

PUBLISHED

DAILY.



# BOMBAY

TUESDAY, JULY 6, 1841.

# GAZETTE

Vol. LIII.

Price 13 Rupees Per Quarter :—52 Rupees Per Annum ;—or, if paid in Advance, 48 Rupees Per Annum.

New Series No. 5.

### CHARGES FOR ADVERTISEMENTS IN THE BOMBAY GAZETTE.

6 Annas per line, with the customary abatement to the Trade.

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6 Annas per line for a first insertion.  
3 do. do. for a second do.  
2 do. do. for a third do.  
the same being in immediately succeeding papers.  
Under ten lines, 4 Rupees.

### PUBLIC NOTICE.

FROM and after the 1st July 1841, the BOMBAY GAZETTE will be published daily (Sundays excepted), without any additional charge to Subscribers.  
Bombay, July 1, 1841.

### WANTED IMMEDIATELY.

Six first-rate Compositors and two Pressmen—they will be liberally paid. Apply at this office.  
July 2d, 1841.

### NOTICE.

THE Public is hereby informed, that the BOMBAY GAZETTE PRESS has been removed from the late Premises No. 5, Forbes Street, and is now occupying the Premises in Apollo Street, Old Admiralty House, opposite the Bombay Chamber of Commerce and Exchange Rooms, where all communications to the Editor will be received.—Bombay, 5th April 1841.

### BOMBAY GAZETTE OVERLAND DISPATCH.

WHICH will contain a Precis of Indian Intelligence for the past Month.

The Public and Subscribers to the Gazette are informed that an Overland Monthly Summary, will be published at this Office for the present and every succeeding Mail.

The Outstation Subscribers to the Bombay Gazette are hereby informed that if they will favor the Editor with the names of the Parties in England to whom they wish their Overland Summary to be sent, they will be forwarded punctually through the Post Office here by each Steamer.

No Postage is levied by the Falmouth route and by Marseilles Two-pence.

To the Subscribers of the Gazette. included in the charge  
To Non-Subscribers. 1/2 Rupee per Copy.  
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THE SUBSCRIBERS to the GAZETTE are requested that whenever a change of residence or Station may take place, they will be pleased to give information of the same, in order, to prevent mistakes in forwarding their Newspaper.

### COPPER PLATE PRINTING.

THE Public in general is hereby informed that VISITING and INVITATION CARDS, will be executed at this Office, at the following prices.

Lady's Visiting Cards, Enamelled, per pack. Rs. 2  
Printing. Ditto. Ditto. 3  
Gentlemen's. Ditto. Ditto. 11  
Printing. Ditto. Ditto. 3

Invitation Cards, Engraving &c, on the most reasonable terms.

Gazette Office, July 1, 1841.

FOR SALE.—A few copies of the "CEYLON MAGAZINE" from No. 1 to 8, for September, October and April, Price 3 Rupees per Copy.—Apply at the Bombay Gazette Office.

Gentlemen desirous of becoming Subscribers to the above Periodical will be pleased to communicate the same to the Editor by letter post paid.

### TO THE ARMY AND NAVY.

THE following Works are for Sale and to be had on application at this Office.

MARRYAT'S CODE OF SIGNALS, Sixth Edition, of the 1st, 2nd, and 3rd Parts, with the Supplement to the above, and also the Honorable Company's Steamers and Ships of War, corrected and enlarged with considerable alterations and additions Rs. 2  
Report of the Commissioners for Inquiring into the Naval and Military Promotion and Retirement Rs. 2  
Proceedings of a General Court Martial held at Fort George on Captain D. G. DUFF, 16th Regt. N. I. R. 1

### BOMBAY SPORTING MAGAZINE.

MANY applications having been made to the Editor of this Journal, and promises of assistance given to get up a Sporting Magazine, it is hereby announced that the 2nd No. of the BOMBAY SPORTING MAGAZINE was published on the 29th of March, and No. 3 will appear in July. The price to Subscribers is 12 Rupees a year, single numbers 4 Rupees. Communications will be thankfully received.

### FOR SALE, at the Gazette Office;

Respondentia Bonds, each R. 1  
Ship's Articles " 1  
Policies of Insurance " 1  
Bills of Exchange, per set. Ans. 8  
Interest Bonds " 8  
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Powers of Attorney. " 8

### TO FAMILIES PROCEEDING TO ENGLAND.

A highly respectable English Girl who has been five years with a Lady, is desirous of going with a family or Lady to England, or to take charge of Children. Apply at this Office.

### INSOLVENT DEBTORS' COURT.

In the matter of the Petition of George Taylor, an Insolvent.

NOTICE is hereby given, that Monday the 19th instant, is appointed for a further Hearing in the above matter for the purpose of making a first dividend.—Dated this 5th day of July 1841.

