

CHARTER GRANTED TO THE UNITED COMPANY OF MERCHANTS OF
ENGLAND, TRADING TO THE EAST-INDIES,

Bearing Date the Eighth of *January*, in the Twenty-sixth Year of the Reign of *GEORGE II*, *Anno Domini*, One Thousand Seven Hundred and Fifty-three.

Recital, that by the Company's equal Distribution of Justice, in their Towns, &c. in India, People had been encouraged to settle there, whereby Fort St. George, Fort William, and Bombay, were become very populous.

GEORGE the Second, by the Grace of God, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, &c. To all to whom these Presents shall come, Greeting: Whereas Our Well-beloved Subjects, The *United Company of Merchants of England, Trading to the East-Indies*, for several Years before the granting of the Charter first herein after mentioned, had, by a strict and equal Distribution of Justice within the Towns, Forts, Factories and Places belonging to the said Company in the *East-Indies*, and other Parts beyond the *Cape of Good Hope* to the Streights of *Magellan*, very much encouraged, not only Our own Subjects, but likewise the Subjects of other Princes, and the Natives of the adjacent Countries, to resort to and settle in the said Towns, Forts, Factories and Places, for the better and more convenient carrying on of Trade, by which means some of the said Towns, Factories and Places, were become very populous, and especially the Town or Place anciently called *Chinapatnam*, now called *Madraspatnam*, and *Fort St. George*, on the Coast of *Choromandel*, and also the Towns, Factories or Places, called *Bombay*, on the Island of *Bombay*, and *Fort William*, in *Bengal*, in the said *East-Indies*, and Parts aforesaid.

And of the charter of the 24th September, 1726, for establishing Municipalities at those Places.

AND whereas, in Pursuance of the Privileges and Powers granted to the said Company, by Our Royal Predecessors, the said Company, before the granting of the Charter first herein after mentioned, had constituted and appointed, within the Factories herein before mentioned, several Officers, by the Names of Governor and Council, or President and Council; but there being great Want in all the said Places of a Proper and competent Power and Authority for the more speedy and effectual administering of Justice in Civil Causes, and for the trying and punishing of Capital and other Criminal Offences, and Misdemeanors committed within the Districts and Places aforesaid, and in other the said Company's Settlements, within the Limits of Trade granted to them, and for the better Government of the several Factories, belonging to the said Company within the same, Our Royal Father, King *George* the First, of glorious Memory, upon the Petition of the said Company, setting forth to the Effect aforesaid, and suggesting that the granting to the said Company such Powers as might conduce to the punishing of Vice, and administering of Justice, and the better governing the said Company's Factories and Settlements Abroad, would not only tend to the Advancement of those good Ends, but also to the Increase of that Branch of the national Trade, which is carried on to the *East-Indies*, as well as to the Increase of His Majesty's Revenues arising from the same, by Virtue and in Pursuance of

several Powers granted to and vested in Him, by several Acts of Parliament theretofore passed in that Behalf, and in Performance of divers Covenants between His Royal Predecessors and the said Company, for the granting to them all further reasonable Powers and Privileges, for the better Improvement and carrying on their Trade, by His Letters Patents, under the Great Seal of *Great-Britain*, bearing Date, at *Westminster*, the Twenty-fourth Day of *September*, in the Thirteenth Year of His Reign, of His special Grace, certain Knowledge and mere Motion, did, for Himself, His Heirs and Successors, give and grant to the said Company and their Successors; and did thereby ordain, direct, establish and appoint, that there should be, for ever thereafter, within the said Town or Factory of *Madraspatnam* aforesaid, One Body Politick and Corporate, by the Name of the Mayor and Aldermen of *Madraspatnam*; and that there should be also, for ever then after, within the Town or Factory of *Bombay*, on the Island of *Bombay*, One other Body Politick and Corporate, by the Name of the Mayor and Aldermen of *Bombay*; and that there should be, for ever then after, also, within the Factory of *Fort William*, in *Bengal*, One other Body Politick and Corporate, by the Name of the Mayor and Aldermen of *Calcutta*, at *Fort William*, in *Bengal*, the said Places or Factories being all within the Limits of Trade, granted unto and vested in the said Company, by Virtue of several Acts of Parliament and Letters Patents in that Behalf.

AND Our said Royal Father was further graciously pleased, in and by His said Letters Patents, for Himself, His Heirs and Successors, to ordain, direct and appoint, that the Mayor and Aldermen of *Madraspatnam*, the Mayor and Aldermen of *Bombay*, and the Mayor and Aldermen of *Calcutta*, at *Fort William*, in *Bengal*, aforesaid, respectively, for the Time being, should severally, for ever thereafter, be, and they were thereby constituted Courts of Record, by the several and respective Names of the Mayor's Court at *Madraspatnam*; the Mayor's Court at *Bombay*; and the Mayor's Court of *Calcutta*, at *Fort William*, in *Bengal*; with Power to hold Pleas in Civil Causes, and likewise to grant Probate of Wills, and Letters of Administration: And further, that the Governor or President, and Five Senior of the Council, for the Time being, at each of the Places aforesaid, according to their respective Precedencies, should be Justices of the Peace, and should also have Power to act as Justices of the Peace, and as Commissioners of Oyer and Terminer, and General Gaol Delivery; and that they, or any Three or more of them (whereof the Governor or President, or in his Absence, the Senior of the Council, at the respective Places or Factories aforesaid, to be One) might hold Sessions of the Peace, and should and might hold Courts of Record, in Nature of Courts of Oyer and Terminer, and Gaol Delivery, for trying and punishing such Offenders, and Offences, as in the said Letters Patents are mentioned; and might do all other Acts as Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery, usually and legally did, with such Powers, Jurisdictions and Authorities, and under such Regulations, and Restrictions, as in the said Letters Patents are at large mentioned, inserted, or contained.

AND whereas, at the Instance of The said *United Company*, by Our Letters Patents, under the Great Seal of *Great-Britain*, bearing Date, at *Westminster*, the Seventeenth Day of *November*, in the First Year of Our Reign, We were graciously pleased to give and grant, unto The said *United Company* and their

And Courts of
Justice.

Recital of the
Letters Patents of
17th November,
1st George II,
granting Fines and
Forfeitures to the
Company.

Successors, for ever, all such Fines, Amerciaments, Forfeitures, Penalties and Sums of Money whatsoever, as had been or should be ordered, charged, adjudged, set, or imposed, in or by the said respective Courts, or by the said Justices of the Peace, Commissioners of Oyer and Terminer, and Gaol Delivery, or any of them, or otherwise howsoever, by Virtue or in Pursuance of any of the Powers, Grants, Privileges or Authorities, in the said Letters Patents mentioned, upon any Person or Persons, for or by Reason of any Contempts, Misdemeanors or Offences whatsoever, To have, hold, receive, levy, sue for, recover and enjoy the same, in as large and ample Manner, to all Intents and Purposes, as We, Our Heirs or Successors, could or might have had, held, received, levied, sued for, recovered and enjoyed the same, if the said Letters Patents had not been made, without any Account, or any other Matter or Thing, to be rendered or paid for the same, to Us, Our Heirs and Successors.

Recital of the Company's Petition to his Majesty, to accept a Surrender of the said Charters, and to grant them another Charter with Alterations.

AND whereas The said *United Company of Merchants of England, Trading to the East-Indies*, by their humble Petition, have represented unto Us, that in or about the Month of *September*, One Thousand Seven Hundred and Forty-six, We being then engaged in a War with the *French King*, the *French* besieged and took the said Town of *Madraspatnam*, and turned out all Our Subjects, Inhabitants thereof, and continued in the Possession of the said Town until the same was restored unto them, in Consequence of the Treaty of Peace lately concluded at *Aix la Chapelle* between Us and the *French King*, and that by Reason of such the Possession of the *French*, the Mayor, and all or most of the Persons who at that Time were Aldermen of the said Town, were dispersed, and are since either dead or returned to *Great-Britain*, or settled in other Parts of *India*, whereby, as they were advised, the said Mayor's Court at *Madraspatnam*, and all and every the Powers and Authorities by the said first mentioned Letters Patents given or granted for the Administration of Justice in Civil Causes there, were dissolved, and at an End: And The said *United Company*, by their said Petition, further humbly represented unto Us, that they had lately resettled the said Town of *Madraspatnam*, and that it would be a great Encouragement to Persons to come and settle therein, if a proper and competent Power and Authority was established there: And that it had been found by Experience that there were some Defects in the said first mentioned Charter, therefore, and that there might be an Uniformity in the Proceedings of the several Courts of Justice at the several Places and Factories aforesaid, they humbly besought Us to accept a Surrender of the said first mentioned Charter, so granted to them, for erecting Courts and Jurisdictions, Civil and Criminal, at *Fort St. George*, at *Bombay*, and at *Calcutta*, at *Fort William*, in *Bengal*; and also a Surrender of Our said Charter or Grant of the Fines arising to Us, at those Places; and that We would be graciously pleased to grant them another Charter for erecting other Courts or Jurisdictions, Civil and Criminal, with such Alterations from the former, and under such Regulations, as would tend to the better Administration of Justice in the Factories and Places aforesaid, and their Dependancies.

Recital of such Surrender and Acceptance.

AND whereas by Indenture bearing Date the Sixth Day of *January*, One Thousand Seven Hundred and Fifty-three, and made between Us of the One Part, and The said *United Company* of the other Part, and duly enrolled, The said *United Company*, for themselves and their Successors, did surrender and

yield up unto Us, Our Heirs and Successors, the Letters Patents granted by Our late Royal Father, bearing Date, at *Westminster*, the Twenty-fourth Day of *September*, in the Thirteenth Year of His Reign; and also Our said Letters Patents, bearing Date, at *Westminster*, the Seventeenth Day of *November*, in the First Year of Our Reign, and all and every the Franchises, Powers, Jurisdictions, Rights, Privileges, Benefits, Advantages and Emoluments whatsoever, given and granted unto The said *United Company*, or unto or for their Use or Benefit, in or by the said Letters Patents, so made and granted by Our late Royal Father; and by the said Letters Patents so granted by Us, or either of them; and by the same Indenture, We did, for Ourselves, Our Heirs and Successors, accept of such Surrenders, under a Condition that such Surrenders should be of no Force, or Effect, until Thirty Days next after the Arrival, at the respective Places and Factories aforesaid, of such Charters as We did intend to grant, and should grant, for the erecting and holding of Courts of Justice, both Civil and Criminal, at the Places and Factories aforesaid respectively, and until the Officers of such Corporations and Courts respectively should have taken upon them, and qualified themselves, to hold and enjoy their respective Offices, and Employments, in such Manner as We should by such Charters direct.

We having considered the Premises, and being willing and desirous to afford all fitting Assistance, and Encouragement, to The said *United Company*, and for advancing of Trade, and promoting of Justice, and in Consideration of their Surrender of the aforesaid Charters, and Our Acceptance thereof, and to answer the good Ends and Purposes intended thereby, have therefore, by Virtue and in Pursuance of several Powers granted to and vested in Us, by several Acts of Parliament heretofore passed in that Behalf, and in Performance of divers Covenants between Our Royal Predecessors and the said Company, for granting to them all further reasonable Powers and Privileges, for the better Improvement and carrying on their Trade, and of Our special Grace, certain Knowledge and mere Motion, given and granted, and by these Presents do, for Us, Our Heirs and Successors, give and grant, unto the said Company and their Successors, and do by these Presents ordain, direct, establish and appoint, that there shall be, for ever hereafter, within the said Town or Factory of *Madraspatnam* aforesaid, One Body Politick and Corporate, by the Name of the Mayor and Aldermen of *Madraspatnam*; and that such Body Politick and Corporate shall consist of a Mayor and Nine Aldermen, Seven of which said Aldermen, at least, together with the Mayor, for the Time being, shall be natural born Subjects of Us, Our Heirs or Successors; and the other Two Aldermen may be foreign Protestants, the Subjects of any other Prince, or State, in Amity with Us; and that the said Body Corporate, by the Name aforesaid, shall have perpetual Succession, and shall and may be Persons able and capable in Law to sue and be sued, in any Courts and Causes whatsoever; and shall and may have a Common Seal for the Business and Affairs of the said Corporation; which Common Seal they and their Successors may break and change at their Pleasure.

