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VI

VOL. 29.

To the Honble Thomas Saunders Esqr
President & Governour &ca Council
of Fort St George

Honble Sir & Sirs

Pursuant to an order of the Mayors Court of this date, I now transmitt for Your Honour &ca inspection an account of the several disbursements attending that Corporation since its late Establishment wherein you will find, that the said Corporation stands now indebted the Ballance of Two hundred and forty eight Pagodas, five fanams, and thirty seven Cash (248. 5. 37) To pay off which as well as to have a Stock sufficient to answer the necessary Charges, They have also directed me to request of your Honr &ca a further advance of Five hundred (500) Pagodas For which they hereby acknowledge themselves to be accountable. I am with Respect

Honble Sir & Sirs Your most Obedt Servt
Danl Morse
Regr

Fort St George
Janry 3. 1754

To the Honble Thomas Saunders Esq
Presidt & Govr &ca Council of
Fort St George

Honble Sir & Sirs

We have received a Letter from your Secretary the 28th past, wrote by your order

which

which contains the Paragraph of a General Letter from the Honble the Court of Directors of the 2d. Janry 1753, setting forth "That in forming the late Charter "they have endeavoured to obtain all such Powers and "Authority's as might best tend to the Advancement "of Justice the Due Administration of it and the good "of their Settlement; But that the best Concerted Under-"takings however well Intended, do often times fall "short of their Institution; and when put in practice "many Errors and Defects are discovered; they therefore "desire Us, to transmitt to them from time to time "particular Accounts of Our Proceedings; and to point "out to them any further Alterations, Powers and "Authority's that may be necessary, or wherein the "present should be varied. that so far as their Authority "Extends, they may assist for rendering the Charter as "usefull and Extensive for the Publick Good as can "be desired."

Agreeable to which, We are of Opinion that the following Remarks as well upon such part of the Charter as appear to Us to require an Explanation as upon that Clause which excludes the Natives of this Country, from all Redress by a Court of Justice in Civil Causes, will conduce to the good purposes

intended

"And when a Mayor dies, the Charter directs: That one "of the Aldermen shall be chosen in his Room and "continue in the Office for the remainder of the Year, "and untill another shall be chosen

2d. This Paragraph likewise: "That if the said Mayor "or any of the said Aldermen shall remove to any of "the said Companys other Settlements or return to Europe "or shall otherwise be absent from the said Town by "the space of twelve Calender months, it shall be &c "In every such Case the place or Office of such "Mayor or Aldermen shall be void &c." The Company's Interpreter some explaining it thus, that upon an Alderman being of the Company's Servants shall remove to any other Settlement, his Place or Office is immediately Vacated; or if any Alderman should return to Europe, that then his Office becomes void immediately upon his departure; and others under standing it thus, that in either of these Cases a Vacancy does not happen before any Alderman shall have been absent twelve months. It is therefore desired that the matter may be explained in such a manner as will prevent all Ambiguity.

3d. With regard to that Clause which restrains the Natives from Commencing any Suits against other that this was the true Intention of the Charter; but the Definition of Indian Natives may nevertheleſs at all times, be liable to unanswerable Contests & disputes as it may often be very difficult, if not impoſsible to prove whether many Persons who may apply to Us for Justice are, or are not Natives; Since much the greatest part of those who are Vulgarly called Portuguese and Armenians &c. are Natives of this Country as much as the Mahometans and Pagans. And as Persons of the [illegible] Profeſsions do sometimes become Christians, yet nevertheleſs are Natives, an Incongruity will arise thereupon, which cannot be reconcil'd in any manner consistent with the abovementioned Construction, which has already been put upon this Clause. Further the express words of this Paragraph excludes the Indian Natives of Madraspatnam only, and makes no mention of those living in the subordinate Settlements; although We apprehend that the latter are intended to be Excluded as well as the former.

The Liberty given to any two Indian Natives to apply to the Mayor's Court, by mutual Consent can be of very little or no Service, as that Party who may think the Issue of a Suit in any degree

[illegible]

To the Honble Thomas Saunders Esqr
President and Govr &ca Council
of Fort St George

Honble Sir & Sirs

Mr William Percival the Senior Alderman having absented himself from the Mayors Court ever since the 3 Ultimo, whereby many Causes have been put a stop to for the last seven Sessions of the said Court the Mayor having been Concerned therein; I am directed by the Mayor and the rest of the Aldermen to acquaint Your Honr &ca thereof, and to request your interposition in an Affair of so weighty a consequence to an open Court of Justice by applying the remedy directed in his Majesty's Charter. I am with Respect

Honble Sir & Sirs
Your most Obedient Hble Servt
Danl Morse Regr

Fort St George
18th Feby 1754

To the Honble Thomas Saunders Esqr
Presidt & Governour &ca Council
of Fort St George

Honble Sir & Sirs

Henry Powney & John Smith Esqrs Attorneys for Richard Starke and Cornelius Goodwin having this day presented a Petition to the Mayors Court belonging to the Estate of Captain Edward Jacks Deceased being the amount of a deposite in the Honble Companys Cash; In Consequence of which You are directed by the said Court to signify to the President and Council that the abovementioned Sum is ready to be remitted into the Honble Companys Cash, in the Name of the Accomptant General when they shall think proper to receive the same

Sign'd By order of the Mayors Court

Danl. Morse Regr

Fort St. George
1754

To Mr. Claud Russell Accomptant General
&ca

Sir

Charles Bourchier Esqr. Attorney for Mr. Josh Westall having this day paid the Sum of Two thousand Two hundred and Fifty Pagodas thirty three Fanams and thirty seven Cash P2250:33:37 into the Mayors Court on account the Estate of Mr. William Browne Deceased And the Honble Company having been pleased to direct that all such Sums should be lodged in their Treasury under the Head of the Accomptant General, You are therefore Ordered by the said Court to inform the President and Council that the abovementioned Sum

is

To Mr William Percival

Sir

Mr Samuel Moses Executor to the last Will and Testament of Levi Moses Deceased having by Petition to the Hon^ble the Mayors Court of Madraspatnam set forth that there is the Sum of One hundred and eighty six Pagodas nine Fanams and sixty one Cash (186.9.61) due from the Estate of Captain John Byers Deceased to that of the aforesaid Levi Moses and on Information of the said Sum being in your hands he had applied to you for the same but on some Objections being made to his receiving it by Mess^rs Nicholas Moses and Solomon Franco Attorneys for Mr George Jones late Partner with the said Levi Moses Deceased) you had refused Payment thereof.