J. P. LARKINS,  
Chief Clerk,

### ADVERTISEMENT.

APPLICATION having been made to the Supreme Court of Judicature at Bombay, that Probate of the last Will and Testament of SHAH ANOOPCHUND KHEMCHUND, late of Bombay, Hindoo Merchant Inhabitant, deceased, may be granted to SHAH AMERCHUND KHEMCHUND, also of Bombay Hindoo Merchant and Inhabitant the Brother of the said deceased and the Executor appointed by the said Will—all Persons concerned are hereby apprized.—Dated this 5th day of July 1841.

ACTON S. AYRTON,  
Proctor.

न ईर. ५५२ \*

श्री. मुमयजने. श्री. दु. वेपारी. तथा. रेववाशी.  
मरनार. शां. अणुपयं. श्री. मयं. देवा. वशी. मय. ना.  
माने. अणुपती. मार. वेवाशा. ई. मरनार. ना. शां. शां.  
अमयं. श्री. मयं. देवा. वशी. मय. ना. मय. ई. दे. वे. वे.  
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नारी. ५ श्री. मय. मय. १८४१

### INDIAN INTELLIGENCE.

#### NORTH WEST PROVINCES.

AGRA UKHBAR, JUNE 26.

The following extract from a letter dated Kurnal 21st instant explains the particulars of a very sanguinary attack upon a Young Officer of the 19th Regt. Native Infantry.

"It appears the sepoy had been insolent six months ago to some of his Officers, and was tried in consequence, and condemned for six months to the roads, which period had just expired. He had been heard to say, that he would kill both the Adjutant and Quarter-Master when he had completed his period on the roads, and accordingly last evening (20th June,) while six of the Officers were sitting in the Mess, the man entered the Mess House, and after surveying a Captain Smith and observing he was not the person he wanted, he went behind a young Officer named McDougall, and cut him across the neck with one of the two swords with which he was armed; he took McDougall for the Adjutant the latter fortunately for himself being absent. Having thus as he supposed killed one of his victims he proceeded to attack the Quarter-Master (Lieutenant Hawks) who was fortunately on his guard, and seizing a chair he defended himself with while with it he pushed the fellow backwards. McDougall now seized the man's sword, and cut him down by inflicting a wound through the skull. It was one of the most daring attacks, which has ever occurred on the part of a native. Providentially McDougall is cut across the back of the neck, for had the wound been higher or in a lateral direction he must have died; he is a fine young lad just arrived in the country and showed great spirit and presence of mind—the man had also a pistol which he attempted to fire at Mr. Hawks.

AGRA.—The Meeting to take into consideration the improvement of the Bombay and Agra dawk, as well as such other matters as may be brought before it, will assemble on Thursday the 1st proximo after muster, at the Testimonial.

The weather is, we are sorry to say, of a very tantalizing kind, daily threatening rain, while but a few drops fall. The heat is very oppressive.

Jhunkoo Rao, the Gwalior Rajah, is, we learn, seriously ill and, it is apprehended that should a fatal termination take place, considerable disturbance will follow—as is indeed the general rule on such occasions.

An affray, which was attended with death and injury to several, took place last week in the Myapoorie district. Upwards of two thousand were engaged in it; the cause was the right of some alms deposited at a temple—Hindoo—to which two parties laid a claim, one headed by a Zameendar of considerable property—if our revenue system has left property in the country deserving, such a name.

DELHI GAZETTE, JUNE 23.

The Editor of the Bombay Gazette in allusion to our remarks respecting the delay in the receipt of his Overland Extras to which he has some subscribers from this, who receive them through our agency, entirely exculpates his office from any blame; whilst the acting Post Master General takes upon himself, and coolly enough too, all the responsibility. The following is the worthy gentleman's answer to the Editor on his referring the matter to him.

"The acting Postmaster General has the pleasure to inform the Editor of the Gazette, that the Parcel in question was despatched from Bombay on the 12th or 13th. It arrived at this Office on the 9th, but could not be despatched at an earlier date, because according to the Post Office Rules it was necessary to detain Newspapers and Parcels until all the letters for the same line of Dawk had been despatched. So soon as these had been despatched the Parcel in question, together with other Parcels was sent to Delhi.  
Bombay, June 5th, 1841"

The papers in question, were received sixteen days after their publication, the date on which they were, as it appears, from the above acknowledgement sent to the Post Office. There may be a rule respecting the dispatch of Overland papers taking place after that of the letters, which, from the irregularity in their arrival is certainly not always acted upon; but this arrangement, bad as it is, has no right to interfere with papers published in Bombay and despatched from a house there, besides how can the post master account for his sending us a heap of papers between the 9th, the day on which the packet in question was put into his office, and the 12th or 13th ultimo, and leaving the Gazette's extra to its repose? The Agra Ukhar truly remarks that the ways of the Bombay post office are inscrutable and we perceive that even our contemporaries of the presidency complain of the inefficiency of the arrangements and the great delay which has occurred in the delivery of the packets on this occasion, but we fear all their and our complaints are unavailing; it is now fifteen days since the arrival of the Mail and hitherto, beyond Galignani's Messenger despatched by our own agent, we have scarcely any of our

English files, one Examiner, Item one Athenæum, Item one Spectator and two or three Irish Papers being all that have arrived. Whether the present arrangements result from the bad management of the post master, his ineffective establishment, or the stinginess of Government we cannot tell, but we know we feel the disadvantage of them, for though we cannot hope, as our learned brother of the Gazette intimates (and by the bye he takes the matter more coolly than we fancy his subscribers will) for rail road or electric Telegraph speed we should be very glad to see some arrangement entered into by which papers and letters might not be doomed to a dozen in the Bombay post office for some five or six days after their receipt. It is however of no use grumbling we must perforce, "grin and bear it."

