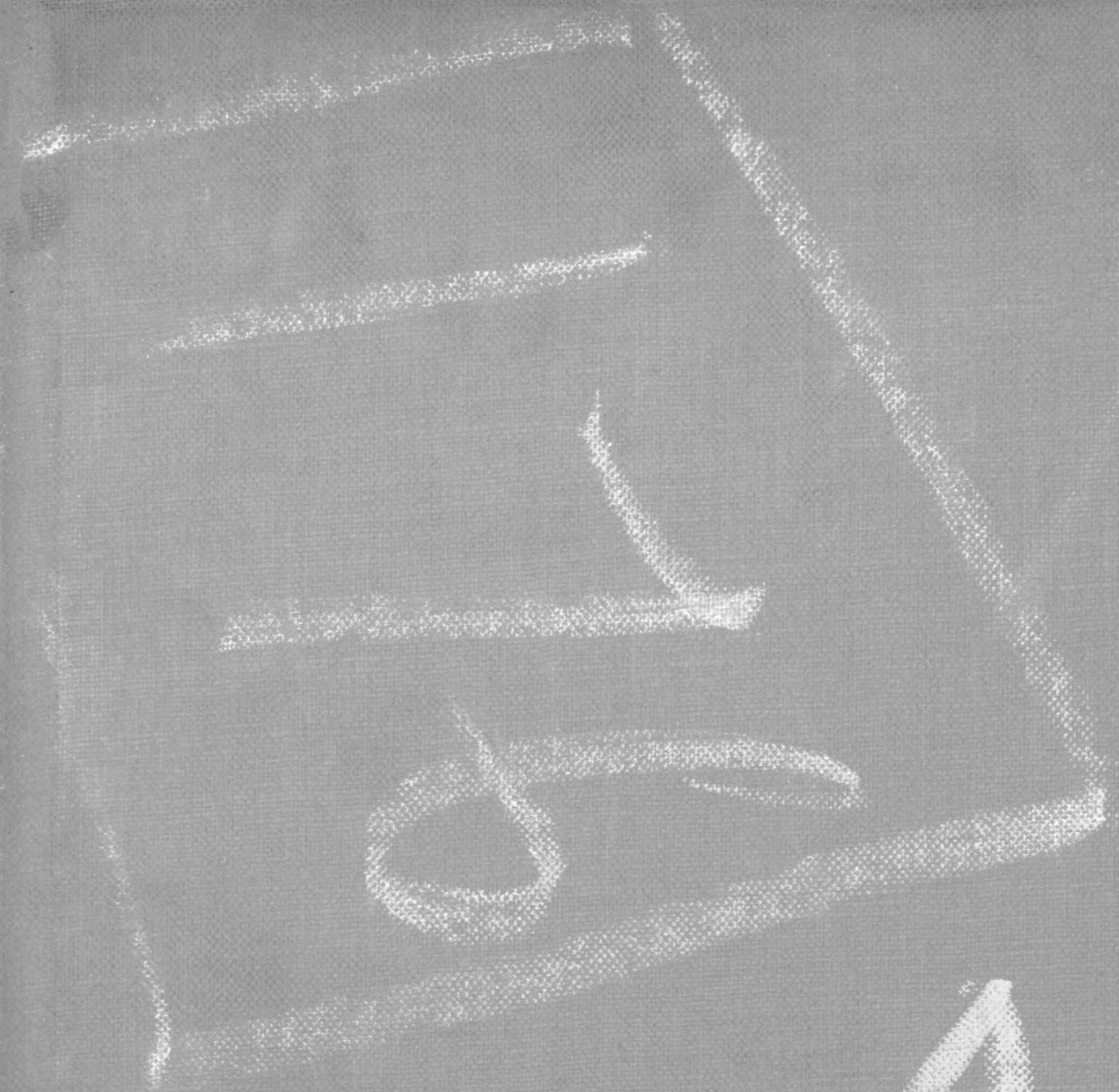
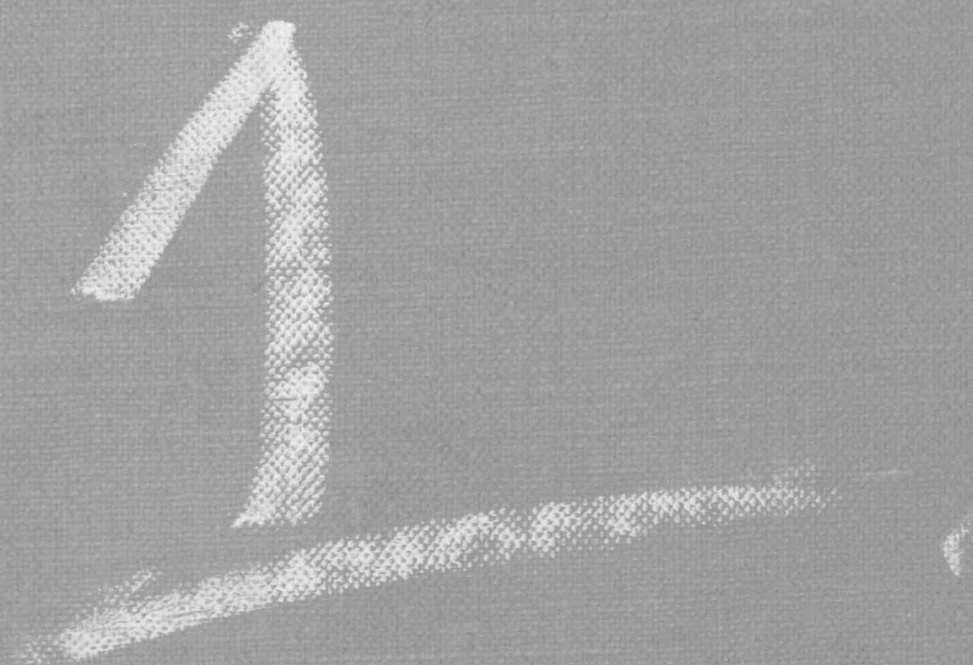




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Mayor's Court Records.

11910

1759
A Court held at the Town Hall on Thursday
the 20th Day of December Anno Domini 1759

Present

Claud Russell Esquire Mayor
Peter Monette, Francis Taylor,
John Senon Smith, James Jones,
George Mallon, & John Debonaire
Aldermen.

Hazell Mann by his Attorney Arny Sama & Co. vs. Nishnana Chitsee
vers.

Manoel Seal

Committed Order filed between the Days of Adjournment read.

Summons issued thereupon returned served.

The Defendant appears by his Attorney M^r John Palmer.

George Mackay

vers.

Vencatty Chitsee & Pellumbtoo heirs of Chetty Nishnana Chitsee deceased
Another Day is given the Defendant till the 16th Day of January next
to answer the Complaint and Bill, In Default of which judgment will be
given for the Complainant.

Samuel & Daniel De Castro

vers.

Nairro Venapah Chitsee, Sanahavanapah Chitsee Ragumada
Nani Ram & Chittya Permalloo.

A Note from the Examiners to the Judges read setting forth that the
Depositions taken in this Cause both on the Part of the Complainants and
Defendants were ready.

Publication is signed in this Cause
Henry Brindley

vers.

Vincenta Mistake

Another Day is given till the 16th Day of January next

Grush

vers.

George Mackay & James Wilson Executors to the Estate of Robert Donnelly

deceased

Day is given the Parties till the 15th Day of January next to examine
Witnesses.

George Mackay & Josias Dupre Executors to the Estate of John
Weatherington Turner insolvent

vers.

Chuddisprake

Withdrawn Defendant having no Attorney.

Christopher Macklin

vers.

Ralph Taylor

The Complainant having on the 2nd Day of May 1754 filed a Bill of
Complaint against the Defendant for the Balance due to him on Account
of Partnership, & the Complainant & Defendant being now both in Court,

Mr John Palmer Attorney for the Complainant acquaints the Court that all
Accounts that were depending between them at that Time have been
adjusted and settled by Mr David Russell who was their Accountant
General & Mr Daniel Wolfe the late Register to the satisfaction of both
Parties, & that upon paying the Balance, a General Release and
Discharge had been executed and delivered to each Party; He therefore
prays leave to withdraw the Suit.

Granted by the Consent of the Opposite Party.

The President and Council having by a Letter from their Secretary bearing
Date the 6th Instant signified to the Court that they had appointed

Mr Francis Taylor to be Mayor for the ensuing Year, and the Charter
having directed that he should be sworn in on this Day, Agreeable to
which the Mayor and all the residing Aldermen being present, the
Register was ordered to acquaint the President & Council therewith.

The Register being then acquainted & said that the President &
Council were then sitting in Council, & that the President was ready
to administer the customary Oaths to the Mayor &c.

Upon which Notice the Court went in the usual State & Ceremony to the
Council Board, & presented Francis Taylor Esquire as their Mayor for
ensuing Year. The President thereupon administered to him the Oaths of
Allegiance and Office. After which the President administered the Oaths
of Allegiance and Office to Robert Downett Esquire as Sheriff of Madras-
patnam for the Year ensuing. The Court then returned to the Town Hall
where Francis Taylor Esquire took his Seat on the Bench as Mayor of
Madraspatnam.

Robert Downett Esquire the Sheriff appears in Court and nominates as
his Deputy Mr Edward Jans, and prays that the Court would now
administer the necessary Oaths to him.

The Oaths of Allegiance and Office are now accordingly administered
to the said Mr Edward Jans

Mr Alderman Russell acquaints the Court that he is ordered by the President
and Council to proceed to the Army, He therefore desires Leave of Absence,
which is granted.

The Register delivers into Court a List of Taxes levied by the Court the Year past
amounting to the Sum of Three Paggas three Annams.

Ordered that he pay the said Sum into the Hands of the President & Council
on Account of the United Company of Merchants of England trading to the
East Indies to whom his Majesty has been graciously pleased to grant
the same; and likewise that he have mit a Copy of the said List to the
President & Council; and it is further Ordered that a Copy thereof be ordered
after the Minutes of this Day.

Proceedings in Petty Causes.

Moodu

vers.

Agus Jacob

Mr John Palmer Attorney for the Defendant prays that the hearing of
his Cause may be deferred till the 15th Day of January next, as his
Cause is much underprossed.

Granted by the Consent of the Opposite Attorney.

Account.

Account of Tines levied for the Year 1760
Septem^r 14th On John Mayfielding Court Sergeant 2
Novem^r 6th On the Brooming

Page 23

Adjourned till Tuesday
the 15th Day of January next

At a Court held at the Town Hall on Tuesday
the 15th Day of January Anno Domini 1760.

Present
Francis Taylor Esquire Mayor
Peter Mariello, John Leven Smith
James Jones, & John Debonaire
Aldermen.

George Mackay

vers.
Venkatty Chitto & Pettumboo, Heirs of Chetty Kistnam Chitto
deceased.

Mr Archdale Palmer Attorney for the Defendants argues the Court that
his Clients are willing that the Obligation owed for by the Complain-
ant should be delivered up to him, & therefore prays that an Order
may now pass for the Accomptant General to deliver the same
up to the Complainant
Let an Order pass to the Accomptant General to apply to the President
and Council for the aforesaid Obligation to be delivered to the Complainant
Mr John Palmer Attorney for the Complainant prays leave to withdraw
His duty.

Granted by the Consent of the Opposite Attorneys.
Henry Brooke

vers.
Venkata Kistnam

Further Day is given till the 22^d Instant to examine

Gruah

vers.

George Mackay & James Wilson Executors to the Estate of
Robert Barratynne deceased.

Further Day is given the Parties till the 22^d Instant to examine
Witnesses.

Fazell Lawr by his Prochein Amy Sama Venkata Kistnam Chitto

vers.

Manoel Seal

Mr Philip Francis Greenolati Attorney for the Complainant prays
the Court that an Order may now issue that all Proceedings, that may
effect the Premises in Dispute, by Vertue of a Decree passed the 15th Ultimo
in the Cause of Manoel Seal against Summah Bibber, may be stopped
until the Issue of this Suit.

Granted Accordingly

Day is given the Defendant till the 22^d Instant to Answer the
Complainant's Bill.

Stephen Marbrus by his Attorney Shawmies Sultan

vers.

Syabie Ammodboy, Noorboy Jaffarboy, & Ibrahimjee
Noorboy.

Ordered that this Cause do come on to be heard the 22^d Instant.

Proceedings in Petty Causes

Moodu

vers.

Petrus Jacob

Bile lead

Answer read

Interrogatories on the Part of the Complainant to Shivaramah and
Himbaum

1st Q. You know the Parties Complainant and Defendant in this Cause?

A. Yes, How long have you been in them?

2^d Q. Do you know of any Demand made by the Complainant in the Defendant
for Honor Rent? A. Yes, Sir, and how much, or what was the Amount

of such Demand? And was you present at the time the Complainant made such Demand? And what was the Defendants Answer to such Demand? The whole Declare.

3. Do you know any other Matter or thing Material for the Complainant in this Cause?

Michael Palmes
Att. for the Compt.

Shevaramah of Madras (nearly aged 60 years or thereabouts being produced & sworn on the Part of the Complainant is examined as follows.

To the 1st Interrogatory this Deponent saith, that he hath known the Complainant 40 Years, and the Defendant 5 or 6 Years or thereabouts.

To the 2^d Interrogatory this Deponent saith that he knows that the Complainant made a Demand on the Defendant for House Rent four Months after the Siege was raised, that the amount of the Demand was 11 Pagodas, that this Deponent was present when the Complainant made the Demand; And that the Defendant told the Complainant that he had lost his Accounts, and could not tell how much was due; But that as he the Complainant came so often to the Defendant would give him 5 or 6 Pagodas if he had them & would satisfy him, but that at Present he the Defendant had not Bread to eat; whereupon the Complainant told the Defendant that if he did not pay him, he would put him in Court, & that the Defendant then said he might do as he pleased.

To the 3^d Interrogatory this Deponent saith not to any particular Question enquired of him. ~~And~~ ^{And} ~~George~~ ^{George} ~~Himmam~~ ^{Himmam} of Madras Inhabitant aged 60 Years being produced

and sworn on the Part of the Complainant is examined as follows To the 1st Interrogatory this Deponent saith that he hath known the Complainant 2 1/2 Years or thereabouts & the Defendant 10 or 12 Years

To the 2^d Interrogatory this Deponent saith that he knows that the Complainant several times made a Demand on the Defendant for

House Rent, that the last time was about a Month or 20 Days before the French came before the Place, that he knows not what the Amount of the Demand was; That this Deponent was present when the Complainant made the Demand, & that the Complainant gave the Defendant a Note, whereupon the Defendant paid the Complainant 2 1/2 Pagodas. To the 3^d Interrogatory this Deponent saith not to any particular Question enquired of him. The ~~Mark~~ ^{Mark} Himmam —

Interrogatories to be administered to each witness as shall be produced & sworn & examined on the Part & behalf of the Defendant in a certain Cause wherein Petrus Jacob is Defendant & Moodu Complainant

To all the Witnesses 1st Do you know the Parties Complainant & Defendant in this Cause? If you How long have you so known them, or either & which of them? Declare

Emam 2^d Do you know or do you not know if the Defendant ever rented a House of the Complainant? If you, How long did the Defendant rent it, & what Rent did the Defendant pay for the said House? Do you know or do you not know if the Complainant ever made a Demand of Rent sometime before the Siege? If you How long before the Siege? And what was the Sum so demanded? Was or was not the said Sum paid? Was there any Receipt given for the said Sum? If you, by whom was the said Receipt given. — Did the Complainant or did he not demand his Rent yearly, Quarterly or Monthly? & Was or was not the Rent paid him, on his Demanding the same? Declare.

Gregorio Miguel 3^d Was the Defendant or was he not permitted to live in his House when the French Invested this Place, or to what Place did they send him, & on what Account, and how soon after they invested this Place he was so sent away, How long did he continue at such Place? And to what place did he go afterwards? Declare.

To all the Witnesses 4th Do you know any other Matter or thing material for the Defendant in this Cause? Declare.

John Palmes Att. for the Def.

Emam of Madras Inhabitant aged 60 Years or thereabouts being produced and sworn on the Part of the Defendant is examined as follows

To the 1st Interrogatory this Deponent saith that He hath known the Complainant 2 1/2 Years or thereabouts & the Defendant 12 Years or thereabouts.

To the 2^d Interrogatory this Deponent saith that He knows that the Defendant Rented a House of the Complainant for the Space of 7 Years or thereabouts, that before this Deponent lived with the Defendant, He heard that the Defendant paid 3 Pagodas p Month for the House, but that since this Deponent hath lived with the Defendant, He the Defendant paid no more than 2 1/2 Pagodas p Month. This Deponent knows that the Complainant made a Demand of House Rent from the Defendant, about one Month before the Siege of this Place, but that this Deponent does not know how much the Amount of the Demand was, that the Defendant gave the Complainant 2 1/2 Pagodas, & that the Complainant gave the Defendant a Receipt for the same, this Deponent further saith that the Complainant used to demand the Rent every Month & that the Defendant always paid the Rent when it was demanded, except once, when the Defendant refused to pay the Rent for 2 or 3 Months, as the Complainant did not keep the House in Repair, that then the Complainant's Son came to the Defendant & to the Defendant, and told the Defendant that He would Repair the House, whereupon the Defendant gave the Complainant's Son 10 Pagodas, who accordingly repaired the same.

To the 4th Interrogatory this Deponent saith not to any particular Question enquired of therein. He Maketh — 4 — Denial

Gregorio Miguel of Madras Merchant being produced and sworn on the part of the Defendant. The Portuguese Interpreter being indisposed, Mr Philip Francis Greenstone one of the Attornies is sworn to interpret the Evidence of Gregorio Miguel who depoth as follows.

To the 1st Interrogatory this Deponent saith that He hath no knowledge of the Complainant, but that He hath known the Defendant 10 or 12 Years.

To the 2^d Interrogatory this Deponent saith that the Defendant was not permitted to live in his House when the French invested this Place, but that the French carried him to St. Thomas, and this Deponent has heard that when the Defendant returned to this Place

Garden, when He remained till the Siege was raised.

To the 4th Interrogatory this Deponent saith that He knows the Defendant to be a very honest Man, as both this Deponent & his Father have had Dealings with him for considerable Sums of Money.

Attest 13th Decr
Gregorio Miguel

Mr Archdale Palmer Attorney for the Complainant delivers into Court one Exhibit on the Part of the Complainant, which is read.

Mr John Palmer Attorney for the Defendant prays that the Complainant may be obliged to deliver into Court the Agreement entered into by this Defendant, agreeable to the Prayer made in his Answer.

Mr Archdale Palmer Attorney for the Complainant acquaints the Court that He has not been able to produce the said Agreement, but allows that the Rent was according to the said Agreement to be paid Monthly, as set forth in the Defendants Answer.

This Cause coming on to be heard and Debated this Day in the Presence of the Parties and of the Attornies on both sides, On Reading the Complainants Bill the Defendants Answer, One Exhibit on the Part of the Complainant, Interrogatories on the Part of the Complainant with two Depositions taken thereunto in Court, Interrogatories on the Part of the Defendant with two Depositions taken thereunto in Court, On hearing the Pleadings made use of by the Attornies, & on due Consideration had thereon; It appearing to the Court by the Evidence that the Rent of the House was paid Monthly, according to the Agreement, and that the Rent for the last Month which the Defendant occupied the same was discharged within twenty four Days before the French came before this Place. His Court doth therefore think fit to Order and Decree, and doth accordingly Order and Decree that the Complainants Bill shall stand dismissed with Costs. Attest 14th Decr

Adjourned till Tuesday
the 22^d Instant

A Court held at the Town Hall on Tuesday
the 22nd Day of January Anno Domini 1760.

Present
Francis Taylor Esquire Mayor.
Peter Mariette, John Senon Smith
James Jones & John Debonaie
Masters.

Tagellam by his Prochein Amy Sana Venkata Nistama Chithee
vers.

Manoel Seal

Further Day is given the Defendant till the 29th Instant to answer
the Complainant's Bill.

Henry Brooke

vers.

Venkata Nistama

Further Day is given the parties till the 5th Day of February next
to examine witnesses, in Default of which Publication will pass in
this Cause.

Gruch

vers.

George Machay & James Wilson Executors to the Estate of Robert
Bannatque deceased.

Further Day is given the Parties till the 29th Instant to
examine witnesses.

George Machay

vers.

Nistama Poolah, Bengajon Pundador & Chisunga Chithee

Mr John Palmer who is employed as Attorney for the Complainant
in this Cause in the Room of Mr John Maxwell Stone, appears and
acquaints the Court that a Warrant of Sequestration issued in this
Cause on the 3rd Day of May 1758 the Return of which was, as given
part of the sequestered Effects being laid claim to, postponed on the
11th Day of July following till further Order of this Court, but some time
after the said Order passed the Friends came before this Place, who

has reason to believe have removed the seals, & carried off greatest
part of the Movable; He therefore prays that the Sheriff may be
Ordered to affix the seals on such of the Defendants Effects as shall
be found within his District, & that the Warrant of Sequestration
may be returned the 29th Instant.

Granted accordingly.

Stephen Martius by his Attorney Shawmies Sultan.

vers.

Tyabjee Ammoodboy, Noorboy Jaffarboy, & Ibrahimjee Noorboy

Deferred hearing this Cause till the 25th Instant when a full Court
is ordered to be summoned.

The Sheriff appears and represents to the Court that the Allowance of
5 Pagodas p^r Month made to the Gaoler is too small, as he is obliged
to keep a servant out of it, He therefore prays that his Allowance may
be increased to 6 Pagodas p^r Month.

Ordered that the Consideration of this Matter be deferred.

The Mayor delivers into Court his Bill for fitting up the Mayor's
Pallangum & other Charges amounting to Pag^{rs} 1400. - 35.

The Court taking Notice that a great part of the Furniture with which
the Court house was provided had been either destroyed or damaged
by the late Siege, & that it is absolutely necessary to replace the same.
It is Ordered that the Register do draw on the President & Council for
the sum of Pag^{rs} 600. - for that purpose, as well as to defray the
Expence of fitting up the Mayor's Pallangum and other Contingent
Charges.

Adjourned till Friday
the 25th Instant.

A Court held at the Town Hall on Friday
the 25th Day of January Anno Domini 1760

Present

Francis Taylor Esquire Mayor
Peter Marick, John Soren Smith
James Jones, George Stratton &
John Debonnaire Aldermen

Stephen Matrus by his Attorney Shawmis Sultan
vers.

Syabjee Ammoodboy, Noorboy Juffarboy and
Abdullungie Noorboy.

Bills with an Account Current & four Translates annexed read
Answers with a Translate of an Obligation annexed read
Replication read,
Rejoinder read

Interrogatories on the part of the Complainant read
Three Depositions taken thereunto read

Additional Interrogatories on the part of the Complainant read
Six Depositions taken thereunto read,
Two Exhibits on the part of the Complainant read.

Interrogatories on the part of the Defendant read
Seven Depositions taken thereunto read.

At which date Counsel Attorney for the Complainant prays the Court
that Bowndeps may be sworn in Order to compare the Hand writing
of the agreement made to be given by Abdullullah Ammoodboy to the Defen-
dants, with some other papers Decreed by the said Abdullullah Ammood-
boy,
Granted by the Consent of the opposite Attorneys,
The said Bowndeps being accordingly produced & sworn, is examined
as follows.

Q^{ues} Do You Understand the Gujarati Language? and can You read & write
the same?
Ans: He this Depo-

both read & write the same.

Q^{ues} Do You believe that the Obligation & the other papers now shew'd You
are both signed by the same Person? or are they signed by
different persons?

Ans: He this Deponent hath carefully viewed the same, and he verily
believes them to be both signed by the same Person.

The Court taking Notice that the Translate of the Bill of Exchange
annexed to the Complainants Bill is not signed, The said Bowndeps
is therefore asked by the Court, whether or no the Original Bill of
Exchange which is now shew'd him, is signed?

Ans: The Original Bill is not signed.

The Court then asked him, whether or no it is customary for Gujarati
People to sign Bills of Exchange drawn on each other?

Ans: That it is not customary with them to sign Bills of Exchange, but
that they always send a letter of Advice with them.