AND We do hereby further, for Us, Our Heirs and Successors, will, grant and appoint, that *Cornelius Goodwin* shall be the next and modern Mayor of the said Town or Factory of *Madraspatnam* aforesaid; and *William Percival*, *Dawsonne Drake*, *Robert Clive*, *Samuel Banks*, *John Walsh*, *Samuel Greenhaugh*,

The King, by Virtue of the Powers vested in him, by several Acts of Parliament, grants and establishes, at *Madraspatnam*, a Body Politick, and Corporate, by the Name of the Mayor and Aldermen of *Madraspatnam*;

to consist of a Mayor and 9 Aldermen;

and to have a Common Seal.

The First Mayor and Aldermen named:

George Mackay, Andrew Ross, and William Roberts, Merchants, shall be the next and modern Aldermen thereof; which said Mayor and Aldermen shall, at a Time to be appointed for that Purpose by the Governor or President, or, in his Absence, by the Two Senior of the Council of Fort St. George then and there resident, within Thirty Days after Notice of this Our Charter, take an Oath duly to execute their respective Offices, together with the Oath of Allegiance; which Oaths the said Governor or President, or in his Absence, the Two Senior of the Council then residing at Fort St. George aforesaid, are hereby empowered to administer; and that from the Time of taking the said Oaths of Office and Allegiance, the said Mayor shall continue in the said Office, until another Person shall be duly elected and sworn into the said Office, as herein after is directed.

to be sworn;

The Mayor to continue in Office until another elected.

The Aldermen to continue in Office for Life, unless their Places shall be avoided.

The Election of a New Mayor.

AND We do, by these Presents, appoint the said Persons, herein before nominated to be Aldermen of *Madraspatnam*, to continue in their respective Offices of Aldermen, from the Time of taking such Oaths as aforesaid, for and during the Term of their natural Lives, unless their said Places shall be avoided, or themselves removed, in such Manner as herein after is mentioned.

AND We do further, for Us, Our Heirs and Successors, give and grant unto the said Company and their Successors; and We do, for Us, Our Heirs and Successors, will and direct, that it shall and may be lawful, to and for the said Mayor and Aldermen of *Madraspatnam*, for the Time being, or the major Part of them, yearly and every Year, on the First *Tuesday* in *December*, to assemble themselves, and to proceed to the Election of Two Persons out of the Aldermen of the said Town of *Madraspatnam* for the Time being; and, within Three Days after every such Election, present such Two Persons to the Governor or President and Council of *Fort St. George* aforesaid; of whom the said Governor or President and Council, for the Time being, or the major Part of them (whereof the said Governor or President, or, in his Absence, the Senior of the Council then residing at *Fort St. George* aforesaid, to be One) shall choose One of the said Two Persons to be Mayor of the said Town of *Madraspatnam*, for One Year, from the Twentieth Day of *December*, in every Year, and until another shall be duly elected and sworn into the said Office.

Mayor's Oaths;

AND We do further will and ordain, that the Person so chosen into the Office of Mayor, shall, on or before the Twentieth Day of *December* next after he shall be so chosen into his said Office as aforesaid, take the usual Oath of Office, and the Oath of Allegiance, before the said Governor or President, or, in his Absence, before the Two Senior of the Council then residing at *Fort St. George* aforesaid, who are hereby authorized and required to administer the same; and shall continue in such Office for the Space of One whole Year from the said Twentieth Day of *December*, and until another shall be duly elected and sworn into the said Office, in Manner before mentioned.

and Continuance in his Office.

In case of the Death of any Mayor, a New One to be chosen for the Remainder of the Year.

AND in case any Mayor shall happen to die in his said Office, the Aldermen, for the Time being, or the major Part of them, shall and may, as soon after as conveniently they can, upon reasonable Notice to be given in that Behalf, by the Senior Alderman then residing at *Fort St. George* aforesaid, assemble and elect Two Persons out of the Aldermen of the said Town of *Madraspatnam* for the Time being; and, within Three Days after every such Election, present such Two Persons to the Governor or President and Council of *Fort St. George* aforesaid; of whom the said Governor or President and

Council, for the Time being, or the major Part of them (whereof the said Governor or President, or, in his Absence, the Senior of the Council then residing at *Fort St. George* aforesaid, to be One) shall choose One to be Mayor of the said Town of *Madrassetnam*, for the Remainder of the Year, and until another shall be duly chosen and sworn into the said Office; and the Person so to be chosen and appointed, by the said Governor or President and Council as aforesaid, shall immediately thereupon take the same Oaths of Office and Allegiance as are before directed to be taken by the Mayors of the said Corporation.

AND We do further, for Us, Our Heirs and Successors, ordain and appoint, that the Mayor of *Madrassetnam* herein before nominated, and every other Person who shall hereafter be Mayor of the said Town of *Madrassetnam*, shall, after the Determination of his Office of Mayor, continue to be One of the Aldermen of the said Town, until his said Place shall be avoided, or himself removed, in Manner herein after mentioned.

Mayors, after the Determination of their Office, to continue Aldermen.

AND Our further Will and Pleasure is, that so often as any of the Aldermen of the said Town shall die, or be removed, or their Places be avoided, in Manner hereinafter mentioned, the Governor or President and Council of *Fort St. George* aforesaid, for the Time being, or the major Part of them (whereof the said Governor or President, or, in his Absence, the Senior of the Council then residing at *Fort St. George* aforesaid, to be One) shall and may, upon reasonable Notice or Summons to be given in that Behalf, assemble and elect some other fit Person out of the principal Inhabitants of the said Town of *Madrassetnam*, into the said Place of Alderman; who shall, within Fourteen Days after his Election, take the Oath of Office, and the Oath of Allegiance, before the Governor or President, or, in his Absence, the Two Senior of the Council then residing at *Fort St. George* aforesaid; and shall continue in such Office during his Life, unless his said Place shall be avoided, or himself removed, in such Manner as is herein after mentioned.

Upon the Death of any Alderman, a New One to be chosen.

AND if any Person, so chosen an Alderman, shall neglect or refuse to accept such Office, not having a reasonable Excuse for so doing, and shall not, within Fourteen Days next after such his Election, take the Oath of Office and the Oath of Allegiance, then, and in such Case, every such Person shall forfeit, and pay, such reasonable Fine as shall for that Purpose be fixed and agreed on by the said Mayor's Court, with the Approbation and Consent of the said Governor or President and Council, for the Time being, or the major Part of them (whereof the said Governor or President, or, in his Absence, the Senior of the Council then residing at *Fort St. George*, to be One) to be by them signified to the said Court in Writing; and that before any Election shall be made of any Mayor, the several Vacancies in the Places of Aldermen shall be first filled up.

Any Person so chosen, not accepting the Office, to be fined.

AND We do hereby, for Us, Our Heirs and Successors, give and grant to The said *United Company* and their Successors, and do, by these Presents, for Us, Our Heirs and Successors, ordain and direct, that if the said Mayor, or any of the said Aldermen, shall remove to any of the said Company's other Settlements, or return to *Europe*, or shall otherwise be absent from the said Town of *Madrassetnam* by the Space of Twelve Calendar Months, or shall, by Appointment of the said Company, or otherwise, become or take upon himself to be the said Company's Governor or President, or One of their Council of *Fort St.*

The Mayor, or any of the Aldermen, removing from the Settlement, returning to *Europe*, being absent 12 Months, or becoming the Company's President, or One of their Council, another to be chosen in his Place.

George aforesaid ; in every such Case, the Place or Office of every such Mayor, or Alderman, shall be void ; and it shall and may be lawful to choose another Mayor, or Alderman in the Place and Stead of such Person, in the same Manner as is before provided, in case such Mayor or Alderman had been naturally dead.

President and Council, upon reasonable Cause, to remove any of the Aldermen ;

AND We do hereby further, for Us, Our Heirs and Successors, ordain and direct, that it shall and may be lawful to and for the said Governor or President and Council, for the Time being, or the major Part of them (whereof the Governor or President, or, in his Absence, the Senior of the Council then residing at *Fort St. George* aforesaid, to be One) upon reasonable Cause, to remove any of the said Aldermen, so as there be a Complaint, in Writing, first exhibited against him, and he have a reasonable Time given him to make his Defence, and be summoned for that Purpose, in case he be resident within the Limits and Precincts of the said Town of *Madraspatnam*, at *Fort St. George* ; but in case any Person shall think himself aggrieved by any such Sentence, or Adjudication of Removal, such Person may, within Fourteen Days after such Removal, appeal to Us, Our Heirs or Successors, in Council, as is usual in Cases of Appeal from any of Our Colonies in the *West-Indies*, upon giving Security to pay the Costs of such Appeal, in case such Sentence or Adjudication be affirmed ; but such Appeal, shall not suspend the Execution of such Sentence.

who may appeal, if aggrieved.

If any Persons, above-named for Mayor and Aldermen, die, or become disqualified before sworn into their Offices, the President and Council to nominate others.

AND Our further Will and Pleasure is, that in case any of the Persons herein before nominated to be Mayor or Aldermen of *Madraspatnam* aforesaid, shall happen to die, or depart the *East-Indies*, or shall be otherwise disqualified, as aforesaid, before Notice of this Our Charter, or before they shall be sworn into their respective Offices, it shall be lawful for the Governor or President and Council, at *Fort St. George* aforesaid, for the Time being, or the major Part of them (whereof the Governor or President, or in his Absence, the Senior of the Council then residing at *Fort St. George* aforesaid, to be One) to nominate any other fit Person or Persons out of the principal Inhabitants of the said Town of *Madraspatnam*, to be the modern Mayor or Aldermen ; and to admit and swear him, or them, into their respective Office, or Offices, as if named in this Our Royal Grant to be such respective Officers.

The Mayor and Aldermen to be a Court of Record, by the name of the Mayor's Court, at *Madraspatnam* ; to try Civil Suits arising there, or within the Factories subordinate to *Fort St. George*, except between Indian Natives of *Madraspatnam*.

AND further, We do, for Us, Our Heirs and Successors, give and grant to the said Company and their Successors, and We do hereby ordain, direct and appoint, that the Mayor and Aldermen, for the Time being, of *Madraspatnam* aforesaid, shall for ever hereafter be, and they are hereby constituted a Court of Record, by the Name of the Mayor's Court at *Madraspatnam* ; and that they or any Three or more of them (whereof the Mayor, or the Senior Alderman, for the Time being, then residing there, to be One) may and they are hereby authorized to try, hear and determine, all Civil Suits, Actions and Pleas, between Party and Party, that shall or may arise, or happen, or that have already arisen, or happened, within the said Town of *Madraspatnam*, or within any of the Factories subject or subordinate unto *Fort St. George* aforesaid, or to the said Governor or President and the Council of *Fort St. George* aforesaid, except such Suits or Actions shall be between the *Indian Natives* of *Madraspatnam* only, in which Case We will that the same be determined among themselves, unless both Parties shall by Consent submit the same to the Determination of the said Mayor's Court : Provided, that if the said Mayor, or any of the said Aldermen, shall be any ways interested in the Event of any

No Person, interested in the Suit, to sit as Judge.

such Action or Suit, no such Mayor or Alderman, so interested as aforesaid, shall sit or act as a Judge in such Action or Suit; but the same shall be heard and determined by such of them, the said Mayor or Alderman, as shall be no ways interested therein, or any Three or more of them: And in all Cases, where the number of Voices shall be equal in the Determination of any Action or Suit, the Mayor, or, in his Absence, the Senior Alderman present, shall have Two Voices.

If Voices are equal, Mayor, or Senior Alderman, to have Two.

AND Our further Will and Pleasure is, and We do, for Us, Our Heirs and Successors, ordain and direct, that the Person who shall be Sheriff at the Time of the Arrival of this Our Charter, or an Exemplification of the same, at *Fort St. George* aforesaid, shall continue to be Our Sheriff of *Fort St. George*, and the Town of *Madraspatnam*, and the District aforesaid, until another shall be duly elected and sworn into the said Office.

Sheriff.