Some more papers dropped in, in the course of yesterday, bearing the Bombay post mark of the 10th instant. We suppose this delay is legal, but it is very disagreeable.

### CALCUTTA.

HURKARU, JUNE 23.

The Shipping Report of this morning announced the arrival of the Flora McDonald, Simon, from Rangoon 1st June.

A second story, of a somewhat similar character, has reached us from another quarter.

Captain Tingate, of the Singapore Packet, just arrived here, took convicts from Bombay to Singapore. When off Ceylon they complained of their provisions being bad. Every explanation was given to satisfy them that they were as good as could be expected, and that the Captain was in no way to blame, but all was useless; they broke out in open mutiny, and tried to seize the Captain and officers. A scuffle immediately took place, and the ringleaders were ultimately knocked down, the first by Captain Tingate, who struck him with a billet of wood which was fortunately close at hand. On a general rush taking place from the prison to get upon deck, the convicts were knocked down, one after the other, and finally secured. After such behaviour, Capt. Tingate kept them upon very short rations for two days, hoping to convince them of their error but the lesson was not severe enough, for they again became outrageous, and were a second time secured. Captain Tingate then determined to keep them in close confinement, which he did, until they reached their destination, before which four of them died of their wounds, and several were suffering severely from them. The bold and manly conduct of Captain Tingate received the marked approbation of Mr. Bonham, the Governor of the Straits, and we sincerely hope the Insurance Officers will testify their approval of Captain Tingate's behaviour, by a substantial present to him, for his bravery and firmness saved the vessel. The numerous instances, in which convicts have tried to capture the vessels in which they were shipped, ought to convince Government of the necessity of sending a military guard with such daring criminals. The whole of the convicts on board the Singapore Packet, had been transported for being concerned in different murders.

**CONSIDERABLE THEFT.**—Baboo Kishen Kishore, the mooktar of the Raja of Rajshahie, residing in Coomartolee, was, during the night of Friday last, robbed of property to a considerable amount. The circumstances appear to be the following. On Saturday morning, the Baboo on getting up at his usual hour, was surprised to see his doors open, and a patara lying outside. The patara he found had been opened by a strange key, and the following articles stolen from it. Five casimere shawls of the value of 310 rupees, and a variety of other things, such as wearing apparel, silver articles, &c. the value of which was a hundred rupees and upwards. The Baboo suspected his woman servant was concerned in the theft. She was in the habit of sleeping in the room where this patara was, and of shutting the door every night before going to bed. He questioned her accordingly, when after repeated denial of all knowledge of the matter, she admitted that she had let in two men, Pachoo, who was formerly a servant of the Baboo's; and Madhub Sing, the durwan of the premises; and that these men had stolen and carried away the things. She added, that she had been induced to let them in, because they had threatened to beat her if she did not assist them. This case is now under investigation before the magistrates, and we learn that Mr. McCann has been ordered to go and inspect the premises.

CALCUTTA COURIER JUNE, 23.

**MUTINY ON BOARD LA FELIECE.**—We have been kindly favored by Captain Saunders, of the *Dido*, with a memorandum of a serious mutiny on board of the barque *La Feliece*. She had been freighted by the Straits Government to carry twenty or thirty recruits for the Ceylon corps from Penang to Ceylon, touching at Madras. A few days after she had put to sea, from some cause or other, a party of the Malay recruits got into the Captain's cabin, and endeavoured to murder him. They, however did not succeed, as the Captain managed, after receiving several wounds, to get clear of the assassins, and getting on deck, summoned the crew to his assistance, put on the hatches, and thus kept down the major part of the conspirators. A battle then took place between the Captain and crew on one side, and the assassins on deck on the other, the result of which was, that seven of the Malays were cut down, and the rest captured and bound hand and foot. Those below were subsequently secured, by being ordered on deck, one by one. The second mate (the Captain's brother) and another man, jumped over board, it is supposed from terror, and were drowned. The vessel put back to Pe-

nang on the 8th instant, her deck still in the same condition that they were after the mortal struggle; and on the prisoners being examined several of them were found dead, from the sufferings they had endured while tied. The whole of the parties were on shore, under going their trial, when the *Dido* left, and Capt. Saunders can supply us with no further information on the subject. —*Hurkaru*.

### MADRAS.

HERALD, JUNE 26.

The detachment of the Queen's 50th lately arrived from Sydney disembarked on Thursday afternoon, and marched to Poona mallee. The recruits per the *Columbus* were also disembarked at the same time, and marched to St. Thomas's Mount.