This Cause coming on to be heard and debated this Day in the
Presence of the Complainant, and of the Defendant Syabjee Ammoodboy
and of the Attorneys on both sides, On reading the Complainants Bill
with an Account Current & four Translates annexed, The Defendants
Answer with a Translate of an Obligation annexed, the Replication, &
Rejoinder Interrogatories on the part of the Complainant with three
Depositions taken thereunto, Additional Interrogatories on the part
of the Complainant with six Depositions taken thereunto, Two Exhibits
on the part of the Complainant, Interrogatories on the part of the Defendant
with seven Depositions taken thereunto, On hearing the Readings made
use of by the Attorneys and on due Consideration had thereon the Court
being of Opinion that the Obligation given by Abdullullah Ammoodboy
to the Defendants, can only be binding between the said Abdullullah
Ammoodboy and the Defendants, and can by no Means affect the
Complainant, And it appearing to the Court that the Sixty five
Candy of Tin was laden on board the Ship Ady Shoff by the
Complainant, as set forth by him, and that the said Tin was
repacked by the said Abdullullah Ammoodboy in the Ship of

Appealed to the President & Council.

The said Ship, which of the Defendants were Owners.
This Court doth therefore think fit to Order and Decree
and doth accordingly Order and Decree that the Defendants shall
pay unto the Complainant, the full and just Sum of Two Thousand
One Hundred and fifty three Pagodas nine farans (Pag. 2163-9) -
being the amount for which the said Tin would have sold at this
Port at the Rate of thirty five Pagodas (Mandry) after deducting therefrom
the Sum of Ninety one Pagodas for the Freight of the said Tin at the
Rate of 15 Mest, and the Sum of thirty Pagodas twenty seven farans
for Charges on the same; and that the Defendants shall likewise
pay such Interest as now is or shall hereafter become due on the
said Sum of Two Thousand One Hundred and fifty three Pagodas
nine farans (Pag. 2163-9) - until full payment is made from
the 9th Day of March 1757 - being the Day on which the first Bill
of Exchange remitted here by the said Abbabullah Ammood Bay
in favour of the Complainant, was protested, on the Defendants refusing
to honour the same. And that the Costs of Suit shall be defrayed
by the Defendants.

Plene Admone
Adjourned till Tuesday the 29th Instant.

A Court held at the Town Hall on Tuesday
the 29th Day of January Anno Domini 1760.

Present
Francis Taylor Esquire Mayor
Peter Manetto, James Jones,
John Calland & John Debonaire
Judges.

Agell sworn by his Procurator Amey Sana Venkata Krishnaiah Chittce.
Manuel Seal
Witness read & filed.

George Mackay

George Mackay & James Wilson

Barrington deceased.

Further Day is given the Parties till the 12th Day of February next
to examine witnesses in Default of which Publication will pass
in this Cause.

M^r Archdale Palmer Attorney for the Complainant prays the Court
that a Commission may issue to him to take the Deposition
of Venkatachettum aforesaid, and Nominates for his Commissioner
Captain Richard Shirluck and M^r Henry Brooke & William Stevenson
Granted Returnable the 12th Day of February next.

George Mackay

vers.

Histrah Poolah, Vengajon Pundados, & Chirunga Chittce.

The Sheriff returns the warrant of Sequestration issued against the
Defendants Effects, and orders that he had seized sundry Effects, a
List whereof is annexed thereto.

M^r John Palmer Attorney for the Complainant acquaints the Court
that there are amongst the Sequestered Effects One Cow and two Calves
which are claimed by one Ponnappa, a Dubash, which the
said Attorney is willing should be delivered up to the said
Ponnappa, on his making Oath to the Justice of his Claim.
The said Ponnappa accordingly makes Oath, that the said One Cow
and two Calves, which are seized by the Sheriff by the said warrant
of Sequestration, are really and truly his Property.

Ordered that the said Cow & two Calves be delivered up to the said
Ponnappa.

The said Attorney likewise acquaints the Court that ^{there} are some other
Cattle seized by the Sheriff the Property of the Defendants, which he
prays may be sold and the Amount of the same be deposited in
the Hands of the Sheriff until the issue of this Suit, as keeping the
said Cattle must be attended with a very considerable Expence.
Ordered that Public Notice be given, that unless the said Cattle
are claimed within the Space of One Month from this Date, that
the same will be sold, and the Produce of them be deposited with
the Sheriff until the Issue of this Cause.

Lawrence de Sylva

vers.

Chumbo Ninah (Huttee) & Nagamony (Huttee)

Mr Archdale Palmer Attorney for the Complainant acquaints the Court that as the Warrant of Execution issued against the Defendants Effects was returned, satisfied in part only, and as the Defendants have not discharged the Remainder, He now prays that a Warrant of Commitment may issue against the Defendants Bodies.

Granted Returnable the 5th Day of February next.

Samuel & Daniel Defaske

vers.

Nairoo Veerapah (Huttee), Sarah Ravanapah (Huttee),
Ragunatha Hari Ram, & Chittya Permalloo

Ordered that this Cause do come on to be heard the 5th Day of February next.

Proceedings in Petty Causes

Bills of Daniel Defaske read & filed

Order made to be summoned.

Bills of Daniel Defaske read & filed

Order made to be summoned.

Adjourned till Tuesday

the 5th Day of February next.

At a Court held at the Town Hall on Tuesday
the 5th Day of February Anno Domini 1760.

Present

Francis Taylor Esquire Mayor
John Seven Smith, James Jones, &
John Debonaire Aldermen.

Henry Brooke

vers.

Vencata Nistnah

A Note from the Examines to the Register read, setting forth that the Depositions taken in this Cause both on the Part of the Complainant and Defendant were ready.

Publication is proved in this Cause.

Ordered that the same be set down for hearing.

Lawrence de Sylva

vers.

Chumbo Ninah (Huttee) & Nagamony (Huttee)

The Sheriff returns the Warrant of Commitment issued against the Defendants Bodies, Endorsed, Served.

The Defendants being brought to Court and not having satisfied the Complainants Demand, they are remanded back to Prison.

Gruek

vers.

George Mackay & James Wilson Executors to the Estate of Robert Rammahyne deceased.

Mr Archdale Palmer Attorney for the Complainant acquaints the Court that as Vencatachilum whose Deposition was to have been taken by the Commission prayed for last Court Day is come to Town, He therefore prays that the said Commission may be superseded, and that another Commission may issue to Messrs James Bouchier & Claude Mepell & to Captains Daniel Frischman and William Flint to take the Deposition of one Nellanah a Dubash, at Camp and that the said Commission may be made returnable in fourteen Days.

Mr John Palmer Attorney for the Defendants prays the Court that a further Sum
then that limited the last Court may not be allowed the Complainant
as he has been served with usual Rules to examine witnesses, &
has had sufficient Time to procure Depositions from Camp, and
did the last Court Day agree that Publication should pass the
12th Instant.

The Court taking into Consideration the Difficulty there now is
in procuring Depositions from Camp,

Ordered that the Prayer of the Complainant's Attorney be complied
with.

Samuel & Daniel Delastre

vers.

Nasiro Varapah (Kitter), Sarah Nawanapah (Kitter) Nagun-
dah Mari Ram, & Shitty a Pormallo.

Deferred hearing this Cause till the 19th Instant.

Bill of George Stratton read & filed

Dezgaloo Neela cantador, Balabodria Davy, Arachistnah Ammeres,
Narasinga Davy & Balakistnadops to be summoned.

Proceedings in Petty Causes
Daniel Delastre

vers.

Andiapah.

Summons returned served

The Defendant does not appear

Withdrawn the Defendant having no Attorney
Daniel Delastre

vers.

Gola Boncala chitum

Summons returned served

The Defendant does not appear

Withdrawn the Defendant having no Attorney

Bill of George Stratton read & filed

Andiapah to be summoned.

Bill of John Palmer read & filed
Yeacumbrum to be summoned.

Adjourned till Tuesday the 12th Instant

A Court held at the Town Hall on Tuesday
the 12th Day of February Anno Domini 1760.

Present

Francis Taylor Esquire Mayor
James Jones John Calland, &
John Debonaire Aldermen.

Solomon Franco.

vers.

Joachim Joze de Mello.

A Letter from the Clerk of the Court of Appeals dated the 30th Ultimo,
accompanying the Proceedings in this Cause and the Decree of that Court, read,
setting forth that the Court of Appeals had confirmed the Decree of this Court
passed the 27th Day of June 1758.

Stephen Mastries by his Attorney Shawmies Sultan

vers.

Syabjee Ammodboy, Noorboy Jaffarboy & Ibrahimjee Noorboy,

A Letter from the Clerk of the Court of Appeals dated the 5th Instant, read,
setting forth that the Defendants in this Cause had appealed from the
Decree of this Court passed the 25th Ultimo.

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

George Stratton

vers.

Dezgaloo Neela cantador, Balabodria Davy, Arachistnah Ammeres,
Narasinga Davy, & Balakistnadops.

Summons returned served.

The Defendants appear by their Attorney M. Archdale Palmer.

Mr John Palmer Attorney for the Complainant prays that the Defendants
may give Bail.

M. Archdale Palmer Attorney for the Defendants represents to the Court
that his Clients are people of Credit & that there is no reason to suspect that
they

they will abscond, He therefore prays that they may not be obliged to give Special Bail;

Ordered that General Bail be received.

Mr Alderman Calland being interested in the following suit goes off the Bench
John Calland.

vers.

Yeacumbum

Bills filed between the Days of Adjournment read,
Summons issued thereupon returned served,

The Defendant does not appear

Withdrawn the Defendant having no Money.

Mr Alderman Calland returns to his Seat.

George Mackay Administrator to the Goods & Chattels & Credit of John Haines
deceased;

vers.

Thomas Newton,

Bills filed between the Days of Adjournment read,
Summons issued thereupon returned served,

The Defendant appears by his Attorney Mr Archdale Palmer,

Mr John Palmer Attorney for the Complainant prays that the Defendant

may give Bail

Ordered that the Defendant do produce Bail before the Court, or in

Default thereof that warrant of Arrest do issue.
Answer read & filed.

Crunch

vers.

George Mackay & James Wilson Executors to the Estate of Robert Ramond
deceased.

A Note from the Examiner to the Register read, setting forth that the Disposition
of Venetachilum taken on the Part of the Complainant was ready.
Lawrence de Sylva

vers.

Chumboo Ninah Chittie & Nagamony Chittie.

The Register acquaints the Court that he had since the last Court Day received
a Note from the Complainant's Attorney setting forth that his Client was
satisfied with the Improvements of Nagamony Chittie alone, and having
that Chumboo Ninah Chittie the other Defendant

thereupon a Counter Warrant had issued under the Hand & Seal of the Mayor
for the said Chumboo Ninah Chittie's Release.

A Letter from the Secretary of the President Council of the 3rd Instant by
their Order read, setting forth that there being a vacancy in the Court
occasioned by the Resignation of Mr George Stratton, they had chosen
Mr Henry Cartace Johnson of Fort St George Merchant to fill up
their number.

Ordered that the usual Notice be sent to the said Mr Henry Cartace
Johnson.

Mr George Stratton appears and acquaints the Court that he is about to depart
for England, He therefore takes his Leave of the Court, wishing them all
Health & Happiness.

Proceedings in Petty Causes.

George Stratton

vers.

Verdopak

Summons returned served.

The Defendant does not appear.

John Palmer

vers.

Yeacumbum

Summons returned served,

The Defendant does not appear.

To be summoned again.

Adjourned till Tuesday
the 19th Instant

A Court held at the Town Hall on Tuesday
the 19th Day of February Anno Domini 1760.

Present

Francis Taylor Esquire Mayor
James Jones, John Lattland &
Henry Custace Johnson, Aldermen.

The Register acquaints the Court that He had sworn the usual Oaths administered by the President to Mr Henry Custace Johnson, an Alderman and Judge of this Court.

He accordingly takes his Seat on the Bench.

George Stratton

vers:

Devaloo Netauintadoo, Balabodria Davy, Meechistna Amorees
Narasinga Davy, & Balakusmadops.
Mr John Palmer Attorney for the Complainant prays leave to amend his
Bill.

Granted with the Consent of the opposite Attorney.
Amended Bill read & filed.

George Mackay Administrator to the Goods Chattels & Credits of John Howes
deceased

vers:

Thomas Newton

Edward Edwards of Madras Merchant & John Doe become Bail for the
Personal Appearance of the Defendant, or to answer all Costs & Damages,
taken and acknowledged before their Mayors.

Mr John Palmer Attorney for the Complainant prays leave to amend his
Bill as He has omitted to pray particularly that the Defendant may be
obliged to make good the loss sustained by the Estate of the deceased John
Howes, by the Defendant selling the Effects of the said deceased at the
Nagrain.

Granted on the Complainant paying the extraordinary Charges attending
the same.
Amended Bill read & filed.

Mr Archdale Palmer Attorney for the Defendant argues that
is only one part of the Defendant's

said Omission of the Complainant, which He prays may be expunged
and that the said Answer may stand good.

Granted by the Consent of the Opposite Attorney.

Grueak

vers:

George Mackay & James Wilson Executors to the Estate of
Robert Bunchatone deceased

Mrs James Bouchier & Claud Aspell return the Commission & then
directed for taking the Depositions of Witnesses on the part of the
Complainant duly executed.

Publication is signed in this Cause.

Hazell sworn by his Prochein Amy Sana Venkata Krishna Chetty

vers:

Manoel Seal

Replication read & filed.

Henry Brooke

vers:

Venkata Krishna

Ordered that this Cause be set down for hearing.

Edward Burnman by his Attorney Andrew Rofs

vers:

Pyral Amma Chetty

Bill filed between the Days of Adjournment read,

Summons issued thereupon returned served,

Warrant of Arrest returned served,

The Defendant being brought to Court & not being able to give Bail
is remanded back to Prison.

Samuel & Daniel Defacto

vers:

Nairroo Veerapah Chetty Sana Kavanapah Chetty, Ragunada
Hari Ram, & Chittya Perinallor.

Ordered hearing this Cause till the 26th Instant.

Bill of Edward Edwards read & filed

Joan Dupre to be summoned.

Bill of Vondrapah read & filed

William Cade to be summoned.

Proceedings in Petty Causes
John Palmer

vers:

Yeaccumbrum

Summons returned, Non Est Answered.

Adjourned till Tuesday
the 26th Instant.

At a Court held at the Town Hall on Tuesday
the 26th Day of February Anno Domini 1760.

Present

Francis Taylor Esquire Mayor.
Peter Mariette, John Senon Smith,
James Jones, John Calland,
John Debonaire, & Henry Custace Johnson.
Adverser.

Edward Edwards

vers:

Josias Dufour

Summons returned served

The Defendant appears by his Attorney Mr Archdale Palmer
Mr John Palmer Attorney for the Complainant and prays that the
Defendant may give Bail.

Ordered that General Bail be received.

Mr Archdale Palmer Attorney for the Defendant prays the Court that
he may be allowed to file a Surrender to the Complainant's Bill before
Six of the Clock in the Evening, or that he may be permitted to withdraw
it before the same by 12 o'clock, as he had not an Opportunity of getting
it ready before.

Ordered that the Prayers of the said Attorney be not complied with as
they are irregular and contrary to the Established Rules and Practice of the Court.
Andeapah

William Eads

Summons returned served.

The Defendant appears

Mr John Palmer Attorney for the Complainant prays that the Defendant
may give Bail.

Ordered that General Bail be received.

Samuel Defastro, Daniel Defastro, & Abraham Browne

vers:

Edward Bibb

Bills filed between the Days of Adjournment read.

Summons issued thereupon returned served.

The Defendant appears by his Attorney Mr John Palmer,

Mr Archdale Palmer Attorney for the Complainant prays that
the Defendant may give Bail.

Ordered that General Bail be received.

George Mackay

vers:

Kistmah Poolah, Vengajow Pundador & Chiunga Chittce

Mr John Palmer Attorney for the Complainant acquaints the
Court that the time limited by the Advertisements for any
Person to lay claim to the Cattle requested by the Sheriff is expired,
but no one laying claim thereto, he therefore prays that they may
be ordered to be sold, & that the Amount of the same may remain in
the Hands of the Sheriff until the Issue of this Suit.

Granted according to.

George Mackay Administrator to the Goods Chattels and Credits of
Capt John Howe deceased

vers:

Thomas Newton

Repetition read & filed

Mr John Palmer Attorney for the Complainant prays that a Commission
may issue directed to Messrs William Fullerton, Culling Smith,
and William Powney at Bengall to take the Depositions of Mr
Archibald Swinton and other witnesses on the part of the Complainant
And likewise that an Order may issue that the Defendant shall be
at Liberty to join other Commissioners in the said Commission
who may be likewise allowed to Assist at the Examination
of all or any of the witnesses which shall be produced in this Cause
as well on the Part of the Complainant as of those which shall be
produced and Examined on the part of the Defendant.

Granted by the Consent of the Opposite Attorney, who nominates for
his Commissioners Messrs. Thomas Cooke, William Magee, and
Dudley Davis of Calcutta in the Kingdom of Bengal.

Chingleroy

vers.
John Seven Smith.

Mr Archdale Palmer Attorney for the Complainant prays the Court that
some original Papers which were annexed to his Bill of Complaint
may be delivered up to him, as the Court is with drawn.

Granted accordingly.

Edward Burnard by his Attorney Andrew Rafe.

vers.
Pyral Rommie Miller

Day is given the Defendant till the 14th Day of March next to answer
the Complainant's Bill.

George Stratton

vers.

Deogatoe Neelacuntadoo, Balabodria Davy, Neekistma
Amores, Narasinga Davy, & Balakistmadoff.

Day is given the Defendant till the 11th Day of March next to answer
the Complainant's Bill.

Henry Brooke

vers.

Vencata Kistmah

Ordered that this Cause do come on to be heard the 11th Day of March
next.

Samuel & Daniel Defastro

vers.

Nairao Veerapah Chittu, Sana Havanapah Chittu, Ragunad
da Han Ram Chittya Pennaltoo.

Bill read,

Answer read

Application read

Rejoinder read,

The Original Bond given by Ragun Ball Kistmah commonly called
Ragun Virago Chittu to the Complainant Samuel Defastro & Daniel
Sofuz Hernandez deceased.

The Original Bond given by the Defendants to the Complainant Samuel
Defastro, & to the said David Sofuz Hernandez deceased read.

Interrogatories on the Part of the Complainant read.

Two Depositions taken thereunto read.

Interrogatories on the Part of the Defendants read.

Two Depositions taken thereunto read.

Mr Archdale Palmer Attorney for the Complainant prays the Court that
the Deposition of Ragun Virago Chittu may be quashed, as the said
Ragun Virago Chittu is interested in the Issue of the Suit.

The Court taking the Prayer of the said Attorney into Consideration
do agree that the said Deposition shall stand good, as the Attorney
ought to have excepted thereto before Publication.

This Cause coming on to be heard and Debated this Day in
the Presence of the Complainant Samuel Defastro, and of the Defendants
and of the Attornies on both sides, on reading the Complainant's Bill,
the Defendants Answer, the Application, the Rejoinder, The Original Bond
given by Ragun Ball Kistmah commonly called Ragun Virago Chittu
to the Complainant Samuel Defastro & to David Sofuz Hernandez
deceased, as also that given by the Defendants to the said Com-
plainant Samuel Defastro & to the said David Sofuz Hernandez
deceased, The Interrogatories on the Part of the Complainant with
two Depositions taken thereunto, The Interrogatories on the Part of
the Defendants with Two Depositions taken thereunto, on hearing
the Readings made use of by the Attornies and on due Consideration
had thereon, It appearing to the Court that altho the Defendants by their
Bond given to the Complainant Samuel Defastro & to David Sofuz
Hernandez deceased, are bound for the Personal Appearance of Ragun Ball
Kistmah commonly called Ragun Virago Chittu until he shall fully have
discharged the Bond given by him to the Complainant Samuel Defastro
and to the said David Sofuz Hernandez deceased agreeable to the Terms
thereof, Yet the Court are of Opinion that the Defendants are not liable
for the Penalty until the Time limited by the said Bond for all
the Payments is expired; And as the Defendants did Produce in
Court the Body of the said Ragun Ball Kistmah commonly called
Ragun Virago Chittu on the Return of the Summons issued against
them, which was within ten Days after the first Payment became
due, And as the Complainant do not appear to have sustained
any other Damage by the Delay on the Part of the Defendants in
their

Appended to the Original Journal

their not producing the Body of the said Ragon Balakrishna
commonly called Ragon Vingo either immediately at the time
where the first Payment became due, than the Captains attending
the Bill filed by them against the Defendants. This Court doth
therefore think fit to Order and Decree, and doth accordingly
Order & Decree that the Complainants Bill shall stand dismissed,
and that the Costs which accrued before the Defendants produced the
Body of Ragon Balakrishna commonly called Ragon Vingo either
shall be defrayed by the Defendants, and that the Rescued and Comand
of the Cost shall be paid by the Complainants.

M. P. M.

Adjourned till Tuesday
the 4th Day of March next.

A Court held at the Town Hall on Tuesday
the 11th Day of March Anno Domini 1760.

Present
Francis Taylor Esquire Mayor
Peter Makielle, John Seven Smith,
James Jones, John Falland,
John Debonaire, & Henry Gustav Johnson,
Aldermen.

Hindeapah

vers:
William Lads

The Registrar acquaints the Court that the Complainant had since the last
Court Day made Oath to the Justice of his Demand before the Mayor
and that he had reason to believe that the Defendant was about to depart
from the Jurisdiction of this Court, & that therefore a warrant of arrest
had issued against the Body of the Defendant.
Warrant of arrest returned, & served,
The Defendant being brought to Court & just being able to produce Bail
is remanded back to Prison.

Edward Edwards

vers:
James Dupre

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Mr John Palmer Attorney for the Complainant prays that the Court
would reconsider the Order of last Court Day relating to the Defendants
giving Bail, and that the Defendant may be obliged to give
Special Bail.

Mr Archdale Palmer Attorney for the Defendant sheweth to the
Court that his Client is a Person of Credit, and that there is no reason
to imagine that he is about to depart from this Place, and therefore
prays that he may still be admitted to General Bail, which was
granted the last Court Day.

The Court taking the Prayers of the said Attornies into Consideration
do agree that the Defendant shall produce Bail before six of the
Justices in the evening, Or in Default thereof that a Warrant of Arrest
do issue.

Day is given the Defendant till the 11th Instant to Answer the Com-
plainants Bill.

Samuel Defastro by his Attorney Daniel Defastro, Abraham
Browne, & Daniel Defastro

vers:
Edward Bibb

Mr Archdale Palmer Attorney for the Complainants prays leave
to amend his Bill, as he has omitted to sue in the Name of the
Principal Samuel Defastro by his Attorney Daniel Defastro.
Granted by the consent of the Opposite Attorney.

Amended Bill read & filed.

Mr Archdale Palmer Attorney for the Complainants prays that
the Court would reconsider the Order passed the last Court Day,
relating to the Defendants giving Bail, & that the Defendant may
be obliged to produce Special Bail.

John Palmer of Madras Merchant & John Doe become Bail for
the Personal Appearance of the Defendant, or to Answer all Costs &
Damages, taken and acknowledged in Court.

Answer read & filed.

Edward Bibb

vers:
Samuel Defastro by his Attorney Daniel Defastro, Abraham
Browne, & Daniel Defastro.

Bill filed between the Days of Adjournment read.

Summon

Summons issued thereupon returned served.

The Defendants appear by their Attorney Mr. Archdale Palmer.

Mr. John Palmer Attorney for the Complainants prays that the Defendants may give Bail.

Mr. Archdale Palmer Attorney for the Defendants prays the Court that his Clients may not be obliged to give special Bail, as they are People of Credit, and as there is no reason to imagine that they are about to depart from this Place.

Ordered that the Defendants do produce Bail before view of the Court in the morning, or in default thereof that a warrant of arrest do issue.

Mr. John Palmer Attorney for the Complainants prays that the Defendants may be obliged to deliver into Court the Original Papers and Accounts prayed for in his Bill of Complaint.

Ordered that all the Original Papers and Accounts which were delivered to the Defendants by the Complainants be lodged with the Register before their next Court Day, in order that the Court may inspect the same to see if it is requisite for them to remain in Court until the issue of this Suit.

Samuel & Daniel Defastro

vers.

Naroo Veerapah Chetty, Sana Ravanapah Chetty, Rajunadar Hari Ram, & Chellappa Permallo.