In Consequence of which Petition I am directed by the said Court to demand of you the abovementioned Sum of One hundred and eighty six Pagodas, nine fanams and sixty one Cash (186.9.61) and on receipt of which to give you a proper Discharge

I am Sir

Your most Obed^t Serv^t

Dan^l Morse Reg^r

Fort S^t George

23 April 1758

Sir
The Worshipfull Justices of the Choultry having this day paid into the Mayors Court the Sum of One hundred and fifty three Pagodas two fanams (153.2.-) being on Account of the Estate of the late Coja Mirzam Deceased, and the Honble Company having been pleased to direct that all such Sums shall be paid into their Treasury under the Head of the Accountant General. You are therefore ordered by the said Court to inform the President and Council that the above-mentioned Sum is ready to be paid into the Honble Companys Cash when they shall think proper to receive the same.

Sign'd by order of the Mayors Court

Fort St George
Danl Morse Regr

April 30th 1752

To Mr Claud Russell Accountant General

Sir
The Honble the Mayors Court having received the Sum of Ten Pagodas for fine which they have thought proper to inflict, and the Honble Company having been pleased to order that all Sums so levyd shall be paid into their Cash. In Consequence of which I am directed by the said Court to desire you will acquaint the President & Council

Sir

The Sum of One hundred eighty six Pagodas, nine fanams and sixty one Cash (186.9.61) having this day been paid into the Hon^ble the Mayors Court by M^r William Percival on account the Estate of Levi Moses Deceased, for which Sum there are now Suitors in the said Court, and the Hon^ble Company having been pleased to direct that all sums so received shall be paid into their Cash.

You are therefore ordered by the said Court to acquaint the President and Council that the abovementioned Sum is ready to be paid into the Hon^ble Companys Cash, when they shall think proper to receive the same.

Signed by order of the Mayors Court
Dan^l. Morse Reg^r.

Fort S^t George
May the 12^th 1752
To M^r Edward Russell Accomptant General

Sir

An order having passd the Mayors Court for the affixing of Advertisements at the Publick parts of this Place and Fort S^t David for the Owners Respondentia Creditors, and Adventurers on Ship Grant, and the Creditors of the late William Barnes Deceased to bring in their respective claims. [illegible]

by

to admit any matter a Subject of dispute with you which Relates to the Authority with which it is vested as a Court of Record and a Corporation because there is no manner of Right granted to Your Hon.r &c.a by his Majesty's Charter to Impugn those Resolutions which the Court saw think proper to frame for the due support of the Authority thereof. But at the same time, Your Honor &c.a to Say, that the Indispensible Obligation which the Court is laid under to defend (when attacked) that publick Authority which it is Constituted to maintain and the Purpose of the present Judges to transmit the same entire to their Successors (lest the Many good ends for which this Court has been established should by any means be frustrated) makes it necessary that Your Honor &c.a should Receive an Answer to Your Secretary's letter. That the letter wrote by Richard Fairfield to the Court as well as that which I had the honour to write to You, are both proper is a matter which the Court has a Right to determine for itself, even altho' Your Honor &c.a should still remain of a different opinion and therefore I am Directed to Return my former Letter with this, that you may still have an Opportunity (if You find it proper) to Register both with Your proceedings, (as the best Means of Remedying that Culpable Misapplication which Your Secretary (by Your Direction) has been pleased to make in my former Letter.

The Court is Willing to impute the the unbecoming manner in which it is treated upon this Occasion, to the Multiplicity of business in which Your Honor &c.a are engaged, because no doubt can be made but more Deliberate Consideration must have Produced a far different Resolution but I am desired to say that You will now have an Opportunity to reconsider the matter, and at

the

To the Honble Thomas Saunders Esqr
President & Governour &ca Council
of Fort St George

Honble Sir & Sirs

I am ordered by the Honble the Mayor's Court to acknowledge the receipt of a Letter from Mr Josias Du Pré by Your order dated the 19 Instant and in Answer thereto to acquaint Your Honr &ca that the Declaration which You are now pleased to make that it neither was nor is Your intention to enter into disputes is Acceptable to them and it will be very agreeable to them that this intention may not at any time hereafter be forgot. When any Vacancy happens in the Mayor's Court proper notice thereof will be given to Your Hon:r &ca I am with great Respect

Honble Sir & Sirs
Your most Obedt Humble Servt
Danl Morse
Regr

Fort St George
20 June 1754

To Mr Josias Du Pré Clerk of the
Honble Court of Appeals

Sir

Received Your Letter bearing date the 19 Instant wherein you say that you are ordered to signify to me for the information of the Honble the Mayor's Court that Hope [illegible] Hardy [illegible] and [illegible] Chitty had that Day appealed from a Decree of the said Court and that in Consequence thereof the Honble Court of Appeals desire that all proceedings in the said Cause may be stayed and that all Papers & Writings what ever relating thereto both in the former and the present Mayor's Court may be produced and laid before them. In answer to which I am Directed to acquaint you

for

to draw upon Your Honour &c. for the sum of Three hundred (300) Pagodas to defray the Charges attending that Corporation for which they hereby acknowledge themselves to be Accountable. I am with due Respect

Hon.ble Sir & Sirs

Your most Obed.t humble Serv.t

Daniel Morse Reg.r

Fort St. George
25 June 1754

Sir,

An order having passed the Mayors Court for the affixing Advertisements at the Publick places of this Place and Fort St. David for the Creditors of the Estate of the late Captain Edward Reade Deceased to bring in their respective claims, I now by Order of Court forward two Advertisements to You which You will be pleased to see stuck up at the most proper Places and let me know when so done.

Sign'd By order of the Mayors Court

Daniel Morse Reg.r

Fort St. George
July the 2d 1754
To Mr. Hugh Norris

Sir,

The sum of Two hundred Forty eight Pagodas twenty seven fanams and Twenty four cash (248. 27. 24) having this day been paid into the Hon.ble the Mayors Court by Mr. James Alexander Sheriff being the amount of the Sale of sundry Effects belonging to the Estate of Mr. Ralph Taylor Seized by Warrant of Execution for which Sum there are now Suitors in the said Court and the Hon.ble Company having been pleased to direct that all Sums so seized shall be paid into their Cash &c.

You are therefore desired by the said Court to acquaint the President and Council that the above mentioned Sum is ready to be paid in to the Hon.ble Company to the said Creditors to bring in their Claims with which the Court have thought proper to comply.