We have been informed that the Rev. John Anderson of the General Assembly's Mission in this city, baptized two of the Hindoo pupils connected with that institution, on the evening of Sunday last. The rite was administered to these young men, each of whom is upwards of eight or ten years of age, at their own special request, — a highly cheering fact, and demonstrative of the power which the religion of the Bible must have acquired over their affections.

ATHENÆUM, JUNE 26.

The Calumet from America came in on Thursday evening with a cargo of ice and notions for this presidency. She is at anchor opposite the Ice-house on the south beach. Her Captain says that the cargo is all sound; which is likely to be the case, it having lightened only seven inches since the vessel sailed, and some deduction from this must be allowed for the provisions and water consumed during the voyage. The cargo however has not yet been examined, and nothing has been decided as to how it is to be landed.

Since writing the foregoing, we have received a letter from the Secretary of the Ice Committee, to which we invite public attention.

An officer of rank at Mangalore has received a letter from Europe in which Major General MUNRO of this establishment, is said to have died on the 16th of April last.

The Court Martial on the three men of the 2d Madras European Light Infantry who were charged with murder, has terminated its proceedings; and the result is, that Privates M. GAYNOR, P. DALY, and P. CONNOR have been sentenced to be hanged by the neck till they are dead, but the latter two have been recommended to mercy.

The sentence of death awarded to Private M. GAYNOR has been approved and confirmed by the Major General Commanding the Army in Chief, and concurred in by the Governor in Council.

The sentences of death passed on Privates P. DALY and P. CONNOR has been approved, but commuted by Sir ROBERT DICK to transportation for the term of their natural lives; which also has been concurred in by the Governor in Council.

### OOTACAMUND CLUB.

TO THE EDITOR OF THE ATHENÆUM.

Sir—Will you have the goodness to give insertion to the following, and oblige

Your obedient Servant

A. DOUGLAS.

N. B. In accordance with the expressed wishes of a great majority of Supporters, the Sleeping Apartments, Reading and Refreshment Rooms will be first commenced on. The Racket Court, it will be observed, is quite a distinct undertaking.

Ootacamund, 21st June, 1841

SPECTATOR, JUNE 26.

**BANGALORE NEWS.**—The sham fight on the anniversary of Waterloo was a very brilliant and well managed affair, the ground selected was on the Bellary and Nundy-droog roads, the troops returned early after the show was over; the day concluded by a party given by the Hussars. Colonel GIBSON's arrival at the Station, was expected on the 2nd—Captain NICOLAY was to leave for Bellary the following day. A Detachment consisting of a Captain, Lieutenant, five Sergeants and five Corporals from the second European Regiment, have been ordered to Madras to bring up recruits, they are to be at the Mount by the 10th proximo. Some of the racers we learn have broken down, but great things are anticipated from a small bay maiden Galloway, who it is said will be backed against the Madras turf. The theatricals still flourish, "The Man and the Tiger," and "You can't marry your Grandmother," had been rehearsed and were to come off immediately. Heavy showers have fallen latterly at Bangalore, and the weather has assumed quite a monsoon like aspect.

We regret to learn that only one of the Ships recently arrived from New South Wales with detachments of H.M. S. 50th Regt. on board, has agreed to proceed on to

Calcutta with her freight. In consequence of this inability to forward them, and as it was reported that their state on board was exceedingly wretched, a large detachment was landed yesterday evening and marched to Poona mallee, unfortunately exposed to the heavy rain which fell at the time, but which the poor fellows were too glad at their release from the confinement and discomfort of ship-board, to heed. Very few of the men have jackets, and not one out of three a pair of shoes of any description so that the relief which is thus afforded to them will be sensibly felt.



Notice is hereby given, that it is the intention of the Hon'ble the Governor in Council to despatch a Steam Frigate, with a Mail for Suez, on Monday the 19th July next.

By order of the Hon'ble the Governor in Council  
P. M. MELVILL, Lieut. Col. Secy. to Govt.  
Bombay Castle, 15th June 1841.

Domestic Occurrence.

BIRTH.

4th July, at Girgaum, Mrs. Arnold B. Collett, of a Son.



### CORRESPONDENCE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR.—The *United Service Gazette* of the 11th instant brings forward to Public view, the conduct of a noted Vakeel, "ROWJEE GOORBOOLAY," and the "USRAFF COURT." Now if this Vakeel has any regard for his character, he should prosecute for Defamation and thereby see the minds of the Public at rest, as to the question about the dismissal of *Vigainous Vakeels* from Courts where an *English Judge presides*. Mr. M—'s capability as a *shrewd, intelligent, active and able Judge* (as people say) will now be put to the test! The Public complain also of bad and careless European Judges and Magistrates who by their propensity and example, encourage villainy and Corruption. That "*Scabby Sheep*" among a flock will exist, there can be no doubt, so long as the bad *Shepherds* swallow and fatten on the curd and cream and say, "we are only for a time in charge, and our successors must look to the cure and cleansing of ill diseased Bipedes." Thus runs the disease to Eternity the Let the Public, particularly the Natives, see that the "*Battle is not to the Strong, or the race to the swift,*" by practical results; and the honour and integrity of the British character be upheld and maintained for the

PUBLIC GOOD.