Petitioners Complainants read & filed, praying that the Court would be pleased to oblige the Defendants to give good and sufficient Security to stand to all Costs & Damages that may arise in the Suit of Appeals & before the thing in question should they the Petitioners think fit to appeal to those Courts.

The Court taking Notice that it does not appear that the Defendants have lodged an Appeal from the Decree of this Court, It is therefore Ordered that the said Petition be thrown out.

Edward Swannam by his Attorney Andrew Robt.

vers.

Jayrat Ramme Chetty

Further Day is given the Defendants till the 11th Instant to Answer the Complainants Bill.

George Stratton

vers.

Dagatos Neelacuntad

Amories, Narasinga Davy and Balahistnadops

Mr. Archdale Palmer Attorney for the Defendants prays the Court that a Rule of fourty Days may issue to take the Depositions of Tawary Venutashia, & Davy Gopaljee of Madras Merchants, who he is informed are about to leave this Place.

Granted by the Consent of the opposite Attorney.

Further Day is given the Defendants till the 11th Instant to Answer the Complainants Bill.

Adjourned till Tuesday the 11th Instant.

A Court held at the Town Hall on Tuesday
the 11th Day of March Anno Domini 1760

Present

Francis Taylor Esquire Mayor
Peter Mariette, John Senon Smith,
John Debonaire & Henry Gustace Johnson,
Aldermen.

Edward Edwards

vers.

Josias Dufre

Henry Duffre of Madras Merchant & John Doe become Bail for the Personal Appearance of the Defendant or to Answer all Costs and Damages taken and acknowledged before the Mayor.

Further Day is given the Defendant till the 18th Instant to Answer the Complainants Bill.

Edward Bibb

vers.

Samuel Defastro by his Attorney Daniel Defastro, Abraham Browne & Daniel Defastro.

Andrew Robt of Madras Merchant and John Doe become Bail for the personal Appearance of the Defendants to Answer all Costs & Damages taken and acknowledged before Mr Alderman Jones.

The Register acquaints the Court that the Defendants had delivered to him the several Papers and Accounts which they had received from

from the Complainant, agreeable to an Order of last Court Day.
Mr. Archdale Palmer Attorney for the Defendants prays the Court that
the Book of Accounts and the Account Current may be returned to the
Defendants, as they were delivered to them as Owners of the Vessel by
the Complainant.

Ordered that all the said Books, papers, & Accounts do remain in
this Court untill the Issue of the Suit for the Inspection of the Court
and of both parties
Samuel & Daniel Defastro
vers.

Nairoo Veerapah Chitsee, Sana Ravanapah Chitsee, Ragunada
Hari Ram, & Chellya Permalloo.

A Letter from the Clerk of the Court of Appeals to the Register, read, setting
forth that the Complainants in this Cause had appealed from the
Decree of this Court passed the 26th Ultimo.

Ordered that the Proceedings in this Cause be sent to the Court of Appeals.
Edward Buttman by his Attorney Andrew Roff
vers.

Pyrat Romme Chitsee

Mr. John Palmer Attorney for the Defendant prays the Court that
all Proceedings in this Cause may be stopped untill such Time
as the Defendant can procure from Vizagapatam his Papers and
Accounts relating to this Suit, as he had not not an Opportunity
of bringing them with him, being sent away from the Northward
by Mr. John Anderson the Chief of Masulipatnam in a forcible
Manner, and as he believes at the Desire of the Complainant.
The Opposite Attorney not offering sufficient Objections to the
Court why the Prayer of the Defendants Attorney should not be
granted, Ordered that the Defendant shall be allowed untill
the first Day of May next to produce his papers and Accounts
and that all Proceedings in this Cause shall be stopped untill
that time, on the Defendants making Oath to the truth of the
above Assertion before the Mayor.

George Stratton
vers.

Devaloo Nelaunta doo, Balabodria Doo, Veechienna Amoree,
Narasinga Doo, & Balakistna doo

Further Day is given the Defendants till the 18th Instant to answer
the Complainants Bill, in Default of which Judgment will be given for
the Complainant.

George Mackay
vers.

Kistnake Poolah, Vengajow Pundador, & Chirungia Chitsee

Mr. John Palmer Attorney for the Complainant acquaints the Court that
the following Effects are seized by the Sheriff by Virtue of a warrant of
Sequestration granted against the Defendants Effects which are claimed
by one Kistnamah, viz: 2 Cots, 3 Chairs, 1 Black Blanket, 1 Lead Dish,
1 Brass Dish, 1 Pillow, 2 Axes, Brads of Iron one Pagoda's worth, 2 Iron
Crows, & 1 Black wood Chair; which his Client is willing should be
delivered up to the said Kistnamah, on his making Oath to the
Justice of his Claim.

The said Kistnamah accordingly makes Oath that the above-
mentioned Effects are justly & truly his Property. ^{The} ~~Mack~~ of
Kistnamah
Ordered that the Sheriff do deliver them up to him.

Mr. Archdale Palmer Attorney for Henry Vandenhart one of the Trustees
for the Affairs of Solomon Solomons insolvent appears and prays
the Court that two accountable Books which were delivered into Court
by the Trustees of the said Solomons may now be delivered up to
him.

Granted accordingly.

Grual
vers.

George Mackay & James Wilson Executors to the Estate of
Robert Bamlatyne deceased.

Ordered that this Cause be set down for hearing.

Mr. Alderman Manette and Mr. Alderman Debonaire being interested
go off the Bench

Peter of Joseph Solomons by his Attorney John Debonaire with an
Account Current annexed read & filed.

Peter Manette to be summoned.

Mr. Alderman Manette & Mr. Alderman Debonaire return to their
Seats.

Henry Brooke

vers.

Vencata Aittrah

Bills read,

Answer read,

Rejoinder read,

Rejoinder read,

Interrogatories on the part of the Complainant read,

One Deposition taken thereunto read,

Additional Interrogatories on the part of the Complainant read,

Four Depositions taken thereunto read,

Second Additional Interrogatories on the part of the Complainant read,

One Deposition taken thereunto read,

Interrogatories on the part of the Defendant read,

One Deposition taken thereunto read,

Additional Interrogatories on the part of the Defendant read,

Three Depositions taken thereunto read,

One Exhibit on the part of the Defendant read.

This Cause coming on to be heard and Debated this Day in the

Presence of the Attornies on both sides, on reading the Complainant's

Bills, the Defendants Answer, the Replication, the Rejoinder, the

Interrogatories & Depositions on the part of the Complainant, the

Interrogatories & Depositions on the part of the Defendant as also

one Exhibit on the part of the Defendant, on hearing the Pleading

made use of by the Attornies and on due consideration had thereon,

It appearing to the Court by the Depositions produced as well on the part

of the Complainant, as of the Defendant, that the said Bills were

delivered to the Defendant by the Complainant, but that the Complainant

never kept the same in his own custody until it was sold

by Persons employed by him and in his Presence, and that the

Defendant was in no shape entrusted with the sale of the same.

This Court doth therefore think fit to Order and Decree and doth

accordingly Order and Decree that the Complainant's Bills shall stand dismissed

with Costs of the Defendant.

Adj.

Adjourned till Tuesday
the 18th Instant

At a Court held at the Town Hall on Tuesday
the 18th Day of March Anno Domini 1760.

Present

Francis Taylor Esquire Mayor

Peter Mariotte, John Lewen Smith

James Jones, John Galland, &

John Debonaire Aldermen.

M^r Alderman Mariotte & M^r Alderman Debonaire being interested go off the Bench
Joseph Salomons by his Attorney John Debonaire

vers.

Peter Mariotte

Summons returned served

The Defendant appears by his Attorney M^r Archdale Palmer.

Demurrer read & filed.

M^r John Palmer Attorney for the Complainant prays the Court that the
Articles of Agreement referred to in the Bills of Complaint & in the Demurrer
may be lodged with the Register for the Inspection of the Court and of both
parties.

M^r Archdale Palmer Attorney for the Defendant prays the Court that He
may not be obliged to produce in Court the said Articles of Agreement, as
it may be a means of disclosing the Secrets of his Clients Trade, and
as his Client is willing that the opposite party may take Extracts from
any part of them.

Ordered that the said Articles of Agreement do remain in the Hands of the
Defendant, and that the Complainant shall be at liberty to take any Extracts
from the same, a Copy of the whole if He shall think proper.

M^r Alderman Mariotte & M^r Alderman Debonaire return to their Seats.

George Stratton

vers.

Degetas Melacantador, Palatadris Davy, Muckistmah Amorces

Naravanga Davy, & Palakistmadoff.

Answer read & filed.

For all given by his Brother Beny Sava Vemata Kistmah a fellow

vers.

Manodsal

Rejoinder read & filed

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Edward Edwards

vers.

Josias Dupre

Answer with right papers annexed read & filed

The Court observing that the Defendant in one part of his Answer complains of the hardship the labour under in not having been allowed to demand to the Complainers Bill of Complaint as he did not receive a copy of the same from the Registry of this Court till the Day immediately preceding the Day for his Appearance. The Court do therefore call upon the Registrar to give his reasons why the Defendant had not a copy of the Bill of Complaint sooner.

The Registrar in Order to vindicate himself prays the Court would call upon his Writer (Claude D'Alayde) who copied the same to know when the Registrar delivered him the Bill to be copied, & when he had finished the same.

The said Claude D'Alayde being accordingly sworn is examined as follows.

Q: Do You remember when the Registrar delivered to You the Bill now before You to be copied?

A: On Tuesday immediately after Court was over.

Q: When Had You finished the same?

A: To the best of this Deponents Remembrance on Friday a little before noon.

Q: Do You know when the Registrar went it away?

A: He does not remember. (Claude de Mayle)

Verd. Sworn. The Registrar's Oath being produced & sworn is examined as follows.

Q: Do You remember whether You ever carried a paper to the Defendants

Attorney together with a Note for Pag: 7-12 & if Yes, when?

A: The said Defendant did carry a paper together with a Note for Pag: 7-12 to the Defendants Attorney's House, that it was on Friday in the afternoon & that the Defendants Attorney was not at Home, that the next morning

He delivered it to the Defendants Attorney in the Office, who bid this

Deponent come another Time for their Money. The March of

Mr Archdale Palmer Attorney for the Defendant being called upon to give his reasons why he did not procure a copy of the Bill to the Defendant

as it was ready

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The said Attorney acquaints the Court that he was employed by the Defendant on Thursday in the afternoon, that on Thursday & Friday he applied for a copy of the Bill, and that sometime afterwards he believed it was on Friday in the afternoon he applied again for it; that he was out of Town on Saturday, and did not receive the copy of the Bill before Monday; that he was not so anxious to procure a copy of the Bill as he should have been, as he did not imagine that his Client intended to demand the same. The Court being of Opinion and the said Attorney acknowledging that he has been guilty of a Neglect in not procuring a copy of the Bill sooner, it is agreed that he be reprimanded for the same, and he is accordingly reprimanded by the Mayor.

The Court likewise taking Notice that as that part of the Defendants Answer glances an unbecoming Reflection on the Resolution of the Court in not receiving his Demurrer because offered in a manner contradictory to the Standing Rules - And as the Court is constantly attentive to procure complete Redress to their Suitors for any Grievance when properly represented;

If the Defendant found himself aggrieved through the Neglect of his Attorney in not procuring a copy of the Bill of Complaint early enough, to have filed a Demurrer at the time appointed by the Rules of Court, He might at the next Meeting have offered this as a special Reason to the Court for the reconsideration of his case, which would have been the proper and effectual Method to have procured Redress; It is therefore agreed that that part of the Defendants Answer shall be expunged, and it is accordingly expunged in Court.

Edward Burman by his Attorney Andrew Roff

vers.

Pyrat Romme Cutler

The Registrar acquaints the Court that the Defendant had since the last Court Day made Oath before the Mayor, that he had not been able to bring his papers and Accounts with him from Vizagapatam, as he was sent from the Northward by Mr John Andrews the Chief of "Mauselpatnam in a forcible manner, and as he believed at the Device of the Complainant."

Mr Archdale Palmer Attorney for the Complainant acquaints the Court that Mr Andrews Roff is now in Court & has some reasons to offer which may induce the Court to reconsider the Order passed the last Court Day relating to the Time allowed for the Defendant to bring his Papers.

from Vijayapattani.

The said Mr Alderman Bepo accordingly represents to the Court that the inmates that the Court brought through the representation of the Opposite party have been so far misled as to have inadvertently passed the said Order, & further acquaints the Court that the Defendant was in the Place for the Space of four weeks before he applied for Time to produce his Papers and Accounts, but neglected to apply until such Time as a peremptory Rule ought to have issued for him to bring in his Answer for which reason He cannot help thinking that the Defendant has in reality no Papers or Accounts to produce, but is only desirous to protract the Issue of the Suit; And therefore prays that the Order made the last Court Day may be revoked.

Solomon Franco

vers.

Joachim Joze de Mello.

Mr John Palmer Attorney for the Complainant prays the Court that a Warrant of Execution may issue against the Defendants Effects, He not having satisfied the Decree of this Court passed the 27th Day of June 1758 & which was confirmed by the Decree of the Court of Appeals on the 30th Day of January last.

Granted Returnable the 25th Instant.

Mr Alderman Smith being interested goes off the Bench.

Billing Venkata Ristrah with an Account current amount due of the Estate of William Roberts deceased to be examined.

Mr Alderman Smith returns to his Seat.

Adjourned till Tuesday
The 25th Instant.

At a Court held at the Town Hall on Tuesday

the 25th Day of March Anno Domini 1760

Present

Francis Taylor Esquire Mayor,

Peter Marielle, John Senven Smith.

James Jones, John Kelland,

John Debonaire & Henry Lestace Johnson,
Aldermen.

Mr Alderman Smith being interested goes off the Bench,
Venkata Ristrah

vers.

John Senven Smith, & John Maxwell Stone Administrators to the

Goods Chattels & Credits of William Roberts deceased.

Summons returned verod.

The Defendants appear by their Attorney M Philip Francis Greenlater.

Mr Alderman Smith returns to his Seat.

Solomon Franco

vers.

Joachim Joze de Mello

The Sheriff returns the Warrant of Execution issued against the Defendants Effects, Endorsed, that the Defendant hath no Goods or Chattels within his Districts whereby He can levy the Debt & Costs due to the Complainant, or any part thereof.

Mr John Palmer Attorney for the Complainant prays the Court that a Warrant of Commitment may issue against the Defendants Body,

Granted Returnable the first Day of April next.

Edward Edwards

vers.

Josias Dupre

Mr Archdale Palmer Attorney for the Defendant acquaints the Court that He was not able to procure a Translate of the Dutch Report of an Apay which was annexed to his Answer the last Court Day, He therefore offers now a Translate thereof to the Court, & prays that the same may be received; Granted accordingly

M.

20
Mr Alderman Mariette & Mr Alderman Robinson being interested go off the Bench.
Joseph Salmon by his Attorney John Debenham
vers.

Peter Mariette

Mr Archdale Palmer Attorney for the Defendant prays that the Court would
reconsider the Order of last Court Day relating to the Defendants being
obliged to permit the Complainant to take Extracts from or a copy of the
Articles of Agreement referred to in the Bill of Complaint & Demurrer; and
represents to the Court that as the Complainant has founded his Suit on
these Articles of Agreement, & the Defendant cannot help thinking but
that the Complainant must be possessed of a copy or Extracts of them; and
as the said Articles of Agreement are Documents belonging to the Defendant
He hopes that the Court would not oblige him to permit the Complainant
to inspect the same, as it would be furnishing the Complainant with
his the Defendants Proof, He therefore prays that the said Order may
be revoked.

Mr John Palmer Attorney for the Complainant represents to the Court that
as the Defendant was informed when the said Order passed, and would
no Objections thereto at that time, and as the Defendant is so unwilling
to produce the said Articles of Agreement it is natural to suppose that
they must make against him, He therefore prays that the said Order
may stand good.

The Court taking the Prayer of the said Attorney into Consideration are
of Opinion that it would be irregular to Oblige the Defendant to produce
Proof against himself or to furnish the Complainant with such Evidence
as He may be possessed of on his own behalf, and as it was the Praying
of the Complainant to have furnished his Attorney with proper Evidence
to enable him to carry on the Suit, It is therefore agreed that the said
Order do stand revised.

Joseph Salmon by his Attorney John Debenham
vers.
Mariette test
If you please...

George Stratton

vers.
Deogates Nalacantatoo, Balabodria Dany, Pochistrah Amorer
Narasinga Dany v Balakistradep.

Mr John Palmer Attorney for the Complainant represents to the Court that
Balakistradep one of the Defendants has answered by his Gomastah which
He looks upon as irregular and therefore prays that the said Balakistradep
may be obliged to swear to the Answer himself.

Mr Archdale Palmer Attorney for the Defendants argues to the Court that
the said Balakistradep is a Minor, & therefore that He could Answer no
other way than by his Gomastah which implies a Guardian.

Agreed that the said Answer be received but that the word Guardian be
added in Order to explain the meaning of the word Gomastah.

Gruah

vers.
George Mackay & James Wilson Executors to the Estate of Robert
Bonnatigue deceased.

Mr Archdale Palmer Attorney for the Complainant prays the Court that
this Cause may now come on to be heard,

Granted by the Consent of the opposite Attorney.

Bills with two notes annexed read,

Answer read,

Repetition read

Rejoinder read

Interrogatories on the part of the Complainant read,

One Deposition taken thereunto read,

Additional Interrogatories on the part of the Complainant read,

One Deposition taken thereunto read.

Files Called & coming on to be heard and debated this Day in the
Presence of the Attornies on both sides, One Reading the Complainants
Bills with two Notes annexed, the Defendants Answer, the Replication
the Rejoinder, the Interrogatories & Depositions on the part of the
Complainant On hearing the Pleadings made Use of by the Attornies
& on due Consideration had thereon, It appearing that the Complainant
has brought sufficient Proof of the Justice of his Demand to the Satisfaction
of the Court. This Court doth therefore think fit to Order Decree and doth
accordingly Order and Decree that the Defendants shall pay unto the

Complainant

Complainant the full and just sum of Two hundred & forty seven Acres
Dupre (UK: 547) and that the Costs of Suit shall be defrayed out of the
Estate of the said Robert Barnatyns deceased.

Bills of Daniel Defesto with a Note of Hand annexed read & filed.
Belaidum & Sarmeynada to be summoned. *Wm. J. M. Jones*
Reg.

Adjourned till Tuesday
The 1st Day of April next.

A Court held at the Town Hall on Tuesday
The 1st Day of April Anno Domini 1760

Present

Francis Taylor Esquire Mayor,
Peter Manette, John Lowen Smith,
James Jones, Richard Brickendon
& Henry Lestace Johnson Aldermen

Daniel Defesto

vers.

Belaidum & Sarmeynada

Summons returned served

The Defendants appear

At John Palmer Attorney for the Complainant prays that the Defendants
may give Back

Supowick & John Doe of Madras Merchants become Bail for the
Defendants appearance or to answer all Costs & Damages, taken and
acknowledged in Court.

The Defendants being in Court and acknowledging the Justice
of the Complainant's Demand, this Court doth therefore think fit
to Order & Direct & doth accordingly Order and Direct that the
Defendants shall pay unto the Complainant the full and just sum

of One Hundred & forty seven Acres together with such Interest as now is
or shall hereafter become due thereon until full payment is made
also attests of this Suit. *Wm. J. M. Jones*
Reg.

Solomon Franco

vers.

Joachim Joz de Mello

The Sheriff returns the Warrant of Commitment issued against the
Defendant Body Endorsed Non Est inventus.

Andeapah

vers.

William Lads

The Register acquaints the Court that He had since the last Court
Day received a Note from the Complainant's Attorney setting forth
that the Defendant had satisfied the Complainant's Demand, & that
thereupon a quater Warrant had issued under the Hand & Seal
of the Mayor for the Defendants Release.

Withdrawn by the Consent of the Opposite Attorney.

Proceedings in Petty Causes

Bills of Joseph Moses read & filed
Ginanot to be summoned.

Adjourned till Tuesday
The 8th Instant.

A Court held at the Town Hall on Tuesday
The 8th Day of April Anno Domini 1760

Present

Francis Taylor Esquire Mayor,
Peter Manette, John Callard,
John Debonaire, Richard Brickendon,
& Henry Lestace Johnson, Aldermen.

Edwaga Edwards.

vers.

Josias Dupre

Exceptions to the Defendants Answer read & filed,

Ordered that they do come on to be argued the 15th Instant.

Edward Burman by his Attorney Andrew Ref.

vers.

Phyart Romme Chitter

The Register acquaints the Court that the Complainant's Attorney has

Complainant the full and just Sum of Three hundred & forty seven, Ascent
Requies (AM: 517) And that the Costs of Suit shall be defrayed out of the
Estate of the said Robert Bannatyne deceased.

Bills of Daniel Defastro with a Note of Hand annexed read & filed.

Delaidum & Saineynada to be summoned. *H. W. M. Jones*
Reg?

Adjourned till Tuesday
The 1st Day of April next.

At a Court held at the Town Hall on Tuesday
The 1st Day of April Anno Domini 1760

Present

Francis Taylor Esquire Mayor,
Peter Mariette, John Senon Smith,
James Jones, Richard Brickendon
& Henry Lustace Johnson Aldermen

Daniel Defastro

vers:

Delaidum & Saineynada

Summons returned served

The Defendants appear

Mr John Palmer Attorney for the Complainant prays that the Defendants
may give Bail

Wepowah & John Doe of Maiden Marchants become Bail for the
Defendants appearance or to answer all Costs & Damages, taken and
acknowledged in Court.

The Defendants being in Court and acknowledging the Justice
of the Complainant's Demand, this Court doth therefore think fit
to Order & Duce & doth accordingly Order and Duce that the
Defendants shall pay unto the Complainant the full and just Sum
of One Hundred & Forty seven together with such Interest as now is
or shall hereafter become due thereon untill full payment is made
also all Costs of this Suit. *H. W. M. Jones*

Solomon Franco

vers:

Joachim Joz de Mello

The Sheriff returns the Warrant of Commitment issued against the
Defendants Body Endorsed Non Est inventus.

Undeprah

vers:

William Lads

The Register acquaints the Court that He had since the last Court
Day received a Note from the Complainant's Attorney setting forth
that the Defendant had satisfied the Complainant's Demand, & that
thereupon a Counter Warrant had issued under the Hand & Seal
of the Mayor for the Defendants Release.

Withdrawn by the Consent of the Opposite Attorney.

Proceedings in Petty Causes

Bills of Joseph Moss read & filed
Ginanot to be summoned.

Adjourned till Tuesday
The 8th Instant.

At a Court held at the Town Hall on Tuesday
The 8th Day of April Anno Domini 1760

Present

Francis Taylor Esquire Mayor,
Peter Mariette, John Callard,
John Debonaire, Richard Brickendon,
& Henry Lustace Johnson, Aldermen.

Edwaga Edwards.

vers:

Josias Dupre

Exceptions to the Defendants Answer read & filed,

Ordered that they do come on to be argued the 15th Instant.

Edward Burman by his Attorney Andrew Rof.

and Swamee Pelly of Madras Merchants had since the last Court Day become Bail for the Personal Appearance of the Defendant, or to answer all Costs & Damages taken and acknowledged before the Mayor, & that thereupon a Quodam Warrant had issued under the Hand & Seal of the Mayor for the Defendants Release.

M^r Alderman Mariette & M^r Alderman Debomaire being interested in the following suit go off the Bench.

Joseph Salomons by his Attorney John Debomaire
vers:

Peter Mariette

Rejoinder read & filed.

Ordered that the Demurrer & Joinder do come on to be argued the 15th Instant.

M^r Alderman Mariette & M^r Alderman Debomaire return to their Seats.

George Mackay Administrator to the Goods Chattels & Credits of Captain John Stoves demand

vers:

Thomas Newton.

Rejoinder read & filed.

Fazell Larru by his Prochein Amy Sana Demata Kistramma (Shuttee)

vers:

Manoel Seal.

Day is given the Parties till the 15th Instant to Examine Witnesses.

Proceedings in Petty Causes

Joseph Moses

vers:

Ginariot.

Summons returned, Non Est inserted.

Adjourned till Tuesday
the 15th Instant.

At a Court held at the Town Hall on Tuesday
the 15th Day of April Anno Domini 1760

Present

Francis Taylor Esquire Mayor

Peter Mariette, John Seven Smith,

James Jones, John Debomaire,

Rich^d. Brickenden & Henry Gustace Johnson,
Aldermen.

