Defendant 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 Most humble Servant
W. Goodlad
Clerk of the Court

Fort St. George
16 June 1767

To Mr. John Maxwell Stone
Register of the Mayor's Court

Sir

I am ordered by the Honble Court of Appeals to acquaint you that John Smith junior by his Executors George Stratton & Anthony Ludlow did on this day lodge an Appeal in the said Court from a Decree of the Honble the Mayor's Court dated the 23rd day of June last past, in a Cause wherein Moss Debusche Complainant and the said John Smith junior Defendant, which you'll 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.

Fort St. George
6th July 1767

I am Sir
Your most humble Servant
H. Goodlad
Clerk

To Mr. John Maxwell Stone
Reg^r of the Honble the Mayor's Court

Sir

I return you the several Papers received from you in

the Cause of

Christian Van Teylingen

vs
Mudak Varda Raguloo Chetty

Christian Van Teylingen

vs
Moodaly Swangada Chetty

William Harrison

vs
Edward Lane

Clement Poiry

vs
Viraputtra Naick

Quenten de Samuttrie

vs
Alah Moodu Kesthak

Anthella Narnapak Naick

vs
Gija Mookerboom Mergam

together with the Decree of the Honble the Court of Appeals in the said Cause.
Fort St George
25th August 1767.
Sir
Your Most Obedient Humble Servant
H. M. Goodlad
Clerk of Appeals.

To Mr John Maxwell Stone
Register of the Honble the Mayor's Court
Sir.
I return you the Several Papers received from you in
the Cause of
Cheralanga Chetty
Christian Van Seylingen
John Deduich Sonu
Christian Van Seylingen.
With the Decree of the Honble the Court of Appeals in the said Cause.

Fort St George
8th Sept. 1767.
To the Honble the Mayor's Court
at Madraspatnam.
Gentlemen.
Sir
Your Most Obedient Servant
H. M. Goodlad
Clerk of Appeals.

Christian Van Seylingen late of Fort Saint George Esquire
having duly filed an Appeal from a Decree of the Honble the Mayor's Court
dated the 22^d day of July 1766 in a Cause wherein Mudah Varda Nagello
Chetty Complainant and the said Christian Van Seylingen Defendant, the said
Appeal came on to be heard the 6th day of August last when the Honble Court
of Appeals were pleased to affirm the Decree of the Honble the Mayor's Court
and also to Decree that the said Appellant should pay the Costs in both
Courts, from both which Decrees the said Christian Van Seylingen did
on the 3^d Instant lodge an Appeal to the Kings most Excellent Majesty
in Council.

Fort St George
8th Sept. 1767.
Gentlemen.
Your Most Obedient Humble Servant
H. M. Goodlad
Clerk of Appeals.

To the Honble the Mayor's Court
at Madraspatnam.
Gentlemen.
Christian Van Seylingen late of Fort St George Esq.
having duly filed an Appeal from a Decree of the Honble the Mayor's Court dated the 19th day of
August 1766 in a Cause wherein Mudah Vengada Chetty Complainant and the said
Christian Van Seylingen Defendant, the said Appeal came on to be heard the 6th of August
last when the Honble the Court of Appeals were pleased to affirm the Decree of the Honble
the Mayor's Court, and also to Decree that the said Appellant should pay the Costs
in both Courts, from both which Decrees the said Christian Van Seylingen did on the
3^d Instant lodge an Appeal to the Kings most Excellent Majesty in Council.

Fort St George
8th Sept. 1767.
Gentlemen.
Your Most Obedient Humble Servant
H. M. Goodlad
Clerk of Appeals.

To Mr John Maxwell Stone
Register of the Honble the Mayor's Court
Sir
I am Ordered by the Honble Court of Appeals to Acquaint you that
Cheppimaat Chetty Administrator to the Estate and Effects of Edw Edwards
deceased did on the 14th day of this Instant lodge an Appeal in the said Court from a
Decree of the Honble the Mayor's Court dated the first day of the said Instant in a Cause
wherein the said Edward Edwards Complainant and Edmund Pascal Defendant
which you'll 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.