Poonah, July 2.



Injustice alas! has long been notorious  
Selfinterest and wrong have had their full sway,  
The scourge and sword have alike been victorious;  
To fade, groan, or decline India well may.  
But stop let her brave sons be united and calm,  
And solicit protection to the feeblest worm,  
No Government can or shall oppressively harm,  
While the Old BOMBAY GAZETTE can weather the storm.

The BOMBAY GAZETTE is free and ever will yield  
Its aid in maintaining each equitable right,  
And whenever injustice dare enter the field,  
'Twill valiantly conquer or fall in the fight,  
No threat for a moment shall dim our bright glory,  
While advocating justice in truth, not in form;  
And each succeeding issue will tell the proud story,  
The BOMBAY GAZETTE even will weather the storm.

To comment and watch over every proceeding,  
Army, Law, Religion, and Politics too;  
That the stream of justice may find no impeding,  
And natives themselves for liberty sue.  
Parties the BOMBAY GAZETTE will never support  
But to all hold friendship's hand pure, creedless and warm  
And to smiles and to fear 'twill equally retort,  
The BOMBAY GAZETTE ever will weather the storm.

### To Correspondents.

We beg to inform our Correspondents that we have constructed a letter Box, facing the stairs upon the first floor landing, that their communications may be dropped in at all hours without inconvenience of enquiry as to the sender. If public patronage will warrant it we will increase the size of our Journal to double what it is at present.

"AN OLD SOLDIER" has been received, but for politeness eyes and ears we would be obliged to alter it before it could be published.  
We do not know whether there is another "Sporting Magazine" in embryo at this presidency; but when a communication "to the Editor of the Bombay Sporting Magazine" though legibly written that "he that ran might have read it" is unceremoniously opened and superscribed, "opened by mistake, T. J. A. SCOTT," we are led to suppose that such may be the case—if not, let parties connected with other presses take care.

"PHILANTHROPY" in our next.  
"PADDY BOBBERY" has our best thanks, but we will feel much obliged by his dating his communications in future.

### To our Readers.

OUR daily issues may not at first be so early as we could wish; but our readers know the inconveniences arising from any improvement among Hindoo workmen.

SHOULD our Mofussil Subscribers consider it better to send two days issues together, on account of postage, we will be happy to do so if they will make known their wishes.



"Measures, not Men."

## THE GAZETTE.

Tuesday, July 6, 1841.

We have received Calcutta papers up to the 24th Ultimo, and the Colombo Observer of the 17th Ultimo. They are barren of all intelligence of interest.

We learn that a letter has just been received from Brigadier Joaquim Pereira Marinha, ex Governor General of "Mozambique" stating that he left that place, in charge of seven large slavers! for Bombay, where he intended to hand them over to the authorities for transmission to Europe. Bad weather obliged him to put into Goa, where the vessels were immediately seized by order of the Governor, and a guard of Casadores placed over General Joaquim, and all communication between him and the Natives prevented. He was subsequently with his Secretary and two attendants, escorted by a Military guard, to the Goa Frontier and having been told privately, that it was likely he would be assassinated, the General has applied to the authorities here for protection; he requests that a guard, and carriage be sent to meet him at "Betsey," and promises to defray whatever expence that may be incurred thereby on his arrival at Belgaum.

He states that the Governor of Goa is deeply implicated in the slave trade, the activity with which the ex Governor kept it down during his administration at Mozambique he states to be the cause of his arrest. We suppose some of our steam Frigates will visit Goa very soon, and make kind enquiries after the slavers, and then teach his Excellency the Governor that as we protect his country both at home and abroad, we will not allow him to commit his wholesale kidnapping under our very noses.

With reference to some letters which appeared from our own correspondent in our paper of the 23rd ultimo in reference to the affairs of Budamee, we have made use of the word "Cut" or "Khut." The meaning the word is intended to convey is, that a flag of truce had been sent from the fort and that the bearer of it also had a "Cut" or "Khut" (a note) in which the Jemadar expressed his regret, &c. This explanation may be necessary, because many of our readers may not understand the meaning of the term.

We understand that the Hamauls have struck—and no Paulkee can be hired now for love or money. This is vexatious, and it is our firm conviction that, there will be no end to such capricious conduct on the part of the working classes, unless the Police authorities have recourse, in such cases, to summary measures.—Not long ago the Butchers took to sulks, and they were brought to their senses, more by stratagem than by the exercise of authority. This cessation, on the part of the Hamauls, from their daily occupation is said to be in consequence of the Court of Petty Sessions having signified its intention to levy a tax, annually, on each Palanquin,—we are not aware what the exact amount is, but we have heard say it is 12 Rupees—a trifling sum certainly,—and we should have thought it would not call forth as much as a murmur. How grateful the natives ought to be that they are not ruled by a Despot, we could fancy what the consequence of such behaviour would be under a native prince; many a head would have paid

the forfeit of such insolence; many a family would be left destitute, and its members left to beg their bread.