I therefore now by their Order forward two Advertisements to you, signifying their Resolution, which you will be pleased to see stuck up at the most proper Places

Signed by order of the Mayors Court
Daniel Morse Regr

Fort St. George
July the 1st 1754
To Mr. Hugh Norris

To Mr. Isaac Du Bois Clerk
of the Honble Court of Appeals

Sir

Your Letter of the 24th past relating to a Cause between Chinteminy Chitty and Cuta Chitty and Aga Saib was received, and read in Court the 28th & I am ordered by the Honble Mayors Court to acquaint you that whatever Opinion the Honble Court of Appeals may have entertained of their impeding the Course of Publick Justice this Court is well satisfied that nothing of this Nature can possibly appear but on the contrary that they have done their Duty in an impartial & fair Execution thereof and are thoroughly convinced of the Rectitude of their Proceedings.

And tho' this Cause is deemed Affirmed the Honble the Mayors Court not being obliged upon this or any other occasion to publish particular reasons for their Proceedings yet as they would willingly avoid any dispute with the Honble Court of Appeals they have desired me to State this Affair as it happened to the end that you may acquaint that Court therewith and they

at

Who previously applyd to the Clerk of the Court of Appeals for the perusal of the former Records of the Honble Court of Appeals and the said Clerk of Appeals in his presence look'd over three or four Books which he said was all that he had belonging to the Court of Appeals and told him that there was nothing in the said Books relative to the said Cause the said Attorney then desir'd leave to look over the Books himself which was granted him and he perused the same with great care, but not finding any proceedings in the said cause he enquired further of the Clerk of Appeals if he had more he then filed afresh Bill requesting the Honble Mayors Court that the said Defendants might be ordered to prosecute their Appeal or pay the Complainants the aforesaid Sum of Pagodas 625.18 with Interest due thereon the Defendants appeared the 27 of November agreeable to their Summons & informed the Court that they could not carry on their Appeal for want of the former proceedings in that Cause on that day Mr Isaac Morgat Attorney for the Defendants was ordered by the Court to attend on the President of the Court of Appeals to know whether that Court would receive the Appeal to which he readily replyd yes if any of the former proceedings could be produced The said Attorney having acquainted the Mayors Court with the result of his message, the Defendants were then ordered by the said Court to use their utmost endeavours to find out the former proceedings among the old Records of the former Courts and the space of one month was allowed them for that purpose In the interim application was again made to the Clerk of Appeals by the Attorney for the Defendants Servant and the search for effects but he repeated the same [illegible] they said

whole Proceedings by the first Opportunity, for
the information of the Court.

I am
Sir
Your most Obed.t Serv.t
Daniel Morse
Reg.r

Fort S.t George
9 August 1754
To M.r John Lewin Smith

Sir

M.r Domingos da Cruz having this Day by Petition to the Hon.ble Mayors Court setforth that there was the sum of Pagodas 382 – deposited in Your hands belonging to the Salvage of the Ship Arcott –

In Consequence of which Petition I am directed by the said Court to demand Payment of the said Sum of Pagodas 382 – from you and to give you a proper discharge for the same

I am Sir
Your most Obed.t Serv.t
Daniel Morse
Reg.r

Fort S.t George
August 16 1754
To William Percival Esq.r

Sir

The Sum of three hundred eighty two (382 –) Pagodas has this day been paid into the Hon.ble the Mayors Court by M.r William Percival being money deposited in the hands of the Hon.ble Thomas Saunders Esq.r as a Dividend of the Salvage of the Ship Arcott due to Francisco da Cruz

You are therefore ordered by the said Court to acquaint the President and Council that that (the above mentioned Sum is ready to be paid in to the Hon.ble Company's Cash when they shall think proper days after the time limitted for appealing was elapsed to receive an intimation from you that an Appeal had been lodged and at the same time to find that there is no reason given why the aforesaid draught is not complyed with, nor the least notice taken thereof. Since you did not give any notice of an Appeal within the time limitted for Appealing. Since the Postponing a Notice of Appeal for six days after it is lodged, as you have now done, may with as much reason in future be Postponed for six Weeks or any longer time. Since the Honble the Mayors Court Ordered their Accomptant General to draw on the President & Council in Consequence of their Decree at a time when they had no reason to imagine that an Appeal was lodged and since their Accomptant General did accordingly draw on the President and Council before any notice of an Appeal was given the Honble the Mayors Court are of Opinion that the Papers relating to that Cause ought not to be sent, but that their Decree must stand in force.

I am directed to add that the Honble the Mayors Court think it requires their most serious Consideration to take effectual care that a matter of this Consequence may be put upon such a footing as the first Instance to prevent its being drawn into a Precedent and to put it out of the Power of the Officers of either Court to be guilty of any neglect or omission which may impede the due Course of Justice, the surest way to avoid any possibility of a dispute upon all future occasions with the Honble Court of Appeals. I am

Sirs
Your most Obedt Servt
Daniel Morse
Regr

Fort St George
6 Sepr 1754

unavoidable necessity of ordering me to write —

It is true that the Indenture for surrendering the old Charter does say that all Suits which at the time of the accomplishment of the present Charter may be depending shall be carried on in the New Court, but it is likewise true that in the same Clause of that Indenture it is expressly declared "that no Judgment, Sentence, "Decree or Order of any of the Courts of Justice "which have been already made or which shall "here after be made, at any time before such new "intended Corporation and Jurisdiction shall be "established and take Place, be any ways Impeached "or avoided" Now it is certain that the Cause in Question could not be carried on in the present Court of Appeals because none of the former Proceedings could be found therefore it must follow that the Decree of the former Mayors Court is not to be avoided or Impeached but be enforced and carried into Execution because it would be extreamly absurd that that part of the directions in this Clause of the Indenture which carries a particular reference to an old Decree in Suspence should remain unexecuted without any other reason than that the other part which has a reference to an old Appeal undetermined cannot be complyed with.