Fort St George
15th Sept. 1767.
Sir
Your Most Obedient Servant
H. M. Goodlad
Clerk.

To the Honble the Mayor's Court at Madraspatnam.
Gentlemen.
I am commanded by the President and Council to furnish you
with the enclosed Extract from the Honble Court of Directors their Letter dated 21st
March last, and copy of the Cause and Opinion of Charles Lyster Esq on the doubt
entertained by you, as to the Town House, Mr Jennings's Legacy, and the Pagoda
of your former Court - This last has been procured in consequence of the Letter from
your Register dated the 18th day of December 1765 and the President and
Council.

Council hope will remove all Objections.

I am

Gentlemen

Your most Obedient

Humble Servant

H. M. Goodlad

Secy.

Extract from the Honble Company's General Letter to Fort St George dated 24 March 1767.

We have before us the Letter to You from the Register of the Mayor's Court dated 18th September 1765 upon the Subject of the former Difficulties and disputes concerning the Right to the Town House, Mr Jennings's Legacy, and the Regalia of the former Mayor's Court, and although We cannot consider the Proposal contained in it, in any other Light than a disobedience to our express Orders, more than once transmitted to them on these Subjects, yet as they suggest that there are fit Questions for the Determination of the Law, and that they will abide by the Opinion of Council upon them, We herewith send You Copy of the Opinion of Charles Sayer Esq, our standing Council, upon the several Points, attested by our Secretary, and in consequence thereof We expect, that an Instrument or Act do pass under the Seal of that Court, containing a Declaration that the Town House and the Regalia are the Absolute Right and Property of the Company, and that they pay into You immediately Mr Jennings's Legacy, which they have received and withhold without any Colour of Right - With respect to the Conclusion of their Letter to You, We do not think it worthy of Our Notice.

Abuse Extract

H. M. Goodlad

Secy

Copy of the Case and Opinion of Charles Sayer Esq on some doubts entertained by the Mayor's Court as to the Town House Mr Jennings's Legacy and the Regalia of the former Mayor's Court

The East India Company's Settlement of Fort St George being Conquered by the French in 1746, it was apprehended that all the Powers in the Privileges which Concerned that Settlement, were finally determined, and upon recovering the Settlement from the French, the Company were Advised to Apply for a new Charter for the Establishment of Courts of Justice there which they Obtained upon the Surrender of the former in the Year 1753 a Copy of which is herewith laid before You.

The Town House in which the present Mayor's Court is held was purchased with Money belonging to Tutors in the former Mayor's Court which had been paid into the Company's Cash, and the present Mayor's Court professed themselves of such Regalia of the Mayor's Court as could be saved which were Originally provided by

20.

by the East India Company, and a considerable Legacy has been paid into the present Court which was bequeathed to the former before their Surrender of their Charter.

Your Opinion is desired whether the Mayor's Court at Madras constituted by the present Charter have a right to the Town House thus purchased or to the abovementioned Legacy or to the Regalia of former Court? Or whether the said Legacy being now paid in by the Representatives of the Donor and also the Regalia abovementioned do not belong to the East India Company, the Proprietors of the Settlement, who have in former Ages become Answerable to the Tutors in the former Mayor's Court for their Money paid into the Company's Cash.

The East India Company the 6th of January 1753 Surrendered to his then Majesty the Charter Obtained the 1st of George 1st for establishing Courts of Justice at Fort Saint George Barrary Sea, And the 11th of November 1753 George 2^d granting to the Company full Powers and Privileges, and full Authority, to constitute Courts of Justice, And his then Majesty by a Charter of the 8th of January 26 Year of his reign, Grants and Establishes at Fort St George a Body Corporate and Politick by the name of Mayor and Aldermen of Madras and Authorizes them in the manner therein described to Try, hear, and determine all Civil Suits by the Surrender of their former Charter, I apprehend the Courts of Justice according to the terms of the new Charter ceased together with all the Powers given by the former Charter and a new Original Court of Justice was established, as independent of the former, as if no such former had ever existed consequently the present Mayor's Court can have no Rights antecedent to its own creation derived from the former Mayor's Court or otherwise, and if so it is free from all doubt that the present Mayor's Court has no right to the Town House, the Legacy or the Regalia of the former Court, and as the Legacy is paid in, that and the Regalia must belong to the East India Company, who are most certainly Answerable to Tutors in the former Mayor's Court for their Money paid into the Company's Cash.