Edward Edwards

vers:

Josias Dupre

Deferred arguing the Exceptions to the Defendants Answer till next Court Day.

M^r Alderman Mariette & M^r Alderman Debomaire being Interested in

the following suit go off the Bench.

Joseph Salomons by his Attorney John Debomaire

vers:

Peter Mariette

Deferred arguing the Demurrer & Joinder till next Court Day.

M^r Alderman Mariette & M^r Alderman Debomaire return to their Seats.

Fazell Larru by his Prochein Amy Sana Demata Kistramma (Shuttee)

vers:

Manoel Seal.

Further Day is given the Parties till the 22nd Instant to Examine Witnesses.

Adjourned till Tuesday
the 22nd Instant.

At a Court held at the Town Hall on Tuesday
the 22nd Day of April Anno Domini 1760.

Present

Francis Taylor Esquire Mayor
Peter Mariotte, John Seven Smith,
James Jones, John Ballard,
John Debonaire, Richard Brickenden,
& Henry Gustave Johnson, Aldermen.

M^r. Alderman Smith being interested in the following suit goes of the Bench
vers:
Nencatty Kistnah

John Seven Smith & John Maxwell Stone Administrators to the Estate
of William Roberts deceased
Answer read & filed.

M^r. Alderman Smith returns to his Seat
Fagell Carre by his Prochein Amy Sama Vencata Kistnana (Shutler)
vers:
Manoel Seal

M^r. Philip Francis Greenlate Attorney for the Complainant delivers
into Court eight Exhibits on the part of the Complainant.
Edward Bibb

vers:
Samuel De Castro by his Attorney Daniel De Castro, Abraham
Browne & Daniel De Castro

M^r. John Palmer Attorney for the Complainant prays the Court that
advice may pass to take the Deposition of Thomas Godfrey who is about
to depart from this Place.

Granted by the Consent of the opposite Attorney
Day is given the Parties till the 29th Instant to Commission the said
Thomas Godfrey
Edward Edwards

vers:
Josias Dupre

M^r. Archibald Palmer Attorney

Amended Answer read & filed.

M^r. Alderman Mariotte and M^r. Alderman Debonaire being interested in the
following suit go off the Bench
Joseph Salomonson by his Attorney John Debonaire
vers:

Peter Mariotte

Bill with an Account Current annexed read,
Demurrer read,

Joinder read,

Extract of the Articles of Agreement between the Complainant and
Defendant read,

Extract of a letter from the Defendant to the Complainant's Attorney
read.

The Demurrer & Joinder coming on to be argued this Day in
the Presence of the Parties and of their Attornies on both sides, On
Hearing the Pleadings made use of by the Attornies and on due Consideration
had thereon, It appearing to the Court that the Prayer made by the
Complainant in his Bill of Complaint is founded on a mere Supposition
that the Defendant may not perform the Articles of Agreement entered into
by and between the Complainant & Defendant, and not on any Absolute
Breach of the said Articles of Agreement on the part of the Defendant,
And it likewise appearing to the Court that by the Tenor of the said
Articles of Agreement All Disputes or Controversies that may arise
between the Parties are to be settled by Arbitration. This Court doth
therefore think fit to Order and Decree, and doth accordingly Order and
Decree that the Complainant's Bill shall stand dismissed with Costs.

M^r. Alderman Mariotte & M^r. Alderman Debonaire return to their Seats.
Petition of Philip Francis Greenlate read & filed praying leave to resign
the Office of an Attorney of this Court.

Which is granted. And Ordered that He do deliver over the Causes in
his Hands to his respective Clients in Order that they may employ
other Attornies to carry on their Suits for them.

Bill of Touchona Grouah Grandson & Heir of Touchona Shevaruniah
with an Account Current & Translate of an Obligation annexed read & filed
Ravannah Son and Heir of Quindall Ragana to be summoned.

At a Court held at the Town Hall on Tuesday
the 29th Day of April Anno Domini 1760.

Present

Francis Taylor Esquire Mayor
Peter Mariette, John Senon Smith,
& Richard Brickensten Aldermen.

Touchna Gruah Grandson Vleir Touchna Murrarniah

vers:
Kavanapah Son Vleir of Lucindall Nagana

Summons returned served.
The Defendant does not appear.
To be summoned again.

Edward Burman by his Attorney Andrew Ross

vers:
Pyrate Rommelhutte

Answer with an Account Current annexed read & filed.
Bill of Pyrate Rommelhutte read & filed.

Edward Burman by his Attorney Andrew Ross to be summoned.
George Stratton

vers:
Dagatoo Neelacuntadoo, Balabodnia Day, Arakistnah Amone,
Narasinga Day & Balakistnadoff.

Repetition read & filed.
Edward Edwards

vers:
Josias Dupre

Repetition with nine Papers annexed read & filed.
M^r Alderman Smith being interested in the following suit goes off the Bench
Venkata Kistnah

vers:
John Senon Smith & John Maxwell Stone Administrators to the
Estate of William Roberts deceased.
M^r Archdale Palmer acquaints the Court that he is employed as Attorney
in this Suit by the Defendant in this Court & Head of M^r M^r M^r
Francis Greenlake

John Adams by his Attorney Andrew Ross

vers:
Joannes Nazor

M^r Archdale Palmer acquaints the Court that he is employed as Attorney
in this Suit by the Complainant in this Court & Head of M^r John
Maxwell Stone.

Edward Bibb

vers:
Samuel Defastro by his Attorney Daniel Defastro, Abraham
Browne, & Daniel Defastro.

M^r John Palmer Attorney for the Complainant prays the Court that the
Original Protest which was delivered into this Court may be delivered
to the Examiners, in Order that Alexander Barclay one of the sub-
scribing witnesses thereto may be examined touching the Authen-
ticity of the same; and that a Rule may issue to take the Disposi-
tion of the said Alexander Barclay who is about to depart from
this Place.

Granted by the Consent of the opposite Attorney
Day is given the Parties till the 6th Day of May next to examine
the said Alexander Barclay.

Salomon Franco

vers:
Joachim Joze de Mello

M^r John Palmer Attorney for the Complainant represents to the Court
that the warrant of Commitment which issued against the Defendant
Bidy was on the 7th Instant returned Endorsed, Non est inventus, the
therefore prays that a summons may now issue against Joannes Galda
who became Bail for the Personal Appearance of the Defendant, or to
answer all Costs & Damages

Granted Returnable the 6th Day of May next.

Bill of Abraham Browne read & filed,
Wardapah to be summoned.

Bill of Daniel Defastro read & filed,
Maudava to be summoned.

Adjourned till Tuesday

A Court held at the Town Hall on Tuesday
the 6th Day of May Anno Domini 1760

Present

Francis Taylor Esquire Mayor
Peter Marlette, John Ballard,
John Delonair, Rich^d Brickerden,
& Henry Lestace Johnson, Aldermen

Touckma Gruah Grandson & Heir of Touckma Shumamiah
vers.

Kawanapah Son & Heir of Luindall Kagona

Summons returned served,

The Defendant appears

The Court observing that both the Complainant & Defendant in this Cause
are Natives of India, the Defendant is therefore asked, whether he is willing
that this Suit should be determined by the Court, but the Defendant appearing
unwilling to leave it to the Judgment of the Court, and there being a Clause
in his Majesty's Charter by which the Natives of India are excluded the
Benefit of bringing Actions against each other in their Court, (unless by
mutual Consent) Yet as this Cause was commenced before the Capture
of this Place by the French, and there being a Clause in the Surrender
of the former Charter which says, "That no Judgment, Sentence, Decree
or Order of any of the said Courts of Justice which have been already made
or which shall hereafter be made at any time before such new intended
Corporation & Jurisdiction shall be established & take Place be any ways
impeached or avoided, & that none of the Proceedings which at that time
shall be depending at any of the said Courts or places aforesaid shall be any
ways impeached avoided, abated or discontinued by reason or means of
this Present Surrender, but that all & every of them shall be and
remain in the same Right & Condition in all respects & to all Intents
& Purposes whatsoever as if these Proceedings had never been made."

The Court therefore being in Doubt whether or no they ought to suffer
this Suit to be carried on in this Court, It is agreed that all Proceedings
therein shall be suspended.

Pyrate Romme Shuttle

vers.

Edward Burnard by his Attorney Andrew Dops

Summons returned served,

The Defendant does not appear,

To be summoned again.

Abraham Browne

vers.

Wardapah

Summons returned served,

The Defendant does not appear,

To be summoned again.

Daniel DeCastro

vers.

Maudava

Summons returned served,

The Defendant does not appear,

To be summoned again.

Salomon Franco

vers.

Joachim Joze de Mello

The Sheriff returns the Summons issued against Joannes Caldar, who
became Bail for the personal Appearance of the Defendant and does
Not est inventus.

Mr John Palmer Attorney for the Complainant prays the Court that
a second Summons may issue against the said Joannes Caldar
returnable the 20th Instant.

Granted accordingly.

Mr Alderman Jones appears & acquaints the Court that He is about to
depart for China, & that He hath sent in the Resignation of his
Seat as an Alderman & Judge of this Court to the President & Council,
He therefore now takes his leave of the Court, wishing them all Health
& Success.

The Register acquaints the Court that the Seat of Mr John Whitehill as an
Alderman & Judge of this Court is become vacant by his having been
about from this City.

acquainting them with the above vacancies, & to desire that they may be filled up as soon as conveniently may be.

Adjourned till Tuesday
the 13th Instant

A Court held at the Town Hall on Tuesday
the 13th Day of May Anno Domini 1760

Present
Francis Taylor Esquire Mayor
Peter Mariotte, John Serwen Smith,
& Rich^d. Brickenden, Aldermen

Daniel Defastro

vers.
Maudara

Summons returned served

The Defendant does not appear

Mr John Palmer Attorney for the Complainant prays the Court that a
warrant of arrest may issue against the Defendants Body
granted returnable the 20th Instant.

Abraham Browne

vers.

Wardapah

Summons returned served

The Defendant appears

Mr Archdale Paton Attorney for the Complainant prays the Court
that the Defendant may give Bail.

The Defendant not being able to produce Bail is ordered to Prison.

The Defendant being in Court and acknowledging the justice of the
Complainants Demand, this Court doth therefore think fit to Order
Dance & doth accordingly Order & Doth that the Defendant shall
pay unto the Complainant the full and just sum of One Hundred
and fifty five Pounds together with such Interest as now is & shall
hereafter become due.

Edward Burman by his Attorney Andrew Aps

vers.

Pirate Romme Shutter
Et Extra

Summons issued against the Cogs Defendant Edward Burman by his
Attorney Andrew Aps returned served.

The Cogs Defendant does not appear.

Mr John Palmer Attorney for the Cogs Complainant represents to the Court
that as the Cogs Defendant by his Attorney Andrew Aps has been served
with two summonses to appear and answers the Bill filed by the Cogs Com-
plainant, but has neglected so to do, He therefore prays that an Order may
now pass to Oblige the Cogs Defendant by his Attorney Andrew Aps to appear
the next Court Day and give Special Bail to stand the Issue of the suit
commenced by the Cogs Complainant, Or in Default thereof that the original
Defendant may be released from his Bail.

The Court taking the Prayer of the said Attorney into Consideration do
unanimously Order and direct that in Case the Cogs Defendant by his
Attorney Andrew Aps does not appear on the next Court Day and give
Special Bail to stand the Issue of the suit commenced by the Cogs
Complainant, that the Original Defendant shall be released from his
Bail. And Ordered that a copy of this Order be sent to the said
Andrew Aps.

Edward Edwards

vers.

Josias Dupre

Day is given the Defendant till the 20th Instant to rejoin in Default of
which this cause will be heard on the Proceedings already had.

Edward Bibb

vers.

Samuel Defastro by his Attorney Daniel Defastro, Abraham Browne &
Daniel Defastro

Day is given the Defendants till the 20th Instant to answer the
Complainants Bill.

George Machay Administrator to the Estate of Captain John Howes deceased

vers.

Thomas Newton

Bill of Thomas Pelling with two Obligations & an Account Current amended
read & filed.

Nellacountanker Sheveramah to be summoned.

A Letter from the Secretary of the President & Council by their Order dated
the 6th Instant read, setting forth that Mr James Jones having on
that Day resigned his Office of Alderman & Judge of the Mayor's
Court, they had elected Captain Thomas Powney of Fort St George
Merchant to fill up the Vacancy.

Ordered that the usual Notice be sent to the said Captain Powney as
Powney.

Proceedings in Petty Causes

Bill of Manuel Seal read & filed.

David John to be summoned.

Adjourned till Tuesday
the 20th Instant

At a Court held at the Town Hall on Tuesday
the 20th Day of May Anno Domini 1760.

Present

Francis Taylor Esquire Mayor.
Peter Marlette, John Lewens Smith,
John Calland, John Debonaire,
Henry Eustace Johnson, & Thomas Powney,
Aldermen.

The Register acquaints the Court that He had seen the usual Oaths adminis-
tered by the President to Captain Thomas Powney as an Alderman and
Judge of this Court.

He accordingly takes his Seat on the Bench.

A Letter from the Secretary of the President & Council by their Order dated
the 13th Instant read, setting forth that they had elected Mr John
Whitehill of Fort St George Merchant to be an Alderman & Judge of this
Court.

Thomas Pelling

vers:

Nellacountanker Sheveramah

Summons returned served.

The Defendant appears by his Attorney M Archdale Palmer.

Demurrer read & filed.

Daniel De Castro

vers:

Maudava

The Sheriff returns the warrant of Arrest issued against the Defen-
-dants Body, endorsed, Non est inventus.

Withdrawn the Defendant having no Attorney.

Edward Burman by his Attorney Andrew Aps

vers:

Pyrate Romme Chiller

Et Contra

Mr John Palmer Attorney for the Crofs Complainant prays that the
Crofs Defendant by his Attorney Andrew Aps may be obliged to give
special Bail to stand the Issue of the Suit commenced by the Crofs
Complainant, or in Default thereof that the original Defendant may
be relieved from his Bail, agreeable to the Order of last Court Day.

Ordered that in Case the Crofs Defendant by his Attorney Andrew
Aps does not produce Bail to stand the Issue of the Suit commen-
-ced by the Crofs Complainant before six of the Clock in the Evening
that the Original Defendant shall be returned from his Bail. And
it is further Ordered that the Proceedings in both Suits shall be
carried on together.

Solomon Franco

vers:

Joachim Joze de Nello

Summons issued against the Bail returned endorsed Non est
inventus.

Abraham Browne

vers:

Wardapah

The Register acquaints the Court that He had since the last Court Day
received a Nth from the Complainants Attorney setting forth that

the Defendant had satisfied the Complainant's Demand, and that
thereupon a Counter Warrant had issued under the Hand & Seal of the
Mayor for the Defendant's release.

Mr Alderman Smith being interested in this following Suit goes off the Bench
Vencatz Kistmah

vers:

John Lervon Smith & John Macmell Stone Administrators to the
Estate of William Roberts deceased.

Replication read & filed.

Mr Alderman Smith returns to his Seat.

John Adams by his Attorney Andrew Aspf
vers:

Joannes Nazat

Replication read & filed.
Edward Edwards:

vers:

Josias Dupre

Rejoinder read & filed.

Proceedings in Petty Causes

Manoel Seal

vers:

David John

Summons returned served.

The Defendant appears.

The Defendant being in Court and acknowledging the Justice of the
Complainant's Demand, His Court doth therefore think fit to Order
and Direct and doth accordingly Order & Direct that the Defendant shall
pay unto the Complainant the full & just Sum of Six Pagodas together
with such Interest as now is or shall hereafter become due thereon
until full Payment is made; also all costs of this Suit

Bill of Daniel Defacto read & filed

Relatum to be summoned.

Adjourned till Tuesday

57
A Court held at the Town Hall on Tuesday
the 27th Day of May Anno Domini 1760
Present

Francis Taylor Esquire Mayor,
Peter Marlette, John Lervon Smith,
John Calland, Richard Brickendon, &
Henry Castace Johnson Aldermen.

The Register acquaints the Court that he had seen the usual Oath administered
by the President to Mr John Whitehill as an Alderman & Judge of this
Court.

John Adams by his Attorney Andrew Aspf
vers:

Joannes Nazat

Mr John Palmer Attorney for the Defendant acquaints the Court that he has
been informed by Captain John Miller that the Commission which was sent
from this Court to take the Depositions of witnesses at Pegue was delivered
into the Hands of Carl de Lang duly executed, in Order to be forwarded
to this Place, but that the said Carl de Lang was unfortunately drowned
in going on shore at Negapatnam, & that he hath reason to believe that
the said Commission was lost at that time, he therefore prays that
the Court would be pleased to indulge him with a second Commission
& that they would be pleased to examine the said Captain John Miller
touching the loss of the first Commission.

Mr Whitehill Palmer Attorney for the Complainant represents to the Court that
as the Defendant has produced no certain Proof that the said Commission
was actually lost, and as the same was made returnable on the 29th Day
of March 1759 which is about fourteen Months, during which time many
Defaults have arrived from Pegue at Bengall & this Court, & the Defendant
hath never offered any Reasons to the Court why the said Commission was
not returned within the time limited, he therefore prays that the Court
would first come to a Determination, whether or no the Defendant ought
now to be indulged with giving his Reasons why a second Commission
should issue.

The Court taking the Motions of the said Attorney into Consideration do
unanimously Agree that as the Defendant hath for so long a time
neglected giving his Reasons why the said Commission was not returned

within the time limited, as also to pray a further time for this return thereof; that he shall not be indulged with offering his reasons why a second Commission should issue, & it is further resolved that a second Commission shall not be granted him.

George Mackay Administrator to the Estate of Captain John Hewes deceased
vers:

Thomas Newton

Further Day is given the Parties till the 3^d Day of June next to examine witnesses.

Edward Burman by his Attorney Andrew Rafe
vers:

Pirate Rommelcutte

Et Contra

Josias Dupre of Madras Merchant & John Doe become Bail for the personal Appearance of the Cross Defendant or to answer all Costs & Damages taken and acknowledged before the Mayor.

Mr. Andrew Rafe appears and prays that the Court would be pleased to reconsider the Order of last Court Day, as he apprehends that the Attorney for the Cross Complainant has proceeded irregularly in the suit commenced against the Cross Defendant, first in desiring a Summons, & on the return thereof in procuring a second Summons to bring the Attorney of the Cross Defendant into this Court; whereas he humbly conceives that the Summons might be have issued against the Cross Defendant alone, if any Summons was necessary, which he apprehends was not, as the Cross Defendant was already in Court, and might be compelled to answer the suit of the Cross Complainant, by the Courts putting a Stop to the Proceedings in his Suit unless he should consent to defend the suit brought by the Cross Complainant. The said Andrew Rafe further voucheth that he apprehends that it was irregular to desire the Attorney of the Cross Defendant to give Special Bail to stand the Issue of the suit commenced by the Cross Complainant, since such Bail is in Effect given by the Attorney of the Cross Defendant, who has had no Dealings with this Cross Complainant, and consequently ought not to be obliged to give Special Bail, for if such Proceedings were allowed of, it would be very easy for a Cross Complainant to bring his suit for so large a Sum, as make it impossible for such Attorney to procure Bail, the Sum of which must be so large as to be beyond the power of the Attorney to procure.

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of the Benefit of his Suit, by the Act & Address of any Person liable to be sued in this Court.

The Court taking the Prayer of the said Andrew Rafe into Consideration do agree that the Proceedings had in these Suits have been altogether regular, it is therefore resolved that the Order made the last Court Day do stand Confirmed.

Mr. Archdale Palmer Attorney for the Cross Defendant offers to the Court a Demurrer which he prays may be read.

Mr. John Palmer Attorney for the Cross Complainant prays the Court that the Demurrer may not be received, as four Court Days have elapsed since the time appointed for the Cross Defendants Appearance, and that it is contrary to the standing Rules & Orders of this Court to receive any Demurrer but on the very Day assigned for appearance.

It being late in the Day deferred the Consideration of this Matter till next Court Day.

Proceedings in Petty Causes.
Daniel DeCastro

vers:

Velaidum

Summons returned served,

The Defendant does not appear.

Withdrawn the Defendant having no Attorney.

Joaquin Rodriguez by his Attorney Manuel Leal

vers:

Deeranah

Mr. John Palmer Attorney for the Complainant prays the Court that a Warrant of Commitment may issue against the Defendants Body - the Warrant of Caution having been returned by the Sheriff and now, that the Defendant had no goods or Chattels within his Districts.

Granted returnable the 3^d Day of June next.

Adjourned till Tuesday
the 3^d Day of June next

A Court held at the Town Hall on Tuesday
the 3rd Day of June Anno Domini 1760

Present

Francis Taylor Esquire Mayor,
Peter Mariette, Johnalland,
John Debonaire, Rich^d Brickenders,
& John Whitehill, Aldermen.

Samuel Defastro by his Attorney Daniel Defash, Abraham
Browne & Daniel Defastro

vers.

Edward Bibb.

Replication read & filed

Edward Bibb

vers.

Samuel Defastro by his Attorney Daniel Defash, Abraham Browne,
& Daniel Defastro.

Answer with an Account Current annexed read & filed.

John Adams by his Attorney Andrew Rofs

vers.

Joannes Nazas

Day is given the Defendant till the 10th Instant to reply in Default
of which this Cause will be heard on the Proceedings already had.

Edward Burman by his Attorney Andrew Rofs

vers.

Pirate Rommelhitter

At Contra

Mr Andrew Rofs as Attorney for the Cross Defendant prays the Court that
the Demurres which was offered to the Court the last Court Day may be
now read, as the Court did on the 28th ultimo resolve that the Cross
Defendant should give Bail before Six o'clock in the Evening, that
the Award for giving Bail did become an Act of the last Court Day, at
which time the Cross Defendant offered his Demurres to the Court, & which He
conceives ought to be received, as by the Bail Piece being filed the last
Court Day, it did not before appear that He was obliged to give Bail to
stand the Issue of the last Court Day.

therefore He conceives that the last Court Day ought to be considered as
the Day of his Appearance, Especially as upon that Day He offered
several Reasons to the Court, which stand upon the Records of that Day
to satisfy the Court of the Irregularity of the Proceedings of the
opposite Party, & that it was then taken into Consideration whether
the Cross Defendant should be obliged to give Bail or not. The Court
deferred coming to any Resolution with regard to receiving the
Demurres till this Day as the Cross Defendant alleged that He
could produce Instances of Demurres having been received after
the Day assigned for the Defendants Appearance, The Cross Defendant
hath accordingly searched the Records of this Court, & produces
seven different Instances since the Reestablishment of the present
Court, where Demurres have been received after the Day assigned
for appearance.

Mr John Palmer Attorney for the Cross Complainant prays the Court that
the Demurres may not be received for the Reasons alleged the last
Court Day, and that it does not appear in any of the Instances pro-
duced by the opposite party that any Objections were offered against
receiving the Demurres, except in one Instance, & the Demurres
was then received as the Attorney was prevented by Indisposition
from delivering it in within the time limited.

The Court taking the Motions of the said Attorney into Consideration do agree
that the Demurres be received.

Demurres read & filed

The Mayor differs from the Resolution of the Court in receiving the Cross
Defendants Demurres. As by the Instructions received from Europe it is very
strongly recommended to the Court to discourage as much as possible
the receiving of Pleas & Demurres at any Rate, and as the Members
of the former Court in the Year 1754 were convinced of the Incongruities
which attended the admitting of Pleas & Demurres, they did by Virtue
of the Power invested in them by the Royal Charter, in Order that the
Administration of Justice might not be impeded, make a standing
Rule & Order that no Plea or Demurres should at any time be received
unless offered on the very Day assigned for the Appearance of the
Defendant, provided the Summons had been served upon him four
Days before the time limited for his Appearance; which Rule and
Order was by the former Members of the present Court in the Year 1757,
and in the Mayorality of the Cross Defendants Attorney Andrew Rofs.

confirmed & established. Now as the *Crope* Defendant by his Attorney Andrew Rofs was served with two summonses to appear and answer the suit brought by the *Crope* Complainant, but in Order to prevent as much as in him lay the Speedy Administration of Justice, He did refuse to appear upon either of them, either as Attorney of the *Crope* Defendant or in his own person as Andrew Rofs, and did not appear until even four Court Days had elapsed from the day assigned for his appearance, at which time He offered his Demurres and hath now endeavored to surprise the Court into a compliance in receiving the same by an Artful Innuendo that the Day assigned for his appearance & the Day of his appearance are the same. And since the *Crope* Defendants Attorney Andrew Rofs hath not offered any sufficient reasons to the Court which might have prevented his delivering in his Demurres on the first Day assigned for his appearance, agreeable to the Standing Rules & Orders of Court, which ought always to be most strictly observed & adhered to; The Mayor is therefore of Opinion that the Demurres ought not to be received, but that the Proceedings in both Suits should be carried on together agreeable to the Order of the 20th Ultimo.