As the Hon'ble the Mayors Court do always pay the strictest regard to His Majesty's Charter they were upon this Occasion particularly carefull to prevent all possibility of a dispute with the Hon'ble Court of Appeals and therefore took the precaution to be assured that it had been declared to one of the Defendants and to the Attorneys on both sides by the Clerk of the

Court

that the former Appellants might have it thereby absolutely in their Power to make their Appeal good which was doing every thing in their favour that the unusual Circumstances of the Case could admit of. It is true that the Clerk of the Court of Appeals does now say that what passed between him and the Attorneys &c.ª upon this Subject was a matter of private conversation, but it is as true that the Attornies &c.ª applied to him as a Publick Officer to whom it was proper to apply and they did receive his answer as coming from a Person who by Virtue of his Office had, or ought to have an Authority to deliver them nor could the Attornies receive his Answer in any other Sence because he did not desire them to look upon what past as a matter of private Conversation. —

But supposing it to be possible that both the Attornies of the Mayor's Court the Servant of one of their Attorneys and one of the Defendants (who accompany'd him to your — Apartment) might all be mistaken in saying that you spoke to them as Clerk of the Court of Appeals you yourself do now produce an Affidavit that You did speak to them in that Character, and unless it is supposed thus, that the Affidavit is produced the Members of the Mayor's Court do not see the material purport of it. It has indeed some Reference to one part of Your Letter which I was desired to Transmit to Engl.d "During this "time a very material Affair happened which "is stated in your Letter on which if it were true "might carry some weight viz. nothing less than "an Application to the Clerk of the Court of "Appeals on the part of the Defendants with

the

take notice that some parts of your Letter are couched in a Language, which it would be an arduous Task to reply to properly without failing in that decency of Expression which ought to be observed in a correspondence with one of his Majesty's Courts of Record, a Decency which the Hon.ble the Mayors Court have, and always will maintain.

I am directed to add that the Proposal made by the Hon.ble Court of Appeals for referring a Decree given by the Hon.ble the Mayors Court at Madraspatnam, to the Oppinion of Council in England, would be entirely frustrating all the Good intentions of, and indeed a palpable contradiction to His Majesty's Royal Charter, and therefore the Hon.ble the Mayors Court cannot by any means accede thereto, and they persuade themselves that they will not find it necessary to trouble the Hon.ble Court of Appeals with any further correspondence on this Subject.

I am
Sir
Your most Obed.t Servant
Daniel Morse
Reg.r

Fort St. George
Sep.r 2d 1754

To Mr. Josias Du Pre Clerk of the
Hon.ble Court of Appeals

Sir

The Hon.ble the Mayors Court having taken your Letter of the 5th past relating to the Cause Samuel Moses vers. Nicholas Morse and Solomon Franco into Consideration I am directed to give this Answer thereto. It is with real concern and reluctance that this Court finds itself under a necessity to take any notice of several Passages in your Letter which are not only quite foreign to the Subject in hand but (what is still more

shocking

Nay these Expressions in your Letter imply more th— a Censure upon the letter from this Court, for altho' it does not deny that the Representation from this Court ~~which~~ with regard to the necessity of giving timely notice is just, but rather acknowledges that it is so, the proper regard is not paid to that Representation because it is unhappily convey'd in a Stile and Spirit not pleasing to the Hon.ble Court of Appeals. And the last extraordinary Passage of this kind are these Words "But from the Stile and Spirit of Your Letter "seems not to have been the only object in view, "There is a Shadow of Defect in the Notice of the "Appeal signified to you under date 2 Instant the Mayors "Court have grasp'd at it as if it had been real "& pursued the Phantom with such eagerness that they "have themselves fallen into an Error by too much "Desire to detect one."

The Court find no reason to be dissatisfied with the Stile & Spirit of their letter, Both the due Administration of Justice agreeable to the Tenour of His Majesty's Gracious Charter, the only object that has their attention. Nor is it from the purpose to mention that this is a Duty which the Judges of the Mayors Court so constantly execute without the least Emolument to themselves. The other part of this Paragraph is such matter which this Court will not make any remarks upon because it would be impossible to do that without failing in their purpose not to suffer any thing to come from them indecent or which is inconsistent with that regard which they owe to their own Dignity as a Court of this Corporation, or with that respect which they studiously preserve for the Hon.ble the Court of Appeals. But that the Defect in the Notice of expired. It must therefore be understood by the Clause of the Charter, that such timely notice shall be given, otherwise the Intention of the Charter itself is entirely frustrated.

Your Letter says that His Majesty's Charter is silent with Regard to any Notice of an Appeal, & would hence inferr that a Notice is not necessary for making the Appeal Valid. Nothing is more certain than that Innumerable Instances might be pointed out of matters which the Charter does not make any mention of, but which are now, & must always be observed in the Proceedings of the Courts which are Established by the Authority thereof. But is it therefore to be inferred that the Charter is Defective, or that those matters which are proper and necessary to be done, and the omission of which is not Contradicted by the Charter, may be neglected, because they are not expressly mentioned therein? There is another Instance which must be productive of the greatest absurdities. The Charter is silent with regard to the suspending the Execution of Decrees given by either Court till the time limitted for Appealing is expired. If your Argument has any weight these Courts may therefore put their Decrees in Execution as soon as they are pronounced, but this Court have been hitherto, and do still intend to suspend the Execution of their Decrees till the fourteen days are expired, because the reason of the thing speaks that it should be so. Otherwise they would not by any means frustrate the possibility of Appealing which must be the case if the Rule was not observed. But it does not seem necessary that because the Charter does not make any mention of the giving Notice of an Appeal that

therefore

the present Case, but an Order made ex parte facto cannot remedy a matter which is already past —

Tenthly. That it is not to be imagined but there may be room for Amendment in many Forms that may be used by the Hon'ble the Court of Appeals: that they perceive an Inconveniency may arise by refusing to give the Mayors Court notice of an Appeal filed. Therefore that they have now Invested the proper Officer with a General power to signify the same to the Mayors Court without waiting for a special Order. But this Court cannot look upon the refusing of notice till fourteen days for Appealing are elapsed as a failure merely in matter of Form, nor upon the Consequence of it as an Inconveniency only, but they hold the former a Rule which was ought to be invariably observed; because a breach thereof does directly frustrate the Charter, [illegible] of the necessity of observing this Rule for the future is to be taken [illegible] to be supported by the Authority of the Order which the Hon'ble Court of Appeals have now Invested their Officer with, the Inconveniency of it [illegible] very little [illegible] all [illegible] cause that it is in the power of the Court of Appeals to make Rules, it is consequently in their power to revoke them, so that the Mayors Court may receive Notice of an Appeal at any time after they have passed Sentence or Decree, to the most Dangerous [illegible] of the Course of Justice and the Destruction of that Authority [illegible] of his Majesty's Letters Patent [illegible] the Mayors Court [illegible] they appointed [illegible] to be [illegible] of the Same [illegible] Nor the Order [illegible] which [illegible] said [illegible]