AND We do further, for Us, Our Heirs and Successors, will, ordain, direct and appoint, that the Governor or President and Council of *Fort St. George* aforesaid, for the Time being, or the major Part of them (whereof the said Governor or President, or, in his Absence, the Senior of the Council then residing at *Fort St. George* aforesaid, to be One) shall yearly, on the First *Tuesday* in *December*, assemble themselves, and proceed to the Election of a new Sheriff for the Year ensuing, to be computed from the Twentieth Day of *December* next after such Election; which Sheriff, when elected, as soon as conveniently may be, and before he shall enter upon his said Office, shall take the usual Oath of Office and the Oath of Allegiance, before the said Governor or President, or, in his Absence, before the Two Senior of the Council then residing at *Fort St. George* aforesaid (who are hereby authorized to administer the same) and shall continue in such Office during the Space of One whole Year from the said Twentieth Day of *December*, and until another shall be duly elected and sworn into the said Office, unless his said Place shall be avoided, in such Manner as herein after is mentioned.

His Election;

his Oaths;

and Continuance in Office.

AND in case any such Sheriff shall die in his Office, or shall remove from the said Town of *Madraspatnam*, or be absent from the same by the Space of Three Months (unless for such reasonable Cause as the said Governor or President and Council, or the major Part of them, shall allow) then the said Governor or President and Council, or the major Part of them, shall and may, as soon as conveniently may be, after the Death, Removal or Absence of such Sheriff, assemble and choose another Person to be Sheriff in his Room, who shall be sworn as aforesaid, and continue in his Office for the Remainder of the Year:

And in case of his Death, Removal from *Fort St. George*, or Absence for 3 Months (unless allowed) another to be chosen.

AND the said Sheriff hereby appointed, and every other Sheriff to be elected and sworn as aforesaid, shall, during his and their Continuance in such Office respectively, have full Power and Authority to execute and make Return of all Process of the said Court, and of any other Court erected by these Our Letters Patents, within the District aforesaid; and in case of the Absence of any such Sheriff, for such reasonable Cause to be allowed as aforesaid, the Deputy or Under-Sheriff to be appointed by such Sheriff, shall return all Process, and do all Acts, in the Name and by Virtue of the Authority of such Sheriff.

The Sheriff's Duty;

in case of his allowed Absence, a Deputy or Under-Sheriff to do all Acts.

AND Our further Will and pleasure is, and We do, by these Presents, for Us, Our Heirs and Successors, direct, ordain and appoint, that, upon Complaint

The Form of Proceeding of the Court in Civil Actions.

to be made in Writing to the said Court, by, for, or on the Behalf of any Person or Persons, against any other Person or Persons whatsoever, then residing or being, or who, at the Time when such Cause of Action did or shall accrue, did or shall reside or be within the said Fort or Town, or the Precinct, District or Territories thereof, of any of the Causes of Suit aforesaid, already accrued, or which shall or may hereafter accrue (unless the same shall be between the *Indian* Natives only, as aforesaid, or unless such Cause of Suit shall not exceed the Value of Five Pagodas) the said Court shall and may issue a Summons, in Writing, under the Hands and Seals of Two of the Judges of the said Court (whereof the Mayor for the Time being, or, in case of his Absence, the Senior Alderman residing within the said Town of *Madrassetnam*, or *Fort St. George*, to be One) to be directed to the said Sheriff, requiring the Party or Parties Defendant or Defendants, to appear before them, at a certain Time and Place therein to be appointed, to answer the said Complaint; and in Default of Appearance upon Return of the said Summons at such Time and Place, the said Court shall and may issue forthwith a Warrant, under the Hands and Seals of any Two of the Judges of the said Court (whereof the Mayor for the Time being, or the Senior Alderman then residing within the said Town of *Madrassetnam*, to be One, unless the said Mayor, or Senior Alderman, shall be a Party in such Action or Suit, and in that case under the Hands and Seals of any other Two of the Judges of the said Court) directed to the Sheriff for the Time being, to take the Body or Bodies of such Defendant or Defendants, and bring him, her or them, before the said Court, at a certain Time and Place therein to be appointed, to answer to the said Complaint; and in case of Appearance, or Arrest of the Body or Bodies of such Defendant or Defendants, to let such Defendant or Defendants out to Bail, upon giving sufficient Security (which We do hereby empower the said Court to take) to abide and perform the final Order and Judgment of the said Court, or such final Order and Judgment as shall and may be given upon any Appeal to be brought in the said Cause, or to surrender himself to the said Court, to be charged in Execution till the said Judgment shall be satisfied; and in Default of finding Bail, or giving such Security as aforesaid, to detain such Defendant or Defendants in Custody, until he or they shall have found such Bail, or have given such Security as aforesaid, or shall have Judgment or Sentence given for him, her or them, upon such Complaint; and after such Bail found, or Security given as aforesaid, or in case such Defendant or Defendants shall be detained in Custody for Want of Bail or Security, We do hereby, for Us, Our Heirs and Successors, ordain, direct and authorize the said Court to proceed to the Examination of the Matter and Cause of Complaint, either upon the Oath or Oaths, or solemn Affirmation, of any Witness or Witnesses, to be taken in the most solemn Manner, that is to say, the Oath or Oaths of such Witness or Witnesses who shall profess the *Christian* Religion, to be taken upon the Holy Evangelists, unless such Witness or Witnesses shall be of the Persuasion of the People called *Quakers*, in which case a solemn Affirmation shall be sufficient; and upon the Oath or solemn Affirmation of any of the Natives of *India*, in such Manner as they, according to their several Casts, shall esteem to be most binding on their Consciences to oblige them to speak the Truth; and the Deposition or Depositions of such Witness or Witnesses shall be reduced into Writing, and subscribed in open Court by such

Witness or Witnesses (for which Purpose We do, by these Presents, empower and require the said Court to administer such Oath or Affirmation, or cause the same to be administered to such Defendant or Defendants, or to such Witness or Witnesses as shall be produced on the Behalf of either Party, Plaintiff or Defendant); or by the Confession or Admission of such Defendant or Defendants, in his, her or their Answer, upon the like Oath or Affirmation, according to his, her or their Religion, Sect or Cast respectively; and thereupon it shall be lawful for the said Court to give Judgment and Sentence according to Justice and Right, and to award and issue a Warrant or Warrants of Execution, under the Hands and Seals of Two of the Judges of the said Court (whereof the Mayor of the said Town or Factory of *Madraspatnam* for the Time being, or the Senior Alderman then residing within the said Town or Factory, to be One, unless they, or either of them, shall be interested therein; and in that Case under the Hands and Seals of any Two of the Aldermen not interested therein) to be directed to the Sheriff for the Time being, for levying the Debt, or Duty, adjudged or decreed to the Party or Parties complainant, together with Costs of Suit, upon the Goods and Chattels of such Defendant or Defendants; and to cause Sale to be made of the said Goods and Chattels, rendering to the Party the Overplus (if any be); and for Want of sufficient Distress, We do hereby, for Us, Our Heirs and Successors, give full Power and Authority to the said Court to imprison the Defendant or Defendants, until Satisfaction be made by him, her or them, to the Plaintiff or Plaintiffs, of the Debt or Duty, decreed or adjudged, together with the Costs of Suit: And in case Judgment shall be given for the Defendant or Defendants, We do hereby, for Us, our Heirs and Successors, likewise give full Power and Authority to the said Court to award Costs to such Defendant and Defendants, and to issue the like Process and Execution for the same, as in Cases where Costs are awarded to any Plaintiff or Plaintiffs.

AND if any Action or Suit shall be brought or commenced against the Mayor of the said Corporation, for the Time being, during his being or continuing in his Office, it shall and may be lawful for the said Mayor's Court to proceed and determine such Suit, in the same Manner as in other Actions or Suits depending before them; but such Mayor shall not sit as a Judge, or appear on the Bench, during the hearing of the said Cause, or making any Order therein; and if any Action or Suit shall be brought or commenced against the said Sheriff, during his being and continuing in his Office, it shall and may be lawful to and for the said Governor or President and Council, for the Time being, or the major Part of them, to nominate and appoint a proper Person to execute the Process and Orders of the said Court against such Sheriff for the Time being.

How to proceed, if an Action be brought against a Mayor, or Sheriff.

AND in case any Person or Persons shall have any Action or Suit against The said *United Company*, and shall make Complaint thereof in Writing unto the said Mayor's Court, it shall and may be lawful for the said Court to issue their Summons to the said Governor or President and Council, to appear for The said *United Company*; and the said Governor or President and Council shall thereupon appear for the said Company, and shall be admitted to answer and defend such Suit, in the Name, and for and on the Behalf of The said *United Company*: And the said Mayor's Court shall be at Liberty to issue such Process against the said Company, and their Estate and Effects, as shall be

Or against the Company.

Or if the Company have any Action against any Person.

necessary to compel the Appearance of the said Company ; and shall proceed to hear and determine such Cause of Action in the same Manner as they are hereby authorized and empowered to hear and determine other Actions and Suits ; and, in case the said Company shall be condemned in such Action or Suit, to raise and levy upon their Goods, Estate and Effects, the Debt or Damages, together with such Costs of Suit as shall be awarded by the said Court, subject nevertheless to such Appeal as is herein after mentioned : And in like Manner, if The said *United Company* shall have any Action or Suit against any Person or Persons, it shall and may be lawful to and for the said Governor or President and Council, for and on the Behalf of the said Company, and in their Name, to make Complaint thereof in Writing to the said Mayor's Court, who shall proceed therein, and shall hear and determine the same as in other Cases, and in case Judgment or Sentence shall be given against the said Company, shall award Costs, to be levied upon the Goods and Effects of the said Company, as they shall see Occasion.

In case a Defendant withdraws himself out of the Jurisdiction of the Court.

AND to the Intent that due Provision be made that there may be no Failure of Justice if the Defendant or Defendants who was or were resident within the said Town of *Madraspatnam*, or any of the Factories or Districts subordinate thereto, at the Time when any Cause of Action did accrue, shall withdraw him or herself, or themselves, out of, or shall not be found within the Jurisdiction of the said Court ; We do, by these Presents, give, grant, will, direct and appoint, that in case the Sheriff shall make Return to such Summons or Warrant of Arrest, that the Party or Parties, Defendant or Defendants, therein mentioned, or any of them, is, or are not to be found within the Jurisdiction of the said Court, it shall and may be lawful, to and for the said Court, upon an Affidavit of Proof, verifying the Demand of the Plaintiff or Plaintiffs in such Suit, to the Satisfaction of the said Court, to grant a Sequestration to seize the Estate and Effects of such Party or Parties Defendant or Defendants, to such Value as the said Court shall think reasonable, and shall direct in such Process of Sequestration ; and the same to detain in the Hands of a proper Person to be appointed by the said Court, till such Party or Parties shall appear to the said Complaint, and give Security as aforesaid ; and in case the Party or Parties Defendant or Defendants, shall not appear, and give Security as aforesaid, within the Space of Six Months (unless it be shewed to the said Court, on the Behalf of such Defendant or Defendants, that he or they is or are residing in *Great-Britain*, or *Ireland*) then it shall and may be lawful for the said Court, to proceed to hear and determine the said Cause, and to give Judgment therein as aforesaid : And in case Judgment shall be given for the Plaintiff or Plaintiffs in such Suit, to direct the Effects so seized to be sold, and out of the Produce thereof to make Satisfaction to the Plaintiff or Plaintiffs, for the Duty and Costs recovered, returning the Overplus, if any such shall be ; and in case such Produce shall not be sufficient to make Satisfaction to the Plaintiff or Plaintiffs, then it shall and may be lawful for the said Court to award Execution for the Residue of the Duty, and Costs, recovered in Manner as aforesaid.

The Money, Securities, and Effects of Suitors, which shall be ordered to be paid into Court to be kept by the President and

AND whereas it is of the utmost Concern and Importance to the Suitors of the said Court, that their Money, Securities and Effects, should be preserved and secured, for their Benefit, in the most careful and effectual Manner : And whereas the same will be most safely deposited and kept in the Hands of the

Governor or President and Council of *Fort St. George*, with the Cash and Effects belonging to the said Company : And the said Company having undertaken and agreed to be answerable to the Suitors of the said Court for all such Money, Securities and Effects, as under the Orders of the said Mayor's Court, shall be paid, delivered to, or deposited with, their said President and Council, except in Cases of Fire, foreign Invasions, or other unavoidable Accidents, whereby the said Monies, Securities or Effects, may be lost ; and also to be at the Charge and Expence which may be occasioned by Reason of the depositing, safe keeping, and restoring, or paying and delivering out of such Money, Securities and Effects, so that the Suitors may not be burdened thereby ; 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 unto, or deposited with the Governor or President and Council, at *Fort St. George*, to be by them kept and deposited with the Cash and Effects of the said Company ; subject to such Orders and Directions as the said Mayor's Court shall, from Time to Time, think fit to make concerning the same for the Benefit of the Suitors.