It is not to be doubted, however, that the iron gripe of penury will cause these infatuated menials to return to the right path, and for their own sakes we hope they may not want much time for reflection. In the mean time we would recommend such of the public who are in the habit of indulging in the luxuries of a hired Paulkee, in every case of refusal in defiance of the law, to take the Hamauls to the Court of Petty Sessions. This is easily effected by giving them in charge of a Police Peon or taking their Badge or No. and resort to Pedestrian exercise, for the benefit of their health, since the weather is so opportunely favorable for such excursions.

While alluding to the weather we are reminded that it is as capricious as the Hamauls choose to be at present. The month of July progresses, it is now the 6th, and the rains have not set in as yet. It wants but a month for *Cocanut-fare* Day, and according to native calculation we may expect the season to last but for that period. The Island has been visited by a few smart showers only since the middle of last month—and the heat has been intense during the last 5 or 6 days.

We beg to call public attention to the Report in another part of our columns of a case in the Supreme Court where an application was made that Messrs. Remington & Co. as Attornies for Executors in England might be exempted from giving the usual security as Administrators. Sir Erskine Perry in chambers had refused the application. It was argued by the Advocate General that, if the required security were given it would involve an additional charge of 1 per cent. upon the property by the Administrators. Sir E. Perry observed that such a charge would not be allowed. Sir H. Roper (the Chief Justice) fully concurred in the propriety of Sir Erskine Perry's refusal and doubted whether any precedent for the exemption existed: this doubt however had been removed, for in the instance of Mr. Anderson the present Governor of Bombay then a Member of Council, and Mr. Crawford then Accountant General, who as Administrators to the will of Mr. Ironside had been exempted from giving the usual security by Sir John Awdry when Chief Justice. But this was a solitary instance, and Sir Henry Roper expressed his regret that it had occurred, because on account of their high situation in life, it seemed to be giving a privilege at the expence of persons in less influential circumstances. In referring to the charge of 1 per cent. Sir Henry expressed his concurrence in the opinion entertained by Mr. Justice Perry that such a charge ought not to be made. Several overcharges had been brought on the Ecclesiastical side proved that a charge of  $\frac{1}{2}$  per cent. commission in addition to the 5 per cent. commission usually charged on transactions in Government Securities had been made. No such charge was made by the Registrar and consequently some loss was entailed upon the estate. Sir Erskine expressed his regret that security was not required from Executors as well as Administrators, for he knew of no class of men by whom frauds were so often committed as executors. The application was refused.

The refusal of the application involves considerations of great importance to the whole community because application was made for a privilege which would unhesitatingly be denied to persons of less influence, wealth and importance; and prove, even to demonstration, that in the exercise of justice in Her Majesty's Supreme Court at Bombay, judgement was weighed unequally, deciding by one law in the instance of the rich and by another in the in-

stance of the poor. The question is not whether in the particular circumstances of some Administrators security be required which need not be looked for in the case of others. The high character of Messrs Remington & Co. is sufficient guarantee for the due performance of the obligations of an administration, but the law requires that security be given by all Administrators to estates, and therefore it should be demanded of rich and poor, great and small. The law gives in this instance an equal right and the Administration of it should not be unequal.

The Public have long confidently thought that disadvantages resulted to the estate when administered by the Registrar of the Court and it has hitherto been supposed that administration to estates was less expensive when performed by houses of Agency. It is high time the Public was fully assured upon this point. The remarks of the Chief Justice upon the present occasion remove all doubt upon the point, for it must appear sufficiently plain even to the most sceptical, that, security of the Crown apart, when administered by the Registrar a saving of  $\frac{1}{2}$ , 1, or  $1\frac{1}{2}$  per cent. must arise to the estate than if letters were administered by houses of Agency. It is true that by granting an exemption from the usual security this charge would not be made; but since it would be unfair to grant that to one which would be denied to another, Sir Henry Roper and Sir Erskine Perry have, not praiseworthy, for there is no merit in the impartial administration of justice, but very properly, refused the application.

When it is considered that the judges here are better paid than the judges of the English Courts, it behoves them to go fully, seriously and impartially into every case, whether brought before them in the small or the Supreme Courts; whether in a case of 90 or 90,000 Rupees, and whether on the Criminal, Civil, Ecclesiastical or Equity sides of the Court. In fact they should do what they are paid to do—their duty.

It affords us and doubtless the public generally, great pleasure to see in the conduct of the present Judges a desire and determination to administer impartial justice and to depart from the injudicious precedent of our late C. J. who in granting letters of administration without the usual practice of enforcing security did bow to and respect persons and thereby established in the Supreme Court of Bombay a precedent, although no similar occurrence could be found in the practice of the English Courts. Had this fact come to our knowledge before Sir John Awdry left Bombay, as impartial journalists, we should not have allowed the matter to escape the censure it deserved, because by this one act he made the rich (because they were rich) above the law, and the poor (because they were poor) within the law—a direct blow at the principles of our Magna Charta.