C. Sayer

5th March 1767.

Abuse Copy

Attested by

Rob^t James

Secy

H. M. Goodlad

Secy

To Mr John Maxwell Home
Register of the Honble the Mayor's Court

At

I Return You the several Papers received from You in the Cause

of Causelah Mooshalloo
was

John Debonaire together with the Deuce of the Honble the Court of
Appeals in the said Cause.

Fort George
13th September 1767.

Sir
Your most Obedient
Humble Servant
H. M. Goodlad
Clerk.

To Mr. John Maxwell Home
Register of the Honble the Mayor's Court
Sir

I return the several Papers received from you in the Cause of *Moss*
De Castro Vers *John Smith Junior* together with the Deuce of the Honble the Court
of Appeals and am.

Fort George
20th Sept. 1767.

Sir
Your most humble Servant
H. M. Goodlad
Clerk of Appeals.

To the Honble the Mayor's Court
at Madraspatnam.

Gentlemen.

George Stratton and Anthony Sadler Executors of John
Smith junior deceased having duly filed an Appeal from a Deuce of the Honble
the Mayor's Court dated the 23rd day of June 1767 in a Cause wherein *Moss*
De Castro Complainant, and the said John Smith junior Defendant, the said Appeal came
on to be heard the 3rd day of September last when the Honble Court of Appeals were
pleased to Affirm the Deuce of the Honble the Mayor's Court and also to Decree
that the said Appellants should pay all the Costs in this Court from both which
Deuces the said George Stratton and Anthony Sadler did on this Day lodge an
Appeal to the Kings most Excellent Majesty in Council.

I am.

Fort George
17th October 1767.

Gentlemen.
Your Most Obedient Humble Servant
H. M. Goodlad
Clerk of Appeals.

To the Honble the Mayor's Court
at Madraspatnam.
Gentlemen.

Christian Van Teylingen late of Fort Saint George Esq. having
duly filed an Appeal from a Deuce of the Honble the Mayor's Court dated the 12th day
of May 1767 in a Cause wherein John Diderick Swart of Nagapattam Merchant
by his Attornies John Philip Tabucius and John Christian Brithaupt of Vepery
Pleas Complainant and the said Christian Van Teylingen Defendant, the said
Appeal came on to be heard the 27th day of August last when the Honble Court of Appeals
were pleased to Affirm the Deuce of the Honble the Mayor's Court, and also to Decree
that the said Appellants should pay the Additional Costs of this Court from both
which Deuces the said Christian Van Teylingen did on the 17th Instant lodge
an Appeal to the Kings most Excellent Majesty in Council.

Fort George
19th Oct. 1767.

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

To the Honble the Mayor's Court
at Madraspatnam.
Gentlemen.

I am Ordered by the President and Council to Acquaint you
that they have Chosen Mr Charles Smith who with Mr Francis Gurdan was presented
to them on Tuesday the 1st Instant agreeable to the Charter to be Mayor of Madraspatnam
for the Year ensuing.
I have likewise their Directions to acquaint you that they have
Elected Mr Robert Munnell of Fort St George Merchant to be Sheriff of Madraspatnam
for the ensuing Year.

I am

Fort George
8th December 1767.

Gentlemen
Your Most Obedient Servant
H. M. Goodlad
Secy

To the Honble the Mayor's Court
of Madraspatnam.

Gentlemen.

I am directed by the President and Council to acknowledge
Receipt of a Letter from your Register of the 22nd October, and to Acquaint You, that
they are willing that the Deposits you mention be made under the respective
Heads, and that they will pay off the Bonds for Money which was taken up
on the Mortgage of the Court House for the Repairs of the same, provided you
pass a Deed of Conveyance of the Court House to the Company and the
Incumbrances thereon do not appear too large.

Fort St. George
8th December 1767.

I am
Gentlemen.

Your Most Obedient Servant

H. M. Goodlaid
Secretary