Council, subject to the Orders of the Court.

AND We do, for Us, Our Heirs and Successors, give and grant, unto the Court of Directors of the said Company, or the major Part of them, full Power and Authority, from Time to Time, to name and appoint an Officer, under the Name of the Accountant General of the Mayor's Court at *Madraspatnam* ; and the same, at their Pleasure, to remove, and another to appoint, who shall act, perform, and do, all Matters and Things necessary to carry into Execution the Orders of the said Mayor's Court relating to the Payment or Delivery of the Suitors' Money, Effects and Securities, unto the Governor or President and Council of The said *United Company* at *Fort St. George* ; and taking the same out again, and keeping the Accounts with the said Governor and Council, and Register of the Mayor's Court, and other Matters relating thereto, under such Rules, Methods and Directions, as shall, from Time to Time, be made and given under the Hands of Thirteen or more of the Court of Directors of the said Company ; which Rules, Methods and Directions, We will, and direct, shall be according to such Rules, Methods and Directions, as are observed by the Accountant General of Our *High Court of Chancery* in *Great-Britain*, or as near thereto as may be, and as the Situation and Circumstances of Affairs will permit.

The Court of Directors to appoint an Accountant General for carrying the Orders of the Mayor's Court relating to the Suitors Money, &c. into Execution, and keeping the Accounts thereof with the President and Council.

AND We do hereby authorize the said Mayor's Court, to administer Oaths and Affirmations, and to frame such Rules of Practice, and nominate and appoint such Clerks and Officers, and 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 by these Presents, so as they, from Time to Time, give an Account thereof unto the said Company, and so as the same shall be subject to the Approbation, Control and Alteration of the said Company, under the Hands of Thirteen or more of the Court of Directors of the said Company ; whom We do likewise will, and ordain, to have full Power and Authority to make such Rules and Orders for the better Administration of Justice, as they shall, from Time to Time, think fit and necessary ; but such Rules and Orders, so to be made by the said Mayor's Court, so far as the same

The Mayor's Court empowered to administer Oaths and Affirmations, frame Rules of Practice, appoint Clerks and Officers, and do all other Things necessary ; but subject to the Control and Alteration of the Company, who are empowered to make Rules and Orders, for the better Administration of Justice.

shall not be repugnant to any Rules or Orders made by the said Company, or their Court of Directors, as aforesaid, shall nevertheless be in force until the same shall be revoked or altered by the said Court of Directors, or any Thirteen or more of them, and Notice thereof given unto the said Court.

A Table of Fees to be put up in the Place where the Court shall be held.

AND Our further Will and Pleasure is, and We do hereby require and command, that a Table of the Fees to be allowed to such Clerks and Officers, shall be settled by the said Court, and approved and signed by the Governor or President of *Fort St. George* aforesaid, for the Time being; and shall be written out fair, and kept constantly fixed up in some visible and open Part of the Room, or Place, where the said Court shall be held: And that it shall and may be lawful for the said Court, with the Approbation of the said Governor or President and Council, for the Time being, or the major Part of them, and also to and for the Court of Directors of The said *United Company*, or any Thirteen or more of them, to vary and alter such Table of Fees, in such Manner as they shall think fit.

Any Person thinking himself, or the President and Council thinking the Company aggrieved, may appeal to the President and Council, who are constituted a Court of Record, to hear and determine such Appeals.

AND it is Our further Will and Intent, and We do, by these Presents, ordain and establish, that if any Person or Persons shall think him, her or themselves aggrieved by any Judgment, Sentence or Decree of the said Mayor's Court; or if the said Governor or President and Council, for the Time being, or the major Part of them, shall think the said Company aggrieved by any Judgment, Sentence or Decree of the said Court, that such Person or Persons, and the said Governor or President and Council, for the Time being, or the major Part of them, for and in the Name of The said *United Company*, shall or may, within Fourteen Days after such Judgment, Sentence or Decree of the said Court shall be entered of Record, appeal to the Governor or President and Council of *Fort St. George* aforesaid, for the Time being; whom, or any Three or more of them (whereof the Governor or President, or, in his Absence, the Senior of the Council residing there, to be One) We do hereby, for Us, Our Heirs and Successors, constitute, nominate and appoint, to be, for ever hereafter, a Court of Record for that Purpose, to receive such Appeals, and to hear and determine the same, and to do all other Acts, Matters and Things, necessarily incident thereto: Provided, if the said Governor or President, or any of the said Council, shall be any ways interested in the Event of any such Action or Suit, no Person so interested shall sit or act as a Judge upon such Appeal; but the same shall be heard and determined by such of them, the said Governor, or President and Council, as shall be no ways interested therein, or any Three or more of them: And in all Cases, where the Number of Voices shall be equal in the Determination or Judgment upon such Appeal, the Governor or President, or, in his Absence, the Senior of the Council who shall be present, and not interested, shall have Two Voices; which Determination shall be final if the Debt, Damages or Things, directed to be paid, done or delivered, or Matter in Dispute, shall not exceed the Value of One Thousand Pagodas; but in case the same do exceed the Value of One Thousand Pagodas, any Person or Persons who shall think him, her or themselves aggrieved by such Judgment, Sentence or Decree, made on such Appeal, shall and may, within Fourteen Days after the Judgment, Sentence or Decree, given or made upon such Appeal, shall be entered of Record; or if there shall not be a sufficient Number of the said Governor or President and Council, disinterested in the Event of such Appeal, to hear and determine the same, so that no Judgment, Sentence

No Person interested in the Event, to sit as Judge.

Where Voices equal the President to have Two Voices.

Their Determination final, if the Matter exceed not 1000 Pagodas; if it exceed 1000 Pagodas, or if there be not a sufficient Number of the President and Council to hear the Appeal, the Party aggrieved may Appeal to the King in Council.

or Decree can be given or made by them, then, although the Debt, Damages or Thing to be delivered, or Matter in Dispute, shall not exceed the Value of One Thousand Pagodas, it shall and may be lawful for the Party or Parties aggrieved by the Judgment, Sentence or Decree of the said Mayor's Court, within Twenty-one Days after such Judgment, Sentence or Decree, shall be entered of Record, to appeal to Us, Our Heirs and Successors, in Council (as is usual in Cases of Appeal from any of our Colonies in the *West-Indies*) upon giving Security to pay Interest (not exceeding the current Rate of Interest which shall prevail at the Time of pronouncing such Judgment, Sentence or Decree) for the Thing adjudged or decreed to be paid, done or delivered, and the Costs of such Appeal, in case the said Judgment, Sentence or Decree, shall be affirmed; and in case The said *United Company* shall appeal to Us, Our Heirs and Successors, the said Governor or President and Council, shall give the like Security, by a Bond, in the Name and on the Behalf of the said Company.

AND it is Our Will and Pleasure, that the Judgments, Sentences and Orders, of Us, Our Heirs and Successors, and of the said Governor or President and Council, made upon any such Appeals respectively, shall and may be put in Execution by the said Mayor's Court, in such Manner as an original Judgment of the said Court should or might have been; and they are hereby required and commanded to execute the same accordingly: And in case the said Mayor's Court shall refuse or neglect to cause such Judgments, Sentences or Orders, to be executed within Fourteen Days after Application made to them for that Purpose, it shall be lawful for, and We do hereby require and command the said Governor or President and Council to execute, or cause the same to be executed, by such Ways and Means as the said Mayor's Court might have done.

AND whereas the providing a more easy and speedy Method for recovering of small Debts within the said Town of *Madraspatnam*, and the Factories and Districts subordinate thereto, will greatly contribute to the promoting Industry, and supporting and encouraging useful Credit; We do hereby, for Ourselves, Our Heirs and Successors, give and grant to the said Company and their Successors, and do direct and appoint, that there shall, for ever hereafter, be, within the said Town of *Madraspatnam*, a Court, which shall be called the Court of Requests for the Town of *Madraspatnam*, and the Factories and Districts thereof: And for that Purpose, We will and require the Governor or President and Council of *Madraspatnam* aforesaid, as soon as conveniently may be after the Arrival of this Our Charter, to nominate and appoint some of the principal Inhabitants of *Madraspatnam* aforesaid, not more than Twenty-four, nor fewer than Eight, to be Commissioners, to hear and determine Suits in a summary Way, under such Rules, Orders and Regulations as shall, from Time to Time, be given or sent to them, under the Hands of Thirteen or more of the Court of Directors of the said Company; which Commissioners, or any Three or more of them, shall have full Power and Authority to hear and determine all such Actions or Suits which shall be brought before them, where the Debt, Duty, or Matter in Dispute, shall not exceed, or be more than the Value of Five Pagodas; which Commissioners, so to be appointed, shall continue in their said Office until the First *Thursday* in *December* next after the Arrival of this Our Charter; and Three or more of them in Rotation, as

The Sentence upon such Appeals to be put in Execution by the Mayor's Court, and if they neglect it by the President and Council.

A Court of Requests established at *Madraspatnam*, to determine Suits not exceeding 5 Pagodas.

they shall agree among themselves (but not to exclude any other of the Commissioners, though not sitting or acting in the Course of such Rotation) shall sit every *Thursday* in the Week, from the Hours of Ten to Twelve in the Forenoon, or longer, if the Business shall require it, to hear and determine all such Causes as shall be brought before them, not exceeding the Value aforesaid; and on the First *Thursday* in *December* next after the Arrival of this Our Charter, the said Commissioners shall assemble together, and Twelve of the Persons so to be appointed Commissioners, or One Half of the said Commissioners, in case their Number be less than Twenty-four, shall, by the Ballot of all of them, or of such as shall be present, be removed, and a Number equal to that of those so removed, be chosen by Ballot of the remaining Twelve, or lesser Number; and of those that shall be removed, in the Places and Stead of such as shall be removed, to continue in such Employment until the First *Thursday* in the Month of *December* in the succeeding Year, and until others shall be chosen; and that, at the End of the said Year, that Half of the Commissioners who shall have the longest served in such Office, shall be removed, and others chosen by Ballot in their Places, in Manner aforesaid; and so from Year to Year, on the First *Thursday* in *December*, for ever hereafter.

The President and Council to be Justices of the Peace, for Madraspatnam, Fort St. George, and the Factories subordinate to Fort St. George.

AND We do further, for Us, Our Heirs and Successors, give and grant, unto the said Company and their Successors, and do, by these Presents, will, ordain, establish and appoint, that the Governor or President and Council of *Fort St. George* aforesaid, for the Time being, shall be Justices of the Peace, and have Power to act as Justices of the Peace, in and for the said Town of *Madraspatnam*, and in and for *Fort St. George*, *Fort St. David*, *Vizagapatnam*, the Factories on the *Coast of Sumatra*, and all other the Factories subordinate to *Fort St. George* aforesaid, in the same or the like Manner, and with the same or the like Power, as Justices of the Peace constituted by any Commission or Letters Patents, under Our Great Seal of *Great-Britain*, for any County, City, or Town Corporate, in that Part of Our said Kingdom called *England*, do or may exercise such Office.

To hold Quarter Sessions, and be a Court of Record;

AND Our further Will and Pleasure is, and We do, by these Presents, for Us, our Heirs and Successors, give and grant, unto the said Company and their Successors, that the Governor or President of *Fort St. George*, and the Council, for the Time being, or any Three or more of them (whereof the Governor or President, or, in his Absence, the Senior of the Council then residing at *Fort St. George*, to be One) shall and may hold Quarter Sessions of the Peace, Four Times in the Year, within the District aforesaid, and shall, at all Times hereafter, be a Court of Record, in the Nature of a Court of Oyer and Terminer, and Gaol Delivery; and shall, from Time to Time, and at all Times hereafter, be Commissioners of Oyer and Terminer, and Gaol Delivery, for the trying and punishing of all Offenders, and Offences (High Treason only excepted) had, committed or done, or to be had, committed or done, within the said Town of *Madraspatnam*, *Fort St. George*, or within any of the said Factories or Places subordinate thereunto; and that it shall and may be lawful, to and for the said Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery respectively, to proceed by Indictment, or by such other Ways, and in the same or in the like Manner, as is used in that Part of *Great-Britain* called *England*, as near as the Condition and Circumstances of the Place and Inhabitants will admit of; and for that Purpose to

and be Commissioners of Oyer and Terminer, and Gaol Delivery, for the trying and punishing all Offences, except High Treason.