Our Printer's Devil makes his apologies to our readers for the numerous errors that have, of late, appeared in our columns, and he trusts that by a more vigilant supervision over his *myrmidons* to prevent their creeping in, in such plenty, in future.—For our part, we say, *we hope so.*

### SUPREME COURT.

JUNE TERM, 1841.

MR. ADVOCATE GENERAL moved that Remington and Co. to whom as attornies for executors in England administration with the will annexed was about to be granted, might be exempted from giving the usual security as Administrators. He stated that he had made this application in Chambers to Mr. Justice Perry who had refused it. That upon that occasion, he (the Advocate General) had stated there were precedents in favor of the motion. He argued that it would be a saving to the estate to exempt Remington & Co. from giving security because if compelled to give security they would charge a Commission of 1 per cent. on the amount of the security given. (Mr. Justice Perry here observed that such a charge would not be allowed.) Mr. Advocate General proceeded to say that the Court had great discretionary power on this sub-

ject under the statute, which empowered it to apportion the Commission between the Registrar and the attorney for the next of kin or executor when a grant of administration to the Registrar was repeated.

SIR HENRY ROPER (Chief Justice) said, He perfectly concurred in Mr. Justice Perry's refusal of the application. He had at first doubted whether any precedent for the exemption sought for existed, but the documents in the case in which Mr. Anderson the present Governor of Bombay and lately a Member of Council and Mr. Crawford formerly Accountant General and now a Member of Council were Administrators with the will annexed of Mr. Ironside, had removed the doubt. Mr. Anderson and Mr. Crawford as such Administrators had been recently excused by Sir John Awdry, when Chief Justice from giving the usual security. It was a solitary instance of exemption from the general rule, and he (the Chief Justice) was sorry it had occurred, especially as the parties exempted had been of such high rank; not that he supposed Sir John Awdry had been influenced by that consideration, but the late Chief Justice appeared to him to have misapplied the law upon the occasion. It was said his decision was founded on the doctrine that the attorney of an Executor represents the Testator in like manner as the Executor of an Executor represents the first testator. But an executor cannot assign his executorship, although by will he may transmit it to his own executor. The attorney of the executor cannot obtain probate but merely administration with the will annexed. He is the officer of the Court, and must give security accordingly. The Statute alluded to by the Advocate General gave no discretionary power to the Court upon this subject. It provided that where letters of administration granted to the Registrar were revoked, the Court might limit or diminish the Registrar's commission in proportion to the service rendered. It did not expressly provide for apportioning the commission between the Registrar and the party in whose favor the letters were revoked. The Advocate General was mistaken in supposing the act contained any express words to that effect, but if application were made on such a matter he (the Chief Justice) conceived the Court had implied power to an apportionment, and that it would make it accordingly. In fact however, no application on that clause in the statute had ever been made and the consequence had been disgraceful where letters of Administration granted to the Registrar had been revoked in order to administration being granted to houses of agency or others as attorneys for executors or next of kin full commission had usually been taken by the Registrar and also by the person or persons to whom the new grant of administration was made, and the estate had been burthened with a commission of 10 per cent. He agreed with Mr. Justice Perry that a charge of 1 per cent. on the amount of security given ought not to be allowed and he was not aware that such a charge had usually been made; the Advocate General however might be perfectly correct in his assertion to that effect for other overcharges had been brought to the notice of the Court. By accounts filed on the ecclesiastical side of the Court it appeared that Forbes & Co. had charged 1/2 per cent commission on transactions in Government securities in addition to the 5 per cent commission usually allowed to Administrators, no such charges being made by the Registrar. The mode of proceeding was this:—one or more members of the Firm took out administration and charged the 5 per cent commission and the estate was managed by the firm as Agents, and the Agency Commission was superadded, and thus the commission amounted altogether to 5 1/2 and even 6 1/2 per cent and yet the Public had long imagined that administration by a House of Agency was less expensive than administration by the Registrar. It appeared to him (the Chief Justice) that the officer should bring to the notice of the Court overcharges by Executors or Administrators. He (the Chief Justice) had only recently become aware that Agency commission had been charged in addition to the Administrators commission and for aught he knew one per cent commission in giving security might have been usually charged as mentioned by the Advocate General.

Sta. E. PERRY agreed with the Chief Justice in thinking the application should be refused. For his part he regretted that Executors were not bound to give security as well as Administrators for he knew no class of men by whom frauds were more often committed than by Executors. Application refused.

CRIMINAL SIDE.

MONDAY JULY 5 1841.

SIR ERSKINE PERRY, Puisne Judge commenced his address to the Grand Jury this day by expressing his deep regret that on this, the first occasion of his having the honor of addressing a Grand Jury in this Court, it became his duty to remark upon so heavy a calendar, not with regard to the Number of Prisoners which would be brought before them, but the character of the offences with which some of them were charged: there being no fewer than six cases of Murder or manslaughter, crimes which Humanity must shudder at.