proceeding

to execute the Functions of his Office
With all due deference to that
knowledge which the Honble the Court of Appeals
have of the Practice of the Courts at Westminster
& of the Laws of their County the Mayor's Court
take leave to suggest that there are three Courts
in Westminster Hall each of which has its different
forms & Rules of Practice &c in almost all Cases
so different from the others, that this is one of (if not)
the chiefest reason why it is the general Custom that
different Pleaders, Sollicitors Attorneys &c do common
ly attend and practice in each of these Courts because
very few Men are supposed to be capable of acquiring
such a thorough knowledge of the practice of any two
of these Courts as to be well qualified for practising
in both. This Court do not at all mean to have
an inference drawn from thence as if the Honble the
Court of Appeals were not well acquainted with all
the necessary Forms in the Multiplicity of Cases
where Writs of Error and Appeals may be had
from and brought into each of the Courts in West
-minster Hall through a Judgment upon an Appeal
but this Court make no difficulty in confessing
that the Practice of those Courts in the other Cases
is a matter which they have not had Opportunity
to be versed in, & they satisfy themselves with
a knowledge of the Orders directed by his Majesty's
Gracious Charter & the Rules &c laid down in the
Book of Instructions and therewith & in any
Case where both are silent, it has been & still
is their intention to Form and prescribe such
Rules of Practice as may not Contradict the
Charter or Book of Instructions such as appear
Reasonable from the nature of the thing itself

Notice that the Cause is Appealed. This is conformable to the Act of Parliament 27 G. 2d Cap 8 sec 2d which Instituted a Court to be Appealed to from the Judgments of the Court of Kings Bench, & in express Words forbids the Court of Appeals from medling with any Error or want of Form in any other part of the Proceedings but what relates to the Judgment delivered by the Court Appealed from.

It appears very Extraordinary to this Court, that after some acknowledgments are made in Your Letter of the Inconsistency which may arise by deferring the notice of an Appeal, & after it is expressly declared that the Honble Court of Appeals have invested the proper Officer with a general power immediately on an Appeal filed, to signify the same there are these remarkable Words, but if it be acknowledged that an Appeal lodged in time with the proper Officer of the Court is a good appeal, as the Honble the Court of Appeals insisted, tho the notice thereof be deferred. This Passage is either a flat Contradiction to the two former, or (what is to the same effect) does entirely invalidate the efficacy of those two Passages so that no regard can be had to them, and therefore not without reason that this Court do insist that there is a Necessity for having a matter of this Consequence to publick Justice remain upon a more certain footing than what depends upon the Orders or Resolutions of the Honble Court of Appeals which may be revoked at the pleasure of that Court. These reasons therefore must entirely vindicate this Court for repeating their former Opinion that the Papers relative to the Cause Samuel Moore and Nathan Moore and Solomon Grace &c cannot be read

"Now know Ye that the said United Company of
"Merchants of England trading to the East Indies in pur-
"suance of the aforesaid undertaking & agreement with
"His Majesty have undertaken and agreed and do by
"these Presents undertake and agree to be answerable
"to the Suitors of the said Mayors Court at Madras
"pretence aforesaid for all such money securities and
"Effects as under the Order of the said Mayors Court
"shall be paid, delivered, or deposited with the said United
"Companys Governour or President and Council at Fort
"Saint George aforesaid"

Secondly — From His Majestys most Gracious
Charter "We do therefore upon such undertaking and
"agreement of the said Company for Us our Heirs and
"Successors Will and ordain that all money securities and
"Effects of the said Suitors as shall be Ordered into
Court or to be paid delivered or deposited for safe custody
shall be paid or delivered into or deposited with the Governour
or President & Council at Fort Saint George to be by them
kept and deposited with the Cash and Effects of the said
Company subject to such order and directions as the said
"Mayors Court shall from time to time think fit to
"make concerning the same for the benefit of the Suitors"

Thirdly — From the Instructions sent out
by the Hon^ble Court of Directors for executing the Office
of Accomptant General. "It is hereby Ordered that
"the said Governour and Council do pay such
"money and deliver such securities and Effects unto the
"Person mentioned in such Note or Order or his assigns
"by indorsement thereon and the Accomptant General
"is to transfer such securities to the Person or Persons
"named in the Order of the Mayors Court." It must
therefore follow that the deposits made by the

Mayors

The Court take Notice that the Inventory and Account Current which you have transmitted them are not signed by you. I am therefore desired you will send other Copies properly vouched and Signed.

I am directed to add that the Claim made on the said Deceased by Elizabeth [illegible] will be examined into and settled by the Administrator which the Court shall think proper to Appoint.

I am
Sir
Your most Obedt Servant
Daniel Morse
Regr

Fort St George
Octr 26th 1751
To Mr John Lewis Smith

To the Honble Thomas Saunders Esqr
President & Governour &ca Council
of Fort St George

Honble Sir & Sirs

I am ordered by the Honble the Mayors Court to draw upon your Honour &ca for the Sum of Three hundred (300) Pagodas to defray the Charges attending that Corporation. I am

Honble Sir & Sirs
Your most Obedt Hble Servant
Daniel Morse

Fort St George
November the 2d 1754

To the Honble Thomas Saunders Esqr
Presidt & Govr &ca Council of
Fort St George

Honble Sir & Sirs

The Honble the Mayors Court finding it frequently very [illegible] in the course of these proceedings

have this part of the Royal Charter alter'd; We must intreat you will be as Explicit as possible both in your orders & Instructions whether our Authority is to extend with equal force and efficacy in such new Possessions as are already, or may hereafter be added to the Hon^ble Companys former Jurisdictions, as it is now in this and the other Factories Subject or Subordinate thereto, or to the Governour or President and Council of Fort S^t. George.

The case of Insolvent Debtors in these parts Who are ready to give a just and true Account of their Estates and whose Principal Creditors are willing to accept of such Accounts deserves particular Consideration. In England Statute of Bankruptcy in such cases may be taken out which relieve them from further molestation on Account of their Debts but as this is at present impracticable here We therefore think some relief of that kind would be very usefull to the Trade of these Settlements.