Their Proceedings.

issue their Warrant or Precept to the Sheriff of the said District, for the Time being, commanding him to summon a convenient Number of the principal Inhabitants within the said District, to serve and attend as Grand and Petit Jury, at the said Courts respectively: And that the said Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery respectively, shall and may administer to them the usual Oath taken in *England* by the Grand and Petit Jury; and also administer to the Witnesses, who shall be produced for or against the Party to be tried, a proper Oath or Affirmation, that is to say, an Oath upon the Holy Evangelists to any Witness or Witnesses, who shall profess the *Christian* Religion; and to administer an Oath or solemn Affirmation to any other Witness or Witnesses, Natives of *India*, in such Manner as they, according to their several Casts, shall esteem to be most binding on their Consciences, to oblige them to speak the Truth; and that the said Justices, and Commissioners, shall and may respectively proceed to the Arraignment, Trial, Conviction and Punishment, of Persons accused of any Crimes or Offences (High Treason only excepted) in the same or the like Manner and Form, as near as the Condition and Circumstances of the Place and Inhabitants will admit of, as any of Our Justices of the Peace, or Commissioners of Oyer and Terminer, and Gaol Delivery, in *England*, do or may proceed, by Virtue of any Commission by Us granted for that Purpose; and shall and may respectively do all other Acts that Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery, usually and legally do; and that the said Court may assemble and adjourn, at and unto such Times and Places as they shall judge convenient.

Oaths of Jury and Witnesses.

AND We do hereby direct, that the Governor, or President, of *Fort St. George* aforesaid, shall, before the Council there, or the major Part of them, take an Oath, faithfully to execute the said Offices of Justice of the Peace, and Commissioner of Oyer and Terminer, and Gaol Delivery, together with the Oath of Allegiance, which Oaths they are hereby empowered to administer; and after the taking of such Oaths, We do hereby authorize the said Governor, or President, to administer the same Oaths to the Rest of the Council, as Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery.

The President to take an Oath faithfully to execute the said Offices of Justice and Commissioner, and the Oath of Allegiance, and to administer the like Oaths to the Rest of the Council.

AND We do hereby will, direct and declare, that no Proceedings, which, at the Time of the Arrival of this Our Charter shall be depending before Our Justices of the Peace, at their Quarter Sessions, or before Our Commissioners of Oyer and Terminer, and Gaol Delivery, at *Madraspatnam* aforesaid, shall be any ways abated or discontinued thereby, but shall be proceeded upon, under this Our present Charter, in the same Manner, to all Intents and Purposes, as if all such Proceedings had been had and commenced under the same, and by Virtue thereof.

Proceedings already begun not to abate.

AND Our further Will and Pleasure is, and We do, of Our more abundant Grace, for Us, Our Heirs and Successors, give and grant unto the said Company and their Successors, by these Presents, full Power and Authority, from Time to Time, to name and appoint such Person and Persons as they shall think fit, to be General or Generals of all the Forces by Sea and Land of or belonging to the said Town of *Madraspatnam*, and the Towns, Places and Dependencies of *Fort St. George* aforesaid; and to nominate, constitute and appoint, such and so many Commanders, and Military Officers, as to them

The Company empowered to appoint Generals, and other Military Officers, for Madras, and its Dependencies;

to train the Inhabitants in Martial Affairs ; and to raise and maintain Forces, Seamen and Ships of Defence.

To repel Invasions, &c.

Corporation of Mayor and Aldermen of Bombay re-established.

The Persons, who shall be Mayor and Aldermen at the Time of the Arrival of this Charter, to continue in their Offices.

shall seem meet and requisite, for the leading, conducting and training up, the Inhabitants of the said Towns, Places and Limits aforesaid, in Martial Affairs ; and for the raising and maintaining such a Body of standing Forces within the said Towns and Limits aforesaid, and such a Number of Seamen, and Ships of Defence, as are or shall be necessary for the Defence and Safeguard of the same, and such General or Generals, and other Officers, or any of them, at the Pleasure of the said Company to displace and amove.

AND that it shall and may be lawful to and for the said General or Generals of the Forces by Sea and Land, of or belonging to the said Town of *Madraspatnam*, and the Towns, Places and Dependencies of *Fort St. George* aforesaid ; and all and every such Commander and Military Officers, that shall be so as aforesaid constituted and appointed, according to the Tenour of his and their respective Commissions and Instructions, to assemble, exercise in Arms, Martial Array, and put in warlike Posture the Inhabitants of the said Towns and Places, either by Sea or Land, for their special Defence and Safety ; and to lead and conduct them, and to encounter, repulse, expel and resist by Force of Arms, as well by Sea as by Land ; and also to kill, slay and destroy, by all fitting Ways, Enterprises and Means whatsoever, all and every such Person or Persons as shall, or may, at any Time hereafter, in an hostile Manner, attempt or enterprise the Destruction, Invasion, Detriment or Annoyance, of any of Our Subjects within the said Towns and Factories and Limits, or any of their Servants, or Persons dealing with them ; and in Time of War, or open Hostility, to use and exercise Martial Discipline, and the Law Martial, in such Cases as Occasion shall necessarily require, and may legally be done ; and to take and surprise, by all Ways and Means whatsoever, all and every such Person and Persons, with their Ships, Armour, Ammunition and other Goods, as shall, in hostile Manner, invade, or attempt the defeating or Destruction of the said Towns and Places, or the Hurt of any of Our Subjects inhabiting there, or any of their Servants, or Persons employed by them, and upon just Causes to invade and destroy the Enemies of the same.

AND We do, of Our more abundant Grace, for Us, Our Heirs and Successors, further give and grant unto the said Company and their Successors, and do, by these Presents, ordain, establish and appoint, that there shall be, for ever hereafter, within the said Town or Factory of *Bombay*, on the Island of *Bombay*, One other Body Politick and Corporate, by the Name of the Mayor and Aldermen of *Bombay* ; and that such Body Politick and Corporate shall consist of a Mayor and Nine Aldermen, Seven of which said Aldermen, together with the Mayor, for the Time being, shall be natural born Subjects of Us, Our Heirs and Successors ; and the other two Aldermen may be foreign Protestants, the Subjects of any other Prince or State in Amity with Us ; and that the said Body Corporate, by the Name aforesaid, shall have perpetual Succession, and shall and may be Persons able and capable in Law to sue and be sued in any Courts and Causes whatsoever ; and shall and may have a Common Seal for the Business and Affairs of the said Corporation, which Common Seal they and their Successors may break and change, at their Pleasure.

AND We do hereby further, for Us, Our Heirs and Successors, will, grant and appoint, that the Persons, who, at the Time of the Arrival of this Our Charter, shall be the Mayor and Aldermen of *Bombay*, under the said former Charter, which the said Company have surrendered unto Us, as aforesaid, shall

continue and be the modern Mayor and Aldermen, and shall, at a Time to be appointed for that Purpose by the Governor or President, or, in his Absence, by the Two Senior of the Council of *Bombay* then residing there, within Thirty Days after Notice of this Our Charter, take an Oath duly to execute their respective Offices, together with the Oath of Allegiance; which Oaths the said Governor or President, and, in his Absence, the Two Senior of the Council then residing at *Bombay* aforesaid, are hereby empowered to administer.

AND it is Our further Will and Pleasure, and We do hereby ordain, direct, establish and appoint, that the Mayor and Aldermen of the said Town or Factory of *Bombay*, hereby nominated, and all and every other and future Mayors and Aldermen of the said Town or Factory, shall respectively have such Continuance in their several Offices, and shall be so appointed, elected and removed, and their Places shall be so avoided, at such Times, upon the like Contingencies or Occasions, and in the like Manner, and be so presented, and take such Oaths, before such Officers, having the like Authority within the said Town or Factory of *Bombay* (whom We do hereby, for Us, Our Heirs and Successors, authorize to administer the same) and shall have the like Powers, Authorities and Privileges, within the said Town or Factory of *Bombay*, and the Limits thereof, and the Factories subordinate thereto, to all Intents and Purposes, as is or are herein before respectively appointed, directed, ordained or established, concerning the Election, Continuance, swearing, presenting or removing, or the avoiding of Places, as are hereby before given unto the Mayor and Aldermen of the said Town of *Madrasspatnam*.

Mayor and Aldermen to have the like Powers, &c. as are granted to those of Madras.

AND We do further, for Us, Our Heirs and Successors, ordain and appoint, that the Mayor of *Bombay* herein before nominated, and every other Person who shall hereafter be Mayor of *Bombay*, shall, after the Determination of his Office of Mayor, be One of the Aldermen of the said Town or Factory of *Bombay*.

Mayor, after the Determination of his Office, to continue an Alderman.

AND We do, for Us, Our Heirs and Successors, give and grant to the said Company and their Successors, and We do hereby ordain, direct and appoint, that the Mayor and Aldermen of *Bombay* aforesaid, for the Time being, shall, for ever hereafter, be, and they are hereby constituted a Court of Record, by the Name of the Mayor's Court at *Bombay*; and that they, or any Three or more of them (whereof the Mayor, or Senior Alderman, for the Time being, to be One) may, and they are hereby authorized to try, hear and determine, all Civil Suits, Actions and Pleas, between Party and Party, that shall or may arise, or happen, or that have already arisen, or happened, within the said Town or Factory of *Bombay*, or within any of the Factories subject or subordinate thereunto, in the like Manner, and under the like Restrictions, as the Mayor's Court at *Madrasspatnam* is herein before empowered to do within the said Town of *Madrasspatnam*, and the Factories subject to *Fort St. George*.

Mayor's Court, at Bombay.

AND We do further will, ordain, direct, establish and appoint, that the Person, who, at the Time of the Arrival of this Our Charter, or an Exemplification of the same, at *Bombay*, shall be Our Sheriff for the said Town or Factory of *Bombay*, and the Precincts, Districts, or Territories thereof, shall continue and be the Sheriff thereof; and that such Sheriff, so hereby appointed, and all and every other future Sheriffs of *Bombay* aforesaid, shall have such Continuance in their several Offices, and shall be so appointed, and elected, at such Times, upon such Contingencies or Occasions, and in the like Manner, and take such

Sheriff.

Oaths, before such Officers (whom we do hereby authorize to administer the same) and shall have the like Powers, Authorities and Privileges, within the said Town or Factory of *Bombay*, and the Limits thereof, and the Factories subordinate thereunto, to all Intents and Purposes, as is or are herein before appointed, directed or ordained, concerning the Sheriff of the said Town of *Madrasspatnam*.

Proceedings of the
Mayor's Court.