Mr Archdale Palmer Attorney for the *Crope* Defendant prays the Court that as the Demurres has been received that the *Crope* Defendant may be released from his Bail, as it is not customary to take Bail until the Demurres is argued.

Mr John Palmer Attorney for the *Crope* Complainant prays the Court that the *Crope* Defendant may not be released from his Bail, as the Bail Piece was filed before He delivered in his Demurres.

Agreed to defer the Consideration of this Matter till next Court Day, when a full Court is ordered to be summoned.

Fazell Cawn by his Attorney Amy Sara Vencata *Hishama Chittie* vers.
Mansel Seal

Mr John Palmer Attorney for the Defendant prays the Court that the Bill of *Ismael Cawn* deceased which was delivered into the Court on the 22nd Day of April last may be received as an Exhibit in this Cause.

Mr Archdale Palmer Attorney for the Complainant prays the Court that a Summons may issue directed to *Shach Mahomed Cawn*, *Uwari Cawn*, *Mir Ali Dawood Chittie*, & *Michael Riley* to attend.

Order that He may have an Opportunity of Examining them touching the Instrument produced by the Defendant as & for the last Will & Testament of *Ismael Cawn* deceased, as He hath Reason to dispute the Authenticity thereof.

Granted according.
Bill of *Gherack Jacob* with an Account Current annexed read & filed.
Antonio to be summoned.

Proceedings in Petty Causes.

Joachim Rodrigues by his Attorney *Mansel Seal* vers.
Vivianah

Warrant of Commitment returned served;
The Defendant being brought to Court, & not having satisfied the Complainants Demand is remanded back to Prison.

Bill of *George Mackay* read & filed
Vellayoudah to be summoned.
Bill of *Francis Jordan* Administrator to the Estate of *Samuel Peake* deceased read & filed.
Maleapah to be summoned.

Adjourned till Tuesday
the 10th Instant.

A Court held at the Town Hall on Tuesday
the 10th Day of June Anno Domini 1760

Present

Francis Taylor Esquire Mayor
Peter Marlette, *John Sewen Smith*,
John Calland, *John Debonaire*,
Rich^d Brickenden, & *John Whitehill*
Aldermen.

Gherack Jacob
vers.
Antonio

Summons returned Endorsed, Non est Inventus.

Edward Busman by his Attorney Andrew Aske
vers.

Pirate Romme (Chitice)

Et Contra

M^r John Palmer Attorney for the Complainant prays leave to
amend his Bill.

Granted, upon the Complainant paying the costs attending
the same; Amended Bill read & filed.

M^r Archdale Palmer Attorney for the Complainant prays leave
to amend his Demurrer.

Granted by the Consent of the opposite Attorney.

The said Attorney likewise prays that the Court would now proceed
to take into consideration the Motion made by him the last Court
Day relating to the Complainant being released from his Bail,
the Court taking the said Motion into Consideration, Do Agree that
the Complainant shall be released from his Bail.

Thomas Polling

vers.

Neelacountahet Sheveramah,

M^r John Palmer Attorney for the Complainant prays leave to
amend his Bill.

Granted with the Consent of the opposite Attorney.

Amended Bill read & filed.

John Adams by his Attorney Andrew Aske

vers.

Joannes Nazat

Adjunct read & filed.

George Stratton

vers.

Deogato Neelacountadoo, Balabodria Davy, Strachistna
Amosree, Nanasinga Davy, & Balakistnadze.

Day is given the Defendants till the 17th Instant to appear, in Default
of which this Cause will be heard on the Proceedings already had.

M^r Archdale Palmer Attorney for the Defendants prays the Court that
a Rule may issue to take the Depositions of Suavary Venkatachiah,
who is about to depart from this Place.

Granted by the Consent of the opposite Attorney.

said Suavary Venkatachiah.

George Mackay Administrator to the Estate of Captain John Harvey deceased
vers.

Thomas Newton.

M^r John Palmer Attorney for the Complainant prays that a Second Commission
may issue directed to M^{rs} William Sulliston, William Smith, William
Pruney, Thomas Cook, William Magee, & Dudley Davis of Calcutta in
the Kingdom of Bengal to take the Depositions of witnesses at that
Place, as he has received an Advice that the Commission which was
granted by this Court on the 26th Day of February last has arrived
there.

Granted by the Consent of the opposite Attorney, And Ordered that the
same be made returnable the 30th Day of November next.

Proceedings in Petty Causes.

Jacobson Rodriguez by his Attorney Manselchal

vers.

Vernamah

The Register acquaints the Court that he had since the last Court Day received
a Note from the Complainant's Attorney setting forth that the Defendant had
satisfied the Complainant's Demand, & that thereupon a Quittance Warrant
had issued under the Hand Seal of the Mayor for the Defendant's Release.
Francis Jordan Administrator to the Estate of Samuel Peake deceased

vers.

Malapah

Summons returned served.

The Defendant does not appear.

Withdrawn the Defendant having no Attorney.

George Mackay

vers.

Velloypudak

Summons returned served.

The Defendant does not appear.

Withdrawn the Defendant having no Attorney.

Bill of John Bishop read & filed.

Inoengadum to be examined.

Bill of John Bishop read & filed.

A Court held at the Town Hall on Tuesday
the 17th Day of June Anno Domini 1760.

Present

Francis Taylor Esquire, Mayor
John Sewell Smith, John Lulland, &
Rich^d P. Brichenden, Aldermen

James Den.

vers.

Thomas Newton

Bill with a Note annexed filed between the Days of Adjournment read
Summons issued thereupon returned served

Warrant of Arrest returned not served.

Edward Edwards of Madras Merchant & John Doe become Bail for
the personal Appearance of the Defendant or to answer all Costs & Damages
taken and acknowledged before the Mayor.

Answer read & filed.

Thomas Pelling

vers.

Nellacountaicker Suveramiah

Mr John Palmer Attorney for the Complainant prays that the
Defendant may give Bail

Daniel De Castro & John Doe of Madras Merchants become Bail for
the personal Appearance of the Defendant, or to answer all Costs &
Damages taken and acknowledged in Court.

Day is given the Defendant till the 24th Instant to Answer the
Complainant's Bill.

Edward Burman by his Attorney Andrew Pope

vers.

Pyrake Nommeluttee.

Et Contra

Mr Archdale Palmer Attorney for the Cross Defendant offers to the Court
an amended Denial which he prays may be received
Amended Denial read & filed.

John Adams by his Attorney Andrew Pope

George Anathon

vers.

Degeates Nalacuntadro, Balabodria Davy, Anukistra
Amoreas, Narasinga Davy, & Balakistradys.

Rejoinder read & filed.

Samuel De Castro by his Attorney Daniel De Castro, Abraham
Bronne, & Daniel De Castro.

vers.

Edward Bibb

Et Contra

Mr John Palmer Attorney for the Cross Complainant represents to the
Court that as the original Complainant did not commence their Suit
against the original Defendant until he was just upon his Departure
from this Place, and did likewise detain from him the Books &
Papers which he had delivered to them for their Inspection, by which
Means he was prevented from giving the necessary Instructions to his
Attorney for carrying on the Suit for him, and as the said Attorney
finds upon a Perusal of the Cross Defendants Answer that the same
requires a very particular Reply. He therefore prays that the Proceedings
in these Suits may be stopped, until his Clients Arrival at this
Place, & which he apprehends can be no great Hindrance to the said
Suits, as a Commission must necessarily be sent to Bengall, & Publication
cannot pass until the Return thereof.

Mr Archdale Palmer Attorney for the Cross Defendants prays the Court
that the Proceedings in these Suits may not be stopped, as the Original
Complainants did commence their Action as soon as the same became
due, and as the Cross Complainant might have brought his Suit
a considerable time before he did, & as the Cross Complainant could not
be prevented from giving the necessary Instructions to his Attorney
concerning the said, by the Cross Defendants detaining the Books &
Papers from him, as the Book of Disbursements is only a Copy the
original of which the Cross Complainant must certainly be possessed
of, and as all the Books & Papers were delivered into Court by the
Cross Defendants at the Desire of the Cross Complainant where they still
remain.

It appearing to the Court that the Books & Papers which were delivered
by the Cross Complainant to the Cross Defendants for their Perusal

were detained by them until the last Complaints Deposition from
this Place, by which means he was prevented from giving his Attorney
the necessary Instructions concerning his Suits, It is therefore agreed
that the Proceedings in these Suits shall be stopped until the thirty
first Day of October next.

Fajell drawn by his Prochein Amey Sava Venkata Krishnamachetty
vers.

Manoel Seal

Summons issued to Shakh Mohamed Coub, Ummey Caw, Manoel Paisso
Chetko, & Kishnah Pully, returned served,
They accordingly appear.

This being an Affair of a very particular Nature deferred the consideration
thereof till next Court Day, when a full Court is ordered to be summoned,
& the witnesses are directed to attend at that time.

Bills of Daniel De Castro read & filed

Munnevakum Colletyapah to be summoned.

Bills of Abraham Browne with a Note annexed read & filed
Sunca Ramiah to be summoned.

Proceedings in Petty Causes
John Bishop

vers.

Joannes David

Summons returned served

The Defendant does not appear.

At John Palmes Attorney for the Complainant prays the Court that a warrant
of Arrest may issue upon his Client's oath to the Jurors of his
Command, & that He hath reason to believe that the Defendant is about
to depart from this Place.

The Complainant having made oath as above, Ordered that a warrant of
Arrest do issue.

John Bishop

vers.

Troco gadum

Summons returned served

The Defendant does not appear,
To be summoned again.

Thomas Newton

vers.

James Den

Bills filed between these Days of Adjournment read
Summons issued thereupon returned served.

The Defendant appears by his Attorney *M^r Archdale Palmer.*

Manoel Seal

vers.

Joannes David

M^r John Palmer Attorney for the Complainant prays the Court that
a warrant of Execution may issue against the Defendants Effects
He not having satisfied the Debt of this Court passed the 20th ultimo.
Granted, returnable the first Day of July next.

Adjourned till Tuesday
the 24th Instant.

At a Court held at the Town Hall on Tuesday
the 24th Day of June Anno Domini 1760

Present

Francis Taylor Esquire Mayor,
Peter Mariotte, John Leven Smith,
John Calland, John Debonaire,
Rich^d Bruckendens, Henry Gustace Johnson,
& Thomas Broome Attorneys.

Daniel De Castro

vers.

Munnevakum Colletyapah

Summons returned served

The Defendant does not appear.

Withdrawn the Defendant having no Attorney
Abraham Browne

vers.

Sunca Ramiah

Summons returned served

The Defendant appears by his Attorney *M^r Archdale Palmer.*

Mr John Palmer Attorney for the Complainant prays that the Defendant may give Bail.

Thirupah (Father of Madras Merchant & John Doe become Bail for the personal Appearance of the Defendant, or to answer all Costs & Damages; taken and acknowledged in Court.

George Stratton

vers:

Degetoo Neelacontadoo, Balabodria Davy, Strachindrah Amorees, Narasinga Davy, & Balahutmadoff

Mr Archdale Palmer Attorney for the Defendants prays leave to amend his Rejoinder.

Granted by the Consent of the Opposite Attorney.

Amended Rejoinder read & filed.

Thomas Pelling

vers:

Nellacontauhet Sheveramack

Further Day is given the Defendant till the 1st Day of July next to answer the Complainant's Bill.

Thazell Lawr by his Pleader Amy Larra Vunata Kishnamma Chittie

vers:

Manool Seal.

Mr John Palmer Attorney for the Defendant prays that before the opposite Attorney proceeds to the Examination of his witnesses to disprove the Authenticity of the will of Comal, deceased, that he may be allowed to examine one of the subscribing witnesses to the said will who was out of the Place at the Time the other subscribing witnesses were examined.

The Court observing that the said Attorney did at the time of his Exhibiting the said will omit to acquaint the Court that he had any other witnesses to examine to the Authenticity thereof; & has deferred producing them till this time when the opposite Party is about to examine witnesses to disprove the Validity of the same. It is therefore agreed that the Prayer of the said Attorney be not complied with.

Mr John Palmer Attorney for the Defendant prays the Court that one of the witnesses to be produced by the Complainant who are Moslems may be sworn at their Mosque & the Matlars & Judges at Triplicane

Court that he hath no Objections to the Prayer of the opposite Attorney's being granted, provided that the witnesses which have already been examined by him may be likewise sworn at their Mosque.

Agreed that a Commission do issue directed to Mr Alderman Smith & the Register to see Shaikh Mahomed Casub, Usain Law, Kufain Law, Lillige, & Kufai Ibrahim sworn at the Mosque, & Minah Dasso Chittie, & Mictah Pullah at Triplicane Pagoda that they will true Answer make to all such Questions as shall be asked them by the Court in this Cause with regard to a certain Instrument said to be the last will and Testament of Comal, deceased & it is Ordered that the said Commission be made returnable the 1st Day of July next.

Further Day is given the Parties till the 8th Day of July next to examine witnesses.

Edward Burman by his Attorney Andrew Aps

vers:

Pyrate Romme Chittie

Et Contra

Mr John Palmer Attorney for Pyrate Romme Chittie prays that a Rule may issue to take the Depositions of Nundecum Virache, Cochann Bundar, Maucannu Chenna Venkanna & Vishnupundah who are about to depart from this Place.

Granted accordingly;

Day is given the Parties till the 8th Day of July next to examine the said Nundecum Virache, Cochann Bundar, Maucannu Chenna Venkanna, & Vishnupundah.

Day is given the opposite Complainant till the 1st Day of July next to make a Joinder.

Bill of George Stratton by his Attorneys George Strachey & Randolph read & filed.

Somachellum to be summoned.

Bill of Abraham Brown read & filed.

Thirupah to be summoned.

Proceedings in Petty Causes

John Bishop

vers:

Trevengadam

The Defendant appears.

The Defendant being in Court and acknowledging the Justice of the Complainant's Demand, This Court doth therefore think fit to Order & Dues and doth accordingly Order and Dues that the Defendant shall pay unto the Complainant the full & just Sum of Seventeen Pagodas together with such Interest as now is or shall hereafter become due thereon untill full Payment is made, also all Costs of this Suit.

John Bishop

Wm. M. W.

vers.

Joannes David

Warrant of Arrest returned served,

The Defendant is brought to Court,

The Defendant being in Court and acknowledging the Justice of the Complainant's Demand, This Court doth therefore think fit to Order & Dues & doth accordingly Order & Dues that the Defendant shall pay unto the Complainant the full & just Sum of Thirteen Pagodas, thirty nine pawns, & forty Cash together with such Interest as now is or shall hereafter become due thereon untill full payment is made also all Costs of this Suit.

Wm. M. W.

The Defendant not being able to produce Bail is remanded back to Prison.

Thomas Newton

vers.

James Don

Answers read & filed.

Adjourned till Tuesday
the 1st Day of July next.

At a Court held at the Town Hall on Tuesday
the 1st Day of July Anno Domini 1760

Present

Francis Taylor Esquire Mayor
John Sewell Smith, John Calland,
John Delonore, Rich^d. Brickender,
Henry Ludgate Johnson, & John Whitehill,
Mermen

George Snatton by his Attornies George Mackay & David Russell
vers.

Sonachellum

Summons returned served.

The Defendant does not appear.

Withdrawn the Defendant having no Attorney.

Abraham Browne

vers.

Tonnapak

Summons returned served

The Defendant does not appear

Withdrawn the Defendant having no Attorney.

Edward Burnard by his Attorney Andrew Aps

vers.

Pysate Romme (Chitce), Et Alontra

Joinder to the last Defendants Duplicates read & filed.

Abraham Browne

vers.

Suncakarnak

Day is given the Defendant till the 15th Instant to answer the Complainant's Bill.

Thomas Pelling

vers.

Nellacountaushes Shewamali

Further Day is given the Defendant till the 15th Instant to answer the Complainant's Bill, In Default of which Judgment will be given for the Complainant.

John Adams by his Attorney Andrew Kops

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James Nazar

Day is given the Parties till the 15th Instant to examine witnesses.

M^r. Alderman (allard) being interested goes off the Bench

But of John (allard) with a Note annexed was filed.

Comd. Chitty (Hutchins) to be summoned.

M^r. Alderman (allard) returns to his Seat.

Traydell sworn by his Brother-in-Law Amy Sara Venkata (Hutchins)

vers:

Manuel Seal

M^r. Alderman Smith & the Registrar return the Commission to them directed for giving the Oaths prescribed thereby administered to Shakh Mohamed Casab, Yusein Casan, Shupain Casan, Alligie, Wasey Ibrahim at the Mosque; & to Miral Dairao (Hutchins) & Shadrach Pullah at Suplicane Pagoda duly executed.

The above mentioned witnesses being in Court M^r. Archdale Palmer Attorney for the Complainant prays that the following Interrogatories may be administered to Casy Ibrahim & Shupain Casan Alligie, & that they may be examined apart.

Interrogatories to be administered to Casy Ibrahim & Shupain Casan Alligie.

1st Do you know the Writing now shown you? If yes, what is it? Did you sign & seal the same? If yes, how long since? What Year, Month Day & Hour? What House was it? Who were present when you signed & sealed the same? Did any other Person or Persons sign & seal it in your Presence?

How long were you acquainted with Comae Casan deceased.

Casy Ibrahim being produced deposes as follows

To the first Interrogatory this Deponent saith that he knows the Paper now shown him, that it is the Will of Comae Casan deceased & that Comae Casan did tell this Deponent that it was his Will, & that he this Deponent signed & sealed it, that it was about 11 or 12 Years since just before Comae Casan's Departure for Bengall; that he this Deponent does not remember the exact Year Month & Day, but that it was about four or five o'clock in the afternoon, that it was

cast to seal any Paper of consequence with any other Seal than their own.

To the third Interrogatory this Deponent saith that it is about 5 Years since Comae Casan went to Bengall.

To the fourth & last Interrogatory this Deponent saith not to any particular Question enquired of therein.

Wasey Ibrahim being produced deposes as follows

To the first Interrogatory this Deponent saith that he hath known the Complainant from his Infancy, & the Defendant two Years or thereabouts. To the second Interrogatory this Deponent saith that he was a servant to Comae Casan deceased for about the Space of eight Years, & frequently transacted Business for him; that he is very well acquainted with the Seal of Comae Casan deceased, having frequently seen him make Use thereof & having taken particular Notice of the same; but that he this Deponent does not know the Hand writing of Comae Casan. That the Seal of Comae Casan is not affixed to the Paper now shown, said to be the Will of the said Comae Casan; and that People of Comae Casan's Cast always make use of their own Seal.

To the third Interrogatory this Deponent saith that Comae Casan went to Bengall about 5 Years since.

To the fourth & last Interrogatory this Deponent saith not to any particular Question enquired of therein. The ^{Hand} of Miral Dairao (Hutchins) being produced deposes as follows

To the first Interrogatory this Deponent saith that he hath known the Complainant from his Infancy, but hath no Knowledge of the Defendant.

To the second Interrogatory this Deponent saith that he was a Servant to Comae Casan deceased for the Space of 14 Years, that he is well acquainted with the Seal of Comae Casan having frequently seen him make Use thereof, but that he this Deponent is not acquainted with the Hand writing of the said Comae Casan, that the Paper now shown him said to be the last Will & Testament of Comae Casan is not to the best of this Deponent's Knowledge sealed with Comae Casan's Seal, that the Seal of Comae Casan was smaller than that said to be his Seal & and that it is not customary with People of Comae Casan's Cast to make Use of any other Seal than their own. To the third Interrogatory this Deponent saith that it is

something above 5 Years since Comael Cawn went to Bengall —
To the fourth & last Interrogatory this Deponent saith not to any
particular Question enquired of therein. — ^{The Seal of}
^{Mirali Dairao Chitka}
Kistmah Pullah being produced Deposes as follows —

To the first Interrogatory this Deponent saith that He hath known the
Complainant from his Infancy, but hath no Knowledge of the
Defendant

To the Second Interrogatory this Deponent saith that He was a
Cousin to Comael Cawn deceased for the Space of three Years before He
went to Bengall, that He is acquainted with the Seal of Comael Cawn
having frequently seen him use the same, but that He this
Deponent is not acquainted with Comael Cawn's Hand writing; that
the Seal of Comael Cawn is not affixed to the Paper now shewn
him said to be the last will & Testament of Comael Cawn, for that
Comael Cawn's Seal was smaller than that said to be his Seal;
that People of Comael Cawn's Cast never make use of any other Seal
than their own, & that Comael Cawn had but one that which He
always made use of.

To the third Interrogatory this Deponent saith that it is something
above 5 Years since Comael Cawn went to Bengall.

To the fourth Interrogatory this Deponent saith not to any particular
Question enquired of therein. — ^{By your Honor}

Mr John Palmer Attorney for the Defendant prays the Court that He
may have leave to Cite Complainant Shaikh Mahomed Casub, Ufain
Cawn, Mirali Dairao Chitka & Kistmah Pullah upon the following
Interrogatories.

1st To all the witnesses

Do you know the Parties Complainant & Defendant in this Cause?
If Yea, How long have you so known them, or either & which of
them? Duplicates

2^d To Shaikh Mahomed Casub & Ufain Cawn.

Are you or are you not related to the Complainant? If Yea, what
Relation are you?

3^d To Shaikh Mahomed Casub, Ufain Cawn, Mirali Dairao Chitka, &
Kistmah Pullah.

Are you or are you not a Creditor to the Estate of Comael Cawn

deceased? Have you or have you not received any part of the Estate
of the said Deceased? If Yea, to what Amount & what is become
thereof? Are you or are you not indebted to the Estate of Comael
Cawn deceased? How long have you resided at this Place? Do you
or do you not read or write? If Yea, what Language Do you read or
write? Do you know who executed the Paper now shewn to you
said to be the last will & Testament of Comael Cawn deceased?

4th To Ufain Cawn, Mirali Dairao Chitka, & Kistmah Pullah.

Was the Seal of Comael Cawn Deceased round or square?

5th To all the witnesses —

Do you know or can you say any other Matter or thing material
for the Defendant in this Cause?

Shaikh Mahomed Casub being produced deposes as follows —

To the first Interrogatory this Deponent saith that He hath known
the Complainant from his Infancy, but hath no Knowledge of
of the Defendant.

To the Second Interrogatory this Deponent saith that He is not
related to Comael Cawn deceased.

To the third Interrogatory this Deponent saith that He is not a
Creditor to the Estate of Comael Cawn deceased, that He hath received
no part of Comael Cawn's Estate, neither is He indebted to the said
Estate. That He this Deponent was born at this Place & hath generally
resided here, & that He both reads & writes the Persian Language,
that He does not believe the Paper now shewn him said to be
the last will & Testament of Comael Cawn deceased to be signed &
sealed by the said Comael Cawn.

To the fifth Interrogatory this Deponent saith not to any particular
Question enquired of therein.

Ufain Cawn being produced deposes as follows

To the first Interrogatory this Deponent saith that He hath known the
Complainant from his Infancy, and the Defendant about two Years,
that the Defendant lived in a House which belonged to Comael Cawn
deceased.

To the second Interrogatory this Deponent saith that He is a Relation
of Comael Cawn deceased.

To the third Interrogatory this Deponent saith that He is not a
Creditor to the Estate of Comael Cawn deceased, & hath received no part of

the said Estate, neither is he indebted to the said Estate; that he hath lived in this Place about 13 years, that he can neither read or write, & that he knows not who executed the Paper said to be the last will & Testament of Comaell Cawn deceased now shown to him.

To the fourth Interrogatory this Deponent saith that the Seal of Comaell Cawn deceased was a square one.