We have reason to believe that the manner in which Commission has been charged by many Executors in these Settlements may be liable to Exception, and altho' We do not imagine that it would be expedient to make any Enquiry into what has pass'd, under the former Courts upon this head. Yet we are desirous that a matter of such universal Concernment to the Publick should be put upon as certain and clear a footing as circumstances can admit of. Be pleas'd therefore that it may be taken into consideration, and that We may receive your Opinion upon it in as particular and distinct a manner as possible, to serve us as our future Guidance; But We desire that particular notice may be taken that Europeans dying in these Settlements are in almost every respect differently circumstanced from those Who die in England

Nor

But the Loſs of this Place did not only prevent this Order being put in force, but likewise has deprived us of an Opportunity of knowing whether the then Hon.ble Court of Directors did approve of the same or not. Altho' We join in opinion with the former Mayors Court that this Rule was well calculated for the benefit of these Settlements, and so well adapted to the temper and constitution of the Natives in particular, that if they should be admitted to apply to this Court, in the same manner as to the former, it may be extreamly neceſsary and proper for this Court to adopt that Rule, as soon as the Causes of Actions which have arisen before the Loſs of Madras, and during the time that there was no Court are determin'd, always having a strict regard that such Causes of Action shall not exceed the time limitted by the Statutes, But under the present Circumstances We are of Opinion that in many Cases there will be a neceſsity to receive Suits, Actions &c. as well upon Specialities, as simple contracts, not only of an older date than the time limitted by the abovementioned Rule but even further back than what is prescribed by the Statutes of Limitation Because by the Loſs of Madras No Person had an opportunity to apply to Justice during the space of seven Years And if it should be determined that the Natives shall enjoy the same Priviledges in applying to Justice as they did formerly, the time with regard to them is already above Eight Years & is daily Encreasing, We cannot therefore at present but look upon those seven Years (occasioned by the Loſs of this Place) as a Chasm in the Administration of Justice with regard to all such matters as are Cognizable by this Court. For otherwise it must happen that in many cases We cannot avoid acting in expreſs Contradiction to the Statute which they have Duplicates of and at the same time acquainted us that they had Woods Institutes Horseman's Conveyancing Woods Conveyancing, Jacobs Law Dictionary, Molloy de jure Maritimo Domats Civil Law and Woods Civil Law but, as they had no Duplicates of them, they were not sent. We therefore think it neceſsary to desire that you will send us these last mentioned Books, together with such others as you may think neceſsary for the benefit of this Court & We likewise request that you will send Us such Acts of Parliament as relate to any matters cognizable by this Court and which have paſs'd since the publication of the above Books which We already have or which you may hereafter send. And that you will be pleas'd to transmit from time to time whatever new Acts of Parliament may paſs in future that are to extend to the Jurisdiction of these Settlements

Inclos'd you will receive a list of our Packet together with Copy of such Rules & Orders as have been made by this Court since its Re establishment

We are
Honourable
Your most Obed.t hum. Serv.ts
Sign'd By order of the Mayors Court
Daniel Morse Reg.

Fort S.t George
7th January 1755

To Messrs. Marmaduke Best
James Wilson and
Captain George Gardiner

Gentlemen

Enclos'd you will receive a Commission from the Mayors Court impowering you to administer the Oath of an Executor to Mr. John Lewen Smith with the Oath annex'd thereto. Before you return the said Oath be pleas'd to signify the day on which the same was taken and subscribe your Names thereto

I am Gentm.
Your most Obedient Servt.
Daniel Morse Regr.

Fort St. George
7 Janry. 1755

To Messrs. Marmaduke Best
James Wilson and
George Gardiner

Gentlemen

Enclos'd you will receive a Commission from the Mayors Court impowering you to administer the Oath of Administrator to Mr. John Lewen Smith with the Oath annex'd thereto. Before you return the said Oath be pleased to signify the day on which the same was taken and subscribe your Names thereto

I am
Gentm.
Your most Obedient Servant
Daniel Morse
Regr.

Fort St. George
7th Janry. 1755

To Mr Parker Register of the Honble
the Mayors Court at Calcutta

Sir I am directed by the Honble the
Court at Madraspatnam, to forward to You two Advert
relating to the Creditors of the Salvage of the Ship Arcot &c.
likewise to desire you will be pleased to see them affixed a
publick Places in Calcutta. I am Sir Your most Obedien
Daniel Mor

Fort St George
Feby 4th 1755

To Mr Richard Fairfield

Sir I am directed by the Honble
Court at Madraspatnam, to forward to You two Adver
relating to the Creditors of the Salvage of the Ship Arcot
likewise to desire you will be pleased to see them affi
most publick Places in Fort St David

I am Sir Your most Obe
Daniel M

Fort St George
Feby 4th 1755

To Messrs Hugh Norris
&
Robert Moper

Gentlemen

Inclos'd you will receive a Commis
the Honble the Mayors Court at Madraspatnam to Adm
the Oath of an Executrix on delivering in an Inven
Estate to Mrs Catharina Joanna St Paul

I am
Gentlemen
Your most Obedient S
Daniel Mo

Fort St George
11 Feby 1755

To the Honble George Pigot Esqr
Presidt & Governr &ca Council
of Fort St George

Honble Sir & Sirs

I am directed by the Honble the Mayors Court to acquaint your Honour &ca that they did on the 11th Instant Order their Accomptant General to inform you that there were some Chests of Coral and other Effects belonging to the Estate of Mr Solomon Salomons which they desired should be deposited with the Cash & Effects belonging to the Honble Company, But as no Body has as yet appear'd to take charge of those Effects, nor any Notice taken of the abovementiond Order The Court find themselves obliged to represent, that delays of this kind may be attended with bad Consequences, And therefore they desire you would give directions for the immediate Receipt of the said Coral &ca And likewise that you will be pleas'd to take such Measures as may prevent the least delay in future, in receiving the Cash and Effects which may from time to time be Order'd by the said Court to be deposited in your hands, agreeable to the Intentions of his Majesty's Charter

I am with Respect
Honble Sir & Sirs
Your most Obedient Servant
Daniel Morse Regr

Fort St George
Febry the 25th 1755

said President and Council would receive the same, as soon as possible.

Fort St. George
March 25th 1755 —

I am
Sir
Your most Obed.t Servant
Dan.l Morse
Reg.r

To Mr. Claud Russell Accompt.t General

To the Hon.ble George Pigot Esq.r
President & Governour &c.a Council
of Fort St. George Hon.ble Sir & Sirs

Mr. Henry Vansittart, One of the Aldermen and Judges of the Hon.ble the Mayors Court, having desired leave to resign his Seat, The Court have granted his request, and have ordered me to give your Honour &c.a Notice thereof, that some other Person may be elected in his Stead.