AND Our further Will and Pleasure is, and We do, by these Presents, for Us, Our Heirs and Successors, ordain, direct and appoint, that, upon Complaint to be made in Writing to the said Court, at *Bombay*, by, for, or on the Behalf of any Person or Persons, against any other Person or Persons whatsoever, then residing, or being, or who, at the Time when such cause of Action did or shall accrue, did or shall reside, or be within the said Town or Factory of *Bombay*, or the Precincts, Districts, or Territories thereof, of any of the Causes of Suit aforesaid, already accrued, or which shall or may hereafter accrue (unless the same shall be between the *Indian* Natives only, or unless such Cause of Action shall not exceed the Value of Five Pagodas) the said Court shall and may issue a Summons in Writing, under the Hands and Seals of Two of the Judges of the said Court (whereof the Mayor, for the Time being, or, in his Absence, the Senior Alderman then residing within the same Town or Factory, to be One, unless such Mayor, or Senior Alderman, shall be Party or Parties in such Action or Suit; and in that Case under the Hands and Seals of any other Two of the Judges of the said Court) to be directed to the Sheriff of *Bombay*, for the Time being, requiring such Appearance of the Defendant or Defendants therein named; and, in Default of such Appearance, shall and may issue the like Warrant, under the Hands and Seals of the like Judges, directed to the Sheriff of *Bombay*, for the Time being, to take and bring the Body and Bodies of such Defendant or Defendants, before the said Court, at such times as is or are herein before respectively appointed, or directed, touching or relating to the issuing of Summons or Warrants, upon the Complaint, or at the Suit of any Complainant, against any Defendant in the said Mayor's Court at *Madrasspatnam*: And We do further give and grant, and, by these Presents, ordain and appoint, that the said Mayor's Court at *Bombay*, shall and may, in case of an Appearance, or an Arrest of the Body or Bodies of such Defendant or Defendants, let such Defendant or Defendants out to Bail, upon such Security, so to be taken, upon such Conditions, and for such Purposes: And, in Default thereof, to hold such Defendant or Defendants in such Custody, and for such Time, and in such Manner, as is hereinbefore appointed concerning the same, to be done and performed by the said Mayor's Court at *Madrasspatnam*, or the Officers thereof; and after such Bail found, or in case the Defendant or Defendants be detained in Custody for Want of such Bail, We do hereby, for Us, Our Heirs and Successors, ordain, direct and authorize the said Mayor's Court of *Bombay* so and in such Manner to proceed to the Examination of the Matter of Complaint, so to give Sentence and Judgment, and to award such Executions, directed to such Sheriff; and generally to proceed, act and do in all Things relating to the administering or executing of Justice, in all Civil Causes, Suits or Pleas, to be commenced or depending in the said Mayor's Court at *Bombay*, by and with such Rules, Regulations, Powers and Authorities, and under such Limitations and Restrictions, and subject to such Appeal to the Governor or President and Council of

Bombay (whom We do, in like Manner, authorize to hear and determine the same) and to Us, Our Heirs, and Successors, in Council, as are herein before given, granted, ordained, or appointed to be done, exercised, executed, held or enjoyed by the said Mayor's Court herein before appointed and established at *Madraspatnam*, in such ample and beneficial Manner as if the same were here-in again repeated : And We do also hereby ordain, direct and command, that the Governor or President and Council of *Bombay*, shall execute, or cause to be executed, the Judgments, Sentences and Orders, of Us, Our Heirs and Successors, and of the said Governor or President and Council, made upon such Appeals, in such Cases, and in like Manner, as We have herein before commanded the Governor or President and Council of *Fort St. George* aforesaid, to do, in respect of Judgments, Sentences and Orders made on Appeals from the Mayor's Court of *Madraspatnam* aforesaid.

AND We do further will and ordain, that there shall be an Accountant General at *Bombay*, and that the Suitors' Money and Effects shall be paid to, delivered, or deposited with the Governor or President and Council at *Bombay*, and for which the said Company shall be answerable to the Suitors of the said Court, in like Manner as for the Money paid in by Order of the Mayor's Court at *Madraspatnam* aforesaid ; and that there shall be such Court of Request, for determining all Actions and Suits not exceeding the Value of five Pagodas, to be appointed in like Manner, and for the like Purposes, as are before directed, appointed and established, at *Madraspatnam* aforesaid.

AND We do further, for Us, Our Heirs and Successors, give and grant, unto the said Company and their Successors, and do, by these Presents, ordain, direct, establish and appoint, that the Governor or President and Council of *Bombay* aforesaid, for the Time being, shall be Justices of the Peace, and have Power to act as Justices of the Peace, and as Commissioners of Oyer and Terminer, and Gaol Delivery ; and that they, or any Three or more of them (whereof the Governor or President, or, in his Absence, the Senior of the Council, then residing at *Bombay*, shall be One) shall and may hold Sessions of the Peace, and of Oyer and Terminer, and Gaol Delivery, respectively, in and for the said Town or Factory of *Bombay*, and other the Factories subordinate thereto ; and do all such other Acts as Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery, with such Powers, Jurisdictions and Authorities, and under such Regulations and Restrictions, as are herein before given and granted, directed and appointed, concerning Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery, for the said Town of *Madraspatnam*.

AND We do hereby will and declare, that no Proceedings, which, at the Time of the Arrival of this Our Charter, shall be depending before the Mayor's Court at *Bombay*, or before Our Justices of the Peace, at their Quarter-Sessions, or before Our Commissioners of Oyer and Terminer, and Gaol Delivery, at *Bombay* aforesaid, shall be any ways abated, or discontinued thereby, but shall be proceeded upon, under this Our Charter, in the same Manner, to all Intents and Purposes, as if all and every such Proceedings had been had and commenced under the same, and by Virtue thereof.

AND We do, of Our more abundant Grace, for Us, Our Heirs and Successors, give and grant unto the said Company and their Successors, by these presents, full Power and Authority, from Time to Time, to name and appoint

Accountant General;

Court of Requests.

Justices of the Peace,
and Commissioners of
Oyer and Terminer.Proceedings already
begun not to abate.Generals, &c. for
Bombay.

such Person and Persons as they shall think fit, to be General or Generals of all the Forces by Sea and Land of or belonging to the Town, Limits or Factories of *Bombay* aforesaid, and to constitute and appoint such Commanders, and Military Officers, for such Purposes; and such General or Generals, and other Officers, or any of them, at the Pleasure of the said Company to amove, in such Manner and Form as is or are herein before directed, ordained or established, concerning the appointing or amoving the Generals, Commanders, or Military Officers of *Madraspatnam*, and the Towns, Places and Dependencies of *Fort St. George*.

To repel Invasions,
&c.

AND Our further Will and Pleasure is, that it shall and may be lawful, to and for the said General or Generals of the Forces by Sea and Land of or belonging to the Towns, Limits and Factories of *Bombay* aforesaid, and all and every such Commander and Military Officers, according to his and their respective Commissions and Instructions, to assemble, and exercise in Arms, Martial Array, and put in warlike Posture the Inhabitants of the said Town and Factories, for their Defence and Safety; and to lead and conduct them, and to encounter, expel and resist, by Force of Arms; and also to kill, slay and destroy, all such Persons as shall or may, in an hostile Manner, attempt or enterprise the Destruction, Invasion, Detriment or Annoyance, of any of our Subjects within the said Town, and Factories and Limits, or any of their Servants, or Persons dealing with them; and in Time of War, or open Hostility, to use and exercise Martial Discipline, and the Law Martial, in such Cases as Occasion shall necessarily require, and may legally be done; and to take and surprise all and every such Person or Persons, with their Ships, Armour, Ammunition and other Goods, as shall, in hostile Manner, invade, or attempt the defeating or Destruction of the said Towns and Factories, or the Hurt of any of Our Subjects inhabiting there, or within the Limits aforesaid, or any of his or their Servants, or Persons employed by them, and, upon just Cause, to invade and destroy the Enemies of the same.

Corporation of
Mayor and Aldermen
of Calcutta at Fort
William in Bengal
re-established.

AND We do, of Our more abundant Grace, for Us, Our Heirs and Successors, further give and grant unto the said Company and their Successors, and do, by these Presents, ordain, establish and appoint, that there shall be, for ever hereafter, within the said Factory of *Fort William*, in *Bengal*, One other Body Politick and Corporate, by the Name of the Mayor and Aldermen of *Calcutta*, at *Fort William*, in *Bengal*; and that such Body Politick and Corporate shall consist of a Mayor and Nine Aldermen, Seven of which said Aldermen, together with the Mayor, for the Time being, shall be natural born Subjects of Us, Our Heirs and Successors, and the other Two Aldermen may be foreign Protestants, the Subjects of any other Prince, or State, in Amity with Us; and that the said Body Corporate, by the Name aforesaid, shall have perpetual Succession, and shall and may be Persons able and capable in Law to sue and be sued, in any Courts and Causes whatsoever, and shall and may have a Common Seal for the Business and Affairs of the said Corporation, which Common Seal they and their Successors may break and change, at their Pleasure.

The Persons, who
shall be Mayor and
Aldermen at the
Time of the Arrival
of this Charter, to
continue in their
Offices.

AND We do hereby further, for Us, Our Heirs and Successors, will, grant and appoint, that the Persons, who, at the Time of the Arrival of this Our Charter, shall be the Mayor and Aldermen of the said Town of *Calcutta*, at *Fort William*, in *Bengal*, under the said former Charter, which the said

Company have surrendered unto Us, as aforesaid, shall continue and be the modern Mayor and Aldermen, and shall, at a Time to be appointed for that Purpose, by the Governor or President, or, in his Absence, by the Two Senior of the Council, of *Fort William*, in *Bengal*, then residing there, within Thirty Days after Notice of this Our Charter, take an Oath, duly to execute their respective Offices, and shall also take the Oath of Allegiance; which Oaths the said Governor or President, and, in his Absence, the Two Senior of the Council, then residing at *Calcutta*, in *Bengal* aforesaid, are hereby empowered to administer.

AND it is Our further Will and Pleasure, and We do hereby ordain, direct, establish and appoint, that the Mayor and Aldermen of the said Town of *Calcutta*, at *Fort William*, in *Bengal*, hereby nominated, and all and every other future Mayors and Aldermen of the said Town respectively, shall have such Continuance in their several Offices, and shall be so appointed, elected and removed, and their Places shall be so avoided, at such Times, upon the like Contingencies or Occasions, and in the like Manner, and be so presented, and take such Oaths, before such Officers having the like Authority within the said Town of *Calcutta*, at *Fort William*, in *Bengal* (whom We do hereby, for Us, Our Heirs and Successors, authorize to administer the same) and shall have the like Powers, Authorities and Privileges, within the said Town of *Calcutta*, at *Fort William*, in *Bengal*, and the Limits thereof, and the Factories subordinate thereto, to all Intents and Purposes, as is or are herein before respectively appointed, directed, ordained or established, concerning the Elections, Continuance, swearing, presenting or removing, or the avoiding of Places, or as are hereby before given unto the Mayor and Aldermen of the said Town of *Madraspatnam*.

AND We do further, for Us, Our Heirs and Successors, ordain and appoint, that the Mayor of *Calcutta*, at *Fort William*, in *Bengal*, herein before nominated, and every other Person who shall hereafter be Mayor of *Calcutta*, at *Fort William*, in *Bengal*, shall, after the Determination of his Office of Mayor, be One of the Aldermen of the said Town of *Calcutta*, at *Fort William*, in *Bengal*.

AND We do, for Us, Our Heirs and Successors, give and grant, to the said Company and their Successors, and We do hereby ordain, direct and appoint, that the Mayor and Aldermen of *Calcutta*, at *Fort William*, in *Bengal*, aforesaid, for the Time being, shall, for ever hereafter, be, and they are hereby constituted a Court of Record, by the Name of the Mayor's Court of *Calcutta*, at *Fort William*, in *Bengal*; and that they, or any Three or more of them (whereof the Mayor or Senior Alderman, for the Time being, to be One) may and they are hereby authorized to try, hear and determine, all Civil Suits, Actions and Pleas, between Party and Party, that shall or may arise, or happen, or that have already arisen, or happened, within the said Town or Factory of *Calcutta*, at *Fort William*, in *Bengal*, or within any of the Factories, subject or subordinate thereunto, in the like Manner, and under the like Restrictions, as the Mayor's Court at *Madraspatnam* is herein before empowered to do, within the said Town of *Madraspatnam*, and the Factories subject to *Fort St. George*.

AND We do further will, ordain, direct, establish and appoint, that the Person, who, at the Time of the Arrival of this Our Charter, or an exemplification of the same, at that Place, shall be Our Sheriff for the said Town of

Mayor and Aldermen to continue in Office, and to have the like Powers, &c. as are granted to those of Madras.

Mayor, after the Determination of his Office, to continue an Alderman.

The Mayor's Court of *Calcutta*, at *Fort William*, to be a Court of Record, &c.

Sheriff.

Calcutta, at Fort William, in Bengal, and the Precincts, Districts or Territories thereof, shall continue and be the Sheriff thereof; and that such Sheriff, so hereby appointed, and all and every other future Sheriffs of Calcutta, at Fort William aforesaid, shall have such Continuance in their several Offices, and shall be so appointed and elected, at such Times, upon such Contingencies or Occasions, and in the like Manner, and take such Oaths, before such Officers (whom We do hereby authorize to administer the same) and shall have the like Powers, Authorities and Privileges within the said Town of Calcutta, at Fort William, in Bengal, and the Limits thereof, and the Factories subordinate thereunto, to all Intents and Purposes, as is or are herein before appointed, directed or ordained, concerning the Sheriff of the said Town of Madraspatnam.

Proceedings of the
Mayor's Court.