To the fifth & last Interrogatory this Deponent saith not to any particular Question enquired of therein. *The Signature of*

Mirall Daisoo Chittie being produced deposes as follows *Yam Cawn*

To the first Interrogatory this Deponent saith that he ^{knows} the Complainant from his Infancy, but hath no knowledge of the Defendant.

To the third Interrogatory this Deponent saith that he is not a creditor to the Estate of Comaell Cawn deceased, & hath received no part of the said Estate, neither is he indebted to the said Estate, that he hath lived in this Place 35 years, that he does not know who executed the Paper now shown him said to be the last will & Testament of Comaell Cawn deceased.

To the fourth Interrogatory this Deponent saith that the Seal of Comaell Cawn was a square one.

To the fifth & last Interrogatory this Deponent saith not to any particular Question enquired of therein. *The Mark of Mirall Daisoo Chittie*

Kistnah Pullack being produced deposes as follows.

To the first Interrogatory this Deponent saith that he hath known the Complainant from his Infancy, but hath no knowledge of the Defendant.

To the third Interrogatory this Deponent saith that he is not a creditor to the Estate of Comaell Cawn deceased, & that he hath never received any part of the said Estate, neither is he indebted to the said Estate, that he lived in this Place about 10 or 12 years, but upon the News of Comaell Cawn's Death he this Deponent went away & staid about four years, & that it is about four Months since he returned to this Place, that he this Deponent reads & writes Malabar, that he knows not who executed the Paper now shown him said to be the last will & Testament of Comaell Cawn deceased.

To the fourth Interrogatory this Deponent saith that the Seal of Comaell Cawn was a square one.

To the fifth & last Interrogatory this Deponent saith not to any particular Question enquired of therein.

The Court observing that Hyfain Cawn Alligee & Gangee Ibrahim have in their Depositions taken this Day declared that they did see the deceased Comaell Cawn sign & seal the Paper now shown them said to be the last will & Testament of the said deceased, & that they did also sign & seal their name in the Presence of the said Comaell Cawn & of each other; and whereas they did in their Deposition given before this Court on the 22^d Day of April last deny that they saw the said Comaell Cawn sign & seal the said Paper, altho' many of the Members as well as the Register & Interpreters perfectly remember that they were several Times interrogated to that particular, & for which reason it was not mentioned in their Oaths taken that Day, that they saw the said Comaell Cawn sign & seal the said Paper. The Court is therefore asked whether an Oath taken upon the Alcoran in Court is not equally binding upon their Consciences with one taken at the Mosque? & whether they do not frequently administer the Oath upon the Alcoran at other Places besides the Mosque?

To which he answers that the Oath taken at the Mosque is looked upon as more solemn than that taken at any other Place, but that they imagine that the same Punishment will attend the breaking the one as the other; and that they frequently do administer Oaths upon the Alcoran at other Places besides the Mosque.

It appearing to the Court that the said Hyfain Cawn Alligee & Gangee Ibrahim have been guilty at least of a very great Perjury & contradiction in their Evidence & have endeavored to impose upon the Court; It is therefore agreed in Order to punish the said Hyfain Cawn Alligee & Gangee Ibrahim, as well as to deter others from being guilty of perjury in their Evidence before this Court, that the said Hyfain Cawn Alligee & Gangee Ibrahim shall each of them be fined to our Sovereign Lord the King in the sum of twenty five Pagodas, and shall suffer three Months Imprisonment; and they are now accordingly committed to the custody of the Sheriff.

Agreed at the Motion of the Complainant's Attorney to defer coming to any Resolution with regard to the Authenticity of the Instrument said to be the last will & Testament of Comaell Cawn deceased till the Morning of this next, as they may desire the presence of the Witnesses have further Proof with regard to the Validity thereof.

A Letter from the Secretary of the President & Council by their Order, read, setting forth that the case mentioned in the Letter from the Court of the 22^d of April

Proceedings in Petty Causes

Mansel Seal

vers.

Joannes David

The Sheriff returns the Warrant of Execution issued against the Defendants Effects endorsed, that he had levied by Sale of the Goods & Chattels of the Defendant the sum of £10. 1. - & that he was ready to tender to the Complainant the sum of £7. 11. - being the Amount of his Debt & Costs & the Remainder to the Defendant.

Ordered that he do pay to the Complainant the Amount of his Debt & Costs & the Remainder to the Defendant.

John Bishop

vers.

Joannes David

Mr John Palmer Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendants Effects, he not having satisfied the Debt of their quest proved the 11th Ultimo. Granted Returnable the 15th Instant.

Adjourned till Tuesday
the 15th Instant

At a Court held at the Town Hall on Tuesday
the 15th Day of July Anno Domini 1760.

Present

Francis Taylor Esquire Mayor.

John Marriot, John Simon Smith,

John Debonaire, Thomas Conway,

& John Whitehill Aldermen.

John Ballard

vers.

Conde Chittie Nistmah

Summons returned served

The Defendant does not appear.

Thomas Pelling

vers.

Nellacountanker Sheweramah

Answers read & filed.

Mr John Palmer Attorney for the Complainant prays the Court that the Defendant may be obliged to swear to his Answer at Triplicane Pagoda. Granted upon the Complainant paying the Costs attending the same; And Ordered that a Commission for that Purpose do issue directed to the Examiners, & that the same be made returnable the 29th Instant.

John Adams by his Attorney Andrew Rofs

vers.

Joannes Nagar

Further Day is given the Parties till the 22nd Instant to Examine Witnesses.

George Stratton

vers.

Degetos Nelacontadoo.

Balabodria Davy, Archistmah Amorees, Narasinga Davy & Balahistmahado.

Issue joined.

Day is given the Parties till the 22nd Instant to Examine Witnesses.

Fazell Cawn by his Prochein Amy Sana Venkata Nistmah Chittie

vers.

Mansel Seal

Further Day is given the Parties till the 29th Instant to Examine Witnesses.

Edward Burman by his Attorney Andrew Rofs

vers.

Pysate Romme Chittie

Et Contra.

Mr Archdale Palmer Attorney for the original Complainant prays that a Rule may issue to take the Depositions of Nundecum Virashe, Cochanas Bendas, Mankannah Chinnah Venkannah, & Vishnupundah, who are about to depart from this Place.

Granted by the Consent of the opposite Attorney.

Day is given the Parties till the 22nd Instant to Examine the said Nundecum Virashe, Cochanas Bendas, Mankannah Chinnah Venkannah, & Vishnupundah.

Bill of Josias Dupre & Andrew Kops read & filed
 Ransom Venkatachellum Paupra Brammery to be summoned
 Bill of Jan Markus Schepers read & filed
 Gatchick Cranner to be summoned
 Bill of Jan Markus Schepers read & filed
 Joannes Amatoorn to be summoned.

Proceedings in Petty Causes

John Bishop

vers.
 Joannes David

The Sheriff returns the warrant of execution issued against the Defendants Effects endorsed, that he had levied by sale of the Goods & Chattels of the Defendant the sum of Rs. 10-20 as part & parcel of the Debt & Costs due to the Complainant, & that the Defendant had no other Goods or Chattels within his District, whereby the residue of the said Debt & Costs or any part thereof.

Adjourned till Tuesday
 the 22nd Instant.

At a Court held at the Town Hall on Tuesday
 the 22nd Day of July Anno Domini 1760

Present

Francis Taylor Esquire Mayor
 Peter Mariette, John Lawrence Smith,
 John Calland, John Debonaire
 Rich^d. Brickenden, Henry Rustace Johnson,
 & John Whitehill Aldermen

Josias Dupre & Andrew Kops

vers.
 Ransom Venkatachellum Paupra Brammery

Summons returned vered
 The Defendant does not appear
 To be summoned again.

Jan Markus Schepers

vers.
 Gatchick Cranner

Summons returned vered,

The Defendant appears

Mr. John Palmer Attorney for the Complainant prays that the Defendant may give Bail,

Ordered that the Defendant do Produce Bail before Six o'clock in the Evening, Or in Default thereof that he be committed to Prison.

The Defendant being in Court and acknowledging the justice of the Complainants Demand, This Court doth therefore think fit to Order & Dence, & doth accordingly Order & Dence that the Defendant shall pay unto the Complainant the full & just Sum of Fifty two Pagodas & an half Current Money of Madras, together with such Interest as now is or shall hereafter become due thereon untill full payment is made, also all Costs of this Suit.

Jan Markus Schepers

vers.

Joannes Amatoorn

Summons returned vered

The Defendant appears

Mr. John Palmer Attorney for the Complainant prays that the Defendant may give Bail.

Ordered that the Defendant do produce Bail before Six o'clock in the Evening, Or in default thereof that he be committed to Prison.

The Defendant being in Court and acknowledging the justice of the Complainants Demand, This Court doth therefore think fit to Order & Dence & doth accordingly Order & Dence that the Defendant shall pay unto the Complainant the full & just Sum of Fifty five Pagodas & an half Current Money of Madras, together with such Interest as now is or shall hereafter become due thereon untill full payment is made, also all Costs of this Suit.

Ghesack Jacob

vers.

Antonis

Mr. John Palmer Attorney for the Complainant prays the Court that

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on his (plaintiff) making Oath to the Justice of his Demand, as the
the Summons which issued against the Defendant was returned by the
Sheriff, endorsed, Non est incontinentes.

The Complainant having made Oath to the Justice of his Demand
in Court, Ordered that a Warrant of Sequestration do issue against
the Defendants Effects returnable the 5th Day of August next.

James Den

vers:

Thomas Newton

Mr Archdale Palmer Attorney for the Complainant prays the Court
that a Commission may issue directed to Messrs Abraham Gee
William Fullerton, & William Smith to take the Depositions
of Witnesses at Calcutta in the Kingdom of Bengall.

Granted returnable the 31st Day of October next.

Thomas Pelting

vers:

Nellacountaiker Sheveramah

Petition of the Defendant Nellacountaiker Sheveramah read &
filed, praying that he may not be obliged to make Oath to his
Answer at Suplicans Pagoda, as he is a Principal Merchant
& a Braminy of the Gujarat Coast, and as he conceives that there is
nothing denied in his said Answer, but what depends upon the
Complainant to prove.

Mr John Palmer Attorney for the Complainant prays the Court that
the Prayer of the said Petition may not be granted, as it does
appear by the Minutes of the former & the present Mayors Court,
that they were of Opinion that it was highly unreasonable in any
of the Nations of this Country to refuse the taking an Oath, since
it is notorious that Oaths are required by their own Ancient
Laws & Customs, & that the Practice of administering them with
very great Solemnity within their Temples before their Idols & in
their former was established before the English or any other Europeans
were known in India.

The Defendants Answer is thereupon read a second time.

The Court taking the Prayer of the said Petition as well as the
Objections made thereto.

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Merchant and a Braminy of the Gujarat could not exempt him
from taking the Oath at the Pagoda in the most solemn

Manner, if the Nature of the Case required it; Yet since upon
a Perusal of the Defendants Answer there does not appear to
be any thing contained therein of such Consequence as to require
the Defendant to make Oath there at Suplicans Pagoda, But
that on the contrary there is nothing denied by the Defendant, but
what depends upon the Complainant to prove; It is therefore
Agreed that the Order made the last Court Day do stand revoked,
and the Defendant now makes Oath to his Answer in Court.

George Stratton

vers:

Degatoo Nelaunt adoo, Balabodria Davy, Neehistmah, Amorees,
Narasinga Davy, & Balahiatmadoff.

Further Day is given the Parties till the 29th Instant to Examine
Witnesses.

John Adams by his Attorney Andrew Rofs

vers:

Joannes Nagas,

Further Day is given the Parties till the 29th Instant to Examine
Witnesses.

Edward Burman by his Attorney Andrew Rofs

vers:

Pysate Romme Chiller

Et Contra,

Mr Archdale Palmer Attorney for the original Complainant prays
the Court that a further Rule may issue to take the Depositions of
Cochanas Bundar, & Vishnupundah, as they could not be examined
before, by reason of one of them being out of the Place, & the others
being indisposed.

Granted by the Consent of the Opposite Attorney,

Further Day is given the Parties till the 5th August next to Examine
the said Cochanas Bundar, & Vishnupundah.

Mr Alderman Callard being interested goes off the Bench,

John Callard

vers:

Summons may issue against the Defendant, He not having appeared upon the summons issued the 1st Instant.

granted accordingly.

Mr Alderman Calland returns to his Seat.

Mr Alderman Whitehill being interested goes off the Bench
Bill of John Whitehill with an Account current annexed read & filed,
Thomas Pelling to be summoned.

Petition of Mr Edward Jones read & filed, praying leave to resign the
Office of Deputy Sheriff, & that the Court would be pleased to appoint
him an Attorney of this Court. Both which prayers are granted,
and the Oaths of Allegiance & of the Office of an Attorney are now
administered to him in Court.

Proceedings in Petty Causes.

John Bishop

vers.

Trevengadunn

Mr. John Palmer Attorney for the Complainant prays that a warrant
of Execution may issue against the Defendants Effects, He not having
satisfied the Decees of this Court passed the 21st Ultimo.
Granted returnable the 5th Day of August next.

Adjourned till Tuesday
the 29th Instant

At a Court held at the Town Hall on Tuesday
the 29th Day of July Anno Domini 1760.

Present

Francis Taylor Esquire Mayor
John Lowen Smith Esq. Recorder,
& Thomas Penning Alderman.

John Whitehill

vers.

Thomas Pelling

Summons returned served.

The Defendant appears.

John Calland

vers.

Conde Chittie Hietnah

Summons returned served.

The Defendant appears.

Josias Dupre & Andrew Rags

vers.

Rawsom Vencatachellum Rupa Braming

Summons returned served.

The Defendant appears by his Attorney Mr. Archdale Palmer,
Mr. John Palmer Attorney for the Complainants prays that the Defendant
may give Bail.

Mr. Archdale Palmer Attorney for the Defendant offers as Bail Vadamalla
Pillah & Mordue Hietnah, & as a further Security offers to deposit
the Sum of Two thousand Pagodas.

The Attorney for the Complainants objects to the accepting of Vadamalla
Pillah & Mordue Hietnah as Bail for the Defendant.

Agreed that the Bail offered by the Defendant be accepted, & Ordered
that he do deposit into this Court the Sum of Pag: 2000. or in Default
thereof that a warrant of Arrest do issue.

Vadamalla Pillah & Mordue Hietnah become Bail for the personal
Appearance of the Defendant, or to answer all Costs & Damages, taken and
acknowledged in Court.

George Mackay

vers.

Hietnah Polah, Vengasw Pundader & Chiering a Justice

Mr. John Palmer Attorney for the Complainant produces a Certificate from
the Register setting forth that the Usual time of Six Months is elapsed
since the return of the Warrant of Sequestration issued against the
Defendants Effects, He therefore prays that a Decree may now pass
Bill with an Account current annexed read.

It appearing by the Records of this Court that the Defendants were not
to be found within the Jurisdiction of this Court & that sundry Effects
of the Defendants have been requested by the Sheriff of this Place, &
the Time appointed by the Charter for the Defendants Appearance being
elapsed. On due Consideration had, This Court doth think fit to
Order & Decree, & doth accordingly Order & Decree that the Defendants

shall pay unto the complainant the full & just sum of Three
thousand & sixty eight Pagodas, twenty fanams & forty five Cash,
(Pag: 368-20-45) together with such Interest as now is or shall
hereafter become due thereon untill full payment is made. Also
all costs of this Suit. *H. C. A. M. W.*

George Stratton

*Deogato Vellacuntado, Balabodria Day, Strakintish Amorces
Naravinda Day, & Balahistmadgw.*

Further Day is given the Parties till the 5th Day of August next to
Examine Witnesses.

Fazell Law by his Attorney *Amey Sana Vencata Vistram Chetty*

Manoel Seal

Further Day is given the parties till the 12th Day of August next
to Examine Witnesses; In Default of which, Publication will be made
in this Cause.

Abraham Browne

Suncakamah

Withdrawn with the consent of the opposite Attorney.

The Register acquaints the Court that the Accountant General had not
yet delivered into Court an Account of the Balances of Deposits
belonging to the debtors of this Court remaining the 30th Day of
April last in the charge of the President & Council, altho the Register
has frequently applied to him for the same.

The Accountant General being there present for is asked the
reason of his having neglected to deliver into Court the said account
for so long a time, as the same ought to have been delivered in on
the 30th Day of April last; He thereupon acquaints the Court that
the President & Council have been so much taken up with other
affairs, that he has not been able to get them to sign the said
Accounts, but that he will immediately apply to the President
& Council in Order to get them signed.

Adjourned till Tuesday

At a Court held at the Town Hall on Tuesday

the 5th Day of August Anno Domini 1765

Present

*Francis Taylor Esquire Mayor,
John Calland, Rich. Brickenden, &
Henry Eustace Johnson Aldermen.*

M^r George Payne Accountant General delivers into Court an Account of the
Balances of Deposits belonging to the debtors of this Court remaining
the 30th Day of April last in the charge of the President & Council,
Certified by the President & Council, Accountant General & the Register
of this Court.

Josias Dupre & Andrew Aofs

Rowson Vencatachellum Paupra Bramming.

The Register lays before the Court a Certificate from the Accountant General
into the President & Councils receipt amounting certifying that the Defendant
had deposited with them the sum of Pag^s 2000 and agreeable to an
Order passed the last Court Day.

Day is given the Defendant till the 12th Instant to answer the
Complainants Bill.

Ephraim Jacob

Antonie

The Sheriff returns the warrant of Sequestration issued against the
Defendants Effects, Underscored that he has requested sundry Effects
a list whereof was thereunto annexed.

Ordered that the usual Advertisements be officed.

Lawrence d'Arlyva

Chumbo Ninah Chetty & Nagamony Chetty

The Register acquaints the Court that he had since the last Court Day
received a Note from the Complainants Attorney signifying that the
Defendant Nagamony Chetty might be released from Prison, and
that thereupon a Counter warrant had issued under the Hand &
Seal of the Mayor for the Defendants Release.

George Stratton

vers.

Regator Melacuntadoo, Balakodria Dany, Archistmah Amoras,
Narawinga Dany, Baladistmadops.

M^r. John Palmer Attorney for the Complainant prays that a
Peremptory Rule for the Examination of witnesses may now pass
the usual Rules having already issued.

M^r. Archdale Palmer Attorney for the Defendants prays that the
same may be made for three weeks, as he has been prevented
by a Multiplicity of Business from Examining them before.

Further Day is given the Parties till the 26th Instant to Examine
witnesses, In Default of which Publication will pass in this Cause.

M^r Alderman Calland being interested goes off the Bench.

John Calland

vers.

Comde Chitsee Thistmah

Day is given the Defendant till the 12th Instant to Answer the
Complainants Bill.

M^r Alderman Calland returns to his Seat.

Fagell Caron by his Prochein Amy Sana Vencata Thistmah Chitsee

vers.

Manoel Seal

M^r. Archdale Palmer Attorney for the Complainant acquaints the Court
that he has been informed that Ghurack Jach one of the witnesses produced
by the opposite Party is concerned in the Issue of the Suit, he therefore
prays that he may have leave to examine the said Ghurack
Jach, and that in case he should be able to prove that the said
Ghurack Jach is interested in the Issue of the Suit, that his Deposition
taken on the part of the Defendant may be set aside.

Granted by the Consent of the opposite Attorney.

The Attorney for the Complainant likewise prays the Court that
the Exhibits which have been delivered into this Court on the part
of the Complainant may be delivered to the Examiner, in Order
that he may examine witnesses to prove the Authenticity of the
same.

Comde Chitsee Thistmah

Proceedings in Petty Causes

John Bishop

vers.

Trevengadum

The Sheriff returns the Warrant of Execution issued against the
Defendants Effects, Endorsed Debt & Costs satisfied.

Adjourned till Tuesday the 12th Instant.

A Court held at the Town Hall on Tuesday
the 12th Day of August Anno Domini 1760.

Present

Francis Taylor Esquire Mayor,
Rich^d. Brichendon & John Whitehill
Aldermen.

Josias Dupre & Andrew Rofs

vers.

Ransom Vencata chellum Paupa Brammery

Further Day is given the Defendant till the 19th Instant to Answer the
Complainants Bill.

John Calland

vers.

Comde Chitsee Thistmah

Further Day is given the Defendant till the 19th Instant to Answer
the Complainants Bill.

Fagell Caron by his Prochein Amy Sana Vencata Thistmah Chitsee

vers.

Manoel Seal

M^r. John Palmer Attorney for the Defendant acquaints the Court that
he has been informed that some of the witnesses produced on the part
of the Complainant are interested in the Issue of the Suit, he therefore
prays that a further time of 14 Days may be allowed for the
Examination of witnesses, & that the Depositions of such witnesses
produced by the Complainant as shall appear to be interested in the
Issue of the Suit may be set aside.

Granted by the consent of the opposite Attorney
Further Day is given the Parties till the 26th Instant to examine
witnesses, in Default of which Publication will peremptorily pass
in this Cause.

George Mackay

vers.

Kistmah Poolah, Vengajaw Pondudor, & Churinga Chithee

M^r. John Palmer Attorney for the Complainant prays that a Warrant
of Recession may issue against the Defendants Effects, He not having
satisfied the Deeds of this Court passed the 29th Ultimo

Granted returnable the 26th Instant.

David Lopez Fernandez & Samuel Defastro

vers.

Coole Singanah

M^r. John Palmer Attorney for the Defendant prays that a Precept
may issue against the Defendant, He not having paid the
said Attorney his stipulated Fees.

Granted accordingly.

Bills of Gregorio Miguel read & filed

Palliapah to be summoned.

Bills of Daniel Defastro with an Account Current annexed read & filed

Basavapa Chithee to be summoned

Bills of John Spratt read & filed

Sunca Ramma to be summoned.

Bills of Gerack Jacob with an Account Current annexed read & filed

Sahyama to be summoned.

Adjourned till Tuesday the 19th Instant

A Court held at the Town Hall on Tuesday

the 19th Day of August Anno Domini 1760

Present

Francis Taylor Esquire Mayor,

John Seven Smith & Rich^d. Brinkendon

Aldermen

Gerack Jacob

Summons returned served
The Defendant does not appear
To be summoned again.

John Spratt

vers.

Sunca Ramma

Summons returned served.

The Defendant appears by his Attorney M^r. Archdale Palmer,

M^r. John Palmer Attorney for the Complainant prays that the
Defendant may give Bail.

M^r. Archdale Palmer Attorney for the Defendant prays that the
Defendant may not be obliged to give special Bail, as the
Complainant hath already accepted of a Mortgage of sundry
Premises as Security for his Demand.

Agreed that general Bail be waived.

Daniel Defastro

vers.

Basavapa Chithee

Summons returned served,

The Defendant does not appear.

To be summoned again.

Gregorio Miguel

vers.

Palliapah

Summons returned served

The Defendant does not appear,

To be summoned again.

David Lopez Fernandez & Samuel Defastro

vers.

Coole Singama

Precept for payment of Costs issued against the Defendant
returned Endorsed, Contempt satisfied.

John Calland

vers.

Conde Chithee Thistua

Further Day is given the Defendant till the 26th Instant to

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Jairus Dupre & Andrew Rags

vers.
Ramesh Venkatachallum Paupia Prammay

M^r. Archdale Palmer Attorney for the Defendant prays that an Order may issue to the Accountant General to draw on the President & Council for the sum of Pags 2000 in - payable to the complainant being the amount of the sum deposited by the Defendant in lieu of Bail.

Granted by the consent of the opposite Attorney.

Adjourned till Tuesday the 26th Instant.

At a Court held at the Town Hall on Tuesday
the 26th Day of August Anno Domini 1760.

Present

Francis Taylor Esquire Mayor

John Screen Smith, John Debonaire, &

Henry Eustace Johnson, Aldermen

Geerack Jacob

vers.

Sattiana

Summons returned void

The Defendant does not appear

M^r. John Palmer Attorney for the complainant prays that a warrant of Arrest may issue against the Defendants Body,
Granting returnable the 2^d Day of September next.

Daniel De la Roche

vers.

Bussapah Quilke

Summons returned void; The Defendant does not appear

Withdrawn the Defendant having no Attorney.

Gregorio Miguel

vers.

Palliapah

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M^r. John Palmer Attorney for the complainant prays that the Defendant may give Bail.

Lundapah of Madras (consent) & John Doe become Bail for the personal appearance of the Defendant or to answer all costs & Damages, taken & acknowledged in Court.

George Stratton

vers.