I am likewise directed to acquaint Your Honour &c.a that upon a perusal of the Records of the former Mayors Court, it has been found to have been a standing Practice that the Register of the Court always attended to see the usual Oaths administred by the President to every new Alderman & the Court having likewise seriously considered, how reasonable it is, that this Custom should be always continued; have resolved That it shall be a standing Rule for the future; that the Register shall always attend upon the President with every new Alderman in order to see him sworn in, And as his Majesty's Charter directs, that in case any Person chosen an Alderman, shall neglect or refuse

to

To Richard Starke Esqr.
Mr. Hugh Norris
&
Mr. Robert Sloper

Gentlemen

Inclos'd you will receive a Commission from the Mayors Court impowering You, to Administer the Oath of an Administrator to the Estate of Captain John White Deceased, to Mr. Martin White, with the Oath annex'd thereto before you return the said Oath be pleas'd to signify the day on which the same was taken, and set your Hands & Seals thereto

I am Gentlemen
Your most Obedient Servant
Daniel Morse Regr.

Fort St. George
6th May: 1755

To Mr. Claud Russell Accomptant General

Sir

Be pleas'd to acquaint the Honble the President and Council that the Mayors Court have this day order'd the Sums of Three Thousand Pagodas and three hundred and Twenty four Rupees, in the Hands of Mr. Salomon Franco Merchant of this Place, and belonging to the Estate of Mr. Solomon Salomons, to be deposited with the Cash and Effects belonging to the Honble Company in your Name

I am Sir
Your most humble Servant
Daniel Morse
Regr.

Fort St. George
10th May 1755

To Mr Claud Ruſsell Accomptant General

Sir

Be pleased to acquaint the Honble the President & Council that the Mayors Court have this day ordered the Sum of Nine thousand five hundred Pagodas belonging to the Estate of Solomon Salomons, in the hands of the Trustees to the said Estate, to be deposited with the Cash and Effects belonging to the Honble Company in your Name. I am Sir

Your most humble Servant
Daniel Morſe
Regr

Fort St George
23 May 1755

To the Honble George Pigot Esqr
President & Governour &ca Council
of Fort St George

Honble Sir & Sirs

I am directed by the Honble the Mayors Court to represent to your Honour &ca that the Multiplicity of Buſineſs which comes before them, requires that they should have very frequent, and immediate Acceſs to some, or other of the Law Books which have been sent out by the Company, relating to Civil Suits and without a reference to which, it will often be very difficult if not sometimes impoſsible to form a proper Judgement, the Merits of many Cases, which may come before them I am therefore ordered to desire of your Honour &ca that the Law Books which are at present in the Court may always remain deposited there & likewise that Your Honour &ca would Order such other Books relating to Civil Suits as have not as yet been sent to the Court to be now delivered them

But as the List lately received from your Secretary from the Mayors Court impowering You or any two of you to Administer the Oath of an Executor to Doctor James Wilson with the Oath annexed thereto, Before you return the said Oath be pleased to signifie the day on which the same was taken, and subscribe your Names thereto

I am
Gentlemen
Your most Obedient Servt
Daniel Morse Regr

Fort St George
1st July 1751

To the Honble George Pigot Esqr
President and Governour &ca
Council of Fort St George

Honble Sir & Sirs

I am directed by the Honble the Mayors Court to draw upon your Honour &ca for the Sum of Three hundred (300) Pagodas to defray the necessary charges attending that Corporation

I am with respect
Honble Sir & Sirs
Your most Obedient Servants
Daniel Morse
Regr

Fort St George
7th July 1755

General Letter by the Darrington, as relate thereto, or to which
the abovemention'd Extracts are an answer.

I am with Respect
Honble Sir & Sirs
Your most Obedt. Servant
Daniel Morse
Regr.

Fort St. George
Augt. 2d: 1755

To Mr. James Bound

Sir

I receiv'd your Letter of the 2d Instant, relating to the 2 Bags, remaining in your hands, said to contain Rupees belonging to the late Captain Stephen Holloway Bunyon Deceas'd and laid the same before the Honble the Mayors Court; Who having taken your said Letter into Consideration, have order'd me to direct You to deliver the 2 Bags abovemention'd to the Chief & Council of Vizagapatam, and to take three Receipts of the like Tenour & date from them, for the same, Two of which you will take care to send, by different Conveyances to the said Court

Enclos'd I send you an Advertisement concerning the said Captain Stephen Holloway Bunyon Deceased, which I am order'd by the Court to desire you will see affix'd at the most publick Place in your Settlement

I am Sir
Your most Obedient Servant
Daniel Morse
Regr.

Fort St. George
July the 31st: 1755—

To Charles Boddam Esqr.
Chief & ca. Council of Vizagapatam

Gentlemen

Mr. James Bound having by Letter, bearing date the 2d Instant, represented to the Honble the Mayors
Court

the 2d Ultimo which accompanied the Paragraphs of the last General Letter from the Hon.ble Court of Directors they think it neceſsary to remind your Honour &c.a that the Vacancy of a seat in this Court occasion'd by the resignation of Mr. Henry Vansittart is not as yet fill'd up, and as the Absence or Indisposition of some, and the Attendance of others upon their neceſsary Busineſs, makes the duty somewhat heavy upon a few Members. The Court are therefore desirous that your Honour &c.a would fill up this Vacancy as soon as poſsible

It is very acceptable to this Court that Your Hon.r &c.a by your Secretarys last abovementiond Letter declare your readyneſs to put in Practice the Rule of the former Mayors Court, now revived, for their Register attending upon the President with every new Alderman, when he takes the Oaths, and that You will direct immediate Notice to be given to the Court, upon the Election of such Alderman. But the duty which they owe to themselves as a Court of Record and a Corporation puts them under a neceſsity to signifie their surprize at some remarkable expreſsions in that Letter of your Secretarys, for they will not suppose that that Paragraph of His Majesty Royal Charter has Escap'd your Notice, which Authorizes this Court to frame such Rules of Practice, & to do all such other things as shall be found neceſsary for the Administration of Justice, and the due Execution of all or any of the Powers given them thereby, which Rules and Orders so to be made (So far as the same shall not be repugnant to any Rules or Orders made by the Company, or their Court of Directors) shall neverthleſs be in force untill the same shall be revoked or alter'd by the said Court of Directors or any thirteen or more of them, and Notice thereof given to this Court

To Mr. John Lewin Smith

Sir

I have receiv'd your Letter of the 31st Ultimo accompanying a List of the Effects, and an open Account Current of the Estate of the late Samuel Banks Deceased and have laid the same before the Hon'ble the Mayors Court, Who have directed me to acquaint You that the last Inventory which you have transmitted them is by no means proper, as it does not contain a Valuation (which is always necessary to be made) of the several Effects, and therefore they are now pleas'd to order that an Appraisement shall be made of such Effects as are not already sold as soon as possible: to make which Appraisement it will be most expedient for you to pitch upon such of the Inhabitants as shall appear to You to be best experienced in these matters, Such things as you have already sold, are to be rated at the same price

As the time for delivering in the Inventory is already elapsed the Court agree to grant you a further time.