AND Our further Will and Pleasure is, and We do, by these Presents, for Us, Our Heirs and Successors, ordain, direct and appoint, that, upon Complaint to be made in Writing to the said Mayor's Court of *Calcutta, at Fort William, in Bengal*, by, for, or on the Behalf of any Person or Persons, against any other Person or Persons whatsoever, then residing or being, or who, at the Time where such Cause of Action did or shall accrue, did or shall reside or be within the said Town of *Calcutta, at Fort William, in Bengal*, or the Precincts, Districts or Territories thereof, of any of the Causes of Suit aforesaid, already accrued, or which shall or may hereafter accrue (unless the same shall be between the *Indian* Natives only or unless such Cause of Action shall not exceed the Value of Five Pagodas) the said Court shall and may issue a Summons in Writing, under the Hands and Seals of Two of the Judges of the said Court (whereof the Mayor for the Time being, or, in his Absence, the Senior Alderman then residing within the same Town or Factory, to be One, unless such Mayor, or Senior Alderman, shall be Party or Parties in such Action or Suit, and in that case under the Hands and Seals of any other Two of the Judges of the said Court,) to be directed to the Sheriff of the said Town of *Calcutta, at Fort William, in Bengal*, for the Time being, requiring such Appearance of the Defendant or Defendants therein named; and, in Default of such Appearance, shall and may issue the like Warrant, under the Hands and Seals of the like Judges, directed to the Sheriff of the said Town of *Calcutta, at Fort William, in Bengal*, for the Time being, to take and bring the Body and Bodies of such Defendant or Defendants before the said Court, at such Times as is or are herein before respectively appointed or directed, touching or relating to the issuing of Summons or Warrants, upon the Complaint, or at the Suit of any Complainant, against any Defendant in the said Mayor's Court at *Madraspatnam*: And we do further give and grant, and, by these Presents, ordain and appoint, that the said Mayor's Court of *Calcutta, at Fort William, in Bengal*, shall and may, in case of an Appearance, or an Arrest of the Body or Bodies of such Defendant or Defendants, let such Defendant or Defendants out to Bail, upon such Security, so to be taken, upon such Conditions, and for such Purposes, And, in Default thereof, to hold such Defendant or Defendants in such Custody, and for such Time, and in such Manner, as is herein before appointed concerning the same, to be done and performed by the said Mayor's Court, of *Madraspatnam* aforesaid, or the Officers thereof; and after such Bail found, or in case the Defendant or Defendants be detained in Custody for Want of such Bail, We do hereby, for

Us, Our Heirs and Successors, ordain, direct and authorize the said Mayor's Court at *Calcutta*, of *Fort William*, in *Bengal*, so and in such Manner to proceed to the Examination of the Matter of Complaint, and so to give Sentence and Judgment, and to award such Executions, directed to such Sheriff, and generally to proceed, act and do, in all Things relating to the administering or executing of Justice, in all Civil Causes, Suits or Pleas, to be commenced or depending in the said Mayor's Court of *Calcutta*, at *Fort William*, in *Bengal*, by and with such Rules, Regulations, Powers and Authorities, and under such Limitations and Restrictions, and subject to such Appeal to the Governor or President and Council of *Fort William*, in *Bengal* (whom We do, in like Manner, authorize to hear and determine the same) and to Us, Our Heirs and Successors, in Council, as are herein before given, granted, ordained or appointed, to be done, exercised, executed, held or enjoyed, by the said Mayor's Court herein before appointed and established at *Madraspatnam*, in such ample and beneficial Manner as if the same were herein again repeated: And We do also hereby ordain, direct and command, that the Governor or President and Council of *Fort William*, in *Bengal*, shall execute, or cause to be executed, the Judgments, Sentences and Orders, of Us, Our Heirs and Successors, and of the said Governor or President and Council, made upon such Appeals, in such Cases, and in like Manner, as We have herein before commanded the Governor or President and Council of *Fort St. George* aforesaid, to do, in respect of Judgments, Sentences and Orders, made on Appeals from the Mayor's Court of *Madraspatnam* aforesaid.

AND We do further will and ordain, that there shall be an Accountant General at *Calcutta*, at *Fort William*, in *Bengal*, and that the Suitors' Money and Effects shall be deposited with the Governor or President and Council there, and for which the said Company shall be answerable to the Suitors of the said Court, in like Manner as for the Money paid in by Order of the Mayor's Court of *Madraspatnam* aforesaid; and that there shall be at *Calcutta* aforesaid, such Court of Request, for determining of all Actions and Suits not exceeding the Value of Five Pagodas, to be appointed in like Manner, and for the like Purposes, as are before directed, appointed and established, at *Madraspatnam* aforesaid.

AND We do further, for Us, Our Heirs and Successors, give and grant unto the said Company and their Successors, and do, by these Presents, ordain, direct, establish and appoint, that the Governor or President and Council of *Fort William*, in *Bengal* aforesaid, for the Time being, shall be Justices of the Peace, and have Power to act as Justices of the Peace, and as Commissioners of Oyer and Terminer, and General Gaol Delivery; and that they, or any Three or more of them (whereof the Governor or President, or, in his Absence, the Senior of the Council then residing at *Fort William* aforesaid, to be One) shall and may hold Sessions of the Peace, and of Oyer and Terminer, and Gaol Delivery respectively, in and for the said Town or Factory of *Calcutta*, at *Fort William*, in *Bengal*, and other the Factories subordinate thereto, and do all such other Acts as Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery, with such Powers, Jurisdictions and Authorities, and under such Regulations and Restrictions, as are herein before given, granted, limited and appointed, concerning Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery, for the said Town of *Madraspatnam*.

Accountant General,

Court of Request.

Justices of the Peace,
and Commissioners
of Oyer and Terminer,
and Gaol
Delivery.

Proceedings already
begun not to abate.

AND We do hereby will and declare, that no Proceedings, which, at the Time of the Arrival of this Our Charter, shall be depending before the Mayor's Court of *Calcutta*, at *Fort William*, in *Bengal*, or before Our Justices of the Peace at their Quarter-Sessions, or before Our Commissioners of Oyer and Terminer, and Gaol Delivery, at *Fort William* aforesaid, shall be any ways abated, or discontinued thereby, but shall be proceeded upon under this Our Charter, in the same Manner, to all Intents and Purposes, as if all and every such Proceedings had been had and commenced under the same, and by Virtue thereof.

Generals, &c. for
Bengal.

AND We do, of Our more abundant Grace, for Us, Our Heirs and Successors, give and grant unto the said Company and their Successors, by these Presents, full Power and Authority, from Time to Time, to name and appoint such Person and Persons as they shall think fit, to be General or Generals of all the Forces by Sea and Land of or belonging to the Town, Limits and Factories in *Bengal* aforesaid, and to constitute and appoint such Commanders and Military Officers, for such Purposes, and such General or Generals, and other Officers, or any of them, at the Pleasure of the said Company to amove, in such Manner and Form as is or are herein before directed, ordained or established, concerning the appointing or amoving the Generals, Commanders, or Military Officers, of *Madraspatnam*, and the Towns, Places and Dependencies of *Fort St. George*.

To repel Invasions,
&c.

AND Our further Will and Pleasure is, that it shall and may be lawful to and for the said General or Generals of the Forces by Sea and Land of or belonging to the Towns, Limits and Factory of *Calcutta*, or *Fort William* aforesaid, and all and every such Commander and Military Officers according to his and their respective Commissions and Instructions, to assemble, exercise in Arms, Military Array, and put in warlike Posture the Inhabitants of the said Town, Factory and Limits of *Calcutta*, and *Fort William* aforesaid, for their Defence and Safety; and to lead and conduct them, and to encounter, expel and resist by Force of Arms, and also to kill, slay and destroy, all such Persons as shall or may, in an hostile Manner, attempt or enterprise the Destruction, Invasion, Detriment or Annoyance of any of Our Subjects within the said Town, Factory or Limits, or any of their Servants, or Persons dealing with them; and in Time of War, or open Hostility, to use and exercise Martial Discipline, and the Law Martial, in such Cases as Occasion shall necessarily require, and may legally be done; and to take and surprise all and every such Person or Persons, with their Ships, Armour, Ammunition and other Goods, as shall, in hostile Manner, invade, or attempt the defeating, or Destruction of the said Towns or Factories, or the Hurt of any of Our Subjects inhabiting there, or within the Limits aforesaid, or any of his or their Servants, or Persons employed by them, and, upon just Cause, to invade and destroy the Enemies of the same.

The Presidents and
Councils of Madras,
Bombay, and Fort
William, and also
the Court of Direc-
tors of the Company,
may make By-Laws,
Rules and Ordi-
nances, for the
Government of the

AND whereas it may be necessary, that certain By-Laws and Ordinances should hereafter be made, for the better Government and Regulation of the several Corporations and Courts hereby erected; and it is reasonable, that the Power of making such By-Laws, and Ordinances, should be subject to the Direction and Control of The said *United Company of Merchants of England, Trading to the East-Indies*, We do hereby, of Our more abundant Grace, for Us, Our Heirs and Successors, give and grant unto The said *United Company*,

and their Successors, and do, by these Presents, for Us, Our Heirs and Successors, will, ordain and direct, that it shall and may be lawful to and for the respective Governors or Presidents and Councils of the several Towns and Factories of *Madraspatnam, Bombay, and Fort William, in Bengal*, for the Time being, respectively (whereof the Governor or President, or, in his Absence, the Senior of the Council then residing in each respective Factory, to be One) and also for the *Court of Directors* of The said *United Company*, for the Time being, or the major Part of them, at any Meeting of such Court of Directors, to be held upon reasonable Notice to be given thereof, from Time to Time, to make, constitute and ordain By-Laws, Rules and Ordinances, for the Good Government and Regulation of the several Corporations and Courts hereby erected, and of the Inhabitants of the several Towns, Places and Factories aforesaid, respectively, and to impose reasonable Pains and Penalties upon all Persons offending against the same, or any of them: Provided that all such By-Laws, Rules and Ordinances, and all Pains and Penalties thereby to be imposed, be agreeable to Reason, and not contrary to the Laws and Statutes of this Realm: Provided also, that no such By-Law, Rule or Ordinance, made by the Governor or President and Council of either of the said Towns or Factories, shall be put in Execution, or have any Force or Effect whatsoever, until the same shall have been approved and confirmed, by Order, in Writing, of the said Court of Directors, or the major Part of them.

several Corporations and Courts, and impose Penalties on Offenders.

But those of the Presidents and Councils to have no Force, till confirmed by the Court of Directors.

AND We, of Our especial Grace, certain Knowledge and mere Motion, have given and granted, and, by these Presents, for Us, Our Heirs and Successors, do give and grant, unto The said *United Company of Merchants of England, Trading to the East-Indies*, and their Successors, for ever, all such Fines, Amerciaments, Forfeitures, Penalties and Sums of Money whatsoever, as have already been, or shall hereafter be ordered, charged, adjudged, set or imposed, upon any Person or Persons whatsoever, in or by the said respective Courts, or by the said Justices of the Peace, Commissioners of Oyer and Terminer, or Gaol Delivery, or any of them, or otherwise howsoever, by Virtue or in pursuance of the Powers, Grants, Privileges or Authorities, in the said former Letters Patents, or in these Presents, mentioned or contained, upon any Person or Persons, for or by reason of any Contempts, Misdemeanors or Offences whatsoever, To have, hold, receive, levy, sue for, recover and enjoy the same, to The said *United Company*, and their Successors, for ever, in as large and ample Manner, to all Intents and Purposes, as We, Our Heirs or Successors, could or might have had, held, received, levied, sued for, recovered and enjoyed the same, if these Presents had not been made, without any Account, or any other Matter or Thing, to be rendered or paid for the same, unto Us, Our Heirs or Successors.

Grant to the Company of all Fines, &c. imposed by the Courts of Justice, &c.

AND We do hereby, for Us, Our Heirs and Successors, give and grant unto The said *United Company of Merchants of England, Trading to the East-Indies*, and their Successors, full Power and Authority to sue for, recover and levy, all and every the said Fines, Amerciaments, Forfeitures, Penalties and Sums of Money, by any Action or Actions of Debt, to be brought in any of Our said Mayor's Courts respectively, or by such other Suits, Actions, Ways, Means and Proceedings, as may be lawfully had, and prosecuted, in Our said respective Courts, in their Corporate Names, or by any other lawful Ways or Means, either in the Name of Us, Our Heirs or Successors, or of The said

With Power to sue for and recover the same.