Degatos Nellacuntador, Balabodria Davy, Breckistna Amores
Narasinga Davy, & Balakistna dofs

A Note from the Examiners to the Register read setting forth that the Depositions taken in this Cause are ready.

M^r. John Palmer Attorney for the Complainant prays that Publication may now pass, as the opposite party hath already been indulged with two Court Days extraordinary for the Examination of their Witnesses, or in Case the Court should think proper to grant the Defendants a further time for the Examination of Witnesses, that they may be obliged to make Oath that they had not an Opportunity of examining them before.

M^r. Archdale Palmer Att^r for the Defendants acquaints the Court that several of his Clients are also Georl Tervaudy a very material witness to be produced on the part of the Defendants are out of the Place in collecting money in the Company's Account, He therefore prays that Publication may not pass before next Court Day. The Court taking the Prayer of the said Attorney into consideration agreed that Publication do not pass till next Court Day. Further Day is given the Parties till the 2^d Day of September next to examine witnesses, In default of which Publication will presumptively pass in this Cause.

Fozell sworn by his Prochein Amey Tama Venkata Krishna ma Pillai

vers.

Manoel Chal

A Note from the Examiners to the Register read setting forth that the Depositions taken in this Cause are ready.

One Exhibit on the part of the Defendant delivered into Court. Publication is passed in this Cause.

John Sparr

vers.

Summa Sparr

the Complainant's Bill.

Thomas Pelling

vers.

Nellacountaher Shevenamah,

Day is given the Complainant till the 2^d Day of September next to
reply, in Default of which this Cause will be heard on the Proceeding
already had.

Edward Bibb

vers.

Samuel DeCastro by his Attorney Daniel DeCastro, Abraham Browne
& Daniel DeCastro.

A Note from the Examiners to the Register read, setting forth that the
Depositions taken in this Cause are ready.

John Adams by his Attorney Andrew Rife

vers.

Joannes Nazar

A Note from the Examiners to the Register read setting forth that the
Depositions taken in this Cause on the part of the Defendant are ready.

John Calland

vers.

Condeshitsee Kistmah

Mr. John Palmer Attorney for the Complainant produces a Certificate
from the Register setting forth that the usual Rules had issued for
the Defendant to answer the Complainant's Bill, which he has
neglected doing, He therefore prays that a Decree may now pass
Bills with a Note annexed read.

It appearing to the Court that the Defendant had been served with
the usual Rules to answer the Complainant's Bill, but wilfully &
obstinately refusing so to do, This Court doth therefore think fit
to Order & Decree & doth accordingly Order & Decree that the Defendant
shall pay unto the Complainant the full & just Sum of One Hundred
& sixty Pagedas, six farans, & forty Cash (Pag: 160-6-40) together
with such Interest as now is or shall hereafter become due thereon
until full payment is made also all Costs of this Suit.

George Mackay

vers.

Kistmah Poolah, Vengajari Pundador, Kharungal Chitsee

Mr. John Palmer Attorney for the Complainant prays that a further time
till the 2^d day of September next may be allowed for the return of the
Warrant of Execution issued against the Defendants Effects, as the
Sheriff has not been able to get the Dimensions of a House which he has
made Seizure of situated beyond the Mount.

Granted accordingly.

Adjourned till Tuesday

the 2^d Day of September next.

At a Court held at the Town Hall on Tuesday

the 2^d Day of September Anno Domini 1760.

Present

Francis Taylor Esquire Mayor

Peter Mariette, John Lewis Smith,

John Debonaire, & Rich^d. Brichenden

Aldermen.

Georack Jacob

vers.

Sattigana

Warrant of Arrest returned, endorsed, Admitted to Bail

Callivate Ninah Chitsee of the same Merchant & John De become Bail for
the personal Appearance of the Defendant, & to answer all Costs & Damages,
taken and acknowledged before the Mayor.

James Hay

vers.

Moota Comrapah Mooldeir & Savagepuentaher

Bill with an Account Current annexed filed between the Days of adjourn-
ment read,

Summons issued thereupon returned served on Savagepuentaher, Moota
Comrapah Mooldeir, non est invidetur.

Thomas Pelling

vers.

Nellacountaher Shevenamah

98.
George Mackay

vers.

Kistmah Poolah, Vengajon Pundudor, Muringa Chittee

The Sheriff returns the warrant of Execution issued against the Defendants Effects, Endorsed that he had levied by Sale of the Goods & Chattels of the Defendants the Sum of Pags. 113. 21. 40 as part & parcel of the Debt & Costs due to the Complainant, & that the Defendants had no other Goods & Chattels within his Districts whereby he could levy the residue of the said Debt & Costs, or any part thereof.

John Spratt.

vers.

Junca Namma

Further Day is given the Defendant till the 9th Instant to answer the Complainant's Bill.

Edward Edwards

vers.

Josias Dupre

Jose joined.

Gregorio Miguel

vers.

Palliapah

Day is given the Defendant till the 9th Instant to answer the Complainant's Bill.

George Strathorn

vers.

Degetoo Nellacuntador, Palabodria Davy, Streekistna Amoreas, Naraing a Davy, & Balakistnadoff

One libell^y on the part of the Defendants delivered into Court

M^r. Archdale Palmer Attorney for the Defendants acquaints the Court that Ramchistna Martha one of the Defendants examined on the part of the Defendants has not signed his Deposition, He therefore prays that a Summons may issue against the said Ramchistna Martha,

Granted returnable the 9th Instant.

Publication is passed in this Cause, & Ordered that the same be set down for hearing.

Petition of John DeBrie was filed praying that the Court would permit him to resign the Office of Portuguese Interpreter.

Granted accordingly.

Bill of Thomas Helwells Executor to the Estate of Captain Henry Delaval dec^d by his Attorney Matthew Clarke was filed.

Bauverycoatah Bucasapah Chittee to be summoned.

M^r. Alderman Smith acquaints the Court that in some Affairs require his Presence at Bengall, He therefore desires leave of Absence for a few Months, which is granted.

The said M^r. Alderman Smith delivers into Court a List of fines levied by him as Clerk of the Market amounting to Pags. 20. 11. 70

M^r. Alderman Calland being the next senior Alderman who has never acted in that Employ is appointed to act for the remainder of the Year.

Adjourned till Tuesday the 9th Instant

At a Court held at the Town Hall on Tuesday

the 9th Day of September Anno Domini 1760

Present

Francis Taylor Esquire Mayor

Peter Mahette, Rich^d. Brickenden, &

Henry Sadace Johnson, Aldermen

Thomas Helwells Executor to the Estate of Captain Henry Delaval dec^d by his Attorney Matthew Clarke

vers.

Bauverycoatah Bucasapah Chittee

Summons returned ver^d.

The Defendant does not appear.

George Strathorn

vers.

Degetoo Nellacuntador, Palabodria Davy, Streekistna Amoreas, Naraing a Davy, & Balakistnadoff

Summons issued against Ramchistna Martha returned ver^d,

He does not appear.

M^r. Archdale Palmer Attorney for the Defendants acquaints the Court that the said Ramchistna Martha had signed his Deposition.

John Calland

vers.

Conde Hully Elismah

M^r John Palmer Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendants Effects he not having satisfied the Debt of this Court passed the 26th Ultimo.
Granted returnable the 23rd Instant.

John Spratt

vers.

Sunca Kamina

Further Day is given the Defendant till the 16th Instant to Answer the Complainants Bill, In Default of which Judgment will be given for the Complainant.

Gregorio Miguel

vers.

Palliapak

Further Day is given the Defendant till the 16th Instant to Answer the Complainants Bill.

Edward Edwards

vers.

Josias Dupre

Day is given the Parties till the 16th Instant to examine witnesses.
Bills of Humphrey Lowcock with a Translate of a Mortgage Obligation arrived and filed.

Dudde George Madali to be summoned.

Adjourned till Tuesday the 16th Instant.

At a Court held at the Town Hall on Tuesday

the 16th Day of September Anno Domini 1760

Present

Francis Taylor Esquire Mayor

Peter Mariotte, John Debonnaire,

Rich^d Boncherdore & Henry Lestace Johnson,
Aldermen.

Humphrey Lowcock

vers.

Summons returned served.

The Defendant does not appear.

George Browne by his Attorney Abraham Browne

vers.

John Wright

Bill with an Account filed between the Days of Adjournment read.

Summons issued thereupon returned served.

Warrant of Arrest returned served.

The Agents acquainted the Court that he had received a Note from the Complainants Attorney setting forth that the Defendant had satisfied the Complainants Demand, & that thereupon a Counter Warrant had issued under the Hand & Seal of the Mayor for the Defendants Release. Whereupon the Defendant having no Attorney —
James Hay

vers.

Comsaph Chilly

Bill filed between the Days of Adjournment read.

Summons issued thereupon returned served.

The Defendant appears.

M^r John Palmer Attorney for the Complainant prays that the Defendant may give Bail.

Orders that the Defendant do produce Bail before 5 o'clock in the Evening, or in Default thereof that a Warrant of Arrest do issue.

John Spratt

vers.

Sunca Kamina

Answer with an Account arrived and read & filed.

George Stratton

vers.

Degetoo Xollo & Ladroo Palabodria Davy, Brakistna Amoreas, Xarwingu Davy, & Palabodria deff.

A Note from the Complainants to the Register read, accompanying the Depositions taken in this Cause.

Fagell Lawrie by his Brother Amy Sam a Benkata Mithiana (Chilly)

vers.

Hand Seal

A Note from the Complainants to the Register read accompanying the Depositions taken in this Cause.

Ordered that they lay out the sum of 1000 in Hearing.

Gonsalo Jacob

vers.

Sattyana

Day is given the Defendant till the 23rd Instant to Answer the Complainant's Bill.

Gregorio Miguel

vers.

Palliapah

Further Day is given the Defendant till the 23rd Instant to Answer the Complainant's Bill in Default of which Judgment will be given for the Complainant.

Edward Edwards

vers.

Josias Dupre

Further Day is given the Parties till the 30th Instant to Examine Witnesses.

Bill of Joseph Austin read & filed

Complainant (Chitree) to be summoned.

Adjourned till Tuesday the 23rd Instant.

The Court held at the Town Hall on Tuesday

the 23rd Day of September Anno Domini 1760

Present

Francis Taylor Esquire Mayor
John Delonore & Rich^d. Brichenden
Aldermen.

Joseph Austin

vers.

Complainant (Chitree)

Summons returned second

The Defendant appears

M^r. Archdale Palmer Attorney for the Complainant prays that the

Defendant may give Bail.

Ordered that the Defendant do provide Bail before 5 o'clock in the evening, or in Default thereof that a warrant of Arrest do issue.

The Defendant being in Court and acknowledging the justice of

to Order & Denial & doth accordingly Order & Denial that the Defendant shall pay unto the Complainant the full & just Sum of Four Hundred & fifty Pagodas (Pag^s 450) together with such Interest as now is or shall hereafter become due thereon untill full Payment is made, Also all Costs of this Suit.

J. W. M. M. M.
Reg^r.

James Hay

vers.

Complainant (Chitree)

Pombay Annachellum of Madras Dubash & Chinglorry of the same Place Merchant become Bail for the personal Appearance of the Defendant or to Answer all Costs & Damages taken and acknowledged before M^r. Alderman Johnson.

Day is given the Defendant till the 30th Instant to Answer the Complainant's Bill.

John Salland

vers.

Complainant (Chitree)

M^r. John Palmer Attorney for the Complainant acquaints the Court that the Defendant had satisfied the Complainant's Demand, & that therefore the Warrant of Execution prayed for the 9th Instant had not issued.

Thomas Melvill Executor to the Estate of Captain Henry Delaval deceased by his Attorney Matthew Clark.

vers.

Complainant (Chitree)

M^r. John Palmer Attorney for the Complainant prays that a second Summons may issue against the Defendant, the first having appeared on the Summons issued the 2nd Instant.

Granted Returnable the 30th Instant.

Proceedings in Petty Causes.

Bill of Peter Chitree Tenevadum with an Account Current annexed read & filed.

Jose de Abreu to be summoned.

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At a Court held at the Town Hall on Tuesday
the 30th Day of September Anno Domini 1760

Present

Francis Taylor Esquire Mayor
Peter Mariette, John Debaratre, &
Henry Gustave Johnson, Aldermen.

Thomas McSwall Executor to the Estate of Captain Henry Delaval
deceased by his Attorney Matthew Clarke

vers.

Baliverry coatah Bussawapak (Chitty).

Summons returned served

The Defendant appears by his Attorney M^r. Archdale Palmer

M^r. John Palmer Attorney for the Complainant prays that the
Defendant may give Bail

Ordered that the Defendant do produce Bail before 5 o'clock in
the Evening, or in Default thereof that a Warrant of Arrest do issue.

Joseph Austin

vers.

Comrapah Chittee

Munda Chittee & Comcatasha become Bail for the Personal
Appearance of the Defendant or to Answer all Costs & Damages
taken and acknowledged before M^r. Alderman Pinckenden.

John Spratt

vers.

Suncakamma

Subpoena read & filed.

James Dean

vers.

Thomas Newport

Replication read & filed.

Fogell Canon by his Brother in Army Law Suncata Westman Chitty

vers.

Manoel Seal

The Register acquaints the Court that the time limited for the
Imprisonment of the Defendant is expired.

this Day, but that they have not as yet paid the Fines inflicted
on them by this Court,

Ordered that they be released from Prison as soon as they shall
have discharged the Fines inflicted on them as aforesaid.

M^r. Archdale Palmer Attorney for the Complainant prays that
a Copy of the Minutes of Court taken on the 1st Day of July last
with regard to the Validity of the Instrument alleged by the
opposite Party to be the last Will & Testament of Com^{rs} Law
deceased may be sent round with the Printed Writs in this Cause
for the Inspection of the several Members.

Granted by the Consent of the opposite Attorney.

Humphrey Sewcock

vers.

Duade Virago Modali

Withdrawn, the Defendant having no Attorney.

Geerack Jacob

vers.

Sattiana

Further Day is given the Defendant till the 7th Day of October
next to Answer the Complainant's Bill.

James May

vers.

Comrapah Chittee

Further Day is given the Defendant till the 7th Day of October
next to Answer the Complainant's Bill.

Edward Edwards

vers.

Josias Dupre

Further Day is given the Parties till the 7th Day of October next
to examine Witnesses.

Proceedings in Petty Causes.

Pichee Chitty Trevengadum

vers.

Joze de Abres

Summons returned served. — The Defendant does not appear.
Withdrawn the Defendant having no Attorney.

At a Court held at the Town Hall on Tuesday

the 7th Day of October Anno Domini 1760.

Present

Francis Taylor Esquire Mayor
Peter Maricotte John Calland,
Rich^d. Brickenden & Tho^s. Corney
Aldermen.

Thomas Thelwall Executor to the Estate of Captain Henry Delaval
deceased by his Attorney Matthew Clarke,

vers.

Bauverrycootah Bysanwajah Chitsee

Balthazorts Chetty of Madras Merchant & John Doe become Bail for
the Personal Appearance of the Defendant or to Answer all Costs & Damages
taken & acknowledged before M^r. Alderman Brickenden.

Vencatta Kistnah

vers.

John Serwen Smith & John Maxwell Stone Administrators to
the Estate of William Roberts dec^d.

Rejoinder read & filed.

Issue joined.

James Hay

vers.

Comrapah Chitsee

Further Day is given the Defendant till the 14th Instant to Answer
the Complaintants Pile, In Default of which Judgment will be given
for the Complaintants.

Geor^d. Jacob

vers.

Sattiyana

Further Day is given the Defendant till the 16th Instant to Answer
the Complaintants Pile, In Default of which Judgment will be given
for the Complaintant.

John Spratt

vers.

Sunca Ramina

10)
Default of which this Cause will be heard on the Proceedings already had.
Edward Edwards

vers.

Josias Dupre

Further Day is given the Parties till the 21st Instant to Examine
Witnesses, In Default of which Publication will pass in this Cause.

Joseph Austin

vers.

Comrapah Chitsee

M^r. Archdale Palmer Attorney for the Complaintant prays that a
Warrant of Execution may issue against the Defendants Effects, He
not having satisfied the Decree of this Court passed the 23rd ultimo.
Granted Returnable the 21st Instant.

Bills of Samuel DeLarko by his Attorney Daniel DeLarko, & of Daniel
DeLarko both Executors to the Estate of David Lopez Hernandez deceased
with an Account Current annexed read & filed.

Cola Singanah to be summoned.

Bills of James Taylor read & filed

Sadashava Moodlaire to be summoned.

The Register acquaints the Court that Hispan Lawm Altizze & George
Hraham had paid the Fines inflicted on them by this Court, &
that they had thereupon been released from Prison agreeable to
an Order of last Court Day.

Adjourned till Tuesday the 11th Instant.

At a Court held at the Town Hall on Tuesday

the 11th Day of October Anno Domini 1760

Present

Francis Taylor Esquire Mayor
Peter Maricotte John Calland,
John Debonaire & Rich^d. Brickenden
Aldermen.

James Taylor

vers.

Sadashava Moodlaire

Summons returned served

The Defendant appears.

M^r. John Palmer Attorney for the Complainant prays that the Defendant may give Bail.

Pydenada Moodelaire of Madras (exceptly & John Doe become Bail for the personal appearance of the Defendant, or to answer all Costs & Damages taken and acknowledged in Court.

The Defendant being in Court and acknowledging the justice of the Complainant's Demand, This Court doth therefore think fit to Order & Decree & doth accordingly Order & Decree that the Defendant shall pay unto the Complainant the full & just Sum of Two Hundred & eighty three Acre Rupees (Rs. 583 - -) together with such Interest as now is or shall hereafter become due thereon until full Payment is made also all Costs of this Suit. *J. Cur. A. H. W. 1812*

Samuel de Castro by his Attorney Daniel De Castro & of Daniel De Castro both Executors to the Estate of David Lopez Fernandez deceased.

vers.

Coola Senganaiah

Summons returned served.

The Defendant appears by his Attorney M^r. Edward Jones.

M^r. John Palmer Attorney for the Complainant prays that the Defendant may give Bail.

M^r. Edward Jones Attorney for the Defendant prays that the Defendant may not be obliged to give Special Bail, as the Complainant have already accepted of a Mortgage of sundry things as Security for their Demand.

Agreed & general Bail be received.

James H. J.

vers.

It appearing by the Records of Court that the Defendant hath been served with the usual Rules to answer the Complainant's bill but

willfully & obstinately refusing so to do, This Court doth therefore think fit to Order & Decree & doth accordingly Order & Decree that the Defendant shall pay unto the Complainant the full & just Sum of Two Hundred Pagodas (Pag. 400 - -) Current of Madras together with such Interest as now is or shall hereafter become due thereon until full Payment is made, also all Costs of this Suit. *J. Cur. A. H. W. 1812*

vers.

Sattyana

M^r. John Palmer Attorney for the Complainant produces a Certificate from the Register setting forth that the usual Rules had issued for the Defendant to answer the Complainant's Bill, which he had neglected doing, He therefore prays that a Decree may now pass. Bill with an Account Current annexed read.

It appearing by the Records of Court that the Defendant hath been served with the usual Rules to answer the Complainant's Bill but willfully & obstinately refusing so to do, This Court doth therefore think fit to Order & Decree & doth accordingly Order & Decree that the Defendant shall pay unto the Complainant the full & just Sum of Two Thousand four Hundred & thirty five Pagodas twenty five Annas & fifty two Cash (Pag. 2435. 25. 52) Current of Madras, with such Interest as now is or shall hereafter become due thereon until full payment is made, and in Default thereof that the Mortgaged Premises shall be sold in & towards the Payment of the Complainant's Demand, & in case the mortgaged Premises should not be sufficient to answer the Complainant's Demand, that the Defendant shall pay to the Complainant any Deficiency that may arise, also all Costs of this Suit. *J. Cur. A. H. W. 1812*

George Mackay Administrator to the Estate of Captain John

Wheeler deceased

vers.

Thomas Newton

M^r. William Fullerton, Gillingham & Dudley Davis of Calcutta in the Kingdom of Bengal petition the Commission to them directed for taking the Depositions of witnesses in this Cause.

M^r. Archdale Palmer Attorney for the Defendant prays that the said Commission may not be received, as the same hath not been returned to the Court in the manner it ought to have been, as the Person that brought the same ought to have made Oath that he received the same from the Hands of the Commissioners, & that it has not been opened since that time; & that the Hands & Seals of the Commissioners ought to have appeared upon the Back of the Commission; Ordered that the said Commission be opened in Court to see if the same be properly executed;

The said Commission being accordingly opened & appearing to be duly executed by the said William Tulkerton (calling Smith & Dudley Davis; Ordered that the same be immediately sealed up again, & lodged with the Register until Publication shall pass in this Cause, when Copies of the Depositions shall be given to the Parties in this Cause.

M^r. Alderman Debonnaire being appointed Attorney to the Complainant in the two following Causes goes off the Bench.

Jan Markus Schepfer

vers.

Cachick Ouanne

M^r. John Palmer Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendants Effects He not having satisfied the Deeds of this Court passed the 22^d Day of July last. Granted returnable the 28th Instant.

Jan Markus Schepfer

vers.

Joannes Erratou

M^r. John Palmer Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendants Effects He not having satisfied the Deeds of this Court passed the 22^d Day of July last. Granted returnable the 28th Instant.

M^r. Alderman Debonnaire returns to his Seat.

Thomas Melville Executor to the Estate of Captain Henry Delaval deceased by his Attorney Matthew Clarke

vers.

Bauvery coateh Dupanapah Chittij

Day is given the Defendant till the 28th Instant to answer the Complainant's Bill.

Thomas Pulling.

vers.

Nellacountauck Sherramah

Day is given the Defendant till the 28th Instant to appear in Default of which this Cause will be heard on the Proceedings already had.

George Stratton

vers.

Degatos Nella cuntadoo, Calabodnia Doo, Anakistrah Amooce, Narasinga Doo, & Balakismadoff by his Gomastha Joggoff At the Motion of the Attornies on both sides Ordered that this Cause do now come on to be heard.

Bill read,

Answer read,

Replication read,

Rejoinder read,

Interrogatories on the part of the Complainant read,

Three Depositions taken thereunto read,

Interrogatories on the part of the Defendants read,

Two Depositions taken thereunto read,

Additional Interrogatories on the part of the Defendants read

Four Depositions taken thereunto read

One Exhibit on the part of the Defendants read.

M^r. John Palmer Attorney for the Complainant prays that the Exhibit taken from the Ship's Book may not be received, as the same is only attested by the Secretary who is not a sworn Officer.

Ordered that the Ship's Book be produced in Evidence that the said Exhibit may be compared therewith.

The Ship's Book being accordingly produced, & the said Exhibit being found to agree therewith, Ordered that the same be received.

His Chancery coming on to be heard & debated this Day in the Presence of the Defendants Degatos Nella cuntadoo, & Calabodnia Doo & of the Attornies on both sides, On reading the Complainant's Bill, the Defendants Answer, the Replication, the Rejoinder, the Interrogatories & Depositions on the part of the Complainant, the Interrogatories and Depositions on the part of the Defendants, as also an Exhibit on the part of the Defendant, On hearing the Pleadings made use of by the Attornies, & on due Consideration had thereon, It appearing to the Court

that the Defendants never did consent or agree to execute the Policy of Insurance sued for by the Complainant, & that neither of them did ever receive any Premium in consideration for the same, except the Defendant Degato Nollacuntados, who appears to have acted as a Broker in the Affair, This Court doth therefore unanimously think fit to Order & Decree & doth accordingly Order & Decree that the Premium for Insurance received by the said Degato Nollacuntados shall be returned to the Complainant, & that the Complainant's Bill shall stand dismissed with costs.

Wm. J. Stone
Reg.

Bill of Marmaduke Best by his Attorney Matthew Clarke with a transcript of an Obligation annexed read & filed.
Pyrate Ramma-deo to be removed.

Adjourned till Tuesday the 21st Instant.

A Court held at the Town Hall on Tuesday
the 21st Day of October Anno Domini 1760

Present
Francis Taylor Esquire Mayor
John Callard & Henry Lupton Johnson
Clerks.

Marmaduke Best by his Attorney Matthew Clarke

vers.
Pyrate Ramma-deo

and appears by his Attorney M^r Edward Jones.