And with regard to the Account Current You will recollect that you had untill the 2d January last granted you by the Court to deliver in the same, that which You have now sent being Open and unfinished, the Court cannot receive it and therefore both that and the List of the Effects are now return'd You

As soon as the Inventory is perfected You will be pleas'd to attest the truth thereof, upon Oath, before Messrs. Boddam, Best and Wilson Who are empower'd to administer the same to you by a Commission now sent for that purpose after which the Inventory is to be transmitted to the Court, by those Gentlemen.

The Court have no manner of objection to your management of the two Cargoes of the Ships Elliot & the Polly have a right to be paid in preference to other Creditors, Unleſs their demands are founded upon those Rights, to which, the Law has expreſsly given the Preference

I am Sir

Your most Obedient Servant

Daniel Morse

Regr

Fort St George
Augt the 22: 1755

To Charles Boddam Esqr
Mr Marmaduke Best
&
Doctor James Wilson

Gentlemen

Inclos'd you will receive a Commiſsion from the Mayors Court impowering you, or any two of you, to take the Oath of Mr John Lewen Smith to the truth of the Inventory of the Effects of Mr Samuel Banks deceas'd with the Oath annexed thereto as soon as the same shall be perfected agreable to the directions given him by the said Court. before you return the said Oath, be pleas'd to signify the day on which the same was taken, and set your Hands and Seals thereto. I am

Gentlemen

Your most Obedient Servant

Daniel Morse Regr

Fort St George
Augt the 22: 1755

To the Honble George Pigot Esqr
Presidt and Governour &ca Council
of Fort St George

Honble Sir & Sirs

I am directed by the Honble the Mayors Court to acquaint Your Honour &ca that they have this day order'd the Sum of Fourteen Pagodas 14 -- (which they have lately levied by Fine, to be paid into the Honble Companies Cash I am with Respect Honble Sir & Sirs

Your most Obedient Servant

Daniel Morse Regr

Fort St George
the 26 Augt 1755

To Captains John Caillaud &
Joseph Smith
Doctor James Wilson

Gentlemen

Enclos'd you will receive a Commission from the Mayors Court empowering You or any two of you to Administer the Oath of an Executor to Mr. Andrew Newton with the Oath annex'd thereto. Before you return the said Oath be pleas'd to signifie the day on which the same was taken and set your Hands & Seals thereto

I am Gentlemen
Your most Obedient Servant
Daniel Morse
Regr.

Fort St. George
16 Sepr. 1755

To Richard Starke Esqr.
Messrs. Hugh Norris
&
Robert Stoner

Gentlemen

Enclos'd you will receive two Commissions from the Mayors Court one of which empowers you to Administer the Oath of an Administrator to Mr. Edward Croke, and the other to take the Oath of Mr. St. Paul to the truth of an Account Current. before you return the said Oaths be pleas'd to signifie the day on which the same were taken and set your Hands and Seals thereto I am Gentlemen

Your most Obedient Servant
Daniel Morse
Regr.

Fort St. George
16 Sepr. 1755

To Richard Starke Esq.

Sir

I have receiv'd your Letter of the 22.d Instant representing that Mr. Edward Croke had refused to take the Oath prescribed, as Administrator to the Estate of the late Robert Worth Deceas'd, and enclosing a Letter from him to you, setting forth his reasons for not taking the said Oath, and I have accordingly laid the same before the Honble the Mayors Court: Who have ordered me to return the Commission empowering you & Mess.rs Hugh Norris & Robert Sloper to administer the Oath of an Administrator to the said Edward Croke, with the Oath (as before Prescribed) annex'd thereto, it appearing to them, to be very proper as the Money which Mr. Croke will have to receive on account of the Deceased's Estate must be deem'd Effects, and it is likewise very possible other Effects may come to his hands, besides what have been dispos'd of by Mr. Fairfield

Fort St. George
Sep.r 26: 1755

I am Sir
Your most Obed.t Serv.t
Daniel Morse
Reg.r

To the Honble George Pigot Esq.
President & Governour &c.a Council
of Fort St. George

Honble Sir & Sirs

The Sum of Rupees 4496½ having been deposited in the Honble Company's Cash at Vizagapatam on the 1.st Instant by Mr. James Bound belonging to the Estate of the late Captain Stephen Holloway Bunyon deceased conformable to the directions of the Honble the Mayors Court at Madraspatnam

I am in Consequence thereof Ordered by the said Mayors Court to desire that your Honour &c.a would now be pleas'd

to

abovementioned Sum had been paid into the Honble Companys Cash at Vizagapatam by order of the said Court, and that they desir'd that the President & Council would be pleas'd to Pay the same into their Hands.

In Answer to which, the President & Council inform'd them that they had not receiv'd any advice from you concerning the receipt of the Money abovementioned, & therefore could not discharge the same here.

Wherefore I am now order'd by the said Court to desire that You will be pleas'd to signify as soon as poſsible to the President & Council of this Place that the abovementiond Sum of 4496½ Rupees has been deposited in the Honble Companys Cash at Vizagapatam, by order of the Honble the Mayors Court at Madrapatnam

I am Gentlemen
Your most Obedt Servt
Daniel Morse Regr

Fort St George
12 October 1755

To Mr Claud Ruſsell Accomptant General

Sir
I am Order'd by the Honble the Mayors Court to direct You to acquaint the Honble the President and Council that there is the Sum of Pagodas 120, 4. 20. remaining in the hands of the said Court, belonging to sundry Creditors of the Salvage of the Ships Ascot, & of the Estate of the late William Beawes Deceased Who have not as yet receiv'd any dividend, which money the Court are desirous to deposite in the Honble Company's Cash in your Name

I am Sir
Your most Obedt Servt
Daniel Morse Regr

Town Hall
17th Octr 1755