United Company of Merchants, Trading to the East-Indies, or their Successors; and to collect, take, seize and levy, the said Fines, Amerciaments, Forfeitures, Penalties and Sums of Money, in and by these Presents granted, or mentioned to be granted, from Time to Time, by the proper Officers and Ministers of The said *United Company of Merchants of England, Trading to the East-Indies*, and their Successors, to the only proper Use and Behoof of them, and their Successors, without any Writ, Warrant or other Process, out of the Exchequer of Us, Our Heirs or Successors, or any other Court or Courts of Us, Our Heirs and Successors, whatsoever and wheresoever, to be had and obtained in that Behalf, any Usage or Custom to the contrary thereof in any wise notwithstanding.

Courts to pay the Amount to the Company.

AND We do hereby, for Us, Our Heirs and Successors, direct, authorize and command, the Mayor and Aldermen, and the Governor or President and Council, of the respective Places before mentioned, the said respective Courts of Record, Justices of the Peace, Commissioners of Oyer and Terminer, and Gaol Delivery, now and for the Time being, and all other Our Officers and Ministers, and others therein concerned respectively, by Virtue of these Our Letters Patents, to cause to be paid over to The said *United Company of Merchants of England, Trading to the East-Indies*, and their Successors, from Time to Time, all such Fines, Amerciaments, Forfeitures, Penalties and Sums of Money, as shall be set or imposed upon any Person or Persons as aforesaid, and shall be paid or satisfied by such Person or Persons, or recovered and levied by any of the Ways and Means before mentioned: And We do, by these Presents, for Us, Our Heirs and Successors, declare and grant, that such Payments, so to be made, shall be as full and sufficient a Discharge, to all Intents and Purposes, to the said Mayor and Aldermen, and the said Governor or President and Council, of each of the said Places, the said Justices of the Peace, and the said Commissioners of Oyer and Terminer, and Gaol Delivery, and the said respective Officers and Ministers, and all and every other Person and Persons, as if such Payment had been made to Us, Our Heirs and Successors, at the Receipt of Our or their Exchequer.

The Mayor's Courts empowered to grant Probates of Wills, and Letters of Administration.

AND whereas it frequently happens, that the Effects and Estates of Persons dying in the *East-Indies*, or Parts aforesaid, are wasted and embezzled, and their Debts contracted there remain unpaid, for Want of a proper Authority vested in some Person or Persons residing in the *East-Indies*, or Parts aforesaid, to take care of the same; for the preventing of which Mischief, We do hereby, for Us, Our Heirs and Successors, give and grant unto the said Company and their Successors, and do, by these Presents, ordain, establish and appoint, that where any Person shall die within the said Town of *Madraspatnam*, or *Fort St. George*, or the Limits thereof, or any of the Factories subordinate to *Fort St. George* aforesaid, the said Town of *Bombay*, in the Island of *Bombay*, or the Limits thereof, or the Factories subordinate thereto, or the said Town of *Calcutta*, at *Fort William*, in *Bengal*, or the Limits or Districts of the same, or the Factories subordinate thereto; and shall by his Will appoint any Person or Persons residing within the Towns, or the Limits thereof, or the Factories aforesaid, to be his Executor or Executors, that in such Case the Mayor's Court within the District or Jurisdiction whereof such Person shall happen to die, upon Proof made of the due Execution of the said Will, shall, and they are hereby authorized to grant Probate of the said Will, under the Seal of the

said Court (which We authorize them to use for this and other necessary Purposes) whereby the Person or Persons so named Executor or Executors, shall have full Power, and ample Authority, to act as Executor or Executors, as touching the Debts and Estate of his, her, or their Testator, within the Limits of Trade granted to the said Company; and where any Person shall die, within any of the said Towns, or Factories, or the Limits thereof, Intestate, or not having appointed some Person or Persons to be his Executor or Executors, residing within the said Towns, or Factories, or the Limits thereof, that, in either of these Cases, the said Mayor's Court (within the Jurisdiction whereof such Person shall happen to die) shall, and the same is hereby empowered to grant Letters of Administration, or Letters of Administration with an authentic Copy of the Will annexed, determinable upon any Executor, named in such Will, appearing in the said Court, and praying Probate thereof, as touching the Debts and Estate of such Person dying Intestate, or not naming such Executor as aforesaid, that shall be, or arise, within the Limits of Trade granted to the said Company, to such Person or Persons then residing within the Jurisdiction of the said Court, as shall be next of Kin to the Person so dying; and in case no such Person shall be then residing within the Jurisdiction of the said Court, then to the principal Creditor of the Person so dying; and for Want of any Creditor appearing, then to such other Person or Persons as shall be thought proper by the said Court, every such Person or Persons to whom Administration shall be granted, first giving Security, by Bond, with Two or more able Sureties (Respect being had to the Value of the Estate) to the Mayor of the said Town or Factory, with Condition in Manner and Form following, *mutatis mutandis* (to wit).

THE Condition of this Obligation is such, that if the above-bounden A. B. Administrator of the Goods, Chattels and Credits, of C. D. deceased, do make, or cause to be made, a true and perfect Inventory of all and singular the Goods, Chattels and Credits, of the said deceased, which have or shall come to the Hands, Possession, or Knowledge of him, the said A. B. or to the Hands or Possession of any other Person or Persons for him, and the same, so made, do exhibit, or cause to be exhibited, into the Mayor's Court of _____ at or before the _____ Day of _____ next ensuing, and the same Goods, Chattels and Credits, and all other the Goods, Chattels and Credits, of the said deceased, at the Time of his Death, or which, at any Time after, shall come to the Hands or Possession of the said A. B. or into the Hands and Possession of any other Person or Persons for him, do well and truly administer according to Law; and further do make, or cause to be made, a true and just Account of his said Administration, at or before the _____ Day of _____ and all the Rest and Residue of the said Goods, Chattels and Credits, which shall be found remaining upon the said Administrator's Account, the same being first examined and allowed of by the Judges, for the Time being, of the said Court, shall deliver, and pay unto such Person or Persons respectively, as shall be lawfully entitled to such Residue; then this Obligation to be void, and of none Effect, or else to remain in full Force and Virtue.

AND it is Our Will and Pleasure, that such Person or Persons, to whom Administration shall be so granted, shall and may act in all Respects, as Administrator or Administrators, touching the Debts, Effects and Estate of

The Administrator's
Bond.

Administrator may
act within the
Company's Limits
of Trade.

such Person or Persons, to whom he or she shall take out Administration as aforesaid, which shall be or arise within the said Limits of Trade.

Every Mayor and Alderman, before he enters upon his Office, to take an Oath duly to execute the Office of One of the Judges of the said Court.

AND we do further will and direct, by these Presents, that each Person, who is nominated, appointed, or elected to be Mayor, or One of the Aldermen of any of the said Towns of *Madraspatnam*, at *Fort St. George*, or of *Bombay*, or *Calcutta*, at *Fort William*, in *Bengal*, shall, before he enters upon the Execution of his said Office, take an Oath, in the most solemn Manner, before the Governor or President, or, in his Absence, before any Two of the Council of such Town or Factory, whereof such Person is or shall be appointed, or elected Mayor or Alderman (whom We hereby authorize and empower to administer such Oath) that he will, to the best of his Skill, duly and justly execute the Office of One of the Judges of the said Court, and impartially administer Justice, in every Cause, Matter or Thing, that shall come before him: Provided always, that no Person or Persons shall be capable of any of the Offices herein before mentioned, until he or they shall have taken the Oath of Allegiance to Us, Our Heirs and Successors; which Oath We do hereby empower the said respective Governors or Presidents, or, in their Absence, the Two Senior of the Council then residing within the said respective Towns or Factories, to administer.

No Person to be capable of any of the Offices before-mentioned, till he hath taken the Oath of Allegiance.

If the Company remove the Seat of their Presidency, from any of the said principal Settlements, to any subordinate Place, the like Jurisdictions, &c. to be continued at such new Seat of the Presidency and its Dependencies, as are before granted in respect to such principal Settlement.

PROVIDED always, and We do, for Us, Our Heirs and Successors, will and declare, that if The said *United Company* shall at any Time hereafter, for the Convenience of their Trade, or otherwise, think fit to remove the Seat of their Presidency, from their principal Settlements of *Fort St. George*, and the said Town of *Madraspatnam*, or *Bombay*, in the Island of *Bombay*, or *Calcutta*, at *Fort William*, in *Bengal*, to any other Place subordinate to the said principal Settlements respectively, and shall declare the same to be the Seat of their Presidency, or principal Settlement, in the Place or Stead of such other principal Settlement, then, and in every such case, it shall and may be lawful to and for The said *United Company* to hold, use, exercise and enjoy a Mayor's Court and Court of Request; and the said Company's Governor or President and Council, shall continue to be Our Justices of the Peace, and Commissioners of Oyer and Terminer, and Gaol Delivery, at such other Place; and the said Mayor and Aldermen, and Commissioners of the said Court of Request, shall be chosen out of the Inhabitants of such other Place as they are hereby directed to be chosen out of the Inhabitants of the aforesaid Places, or principal Settlements; and they, and every of them, shall continue, use, exercise and enjoy, all and every the like Jurisdictions, Privileges, Powers and Authorities whatsoever, at such other Places, and the Places, Districts and Factories, which shall be subordinate and dependent thereon respectively, as are herein before granted unto them in the aforesaid principal Settlements; and in such Cases, all and every such Court shall bear the Name or Stile of the Place which shall be so appointed the Seat of the said Company's Presidency, or their principal Settlement, instead of such of the said principal Settlements now being, from which the Seat of the said Company's Presidency shall be so removed as aforesaid.

If the Company should for a Time lose the Possession of any principal Settlement whereby the Election of Officers

AND Our further Will and Pleasure is, and We do hereby, for Ourselves, Our Heirs and Successors, declare and ordain, that if, by any Accident whatsoever, The said *United Company* shall at any Time hereafter, by any Ways or Means whatsoever, lose for a Time the Possession of any of their aforesaid

principal Settlements or any other Settlement or Settlements, which they may hereafter make, or declare, to be a principal Settlement, or principal Settlements, whereby the Proceedings of the said respective Courts hereby created, or the Election of the Officers hereby directed to be elected and chosen, may be suspended or delayed, and the Possession of such principal Settlement, or Settlements, or other Place, shall afterwards be restored to the said Company, in every such Case, and as often as the same shall happen, the same shall not be deemed, or construed, to be a Dissolution of any such Corporation or Court: And it shall and may be lawful, to and for the *Court of Directors* of The said *United Company*, or the major Part of them, at such Time, after such Place or Places shall be restored, as shall be most convenient for them, to nominate and appoint all such Officers as by these Presents are appointed, to continue in their respective Offices until such Time as others are, by these Presents, appointed to be chosen and that the Persons so to be appointed and chosen, shall, at such respective Places, have, use, hold, exercise and enjoy, all and every the same Jurisdictions, Powers and Authorities whatsoever, as might have been exercised and enjoyed at such Place and Places if The said *United Company* had never lost the Possession thereof: Provided always, and We do hereby reserve unto Ourselves, Our Heirs and Successors, full Power and Authority, upon any Application to Us for that Purpose, made by the *Court of Directors* of The said *United Company*, or the major Part of them, to revoke, vary, alter, annul and make void, these Presents, and every Matter, Clause and Thing therein contained; and to make and grant unto the said Company, and their Successors, such new, further or other Powers, and Authorities, as We, Our Heirs or Successors, shall in that Behalf think fit.

AND We do, for Us, Our Heirs and Successors, grant and declare, that these Our Letters Patents, or the Enrolment thereof, shall be, in and by all Things, valid and effectual in the Law, according to the true Intent and Meaning of the same, and shall be taken, construed and adjudged, in the most favourable and beneficial Sense, for the best Advantage of the said Company, as well in Our Courts of Record as elsewhere, notwithstanding any Non-recital, Mis-recital, Defect, Incertainty or Imperfection, in these Our Letters Patents.

IN WITNESS whereof, We have caused these Our Letters to be made Patents. Witness Ourselves, at *Westminster*, the Eighth Day of *January*, in the Twenty-sixth Year of Our Reign.

By Writ of Privy Seal.

COCKS.

should be suspended, and such Settlement should afterwards be restored to the Company, the same not to be construed a Dissolution of any such Corporation; and the Court of Directors may nominate Officers to continue till such Time as others are hereby appointed to be chosen.

Reservation of Power, upon Application of the Court of Directors, to revoke or alter these Presents, and to grant new or other Powers.

These Letters Patents, or the Enrolment thereof, to be effectual, notwithstanding any Mis-recital, &c.

In Witness, &c.