The said M^r Edward Jones offers to the Court a Demurrer, which is read. The Court observing that the said Demurrer does directly enter into the Merits of the Suit, Ordered that the same be dismissed & that the Defendant be put upon his Answer.

Joseph Austine

vers.

Comptroler Chilton

The Sheriff returns the Warrant of Execution issued against the Defendants

Defendant the sum of P^{er} 6^{ty} 31^{ty} 10^{ty} as part & parcel of the Debt & Costs due to the Complainant, & that the Defendant had no other Goods or Chattels within his Districts whereby He could levy the residue of the said Debt & Costs or any part thereof.

M^r Richard Palmer Attorney for the Complainant prays that a Warrant of Commitment may issue against the Defendants Body. Granted returnable the 14th Day of November next.
Jan Markus Schaeffer

vers.

Patrick Owanne

The Sheriff returns the Warrant of Execution issued against the Defendants Effects, Endorsed that the Defendant had no Goods or Chattels within his Districts whereby He could levy the Debt & Costs due to the Complainant or any part thereof.

M^r John Palmer Attorney for the Complainant prays that a Warrant of Commitment may issue against the Defendants Body. Granted returnable the 18th Day of November next.
Jan Markus Schaeffer

vers.

Juanes Amatson

The Sheriff returns the Warrant of Execution issued against the Defendants Effects, Endorsed that the Defendant had no Goods or Chattels within his Districts whereby He could levy the Debt & Costs due to the Complainant or any part thereof.

M^r John Palmer Attorney for the Complainant prays that a Warrant of Commitment may issue against the Defendants Body. Granted returnable the 18th Day of November next.
John Spratt

vers.

Sunca Ramana

Rejoinder read & filed

Issue joined.

Edward Edwards

vers.

Josias Dupre

M^r John Palmer Attorney for the Complainant argues the Court that Josias Dupre is one of the witnesses produced in this Cause.
Hath

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both refused to take an Oath before the Examiner in Order that
they may be examined in this Cause.
Ordered that the said Jogesprau be summoned to attend this
Court on the 28th Instant.

James Taylor
vers:
Sadashava Moodelaire

M^r. John Palmer Attorney for the Complainant prays that a Warrant
of Execution may issue against the Defendants Effects, He not having
satisfied the Deuce of his Court passed the 14th Instant.

Granted returnable the 11th Day of November next.

Thomas Kelsall Executor to the Estate of Captain Henry Delaval
deceased by his Attorney Matthew Clarke

vers:
Bauverycoatak Bupswapak Chilly

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

Samuel Delasto by his Attorney Daniel Delasto, & of Daniel
Delasto both Executors to the Estate of David Lopez Fernandez deceased

vers:
Cola Singanah

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

Bill of Geerack Jacob read & filed

Milapow Comsapiak Chitsee to be summoned.

M^r. Hadson appears & delivers into Court an Extract from the General
this President & Council from the Court of Directors dated the
16th which is compared with original Letter produced in Court.
and M^r. Edward Hadson likewise delivers into Court the Records
of the former & the latter Court for the Year 1745, & the Registry of Wills
from the Year 1735 to 1744. with Duplicates of the same.

Adjourned till Tuesday the 28th Instant

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At a Court held at the Town Hall on Tuesday
the 28th Day of October Anno Domini 1760.

Present

Francis Taylor Esquire Mayor,
John Calland, John Debonaire, &
Rich^d. Brinkenden, Aldermen,

Geerack Jacob

vers:
Milapow Comsapiak Chitsee

Summons returned served.

The Defendant appears,

The Defendant being in Court and acknowledging the Justice of his
Complainants Demand, This Court doth therefore think fit to Order &
Decree & doth accordingly Order & Decree that the Defendant shall
pay unto the Complainant the full & just Sum of Four Hundred
& Eighty Pagidas / Page 480 - / together with such Interest as now
is or shall hereafter become due thereon until full Payment is made,
Or in Default thereof that the Mortgaged Premises shall be sold in & toward
the Payment of the Complainants Demand, & in case the Amount
of the Mortgaged Premises shall not be sufficient to discharge the
Complainants Demand, that the Defendant do pay unto the Complain-
ant any Deficiency that may arise, on the 1st of this Month.

Edward Edwards

vers:
Josias Dapre

Summons issued against Jogesprau and ~~the~~ ^{the} ~~same~~ ^{same} ~~is~~ ^{is} ~~produced~~ ^{produced} in
this Cause returned served. He accordingly appears in Court.

Samuel Borden the Court Sergeant acquainted the Court upon Oath that
"He went to the House of the said Jogesprau & enquired for him, &
"that Jogesprau himself came to the Door & told him that he was
"gone backwards & then that was gone to wash, & that he would send
"him tomorrow, but when the said Samuel Borden insisted upon
"staying, till he should see the said Jogesprau, he at length found
"that

that Jagespaw himself was the very Person whom he had been all that time talking with & who had endeavored to impose many "Falsities upon him; That he the said Samuel Occenden then served the said Jagespaw with the Summons who thereupon laughed at him; & that all the conversation that passed between them was by the means of his the said Samuel Occenden's Dubash.

The said Jagespaw being then asked the reason of his insolent Behaviour to the Sergeant of this Court, he acquaints the Court that he did not well understand the Sergeant's Dubash who talked with him in Malabar.

The said Dubash being then called upon corroborates the Evidence of the Sergeant, & further acquaints the Court that he conversed with the said Jagespaw in the Gentoo Language.

The Court taking the Behaviour of the said Jagespaw into Consideration are of Opinion that he has behaved in a very unbecoming & insolent Manner to the Sergeant, & hath likewise provoked before the Court, It is therefore Ordered that he be fined to Our Sovereign Lord the King in the sum of twenty five Pagodas, & that the same be paid before the next Court Day.

The said Jagespaw being then asked the reason of his having refused to take an Oath before the Examiner in Order that his Deposition may be taken in this Cause. He acquaints the Court that he is acquainted with the Customs of the Court, but that he will before the next Day give his Evidence upon Oath before the

Not

rec

Ne

Heveramah

Samuel Defastio by his Attorney Daniel Defastio Abraham Brown & Daniel Defastio

vers

Edward Bibb, Et Contra.

Rejoinder read & filed

Copy Replication with five Papers annexed read & filed.

Thomas Kelsall Executor to the Estate of Captain Henry Delaval deceased by his Attorney Matthew Clarke,

vers

Bauwenycoatak Bupanapah Chittie

Further Day is given the Defendant till the 11th Day of November next to answer the Complainants Bill in Default of which Judgment will be given for the Complainant.

Samuel Defastio by his Attorney Daniel Defastio & of Daniel Defastio both Executors to the Estate of David Lopez Hernandez deceased

vers

Gola Singanah

Further Day is given the Defendant till the 11th Day of November next to answer the Complainants Bill.

Marmaduke Best by his Attorney Matthew Clarke

vers

Piyrate Rammadoo

Day is given the Defendant till the 11th Day of November next to answer the Complainants Bill.

Geerack Jacob

vers

Sattiyana

W. John Palmer Attorney for the Complainant alleges that a warrant of Execution may issue against the Defendant who is not having satisfied the Debt of this Cause. It is granted returnable the 25th Day.

Adjourned till Tuesday the 11th Day of November next.

118
At a Court held at the Town Hall on Tuesday
the 4th Day of November Anno Domini 1760.

Present
Francis Taylor Esquire Mayor
Thomas Conway & John Whitehill,
Aldermen.

Joseph Austin

vers.

Comsapaah Cuttee

The Sheriff returns the Warrant of Commitment issued against the Defendants Body, endorsed, served.

The Defendant being brought to Court & not having satisfied the Complainant's Demand is Ordered to remain in Prison.

Edward Edwards

vers.

Judas Dupre

The Register acquaints the Court that Judas Dupre one of the Witnesses produced in this Cause who was fined the last Court Day in the Sum of P^{cs} 25 - had paid the same.

A Note from the Recorder to the Register read setting forth that the Depositions in this Cause are ready.

The Court is satisfied in this Cause, and

is ordered to be set down for hearing.

His Attorney Daniel DeFastes & of Daniel DeFastes of Daniel DeFastes &c.

is ordered to give the Defendant till the 11th Instant to Answer the Complaint, & in default of which Judgment will be given for the Complainant.

John Spratt

vers.

Sunca Ramma

Day is given the Parties till the 11th Instant to examine Witnesses.

119
Jazell Lann by his Brother Amy Lann Comsapaah Cuttee

vers.

Manoel Seal

Ordered that this Cause do come on to be heard the 11th Instant.

Marmaduke Best by his Attorney Matthew Clarke

vers.

Pysate Amonadoo

Answers read & filed.

Adjourned till Tuesday the 11th Instant.

At a Court held at the Town Hall on Tuesday
the 11th Day of November Anno Domini 1760

Present

Francis Taylor Esquire Mayor,
Peter Manette, John Debonaire,
Henry Lestace Johnson, & Thomas Conway,
Aldermen.

James Taylor

vers.

Sadashawa Woodlaire

The Sheriff returns the Warrant of Execution against the Defendants

Effects, endorsed, &c. & not satisfied.

John Spratt

vers.

Sunca Ramma

Further Day is given the Parties to examine Witnesses.

Witnesses.

Georack Jacob

vers.

Milapore Comsapaah Cuttee

Wth John Debonaire Attorney for the Complainant prays that a Warrant of Execution may issue against the Defendants Effects, &c. & not having satisfied the Decree of this Court passed the 28th Ultimo. Granted returnable the 9th Day of December next.

Gregorio

Gregorio Miguel

Palliapah

Withdrawn by the consent of the opposite Attorney.
Fogell (ann) by his Purchaser Amy Sana Venkata this Maria (Shutter)

Manuel Seal

- Bill read,
- Answers read,
- Rejoinder read,
- Interrogatories on the part of the Complainant read,
- Seven Depositions taken thereunto read,
- Additional Interrogatories on the part of the Complainant read,
- Four Depositions taken thereunto read,
- Eight Exhibits on the part of the Complainant read,
- Interrogatories on the part of the Defendant read,
- Two Depositions taken thereunto read,
- Additional Interrogatories on the part of the Defendant read,
- Four Depositions taken thereunto read,
- Second Additional Interrogatories on the part of the Defendant read,
- Three Depositions taken thereunto read,
- Two on the part of the Defendant read,
- Exhibits of the Court, as the Judge Ordinary on the

Minutes of Court of the 1st July read.
Action of the Complainant's Attorney taking the Validity
of said to be the last will & Testament of Manuel Seal
made by the Defendant as an Exhibit in this Cause into
consideration, are unanimously of Opinion that the same is by
no means authentic. It is therefore agreed that the same shall not
be admitted as evidence in this Cause.

M^r. Archdale Palmer Attorney for the Complainant prays leave to
withdraw the Exhibits N^o 1. & 2. produced by the Complainant in this
Cause as they are very immaterial to the Issue of this Suit.
Granted by the Consent of the opposite Attorney.

Appealed to the President & Council.

M^r. Archdale Palmer Attorney for the Complainant prays that the
Deposition of Gerach Jacob one of the witnesses produced in this Cause
may be thrown out as he appears to be interested in the Issue
of the Suit.

The said Gerach Jacob appearing to be interested in the Issue of the Suit
Ordered that his Deposition be quashed.

M^r. John Palmer Attorney for the Defendant prays that the
Depositions of Maria Anna, & of Pancherumum Pernal Shutter may
be thrown out as they are interested in the Issue of the Suit.

The Court being of Opinion that the said Maria Anna, & Pancherumum
Pernal Shutter are interested in the Issue of this Suit, It is
therefore Ordered that their Depositions be quashed.

This Cause coming on to be heard & debated this Day in the
Presence of the Defendant & of the Attorney on both sides on reading the
Complainant's Bill, the Defendant's Answer the Rejoinder & Rejoinder
the Interrogatories & Depositions on the part of the Complainant, the
Interrogatories & Depositions on the part of the Defendant, the several
Exhibits produced both on the part of the Complainant & Defendant, as
likewise the several Extracts from the Minutes of this Court; on hearing
the Pleadings made use of by the Attorney & on due consideration had
thereon, It appearing to the Court that the Complainant Fogell (ann)
is the lawful Son & Heir at Law of Manuel Seal deceased. This Court doth
therefore think fit to Order & Decree that the Complainant shall have
in Dispute, & that the Title shall be delivered up
to him; & Moreover that the Costs shall be defrayed
by the Defendant

Bill of Gerach Jacob with an Account given
Cambacca Narrain to be summoned.

Adjourned till Tuesday the 18th Inst.

At a Court held at the Town Hall on Tuesday
the 18th Day of November Anno Domini 1760.

Present
Francis Taylor Esquire Mayor.
John Calland & John Debonaire,
Aldermen.

Geerack Jacob

vers:
Cambacca Nanaam

Summons returned varied

The Defendant appears

M^r. Archdale Salmons Attorney for the Complainant prays that the
Defendant may give Bail.

Ordered that the Defendant do produce Bail before 6 o'clock in the
Evening, or in Default thereof that a Warrant of Arrest do issue.

Jan. Markus Schaeffer

vers:
Joannes Amatum

Warrant of Arrest issued against the Defendant's Body returned
varied.

The Court that He had received a Note from
my witness that the Defendant had
promised to demand, & that thereupon a Counter
order the Hand & Seal of the Mayor for the

John Spratt

vers:
Surca Ramma

Warrant of Arrest issued against the Defendant's Body returned
varied.

The Defendant being brought to Court & not having satisfied the
Complainant's Demand is ordered to remain in Prison.

John Spratt

vers:
Surca Ramma

Manoel Seal

vers:
Cunmah Bibber

M^r. Edward Jones Attorney for the Complainant prays that a Warrant
of Execution may issue against the Defendant's Effects. The not having
satisfied the Demand of this Court prays the 14th Day of December last.
Granted returnable the 16th Day of December next.

Thomas Hellsall Executor to the Estate of Captain Henry Delaval
deceased by his Attorney Matthew Clarke

vers:
Bauverycoatah Busewafah Whittie

Withdrawn by the Consent of Opposite Attorney.

The Mayor lays before the Court his Bills for putting up the Mayor's
Callankee & other Charges from the 20th December last to this
time amounting to P^{gs}. 164-33-75 which is ordered to be discharged
and as the Balance remaining of the Court Cash is only P^{gs}. 136-14-10
Agreed that so much be borrowed from the Corporation Cash as will
make up the Deficiency

Adjourned till Tuesday the 25th Instant

At a Court held at the Town Hall on Friday
the 25th Day of November Anno Domini 1760.

Present
Francis Taylor Esquire
Peter Marcell
John Debonaire

Geerack Jacob

vers:
Sallyana

The Sheriff returns the Warrant of Execution issued against the Defendant's
Effects, endorsed, Debt & Costs satisfied.

Fagell Mann by his Brother Amy Sava Unicata Nishama Whittie

vers:
Manoel Seal

A Letter from the Clerk of the Court of Appeals read setting forth that

The Defendant had appeared from the Docket of this Court before the
11th Instant.

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

Manoel Seal

vers:

Cunnahe Bibba

M^r. Archdale Palmer Attorney for Fagell Cawn prays that all Proceedings
with regard to the warrant of Execution issued against the Defendants
Effects may be stopped untill the Issue of the Suit of Fagell Cawn
by his Prochein Amy Sana vanda. Kichama Chetty vers. Manoel
Seal, which is appealed to the President & Council.

Ordered that the Sheriff do not put the same into Execution till
further Order of this Court, & that the Return thereof be postponed
till that time.

Gerack Jacob

vers:

Cambacca Naraini

Cota Singana of Madras Merchant & John Doe become Bail for the
personal Appearance of the Defendant, or to answer all Costs &
Damages, taken & acknowledged before M^r. Alderman Calland.
Day is given the Defendant till the 2^d Day of December next to
answer the Complainant's Bill.

John

vers:

St

M^r. Parker till the 9th Day of December next
in Default of which Publication will pass in

and that the Court be summoned to meet on Tuesday the 2^d Day
of December next to elect for two Members to be presented to the
President & Council for them to elect one to be Mayor for the
 ensuing Year agreeable to the Charter.

Adjourned till Tuesday

At a Court held at the Town Hall on Tuesday

the 2^d Day of December Anno Domini 1760

Present

Francis Saylor Esquire Mayor
Peter Manette, John Calland,
John Debonaire, Henry Gustave Johnson,
& Thomas Pinney, Aldermen.

Manoel Seal

vers:

Cunnahe Bibba

M^r. John Palmer Attorney for the Complainant prays that the Order made
the last Court relating to the warrant of Execution issued against the
Defendants Effects, may be revoked, as the Client is thereby prevented from
recovering any part of his Demand, & as he cannot by virtue of the
warrant of Execution seize any of the premises mortgaged to him by
the Defendants.

The Court taking the prayer of the said Attorney into Consideration do
unanimously agree that the Order made the last Court Day do stand
confirmed.

Gerack Jacob

vers:

Cambacca Naraini

Further Day is given the Defendant
the Complainant's Bill.

Thomas Pelling

vers:

Nellacountauck Sheeram

Spoke joined

Day is given the Parties till the 9th Instant to examine witnesses.

John Adams by his Attorney Andrew Pope

vers:

Joannis Nages

Further Day is given the Parties till the 9th Instant to examine witnesses.
The Court being adjourned till the 9th Instant Captain John Hoines deceased

Further Day is given the Parties till the 9th Instant to examine
Witnesses.
Samuel Defastro by his Attorney Daniel Defasto, & Daniel Defasto
Deputies to the Estate of David Lopez Ferrandez deceased.
vers.

Celia Singanah

Withdrawn by the consent of the opposite Attorney.
The Mayor & all the remaining Aldermen having assembled agreeable
to an Order of the 25th Ultima, proceeded by balloting to the Election
of two Members to be presented to the President & Council for them to
elect one to be Mayor for the ensuing Year; and the Ballots appearing to
be in favor of M^r. Alderman Mariette & M^r. Alderman Calland, the
Register was then upon Order to acquaint the President & Council that
the Mayor & Aldermen were ready to present two Members to them.
The Register having returned accordingly that the President & Council
was then sitting in Council & ready to receive them, whereupon the Court
should think proper.
Upon which Notice the Mayor & Aldermen went in the usual State
of Ceremony from the Town Hall to the Council Board, & presented
the said M^r. Aldermen Mariette & M^r. Alderman Calland to the
President & Council for them to choose one of the said two Persons to
be Mayor for the ensuing Year; & being returned again to the
Court, the Mayor & Aldermen resumed their Seats & proceeded
to business.

Adjourned till Tuesday the 9th Instant.

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A Court held at the Town Hall on Tuesday
the 9th Day of December Anno Domini 1760
Present

Francis Taylor Esquire Mayor.
Peter Mariette, John Calland,
John Debonaire, Henry Justice Johnson.
& Thomas Pinney Aldermen.

A Letter from the Secretary of the President & Council, by their Order, read,
setting forth that they have Elected M^r. Peter Mariette (who with
M^r. John Calland was presented to them on the 2^d Instant) to be
Mayor for the ensuing Year; & likewise that they had chosen
M^r. James Hay of Saint George Merchant to be Sheriff.
Ordered that the usual Notice be sent to the said M^r. James Hay.
Vencatashallum

vers.
Lawrence

Summons returned served.
The Defendant appears.
M^r. Edward Jacob Attorney for the Complainant prays
may give Bail.
M^r. Archibald Palmer Attorney for the Defendant
says that the Complainant is a Scotch Prisoner
stranger to the Court & Prayers of the
that he has good Cause to Demure.
therefore prays that he may be
allowed to file a Demurrer.
Ordered that if the Defendant does
produce Bail before 6 o'clock in the Evening that a Warrant
of Arrest do issue.
Gosack Jacob

vers.
Milapine Complainant's Dutty
The Sheriff returns the Warrant of Execution issued against the
Defendant's Effects, Entreated that he had levied by Sale of the
said Effects the sum of £100 & 10/-

Defendant had no other goods or chattels within his District, where
He can levy the Residue of the said Debt & Costs on any part thereof.
John Spratt

vers.

Sionca Ramma

A Note from the Examiner to the Register and setting forth that the
Depositions in this Cause are ready.
Publication is passed in this Cause & Ordered that the same be set
down for hearing.

Garach Jacob

vers.

Cambacca Nairair

Further Day is given the Defendant till the 16th Instant to Answer the
Complaintant's Bill; In Default of which Judgment will be given
for the Complaintant.

George Mackay Administrator to the Estate of Captain John Hunter dec.

vers.

Thomas Norton

Further Day is given the Parties till the 16th Instant to examine
Witnesses; In Default of which Publication will pass in this Cause.
& Ordered by his Attorney Andrew Rife

The Parties till the 20th Instant to examine
Witnesses; In Default of which Publication will pass in this Cause.

Thos. Norton

Further Day is given the Parties till the 16th Instant to examine
Witnesses; In Default of which Publication will pass in this Cause.

Witnesses

Edmund de Quare by his Attorney Andrew Rife

vers.

Pyrat Nommie Pulla

vacant by the Resignation of John de Trig.

Which is granted, & the Oaths of Allegiance & Office are now administered
to him in Court.

Bill of Servannah Chittie Son & Heir of Trimmigalum Comrapah deceased read
& filed.

Agatappah to be summoned.

The Mayor acquaints the Court that the Sheriff had acquainted him that
He was ordered by the President & Council to proceed to Camp, & offered
M^r. Francis Jordan for his Deputy, & that thereupon the Mayor had
administered the usual Oaths to the said M^r. Francis Jordan.

Adjourned till Tuesday the 16th Instant

At a Court held at the Town Hall on Tuesday
the 16th Day of December Anno Domini 1760

PRESENT

Francis Taylor Esquire Mayor

Peter Morrice John Calland

John Debonaire & Thomas Brinley

Aldermen.

Servannah Chittie

vers.

Agatappah

Summons returned

The Defendant appears
of Objection to the Complaintant's
Bill as filed by him.

Ordered that Public Advertisement

Sum of Pay^t. 5. 11. be deposited in the Court.

Noted that the
Sum of Pay^t. 5. 11. be deposited in the Court on the 8th Day of July
1760 by Costa Pilla Venkata, & Costa Martapah on the 8th Day of July
1760 with be paid to Servannah Chittie Son & Heir of the said Trimmigalum
Comrapah upon his making Oath that He is really the Son & Heir of
the said deceased on the 13th Day of January next next coming, unless
any Person shall appear & make Objections before that Time.

Garach

130
Guerach Jacob

vers.
Antonio

M^r. John Palmer Attorney for the Complainant argues that the Defendant has satisfied the Complainant, & therefore prays that the Sequestration may be taken off the Defendant's Effects, & likewise prays leave to withdraw the sheet.

Granted accordingly.

Pericatoshalum

vers.
Lorrucor

Demurrer filed between the Days of Adjournment read.

Guerach Jacob

vers.
Casibacca Narrain

Answer with an Answer & counter answer read & filed.

Marmaduke Best by his Attorney Matthew Clarke

vers.
Pyrate Ramundo

M^r. Edward Jones Attorney for the Defendant prays leave to withdraw

the sheet in Order to answer the answer

M^r. Jones Attorney for the Complainant prays leave to withdraw the sheet & the cause.

Ordered that the Petition of Captain John Howe be read.

1 of the Complainant delivered in.
a Petition of Captain John Howe delivered over to his
Attorney by the Defendant.

M^r. John Palmer Attorney for the Defendant delivers into Court several
Extracts of Letters from the Defendant to different persons, & prays that
the money allowed to get them properly authenticated by comparing
the handwriting with the handwriting by the Defendant to

such confession.

M^r. John Palmer Attorney for the Complainant represents to the Court
that the Defendant has had full sufficient time to get the said
Extracts properly attested, & therefore prays that the Prayer of the
Defendant's Attorney may not be granted.

Ordered that the said Extracts do remain with the Register & that
the Attorney for the Defendant do get them properly authenti-
-cated.

Publication is passed in this Cause; And

Ordered that the same be set down for hearing.

Thomas Pelling

vers.
Nellacountaker Shevannah

Further Day is given the Parties till the 20th Instant to examine

Witnesses.
Edward Burman by his Attorney Andrew Pope

vers.
Pyrate Romme Shiller
Et Contra.

Ordered that the Demurrer & Joinder do come on to be argued the
13th Day of January next.

Adjourned

the 20th Instant.

Attest
Clerk of the Court