Sir Erskine pointed out to the Grand Jury the distinction to be drawn between the crimes of manslaughter and murder, citing several cases and amongst them the one which was tried before C. J. Holt where a soldier was running along a road to see an affray which was going on, when a woman in the street called out to him, "Are you going to commit murder?" He turned round and said, "What's that you say you—?" Upon which she struck him a blow in the face. He struck her again, when she ran away: He followed her and drawing his sword plunged it into her heart, and she died on the spot. C. J. Holt held that, in this case the crime amounted to murder, but upon the trial it appeared that the woman had struck him on the face with her patten, inflicting a severe wound which covered him with blood. Upon this being proved, Lord Chief Justice Holt said that though the woman had died in consequence of the wound he had inflicted, still it was clear that as the man was at the time smarting under the effects of the injury she had inflicted, the crime was reduced to manslaughter. There was one case, Sir Erskine observed, which would be brought before them where a Prisoner is charged with administering poison with intent to murder. The exact nature

of the poison had not been ascertained. In this case the Prisoner had gone to a house of ill fame where he gave some destructive drug to two Women which produced a stupor though neither of them died. In this case the learned Judge remarked the Prisoner should undoubtedly be indicted for administering some thing destructive with the intent to commit a felony. After some further remarks the learned Judge in conclusion requested the Grand Jury to retire and find two short bills, previous to his leaving the Court, and for which he should feel much obliged to them.

FELONIES.

Table with 3 columns: No., PARTIES NAMES, FOR WHAT OFFENCE INDICED. Lists 17 cases including Balcrstna Guanoba, Shanjee Annund, Megha Teja, etc.

PRICE CURRENT FROM OUR OWN CORRESPONDENT.

Table of market prices for various goods including Canton, Bengal Cotton, and Tea. Includes items like Surat, Broach & Jumboosur Cotton, Madras Fins, and various types of sugar and silk.

CHINA CLOTHS.

Table listing prices for various types of Chinese cloths such as Velvets, Plain Satin, and Silk Damask.

EXCHANGE.

Table showing exchange rates for England, Calcutta, and Bombay.

CURIOUS CASE.—A remarkable case was heard in the course of Saturday before the Lord Mayor. A young Woman of interesting appearance was brought before his lordship, charged with having interrupted a gentleman, who resides in Cannon-street, in his business. The complainant stated that the girl, who had been his housekeeper for some time, but with whom he had lately parted, called at his counting-house, and remained there between four and five hours, and could not be removed without the interference of the police. The mother of the defendant (a person of very respectable demeanour) begged to be heard, and being sworn, declared that complainant had promised to educate and then to marry her daughter, who, relying upon his affectionate solicitude for her welfare, naturally indulged the hope of being united to him at no distant period. The complainant, however, forgot his solemn assurances in every respect, and the girl was suffering all the misery arising from disappointed hopes. Lord Mayor.—Do you mean to say that he took a base advantage of the attachment of the girl? The mother of the defendant replied that he took advantage not in the way evidently alluded to by his lordship, but as he led the girl to expect he would marry her, and then get rid of her she could not be prevailed upon to think of any occupation nor could she be controlled. When the gentleman applied to engage her as his house-keeper, she (the mother) objected, as he was a single man, but defendant insisted upon taking the situation. The complainant said that he believed the girl to be strictly virtuous but she laboured under the greatest error in supposing that he had a passion for her. The girl sobbed violently, and said that the gentleman had shewn, by a variety of the kindest acts, that he intended to make her his wife, and that he had told her they could not be united in her present uneducated condition, on which account he should send her to school. It was impossible that she could be mistaken, and she particularly called to his recollection the tenderness which he had shewn to her while she was confined in consequence of a fall from a window of his house.—The mother here stated to his lordship that her daughter had, in her infatuations, thrown herself from the window. Lord Mayor: Did she really suppose that the gentleman intended to marry her? The mother replied that she did, and with good reason. Complainant: The poor girl is certainly weak in the intellect, and labours under a very strange delusion. She has mistaken the compassion which I felt for her for a very different emotion. Finding that her head was full of vagaries, I determined to part with her, and, upon learning my intention, she flung herself from the window. She was taken to the hospital, and I naturally felt and expressed myself warmly towards her when she lay there. Every act of pity or benevolence, however, which I exhibited has been construed into the nonsense of which she speaks.—Defendant: You know perfectly well you over and over again vowed that I should be yours for ever, and that we should be married after I should be six months at school. But I know what the cause of the change is, May your new acquaintance, is your favourite now. The complainant said that what the girl was uttering was mere madness. The Lord Mayor recommended the girl to go at once into service, and drop ridiculous thoughts of becoming the wife of a gentleman. The mother then assured his lordship that she would endeavour to lower the tone of the young woman's ambition, and make her adopt herself to the circumstances in which she was placed. (Globe.)